

## VIRGINIA CITY COUNCIL

### COUNCIL PROCEEDINGS

**CITY OF VIRGINIA, MINNESOTA, MAY 24, 2016**

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

Roll Call:

Present: Councillors Littlewolf, McReynolds, Jorgensen, Baribeau, Sipola, Baranzelli, Mayor Cuffe, Jr. - 7

Absent: None

Mayor Cuffe, Jr. led the Pledge of Allegiance.

#### **Public Forum**

Representative Jason Metsa gave a briefing on the recent legislative bonding session, which ended in “chaos,” on Sunday, May 22, 2016. Representative Metsa apologized for the session ending in such a mess and he fielded a question and answer session with the Council. Councillor Jorgensen asked about the fate of the half of a percent sales tax. Representative Metsa said it did not make the final bill, while a couple of larger metropolitan cities, not rural, made the cut. He felt that rural Minnesota was discriminated against. Councillor Jorgensen asked about the state of the \$3.4 million funding gap that was in the transportation bill. When asked, Representative Metsa was hopeful that the Governor will call a “Special” session to try and complete some of the bonding issues this year. Metsa was concerned, as there were no “Range” projects in the Governor’s bill. Representative Metsa expressed his concern that the Governor should have stricter guidelines on what can be spent. Mayor Cuffe, Jr. requested that Representative Metsa check into the status of the Mighty Ducks grant bill presented by Senator Metzen, as the City had applied for the grant to purchase a Zamboni for the Miners. The Mayor expressed his disappointment in the bonding and the sales tax for the Miners repair being taken out of the bill at the last minute. The Mayor also requested Representative Metsa to provide the Finance Director a list of priority projects for the Range from this recent bonding session. Representative Metsa stated that some of the main projects for the Range area, are to include the cities of Duluth, Cloquet, Carlton, and the greater Range, were Range Mental Health, wastewater treatment projects; WLSD, AEOA, and the Miners. Councillor Baribeau expressed his disappointment in the City having to upfront the monies for the Highway 53 Reconstruction Project, encumbering fees and interest on the \$3.4 million gap funding through loans, bonding, etc.

Steve Johnson approached the Council regarding vacant, deteriorating property located at 301 Eighth Street South, which is now becoming a safety issue with the neighbors, as a squatter has taken up residence. The police and fire departments have both responded to calls by concerned citizens. Mr. Johnson is looking for direction on how to handle this situation. The Mayor stated that he was going to be meeting in the near future with the Chief of Police and Fire Marshall and would have an answer for Mr. Johnson in the next couple of days. (1)

Moved by Councillor Sipola and supported by Councillor Baranzelli, to direct the City's Fire Marshal and Engineer to tour and review the inside of 301 Eighth Street South, for condition of human habitation and take the necessary steps to secure the building for no further entrance. Motion carried.

Moved by Councillor Jorgenson, and supported by Councillor Baranzelli to approve the Consent Agenda, as follows:

1. Approval/correction of minutes of Regular Meeting held May 10, 2016
2. Adoption of Finance Resolution No. 16-010 – Schedule of Bills.
3. Approve Resolution 16101 to hire Patrick Kralich as a Skilled Laborer on or after May 31, 2016.
4. Approve Resolution 16102 to hire Erik Moe as a Skilled Laborer on or after May 31, 2016.
5. Approve Transient Merchant/Solicitor License for Virginia Daniel, d/b/a TNT Fireworks at Thunderbird Mall parking lot.
6. Approve Exempt Permit Application for Benedictine Health Systems Foundation to hold a raffle on September 15, 2016 at the Miner's Memorial Building.
7. Approve Exempt Permit Application for Arrowhead Center to hold a raffle on June 17, 2016 at the Arrowhead Center, Inc.
8. Approve Transient Merchant/Solicitor License for Gerald Breyer, d/b/a Generous Jerry's Fireworks at Virginia Super One Foods South in the parking lot.
9. Approve Transient Merchant/Solicitor License for Lawrence Meglen, d/b/a World-O-Weenie's at various parking lots.

Motion carried and Resolutions adopted unanimously.

Moved by Councillor Baribeau, and supported by Councillor Sipola to approve Resolution 16103 to purchase property at 114 5th Avenue South from St. Louis County. Motion carried.

Moved by Councillor McReynolds, and supported by Councillor Jorgenson to appoint Mr. Joe Guertin to the VEDA Board for a one-year term ending December 31, 2016. Motion carried.

Moved by Councillor Littlewolf, and supported by Councillor McReynolds to approve Resolution 16104 to use the Olcott Park on June 18<sup>th</sup> and 19<sup>th</sup>, 2016 for the Land of the Loon Festival. Motion carried.

(2)

Moved by Councillor McReynolds, and supported by Councillor Baranzelli to approve a Parade permit for Saturday, June 18, 2016. Motion carried.

Moved by Councillor Jorgenson, and supported by Councillor Baribeau to approve support of the Apple Tree Learning Center USDA loan for building improvements. Motion carried.

Moved by Councillor Sipola, and supported by Councillor Jorgenson to approve Mr. Jeff Peterson's request to block off the 100 block of Chestnut Street from 11 AM to 6 PM on Saturday, June 18, 2016, to hold a bean bag tournament. Motion carried. It was noted that this event is right after the Land of the Loon parade.

Moved by Councillor Baranzelli, and supported by Councillor Baribeau to approve the installation of a street light on the west side of the north side of the alley of Eighth Avenue to Sixteenth Street North. Currently there are no lights. Motion carried.

Discussion followed regarding concerns of the costs, safety, and staffing for the Land of the Loon Street Dance, with "free flowing" use of alcohol outside of establishments.

Moved by Councillor Baranzelli, and supported by Councillor Littlewolf to approve the Land of the Loon Street Dance on June 18, 2016, from the 300 block of Chestnut Street, roping off the area on Third Avenue, continuing westward to the 100 block.

Ayes- 6      Baribeau, Littlewolf, McReynolds, Sipola, Baranzelli, Jorgensen

Nays-1      Mayor Cuffe, Jr.

Motion carried.

Moved by Councillor Baranzelli, and supported by Councillor Littlewolf to setup a Street Dance Planning Committee for 2017 Land of the Loon Festival, consisting of Chief of Police, Public Works staff, Council members, and Bar Association members.

Ayes- 3      Littlewolf, Jorgensen, Baranzelli,

(3)

Nays-4 Mayor Cuffe, Jr., Baribeau, McReynolds, Sipola

Motion failed.

Discussion followed regarding concerns that the Council and City staff should not be directly involved in the planning and organization of the Street Dance. There are protocols already in place by the Police for this event. Council and staff can assist the Bar Association as an advisory venue, but should not be responsible for fundraising or planning of the dance.

Moved by Councillor McReynolds, and supported by Councillor Sipola to refer the setup criteria for a Street Dance for the Land of the Loon Festival to the Street and Alley Committee of the Whole. Criteria should include controlled access. Motion carried.

Moved by Baranzelli, and supported by Councillor McReynolds to have City Attorney Tom Butorac to investigate a ban on use of retail sales plastic bags, and to obtain a sample ordinance regarding a partial plastic bag ban for retail sales. It was noted that the City will need to have a public hearing to get public input before a ban on plastic bags for retail sales can be implemented.

Motion carried.

Moved by Councillor Baranzelli, and supported by Councillor Baribeau to approve Resolution 16105 to Concur with Change in County State Aid Highway Designations. Motion carried.

Moved by Councillor Baranzelli, and supported by Councillor Jorgenson to allow Public Works staff to remove the large rocks from 612 13th Street North, from Rebecca Maki's property, at the cost of approximately \$500 to be billed to the property owner. The City purchased this property from St. Louis County and is part of the purchase agreement. Motion carried.

Moved by Councillor Baribeau, and supported by Councillor McReynolds to approve Resolution 16106 and to enter into the Joint Powers Agreement with PACE of Minnesota for the energy reduction loans for business in the City. Motion carried.

Moved by Councillor Baribeau, and supported by Councillor Baranzelli to approve the Second Amendment to the lease agreement among the City of Virginia, Essentia Health East and Essentia Health Virginia, LLC. This would guarantee the operation of the nursing home. This amendment is the creating of a new business joint venture between Essentia and Benedictine Health Systems, VHS. Motion carried.

Moved by Councillor Baribeau, and supported by Councillor Jorgenson to allow City staff to research financing availability for Option #3, of the Fairway Stabilization Design Study & Cost Estimates, conducted by Gill Design for the Virginia Municipal Golf Course. The reconstruction costs will be approximately \$1.8 million for golf course greens, #1, #9, #10, and #18. Motion carried.

Mayor Cuffe, Jr. stated that the majority of the repair work was on greens hole #1, but that the Golf Course management, and Park and Recreation Director John Bachman felt there were other avenues for repair of these greens at less cost. Councillor Sipola agreed that we should be looking for funding sources, even though the actual dollar amount for repair is not a hard number at this time.

Moved by Councillor Baribeau, and supported by Councillor Sipola to approve the sale of Lots 1-4, Block 31, Original Plat of Virginia to St. Louis County for \$118,000.00 plus closing costs with the final Resolution considered at the June 14, 2016 Council meeting. This is the first reading. Motion carried.

Moved by Councillor Baribeau, and supported by Councillor Sipola to reject the offer from St. Louis County for the City to purchase the Northland Building for \$1.00. Motion carried.

Discussion followed concerning the June 28, 2016, deadline for the Council to consider the intent to approve a demolition permit request by St. Louis County for the Northland building. Both Councilors

Littlewolf and McReynolds were not in favor of issuing a demolition permit for the

Northland building, as they feel there are other uses for the building. Councillor McReynolds thanked Citizen Jeanne Maki and the Minnesota Historical Society for the presentation on May 17, 2016, to the Finance Committee. Councillor Sipola noted that the June 28<sup>th</sup> deadline was to consider issuing an “intent” to demolish permit for the Northland building, and an actual demolition permit would not be needed for a couple of years. Councilor Baribeau stated that the intent to demolish permit was needed by St. Louis County to move forward with their building project plans.

Citizen Jeanne Maki addressed the Council. Ms. Maki thanked the Council for their hospitality shown to the Minnesota Historical Society members last week. Ms. Maki expressed her concern in the transparency of St. Louis County’s intended future of the Northland building. Ms. Maki felt that public business should be conducted with more transparency and openness.

Councillor Jorgenson stated that the “solution for the Northland building should come from the private sector.” The City can assist, but the City has made a decision not to take the Northland building on. Councillor McReynolds asked what the repercussions would be if the City does issue the intent to demolish, and later rescinds that intent? Councillors Baribeau and Sipola responded yes, but there could be consequences or damages the permit holder may have incurred, and the decision to issue a permit should not to be taken lightly.

Moved by Councillor Baribeau, and supported by Councillor Jorgensen to accept the bid for the sale of property, Lot 23, Block 1, and Rooney’s Addition to Virginia (813 16th

Street North) to Paul Maki for \$300.00 plus closing costs, with the final Resolution considered at the June 14, 2016 Council meeting. This is the first reading. Motion carried.

Moved by Councillor Baribeau, and supported by Councillor Jorgensen to approve Resolution 16107 for the purchase of 2013 John Deere 410K Tractor Loader/Backhoe for \$100,850.00

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less the trade-in of \$14,000.00, City owned 1990 John Deere 410C Tractor Loader/Backhoe, for a total price of \$86,850.00. Motion carried.

Moved by Councillor Littlewolf, and supported by Councillor McReynolds to allow staff to edit and review changes made to the Property Maintenance Code and submit to Council for review in two weeks. Motion carried.

Moved by Councillor Littlewolf, and supported by Councillor Jorgenson to refer any safety purchases, such as a security cameras for the Olcott Park Fountain, to the Finance Committee. Motion carried.

Moved by Councillor Littlewolf, and supported by Councillor McReynolds to refer the purchase of signage for the downtown area of City owned empty lots to the Finance Committee. Motion carried.

#### COMMISSION LIAISON/DEPARTMENT HEAD REPORTS

Councillor McReynolds gave an update on the Comprehensive planning process. There is an online survey for Virginia residents to engage in the planning process. Upcoming CPAC and Comprehensive Plan activities are open to the public:

- Community Workshop (Session 1) will be on June 15th from 11:30 am to 1:00 pm at the Elks Lodge (220 N 5th Ave).
- Community Workshop (Session 2) will be on June 15th from 4:30 pm to 6:00 pm at the Elks Lodge (220 N 5th Ave).

Councillor Baranzelli gave an update on the Park & Recreation Commission meeting held on May 18, 2016, 4:30 PM. The Greenhouse restroom is now completed. The Disc Golf opened on Thursday, May 12, 2016, with good reports. Councillor Littlewolf asked if there were tee offs? Councillor Jorgensen answered yes, and described a little of the game. Councillor Jorgenson also stated that there will be safety signs for golfers and pedestrians. Disc Golf equipment can be purchased at sporting goods stores.

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Ms. Marlise Riffel, from the Rutabagas Club, gave an update on the community gardens and the opportunity for more gardens throughout the area, the possibility of utilizing vacant lots.

Citizen Ms. Patricia Grigal approached the Council regarding the Northland building. She informed the Council that in her findings, the Northland building is a World War I memorial. Ms. Grigal felt this was very important to remember when considering the fate of the building. She also thought that maybe the City could get support from VFW. Ms. Grigal felt that the Council should consider tying in the military memorials, plaques near Bailey's Lake, and the Northland building.

Meeting adjourned at 8:35 P.M., with the next regular City Council meeting to be held at 6:30 P.M. on Tuesday, June 14, 2016.

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Larry Cuffe, Jr.  
Mayor

(CORPORATE SEAL)

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Pamela LaBine  
City Clerk