

VIRGINIA CITY COUNCIL

COUNCIL PROCEEDINGS

CITY OF VIRGINIA, MINNESOTA, July 19, 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 Baribeau, Littlewolf, McReynolds, Sipola, Jorgensen, Baranzelli
Mayor Cuffe, Jr. (7)

Absent: None

Mayor Cuffe, Jr. led the Pledge of Allegiance.

PUBLIC FORUM (Limited to 5 minutes per Council protocol)

Three people were present to discuss their concerns regarding the demolition of the Northland Building. They feel there is a way to preserve it and other historic buildings in the downtown and opposed to another parking lot in the area. A group of people are trying to revitalize the City and the Northland Building should be preserved.

Moved by Councillor Jorgensen, supported by Councillor Baribeau to approve the Consent Agenda as follows:

1. Approval/correction of minutes of Regular Meeting held June 28, 2016.
2. Adoption of Finance Resolution No. 16-013 and 16-014 – Schedule of Bills.
3. Approve Mesabi Range Youth for Christ to hold a Block Party at the 200 block of 5th Ave S on September 19, 2016 from 7:00 p.m. to 9:00 p.m. (road block from 6:00 p.m. to 10:00 p.m.)
4. Adopt Resolution 16627 approving the hire of a Single Role EMT, Michael Valento III on or after July 19, 2016.
5. Adopt Resolution 16628 Single Role Paramedic to Firefighter/Paramedic for Scott Ankley as of July 27, 2016.
6. Adopt Resolution 16629 Single Role Paramedic to Firefighter/Paramedic for Jacob Keehl as of July 21, 2016.
7. Approve Travel Request for Sherry Erickson and Pamela LaBine to the MCFOA Meeting on August 19, 2016 in Gilbert, MN cost of \$20.00/each.
8. Approve Election Judge Training for Wendy Summers on July 21, 2016 at Clinton Town Hall, cost of \$10.80 for mileage.
9. Approve Jonathan Benz to attend the DARE Conference August 15-17, 2016 in Duluth MN at a cost of \$238.00
10. Approve Susan Hoppe to attend the Assoc. of Rural & Small Libraries Annual Conference in Fargo ND, on October 26-29, 2016, cost of \$850.85.
11. Approve pay estimate #5 for the 2nd Street South Improvement project to Ulland Brothers in the amount of \$36,616.19.

Motion Carried and Resolutions adopted unanimously.

APPEARANCES:

Jeanne Maki asked the Council if they had received any calls regarding the Northland Building. The Councillors and Mayor have received both calls for and against the preservation or demolition of the building.

Jeanne Maki noted that the Historical Society has a page on Face Book regarding the Northland Building where 500 people responded to the page. She is looking forward to more discussion on what can be done with the building and proposed that the City follow statute 471.193 on Municipal Heritage Preservation. The conversation continued with the same discussion that was stated at previous meetings both for and against the building. The City is not going to buy the building and it was suggested the group should go to the St. County Board meeting and discuss their concerns.

Brian Bluhm was present to request hosting a Picnic Operetta Event at Olcott Park on Saturday, August 27, 2016 beginning at 2:00 p.m.

Moved by Councillor McReynolds, supported by Councillor Jorgensen to allow the Picnic Operetta, a free event and a Farmers Market in Olcott Park on Saturday, August 27, 2016 beginning at 2:00 p.m. and requests limited assistance from the Parks and Recreation. Motion Carried.

UNFINISHED BUSINESS:

Moved by Councillor Sipola, supported by Councillor Littlewolf to approve the sale and transfer of City property, (see attached resolution for property description) to Range Family Dental, LLC at no cost with the final resolution considered at the City Council meeting to be held on August 8, 2016. (1st reading) Motion Carried.

Moved by Councillor Baranzelli, supported by Councillor Baribeau to approve the sale and transfer of City property, Lot 0021, Block 024, Virginia, MN to Residential Services, Inc. cost of \$500.00 with the final Resolution considered at the City Council meeting to be held on August 8, 2016. (1st reading) Motion Carried.

Councillor Jorgensen asked about the use of the property. John Nelson Executive Director of RSI stated that a parking lot will be on the lot.

Moved by Councillor Jorgensen, supported by Councillor Baribeau to adopt Resolution 16630 approving the permanent easement for surface purposes over that part of the vacated alley lying easterly of the southerly extension of the west line of Lot 13, Block 4, Anderson's Addition to Virginia and westerly of the southerly extension of the east line of Lot 13, Block 4, Anderson's Addition to Virginia to Virginia Carefree Living, LLC. Resolution adopted unanimously.

DISCUSSION ITEMS:

Councillor Baribeau updated the Councillors on the water and sewer cost overruns on the Hwy 53; they are estimated to be \$740,000.00. Councillor Baribeau noted that authorization is needed by the City. Matt Reid from SEH was present to discuss the details. There has been a meeting with MNDOT and they are looking at ways to bring the cost down. The rock trench and subgrade soil are problem areas. It will be unknown costs until they start digging, soils are different along the way, within the next month or two we should know the extent of the project. Matt Reid noted that they did a fair number of soil borings through the right of ways and in various areas. MNDOT is also dealing with contaminated soils along the state right of way.

Moved by Councillor Jorgensen, supported by Councillor Baribeau to receive and file the information regarding the HWY 53 cost overruns on the sewer and water. Motion Carried.

Communications from Planning and Zoning Commission submitting recommendations from meeting held on July 5, 2016:

Moved by Councillor Sipola, supported by Councillor Baranzelli to consider the following variance request from Charles Taylor – 1202 17th Street South, Virginia, Minnesota:

- 1.) A 11.5' foot variance to the required 20' foot setback abutting the City right of way to build a fence 8.5' feet from 12th Avenue (east property line) right of way.
- 2.) A 4' foot variance to the maximum height of 2' feet in order to construct a fence 6' feet in height.

Motion Carried.

Moved by Councillor Jorgensen, supported by Councillor Baribeau to consider the following variance requests from Joe Heitke – 508 10th Street South Virginia, Minnesota:

- 1.) A 1.5' foot variance to the required 5' foot side yard setback in order to build a garage 3.5' feet from the east property line. *Deny* the request for Joe Heitke to have 1.5' foot variance to the required 5' foot side yard setback in order to build a garage 3.5' feet from the east property line. Heitke voluntarily withdrew the request.
- 2.) A 30 square foot variance to the maximum 30% rear yard coverage of 738 square feet in order to construct a garage 768 square feet.

Moved by Councillor Jorgensen, to move to the City Engineering Department for review. Lack of a Second. Motion Failed.

Moved Councillor Littlewolf, supported by Councillor McReynolds to consider the following variance requests from Scott Skalko – 599 14th Street North Virginia, MN:

- 1.) A 1' foot variance to the required 5' foot setback abutting the alley to construct a fence 4' feet from the alley right of way on the west side. Littlewolf, McReynolds
- 2.) A 20' foot variance to the required 20' foot setback to construct a fence on the east property line abutting city right of way (6th Avenue).
- 3.) A 2' foot height variance to the maximum allowed 2' foot to construct a fence 4' feet in height on a corner lot.

Motion Carried.

Moved by Councillor Jorgensen, supported by Councillor Baranzelli to consider the following variance requests from Marileen Vananda – 714 10th Street North Virginia, MN:

- 1.) A 14.8' foot variance to the required 20' setback in order to build a new porch 5.2' feet from the front property line.
- 2.) A 3.2' foot variance to the required 5' foot side yard setback in order to build a deck 1.8' feet from the west property line. Approved contingent upon having the steps built on the side and not toward the street.

Motion Carried.

COMMITTEE REPORTS:

Councillor Baranzelli updated on the Street/Alley/Public Safety COW meeting held on July 12, 2016:

Moved by Councillor Baranzelli, supported by Councillor Baribeau to suspend the hearing to a future date or until August 30, 2016 and reconvene for a final decision to suspend or revoke the license for the Mirage Bar and request the Mirage Bar submit a written agreement to the Council that the Mirage Bar will not open prior to 8-31-16 and to contact the Council if something changes prior to that date.

Motion Carried.

Mayor Cuffe, Jr. recapped what happened at the meeting. The Mirage Bar voluntarily closed to do some remodeling and retain their liquor license. Discussed the incidents that had taken place and the steps the Mirage Bar will take to improve their business, the City will then re-convene the hearing and determine the outcome of the liquor license.

Councillor Baribeau updated on the Finance COW Meeting held on July 12, 2016:

Moved by Councillor Baribeau, supported by Councillor McReynolds to approve Resolution 16631 to Remove section 4.06 “ Prohibited Services (attachment #1) from the April 2, 2015 sublease agreement between the City of Virginia and SMDC (the Sublease), provide written consent for the provision of the prohibited services by SMDC and its applicable affiliates as set forth in Section 4.06 (a) of the Sublease until the prohibitions on these services is effectively removed and City of Virginia will amend or terminate the Declaration of Restrictive Covenants filed with the St. Louis County Recorder as Document No. 00979197, which contains the same restrictions found in Section 4.06 of the Sublease. Resolution adopted unanimously.

Moved by Councillor Baribeau, supported by Councillor McReynolds to approve Resolution 16632 to Complete the transfer contemplated by the March 21, 2007 Warranty Deed (attachment #2) between the Iron

Range Rehabilitation Center and the Virginia Regional Medical for the property described below (see attached Resolution) and terminate all leases and applicable agreements with Iron Range Rehabilitation Center, including but not limited to, the Ground Lease (attachment #3) between Virginia Regional Medical Center and Iron Range

Rehabilitation Center dated as of April 13, 2006 and to provide written recognition from the City that any space occupied by Iron Range Rehabilitation Center, including but not limited to its building and the real estate to which it is attached, would be incorporated into the Affiliation and Lease Agreement mentioned in Item #4 above as Leased Property. Resolution adopted unanimously.

Assured the vast majority of people will be working there and moved to Essentia. Same as before but just merged with Essentia, no services lost.

Moved by Councillor Baribeau, supported by Councillor Baranzelli to approve the purchase of the Zamboni in 2016 and *not* 2017 as previously approved, and to pursue the funding for the Mighty Ducks Grant. Motion Carried.

Moved by Councillor Baribeau, supported by Councillor McReynolds to adopt Resolution 16633 for Establishing Municipal State Aid Streets. Resolution adopted unanimously.

Moved by Councillor Baribeau, supported by Councillor Baranzelli to approve the Development Agreement with Jason Berg of Range Family Dental. Motion Carried.

Moved by Councillor Baribeau, supported by Councillor Baranzelli to allow Ed Alto to adopt Resolution 16634 for the purchase of seven radios for the Parks and Recreation department. Resolution adopted unanimously.

Councillor Sipola updated on the Personnel COW Meeting July 12th and 13th, 2016:

Councillor Sipola recapped the meeting for the public viewing. He announced the candidate that was selected for the position, Britt See-Benes. He gave a review of her background and read her letter of application. Councillor Sipola also gave a synopsis of the employment agreement.

Moved by Councillor Sipola, supported by Councillor McReynolds to authorize the Mayor and Councillor Sipola to sign the employment agreement with Britt See-Benes for the City Administrator position. Motion Carried.

COMMISSION LIAISON/DEPARTMENT HEAD REPORTS:

Councillor McReynolds-updated on the steering committee and the online survey. There is a meeting on Wednesday, July 20, 2016 at the City Hall.

Mayor Cuffe, Jr. announced there is a rally for the Police Department in Olcott Park tonight and asked that everyone attend to support our officers. There will be public meetings regarding crime in the community. All people's lives matter and the police department serve all individuals in the community. Please give them your thoughts and prayers.

Backyard Chickens Event, the first ever Egg Cook-Off on, Sunday July 24th at 3:00 at the Kline-Cuppoletti Park Facility. Bring your favorite egg dish to share.

National Night Out, Tuesday, August 2nd, neighborhood areas will be sponsoring the event and fellowship. Ridgewood is looking for a sponsor in their area. The Virginia Community Foundation will be participating in the event, a kickoff from 12:00 to 3:00 p.m. at the Foundation building, they will be serving food and have fun events for the kids. The Virginia Fire Department will have an obstacle course.

The July 4th celebration was held at Olcott Park and Mayor Cuffe, Jr. thanked everyone on behalf of the City who helped to accomplish the event.

Mayor Cuffe, Jr. discussed the Hwy 53, \$740k funding gap for the utilities. The City of Virginia, made their decision on what project they wanted to support. The Mayor was informed by Tom Bakk, if the City doesn't prioritize this project for the bonding bill there won't be any funds for the Hwy 53 Project in the future. The Mayor will be meeting with Mr. Bakk regarding the project. The Council needs to make a decision on how we want to proceed. Councillor Baribeau recommends the Council make a decision tonight regarding our priority on the bonding money. A revenue bond can be issued through the Public Utilities if needed and to wait on the Miners Memorial Building until next year.

Motion by Councillor Baribeau, supported by Councillor Littlewolf to designate the Hwy 53

Project as the City of Virginia's priority for the bonding bill for \$3.4 million.

Ayes: Councillors Baribeau, Littlewolf, McReynolds, Baranzelli, Jorgensen, Mayor Cuffe, Jr. (6)

Nay: Councillor Sipola (1)

Motion Carried.

Meeting adjourned at 9:15 p.m. to Monday, August 8, 2016, at 6:30 p.m. in the Council Chambers.

Larry Cuffe, Jr. Mayor

Pamela LaBine, City Clerk

