

## COUNCIL PROCEEDINGS

### CITY OF VIRGINIA, MINNESOTA, AUGUST 11, 2010

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 City Council in the Pledge of Allegiance.

Elyse Lyon, Minnesota Conservation Corps, was present to offer the services of a volunteer four person crew to assist the City for a one week period.

Moved by Russo and supported to authorize the City Operations Director and Park/Recreation Director to meet with Ms. Lyon of the Minnesota Conservation Corps to determine if the City of Virginia has a project that would fit the criteria of their volunteer program. Motion carried.

Councillor Baribeau removed Item 5 from the Consent Agenda.

Moved by Russo and supported to approve the Consent Agenda, as follows, with the exception of Item 5:

1. Approval/correction of minutes of Regular Meeting held July 20, 2010.
2. Adoption of Finance Resolution No. 10-015 – Schedule of Bills.
3. Approval renewal of 2 AM Liquor License for Iron Range Corporation, d/b/a Mirage, 509 Chestnut Street.
4. Approve Dance Permit for the Iron Range Youth in Action to hold dances at the Miners Memorial Building on August 25, October 1, October 15, November 19 and December 22, 2010.
5. Adopt Resolution instructing District Judge to reappoint Dennis Lindberg to the Virginia Charter Commission.

Motions carried and Finance Resolution adopted unanimously.

Regarding Item 5, Councillor Baribeau stated the Charter Commission met on August 3<sup>rd</sup> and voted to restrict public input to the beginning of the Charter Commission meeting. Councillor Baribeau stated he will be opposing any member of the Charter Commission that voted to limit the discussion. Councillor Sipola confirmed that a motion was approved by the Charter Commission to only allow the public input to take place at the beginning of the meeting. Mayor Peterson stated the Chairperson of any committee can recognize a person to speak at any time during the meeting. City Attorney Butorac stated the City Council uses the same format and has a set agenda that allows the public to speak during the public forum portion at the beginning of the meeting. Councillor Baribeau stated he is opposing the process regarding the public input and not the individual that is being reappointed to the Charter Commission. Councillor Littlewolf stated the Charter Commission could further discuss the public input issue and felt the reappointment was a separate issue. Councillor Cuffe stated he did not feel it was the intention of the Charter Commission to limit the discussion by the public.

Moved by Ralston and supported to adopt Resolution No. 10101, instructing the District Judge to reappoint Dennis Lindberg to the Virginia Charter Commission.

Ayes: Councillors Cuffe, Littlewolf, Ralston, Russo, Mayor Peterson – 5

Nays: Councillors Baribeau, Sipola – 2

Resolution adopted.

Moved by Ralston and supported to approve the first reading of an Ordinance Amending Chapter 9, Section 9.10 of the City Code of the City of Virginia Entitled “Parking Regulations”. Motion carried.

Moved by Ralston and supported to adopt Resolution No. 10102, approving the sale of Lot 1, Block 2, Fairview Second Addition, to Keith and Emma Peterson, in the amount of \$15,000.00. Resolution adopted unanimously.

Moved by Baribeau and supported to accept the resignation from William Bruemmer from the Planning and Zoning Commission for the term ending February 1, 2013. Motion carried.

Moved by Russo and supported to advertise for the vacancies on the commissions. Motion carried.

Mayor Peterson reviewed the recommendations from the Planning and Zoning Commission meeting held on August 2, 2010.

Moved by Baribeau and supported to approve a 15.3 foot variance to the required 20 foot front yard setback for Phyllis Hokkanen of 704 8<sup>th</sup> Avenue South, in order to place a deck 4.7 feet from the West property line, as recommended by the Planning and Zoning Commission. Motion carried.

Niecie Strand was present regarding the recommendation from the Planning and Zoning Commission to deny the variances for her new garage at 114 11<sup>th</sup> Street South. Ms. Strand stated she was not notified of the meeting date for the Planning and Zoning Commission meeting and, therefore, was unable to attend the meeting to present the additional information regarding her variances. Ms. Strand presented a letter to the City Council from her neighbor, Timothy Carlson, which supported her variance requests.

Moved by Ralston and supported to override the recommendation from the Planning and Zoning Commission to deny the variances for Stephanie Strand of 114 11<sup>th</sup> Street South and approve the following variances:

1. A 2 foot variance to the required 5 foot setback, in order to place a garage 3 feet from the South (alley) property line.
2. A 2 foot variance to the required 5 foot setback, in order to place a fence 3 feet from the South (alley) property line.

Motion carried.

Moved by Baribeau and supported to request City staff to send a letter to the citizens when items are referred back to the Planning/Zoning Commission to inform them of the City Council action and the date/time of the Planning/Zoning Commission meeting when the item will be readdressed. Motion carried.

Mayor Peterson reported on the Finance Committee meeting held as a Committee-of-the-Whole on August 3, 2010.

Moved by Russo and supported to adopt Resolution No. 10103, naming the City of Virginia as the fiscal agent for the Northeast Law Enforcement Administrators Council, contingent upon NLEAC covering the cost of the single audit, which will be required for the grant. Resolution adopted unanimously.

Moved by Russo and supported to adopt Resolution No. 10104, approving the agreement for a Public Safety Interoperable Communications (PSIC) Grant, with the twenty-five percent in matching funds funded through the Excess Police Pension Fund. Resolution adopted unanimously.

Moved by Russo and supported to authorize the Police Chief to subscribe to the Law Enforcement Policy Manual and daily training bulletins, at an initial cost of \$6,850 and annual update fee of \$2,650, with initial cost to be funded through the Excess Police Pension Fund. Motion carried.

Moved by Cuffe and supported to authorize the City Attorney to make proposed changes to the Ordinance regarding the overuse of police services, determine the members of the Administrative Board and clarify the fees, with the ordinance readdressed at the next Finance Committee meeting. Motion carried.

Moved by Littlewolf and supported to approve the travel request for Dana Waldron and Renee Anderson, Police Department, to attend the BCA Criminal Justice Information Users Conference, which will be held September 27-29, 2010, in St. Cloud, Minnesota. Motion carried.

Moved by Ralston and supported to adopt Resolution No. 10105, approving the Lease Agreement with the Virginia Youth Hockey Association for the use of the Miners Memorial Building for the years 2010 through 2015. Resolution adopted unanimously. City Attorney stated he will add a renegotiation clause to the contract.

Moved by Cuffe and supported to approve the Fall Ice Program for a six-week period beginning September 13, 2010, contingent upon the Youth Hockey Association reimbursing the City for all costs. Motion carried.

Moved by Russo and supported to authorize the Finance Director to request proposals for professional auditing services for the fiscal year ending 2010, with the option to renew the auditing services for fiscal years ending 2011 and 2012. Motion carried.

Moved by Russo and supported to adopt Resolution No. 10106, authorizing the submission of an application for a Total Maximum Daily Loan (TMDL) Grant to the Minnesota Public Facilities Authority for the Wastewater Treatment Plant. Resolution adopted unanimously.

Moved by Littlewolf and supported to approve a reduced golf rate of \$7.50 for nine holes for the City of Virginia Employee Golf Outing. Motion carried.

Councillor Ralston reported on the Buildings/Grounds Committee meeting held on August 3, 2010.

Moved by Ralston and supported to authorize the Engineering Department to purchase and install a gas or electric hot water heater for the greenhouse. Motion carried.

Moved by Ralston and supported to adopt Resolution No. 10107, approving the property tax exemption of the real estate leased and operated by the Virginia Senior Citizens Center. Resolution adopted unanimously.

Moved by Ralston and supported to request staff to prepare a development plan for the former Troy Laundry site. Motion carried.

Councillor Littlewolf reported on recent meetings held to discuss the greenhouse renovation project and stated the City will continue to explore options for a renewable energy source.

City Operations Director Tourville stated City employees will continue to replace the roof panels at the greenhouse, as time permits.

Moved by Littlewolf and supported to direct the City Operations Director to send a letter to the Iron Range Resources confirming that the City is continuing to explore green technology options for the greenhouse. Motion carried.

Moved by Littlewolf and supported to authorize the City Operations Director, or staff that he selects, to attend the Community Leadership Program, which will be held October 25-29, 2010, in Grand Rapids. Motion carried.

City Operations Director Tourville stated he will discuss projects for the upcoming CDBG and IRR grant applications at the next Buildings/Grounds Committee meeting.

Mayor Peterson thanked the Virginia Police Department, Target and McDonald's for their assistance and donations for the National Night Out, which was held on August 3, 2010.

See 2010 Resolution Book for Resolution Nos. 10101 – 10107 and Finance Resolution No. 10-015.

Meeting was adjourned at 7:30 P.M., with the next regular City Council meeting to be held at 6:30 P.M. on Tuesday, August 24, 2010.

(CORPORATE SEAL)

STEVE PETERSON  
Mayor

LOIS ROSKOSKI  
City Clerk