

VIRGINIA CITY COUNCIL

COUNCIL PROCEEDINGS

CITY OF VIRGINIA, MINNESOTA, September 12, 2017

The regular meeting of the City Council in the City of Virginia, Minnesota was called to order by Mayor Cuffe, Jr. at 6:30 p.m. in the Council Chambers, City Hall.

Present: Councillor Paulsen, Johnson, Jorgensen, Littlewolf, Baranzelli
Mayor Cuffe, Jr. (7)

Absent: None

Mayor Cuffe, Jr. led the Pledge of Allegiance

PUBLIC FORUM

Mrs. Mary McReynolds discussed the St. Louis County petition request to vacate the 300 block of 1st Street South. Mrs. McReynolds is opposed to the closing the 300 Block of 1st Street South and the process St. Louis County has used. A letter was sent to Mr. Nelson, St. Louis County Commission on September 4, 2017 from Councillor Baribeau. The letter sent to Commissioner Nelson was read by McReynolds. Councillor Baribeau noted that the letter was not on City letterhead and Mr. Baribeau, as a citizen, has a right as does any citizen to submit a letter to St. Louis County on how he feels regarding the street vacation. Councillor Baribeau also noted that ten citizens, out of 8500 residents in Virginia were present at the hearing. Mayor Cuffe, Jr. noted that the letter will be submitted to the City Attorney for further review. Councillor Jorgensen informed the public as to the reason he was not in attendance for the Public Hearing.

Mrs. Mia Biondich of Virginia Floral is concerned about the street vacation and isn't in favor of it and doesn't feel the need to close the street.

Moved by Councillor Baribeau, supported by Councillor Baranzelli to approve the consent agenda as follows:

1. Approval/correction of minutes of Regular Meeting held August 22, 2017.
2. Adoption of Finance Resolution No. 17-017 schedule of Bills.
3. Approve Travel Requests:
 - a) Mayor, City Councillor and/or City staff (as approved by Department Heads) to attend the LMC Regional Meeting in Virginia on October 26, 2017 at a cost of \$45/each.
 - b) Nickolas Grivna, VPD, to attend the Homeland K9 Int'l Street Readiness on October 1-2, 2017 in Blaine MN, cost of \$250.

Motion Carried.

Councillor Jorgensen pulled the item regarding the Fire Department training. City Administrator See-Benes advised to table to the COW meeting for more discussion.

Moved by Councillor Jorgensen, supported by Councillor Littlewolf to table the travel request for Mike Ruedebusch, and Daniel Cerise, VFD, to attend the EMS World Expo October 16-20, 2017 in Las Vegas, NV, cost of \$1,390 and \$400 respectively. Motion Carried.

UNFINISHED BUSINESS

Moved by Councillor Johnson, supported by Councillor Baribeau to adopt Resolution 17111 approving the sale and transfer of City property to Virginia Coop Credit Union in the amount of \$1.00. Resolution adopted unanimously.

City Administrator See-Benes updated the Council on the Public Hearing that was held on August 30, 2017 in regards to vacating the 300 Block of 1st Street South and recommend the Council move forward with a Resolution on the street vacation.

Councillor Littlewolf noted that there were ten people that attended the Public Hearing that aren't in favor of closing the street. Councillor Littlewolf also discussed the letter that was submitted by Mr. Baribeau and it appears the letter was send on behalf of the Council. Councillor Littlewolf feels that the process was skewed an is not transparent. Littlewolf noted that it's not about the Northland Building, that decision was made. This is in regards to the Public Hearing and the street vacation and she is not against the building being located in Virginia.

Councillor Johnson asked for clarification on the motion for the Resolution. Mayor Cuffe, Jr. noted that it would be to adopt a Resolution to vacate the 300 block of 1st Street South. Councillor Johnson noted he hasn't heard from anyone in that is in favor of the vacation since the Public Hearing was held.

Councillor Jorgensen also noted his concerns for the vacation of the street as well as the rest of the Councillors. City Attorney Butorac informed the Council there is a 4/5 vote to pass the Resolution initiated by Council. State law is silent on the issue, but to pass a Resolution to vacate per the City Charter a 2/3 vote is required. To accept a petition a majority of the Council present is required.

Councillor Baribeau discussed the St. Louis County plan from the beginning to end and why St. Louis County chose to locate the consolidated facility in Virginia.

Councillor Paulsen discussed the process and the lack of public input. Paulsen has researched and talked to people regarding vacating the street. Paulsen also sent an email and signed it as Councillor Paulsen to Administrator Gray and did forward to the Virginia Council. She also discussed the traffic study that was requested but hadn't been done. She questioned the other plans the County had for the location of the building and why they were not an option.

Councillor Johnson said that this is about the process and he will be voting on the input he has received from the citizens in regards to the vacation of the street. He would like to focus on the vacation of the street and noted that everyone is in favor of the building being built in Virginia.

Mayor Cuffe, Jr. has had the same discussion with constituents. He said that the vacation would be an inconvenience but adjustments can be made. We want this community to grow. This building is downtown and

it would be a one stop shop to draw more people into the downtown area. This is what St. Louis County would like and has presented their request to the Council for approval. This is a building for the long term economic stability and for all citizens in the City of Virginia and St. Louis County.

Moved by Councillor Jorgensen, supported by Councillor Baribeau to adopt a Resolution approving the vacation of the 300 Block of 1st Street South.

Aye-Councillor Jorgensen, Baribeau, Baranzelli, Mayor Cuffe, Jr. (4)
Nay-Councillor Littlewolf, Johnson, Paulsen (3)
Motion Failed.

The motion was denied for the following reason:

The street is a used by the citizens of Virginia, based on the traffic counts it should remain open and the reasons that were stated at the Public Hearing regarding the process of the vacation.

Councillor Littlewolf had concerns regarding the Post Office and other land owners on the street. Attorney Butorac explained the meaning of abutting and gave his opinion to the Council. St. Louis County is the only abutting land owner to the 300 Block of 1st Street South by the number of parcels they own.

St. Louis County Commissioner Nelson spoke on behalf of the County. He has always felt the building should be placed in Virginia. By no means is he threatening the City of Virginia, but his fellow commissioners, and county staff are seriously looking at moving the building to a new location. The County has a fiduciary responsibility to respect the taxpayer's money. They have invested \$7 million dollars in the City of Virginia in the last five years. Mr. Nelson won't vote to move the building, but it may happen with the other members of the St. Louis County board. Mr. Nelson has not received any complaints from anyone in the City of Virginia other than Councillor Paulsen saying that this wasn't a good idea. The County is racing against the clock in regards to interest rates. It will cost tax payers more money over the terms of the bonds the longer this goes on. The County has engaged the Council with the intent of what the building is going to be. The number one complaint from the City Council is the parking issues in regards to the Northland Building. Any actions opposing what the County is trying to accomplish will more than likely send the County back to square one. If this goes out 30 days it will push the building back a year. Mayor Cuffe, Jr read the petition that was submitted by St. Louis County.

Further discussion by the Council was in regards to the process and vacating a utilized City street. The Council wants the County Services Center to remain in the City, but a few Councillors have concerns with vacating a utilized City street. Councillor Johnson reiterated that the people that are in favor of vacating the street need to attend the Public Hearing and he would be in favor of accepting the petition. Mr. Tony Mancuso, St. Louis County discussed the process and the request for the street vacation has been discussed at length with City staff. Mayor Cuffe, Jr. discussed the action items the County will be taking regarding the Government Services Center.

Moved by Councillor Jorgensen, supported by Councillor Baribeau to adopt Resolution 17112 to accept the St. Louis County petition regarding the vacation of the 300 Block of 1st Street South and to set a public hearing within 30 days.

Ayes-Councillor Jorgensen, Baribeau, Baranzelli, Johnson, Paulsen, Mayor Cuffe, Jr. (6)
Nay- Councillor Littlewolf (1)
Motion Carried

DISCUSSION ITEMS

City Administrator See-Benes gave an update on the Scope of Work that students from UofM Humphrey on what they will be doing for the City. The group will be doing a business study to improve Virginia's downtown and will be contacting business owners to get more information. The students will be in Virginia between September 21-23, 2017. Councillor Jorgensen noted that VEDA is working on a parallel issue tailored to the City of Virginia.

Moved by Councillor Johnson, supported by Councillor Jorgensen to approve the Scope of Work from University of Minnesota Humphrey Institute of Public Affairs for the City of Virginia-Downtown Revitalization. Motion Carried.

Approve/Deny variances, as recommended by the Planning and Zoning Commission at regular meeting held September 6, 2017:

- a) Aaron Zika request to construct a deck at 1012 6th Avenue South Virginia, MN:

Moved by Councillor Jorgensen, supported by Councillor Paulsen to deny a 4 foot 8 inch side yard variance to the required 5 foot side yard setback in order to construct a new deck 4 inches from the South property line. Motion Carried.

- b) Ryan O'Connell request to construct a fence at 730 8th Street South Virginia, MN:

Moved by Councillor Johnson, supported by Councillor Jorgensen to approve a 15 foot variance to the required 20 foot setback adjacent to city R/W in order to construct a fence 5 feet from the West (9th Ave.) property line.

Approve a 2 foot height variance to the maximum height allowable of 2 feet on a corner lot in order to construct a fence 4 feet in height on the condition the fence was cyclone/chain link. Motion Carried.

Moved by Councillor Jorgensen, supported by Councillor Littlewolf to approve payment of the pay estimate #1 to Lenci Enterprises Inc. for the Olcott Fountain Project in the amount of \$38,760. Motion Carried.

Mr. John Fedo was present to request that the City move forward with the TEDI Grant. The grant requested would provide money to extend Midway Drive north and also help with demolition costs.

Moved by Councillor Jorgensen, supported by Councillor Baribeau to adopt the Resolution 17113 to allow City staff review the proposals and grant possibilities for the purchase of the Budget Host Motel property. Resolution adopted unanimously.

Moved by Councillor Baribeau, supported by Councillor Jorgensen to move forward with the grant application for the Midway area and Budget Host Hotel. Motion Carried.

Moved by Councillor Jorgensen, supported by Councillor Littlewolf to adopt Resolution 17114 approving the intent to levy a tax for VEDA for 2018. Resolution adopted unanimously.

Moved by Councillor Jorgensen, supported by Councillor Johnson to set a Public Hearing for September 26, 2017 at 6:30 p.m. for the proposed VEDA Levy for 2018. Motion Carried.

Moved by Councillor Johnson, supported by Councillor Baribeau to approve the request to block off the 200 Block of 5th Avenue South for the Mesabi Range Youth for Christ Kickoff. Motion Carried.

Councillor Littlewolf and Councillor Baranzelli regrettably accepted the resignation from Joe Guertin. He has been a very part integral part of the City's revitalization.

Moved by Councillor Baribeau, supported by Councillor Jorgensen to accept Joe Guertin's resignation from the VEDA Board and to send a letter of thanks for service on the board. Motion Carried.

Moved by Councillor Johnson, supported by Councillor Baranzelli to adopt Resolution 17115 authorizing the City of Virginia to act as the legal sponsor for the application and acceptance of the All-Terrain Vehicle Grant for the Virginia/Midway ATV Trail Relocation and Reconnection to the Iron Range Off-Highway Vehicle Recreation area. Resolution adopted unanimously.

Moved by Councillor Johnson, supported by Councillor Paulsen to adopt a blanket Resolution 17116 authorizing application to and accepting funds from the State of Minnesota through the Iron Range Resources and Rehabilitation Agency for FY 2018. Resolution adopted unanimously.

City Administrator See-Benes noted that grant applications will be brought to the City Council for approval prior to submission.

COMMITTEE REPORTS:

September 5, 2017 Committee of the Whole

Moved by Councillor Johnson, supported by Councillor Jorgensen to approve a crosswalk on the corner of 4th Avenue and the south side of the 1st Street North alley. Motion Carried.

Moved by Councillor Johnson, supported by Councillor Jorgensen to approve the terms of the agreement with United Taconite Surface Lease with contingencies. Motion Carried.

Moved by Councillor Johnson, supported by Councillor Baranzelli to approve the placement of the Electric Car Charging Station in City Center Park. Motion Carried.

Moved by Councillor Paulsen, supported by Councillor Johnson to allow City staff to work with the Cable Commission to purchase the required equipment to provide live internet broadcasting of Council meetings and to update the audio equipment in the Council Chambers. Motion Carried.

Moved by Councillor Baribeau, supported by Councillor Jorgensen to adopt Resolution 17117 to approve the lobbyist contract with Jerich and Associates for 2017-2018. Resolution adopted unanimously.

Moved by Councillor Johnson, supported by Councillor Jorgensen to approve to send a notice to the golf course restaurant manager to discuss the current contract on October 17, 2017. Motion Carried.

Moved by Councillor Baribeau, supported by Councillor Paulsen to approve paying the CGMC dues assessment for 2018 in the amount of \$14,013. Motion Carried.

Moved by Councillor Baribeau, supported by Councillor Littlewolf to approve paying the CGMC proposed Environmental Fund assessment in the amount of \$2,980. MC

Moved by Councillor Jorgensen, supported by Councillor Johnson to adopt a Resolution 17118 allowing the Virginia Fire Department to "Fill the Boot" for MDA. Resolution adopted unanimously.

Moved by Councillor Littlewolf, supported by Councillor Jorgensen to table the request for the fitness equipment for further information. Motion Carried.

COMMISSION LIAISON/DEPARTMENT HEAD REPORTS

Councillor Johnson gave an update on the legacy grant that was received for the playground equipment in Midway. The MN Super Bowl host committee awarded the Super Bowl legacy grant of \$40,000 to the City of Virginia. There were 52 grants awarded and Virginia was number 32 on the list.

The Hwy 53 Bridge dedication is set for 10:00 a.m. Friday, September 15, 2017 and the location is yet

to be determined in case of inclement weather. Mayor Cuffe, Jr. is the MC for the day, the American Legion Color Guard and the Eveleth band will be in attendance as well as area Mayors and other dignitaries. The Hwy 53 will be open for traffic Friday evening September 15, 2017 as well as the 2nd Avenue exit.

Councillor Jorgensen- requested a moment of silence for the residents of Florida because of the hurricanes that have hit the area.

The City is still accepting items for the time capsule that will be placed on the bridge and will be opened in fifty years.

The meeting was adjourned at 8:53 p.m. to Tuesday, September 26, 2017 at 6:30 p.m.in the Council Chambers.