

COUNCIL PROCEEDINGS

CITY OF VIRGINIA, MINNESOTA, MARCH 27, 2001

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

Roll Call:

Present: Councillors Lucarelli, Russo, Baribeau, Thornton, Henderson, Cuffe, Mayor Luoma Gentilini – 7

Absent: None

Mike Twaddle and Nick Pershern, Youth Advisory Council, gave a presentation on their plans to revitalize the Ridgewood rink building. They have already received donations for some of the items and they will be raising money for the other improvements. Mayor Luoma Gentilini volunteered to contact the paint stores to see if they would be willing to donate the paint.

Councillor Henderson would like the City Department Director or City Council to discuss the revitalization project with the City union before the project starts.

Moved by Henderson and supported to allow the Youth Advisory Council to go ahead with the total revitalization of the Ridgewood rink building, with the City helping as much as possible. Motion carried.

Moved by Baribeau and supported to refer the installation of a bathroom and other structural changes necessary to revitalize the Ridgewood rink building to a joint meeting of the Buildings/Grounds and Finance Committees. Motion carried.

Moved by Thornton and supported to grant a dance permit to the Youth Advisory Council/Iron Range Youth in Action for a dance at the Miners Memorial Building on April 21, 2001, and to waive the fee for the use of the Miners Memorial Building. Motion carried.

Moved by Lucarelli and supported to approve the Consent Agenda, as follows:

1. Approval/correction of minutes of Regular Meeting held March 13, 2001.
 2. Adoption of Finance Resolution No. 01006.
 3. Receive and file the notice on a public hearing on program accomplishments of the 2000 Community Development, HOME Investment Partnership and Emergency Shelter Grant Programs and 2002 CDBG Program Kickoff to be held at 1:00 P.M. on April 3rd, in Cloquet, MN, or 1:00 P.M. on April 4th, Hockey Hall of Fame.
 4. Receive and file communication from Chestnut Grove, Inc., regarding acquisition by Range Development Company and invitation for Open House to celebrate 5th Anniversary of Chestnut Grove, 2:00 – 6:00 P.M., April 8, 2001.
 5. Approve Cigarette License for Chestnut Spirits, 118 Chestnut Street.
 6. Receive and file notification of compliance with the Local Government Pay Equity Act.
 7. Adopt Resolution No. 01064, authorizing special assessment against property at 320 8th Street South, for failure to comply with Sec. 7.10 of the Virginia City Code and delinquent payment of lawn service fees for the above property.
 8. Adopt Resolution No. 01065, authorizing special assessment against property at 105 6th Avenue North for failure to comply with Sec. 7.10 of the Virginia City Code and delinquent payment of lawn service fees for the above property.
 9. Adopt Resolution No. 01066, authorizing special assessment against property at 816 11th Street North for failure to comply with Sec. 7.10 of the Virginia City Code and delinquent payment of lawn service fees for the above property.
 10. Adopt Resolution No. 01067, authorizing special assessment against property at 309 7th Avenue South for failure to comply with Sec. 7.10 of the Virginia City Code and delinquent payment of lawn service fees for the above property.
 11. Adopt Resolution No. 01068, approving Premise Permit Application for National Multiple Sclerosis Society at The Mirage, 509 Chestnut Street.
 12. Adopt Resolution No. 01069, approving Premise Permit Application for Camp Chicagami at the Sportspage Bar, 429 Chestnut Street.
 13. Approve temporary liquor licenses for the Jim Padgett Alumni Hockey Classic, Inc., for the Moto-Cross (April 6 & 7) and Sno-Cross (April 13 & 14) at the Miners Memorial Building.
- Motions carried and Resolutions adopted unanimously.

Dana Waldron, President, LELS Local Union 195, appeared to discuss a grievance, which was filed due to the denial of a personal leave day. Councillor Russo stated that the grievance was denied at the Personnel Committee meeting held prior to the City Council meeting, with the next

action being the full City Council. Mr. Waldron stated that he felt the officer should not have to give a reason as to why he wanted the personal day off and he is asking that the officer be allowed to take the day off (March 31, 2001). Councillor Russo stated that they are receiving conflicting testimony on the approval of the personal day request. Deputy Chief Olivanti stated that he denied the request for the personal day, as one officer was on vacation and one officer was assigned to the DARE program, which would have left two officers on duty on a Saturday night. The only way to grant the request was by generating overtime, and it has been the policy that personal leave days are accommodated without generating overtime. Councillor Russo stated that the employer has the right to deny the request, based on public safety. Councillor Henderson questioned why the lieutenant was approving requests for days off, when the Deputy Chief and Police Chief can disapprove them. Councillor Baribeau stated that the article does not spell out who is the authorizing authority to sign the slips and that this needs to be addressed or clarified in the article. Mr. Waldron also stated that the Police Department is so short staffed that employees are carrying over vacation from last year and that the morale is very low.

Moved by Cuffe and supported to approve paying the overtime to call in an officer to resolve this issue, or have a supervisor work the shift.

Ayes: Councillor Cuffe – 1

Nays: Councillors Lucarelli, Russo, Baribeau, Thornton, Henderson, Mayor Luoma

Gentilini – 6

Motion failed.

Moved by Thornton and supported to have the Personnel Committee look at a policy until the City removes the hiring freeze.

Ayes: Councillors Lucarelli, Thornton – 2

Nays: Councillors Russo, Baribeau, Henderson, Cuffe, Mayor Luoma Gentilini – 5

Motion failed.

As no further action was taken, the denial of the grievance from the Personnel Committee was upheld.

Moved by Cuffe and supported to adopt An Ordinance Amending Chapter 3, Sec. 3.20 of the City Code of the City of Virginia entitled “Rules and Regulations Relating to Refuse Collection and Disposal”. Ordinance adopted unanimously.

City Attorney Butorac explained the Minnesota Statutes that requires a City to make a decision on zoning permit requests within 60 days, or else the person requesting the permit can claim that it has been approved.

Moved by Baribeau and supported to have the City Attorney send a letter to the Planning and Zoning Commission, notifying them that the 60 day period to approve or deny zoning permit requests begin upon the City’s receipt of the written request. Motion carried.

Moved by Baribeau and supported to waive the requirement for a written resolution for the following motion. Motion carried.

Moved by Russo and supported to adopt Resolution No. 01070, approving donation of \$500.00 to the Virginia Rotary Club for their annual fishing contest to be held on June 14, 2001, and to also send a letter in support of their project and request them to hold their fishing contest in future years on either the week before or after the Land of the Loon Festival. Resolution adopted unanimously.

Mayor Luoma Gentilini stated that she submitted the grant application to the Virginia Foundation for the Finntown Park area. She also inquired about sending a second request to the Virginia Foundation for the Midway Park, but was told that the City must prioritize the projects. She

stated that the City Council is dedicated to find funding for the Midway Park in the next budget process. Councillor Cuffe suggested that the Finntown Park area be turned into an attractive area by putting in picnic tables, park benches and sod, rather than a playground.

Moved by Cuffe and supported to have the Park/Recreation Commission liaisons meet with the Park/Recreation Commission to discuss the parks, in general, including Finntown, Southside and Midway, and to also discuss how to use the money from the Oldtown Finntown Committee to fix up the Finntown Park. Motion carried.

Moved by Lucarelli and supported to allow the Fire Department to participate in the Week of the Young Child on April 1, 2001. Motion carried.

Moved by Thornton and supported to refer the request from Windy Hill Farms, to use horse drawn shuttle service on City streets during the Land of the Loon Festival, to the Public Safety Committee. Motion carried.

Moved by Baribeau and supported to waive the requirement for a written resolution for the following motion. Motion carried.

Moved by Russo and supported to adopt Resolution No. 01071, to send a letter pertaining to the negative effects that iron ore and semi-finished steel imports have on Northeastern Minnesota. Resolution adopted unanimously.

Moved by Russo and supported to receive and file the information from the League of Minnesota Cities Insurance Trust Safety and Loss Control Workshops. Motion carried.

Moved by Thornton and supported to send up to six employees, as designated by the Safety Committee, to the Safety and Loss Control Workshop to be held in Grand Rapids on April 10, 2001. Motion carried.

Moved by Thornton and supported to adopt Resolution No. 01072, declaring the City of Virginia's commitment to the join in the "Minnesota Cities: Building Quality Communities" statewide educational effort in cooperation with our fellow members of the League of Minnesota Cities, and to designate Larry Cuffe, City Councillor, as the City's key contact for this effort. Resolution adopted unanimously.

Moved by Baribeau and supported to approve the Duluth, Missabe and Iron Range Railway's request to move forward in removing railroad trackage in the City of Virginia. Motion carried.

Moved by Baribeau and supported to support Marlyn Swanson in her endeavor to obtain possible funding for spay/neuter assistance and request that the Mesabi Humane Society provide the necessary information. Motion carried.

Moved by Cuffe and supported to receive and file the communication from the City of Shorewood requesting support of legislation to restrict the sale of phosphorus lawn fertilizers. Motion carried.

Moved by Baribeau and supported to send a letter opposing the proposed elimination of the grant program under the Fire Act. Motion carried.

Moved by Lucarelli and supported to cover the costs, including registration, lodging and transportation, for Chris Ismil, Iron Range Youth in Action Coordinator, and one male and female youth delegate, to attend the League of Minnesota Cities Annual Conference. Motion carried.

Moved by Russo and supported to approve the sale of Lot 17, Block 1, Fairview Second Addition, to Michael and Tracy Moore, with the resolution approving the sale to be adopted at the next Council meeting. Motion carried.

Councillor Lucarelli reported on the Building and Grounds Committee meeting held on March 22, 2001.

Moved by Lucarelli and supported to allow VEDA to identify and investigate the possible purchase of residential properties in the 300 blocks of 1st Streets North and South. Motion carried.

Moved by Lucarelli to refer the four City Hall improvement projects to the Finance Committee for funding consideration (1. Police Garage repairs; 2. Carpeting for Committee Room and VEDA Office, 3. Repair of outside railings; 4. Outside air duct extension). Motion carried.

Moved by Lucarelli and supported to allow the Engineering Department to solicit quotes for professional services from structural engineering firms to make a recommendation on the demolition of the Virginian Bar and to have the City Department Director and Engineering Department contact Commissioner Swift to gain his support for removal of the building by the IRRRB. Motion carried.

Moved by Lucarelli and supported to allow the City Department Director to continue negotiations with Range Landscaping, pursuant to specific points as outlined by the Buildings and Grounds Committee. Motion carried.

Moved by Lucarelli and supported to accept the property gift from Mr. William Higgins, send him a letter thanking him for his generous offer and have the City Attorney prepare the necessary paperwork for facilitating the exchange of said property. Motion carried.

Moved by Lucarelli and supported to refer the Miners roof project to the Finance Committee for funding consideration and to also prepare a bid package. Motion carried.

Councillor Baribeau reported on the Street and Alley Committee meeting held on March 26, 2001.

Moved by Baribeau and supported to exclude 3rd Street South, from 9th Avenue to 6th Avenue, from the truck route signage and eliminate coal trucks from hauling on 3rd Street South, except for an emergency, as determined by the City Department Director. Motion carried.

Moved by Baribeau and supported to set up a meeting with the Mesabi Trail Committee and the IRRRB and act as an intermediate regarding the existing snowmobile trail through town. Motion carried.

Moved by Baribeau and supported to go on record in support of the IRRRB continuing to groom the snowmobile trails. Motion carried.

Moved by Baribeau and supported to install two 10-minute parking spaces in front of Seams Incredible, 1012 South 2nd Avenue. Motion carried.

Moved by Baribeau and supported to adopt Resolution No. 01073, accepting the quote from Benchmark Engineering, Inc., for professional civil engineering and construction management for the Oneida Forty infrastructure and the 2001 bituminous overlay program. Resolution adopted unanimously.

Moved by Baribeau and supported to submit a grant request, on behalf of the Lakes Beautification Committee, to the Minnesota Department of Transportation Landscape Assistance Program, to obtain plantings for the Quad Cities signage area. Motion carried.

Moved by Baribeau and supported to send a letter to the Minnesota Department of Transportation approving the closure of the Second Avenue North bound entrance for a two-week period during the summer. Motion carried.

City Department Director Leoni stated that he will distribute copies of the 2001 construction projects to the City Councillors.

Councillor Russo reported on the Personnel Committee meeting held on March 27, 2001.

Councillor Russo reported that the Personnel Committee and the Public Utilities Personnel Committee will review the applications for the Human Resource/Safety Coordinator position and recommend the applicants to be interviewed.

The Personnel Committee directed City Department Director Leoni to provide the Supervisors Association with job duties and descriptions for the Team Coordinator and Team Leader positions.

The Personnel Committee denied the grievance from LELS Local Union 195 regarding the denial of a personal leave day.

Moved by Russo and supported to keep the Park/Recreation Commission at five members. Motion carried.

Moved by Russo and supported to hire former intern Derek Aho as an independent contractor to manage the golf course for this summer, at a salary of \$3,000/month, which includes insurance as a private contractor. Motion carried.

Moved by Russo and supported to approve the overtime protocol policy for the Public Works Department, as drafted by Steve Giorgi, Staff Representative, Local Union 454. Motion carried.

Moved by Russo and supported to allow the City Department Director and City Clerk/Finance Director to review the receptionist position. Motion carried.

Moved by Russo and supported to refer the separation agreement with a former Library employee back to the City Attorney. Motion carried.

Councillor Cuffe reported that the Blight Officer will be checking the City for abandoned and blighted vehicles.

Moved by Lucarelli and supported to adopt Resolution No. 01074, allowing the Mayor and City Clerk/Finance Director to enter into an agreement with International/Skubic Brothers for two cabs and chassis for a total of \$96,216.36, including sales tax; MacQueen Equipment for two plow units for a total of \$22,538.90, including sales tax, and Crysteel Truck Equipment for two 5-yard 10' boxes for a total of \$32,803.74, including sales tax. Resolution adopted unanimously.

Moved by Russo and supported to authorize calling for proposals for Public Works supplies for the year May 1, 2001, through May 1, 2002. Motion carried.

City Department Director Leoni stated that, because of the State bid contracts, the procedure of calling for proposals on some purchases will not be required.

Moved by Thornton and supported to adopt Resolution No. 01075, allowing the Mayor and City Clerk/Finance Director to enter into a contract with MTI Distributing/Plaza Hardware for one Model 2300D Toro Reelmaster, 3 wheel, 72" cutting width, diesel riding multi-cut mower, for the amount of \$17,458.55, including sales tax and freight. Resolution adopted unanimously.

City Department Director Leoni stated that VEDA has asked to take the lead on the Housing Study. This housing study will also be tied in with the Laurentian Vision charette, which has been set for May 30 – June 2, 2001.

Moved by Cuffe and supported to allow one Dial-a-Ride bus to be used for the tours during the Laurentian Vision charette. Motion carried.

Mayor Luoma Gentilini stated that Congressman Oberstar is still trying to obtain money to help repair the City's steam system and to help with steam conversions in private homes.

Mayor Luoma Gentilini reported on the following items:

- 1) Tax Board of Review will be held on April 24, 2001.
- 2) "Good Day Minnesota" will feature Virginia on their program on Channel 9 at 7:50 A.M. on April 16, 2001.
- 3) Dedication of Bill's House, homeless shelter in Finntown, will be held at 1:30 P.M. on April 18, 2001, at Kaleva Hall.
- 4) National Library Week will be April 1-7, 2001.
- 5) Hoyt Lakes Credit Union will be sponsoring a bike tour on May 5, 2001, which will be held in conjunction with Biwabik's Second Annual May Fest.

Moved by Cuffe and supported to refer the request from the Iron Range Youth in Action, to sponsor youth to attend a gathering at the Eveleth Inn to make a difference in their home towns, at a cost of \$50.00/youth, to the Finance Committee. Motion carried.

Mayor Luoma Gentilini announced that Dan Gustafson, Fire Department, and Bill Hennis, Engineering Department, are the Employees of the First Quarter, 2001.

Moved by Thornton and supported to adjourn to 6:30 P.M., Tuesday, April 10, 2001, in the Council Chambers, City Hall. Motion carried.

CAROLYN LUOMA GENTILINI

Mayor

(CORPORATE SEAL)

LOIS ROSKOSKI

Deputy City Clerk