

## COUNCIL PROCEEDINGS

CITY OF VIRGINIA, MINNESOTA, JUNE 8, 2004

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 Raplinger, Lind, Baranzelli, Lindberg, Politano, Peterson, Mayor Luoma  
Gentilini – 7

Absent: None

Councillor Lindberg removed Item 3 and Item 5 from the Consent Agenda. Mayor Luoma Gentilini removed Item 6 from the Consent Agenda.

Moved by Peterson and supported to approve the Consent Agenda, as follows, with the exception of Items 3, 5 and 6.

1. Approval/correction of minutes of Regular Meeting held May 25, 2004.
2. Adoption of Finance Resolution No. 04011.
3. Approve Transient Merchant's License:
  - A. Clinton Kraft, d/b/a Jan's Kloset, to sell apparel at the Park Inn on July 21, 2004.
  - B. Robert Cummins, d/b/a T.A.P. Enterprises, Inc., to hold a tool sale at the Park Inn on June 25, 2004.
  - C. Mark & Penny Vlasich, d/b/a Northland Variety, to sell variety of items on City streets.
4. Approve Adult Service Establishment License for Hair on Main for the year 2004.
5. Approve Virginia Golf Course Rounds and Revenue Report thru May 31, 2004.
6. Adopt Resolution to enter into contract with the State of Minnesota, Department of Transportation, to provide public transportation service in the City of Virginia for the year 2005.
7. Approve variances, as recommended by the Planning and Zoning Commission by a meeting held June 7, 2004:
  - A. **Sharon Anderson (Oliver)** – 1308 10<sup>th</sup> Street South
    - A 3.8' variance to the required 5' side yard setback in order to build a 16' x 30' addition on the rear of the house 1.2' from the East property line.Basis for Decision:
    - Addition follows present building lines.
    - Neighbor concurrence
  - B. **Timothy & Mardelle Doepke** – 1229 12<sup>th</sup> Street South

- A 3' variance to the maximum allowed 3' height allotment in order to build a 6' high fence on the West property line abutting City right-of-way.
- A 20' variance to the required 20' setback from City right-of-way in order to construct a fence on the West property line.

Basis for Decision:

- Due to site layout, fence will not create traffic site line problems
- No City sidewalks on this Avenue
- Neighbor concurrence

**C. Mary Kay Lundmark** – 814 4<sup>th</sup> Street South

- A 2' variance from the required 8' side yard setback in order to construct a 36' x 24' garage 6' from the West property line.

Basis for Decision:

- New garage will occupy same building lines as previous garage.

**D. Steve Gobats** – 1012 15<sup>th</sup> Street North

- A 1.6' variance from the required 5' side yard setback in order to construct a 30' x 34' garage 3.4' from the West property line.
- A 20 sq. ft. variance to the maximum allowed 1000 sq. ft. of accessory structures in order to build a 1020 sq. ft. garage.
- A 239 sq. ft. variance to the maximum allowed 30% rear yard coverage (732 sq. ft.) in order to build a 1020 sq. ft. garage.

Basis for Decision:

- Variances do not negatively effect adjacent property owners

**E. Paul & Janet Johnson** – 1511 10<sup>th</sup> Street South

- A 10.6' variance from the required 20' front yard setback in order to construct a 24.3' x 8' deck on the front of the house, 9.4' from the front (South) property line.
- A 0.7' variance from the required 5' side yard setback in order to construct a deck 4.3' from the West property line contingent upon a signed "Neighbor Variance Certification" being obtained.
- A 4.4' variance from the required 5' side yard setback in order to construct a deck/porch 0.6' from the West property line contingent upon a signed "Neighbor Variance Certification" being obtained.

Basis for Decision:

- Variances do not negatively affect adjacent neighbors.

8. Approve application for 2 A.M. closing for Sportspace Bar, 429 Chestnut Street.

9. Approve Transient Merchant's License for Quintessential Concepts to sell sports shoes at 1501 South 12<sup>TH</sup> Avenue.

Motions carried and Resolutions adopted unanimously.

Regarding Item 3, Transient Merchant License applications, Councillor Lindberg questioned the fees. City Clerk/Finance Director Lackner explained that the fee for a Transient Merchant License is \$200 per year, unless the sale is at the Miner's Memorial Building. City Clerk/Finance Director Lackner stated the fees on the Golf Course Rounds and Revenue Report thru May 31, 2004 are year-to-date.

Moved by Lindberg and supported to approve Item 3, Transient Merchant's Licenses, for:

- A. Clinton Kraft, d/b/a Jan's Kloset, to sell apparel at the Park Inn on July 21, 2004.
- B. Robert Cummins, d/b/a T.A.P. Enterprises, Inc., to hold a tool sale at the Park Inn on June 25, 2004.
- C. Mark & Penny Vlasich, d/b/a Northland Variety, to sell variety of items on City streets.

Motion carried.

Moved by Lindberg and supported to approve the Virginia Golf Course Rounds and Revenue Report thru May 31, 2004. Motion carried.

Regarding Item 6, Mayor Luoma Gentilini recommended that the Dial-a-Ride buses be allowed to travel to the YMCA and movie theatre in Mt. Iron, as needed.

Moved by Politano and supported to allow the Dial-a-Ride to travel to the Mesabi Family YMCA and Cinema 6 Movie Theatre in Mt. Iron, based on demand and bus availability. Motion carried.

Moved by Raplinger and supported to adopt Resolution No. 04098, entering into a contract with the State of Minnesota, Department of Transportation, to provide public transportation service in the City of Virginia for the year 2005. Resolution adopted unanimously.

Don Sipola, President, Public Utilities Commission, distributed a table illustrating sales and expenses for the water department for the years 1994 through 2003. Mr. Sipola reviewed the handout and the reasons for the changes between years and stated an increase in the water rate is necessary. The City Council discussed the proposed rate increase for water and stated citizens are already complaining about high utility rates. No action was taken.

Public Utilities Commissioner Sipola also reviewed confined space meter reading requirements. Councillors Lindberg and Politano questioned Mr. Sipola about this issue and customer friendliness. No action was taken.

Moved by Peterson and supported to adopt Resolution No. 04099, accepting the quote from Benchmark Engineering, Inc., for professional civil engineering and construction management, in the amount of \$2,240.00, for C.P. 5-04, 2004 Bituminous Overlay Program, and, in the amount of \$9,680.00, for C.P. 6-04, Parking lot in the 300 block, 1<sup>st</sup> Street South. Resolution adopted unanimously.

Moved by Peterson and supported to authorize the Engineering Department to call for bids for rerouting the sanitary sewer in Blocks 76 and 77, Second Addition, C.P. 3-04. Motion carried.

Moved by Lindberg and supported to adopt Resolution No. 04100, approving a contract with St. Louis County for Northeast Minnesota Information System (NEMISIS) Contract Agreement. Resolution adopted unanimously.

Moved by Peterson and supported to adopt Resolution No. 04101, endorsing the clean coal power initiative proposal of Excelsior Energy and urging the Secretary of Energy to approve the application. Resolution adopted unanimously.

Moved by Peterson and supported to adopt Resolution No. 04102, approving the contract with AFSCME Local 454, Minnesota Council 65, AFL-CIO, for the period January 1, 2004, through December 31, 2006, subject to final review of the contract language. Resolution adopted unanimously.

Joni Eichorn, Eichorn's Furniture, was present to discuss the recommendation of the Planning and Zoning Commission to deny their request to rezone the property at 201 and 203 3<sup>rd</sup> Street North to build a warehouse. Bruce Kniivala, Planning and Zoning Chairperson, discussed the request and stated the Planning and Zoning Commission is in favor of helping Eichorn's Furniture. Councillors

Peterson, Politano, Lindberg and Mayor Luoma Gentilini spoke about helping Eichorn's Furniture. Mr. Kniivala answered questions regarding spot zoning.

Moved by Politano and supported to rezone the property at 201 and 203 3<sup>rd</sup> Street North from R-5-Residential, to B-2-Community Business, in order for Eichorn's Furniture to build a warehouse. Motion carried.

Mayor Luoma Gentilini reported on the Committee-of-the-Whole meeting held on May 26, 2004.

Councillor Lindberg reported that the St. Mary's/Duluth Clinic and Iron Range Rehabilitation Center building projects are finally moving forward on the Virginia Regional Medical Center campus.

Councillor Raplinger reported that the Kline/Cuppoletti Gun Club shoots on Wednesday night.

Moved by Politano and supported to approve writing off the \$10,000 loan to the US Hockey Hall of Fame, which was due to be repaid on July 1, 2001. Motion carried. City Clerk/Finance Director Lackner stated the City previously set up an allowance for bad debts in this amount.

City Clerk/Finance Director Lackner reported on the potential refunding of the 1995 HRA Housing Bonds, with possible savings of approximately \$175,000.00.

Mayor Luoma Gentilini reported on the following items:

- 27 outward bound students will donate time to help clean the Miners Memorial Building.
- Thanked Paul Hejda, Jeanne Aho and Bob Kerze for installing the neighborhood watch signs.
- Neighborhood Watch Meeting will be held at 6:00 P.M. on June 24, 2004, at the Miners Memorial Building.
- Reviewed schedule for Great River Energy Bicycle Race, to be held in Virginia on June 9<sup>th</sup> and 10<sup>th</sup>.
- Minnesota Pollution Control Agency has awarded the City of Virginia with a Certificate of Commendation for the operation of the Wastewater Treatment Plant.

Moved by Raplinger and supported to adjourn to 6:30 P.M. on Tuesday, June 22, 2004, in the Council Chambers, City Hall. Motion carried.

CAROLYN LUOMA GENTILINI

Mayor

(CORPORATE SEAL)

RONALD LACKNER

City Clerk/Finance Director