

COUNCIL PROCEEDINGS

CITY OF VIRGINIA, MINNESOTA, SEPTEMBER 13, 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

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

1. Approval/correction of minutes of Regular Meeting held August 24, 2004, and Special Meeting held August 26, 2004, and September 8, 2004.
2. Adoption of Finance Resolution No. 04017.
3. Approve recommendations from Planning & Zoning Commission from September 8, 2004, meeting:
 - A) Recommend **DENYING** the following:
 1. **Jacquelyn Mankowski – 212 8th Street South**
 - A. A 4' variance to the maximum allowed 4' height allotment in order to build an 8' high fence on the North property line (8th Street South).
 - B. A 2' variance to the maximum allowed 6' height allotment in order to build an 8' high fence on the East property line.
 - B) Recommend **APPROVING** the following:
 1. **Carl & Sally Hildreth – 912 South 7th Avenue**
A 3.5' variance to the required 5' rear yard setback from the alley in order to construct an addition to the garage 1.5' from the alley.
 2. **Richard J. Florey – 1305 20th Street South**
A 2' variance to the maximum allowed 6' height allotment in order to build an 8' high fence on the North property line.
 3. **Jacquelyn Mankowski – 212 8th Street South**
A 1' variance to the maximum allowed 4' height allotment in order to build an 5' high fence, that swoops down to 4' high in regular intervals, 5' from the North property line (8th Street South).
 4. **Walter Skahl Jr. – 609 10th Street South**
A 1.5' variance to the required 20' front yard setback in order to construct an addition 18.5' from the South (front) property line
 5. **Bruce Niemi – 218 North 2nd Avenue (Variance for Vacant lots at 122 No 2nd Street)**

- A. A 20' variance to the required 20' setback from the City right-of-way (2nd Avenue) in order to build a fence on the property line.
- B. A 4' variance to the maximum allowed 2' height requirement in order to build a 6' fence along the West property line.
- C. A 3' variance to the maximum allowed 3' front yard height requirement in order to build a 6' fence on the North property line.

6. Pro Form Manufacturing – 115 South 4th Street

- A. A 20' variance to the required 30' front yard setback in order to construct an addition 10' from the South property line (Street).
- B. A 20' variance to the required 20' rear yard setback in order to build on the North property line (alley).
- C. A 1' variance from the required 10' side yard setback in order to build an addition 9' from the East property line.

7. Eichorn's Furniture– 302 North 2nd Avenue

A 15' variance from the 20' side yard setback requirement in order to construct a 36' x 80' warehouse 5' from the rear property line.

- 4. Approve Renewal Application for Optional Liquor 2 A.M. Closing for Flaimer's, Inc., 127 Chestnut Street.
- 5. Approve dance permit:
 - A. Virginia Quarterback Club, October 8, 2004, Miners Memorial Building.
 - B. Iron Range Youth in Action, December 4, 2004, Miners Memorial Building.
- 6. Approve Application to Conduct Excluded Bingo for Sacred Heart Catholic Church for November 5, 2004.
- 7. Approve Application to Conduct Excluded Raffle for Sacred Heart Catholic Church for November 6, 2004.
- 8. Approve Application for Exempt Permit for Holy Spirit Catholic Church to hold raffle on October 30, 2004.
- 9. Approve travel request for Dana Waldron, Public Safety Director, International Association of Chiefs of Police, November 13-18, 2004, Los Angeles, CA.

Motions carried and Finance Resolution adopted unanimously, with Councillor Peterson abstaining from Item 3B.6.

Moved by Peterson and supported to approve the request from the Virginia Secondary PTSA to hold the annual Homecoming Parade on City streets on Friday, October 8, 2004. Motion carried.

Moved by Lindberg and supported to adopt Resolution No. 04133, approving the contract with Local 390, International Association of Firefighters for the period January 1, 2004, through December 31, 2006. Resolution adopted unanimously.

Councillor Peterson reported on the Buildings/Grounds Committee meeting held on August 25, 2004.

Moved by Peterson and supported to approve the following requests from the Wells-Fargo Bank:

1. Approve one additional handicapped parking space in front of Wells Fargo, at City expense.
2. Remove grassy boulevard and replace City sidewalks on 1st Street North, adjacent to the Wells Fargo parking lot, at City expense.
3. Allow Wells Fargo Bank to rent the middle section of parking spaces in the City lot adjacent to Wells Fargo parking lot for customer parking, at a cost of \$300.00 per month.

Motion carried.

Moved by Peterson and supported to request the City Assessor to place a value on the City-owned parking lot, which is adjacent to the property at 310 1st Street North, and to contact Dawn Cole and Dental Associates to see if they are interested in purchasing the lot. Motion carried.

Councillor Peterson stated City officials are continuing to meet with Seppi Brothers to discuss sites for the relocation of their concrete plant.

Moved by Peterson and supported to remove C.P 5-04-0012 from the 2004 bituminous overlay project list and delete the 500 block of 2nd Street South from C.P. 5-04-006. Motion carried.

Moved by Peterson and supported to leave the Transient Merchant License fee at \$200.00 and review the Miners Memorial Building rental policy. Motion carried. City Attorney Butorac stated he will make changes to the Transient Merchant ordinance for clarification purposes.

Moved by Peterson and supported to approve a loading zone at 125 3rd Street North in front of Kaleva Hall. Motion carried.

Moved by Lindberg and supported to request the Department of Public Utilities to notify the Engineering Department when they will be tearing up a City street for a scheduled project. Motion carried.

Mayor Luoma Gentilini reported on the Personnel Committee meeting held on September 15, 2004.

A Committee of the Whole meeting will be held at 10:00 A.M. on September 15, 2004, to review applications for the City Operations Director.

Moved by Politano and supported to adopt Resolution No. 04134, approving the hiring of Chad Nickila for the Patrol Officer position, contingent upon passing the pre-employment physical, occupational therapy assessment, and psychological assessment, with a starting date on or after September 27, 2004, and subject to a twelve month probation period and the terms of the Law Enforcement Labor Services Local 195 labor agreement. Resolution adopted unanimously.

Mayor Luoma Gentilini stated a Committee-of-the-Whole meeting has been set for 9:15 A.M. on September 20, 2004, to meet with Dave Wallin regarding the Biomass Project. Terry Leoni, General Manager, Department of Public Utilities, and Bob Thistle of Springsted, Inc., will also be present at the meeting. Councillor Lindberg was requested to notify the logger, who had expressed concerns regarding the Biomass Project, and invite him to the meeting.

Councillor Baranzelli reported on the Public Safety Committee held on September 13, 2004.

Moved by Baranzelli and supported to adopt Resolution No. 04135, approving the Mutual Aid Agreement with the City of Hibbing. Resolution adopted unanimously.

Moved by Baranzelli and supported to deny the request from Tom Friend for designated business parking and handicapped parking at 216 2nd Avenue North. Motion carried.

Moved by Baranzelli and supported to authorize Public Safety Director Waldron to write a letter to the Virginia Quarterback Club approving the bonfire on October 7, 2004, at 5:30 P.M. as part of homecoming activities, contingent upon: 1) Contacting the Fire Department to obtain

criteria on building a bonfire; 2) Contacting the Fire Department crew on duty during the bonfire, prior to lighting the fire; and 3) Virginia Quarterback Club is responsible for clean up of the bonfire.

Motion carried.

Moved by Baranzelli and supported to direct the City Attorney to send a letter to the Heart of Virginia and Land of the Loon Committee stating the City would approve a fireworks permit for the organizations, but the City will not be responsible for hiring a pyrotechnic and insurance coverage. Motion carried.

Moved by Baranzelli and supported to request the City Clerk's office staff to compile information on parking permits, in order to compare current revenue to revenue received when the City had a Parking Monitor. Motion carried.

Moved by Baranzelli and supported to authorize Public Safety Director Waldron to obtain information on lands necessary for the proposed public safety facility. Motion carried. Mayor Luoma Gentilini stated she will be setting a Committee of the Whole meeting to discuss the proposed public safety facility once the costs are obtained.

Moved by Baranzelli and supported to authorize Public Safety Director Waldron to prepare an analysis on how to remedy the overtime costs for the Fire Department. Motion carried.

Councillor Politano stated the 2004 Summer Reading Program at the Virginia Public Library was a great success and very well attended.

Moved by Lindberg and supported to adopt Resolution No. 04136, setting the proposed 2004 tax levy, collectible in 2005. Resolution adopted unanimously.

Moved by Lindberg and supported to adopt Resolution No. 04137, adopting proposed general and debt service funds budgets for the year 2005. Resolution adopted unanimously.

Moved by Politano and supported to adopt Resolution No. 04138, approving a \$35,000 levy for the Housing and Redevelopment Authority. Resolution adopted unanimously.

Moved by Peterson and supported to set the Truth in Taxation hearing for 6:30 P.M. on December 1, 2004, in the Council Chambers, City Hall, with the hearing to be continued to 6:30 P.M. on December 8, 2004, if necessary. Motion carried.

City Clerk/Finance Director Lackner recommended awarding the sale of \$4,355,000 General Obligation Government Housing Refunding Bonds, which have an average savings of \$20,000 per year for the years 2007 through 2026.

Moved by Raplinger and supported to adopt Resolution No. 04139, awarding the sale of \$4,355,000 General Obligation Government Housing Refunding Bonds, Series 2004A; fixing their form and specifications; directing their execution and delivery; providing for their payment; providing for the escrowing and investment of the proceeds thereof; and providing for the redemption of bonds refunded thereby. Resolution adopted unanimously.

City Clerk/Finance Director Lackner stated a Business Subsidy Policy and Criteria must be approved, as part of the JOBZ Program.

Moved by Politano and supported to adopt Resolution No. 04140, approving a Business Subsidy Policy and Criteria for the JOBZ Program. Resolution adopted unanimously.

City Clerk/Finance Director Lackner stated the Hospital Commission approved the redevelopment plan and financing for the St. Mary's/Duluth Clinic and Iron Range Rehabilitation project on the hospital campus. The Hospital Commission also agreed to move forward with purchasing the existing Iron Range Rehabilitation Center building.

Mayor Luoma Gentilini reported on the following items:

- Proclaimed the week of September 12th as National Rehabilitation Awareness Week.
- Proclaimed the week of September 12th as National Assisted Living Week.
- Neighborhood Watch Meeting will be held at 6:30 P.M. on October 14, 2004, to discuss methamphetamines.
- Park/Recreation Commission is sponsoring a charette at 4:00 P.M. on September 23, 2004, to obtain public input on the improvements to the Miners Memorial Building.

Moved by Politano and supported to adjourn to 6:30 P.M. on Tuesday, September 28, 2004, in the Council Chambers, City Hall. Motion carried.

CAROLYN LUOMA GENTILINI

Mayor

(CORPORATE SEAL)

LOIS ROSKOSKI

Deputy City Clerk