

COUNCIL PROCEEDINGS

CITY OF VIRGINIA, MINNESOTA, AUGUST 11, 2009

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 Baribeau, Littlewolf, Ralston, Lindberg, Russo, Mayor Peterson - 6

Absent: Councillor Damm - 1

Mayor Peterson led the City Council in the Pledge of Allegiance.

Moved by Russo and supported to open the public hearing to discuss the proposed vacation by the City of an easement used for the purposes of construction and maintaining a storm sewer line on, over and across a portion of property owned by Menard, Inc., located near the intersection of 16th Avenue South and 17th Street South in the City of Virginia. Motion carried.

Frank Barboni, 1808 18th Street South, asked the following questions. 1) How does the easement impact the people living East of the Menard project? 2) Will the Menard's property will be at a higher elevation and create a water problem? 3) When will the project begin?

City Operations Director Tourville replied to the questions: 1) The vacation of the easement will only impact the Menard property and not any private property. 2) Previous drainage plans will be used and there should not be an issue with water. 3) Demolition and construction will begin in the Spring of 2010.

Moved by Russo and supported to close the public hearing. Motion carried.

Moved by Lindberg and supported to adopt an Ordinance Vacating an Easement on Property Owned by Menard, Inc. Ordinance adopted unanimously.

Councillor Littlewolf removed Item 7A from the Consent Agenda.

Councillor Baribeau removed Item 5 from the Consent Agenda.

Mayor Peterson stated he will abstain from the vote for Item 6 on the Consent Agenda.

Moved by Lindberg and supported to approve the Consent Agenda, as follows, with the exception of Items 5 and 7A.

1. Approval/correction of minutes of Regular Meeting held July 21, 2009.
2. Adoption of Finance Resolution No. 09014 – Schedule of Bills.
3. Adopt Resolution No. 090100, supplementing Resolution No. 09073, awarding the sale of \$500,000 General Obligation Utility Revenue Note, Series 2009; fixing its form and specifications; directing its execution and delivery; and providing for its payment.
4. Approve Temporary On-Sale Liquor License for Iron Range Labor Assembly for September 6, 2009, in Olcott Park.
5. Approve election judges for Primary Election on September 15th and General Election on November 3,
6. Approve Renewal Application for 2 AM Liquor for S & F Bar, Inc., d/b/a Sportspage Bar.
7. Approve variances, as recommended by the Planning & Zoning Commission at a meeting held on August 3, 2009:
 - A. Chad & Michelle Lexvold - 402 15th Street North:
 1. A 16.6' variance from the required 20' setback from City right-of-way in order to construct 26' x 26' garage 3.4' from the East property line.
 2. A 3' variance from the required 5' alley setback in order to construct a 26' x 26' garage 2' from the South property line.
 - B. Rick Niemi- 1420 9th Street South:
 1. A 1' variance from the required 5' side yard setback in order to construct a 16' x 32' garage 4' from the East property line.
 2. A 114 square foot variance over the maximum allowed 30% rear yard coverage.
 - C. Craig Sistad- 311 5th Street South:
 1. A 1' variance from the maximum allowed 3' fence height in order to build a 4' fence.

Motions carried and Resolutions adopted, with Mayor Peterson abstaining from Item 6.

Regarding Item 5, City Clerk Roskoski stated each precinct will have three judges for the Primary and General Elections and some judges will be working eight hour shifts.

Moved by Baribeau and supported to approve Item 5, approval of election judges for the Primary Election on September 15th and the General Election on November 3rd. Motion carried.

Regarding Item 7A, Mary Sager, 406 15th Street North, was present to express concerns regarding the variance for Chad and Michelle Lexvold to build a new garage. Ms. Sager stated the

garage is eight feet from the fence and felt the demolition of the garage may damage her garden and apple tree. Ms. Sager also questioned when the project would be done and if a contractor has been hired for the project.

Mayor Peterson stated the Lexvold's would be responsible for any damage to the neighbor's property during the demolition and recommended that Ms. Sager contact the Engineering Department to set up a meeting with her and the Lexvold's to answer questions regarding the construction project. Councillor Baribeau suggested that Ms. Sager take pictures of her property prior to the demolition.

Moved by Ralston and supported approve Item 7A, approval of variances for Chad and Michelle Lexvold, 402 15th Street North, as listed in the Consent Agenda. Motion carried.

Rob Raplinger, Virginia Sustainability Task Force, requested a letter of support regarding the grant application to be submitted to the Minnesota GreenCorps program. The grant application had been previously submitted, as the grant deadline was August 3, 2009. Mr. Raplinger stated letters of support have been received from the Virginia Sustainability Task Force, Virginia School District, Department of Public Utilities and the St. Louis County Solid Waste Department.

Mr. Raplinger stated the grant application includes the utilization of a Local Government Energy Conservation Specialist and a Living Green Outreach Specialist to assist the City and Virginia Sustainability Task Force in achieving energy saving measures throughout the City. The specialists would be Minnesota GreenCorps members, which is a subdivision of AmeriCorp. The specialists are also college students that are paid by the Minnesota Pollution Control agency for a ten month period.

Mr. Raplinger stated the City of Virginia would be responsible for providing 0.1 FTE in supervision time by professional staff, office space, computers and phones for a two member specialist team.

City Operations Director Tourville replied that office space is available in City Hall, as well as one computer. City Operations Director Tourville stated he is willing to set priorities and supervise the specialists.

Moved by Littlewolf and supported to provide a letter of support for the grant application to the Minnesota GreenCorps.

Concerns were discussed regarding the time commitment required by the City Operations Director to supervise the specialists and the issue will be discussed in detail at a future Personnel Committee meeting.

Councillor Baribeau stated he felt an energy audit should be done on the City building, prior to the internship.

Mayor Peterson asked the Council to consider voting on supporting the concept of the program at this time and to further discuss the specifics of the program at a Personnel Committee meeting.

Councillor Russo stated the Personnel Committee meeting will be rescheduled to 9:00 A.M. on Monday, August 17, 2009 to discuss the GreenCorps internship.

Moved by Russo and supported to call for a vote on the motion.

Ayes: Councillors Littlewolf, Lindberg, Russo, Mayor Peterson – 4

Nays: Councillors Baribeau, Ralston – 2

Motion carried.

Roll call on original motion:

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

Nays: Councillor Baribeau – 1

Motion carried.

Councillor Lindberg reported on the Finance Committee meeting held as a Committee-of-the-Whole on August 4, 2009.

Moved by Lindberg and supported to invite Bart Rodberg, McGladrey & Pullen, to the August 18th Finance Committee meeting to discuss the Excess Police Pension Fund. Motion carried.

Moved by Lindberg and supported to request the Finance/Human Resources Director and Police Chief to determine the actual expenses that should have come from the Police Pension Fund, for the period January 1, 2005, to present, which will be reviewed at the August 18th Finance Committee meeting. Motion carried.

Moved by Lindberg and supported to approve the Fall Hockey Program for the period September 14th through October 22nd and to bill the Youth Hockey Association, in the amount of \$20,760, to cover all costs of the program. Motion carried.

Moved by Lindberg and supported to refer the request to purchase a point of sale computer system for the golf course clubhouse restaurant to the 2010 budget discussions. Motion carried.

Councillor Lindberg stated the City Attorney was directed to send a letter to St. Louis County requesting a reasonable purchase price for Lots 21 and 22, Block 18 (former Virginia Hotel property).

Councillor Lindberg reported that Councillors Littlewolf and Russo volunteered to help with the 2010 Census.

Councillor Lindberg stated letters were sent regarding the delinquent energy loan accounts requesting that the loan payments be made current within 60 days or the promissory notes will be called in full.

Councillors Ralston reported on the Buildings/Grounds Committee meeting held on August 4, 2009.

Moved by Ralston and supported to request the Teen Center Board of Directors to provide a listing of the Teen Center programs to the City Council on a quarterly basis and to meet with Dave Stewart regarding the separation of the Youth for Christ activities from the Teen Center. Motion carried.

Moved by Ralston and supported to request the City Attorney to set up a meeting with the owners of the former Greiner property as soon as possible to determine an immediate plan for the building. Motion carried.

Councillor Baribeau corrected information given at a previous meeting and stated seventy-five percent of the costs to clean up the Seppi north side will be covered through the Community Development Block Grant program, with the other twenty-five percent coming from other sources.

Councillor Lindberg requested that the invoices for Kennedy & Graven and the delinquent utilities paid to the Public Utilities be added to the August 18th Finance Committee meeting.

City Operations Director Tourville stated the City may be receiving a \$250,000 Community Development Block Grant and an additional \$150,000 Iron Range Resources Grant to demolish the buildings, improve the site and crush the concrete at the former Seppi site located on 18th Street North.

City Operations Director Tourville stated the grant opportunities for repairing sewers will be discussed at the August 18th Street/Alley Committee meeting.

Mayor Peterson requested that action be taken immediately regarding the mold problems with properties located in the 600 block of 12th Street North and 15th Street North, as a child in the neighborhood became ill due to the mold. Councillor Ralston stated the newly formed Housing Committee will review the blighted houses as part of a Buildings/Grounds Committee meeting to be held on August 25th and stated a representative from the St. Louis County Health Department, the City's Blight Officer and the St. Louis County Commissioner will be invited to the meeting.

Moved by Ralston and supported to request the City Attorney to send a letter to St. Louis County Health Department, with a copy sent to the property owners, identifying the health hazards regarding the properties located in the 600 blocks of 12th Street North and 15th Street North. Motion carried.

See 2009 Resolution Book for Resolution Nos. 09100 and Finance Resolution No. 09073.

Moved by Lindberg and supported to adjourn to 6:30 P.M. on Tuesday, August 25, 2009, in the Council Chambers, City Hall. Motion carried.

(CORPORATE SEAL)

STEVE PETERSON
Mayor

LOIS ROSKOSKI
City Clerk