

**VIRGINIA CITY COUNCIL
AGENDA
MAY 10, 2011 – 6:30 P.M.**

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC FORUM (Limited to 5 minutes per Council protocol)**
5. **CONSENT AGENDA** (Note: Motion will be to approve the Consent Agenda as listed.)
The following items will be enacted by one motion unless a Councillor or Citizen of the City of Virginia requests that the item be considered separately:
 - 5.1 Approval/correction of minutes of Regular Meeting held April 26, 2011.
 - 5.2 Adoption of Finance Resolution No. 11-009 – Schedule of Bills.
 - 5.3 Approve Transient Merchant/Solicitor Licenses:
 - A. Veronica Johnson, d/b/a Bubba's Dirty Dogz.
 - B. Ofelia Jonas, d/b/a First Filipino Food Stand.
 - 5.4 Approve Application for Tobacco License for T.H.E. Corp., d/b/a Manseau's Range Music, 224 Chestnut Street.
 - 5.5 Adopt Resolution correcting Resolution No. 11054, adopted on March 22, 2011, regarding Professional Services Agreement with Stephen Fingeroos for Golf Professional Services for the period April 1, 2011, through October 31, 2014.
6. **APPEARANCES (Limited to 10 minutes)**
7. **UNFINISHED BUSINESS**
8. **DISCUSSION ITEMS**
 - 8.1 Communication from Planning and Zoning Commission submitting recommendations from meeting held on May 2, 2011:
 - A. Approve request from George Tokarczyk, d/b/a Exact Eye Care, to rezone property located at the intersection of 17th Street South and 16th Avenue West from I-2 (Heavy Industrial) to B-1 (Central Business District), to construct new eye care clinic.
 - B. Approve variance up to 134 square feet to the maximum allowable of 64 square feet, in order to have up to 200 square feet of signage on-site.
 - 8.2 Applications for Optional 2 AM Liquor Licenses:
 - A. Northeast Investment & Management, d/b/a Sunny's Magic Bar, 116 Chestnut Street.
 - B. Martini, Inc., d/b/a Tommy's Rainy Lake Saloon & Deli.
 - 8.3 "Olcott Park Summer of Celebration" Proclamation.

9. COMMITTEE REPORTS

- 9.1 Finance Committee as a Committee-of-the-Whole (May 3, 2011)
- A. Quotes to replace carpeting at Washington Manor.
 - B. Reopening of Olcott Park to vehicular traffic. (If approved, adopt Resolution.)
 - C. Reopen Silver Lake beach.
 - D. Accept bid for Fourth of July fireworks display. (If approved, adopt Resolution.)
 - E. Accept proposals for purchase of two ambulances. (If approved, adopt Resolutions.)
 - F. Approve Ambulance Intercept Agreement. (If approved, adopt Resolution.)
 - G. Approve Billing Agreement for Protected Health Information. (If approved, adopt Resolution.)
 - H. Approve agreement to prepare billings for fire and rescue services. (If approved, adopt Resolution.)
 - I. Purchase of property at 103 North 5th Avenue. (If approved, adopt Resolution.)
 - J. Easement for use of City property. (If approved, adopt Resolution.)
 - K. Inspection of tax forfeited property.
 - L. Approve travel requests for Police Department employees.
- 9.2 Buildings/Grounds Committee (May 3, 2011)
- A. Improvements to Teen Center.
 - B. Official name for the greenhouse.
 - C. Removal and pruning of trees in Olcott Park.
 - D. Clean up of brush along the shoreline of Bailey's Lake.
- 9.3 Liquor Ad Hoc Committee (May 5, 2011)

10. COMMISSION LIAISON/DEPARTMENT HEAD REPORTS

11. ADJOURN TO TUESDAY, MAY 24, 2011, AT 6:30 P.M., COUNCIL CHAMBERS

COUNCIL CHAMBERS

5.5

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution correcting Resolution No. 11054, adopted on March 22, 2011, regarding Professional Services Agreement with Stephen Fingeroos for Golf Professional Services for the period April 1, 2011, through October 31, 2014

Resolved by the City Council of the City of Virginia, that

WHEREAS, the contract with Stephen Fingeroos for the Golf Professional position was approved on March 22, 2011; and

WHEREAS, the original resolution included the following salaries:

April 1, 2011 – October 31, 2011	\$39,000 salary, plus \$4,000 into retirement account
April 1, 2012 – October 31, 2012	\$40,000 salary, plus \$4,000 into retirement account
April 1, 2013 – October 31, 2013	\$40,000 salary, plus \$4,000 into retirement account
April 1, 2014 – October 31, 2014	\$41,000 salary, plus \$4,000 into retirement account

WHEREAS, the salaries for 2011, 2012 and 2014 were incorrect in the resolution; and

WHEREAS, the correct salaries for Stephen Fingeroos for Golf Professional Services for the period April 1, 2011, through October 31, 2014, are as follows:

April 1, 2011 – October 31, 2011	\$38,000 salary, plus \$4,000 into retirement account
April 1, 2012 – October 31, 2012	\$39,000 salary, plus \$4,000 into retirement account
April 1, 2013 – October 31, 2013	\$40,000 salary, plus \$4,000 into retirement account
April 1, 2014 – October 31, 2014	\$40,000 salary, plus \$4,000 into retirement account

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Virginia hereby approves the corrections to the salaries for the Golf Professional that were listed in Resolution No. 11054, which was adopted on March 22, 2011.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

CITY OF VIRGINIA

327 FIRST STREET SOUTH • VIRGINIA, MINNESOTA 55792-2623

8.1

PLANNING & ZONING COMMISSION

May 2, 2011

The Honorable Mayor
and City Council
City Hall
Virginia, MN 55792

Dear Mayor & Council:

At the regular meeting of the Planning & Zoning Commission held on Monday, May 2, 2011, the following items were discussed, and are now brought before you for final approval.

I. PUBLIC HEARING

A.) To consider the following variances for George Tokarvxuk- 27769 So. Hwy 1806 Burke, SD 75723- (PLEASE NOTE: This variance is for Intersection of 17th STREET SOUTH and 16th Avenue West)

- 1.) To rezone the property from I-2 (Heavy Industrial) to B-1 (Central Business District), in order to construct an eye care clinic.
- 2.) A request for a variance of 134 square feet to the maximum allowable of 64 square feet, in order to have 200 square feet of signage on-site.

Moved by Rosondich and supported by Krog to approve the request to rezone the property from I-2 (Heavy Industrial) to B-1 (Central Business District), in order to construct an eye care clinic. MOTION CARRIED.

BASIS OF DECISION

- Designating the zoning is consistent with adjacent properties.
- Property had little to no potential an I-2 site.
- No Neighbor objections

Moved by Bird and supported by Krog to a variance of up to 134 square feet to the maximum allowable of 64 square feet, in order to have up to 200 square feet of signage on-site.

BASIS OF DECISION

- Was consistent with previous variances approved along that stretch of Highway 53.
- One neighbor objection about the size of the sign, but this objection was minimized following discussion of the public hearing.
- Applicant desired a sign that would be visible to Highway 53 traffic.

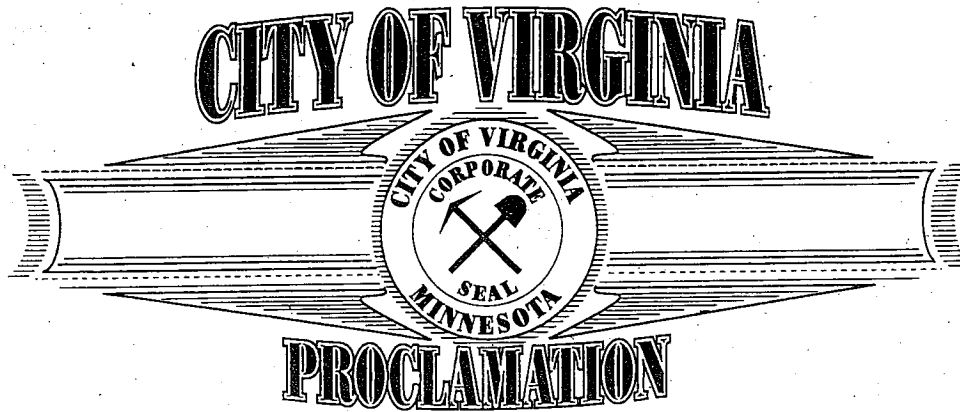
If you have any questions, please do not hesitate to contact me or any Planning and Zoning Commission member.

Sincerely,

Bruce Kniivila
Planning and Zoning Chairperson

BK/bns

8.3



WHEREAS, Olcott Park in Virginia, Minnesota, is a City and Iron Range treasure that has provided enjoyment, recreation, and lifelong memories for residents and guests over the last 100 years; and

WHEREAS, Wednesday, May 11, 2011, marks the 100th anniversary of the dedication of Olcott Park; and

WHEREAS, the "Summer of Celebration Committee" has committed a great deal of their time and energy to planning events throughout the summer to celebrate this special anniversary of Olcott Park,

NOW, THEREFORE, BE IT RESOLVED that I, Steve Peterson, Mayor of the City of Virginia, Minnesota, hereby proclaims the summer of 2011 as the "Olcott Park Summer of Celebration" to commemorate its 100th anniversary

BE IT FURTHER RESOLVED that I encourage all residents of the City of Virginia and our neighboring communities to take part in the festivities to celebrate Olcott Park's 100th Anniversary.

STEVE PETERSON
Mayor
City of Virginia



9.1

FINANCE COMMITTEE AS A COMMITTEE-OF-THE-WHOLE

Tuesday, May 3, 2011 – 8:30 A.M.

Council Chambers, City Hall

Present: Councillors Cuffe, Littlewolf, Ralston, Baribeau, Sipola, Russo, Mayor Peterson
 Absent: None
 Also Present: Bill Hennis, Lead Engineer; John Tourville, City Operations Director; John Bachman, Park/Recreation Director; Sherry Erickson, Finance Director; Dan L'Allier, Temporary Fire Chief; Virginia Community and Lakes Committee - Joanne Sipola, Jim Currie, Scott Asbach, Dale Gilbertson, Paul Clark, Phyllis Harvey; Housing and Redevelopment Authority - Sue Salzer, Brenda Slattery, Jim Paske; Tom Butorac, City Attorney; Lois Roskoski, City Clerk; Rick Puhek, City Assessor; Ed Alto, Public Works Team Coordinator

Sue Salzer, Housing and Redevelopment Authority, reviewed the financial statement for the Washington Manor for the year ending March 31, 2011, which showed an unrestricted net asset balance of \$67,770.71. The HRA was within 99% of the budgeted amount for the year and the vacancies for the Washington Manor were higher than projected in the budget. Ms. Salzer stated half of the capital improvement budget was spent. The HRA did not recarpet the hallways at the Washington Manor, as requested by the City Council. The cost to recarpet the hallways was estimated at \$16,000 per floor, based on last year's quotes.

A. Moved by Russo and supported to authorize the Housing and Redevelopment Authority to obtain quotes to replace the first floor hallway carpeting at the Washington Manor. Motion carried.

Councillor Sipola reviewed the proposed resolution to reopen Olcott Park to vehicular traffic on a daily basis. Olcott Park was closed to traffic in the 1980's, with the lower loop reopened to traffic in 1996. In 2004, an area in the upper loop was designated for parking for nursing.

Councillor Sipola stated the Lakes Beautification Committee, Summer Celebration Committee and Park/Recreation Commissions are in agreement to reopen the park to traffic and bring in Architectural Resources to determine the traffic flow and review the safety issues. The expense to the City would include the purchase of portable speed bumps and the possible relocation of some of the playground equipment. Currently, Olcott Park is open on a limited basis and is determined by the hours of the Park Department employees. During baseball season, the park remains open later. The park is closed to traffic during the winter months.

Discussion was held on the possibility of leaving the gates open all the time at Olcott Park.

Councillor Littlewolf recommended that the rental agreements be reviewed for the buildings in Olcott Park.

It was suggested that staff check with the City's insurance agent to determine if there would be an increase in liability insurance costs.

B. Moved by Sipola and supported to adopt a Resolution to reopen Olcott Park to vehicular traffic on a permanent daily basis. Motion carried.

Councillor Sipola gave a presentation on the recommendation from the Virginia Community and Lakes Committee to reopen the Silver Lake beach, which has been closed since 1987. According to a 2009-2010 report from Northeast Technical, the water quality at the beach area meets or exceeds all requirements in the recommended standards for beaches.

Councillor Sipola reported on the beaches that are operated in the surrounding communities from June 15 to August 15. The committee is proposing a 40 feet wide x 60 on-water 3 ½ feet deep at the rope area for the beach, plus 1,200 square feet of on-land beach area. The Minnesota DNR has confirmed that no permit is necessary to open the beach. The proposed plan has been presented to community service groups and organizations to measure public support and the committee is seeking volunteers for the labor and financial support to maintain the beach for a five year period. After the five year period, the maintenance would be turned over the City.

Councillor Sipola stated the projected expenses include: sod removal, sand, swim buoys, swim lane flotation ropes, signage, portable toilet rental, sand rakes, ongoing maintenance and cleaning. The beach budget is estimated at \$1,000 per year and the Lakes Committee has agreed to upfront the money. The Laurentian Chamber of Commerce is their fiscal agent and all disbursements will go through the Lakes Committee Board. The plan has been approved by the Park/Recreation Commission. The committee plans to open the beach after the Land of the Loon Festival until August 15th. The City would be responsible for in-kind labor to make the signage and for the estimated increase in liability insurance of \$350.00. The committee is requesting the City Council to take action to allow the Virginia Community Lakes Committee to build and maintain a swimming beach at Silver Lake, as proposed, at no cost to the City for five years and to work with City staff in achieving this goal that meets the needs of the City and safety of its residents.

Councillor Sipola stated if lifeguards are employed, they must be 16, plus meet other requirements. Volunteers would be responsible for the weekly inspections/reports.

City Attorney Butorac will contact the City's insurance agent and League of Minnesota Cities regarding the lifeguard issue.

Moved by Baribeau and supported to reopen the Silver Lake beach during the summer of 2011, contingent upon City Attorney checking with the League of Minnesota Cities and City's insurance agent regarding potential liability with/without lifeguards. Motion carried.

Mayor Peterson left the meeting at 9:45 A.M. and Councillor Baribeau assumed the chair position.

Park/Recreation Director Bachman recommended accepting the proposal from J & M Displays, in the amount of \$7,500, for the Fourth of July fireworks display. The City has contracted with Arrowhead Fireworks for the past several years, and they have gone out of business. J & M Displays offered a three year contract, with a bonus product equaling a dollar value of 15% added to the fireworks display for each of the three years. Park/Recreation Director Bachman will check with J & M Displays to determine if the City could opt out of the three year contract, if the City is not satisfied with the 2011 fireworks display.

Moved by Russo and supported to adopt a Resolution to accept the bid for J & M Fireworks for the three year contract, at a cost of \$7,500.00 per year, for the Fourth of July fireworks for the years 2011, 2012 and 2013, contingent upon satisfaction with the 2011 display. Motion carried.

Park/Recreation Director Bachman reviewed a quote to purchase a new Toro Groundsmaster 4000-D, at a cost of \$50,123.90 and stated this would replace a 22 year old mower. Finance Director Erickson expressed concern about current cash flow and stated neither the purchase of a mower or zamboni was included in the 2011 budget. Finance Director Erickson left the meeting at this time.

Moved by Ralston and supported to table the purchase of a mower for the Park Department to the next Finance Committee meeting. Motion carried.

Park/Recreation Director Bachman stated he has received interest in purchasing the basketball floor and will make a recommendation at a future meeting.

Temporary Fire Chief L'Allier recommended that Ambulance 202 and 203 be replaced.

Ambulance 203 is a 2000 with 210,172 miles and in need of repairs estimated at \$5,600. The ambulance is currently being used for local calls only and is valued at \$5,000. The Fire Department is recommending that this ambulance be replaced with a 2008 ambulance that was used by the City of Carlton and is available through Ninety-Four Services, Inc., at a cost of \$78,589.00, which includes a \$5,000 trade in value for Ambulance 203.

Ambulance 202 is a 2006 with 187,316 miles and currently being repaired, at an estimated cost of \$2,500. The Fire Department is recommending that this ambulance be replaced with a 2010 ambulance from Everest Emergency Vehicles, Inc., at a cost of \$127,900, which includes a \$10,000 trade in value for Ambulance 202. Everest Ambulance would be willing to hold the ambulance, with delivery and payment to be made in October. Everest would also be willing to provide a free rental if needed between now and October.

Chief L'Allier reported that as of May 1st, Blue Cross/Blue Shield will be making payments directly to the City and payments will be made within a ten day period. Chief L'Allier also stated that the ambulances revenues have been significantly more than were anticipated.

Moved by Russo and supported to adopt Resolutions accepting the proposals for the purchase of two ambulances, as follows:

1. **Ninety-Four Services, Inc., purchase of a 2008 ambulance, at a cost of \$78,589.00, which includes a \$5,000 trade in value for Ambulance 203.**
2. **Everest Emergency Vehicles, Inc., purchase of a 2010 ambulance, at a cost of \$127,900, which includes a \$10,000 trade in value for Ambulance 202, with delivery and payment to be made in October, 2011.**

Motion carried.

Temporary Fire Chief L'Allier was asked to provide the Council with the following information:

- Revenue that was lost, due to the shortages of ambulances.
- If ambulance runs were lost due to shortage of manpower, a list of the reasons why.
- Proposal on the future replacement of ambulances.

Temporary Fire Chief L'Allier presented an Intercept Agreement with the Eveleth Ambulance Service.

Moved by Cuffe and supported to adopt a Resolution approving the Ambulance Intercept Agreement with the Eveleth Ambulance Service. Motion carried.

Temporary Fire Chief L'Allier presented a Billing Agreement with Advantage Billing Concepts, Inc., for Protected Health Information.

Moved by Russo and supported to adopt a Resolution approving a Billing Agreement with Advantage Billing Concepts, Inc., for Protected Health Information, contingent upon final approval by the City Attorney. Motion carried.

Temporary Chief L'Allier stated Advantage Billing is willing to prepare the billings for the rescue vehicle, at a fee of \$23.00 per run. The City is currently billing for the extrication and recovering one third of the payments. The cost for the rescue vehicle is \$480 per run.

H. Moved by Russo and supported to adopt a Resolution to enter into an agreement with Advantage Billing Concepts, Inc., to prepare the billings for the rescue vehicle at a fee of \$23.00 per run. Motion carried.

I. Moved by Russo and supported to table the purchase of the property at 103 North 5th Avenue until further information is received from the City Operations Director. Motion carried.

Kathy Caulfield stated they are interested in purchasing the City property that is adjacent to their property to build a rock garden and plant perennials, to prevent people from dumping on the property. City Attorney Butorac recommended that an easement be prepared to allow the Caulfield's to use the property, in lieu of selling the property.

J. Moved by Sipola and supported to adopt a Resolution to approve an easement with Joseph Caulfield for use of the property that is located between their home and Bailey's Lake on 3rd Avenue North for \$1.00, with an out clause by the City if the property is needed in the future. Motion carried.

Councillor Baribeau reviewed the letter from St. Louis County regarding the classification of State tax forfeited properties in Virginia and recommended that the City inspect the building that should be condemned prior to them being sold at the land sale.

K. Moved by Cuffe and supported to authorize the Engineering Department to inspect the tax forfeited properties and to bring in the City's Building Inspector for an additional inspection if it is determined that they should be condemned. Motion carried.

City Attorney Butorac stated he would notify St. Louis County of the properties that should be condemned and ask that they be removed from the tax forfeited property sale, with a copy of letter sent to Commissioner Nelson.

L. Moved by Cuffe and supported to approve the travel requests for Joseph Broneak and Steve Estey, Police Department, to attend the Drug Conference, which will be held May 25-27, 2011, in Nisswa, MN. Motion carried.

Meeting adjourned at 10:40 AM.

9. 1B

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution reopening Olcott Park to vehicular traffic on a permanent daily basis

Resolved by the City Council of the City of Virginia, that

WHEREAS, general public access to the entire Olcott Park has been restricted to people who are physically able or willing to walk, due to the limited access to vehicular traffic and by the limited hours of operation for the last decade; and

WHEREAS, the historic three acre rock garden and fountain have been repaired and returned to operation, but are visible and enjoyed by few people, due to the limited access in Olcott Park; and

WHEREAS, park side access to the Greenhouse and Historical Society has been effectively eliminated by the reduced public use of Olcott Park, due to these limitations; and

WHEREAS, the introduction of rear facing car seats, rear booster seats, and recommendations that children under age 13 be transported in the rear of the vehicles, has created a safety hazard for loading and unloading vehicles with small children on the Ninth Avenue; and

WHEREAS, Architectural Resources, Inc., experts in park design, have agreed to work with City staff, at no charge, to assist in designing the traffic flow and reviewing safety issues in Olcott Park, in order to restore the vehicular access; and

WHEREAS, the Park/Recreation Commission is in agreement to open Olcott Park on a daily basis and to restore access to the entire park to all forms of transportation; and

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the Park Department to open all the public access gates to Olcott Park on a permanent basis, with the exception of special events, which will be determined by the Park/Recreation Commission,

BE IT FURTHER RESOLVED to reopen Olcott Park to all forms of transportation as of June 1, 2011, and to authorize City staff to work with Architectural Resources, Inc., at no cost, to review the safety issues and set the traffic flow for Olcott Park.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

COUNCIL CHAMBERS

9.1D.

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution accepting proposal from J & M Displays, Inc., for the 2011 Fourth of July fireworks display

Resolved by the City Council of the City of Virginia, that

WHEREAS, J & M Displays, Inc., has submitted a proposal for a fireworks display for the 2011 Fourth of July celebration, in the total amount of \$7,500.00, including operators to set up and fire the display; and

WHEREAS, J & M Displays, Inc., has also submitted a three year agreement, at a cost of \$7,500.00 per year for 2011, 2012 and 2013, which includes a bonus product equaling a dollar value of 15% of the total dollar value for each of the three years; and

WHEREAS, under the three year agreement, the City would also be entitled to receive an additional 8% of bonus products, if the City orders the product at least 70 days prior to the display date; and

WHEREAS, the City of Virginia is willing to enter into the three year agreement, contingent upon satisfaction with the 2011 Fourth of July fireworks display; and

WHEREAS, J & M Displays will furnish a Certificate of Insurance for public liability and property damage,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Operations Director be authorized to enter into an agreement with J & M Displays for a fireworks display for the Fourth of July celebration in 2011, 2012 and 2013, contingent upon satisfaction with the 2011 Fourth of July fireworks display.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

9. 1E.

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution accepting proposal from Ninety-Four Services, Inc., for the purchase of a 2008 Chevrolet Ambulance

Resolved by the City Council of the City of Virginia, that

WHEREAS, the City of Virginia Fire Department obtained proposals to purchase an ambulance to replace the 2000 ambulance; and

WHEREAS, the Fire Department is recommending acceptance of the proposal from Ninety-Four Services, Inc., in the amount of \$78,589.00, for a 2008 Chevrolet ambulance; and

WHEREAS, the proposal includes the trade-in of a 2000 Ford ambulance,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Operations Director be authorized to enter into a contract with Ninety-Four Services, Inc., for the purchase of the ambulance.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

9.1E.

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution accepting proposal from Everest Emergency Vehicles, Inc., for the purchase of a 2010 E450 Diesel Ambulance

Resolved by the City Council of the City of Virginia, that

WHEREAS, the City of Virginia Fire Department obtained proposals to purchase an ambulance to replace the 2006 ambulance; and

WHEREAS, the Fire Department is recommending acceptance of the proposal from Everest Emergency Vehicles, Inc., in the amount of \$127,900, for a 2010 Ford E450 158" Diesel Ambulance; and

WHEREAS, the bid includes the trade-in of a 2006 E450 Horton ambulance,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Operations Director be authorized to enter into a contract with Everest Emergency Vehicles, Inc., for the purchase of the ambulance.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

COUNCIL CHAMBERS

9.1F

Resolution No.

City of Virginia, Minnesota, April 13, 2010

Resolution approving Ambulance Intercept Agreement with the City of Eveleth

Resolved by the City Council of the City of Virginia, that

WHEREAS, the City of Eveleth is desirous of entering into an agreement with the City of Virginia to provide assistance from Virginia's Ambulance Advanced Life Support Service; and

WHEREAS, the City of Eveleth has agreed to be reimbursed at a flat fee of \$300 for the payment of each ambulance run; and

WHEREAS, this agreement will be effective through December, 31, 2012, and shall be automatically renewable on an annual basis, as of January 1st of each year, and may be modified or cancelled at any time by either party giving a 30 day written notice to the other party,

NOW, THEREFORE, BE IT RESOLVED to authorize the Mayor and City Operations Director to enter into the Ambulance Intercept Agreement with the City of Eveleth.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

COUNCIL CHAMBERS

9.16

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution approving Business Associate Agreement with Advantage Billing Concepts, Inc., regarding compliance with Federal privacy regulations for the ambulance billings for the City of Virginia

Resolved by the City Council of the City of Virginia, that

WHEREAS, Advantage Billing Concepts has submitted a Business Associate Agreement to cover compliance with the Federal privacy regulations issued pursuant to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA), with regards to the Billing Agreement for the Virginia ambulance service; and

WHEREAS, the Business Associates Agreement will amend the Billing Agreement to allow Advantage Billing Concepts, Inc., to comply with the Privacy Rule; and

WHEREAS, under the terms of this agreement, the parties agree to negotiate to amend the agreement, as necessary, to comply with any amendment to any provision of HIPAA, which materially alters either parties obligations under this agreement,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Operations Director are authorized to enter into the Business Associate Agreement with Advantage Billing Concepts, Inc., regarding compliance with Federal Privacy regulations for ambulance billing services.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

COUNCIL CHAMBERS

9. 14.

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution approving Billing Agreement with Advantage Billing Concepts, Inc., for City of Virginia fire and rescue services

Resolved by the City Council of the City of Virginia, that

WHEREAS, Advantage Billing Concepts, Inc., submitted a Billing Agreement to bill for the City of Virginia fire and rescue services; and

WHEREAS, Advantage Billing Concepts, Inc., will receive a payment of \$23.00 per run billed; and

WHEREAS, this agreement will be continuous, unless a request for change is submitted in writing by either party; and

WHEREAS, either party may terminate this agreement upon a written notification,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Operations Director are authorized to enter into the Billing Agreement with Advantage Billing Concepts, Inc., for billing services, per the terms outlined in said agreement.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

COUNCIL CHAMBERS

9. 1 I.

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution approving the purchase of Lot 16, Block 20, Original Plat of Virginia, located at 103 North 5th Avenue

Resolved by the City Council of the City of Virginia, that

WHEREAS, the City of Virginia is interested in acquiring Lot 16, Block 20, Original Plat of Virginia, which is located at 103 North 5th Avenue; and

WHEREAS, Mary and Gene Richard are interested in selling the property, at a cost of \$36,500.00;

WHEREAS, the City Council is desirous to purchase said property for \$36,500.00., plus closing costs,

NOW, THEREFORE, BE IT RESOLVED to authorize the City Attorney to prepare the documents to purchase said property from Mary and Gene Richard, at a cost of \$36,500.00, plus closing costs.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

COUNCIL CHAMBERS

9.1J.

Resolution No.

City of Virginia, Minnesota, May 10, 2011

Resolution approving easement with Joseph Caulfield for use of City property to build and maintain a rock garden

Resolved by the City Council of the City of Virginia, that

WHEREAS, Joseph Caulfield has requested an easement from the City of Virginia for the purpose of building and maintaining a rock garden on City property that abuts the Bailey's Lake walking trail and is adjacent to the North 100 feet of Block 9, Original Addition; and

WHEREAS, the City of Virginia is desirous of allowing Joseph Caulfield to use the City property through an easement, with a fee of \$1.00, with a clause to allow the City of Virginia to opt out of the easement, if necessary,

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the Mayor and City Operations Director to execute said easement with Joseph Caulfield for use of the City property.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays: