BELLE PLAINE CITY COUNCIL
REGULAR SESSION
FEBRUARY 16, 2010

1. PLEDGE OF ALLEGIANCE.

Mayor Tim Lies led those present in the Pledge of Allegiance.

2. CALL TO ORDER. 2.1. Roll Call.

The Belle Plaine City Council met in Regular Session on Tuesday, February 16, 2010 at 6:00 p.m. at the Government Center, 218 North Meridian Street, Belle Plaine, MN. Mayor Tim Lies called the meeting to order with Councilmembers Dawn Underferth, Jim Lange, Gary Trost, Tim O'Laughlin and Cary Coop present.

Also present were City Administrator David Murphy, Community Development Director Trisha Rosenfeld, Public Works Superintendent Al Fahey, Police Chief Tom Stolee, City Engineer Joe Duncan and Attorney Linda Thompson filling in for City Attorney Bob Vose. Finance Director Dawn Meyer was not present. There was no Video Recording Operator present.

3. APPROVAL OF AGENDA.

MOTION by Councilmember O'Laughlin, second by Councilmember Lange, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of February 1, 2010.
4.2. Joint Session Minutes of February 8, 2010.
4.3. Resolution 10-022 Authorizing Write-Off of Police Labor for Special Event.
4.4. Approving Large Assembly Permit for St. Patrick's Day Celebration on March 13, 2010.

Public Works Superintendent Fahey commented that he would like to meet with Police Chief Stolee and the St. Patrick's Day Committee to work out some details for the St. Patrick's Day celebration on Saturday, March 13, 2010. Committee Co-Chair Tom Meger was present and offered to participate in the discussions to help clarify any outstanding issues.

MOTION by Councilmember O'Laughlin, second by Councilmember Underferth, to approve the consent agenda as follows: 4.1. Regular Session Minutes of February 1, 2010, 4.2. Joint Session Minutes of February 8, 2010, 4.3. Resolution 10-022 Authorizing Write-Off of Police Labor for Special Event, and 4.4. Approving Large Assembly Permit for St. Patrick's Day Celebration on March 13, 2010. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department.

Ridgeview Ambulance Manager Doug Sweeney was present. Councilmember Coop inquired about emergency medical training offered by Ridgeview Medical. Doug Sweeney stated that it was his understanding that per an agreement with the City, Ridgeview will provide EMT training for employees and volunteers associated with the City. He did not believe Ridgeview was responsible for First Responder training. Councilmember O'Laughlin clarified that EMT training requires approximately 120 hours of training. First Responder training is 40 hours. Members of the Fire Department and Police

Department serve as First Responders. The Council acknowledged receipt of the Ambulance Department report.

5.2. Fire Department.

Fire Chief Randy Koepp was present. The Council acknowledged receipt of the Fire Department report.

5.3. Police Department.

Police Chief Tom Stolee was present. The Council acknowledged receipt of the Police Department report.

5.4. Community Development Department.

Community Development Director Trisha Rosenfeld was present. The Council acknowledged receipt of the Community Development Department report.

5.5. City Administration Report.

City Administrator David Murphy was present. Councilmember Trost inquired about the status of Xcel Energy and the repair of street lights. City Administrator Murphy replied that there is no definitive answer at this time. Xcel is evaluating the agreement with the City. Public Works Superintendent Fahey explained that Xcel is reviewing three recent subdivisions that are not currently under contract. The Public Works Committee will further discuss this issue. Councilmember Trost inquired about adding Caller I.D to the City's phone system. He commented that he does not want calls screened by staff. City Administrator Murphy explained that calls will not be screened. The purpose is to be able to retrieve phone numbers in the event of lost or incorrectly recorded phone numbers. Mayor Lies supported Caller I.D. Councilmember O'Laughlin commented that the City is paying for three private lines for department heads and suggested that the private lines are removed and that all calls be routed through the published City phone lines. Mayor Lies noted that the main line, 5553, has gone down twice in the last couple of weeks and he depended on the private lines for communication. Mayor Lies asked that staff report back with information as to the reason for the private lines and also more details on the Caller I.D. City Administrator Murphy responded that Caller I.D. was proposed by Frontier Communications, with a rate that is actually lower than the current rate. The Council acknowledged receipt of the City Administration report.

6. PUBLIC FORUM.

No one spoke at the public forum.

7. PUBLIC HEARINGS.

7.1. Vacate a Portion of Right-of-Way Easement for Platted (unimproved) Haralson Drive. The City Council will consider public comment on the vacation of a portion of the right-of-way easement (unimproved) Haralson Drive as platted in Emma Krumbees Second Addition between the west line of Enterprise Drive and the east line of Elm Street.

Mayor Lies referenced a memo dated February 16, 2010 from Community Development Director Rosenfeld regarding the vacation of the right-of-way easement for Haralson Drive.

Community Development Director Rosenfeld explained that with the new alignment of Enterprise Drive, a portion of Haralson Drive no longer serves as part of the City's frontage road system, and does not contain City utilities. The portion of Haralson Drive is being proposed for vacation. The vacated right-of-way will be dedicated back to the property owner who originally donated the right-of-way. This property owners are Philip and Mary Jo Morris. The portion of Haralson Drive to be vacated, as platted in Emma Krumbees Second Addition, is between the east line of Elm Street and the west line of Enterprise Drive. Attached is the exhibit for the vacation with the portion highlighted proposed for vacation. Attached with Community Development Director Rosenfeld's memo was a copy of correspondence received from CenterPoint Energy, removing their original objection from the vacation proposed. They do not object to this vacation. A supermajority vote is also required to approve the vacation.

Mayor Lies opened the public hearing at 6:35 p.m.

Wayne Schmidt, 23100 Oakcrest Trail, property owner of 711 South Meridian Street, expressed concern for losing access from County Road 3 in the future. He explained that the City recently rezoned this property from residential to B-2, Highway Commercial. He inquired about access if or when the County and City upgrade CSAH 3. He suggested the City retain an easement to allow access on proposed Enterprise Drive from the northeast corner of his property.

MOTION by Councilmember Trost, second by Councilmember Lange, to close the public hearing at 6:44 p.m. ALL VOTED AYE. MOTION CARRIED.

City Attorney Thompson explained that the purpose of tonight's public hearing is to have the City Council consider the vacation of the right-of-way easement for Haralson Drive as petitioned by property owners Phil and Mary Jo Morris. She further explained that future development and access concerns are separate issues. City Attorney Thompson cautioned the City on maintaining a right-of-way easement that the City does not need. The vacation of an easement returns title to the underlying property owners. City Attorney Thompson also commented that access to the Schmidt property will be under the County jurisdiction. Councilmember O'Laughlin noted that the County needs to be involved in discussions regarding access. Community Development Director Rosenfeld commented that she has spoken with Scott County staff regarding access and they were reluctant to make comment because of the unknown specifics with the future development of the Schmidt property. City Engineer Duncan commented that access to the Schmidt property may be problematic with the CSAH 3 upgrade due to spacing guidelines.

Wayne Schmidt explained that there is a "wedge" of property within the right-of-way easement and suggested the City keep that in its possession. Mr. Schmidt also suggested the City maintain an access easement on the easement portion of the proposed vacation. Councilmember Trost recommended that staff obtain more information from the County regarding access to the Schmidt property and suggested a scenario such as what would occur if a gas station and convenience store were built on the Shcmidt property. Councilmember Coop commented that the Council is determining the vacation of right-of-way easement, not future development of the Schmidt property. Councilmember Coop inquired as to whether the City's decision to delay or deny the vacation of the right-of-way easement will interfere in any way with the construction of Enterprise Drive. Community Development Director Rosenfeld explained that all easements for Enterprise Drive have been filed with Scott County, however, the City is waiting on one construction easement. City Engineer Duncan commented that if there is no signed temporary construction easement by property owner Phil Morris, then, yes, that could be considered interference with the Enterprise Drive construction project. Mayor Lies questioned whether maintaining an access easement is in the best interest of the City. Councilmember O'Laughlin recommended delaying action until staff researches some of these issues further. Councilmember Coop concurred.

1. Resolution 10-025 Approving the Vacation of (Unimproved) Haralson Drive as Platted in Emma Krumbees Second Addition.

MOTION by Councilmember Coop, second by Councilmember O'Laughlin, to delay action on Resolution 10-025 Approving the Vacation of Right-of-Way Easement for (Unimproved) Haralson Drive as Platted in Emma Krumbees Second Addition to allow time for staff to research future access issues along County Road 3 with Scott County staff. ALL VOTED AYE. MOTION CARRIED.

This issue will be added to the work session agenda for further discussion on Monday, February 22, 2010.

8. BUSINESS.

8.1. Presentation of Claims.

MOTION by Councilmember O'Laughlin, second by Councilmember Lange, to approve the Presentation of Claims. ALL VOTED AYE. MOTION CARRIED.

8.2. Visioning Session Update.

Mayor Lies referenced a memo dated February 16, 2010 from City Administrator Murphy regarding the scheduling of the annual visioning session.

City Administrator Murphy reported that he has contacted the League of Minnesota Cities and has also spoken to other administrators regarding consultants who provide visioning/teambuilding training. There are two primary individuals in the State that are strongly recommended by other cities. Also, there is an individual who resides in Jordan and provides similar type training to private businesses and has contacted City Administrator Murphy about expanding into the municipal market. The individuals are Richard Fursman, Don Salverda and Stuart Gray. Richard Fursman is a former City Administrator who is now a private consultant, Don Salverda has been consulting with Cities and Counties for approximately 30 years and Stuart Gray is the individual who currently provides training to private companies. Proposals from these individuals are being sought.

Councilmember Trost was opposed to spending money on consultants for the visioning session. Councilmember Lange noted that there may not be a cost-savings with a new consultant, and preferred to stay with the known Carl Neu company. Mayor Lies acknowledged that it is an expensive project and would like to see it continue, however, he would support missing this year's session as a cost saving measure.

MOTION by Councilmember Lange, second by Councilmember Underferth, that there will be no visioning session in 2010 in a manner in keeping with cost savings and budget restraint. ALL VOTED AYE. MOTION CARRIED.

8.3. Park Board Related.

1. Resolution 10-027 Authorizing Prairie Grass Plantings by Applied Ecological Services at Riverview Park.

Mayor Lies referenced a memo dated February 16, 2010 from Community Development Director Rosenfeld regarding prairie grass plantings at Riverview Park.

Community Development Director Rosenfeld explained that staff is currently in the process of finalizing an access easement with Quest Development to obtain access to the park land in the Provence on the River Development, Riverview Park. Once the access easement is finalized, the City may begin initial development of Riverview Park. This involves planting natural prairie grasses throughout the site. Staff has been in contact with Applied Ecological Services (A.E.S.) of Prior Lake who specializes in ecological restorations and prairie grass planting. A.E.S. has provided staff with quotes for the initial prairie grass planting, and the first five years of maintenance. Both the initial work to plant the natural prairie grasses and the annual maintenance has been budgeted by Park Board. The initial prairie grass planting and first years maintenance is $12,131.80. The Park Board has recommended the City Council authorize the Mayor and City Administrator to execute agreement between the City and Applied Ecological Services for the expenditure of a not to exceed amount of $12,131.80 for natural prairie grass plantings at Riverview

Park. If Council concurs with authorization of the funds, City staff will meet with A.E.S to discuss planning and preparation of the site prior to the plantings. Attached with Community Development Director Rosenfeld's memo was a copy of the site plan for Riverview Park and the scope of services provided by A.E.S.

Councilmember Trost inquired as to whether additional quotes were obtained. Councilmember Coop replied that the City had received a few quotes for this project a few years ago. AES provided the best value for the project. Councilmember Trost stated that this is very expensive for grass plantings. Mayor Lies explained that there has many years of research with this project. Councilmember Trost recommended the project be placed on hold until the City obtains a signed easement. Community Development Director Rosenfeld reported that the easement documentation is in the process of being finalized. Councilmember Underferth asked if this is a budgeted item. Community Development Director Rosenfeld explained that the Park Board has budgeted for this project. Councilmember Lange inquired about ownership of the proposed road. Mayor Lies commented that the easement will allow access until the developer proceeds with the construction of new homes and provides an improved roadway.

MOTION by Councilmember Lange, second by Councilmember O'Laughlin, to approve Resolution 10-027, authorizing the Mayor and City Administrator to execute an agreement between the City and Applied Ecological Services for the expenditure of a not to exceed amount of $12,131.80 for natural prairie grass plantings at Riverview Park. ALL VOTED AYE. MOTION CARRIED.

2. Authorizing Architectural Services for Restoration of Episcopalian Historic Church.

Mayor Lies referenced a memo dated February 16, 2010 from Community Development Director Rosenfeld regarding the Episcopalian Church restoration project.

Community Development Director Rosenfeld explained that staff is currently in the process of completing the pre-application for the Minnesota Historical and Cultural Grant Program (Legacy Funding). A portion of the grant application requires a detailed scope of work proposed to be completed at the historical site, and budget estimates for that work. The scope of work must abide by the Secretary of Interior's Design Standards for the treatment of Historic Properties. After corresponding with Grants Specialists from the Minnesota Historical Society, staff has learned it may be necessary to procure an assessment from a professional architect specializing in historic restoration to identify the needed restorations, while abiding by the Secretary of Interior's Design Standards for the treatment of Historic Properties. This assessment would serve two significant purposes. First, it would help validate the application for a grant from the Minnesota Historical and Cultural Grant Program. Secondly, it would provide the City with a plan for restoration that abides by the Secretary of Interior's Design Standards for the treatment of Historic Properties. When funding is secured, the City will have a work plan for contractors to follow and provide consistent estimates of. This may help ensure a quality restoration is completed. The Park Board discussed procuring an assessment from a professional architect specializing in historic preservation for the needed restorations to the Episcopalian Church building at the February 9 Park Board meeting. Park Board concluded the assessment would be a necessary step to the restoration of the Episcopalian Church Building.

Councilman Coop suggested the cost, if not all, a portion, for this assessment could come from a line-item in the City budget for historical properties. Councilman Coop recommended the intent of this line-item is researched with staff. Since the meeting, staff has learned the intent of this line-item was for maintenance and repairs to historical properties of the City. The Park Board recommends City Council approve the expenditure, with a not to exceed amount of $3,000, to have a professional assessment performed that will outline restoration to the Episcopalian Church facility, in accordance with the Secretary of Interior's Standards for the treatment of Historic Properties.

The Park Board recommended different options in order to fund the architectural assessment. They are as follows: 1) The entire $3000 is paid for by the General Fund, with a suggestion from the historical properties line-item, or 2) If Option 1 is not possible, it was suggested $1,000 come from park development funds, $1,500 from the general fund, and $500 from the Episcopalian Church Restoration Committee fund (under the Belle Plaine Historical Society).

Councilmember Trost inquired as to how much the City is seeking in grant funds. Community Development Director Rosenfeld explained that there are different levels of grant funds, depending on the complexity of the project. Mayor Lies explained that this is a collaboration effort and recommended Option 2 above.

MOTION by Councilmember O'Laughlin, second by Councilmember Lange, to authorize the expenditure of a not to exceed amount of $3,000 for a professional assessment outlining restoration to the Episcopalian Church Building, in accordance with the Secretary of Interior's Standards for the treatment of Historic Properties, with the cost of $1,000 expended from park development funds, $1,500 from the general fund, and $500 from the Episcopalian Church Restoration Committee fund (under the Belle Plaine Historical Society). ALL VOTED AYE. MOTION CARRIED.

3. Resolution 10-026 Establish and Appointing Members to Tennis Court Sub-Committee.

Mayor Lies referenced a memo dated February 16, 2010 from Community Development Director Rosenfeld regarding the re-activation of the tennis court sub-committee.

Community Development Director Rosenfeld explained that the Community Advisory Committee has requested Park Board consider reestablishing a former sub-committee, originally formed to concentrate on the future of the old tennis courts located on the 200 block of Market Street South. The Advisory Committee would like the sub-committee to be re-established to focus on the future of the municipal pool, tennis courts and lighting at the new tennis courts in the 1000 block of West Commerce Drive. Park Board discussed the need for a sub-committee to work on the above projects. Commissioners concurred with the Community Advisory Committee to reestablish a Tennis Courts Sub-committee. Members of the Park Board who expressed interest in continuing to serve on the reestablished Tennis Courts Sub-Committee included Cary Coop, Chris Kehr, and Dan Gardner. Council may also choose to appoint additional members to serve on the committee.

Councilmember Lange commented that he was opposed to investing funds for the repair of the old tennis courts. Councilmember O'Laughlin commented that the purpose of the committee is to discuss and make recommendations on the future use of the old tennis courts, as well as the lighting of the new courts at the athletic complex. Councilmember Trost stated that the school district continues to use the old tennis courts. Councilmember Coop stated that newly-appointed Park Board member Rachel Kelm also expressed an interest in serving on the committee.

Due to the wide scope of issues, it was the consensus of the Council to re-name the Tennis Court Sub-Committee to Recreation Facility Committee (ad hoc).

MOTION by Councilmember Coop, second by Councilmember Underferth, to approve Resolution 10-026, re-establishing the Tennis Courts Sub-Committee and re-name to Recreation Facility Committee to address the future of the municipal pool, tennis courts and lighting at the new tennis courts in the 1000 block of West Commerce Drive. Furthermore, Councilmembers Dawn Underferth, Tim O'Laughlin and Cary Coop, and Park Board members Dan Gardner, Chris Kehr and Rachel Kelm are appointed members. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Meetings.
1. Episcopalian Church Restoration, 5:00 p.m., Monday, February 22.
2. Work Session, 6:00 p.m., Monday, February 22.

3. City Council, 6:00 p.m., Monday, March 1.
4. EDA, 5:00 p.m., Monday, March 8.
5. Planning Commission, 7:00 p.m., Monday, March 8.
6. Park Board, 6:00 p.m., Tuesday, March 9.

The council was reminded of the upcoming meeting as listed.

10. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Underferth, to adjourn at 7:51 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary