

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
MARCH 5, 2012**

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 Monday, March 5, 2012 at 6:00 p.m. in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Tim Lies called the meeting to order with Councilmembers Gary Trost, Cary Coop, Scott Schneider and Michael Pingalore present. Councilmember Paul Chard was not present.

Also present were City Administrator David Murphy, Community Development Director Trisha Rosenfeld, Public Works Superintendent Al Fahey, Finance Director Dawn Meyer, Police Chief Tom Stolee, City Engineer Joe Duncan and City Attorney Bob Vose. Finance Director Meyer also served as the video recording operator.

3. APPROVAL OF AGENDA.

MOTION by Councilmember Trost, second by Councilmember Coop, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of February 21, 2012.

4.2. Calling for a Public Hearing on Proposed Ordinance Amendment Related to Driveway Regulations.

4.3. Resolution 12-025 Appointing Benjamin Pederson as a Part-Time Officer with the Belle Plaine Police Department.

4.4 Resolution 12-002A, Modifying Committee Appointments by Adding Councilmember Schneider as Alternate to Public Works and Public Safety Committees.

4.5. Resolution 12-027 Waiving Building Permit Fee and Plan Review Fee for Certain New Single Family Home Construction.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the consent agenda as follows: 4.1. Regular Session Minutes of February 21, 2012, 4.2. Calling for a Public Hearing on Proposed Ordinance Amendment Related to Driveway Regulations, 4.3. Resolution 12-025 Appointing Benjamin Pederson as a Part-Time Officer with the Belle Plaine Police Department, 4 Resolution 12-002A, Modifying Committee Appointments by Adding Councilmember Schneider as Alternate to Public Works and Public Safety Committees and 4.5. Resolution 12-027 Waiving Building Permit Fee and Plan Review Fee for Certain New Single Family Home Construction. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Community Services Department.

Community Services Director Nelson Ladd was present. The Council acknowledged receipt of the Community Services Department report.

5.2. Public Works Department.

Public Works Superintendent Al Fahey was present. The Council acknowledged receipt of the Public Works Department report.

5.3. City Engineer Report.

City Engineer Joe Duncan was present. Mayor Lies that he believes the MnDOT Transportation and Economic Development (TED) grant would be a worthwhile application. Mayor Lies inquired about the status of the stormwater control at the Blaha Bird Sanctuary. City Engineer Duncan explained that this issue is in its very early stages and will be brought forward upon discussion at the upcoming public works committee meeting. Councilmember Pingalore thanked City Engineer Duncan for the design drawing of Heritage Square at no cost to the City. Councilmember Trost asked about the competitiveness of the federal STP applications for CSAH 3. The Council acknowledged receipt of the Engineer Report.

5.4. City Administration Report.

City Administrator David Murphy was present and reported he attended a meeting with the Scott Soil Water District for efficiencies in water management. The Council acknowledged receipt of the City Administration report.

5. PUBLIC FORUM.

Wayne Schmidt, 23100 Oakcrest Trail, inquired about the proposed trail along East Commerce Drive. He is a property owner on the 100 block of East Commerce Drive and was concerned for the installation of a trail. He explained that melting snow from his parking lot may cause slippery, icy conditions on the trail. Mr. Schmidt believed the trail on the south side of East Commerce Drive along Veterans Park is sufficient and therefore a trail on the north side is not necessary. Mr. Schmidt also commented on the one-way traffic exit for adjacent apartment building complex that would cross the proposed trail.

1. Certificate of Appreciation – Kevin Soller, 25 Years as Volunteer Firefighter.

Mayor Lies presented a certificate of appreciation to Kevin Soller for his 25 years of service to the Belle Plaine Fire Department.

2. St. Patrick's Day Proclamation.

Mayor Lies read the 2012 St. Patrick's Day proclamation.

7. PUBLIC HEARING – NONE SCHEDULED.

8. BUSINESS.

8.1. Presentation of Claims.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the presentation of claims as presented. ALL VOTED AYE. MOTION CARRIED.

8.2. Resolution 12-024 Calling for Public Hearing for Adoption of Redevelopment Plan.

Mayor Lies referenced a memo dated March 5, 2012 from Community Development Director Rosenfeld regarding the adoption of the redevelopment plan.

Community Development Director Rosenfeld explained the Belle Plaine Housing and Redevelopment Authority (HRA) has been discussing possible incentive programs to offer through the HRA. In order to implement the programs, the city must adopt a redevelopment plan. In order to adopt the redevelopment Plan, the city must first call for a public hearing and hold a public hearing on the redevelopment plan.

Community Development Director Rosenfeld further explained the HRA held a meeting prior to the council meeting this evening to review a draft of the redevelopment plan and made a recommendation to the city council to call for a public hearing.

MOTION by Councilmember Pingalore, second by Councilmember Coop, to approve Resolution 12-024 Calling for Public Hearing for Adoption of Redevelopment Plan. ALL VOTED AYE. MOTION CARRIED.

8.3. Resolution 12-026 Adding Portion of Trail Along East Commerce Drive as an Addendum to the 2012 Street Improvement Project.

Mayor Lies referenced a memo dated March 5, 2012 from City Administrator Murphy and Community Development Director Rosenfeld regarding the proposed trail along East Commerce Drive.

City Administrator Murphy explained the Park Board discussed the extension of trail on East Commerce Drive and has recommended the phasing of the installation. The recommendation for the first phase is construction of the trail from Meridian Street to Elm Street.

Community Development Director Rosenfeld's memo further summarized the proposed trail project and included a map illustrating the property owners who are in favor, or not in favor, of the trail concept and a summary of comments from the property owners. A cost estimate for a six-foot wide concrete walkway, from Meridian Street to Elm Street, was estimated at \$45,000 plus pole relocation and easement acquisition costs. This includes pedestrian ramps, turf restoration and soft costs. It would be necessary to work with legal counsel to determine a fair and reasonable amount for easements, where necessary. Community Development Director Rosenfeld explained that she met with property owners along the corridor, with the exception of the 100 and 200 blocks of East Commerce Drive as there is adequate right-of-way and no easement would be necessary. She mentioned that the property owner of Car Co Auto Parts had concerns about how the trail would impact their site.

Councilmember Coop supported implementation of the trail as a matter of public safety. He noted that many pedestrians walk on the roadway due to lack of a walkway. He recommended the council proceed with action in an effort to obtain a cost for the trail. Mayor Lies echoed Councilmember Coop's comments regarding the treacherous roadway for pedestrians. Councilmember Trost noted the future phase in which the trail circumvents a couple of properties along East Commerce Drive. Councilmember Pingalore explained the purpose of the phasing, to allow the pedestrian traffic flow to be known. City Engineer Duncan explained that it appears it would be possible to add a bike lane along East Commerce Drive, but first he would need to verify the exact width of the roadway. Councilmember Trost commented that adding a bike lane would be dangerous. Wayne Schmidt, a member of the audience, asked if the council would consider placing the trail on the south side of East Commerce Drive for the one block area. Public Works Superintendent Fahey responded that it is not a good practice to have trails jigsaw. Wayne Schmidt inquired about melting snow and ice on the trail. City Attorney Vose explained that cities have a responsibility to avoid any dangerous situation along a recreational trail and that cities may have immunity if someone is injured as a result of slipping on the ice on the trail.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to approve Resolution 12-026 Adding Portion of Trail Along East Commerce Drive as an Addendum to the 2012 Street Improvement Project. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Meetings.

- 1. Public Safety, 4:00 p.m., Wednesday, March 7.**
- 2. Episcopal Church Restoration, 4:30 p.m., Monday, March 12.**
- 3. EDA, 5:00 p.m., Monday, March 12.**
- 4. Planning Commission, 7:00 p.m., Monday, March 12.**
- 5. Public Works, 10:00 a.m., Tuesday, March 13.**

6. Design Committee, 5:00 p.m., Monday, March 19.

7. HRA, 5:30 p.m., Monday, March 19.

8. City Council, 6:00 p.m., Monday, March 19.

The council was reminded of the upcoming meetings as listed.

10. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to adjourn at 6:31 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary