BELLE PLAINE CITY COUNCIL
REGULAR SESSION
MARCH 21, 2011

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 21, 2011 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 Gary Trost, Cary Coop, Paul Chard, Scott Schneider and Michael Pingalore 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 Dawn Meyer served as the Video Recording Operator.

3. APPROVAL OF AGENDA.

Councilmember Chard inquired whether the ‘Police Department – Status of Hiring Process’ can be discussed during the Personnel Committee. City Attorney Vose explained that the discussion will be on the topic of hiring an officer, not a performance evaluation. Therefore, the Personnel Committee meeting is not a closed meeting.

City Administrator Murphy requested the addition of a Closed Session to discuss negotiations with area townships regarding the former ambulance fund.

MOTION by Councilmember Coop, second by Councilmember Trost, to approve the agenda with the addition of 8.13., Closed Session to discuss negotiations of the area townships regarding the former ambulance fund. ALL VOTED AYE. MOTION CARRIED.

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of March 7, 2011.
4.2. Resolution 11-026 Authorizing Lease Agreement for ATV for the Fire Department.
4.3. Resolution 11-033 Accepting Ergotron Dual Monitor Mounts.
4.4. Resolution 11-037 Adopting Special Assessment for Delinquent Fire Bill Account.
4.5. Authorizing Staff to Proceed with Advertising to Seek Candidates for Public Works Seasonal Employees.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the consent agenda as follows: 4.1. Regular Session Minutes of March 7, 2011, 4.2. Resolution 11-026 Authorizing Lease Agreement for ATV for the Fire Department, 4.3. Resolution 11-033 Accepting Ergotron Dual Monitor Mounts, 4.4. Resolution 11-037 Adopting Special Assessment for Delinquent Fire Bill Account, 4.5. Authorizing Staff to Proceed with Advertising to Seek Candidates for Public Works Seasonal Employees. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department.

Ridgeview Ambulance Manager Doug Sweeney was present. 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 and reported that Xcel Energy will be placing poles at the intersection of TH25/Walnut Street and Main Street. MnDOT will then install temporary traffic lights during the flood phase. The Council acknowledged receipt of the City Administration report.

6. PUBLIC FORUM.

No one spoke at the public forum.

7. PUBLIC HEARINGS – NONE SCHEDULED.

8. BUSINESS.

8.1. Presentation of Claims.

MOTION by Councilmember Trost, second by Councilmember Schneider, to approve the Presentation of Claims. ALL VOTED AYE. MOTION CARRIED.

8.2. Snow Removal from Sidewalks by City – Pat Mason.

Mayor Lies referenced a memo dated March 21, 2011 from Community Development Director Rosenfeld regarding an invoice for snow removal from sidewalks.

Community Development Director Rosenfeld explained the City received a complaint on February 1, 2011 in the Chatfield on the Green development for sidewalks not being cleared of snow. The City inspected the properties on the same day for compliance. There are ten vacant lots belonging to Chatfield on the Green, LLC that were not cleared of snow. The City left a voicemail on February 3, 2011 with the property owner contact we have on file, Pat Mason. A letter was also sent on February 3, 2011 to Pat Mason. The City allowed three days for the property owner to clear the sidewalks. Per the City Code, the snow must be removed from the sidewalk 24 hours after the snow has ceased to fall. The City performed a follow up inspection on February 7, 2011. The properties remained out of compliance and therefore abatement was ordered on February 8, 2011. Abatement of the snow was performed on February 9, 2011. Per the City's fee schedule, the City charges $150/per lot/per incident for snow removal on sidewalks. With the property owner having ten lots to be cleared, the total bill for services is $1500. Included with Community Development Director Rosenfeld's memo was a letter dated March 14, 2011 from Pat Mason, Chatfield on the Green, requesting reprieve from the invoice.

Pat Mason, Chatfield on the Green, explained that he was out of the office from February 3 and did not return until after February 9, 2011. He did not receive the messages from the City and explained that had he been aware of the notification, he would have complied with the snow removal. He asked for a reduction in the invoice.

In discussion, Councilmember Pingalore asked Mr. Mason if someone in his office was covering for him while he was out of the office. Mr. Mason explained that no one had access to his voice mail messages. Councilmember Trost commented that $150 per lot appears to be a very high cost. Public Works Superintendent Fahey explained the amount of $150 per lot is considered a fine, not the cost of services to remove the actual snow from the lot. Councilmember Coop asked how many snow removal violations were incurred. Staff replied approximately 15, ten of which belonged to Chatfield on the Green. Councilmember Coop believed that if the Council considers reducing the Chatfield on the Green invoice, then the City should reduce all invoices for code enforcement violations for the past five years. Councilmember Coop believed all parties receiving code enforcement violations should be notified of the council action. Mayor Lies commented that the Chatfield on the Green had extenuating circumstances.

MOTION by Councilmember Trost, second by Councilmember Pingalore, to reduce the invoice no. 2562 to Chatfield on the Green from $1,500.00 to $750.00 for code enforcement violations.

MOTION by Councilmember Coop, to amend the motion that all code enforcement violation fines issued by the City for the past five years be reduced by one-half.

Mayor Lies called for a second on the amended motion. There was no response. Motion died for lack of a second.

The Mayor then called for a vote on the main motion that read as follows:

MOTION by Councilmember Trost, second by Councilmember Pingalore, to reduce the invoice no. 2562 to Chatfield on the Green from $1,500.00 to $750.00 for code enforcement violations. Mayor Lies and Councilmembers Pingalore, Chard and Trost voted aye. Councilmembers Coop and Schneider voted nay. MOTION CARRIED.

8.3. Status Report on Marketing Plan by d.Trio Marketing.

Mayor Lies referenced a memo dated March 21, 2011 from Community Development Director Rosenfeld regarding the status of the marketing plan by d. Trio Marketing.

Community Development Director Rosenfeld explained that the City completed an Economic Development Plan in 2009 which included the development of a marketing strategy and branding component. On November 15, 2010 the City approved the agreement with d.Trio marketing group for the development of a marketing strategy and branding component for the cost not to exceed $12,000. Funds from the Scott County Community Development Agency will be utilized to cover the entire cost of the marketing services.

Mayor Lies welcomed Ms. Maureen Dyvig of d.Trio Marketing.

Ms. Dyvig provided a status report of the Belle Plaine Marketing Plan being prepared by d.Trio Marketing. The project includes research and identification of Belle Plaine’s strengths and community attributes. Ms. Dyvig is currently working with the Economic Development Authority to update and/or modify the City’s logo and tagline. She presented the draft logo designs and tag lines for the council review. The marketing plan will also include communication materials and website modifications.

Councilmember Pingalore was concerned about costs to implement a new logo. Councilmember Trost suggested Ms. Dyvig contact the new Belle Plaine business owners to glean information as to why they located or expanded here.

Mayor Lies thanked Ms. Dyvig for the presentation.

8.4. Approving Large Assembly Permit for Cottonwood Event –Brian Kruschke.

Mayor Lies referenced a memo dated March 21, 2011 from City Administrator Murphy regarding a request for a large assembly permit.

City Administrator Murphy explained that Brian Kruschke has applied for a large assembly permit for the first annual Cottonwood Memorial to be held on Saturday, June 11, 2011. Mr. Krushke is proposing to close the 100 block of Meridian Street North to allow for a classic car show and to allow food vendors to set up. Motorcyclists have been invited, but the event will not sponsor a motorcycle ride. Mr. Kruschke has agreed to shorten the permit application time period from 1 p.m. – 2 a.m. to 1 p.m. – 9 p.m.

Councilmember Pingalore inquired about the number of police officers needed for the event. Police Chief Stolee explained that the event is over by 9:00 p.m., and that it appears one officer will be sufficient. Mr. Kruschke stated he realizes he is responsible for barricade set up and removal, and street clean up.

MOTION by Councilmember Trost, second by Councilmember Pingalore, to approve the large assembly permit for the Cottonwood event as requested by Brian Kruschke. ALL VOTED AYE. MOTION CARRIED.

8.5. Resolution 11-030 Authorizing Medication Safety Drop Off Program.

Mayor Lies referenced a memo dated March 21, 2011 from Police Chief Stolee regarding the medication safety drop-off program.

Police Chief Stolee explained citizens have expressed concerns over proper disposal of prescription drugs that are left over from an illness or a family member passing away. A joint collaborative between all law enforcement agencies within Scott County are placing prescription drug drop boxes within the lobbies of their organizations. A growing trend of prescription drug abuse is becoming more and more prevalent with individuals. The “Take it to the box” program is designed to turn in the unused pills and/or controlled substances, thus removing the access to them, and solving the questions of “what do I do with these now”. The program is designed with anonymity in mind. Residents will be asked to cross out there names on prescription bottles, with no questions asked by the police department regarding the pills and/or controlled substances that are placed in the box. The boxes will allow for the drop off of prescription medication, over the counter medication, animal medications as well as controlled substances. No hypodermic needles will be accepted. The police department will then monitor and record the items dropped off and place them in a locked, secure evidence room until they are properly disposed of. There is a one time cost of the drop off box of $2,385.15. This is not a budgeted item, but per Minnesota State Statute we are allowed to use money from the Police Department forfeiture account for payment of this box. The Public Safety Committee recommends approval.

Councilmember Trost requested that this program be well-advertised in the City’s newsletter and website.

MOTION by Councilmember Schneider, second by Councilmember Coop, to approve Resolution 11-030 Authorizing Medication Safety Drop Off Program. ALL VOTED AYE. MOTION CARRIED.

8.6. Resolution 11-031 Declaring a State of Emergency for the City of Belle Plaine.

Mayor Lies referenced a memo dated March 21, 2011 from City Administrator Murphy regarding the declaration of a State of Emergency.

City Administrator Murphy explained that it is anticipated that flood conditions this spring will equal or exceed the levels of last fall. If the flood levels are exceeded, there is a likelihood that the City will experience monetary losses both in damage to property and additional resources that may need to be expended. Declaring a State of Emergency opens the City for the eligibility to FEMA resources and reimbursement. A State of Emergency needs to have been declared prior to expenditures being expended in order to recoup those costs. The State of Emergency lasts for 30 days and may be extended if necessary.

MOTION by Councilmember Trost, second by Councilmember Schneider, to approve Resolution 11-031 Declaring a State of Emergency for the City of Belle Plaine. ALL VOTED AYE. MOTION CARRIED.

8.7. Resolution 11-032 Authorizing the Temporary Closure of the 100 Block of South Walnut Street.

Mayor Lies referenced a memo dated March 21, 2011 from City Administrator Murphy regarding the temporary closure of the 100 block of South Walnut Street.

City Administrator Murphy explained that staff met with MnDOT representatives on Monday, March 14, at the City Government Center. The purpose of the meeting was to discuss the plans for TH 25 and potential traffic issues due to the potential 2011 Spring Flood. During the floods that occurred in 2010 it became apparent that traffic volumes increased significantly on Hwy 25 and Main Street West. An option to help alleviate some of the congestion that occurs at the intersection ofTH 25 and Main Street is to close the access to Walnut Street South from Main Street. Residents of the 100 block of South Walnut Street would be able to access their property from Prairie Street and both alleys. The intersection of Walnut Street South and Prairie Street would be partially closed, allowing for local traffic only.

MOTION by Councilmember Schneider, second by Councilmember Coop, to approve Resolution 11-032 Authorizing the Temporary Closure of the 100 Block of South Walnut Street. ALL VOTED AYE. MOTION CARRIED.

8.8. Resolution 11-034 Awarding Bid for the Restoration of the Episcopalian Church.

Mayor Lies referenced a memo dated March 21, 2011 from Community Development Director Rosenfeld regarding awarding the bid for the Episcopalian Church restoration project.

Community Development Director Rosenfeld explained the advertisement for bids for the Episcopalian Church restoration project was advertised for two weeks in various local and regional publications. SMSQ Architects and the City held a mandatory pre-bid conference for all potential bidders on Thursday, March 10, 2011. Nearly a dozen potential contractors were in attendance. The bid opening was held on Thursday, March 17, 2011. Bids were tabulated and verified. The City was granted $72,605 in Legacy Grant Funds to cover the cost of this project. The architect has provided a total construction cost not to exceed $65,000 for the restoration work on the church. This allows for the architectural service costs of $7,000 to also be paid for with the grant dollars. The low bid of $44,259 was submitted by KUE Contractors, Inc.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 11-034 Awarding Bid for the Restoration of the Episcopalian Church to the low bidder, KUE Contractors, Inc., for $44,259. ALL VOTED AYE. MOTION CARRIED.

8.9. Police Department – Status of Hiring Process.

Mayor Lies referenced a memo dated March 21, 2011 from Police Chief Stolee regarding staffing of the Police Department.

Police Chief Stolee provided a PowerPoint presentation on the staffing needs for the Police Department. The presentation indicated the work load of the department. He explained that Sergeant Richard Olsen resigned from the police department effective February 19, 2011. This has left the police department with not only one less officer, but an investigator to work and track case loads and follow up. The Public Safety Committee recommends the City Council consider the hiring of a full time officer. Further recommendation is that the Public Safety Committee is not advising the Council to vote yes or no, but to make an informed decision with the facts that are presented. the options for the council to consider are: 1) Hiring a full-time Patrol Officer to maintain the current staffing (protection) level; results in a cost savings within the current budget since it is a reduction in wage expenses; 2) Promoting internally for the Investigator position and hiring a full-time Patrol Officer to maintain the current staffing (protection) level; results in a cost savings within the current budget since it is a reduction in wage expenses, or 3) Not hiring a full-time Patrol Officer is a reduction in staffing (protection) level, results in a cost savings within the current budget since it is a reduction in wage expenses.

Councilmember Trost commented that the presentation did not include what duties have not been done due to staffing shortages. Councilmember Pingalore commented on the importance of having an officer present at the schools. Councilmember Schneider commented that he has received compliments on the professional of the Belle Plaine Police Department. Councilmember Chard commented that he would like the Police Department to operate without the hiring of the eighth officer for a period of time and to review the effects. Councilmember Schneider commented on costs associated with the hiring of additional part-time officers. Councilmember Coop commented on the detrimental effects if no officer is hired.

MOTION by Councilmember Schneider, second by Councilmember Coop, to direct staff to proceed with promoting internally for the investigator position and hiring a full-time Patrol Officer to maintain the current staffing level. Mayor Lies and Councilmembers Coop, Schneider and Pingalore voted aye. Councilmembers Trost and Chard voted nay. MOTION CARRIED.

Recess Regular Session.

Mayor Lies recessed the regular session at 8:12 p.m.

8.10. Personnel Committee Meeting.

Mayor Lies announced the Personnel Committee meeting at 8:22 p.m. Present were Mayor Lies and Councilmembers Gary Trost, Cary Coop, Michael Pingalore, Paul Chard and Scott Schneider. Also present were City Administrator David Murphy, Community Development Director Trisha Rosenfeld, Finance Director Dawn Meyer and City Attorney Bob Vose.

The purpose of the Personnel Committee meeting was to discuss the proposed re-organization of the Community Development Department. The Assistant Planner and the Community Development Office Assistant positions would be eliminated and a new Community Development Coordinator position would be created. The job descriptions of the Community Development Director and Building Official would be modified as well.

Reconvene Regular Session.

Mayor Lies adjourned the Personnel Committee at 8:35 p.m. and reconvened the Regular Session.

8.11. Resolution 11-035 Authorizing the Re-Organization of the Community Development Department.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 11-035 Authorizing the Re-Organization of the Community Development Department. ALL VOTED AYE. MOTION CARRIED.

8.12. Resolution 11-036 Approving Job Description and Wage Scale for Community Development Coordinator Position and Authorizing Advertising to Seek Candidates for Position.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 11-036 Approving Job Description and Wage Scale for Community Development Coordinator Position and Authorizing Internal Posting to Seek Candidates for Position.

Councilmember Pingalore suggested that the new job posting be advertised externally, instead of the proposed internal posting only. Councilmember Chard concurred. Councilmember Schneider commented that it may be more efficient for the City to hire from within if the current personnel are capable, saving the City training with a new employee. Councilmember Pingalore commented that current employees will be considered, along with new ones, allowing for the best qualified individual to be selected. Councilmember Trost commented that it is the duty of the Department Head to find the best qualified individual.

MOTION by Councilmember Pingalore, second by Councilmember Trost, to AMEND the motion to add that staff is directed to proceed with external posting and advertising for the Community Development Coordinator position. Councilmember Coop VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

Mayor Lies then called for a vote on the main motion, that read as follows:

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 11-036 Approving Job Description and Wage Scale for Community Development Coordinator Position and Authorizing External Posting and Advertising to Seek Candidates for Position. ALL VOTED AYE. MOTION CARRIED.

Recess the Regular Session.

8.13. Closed Session.

Mayor Lies recessed the Regular Session and convened the Closed Session at 8:55 p.m.

Present were Mayor Lies and Councilmembers Gary Trost, Cary Coop, Michael Pingalore, Paul Chard and Scott Schneider. Also present were City Administrator David Murphy, Finance Director Dawn Meyer and City Attorney Bob Vose.

City Attorney Vose provided a status of the negotiation process with the legal counsel for the area townships regarding the former 201 Ambulance Fund.

Reconvene the Regular Session.

Mayor Lies adjourned the closed session at 9:12 p.m. and reconvened the regular session.

9. ADMINISTRATION.

9.1. Upcoming Meetings.
1. Park Board, 5:00 p.m., Monday, March 28.
2. Work Session, 7:00 p.m., Monday, March 28.
3. HRA, 5:30 p.m., Monday, April 4.
4. City Council, 6:00 p.m., Monday, April 4.

5. Public Safety, 4:00 p.m., Wednesday, April 6.
6. EDA, 5:00 p.m., Monday, April 11.
7. Planning Commission, 6:00 p.m., Monday, April 11.

The Council was reminded of the upcoming meetings as listed.

Councilmember Trost requested the workshop scheduled for Monday, March 28, be canceled. It was the consensus of the Council to cancel the workshop session for March 28, 2011.

10. ADJOURN.

MOTION by Councilmember Trost, second by Councilmember Pingalore, to adjourn at 9:14 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary