BELLE PLAINE CITY COUNCIL
REGULAR SESSION
APRIL 15, 2013

1. PLEDGE OF ALLEGIANCE.

Mayor Michael Pingalore 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, April 15, 2013 at 6:05 p.m. in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Michael Pingalore called the meeting to order with Councilmembers Gary Trost, Cary Coop, Scott Schneider and Paul Chard present.

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

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of April 1, 2013.
4.2. Approving 3.2% Intoxicating Liquor License for Belle Plaine Softball Association.
4.3. Call for Public Hearing on Proposed Ordinance 13-07 Pertaining to Section 1107.20, Projecting Signage.
4.4. Resolution 13-040 Approving Terms of a Loan to Belle Plaine Chiropractic and Wellness Center, P.A., from the EDA's Façade Improvement Loan Program.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve the consent agenda as follows: 4.1. Regular Session Minutes of April 1, 2013, 4.2. Approving 3.2% Intoxicating Liquor License for Belle Plaine Softball Association, 4.3. Call for Public Hearing on Proposed Ordinance 13-07 Pertaining to Section 1107.20, Projecting Signage, and 4.4. Resolution 13-040 Approving Terms of a Loan to Belle Plaine Chiropractic and Wellness Center, P.A., from the EDA's Façade Improvement Loan Program. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department.

Ridgeview Ambulance Manager Doug Sweeney was not present. The Council acknowledged receipt of the Ambulance Department report.

5.2. Fire Department.

Fire Chief Todd Otto 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.

The Council acknowledged receipt of the Community Development Department report.

5.5. City Administration Report.

City Administrator David Murphy was present. 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 Coop, to approve the Presentation of Claims. ALL VOTED AYE. MOTION CARRIED.

8.2. Resolution 13-038 Approving Terms of Loan to Main Street Donuts and Deli from the EDA's Revolving Loan Fund Program and Authorizing Execution of Loan Documents.

Mayor Pingalore referenced a memo dated April 15, 2013 from City Administrator Murphy regarding a request for funds from the RLF and the façade improvement loan program.

City Administrator Murphy explained that Mr. Tim Heng, Main Street Donuts and Deli, has applied for $21,600 in Revolving Loan Fund dollars for kitchen improvements at 108 West Main (former Duets Café), and a Façade Improvement Loan for signage in the amount of $763.75. Further details on the request were provided in a memo from Jo Foust, Municipal Development Group, Inc.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to approve Resolution 13-038 Approving Terms of Loan to Main Street Donuts and Deli from the EDA's Revolving Loan Fund Program and Authorizing Execution of Loan Documents. ALL VOTED AYE. MOTION CARRIED.

8.3. Resolution 13-036 Award Bid for the 2013 Streambank and Stabilization Project, Phase II.

Mayor Pingalore referenced a memo dated April 15, 2013 from City Administrator Murphy regarding the bid award for the 2013 streambank and stabilization project, phase II.

City Administrator Murphy explained that seven bids were received and opened on April 2, 2013 for the streambank and channel stabilization – phase II. The low bid is from Selly Excavating Inc., for $22,774.00. The Engineer's estimate was $29,994. This project is being conducted in conjunction with Scott County Soil and Water. The purpose of the project is to stop the scouring that is occurring directly to the south of the streambed stabilization project that placed a concrete blanket in the streambed. If the scour hole is not stopped, it will eventually compromise the city's sanitary sewer line that runs through the ravine. This is a budgeted item in that the stormwater budget contains funds for repairs. Scott County Soil and Water will be participating in a 50% cost share with the city, or $11,387.

MOTION by Councilmember Trost, second by Councilmember Coop, to approve Resolution 13-036 Award Bid for the 2013 Streambank and Stabilization Project, Phase II, to low bidder Selly Excavating Inc., for $22,774.00. ALL VOTED AYE. MOTION CARRIED.

8.4. Resolution 13-037 Award Bid for the 2013 Sealcoat Project.

Mayor Pingalore referenced a memo dated April 15, 2013 from City Administrator Murphy regarding the bid award for the 2013 sealcoat project.

City Administrator Murphy explained that three bids were received and opened on April 2, 2013 for the 2013 seal coat project. The low bid is from Allied Blacktop Company for $77,579.31. The Engineer's estimate was $90,079.60. The City has budgeted $85,000.00 for the seal coat project for 2013.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 13-037 Award Bid for the 2013 Sealcoat Project to the low bidder Allied Blacktop Company for $77,579.31. ALL VOTED AYE. MOTION CARRIED.

8.5. Reading and Adoption of Ordinance 13-02, Section 1104, Survey Requirements, and Section 1105, Pertaining to Accessory Building and Garage Door Height.

1. Adoption of Ordinance 13-02, Amending the City Code by Adding/Modifying Language to Sections 1104 and 1105 of the City's Zoning Ordinance.

2. Resolution 13-023 Authorizing Summary Publication of Ordinance 13-02.

Mayor Pingalore referenced a memo dated April 15, 2013 from City Administrator Murphy regarding Ordinance 13-02.

City Administrator Murphy explained that at their meeting on February 19, 2013, the city council tabled action on Ordinance 13-02. A joint planning meeting was held on March 25, 2013 with the council and planning commissioners discussing the proposed ordinance. Those present arrived a compromise of a maximum height of twenty-five (25) feet for accessory structures and a maximum of twelve (12) feet height for garage doors. The planning commission discussed the city code amendment and recommends approval of the amendment to the council. The ordinance amendment changes two provisions in the code. The first amendment states that "certificate of survey is required for both residential and commercial construction for a principal building. A certificate of survey or approved site plan shall be submitted to the building official if so required by the zoning administrator for any person desiring to construct a residential detached garage, deck or accessory building. All commercial accessory buildings shall require a certificate of survey." The second amendment changes the code to read the accessory structure maximum height at 25 feet and garage door height at a maximum of 12 feet.

MOTION by Councilmember Schneider, second by Councilmember Chard, to adopt Ordinance 13-02, Amending the City Code by Adding/Modifying Language to Sections 1104 and 1105 of the City's Zoning Ordinance, with accessory structure maximum height at 25 feet and garage door height at a maximum of 12 feet.

Councilmember Trost expressed his disappointment with staff's lack of response to his request for documentation for the zoning regulations of accessory height and garage door heights of other cities such as Chaska, Shakopee and Mankato. He suggested this issue be tabled until staff submits the information. Councilmember Trost expressed concern for allowing accessory structures to be 25 feet high. He questioned whether the council is aware of how high this actually is. Mayor Pingalore recommended further review of this issue. City Attorney advised that a motion to table is acceptable if no council member objects even though there has been a previous motion. The previous motion then dies.

MOTION by Councilmember Coop, second by Councilmember Trost, to TABLE action on Ordinance 13-02, Section 1104, Survey Requirements, and Section 1105, Pertaining to Accessory Building and Garage Door Height, to allow time for staff to submit the documentation for the zoning regulations of accessory height and garage door heights of other cities, including Chaska, Shakopee and Mankato. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Meetings.

1. EDA Commissioner Training, 5:00 p.m., Tuesday, April 16.
2. Park Board, 5:00 p.m. Monday, April 22.
3. Arbor Day Tree Planting Ceremony, 5:45 p.m. Monday, April 22.
4. Seasonal Dog Park Open House, 6:00 p.m., Monday, April 22.
5. Council Work Session, 6:30 p.m., Monday, April 22.
6. Recycle/Clean Up Day, 8:00 a.m., Saturday, April 27.
7. Board of Appeal and Equalization, Continuation Meeting, 5:00 p.m. Monday, April 29.
8. SCALE Workshop, 6:30 p.m. Monday, April 29.
9. Public Safety, 4:00 p.m., Wednesday, May 1.
10. City Council, 6:30 p.m., Monday, May 6.

The council was reminded of the upcoming meetings as listed.

Councilmember Trost suggested the city council have a joint workshop with the Jordan city council.

10. ADJOURN.

MOTION by Councilmember Trost, second by Councilmember Coop, to adjourn at 6:30 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary