

**BELLE PLAINE CITY COUNCIL
REGULAR MEETING
JUNE 3, 2019**

1. PLEDGE OF ALLEGIANCE.

Mayor Meyer 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, June 3 at 6:30 PM in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Meyer called the meeting to order with Councilmembers Ben Stier, Cary Coop, Renee LeMieux and Paul Chard present.

Also present were City Administrator Meyer, Finance Director Jirik, Community Development Director Smith Strack, Public Works Superintendent Fahey, City Engineer Duncan and Police Chief Stolee. City Attorney Vose arrived at 6:50 PM. Wanda Savage served as video recording operator.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

- 4.1. Regular Session Minutes of May 5, 2019.
- 4.2. Resolution 19-081 Authorizing Mayor and City Administrator to Execute the Joint Powers Agreement with Scott County for Assessment Services.
- 4.3. Resolution 19-085 Appointing Seasonal Life Guards and Aquatic Staff for the 2019 Belle Plaine Aquatic Center Season.
- 4.4. Resolution 19-083 Approving Building Inspection Plan Review Services Agreement with the City of New Prague and Authorizing the Mayor and City Administrator to Execute the Agreement.
- 4.5. Resolution 19-084 Approving Premises Permit for The Belle Plaine Chamber of Commerce at Oldenburg Brewing Co.
- 4.6. Resolution 19-075 Authorizing purchase of Tax Forfeiture Property ID 200850420 for Public Use.
- 4.7. Resolution 19-086 Appointing Dillon Lambrecht and Marcus Manser to the Belle Plaine Fire Department.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve the consent agenda as follows: 4.1. Regular Session Minutes of May 5, 2019; 4.2. Resolution 19-081 Authorizing Mayor and City Administrator to Execute the Joint Powers Agreement with Scott County for Assessment Services; 4.3. Resolution 19-085 Appointing Seasonal Life Guards and Aquatic Staff for the 2019 Belle Plaine Aquatic Center Season; 4.4. Resolution 19-083 Approving Building Inspection Plan Review Services Agreement with the City of New Prague and Authorizing the Mayor and City Administrator to Execute the Agreement; 4.5. Resolution 19-084 Approving Premises Permit for The Belle Plaine Chamber of Commerce at Oldenburg Brewing Co.; 4.6. Resolution 19-075 Authorizing purchase of Tax Forfeiture Property ID 200850420 for Public Use and 4.7. Resolution 19-086 Appointing Dillon Lambrecht and Marcus Manser to the Belle Plaine Fire Department. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Public Works Report.

Public Works Superintendent Fahey was present. Fahey highlighted the Public Works Report noting the crew will wait to put the waste water plant back until next week due to continued high waters. Fahey noted discussion on the pool timeline will happen during the Work Session. The Council acknowledged the Public Works Report.

5.2. City Engineer Report.

City Engineer Duncan was present. Duncan highlighted the City Engineer Report noting crew has finished the piping for the NSI project and will start tests this week.

Councilmember Chard inquired on the hauling route for the 2019 Project noting his witnessing multiple routes being used. City Engineer Duncan will make note and speak to the project manager. The council acknowledged the City Engineer Report.

5.3. Administration Report

City Administrator Meyer was present. Meyer highlighted the administration report. The council acknowledged the City Administrators Report.

GERMAN DAY PROCLAMATION.

Mayor Meyer read the German Day Proclamation.

6. PUBLIC HEARING. NONE SCHEDULED.

7. BUSINESS.

7.1. Presentation of Claims.

7.1.1. NSI Extension – Pay Request No. 4 to EJM Pipe Services, Inc.

7.1.2. 2019 Street Project – Pay Request No. 1 to OMG Midwest, Inc. dba Chard

Mayor Meyer inquired about a line item on page seven of \$680 for mailbox. Public Works Superintendent Fahey explained the item in question was a section of three mailboxes. Fahey explained when plows hit mailboxes the City will reimburse however if a mailbox is damaged due to snow being pushed against it the City does not reimburse the resident.

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

8. RECESS REGULAR SESSION.

MOTION by Councilmember Coop, second by Councilmember Chard, to recess the regular session at 6:39 PM. ALL VOTED AYE. MOTION CARRIED.

8.1. WORKSHOP

8.3. CONDUCT CLOSED PERSONNEL SESSION.

8.5. RECONVENE REGULAR SESSION.

The City Council reconvened the regular session at 7:37 PM.

8.6. Additional Action if Necessary.

MOTION by Councilmember Coop, to approve Resolution 19-087 for Change Order No 4 with the six-week extension. MOTION FAILS due to lack of a second.

Councilmember Chard and Stier suggest a shorter extension.

MOTION by Stier, to approve Resolution 19-087 for Change Order No 4 with a three-week extension and a progress report at the three-week mark. Councilmember Coop suggested a four-week extension would bring an update to the second council meeting in July. Mayor Meyer inquired on when kids could be swimming. City Administrator Meyer deferred to Bill Trout of Bradbury Stamm. Trout explained substantial completion means the area can be used for its intended use, noting final completion is when all crew have left the project. Mayor Meyer inquired if on July 24 kids could be swimming. Trout explained it is unknown citing to rush the project could potentially sacrifice quality and Bradbury Stamms intent to do the project right. Councilmember Stier inquired if the project has perfect weather for the next few weeks would the project still need the six-week extension. Councilmember Chard wants to make sure that the no crew is pulled off the site if the extension is approved. Trout confirmed the extension is time owed due to changes and weather delays and invited council to stop by the site any day to see the crew. Councilmember Coop inquired if kids will be in the pool once substantial completion is secured. City Administrator Meyer explained guard training will need to be done before the Aquatic Center is opened to the public.

MOTION by Councilmember Stier, second by Councilmember Coop to approve a four-week extension.

City Attorney Vose explained the 21-day field order change does not equate the four-week extension. City Administrator Meyer explained 21 days is the extension for the City field order changes. Trout explained the extension is a reasonable request due to the field changes requested by the City and the unforeseen weather days. Vose explained according to the contract Bradbury Stamm has a right to ask for the dates under the legal contract and the City must show justification to adjust the time requested by the firm. Mayor Meyer inquired who verifies the timeline for changes. City Administrator Meyer explained Bradbury Stamm submits the request to Water's Edge the design firm who confirms if the request is reasonable. Meyer also noted Bradbury Stamm has no intent to slow down the progress. Councilmember Coop inquired on what a shorter extension would mean for the construction company. Vose explained if council changes the change order dates Bradbury Stamm would be waiving their right to avoid penalty noting they also have the right not to sign the adjusted change order. Vose explained the City field change is a verifiable 21 days, noting the council could request Bradbury Stamm come back for weather days. Vose explained the City must have a legitimate reason to request a change to the change order.

Councilmember Stier RECENDED his motion to approve a four-week extension. Councilmember Coop RECENDED his second.

MOTION by Councilmember Coop, second by Councilmember Meyer to approve Resolution 19-087 for Change Order No 4 with the six-week extension. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Meetings.

1. Community Conversations at Union Square Park, 5:30-7:30 PM, Wednesday, June 5.
2. Scott County/City Council Bus Tour, 5:00 PM, Thursday, June 6.
3. EDA, 5:00 PM, Monday, June 10.
4. Planning Commission, 6:30 PM, Monday, June 10.
5. Public Safety, 4:30 PM, Tuesday, June 11.
6. Public Works, 9:00 AM, Thursday, June 13.
7. Park Board, 5:00 PM, Monday, June 17.
8. City Council, 6:30 PM, Monday, June 17.
9. Work Session, 6:45 PM, Monday, June 17.

Mayor Meyer reminded the Council of upcoming meetings as listed.

10. ADJOURN.

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MOTION by Councilmember LeMieux, second by Councilmember Stier, to adjourn the Regular Session at 8:05 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary