BELLE PLAINE CITY COUNCIL
REGULAR MEETING
JUNE 4, 2018

1. PLEDGE OF ALLEGIANCE.

Mayor Christopher 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, March 25, 2018 at 6:30 PM. In the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Christopher Meyer called the meeting to order with Councilmembers Paul Chard, Ben Stier, Cary Coop and Theresa McDaniel present.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.
4.1. Regular Session Minutes of May 21, 2018.
4.2. Finance Director Minutes of May 15, 2018.
4.3. Resolution 18-067 A Resolution Authorizing Execution and Recording Of A Release Of Joint Driveway Easement Applicable To Lots 1,2,3, and 4, Block 1 Valley Business Park.
4.4. Resolution 18-068 Accept Plans and Specifications and Authorize Advertisement for Bids of North Sanitary Interceptor Extension.

MOTION by Councilmember Coop, second by Councilmember McDaniel, to approve the consent agenda as follows: 4.1. Regular Session Minutes of May 21, 2018; 4.2. Finance Director Minutes of May 15, 2018; 4.3. Resolution 18-067 A Resolution Authorizing Execution and Recording Of A Release Of Joint Driveway Easement Applicable To Lots 1,2,3, and 4, Block 1 Valley Business Park; and 4.4. Resolution 18-068 Accept Plans and Specifications and Authorize Advertisement for Bids of North Sanitary Interceptor Extension. ALL VOTED AYE. MOTION CARRIED.

PROCLAMATION – German Day Event – June 15, 2018.

Mayor Meyer read the German Day Proclamation.

5. DEPARTMENT REPORTS.
5.1. Public Works Report.

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

5.1.b. Informational Pool Update.

Public Works Superintendent Al Fahey presented a slideshow of the current pool conditions and ongoing issues. Fahey explained the pool is safe and has passed and continues to pass state inspections. However, ongoing loss of water, foundation shifting and cracking are issues being addressed yearly. Fahey explained the slideshow is for informational purposes only.

5.2. City Engineer.

City Engineer Joe Duncan was present. The Council acknowledged receipt of the City Engineer report. Duncan noted a meeting took place regarding the highway 169 overlay project and compliance issues. Mayor Meyer noted Enterprise Drive and Old 169 has been added as haul route for the project. Meyer further explained the City's concerns are on record and a review of the roads will be conducted post project. Meyer also explained through conversation it was revealed MnDOT has no intention of extending the acceleration lanes on TH HWY 169 and County Road 3.

5.3. Administration Report.

City Administrator Dawn Meyer was present. The Council acknowledged receipt of the City Engineer report.

6. PUBLIC HEARINGS.
6.1. Liquor License – MNWIS, LLC, dba Borough Bowl. The City Council will receive and consider public comment on the request by MNWIS, LLC, dba Borough Bowl, for an on-sale, off-sale and Sunday intoxicating liquor license at 235 South Ash Street.

City Administrator Meyer explained a public hearing will be conducted to consider public comment on a request by MNWIS, LLC dba Borough Bowl, 235 South Ash Street, for on and off sale and Sunday liquor licenses. Police Chief Stolee has conducted the required background investigation and recommends the City Council proceed with approval. Meyer noted the current liquor establishment at that address was owned and operated by Annie Topic. The City has obtained a written statement of her transfer of the existing business to MNWIS, LLC.

> **6.1.A. Resolution 18-066 Liquor Licenses for MNWIS, LLC, dba Borough Bowl, 235 South Ash Street.**

Mayor Meyer explained a public hearing has been scheduled and the City Council will accept public comment on Resolution 18-066, A Resolution for a new Liquor Licenses for MNWIS, LLC, dba Borough Bowl, 235 South Ash Street.

Mayor Meyer opened the public hearing at 6:58 PM and asked for public comment. There was no public comment.

MOTION by Councilmember Coop, second by Councilmember Chard to close the public hearing at 6:58 PM. ALL VOTED AYE. MOTION CARRIED.

Councilmember Coop inquired if this cooperation was based out of Wisconsin and if the cooperation owners had submitted background checks. City Administrator Meyer confirmed the business is out of Wisconsin and both had submitted backgrounds. Coop cited his wish to table the resolution for further research explaining his concern for a Wisconsin company's knowledge of Minnesota laws. Meyer explained if any violations occur the City and State have the right to pull the liquor license. City Attorney Vose explained City code doesn't prohibit out of state cooperation's. Councilmember Chard inquired what the difference between this business based out of state and Kwik Trip based out of Wisconsin. Chief Stolee explained a complete background on the applicant within state regulations has been performed. The City can pull or deny the license if a local issue occurs.

MOTION by Councilmember Chard, second by Councilmember Stier to approve Resolution 18-066 Liquor Licenses for MNWIS, LLC, dba Borough Bowl, 235 South Ash Street. Councilmembers Chard, Stier and Meyer VOTED AYE. Councilmember Coop VOTED NAY. MOTION CARRIED.

7. BUSINESS.
7.1. Presentation of Claims.

> **1. Pay Request No. 1 by OMG Midwest, Inc., dba. Chard for $335,635.40 for the 2018 Street Project.**

Mayor Meyer inquired on the annual gator payment requesting more information. Public Works Superintendent Fahey explained the lease of the gator has been economical for the City as the equipment is run hard and at the end of the trade in typically has no trade in value.

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

7.2. Provence On The River Second Addition.

Community Development Director Smith Strack explained consideration of a development agreement and final plat pertaining to Provence On The River Second Addition were provided for Council consideration. Smith Strack noted staff drafted the attached developer's agreement which was reviewed by City Attorney Bob Vose. The developer's agreement specifies the terms of approval and improvement of Provence On The River 2nd Addition. The agreement is offered for approval and authorization of execution. Provence Development LLC requests consideration of a final plat for Provence On The River Second. Smith Strack noted the Planning Commission reviewed the plat at a meeting April 9th and recommended conditional approval.

Mayor Meyer thanked Mr. Waters for their continued investment in the community.

7.2.1. Resolution 18-063 A Resolution Approving a Developers Agreement for Provence On The River Second Addition and Authorizing and Directing Execution Thereof.

MOTION by Councilmember Coop, second by Councilmember Chard to approve Resolution 18-063 A Resolution Approving a Developers Agreement for Provence On The River Second Addition and Authorizing and Directing Execution Thereof. ALL VOTED AYE. MOTION CARRIED.

7.2.2. Resolution 18-064 A Resolution Approving Final Plat of Provence On The River Second Addition.

MOTION by Councilmember Coop, second by Councilmember Stier to approve Resolution 18-064 A Resolution Approving Final Plat of Provence On The River Second Addition. ALL VOTED AYE. MOTION CARRIED.

7.3. Resolution 18-069 Authorize the Purchase of Encrypted Portable and Squad Radios.

Chief Stolee explained on March 5th, he was notified via email by Scott Haas, Scott County Sheriff Office Director of Emergency Management and Communication, that all law enforcement radios need to be encrypted by April of 2022 or they will not work. Stolee explained a check was made to see if the departments existing radios could be reprogrammed with encrypted technology. It was determined that this would not work on our existing radios forcing the department to look at purchasing new encrypted radios. Stolee further explained the police department currently requires 16 portable and 5 squad encrypted radios. The mandate was just issued and the City was not planning replacement of the radios, therefore this expense is not budgeted for through the capital planning process. In order to accommodate the mandate without overspending, reducing fund balances, or delaying other planned capital purchases, staff has proposed making the purchases over the next 4 years. Stolee explained a call to ANCOM communications was made to request a quote regarding the current State of Minnesota bid under the government contract for radio purchasing. The 2018 purchase price for 5 encrypted radios and accessories is listed as $23,822.50. The actual amount will be $21,822.50. Stolee explained he applied for the CenterPoint Energy Community Partnership Grant and was informed that the department was approved and will be awarded $2,000.00 to be put towards the 2018 radio purchase. The grant money will be presented to the City Council in the end of July. Stolee added he will continue to look for grants for this unfunded mandate. The 2019 purchase of radios will be at $23,822.50. The remaining 2020 and 2021 radio purchases have not been quoted, but the total expenditure over the four years is estimated to not exceed $93,000.00.

Stolee explained typically, a trade in allowance is given for each radio that is being replaced, but the Fire Department has expressed a need for them and all of the portable and squad radios will be given to them over the next 4 years. The switch to encryption is for law enforcement only, so the radios will continue to function on the fire department radio channels. Stolee noted this item was brought before the Public Safety Committee on April 10th and May 8th, 2018. The Public Safety Committee recommends proceeding with the radio purchases over the next 4 years.

Mayor Meyer inquired if staff is requesting authorization for the full $93,000.00. City Administrator Meyer confirmed the authorization is for the full amount over the next 4 years.

MOTION by Councilmember Coop, second by Councilmember Stier to approve Resolution 18-069 Authorize the Purchase of Encrypted Portable and Squad Radios. ALL VOTED AYE. MOTION CARRIED.

8. ADMINISTRATION.

8.1. Upcoming Meetings.

1. Community Conversations - Heritage Park, 5:30 PM, Thursday, June 7.
2. EDA, 5:00 PM, Monday, June 11.
3. Planning, 6:30 PM, Monday, June 11.
4. Public Safety, 4:30 PM, Tuesday, June 12.
5. Joint Planning Board Belle Plaine Township, 6:00 PM, Tuesday, June 12.
6. Public Works, 9:00 AM, Thursday, June 14.
7. *Rain Date:* Community Conversations – Heritage Park, 5:30 PM, Thursday, June 14.
8. Park Board, 5:00 PM, Monday, June 18.
9. City Council, 6:30 PM, Monday, June 18.
10. Work Session, 6:45 PM, Monday, June 18.

The Council was reminded of the upcoming meetings as listed. Mayor Meyer added a Personal Meeting on Wednesday, June 13 at 6:30 PM.

9. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember McDaniel, to adjourn the meeting at 7:16 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary