BELLE PLAINE CITY COUNCIL
REGULAR SESSION
JUNE 7, 2010

1. PLEDGE OF ALLEGIANCE.

Vice Mayor Tim O'Laughlin 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 7, 2010 at 6:00 p.m. at the Government Center, 218 North Meridian Street, Belle Plaine, MN. Vice Mayor Tim O'Laughlin called the meeting to order with Councilmembers Dawn Underferth, Jim Lange, Gary Trost and Cary Coop present. Mayor Lies 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, City Attorney Bob Vose and Video Recording Operator Beth Dempsey.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of May 17, 2010.
4.2. Work Session Minutes of May 24, 2010.
4.3. Resolution 10-078 Approving City Administrator's Employment Contract.
4.4. Accepting Resignation of Planning Commissioner and Design Committee Member Chris Potter and Filling Vacancy.
4.5. Approving Large Assembly Permit by Jimmy Gaboury for Jimmy's Classic Car Rock and Roll In.
4.6. Approving Large Assembly Permit by Chamber of Commerce for Bar B Q Days.
4.7. Resolution 10-080 Adopting Special Assessment for Delinquent Utility Bill.

MOTION by Councilmember Coop, second by Councilmember Underferth, to approve the consent agenda as follows: 4.1. Regular Session Minutes of May 17, 2010, 4.2. Work Session Minutes of May 24, 2010, 4.3. Resolution 10-078 Approving City Administrator's Employment Contract, 4.4. Accepting Resignation of Planning Commissioner and Design Committee Member Chris Potter and Filling Vacancy, 4.5. Approving Large Assembly Permit by Jimmy Gaboury for Jimmy's Classic Car Rock and Roll In, 4.6. Approving Large Assembly Permit by Chamber of Commerce for Bar B Q Days and 4.7. Resolution 10-080 Adopting Special Assessment for Delinquent Utility Bill. 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. Engineer Report.

City Engineer Joe Duncan was present. The Council acknowledged receipt of the Engineer Report.

5.4. City Administration Report.

City Administrator David Murphy was present. The Council acknowledged receipt of the City Administration report.

VISITOR'S REQUEST.

1. Tom Devine, 307 South Market Street, Boulevard Tree Issue.

Vice Mayor O'Laughlin welcomed Mr. Tom Devine.

Tom Devine explained that he has a boulevard tree that needs trimming and asked for clarification regarding the responsibility of maintenance of trees that are located in the boulevard. Mr. Devine also asked for increased patrol on South Market Street due to high speed vehicles. He also requested consideration of prohibiting motorists to turn left when existing Chatfield Elementary due to the traffic congestion that left turns cause during school hours.

Vice Mayor O'Laughlin referenced the City Code regarding tree maintenance was provided to Mr. Devine. The Public Safety Committee will review the left-turn issue at Chatfield Elementary at their next meeting.

6. PUBLIC FORUM.

Vice Mayor O'Laughlin asked for public comment. There was no response.

7. PUBLIC HEARINGS.

7.1. New and Renewal of On and Off Sale Intoxicating and 3.2% Liquor Licenses. The City Council will consider public comment on the applications for renewal of the annual on and off sale intoxicating and 3.2% liquor licenses for 2010/2011 and new application for on- and off-sale liquor by Kristine Koniarski and Brian Chilman, Kri-Bri, Inc., for Johans Bar and Grill.

Vice Mayor O'Laughlin referenced a memo dated June 7, 2010 from City Administrator Murphy.

Police Chief Stolee advised that background checks were performed on the applicants and all license applications were recommended for approval.

Vice Mayor O'Laughlin opened the public hearing at 6:16 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember Lange, to close the public hearing at 6:17 p.m. ALL VOTED AYE. MOTION CARRIED.

Councilmember Trost requested that the owner's name be included in the documents provided to the City Council in addition to the corporate names.

7.1. Resolution 10-079 Approving New and Renewal of the Annual On and Off Sale Intoxicating and 3.2% Liquor Licenses for 2010/2011.

MOTION by Councilmember Coop, second by Councilmember Underferth, to approve Resolution 10-079 Approving New and Renewal of the Annual On and Off Sale Intoxicating and 3.2% Liquor Licenses for 2010/2011. ALL VOTED AYE. MOTION CARRIED.

7.2. Ordinance 10-03, Fees. The City Council will consider public comment on proposed Ordinance 10-03, amending the City Code by amending the City's Fee Schedule. Proposed changes include the State surcharge for building permits.

Vice Mayor O'Laughlin referenced a memo dated June 7, 2010 from Community Development Director Rosenfeld regarding proposed fee change for the State surcharge on building permits.

Community Development Director Rosenfeld explained the Minnesota Department of Labor & Industry (DOLI) has changed the surcharge amount municipalities charge on fixed fees for building, plumbing and mechanical permits. Until June 30, 2010 the surcharge amount on fixed fee permits will be $0.50. Beginning July 1, 2010 and effective for one year, the surcharge amount on those fixed fee permits will be $5.00.

Vice Mayor O'Laughlin opened the public hearing at 6:22 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Lange, second by Councilmember Underferth, to close the public hearing at 6:23 p.m. ALL VOTED AYE. MOTION CARRIED.

Councilmember Trost commented on the large amount of increase, from $.50 to $5.00.

7.2. Ordinance 10-03, Amending the City Code by Amending Section 108 Pertaining to State Surcharge for Building Permits.

MOTION by Councilmember Lange, second by Councilmember Coop, to approve Ordinance 10-03, Amending the City Code by Amending Section 108 Pertaining to State Surcharge for Building Permits, effective July 1, 2010 for a period of one year. ALL VOTED AYE. MOTION CARRIED.

8. BUSINESS.

8.1. Presentation of Claims.

1. Pay Request No. 3 by Chard Tiling for $239,966.80 for the 2010 TH169 South Frontage Road Project.

MOTION by Councilmember Lange, second by Councilmember Coop, to approve the Presentation of Claims and Pay Request No. 3 by Chard Tiling for $239,966.80 for the 2010 TH169 South Frontage Road Project. ALL VOTED AYE. MOTION CARRIED.

8.2. Diversified Business Park Third Addition.

1. Resolution 10-068 Granting Approval of the Final Plat for Diversified Business Park Third Addition.

Vice Mayor O'Laughlin referenced a memo dated June 7, 2010 from Community Development Director Rosenfeld regarding Diversified Business Park Third Addition.

Community Development Director Rosenfeld explained that at the May 17, 2010 City Council meeting, the Council tabled action on the Final Plat for Diversified Business Park Third Addition for the reason that the final plat for Diversified Business Park Second Addition had not yet been filed. Without the filing of the Second Addition, Diversified Business Park Third Addition does not legally exist. Since May 17, Coborn's has closed on the property and the final plat for Diversified Business Park Second Addition has been filed with Scott County. Staff recommends approval of the final plat and Developer's Agreement for Diversified Business Park Third Addition.

MOTION by Councilmember Trost, second by Councilmember Coop, to approve Resolution 10-068 Granting Approval of the Final Plat for Diversified Business Park Third Addition. ALL VOTED AYE. MOTION CARRIED.

2. Approval of the Development Agreement with Oppidan for Diversified Business Park Third Addition.

MOTION by Councilmember Underferth, second by Councilmember Coop, to approve the Development Agreement with Oppidan for Diversified Business Park Third Addition. ALL VOTED AYE. MOTION CARRIED.

8.3. Resolution 10-081 Awarding Quote for the Construction of the Union Square Park Shelter Addition.

Vice Mayor O'Laughlin referenced a memo dated June 7, 2010 from Public Works Superintendent Fahey regarding the Union Square park shelter addition.

Public Works Superintendent Fahey explained the Belle Plaine Chamber of Commerce and the Belle Plaine Baseball Association would like to add a section of roof to connect the beef stand and the restrooms and build a permanent ticket booth. The Council authorized staff to seek quotes on the shelter addition. The low quote is from Crosby Construction. Staff recommends awarding the project to Crosby Construction for the amount of $17,185.00 and the quote for the installation of the fence and gates to Schilz Ornamental Iron for the amount of $2,532.00. The electrical work was not included in the quotes for the replacement of the electrical panel and to eliminate the power pole. The cost is estimated to be $2,343.00 for the electrical work and will be paid from the parks repairs and maintenance fund.

Vice Mayor O'Laughlin referenced letters from the Belle Plaine Baseball Association indicating a pledge of up to $3,000 for the project, and the Chamber of Commerce's pledge of $5,000 in addition to the original $9,000, for a total of $14,000. The remaining balance due for the project will be expended from the City's capital improvement fund.

Councilmember Trost commented on the favorable low cost of the project. He inquired whether a business name may be placed on the ticket booth if it is donated. Councilmember Trost also suggested that a water fountain be available at Union Square.

MOTION by Councilmember Lange, second by Councilmember Trost, to approve Resolution 10-081 Awarding Quote for the Construction of the Union Square Park Shelter Addition. ALL VOTED AYE. MOTION CARRIED.

8.4. Authorizing Staff to Proceed with Application for COPS Grant.

Vice Mayor O'Laughlin referenced a memo dated June 7, 2010 from Police Chief Stolee regarding application for the COPS grant.

Police Chief Stolee explained that application was made in 2009 for the COPS Hiring Program grant. The City of Belle Plaine was not awarded this grant and received no additional funding as a result. A public safety committee meeting was held on June 2, 2010. As a result of this meeting, it was recommended to bring the matter before the Council to apply for the 2010 COPS Hiring Program grant. Further details related to the COPS Hiring Program grant was included in Police Chief Stolee's memo. If the City of Belle Plaine is awarded this grant, the Council would have the authority to approve or deny the hiring of an additional Officer after September 20, 2010.

Councilmember Lange noted that if the City is awarded the COPS grant, the City will greatly benefit from three years of a patrol officer at no cost, while the fourth year would be at City cost.

MOTION by Councilmember Underferth, second by Councilmember Coop, to authorize staff to proceed with application for COPS Grant. ALL VOTED AYE. MOTION CARRIED.

8.5. Scheduling of City Council and Staff Event.

Vice Mayor O'Laughlin referenced a memo dated June 7, 2010 from City Administrator Murphy regarding the scheduling of a City Council and staff event.

City Administrator Murphy explained the Council has previously discussed holding a team-building session and decided to do something in house rather than hiring a consultant. The employee gathering was successful and the "family feud" type game received positive feed back. Staff suggests an event such as this.

Councilmember Trost suggested a role reversal event and that it be held in the council chambers. City Administrator Murphy will check into available dates and report back at a future meeting.

In other business, Councilmember Lange reminded the Council of the Highway 169 coalition meeting for Thursday, June 10, at 7:00 p.m. Vice Mayor O'Laughlin commented on a possible shortage of paint for striping streets and crosswalks for MnDOT projects. He also expressed concern for lack of a crosswalk at the underpass near Emma Krumbees restaurant and East Enterprise Drive. Councilmember Trost concurred with the precarious situation involving young students at this intersection and also at Meridian and East Commerce Drive. It was the consensus to direct Police Chief Stolee to proceed with educating the public on crosswalks and bicycle safety.

9. ADMINISTRATION.
9.1. Upcoming Meetings.
1. Highway 169 Coalition, 7:00 p.m., Thursday, June 10.
2. EDA, 5:00 p.m., Monday, June 14.
3. Planning Commission, 7:00 p.m., Monday, June 14.
4. Public Works, 10:00 a.m., Tuesday, June 15.
5. Park Board, 5:00 p.m., Tuesday, June 15.

The Council was reminded of the upcoming meetings as listed.
10. ADJOURN.
MOTION by Councilmember Underferth, second by Councilmember Coop, to adjourn at 7:04 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,
Patricia Krings
Recording Secretary