BELLE PLAINE CITY COUNCIL
REGULAR SESSION
JULY 5, 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 Tuesday, July 5, 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, Scott Schneider and Michael Pingalore present. Commissioner Paul Chard arrived at 6:42 p.m.

Also present were City Administrator David Murphy, Community Development Director Trisha Rosenfeld, Finance Director Dawn Meyer, Police Chief Tom Stolee and City Attorney Bob Vose. Finance Director Meyer served as the Video Recording Operator.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of June 20, 2011.
4.2. Approving the Joint Facilities Agreement between the City and Belle Plaine School District and Authorizing the Mayor and City Administrator to Execute Agreement.
4.3. Approving 3.2% Intoxicating Liquor License for the Bar B Q Days Softball Tournament.
4.4. Resolution 11-078 Endorsement and Support for Federal Surface Transportation Program Funding for CSAH 3 Overpass.
4.5. Resolution 11-079 Approving Memorandum of Understanding between the City and Scott County for Grant Funding Related to Re-Programming of Outdoor Warning Sirens.

Councilmember Coop requested consent agenda item “Resolution 11-078 Endorsement and Support for Federal Surface Transportation Program Funding for CSAH 3 Overpass” be moved to the business portion of the meeting.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to move “Resolution 11-078 Endorsement and Support for Federal Surface Transportation Program Funding for CSAH 3 Overpass” to the business portion of the agenda and approve the consent agenda as follows: 4.1. Regular Session Minutes of June 20, 2011, 4.2. Approving the Joint Facilities Agreement between the City and Belle Plaine School District and Authorizing the Mayor and City Administrator to Execute Agreement, 4.3. Approving 3.2% Intoxicating Liquor License for the Bar B Q Days Softball Tournament, and 4.45. Resolution 11-079 Approving Memorandum of Understanding between the City and Scott County for Grant Funding Related to Re-Programming of Outdoor Warning Sirens. 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 not present. The Council acknowledged receipt of the Public Works Department report.

5.3. City Engineer Report.

City Engineer Joe Duncan was not present. The Council acknowledged receipt of the Engineer Report.

5.4. City Administration Report.

City Administrator David Murphy was present and reported the City may expect the LGA payment as scheduled, the Episcopalian Church restoration project has been completed for the initial phase, and although the State lottery has been shut down, the local pull tabs can resume. 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.

1. Pay Request No. 7 by Chard Tiling for $141,829.40 for the 2010 TH169 South Frontage Road (ARRA) Project.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the presentation of claims and pay request no. 7 by Chard Tiling for $141,829.40 for the 2010 TH169 South Frontage Road (ARRA) Project. ALL VOTED AYE. MOTION CARRIED.

8.2. Request to Provide Law Enforcement Services for the City of Henderson.

Mayor Lies referenced a memo dated July 5, 2011 regarding a request to provide law enforcement services for the City of Henderson.

City Administrator Murphy explained the City of Henderson has sent a request to all neighboring police departments requesting a proposal to provide police services for the City of Henderson. After discussion with Police Chief Stolee, staff has determined the City of Belle Plaine Police Department does not have the resources to provide the necessary services to the City of Henderson. The Belle Plaine Police Department will assist Henderson whenever necessary and provide mutual aid.

It was the consensus of the Council to respectfully decline the offer to submit a proposal for law enforcement services for the City of Henderson due to lack of resources.

8.3. Resolution 11-076 Appointing Brandon McCabe as the Community Development Coordinator.

Mayor Lies referenced a memo dated July 5, 2011 from Community Development Director Rosenfeld regarding the appointment to the Community Development Coordinator position.

Community Development Director Rosenfeld explained that in March, 2011, the City Council approved the Community Development Coordinator position and authorized staff to seek external candidates.

There were over forty applications received for the part-time position. City staff scored the applications and conducted interviews. Staff recommends the appointment of top candidate Brandon McCabe.

MOTION by Councilmember Pingalore, second by Councilmember Schneider, to approve Resolution 11-076 Appointing Brandon McCabe as the Community Development Coordinator. Councilmember Trost VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

8.4. Update of Beer Liquor Licensing.

Mayor Lies referenced a memo dated July 5, 2011 from City Administrator Murphy regarding beer licensing.

City Administrator Murphy explained that he and City Attorney Vose wish to discuss some complications that have arisen with the change in definition of beer in the City's recent ordinance amendment. He explained that local clubs have requested a temporary 3.2% malt liquor license for their annual events. The recent ordinance change defining "beer" creates an issue with local clubs as some of them are not organized as a 501 (c) 3, and do not qualify for a temporary on-sale intoxicating liquor license as per State regulations. Local jurisdictions have the authority to issue 3.2% liquor licenses.

Councilmember Trost commented the Belle Plaine Baseball Association sells only 3.2% beer, not strong beer. It was the consensus of the Council to authorize staff to proceed with a public hearing to determine liquor license fees and "beer" regulations.

8.5. Government Center Façade.

Mayor Lies referenced a memo dated July 5, 2011 from Community Development Director Rosenfeld regarding proposed Government Center façade improvements.

Community Development Director Rosenfeld explained the City Council discussed the Government Center façade at the council meeting on June 20, 2011. Per the direction of the council, staff obtained visual renderings for the façade options. Additional options show an altered roof line and the addition of windows. Cost estimates were included with the renderings. Community Development Director Rosenfeld noted the original metal capping was not sturdy enough, therefore an additional cost of $900 was added to increase the thickness.

MOTION by Councilmember Trost, second by Councilmember Pingalore, to proceed with improvement for the Government Center façade shown as Option 6 as follows: building preparation -$1,400, awnings - $3,045, stucco - $3,950, and $4,900 to square the roof line, for a total estimated cost of improvements at $13, 295.

Councilmember Trost noted the motion reflects the recommendation of the public works committee. Councilmember Schneider commented that if the council was to be extremely fiscally responsible, the council should order tin for the façade. He commented that for the respect of other business owners who have made a financial investment in their store fronts, the City should also set a good example of a quality façade that is in alignment with the City's downtown design standards. He also suggested the City make the investment now to proceed with an ornate design as recommended by the Design Committee.

Councilmember Chard arrived at 6:42 p.m.

The Council recessed at 6:43 p.m. and reconvened at 6:45 p.m.

The council further discussed the improvements. Councilmember Chard questioned whether the stucco cost included the additional area of the square roof line.

Councilmembers Trost and Pingalore WITHDREW their motion and second.

Councilmember Chard inquired about the seams shown on the stucco. Staff explained they are painted lines only and not seams. Councilmember Chard commented that there will additional stucco charges if the roof line is squared. Councilmember Schneider inquired about the difficulty to replace the cedar with brick at a future time and also asked about additional storm water on the cedar caused by the stucco. Councilmember Chard suggested sealer be added to the existing cedar for its preservation.

MOTION by Councilmember Trost, second by Councilmember Chard, to authorize staff to proceed with improvement for the Government Center façade shown as Option 6 as follows: building preparation - $1,400, awnings - $3,045, stucco - $3,950, $4,900 to square the roof line and $1,000 for additional stucco, for a total estimated cost of improvements at $14,295. Mayor Lies and Councilmembers Trost, Chard, and Pingalore VOTED AYE. Councilmembers Coop and Schneider VOTED NAY. MOTION CARRIED.

8.6. Resolution 11-078 Endorsement and Support for Federal Surface Transportation Program Funding for CSAH 3 Overpass.

Mayor Lies referenced a memo dated July 5, 2011 from City Administrator Murphy regarding the Federal Surface Transportation Program Funding for the TH169/CSAH 3 Interchange.

City Administrator Murphy explained the proposed resolution provides documentation that the application has the full support of the City Council.

Councilmember Coop asked whether the proposed resolution commits the City to $2.6 million. He inquired as to the cost to each household. Mayor Lies explained the City Council will be consistently reviewing the project. City Administrator Murphy explained that previous councils have made a commitment to the overpass project. Finance Director Meyer explained that costs per household can be calculated.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 11-078 Endorsement and Support for Federal Surface Transportation Program Funding for CSAH 3 Overpass. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.
9.1. Upcoming Meetings.
1. Public Safety, 6:00 p.m., July 6.
2. EDA, 5:00 p.m., Monday, July 11.
3. Planning Commission, 6:30 p.m., Monday, July 11.
4. Joint Planning/City Council, 7:00 p.m., Monday, July 11.
5. Design Committee, 5:00 p.m., Monday, July 18.
6. City Council, 6:00 p.m., Monday, July 18.

The Council was reminded of the upcoming meetings as listed.

10. ADJOURN.
MOTION by Councilmember Coop, second by Councilmember Pingalore, to adjourn at 7:11 p.m.

Respectfully submitted,

Patricia Krings
Recording Secretary