BELLE PLAINE CITY COUNCIL
REGULAR SESSION
AUGUST 6, 2012

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 Monday, August 6, 2012 at 6:00 p.m. in the council chambers of City Hall, 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. Councilmember Paul Chard arrived at 6:10 p.m.

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 and City Attorney Bob Vose. Finance Director Meyer also served as the video recording operator.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of July 16, 2012.
4.2. Resolution 12-091 Authorizing Staff to Proceed with the Minnesota Department of Public Safety, Towards Zero Deaths Grant Application.
4.3. Resolution 12-093 Adopting Code Enforcement Special Assessment for 314 North Meridian Street.
4.4. Resolution 12-094 Approving Temporary 3.2% Intoxicating Liquor License for the Belle Plaine River Fishing Contest.
4.5. Resolution 12-097 Authorize Minnesota Department of Natural Resources Grant Application for the Belle Plaine Fire Department.
4.6. Resolution 12-098 Approving Temporary 3.2% Intoxicating Liquor License for Our Lady of the Prairie Church Fall Festival.

Councilmember Trost inquired about the details associated with the code enforcement special assessment for 314 North Meridian Street.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the consent agenda as follows: 4.1. Regular Session Minutes of July 16, 2012, 4.2. Resolution 12-091 Authorizing Staff to Proceed with the Minnesota Department of Public Safety, Towards Zero Deaths Grant Application, 4.3. Resolution 12-093 Adopting Code Enforcement Special Assessment for 314 North Meridian Street, 4.4. Resolution 12-094 Approving Temporary 3.2% Intoxicating Liquor License for the Belle Plaine River Fishing Contest, 4.5. Resolution 12-097 Authorize Minnesota Department of Natural Resources Grant Application for the Belle Plaine Fire Department and 4.6. Resolution 12-098 Approving Temporary 3.2% Intoxicating Liquor License for Our Lady of the Prairie Church Fall Festival. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Community Services Department.

Community Services Director Nelson Ladd was present. Councilmember Trost asked if the Zumba exercise classes were profitable and Councilmember Pingalore suggested the upcoming youth fair be well-advertised. The Council acknowledged receipt of the Community Services Department report.

5.2. Public Works Department.

Public Works Superintendent Al Fahey was present. He said the pool will be closing on August 19th for the season. The Council acknowledged receipt of the Public Works Department report.

5.3. City 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. He reported that Scott County staff will be presenting “The First Stop Shop” program at the next city council meeting. He will also research neighboring communities regarding fees associated with burn permits. The Council acknowledged receipt of the City Administration report.

Councilmember Chard arrived at 6:10 p.m.

6. PUBLIC FORUM.

Joey Behnke, CEO, Friends of the Library, addressed the council in regards to the request by the German Days Committee to allow charitable gambling at the Red Door Bar. Mr. Behnke referenced the documents submitted by the German Days Committee and questioned some of the entries listed. He suggested a coordination of the two organizations at one site, allowing the Friends of Library to continue with pulltabs and the German Days Committee to have the remaining choices. An ordinance amendment would need to be approved to allow two non-profit organizations at one location.

John Mahoney, CEO, German Days, Inc., requested the council table action on the request for a premises permit at the Red Door Bar by the German Days Committee until the next council meeting on August 20, 2012.

MOTION by Councilmember Coop, second by Councilmember Chard, to close the public forum at 6:16 p.m. ALL VOTED AYE. MOTION CARRIED.

7. PUBLIC HEARINGS – NONE SCHEDULED.

8. BUSINESS.

8.1. Presentation of Claims.

1. Pay Request No. 3 and Final (Revised) for the TH25/East Main Street Lane Addition Project by Chard Tiling for $24,212.99.

2. Pay Request No. 1 for the 2012 Street Improvement Project by Chard Tiling for $210,159.06.

MOTION by Councilmember Trost, second by Councilmember Coop, to approve the Presentation of Claims, Pay Request No. 3 and Final (Revised) for the TH25/East Main Street Lane Addition Project by Chard Tiling for $24,212.99 and Pay Request No. 1 for the 2012 Street Improvement Project by Chard Tiling for $210,159.06. ALL VOTED AYE. MOTION CARRIED.

8.2. Large Assembly Permit for Tiger Park on October 6, 2012 by Tim Huber.

Mayor Lies referenced a memo dated August 6, 2012 from City Administrator Murphy regarding a large assembly permit for Tiger Park by Tim Huber.

City Administrator Murphy explained that former Belle Plaine resident Tim Huber has applied for a large assembly permit for Tiger Park (specifically the baseball field). Mr. Huber is planning to hold his wedding on the site. The application is for 2:00 p.m. on October 6 to 1:00 a.m. on October 7. Outdoor music will be held from 3:00 p.m. to midnight. The meal will be catered in, alcohol services will be catered as well and Mr. Huber is working with Chief Stolee on the requirements and will abide by the Police Chief's recommendation. Public Works Superintendent Fahey, Police Chief Stolee and City Administrator Murphy have met with Mr. Huber and are in agreement with the conditions for approval. Chief Stolee will have one officer at the event and Mr. Huber is to coordinate with Superintendent Fahey for the field.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve the large assembly permit for Tiger Park on October 6, 2012 by Tim Huber. ALL VOTED AYE. MOTION CARRIED.

8.3. Resolution 12-090A Approving Agreement with Belle Plaine Township for Improvements to Belle Plaine Trail.

Mayor Lies referenced a memo dated August 6, 2012 from City Administrator Murphy regarding an agreement for Belle Plaine Trail improvements.

City Administrator Murphy explained that staff has reviewed the discussion between the City Council and Belle Plaine Township regarding the paving of Belle Plaine Trail and made the necessary amendment to the proposed agreement. The agreement is included in your packet and the substantive points are as follows: $60,537.05 payment from Township when agreement is executed, City will pave all of BP Trail and assume maintenance, Township will maintain the City's portions of the gravel sections of Kittson Blvd and Jason Avenue, the Township has the right to execute and record a quit claim deed conveying to the City any real property interests that the Township may have in the land or right-of-way underlying those portions of Belle Plaine Trail located within the boundaries of the Township, City's obligation ends if BP Trail is vacated, abandoned, terminated or otherwise closed and Townships obligation ends if the gravel sections are paved, City has the right to post BP Trail for weight/speed, and Township has right to post gravel portions of City streets for weight/speed. It is important to note that other options previously discussed by Council are still available such as agreeing to annexing the entire road ROW or to do nothing and leave the road as is.

City Attorney Vose explained the City Council concerns were communicated to the Township Attorney, Bob Ruppee. The final draft agreement has been prepared for council approval. The Township Board has not yet taken action on the agreement.

Kevin Slack, Township Treasurer, explained that a special Township Board meeting will be scheduled as soon as possible and he will inform the City of the meeting date.

Councilmember Coop asked Finance Director Meyer about the budget ramifications. Finance Director Meyer explained the expense of the future road maintenance will increase the City's budget, subsequently raising taxes. She believes $8,000 -$10,000 should be budgeted for the future road maintenance and construction. Councilmember Coop reiterated that either the budget must be increased or services cut. He said the City must increase taxes so the Township can lower theirs. Councilmember Schneider inquired about engineering, administrative, and legal fees associated with the project. Staff replied fees amounted to approximately $18,000. Mayor Lies commented that the proposed annual maintenance costs may be reduced due to an offset by the Township for maintenance of city gravel roads.

MOTION by Councilmember Trost, second by Councilmember Pingalore, to approve Resolution 12-090A Approving Agreement with Belle Plaine Township for Improvements to Belle Plaine Trail. Councilmember Coop VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

City Engineer Duncan requested council action regarding the bid award for the project to include the full length of Belle Plaine Trail, contingent upon the agreement approval by Belle Plaine Township.

MOTION by Councilmember Trost, second by Councilmember Chard, to authorize the award contract with Chard Tiling to include the bituminous improvement for the entire roadway of Belle Plaine Trail. ALL VOTED AYE. MOTION CARRIED.

8.4. Resolution 12-099 Authorizing Charitable Gambling Premises Permit by German Days, Inc. for Red Door Bar.

Mayor Lies noted the request by the German Days Committee to delay action until the next council meeting.

MOTION by Councilmember Chard, second by Councilmember Pingalore, to TABLE action on Resolution 12-099 Authorizing Charitable Gambling Premises Permit by German Days, Inc. for Red Door Bar until the next council meeting on August 20, 2012. ALL VOTED AYE. MOTION CARRIED.

8.5. Authorizing Purchase of Squad Car for Belle Plaine Police Department.

Mayor Lies referenced a memo dated August 6, 2012 from :Police Chief Stolee regarding the purchase of a squad car.

Chief Stolee explained that on July 11, 2012 the Public Safety committee met and discussed replacement of Belle Plaine Police Department squad which is a 2004 Chevrolet Impala currently with 137,045 miles on it. The 2012 budget includes $31,000.00 for the purchase and is included in the capital plan. A state bid quote was received from Matt Saxe Chevrolet for a 2011 Chevrolet Caprice police package vehicle. The initial MSRP pricing of the Caprice is $30,170.00. After reductions and title fees the purchase price of the vehicle is $23,521.50. Equipment will be used from the 2004 Chevrolet Impala to assist in outfitting the Caprice. Any additional equipment including set up and tear down of the squad going out of service will be done within the budget plan. The vehicle is listed as a 2011, as it was manufactured 09/17/11. This vehicle is new and will fit the departments needs immediately versus waiting for a 2013 model which the estimated delivery time is for March or April of 2013.

MOTION by Councilmember Coop, second by Councilmember Schneider, to proceed with the purchase of a 2011 Chevrolet Caprice police package vehicle at the state bid quote from Matt Saxe Chevrolet at a cost of $23,521.50. ALL VOTED AYE. MOTION CARRIED.

8.6. Resolution 12-096 Accepting Preliminary Report and Call for Public Hearing on Proposed 2013 Street Improvement Project.

Mayor Lies referenced a memo dated August 6, 2012 from City Administrator Murphy regarding the proposed 2013 street improvement project.

City Administrator Murphy explained that City Engineer Joe Duncan has completed the preliminary engineering report for the 2013 street improvement project and the report will be presented at the meeting. The preliminary public hearing will be held on September 4, 2012 where affected individuals will have an opportunity to review the proposed project and to address any concerns they have regarding the project with the city council and staff. The assessment detail is included in the preliminary report. The preliminary hearing is about the validity and necessity of the project and the final assessment hearing will occur after the project is awarded.

City Engineer Duncan provided a PowerPoint presentation on the proposed 2013 street project. He explained the public works committee recommended moving up the schedule in hopes of receiving more favorable bids from contractors. It is anticipated the bid award will occur in January 2013. City Engineer Duncan explained the project area, including infrastructure and street design. The public works committee will be discussing the street width in more detail at their next meeting. Councilmember Trost asked for a cost comparison on street widths. He would also like to know what other cities are choosing for street width. Councilmember Chard commented that he often sees cities trimming down the width of streets during street improvement projects. Councilmember Coop noted the number of elderly property owners in the project area.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 12-096 Accepting Preliminary Report and Call for Public Hearing on Proposed 2013 Street Improvement Project. ALL VOTED AYE. MOTION CARRIED.

8.7. Replace Public Works Water Truck.

Mayor Lies referenced a memo dated August 6, 2012 from Public Works Superintendent Fahey regarding the replacement of the water truck.

Public Works Superintendent Fahey explained that the ambulance vehicle used as the public works water truck is in need of replacement. The cost of repair exceeds the value. An ambulance vehicle works best because of its low entry, compartment storage and the heated cargo area. Staff recommends the purchased of a used Ford wheeled coach, year 2000 with 69,904 miles on it. Staff has negotiated a price of $18,000.00 plus taxes. It is estimated to cost $2,000.00 to convert it for use by the Public Works Department, including decals, lens covers, some paint, etc. The old rig will be sold on sealed bid or auction.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to authorize the purchase of the 2000 Ford wheeled coach to serve as the public works water truck at a cost of $18,000 plus tax and license, and up to $2,000 for the conversion for use by the public works department. ALL VOTED AYE. MOTION CARRIED.

8.8. Authorization for Implementation of Ball Field at Meadow Park.

Mayor Lies referenced a memo dated August 6, 2012 from Community Development Director Rosenfeld regarding the implementation of a ball field at Meadow Park.

Community Development Director Rosenfeld explained the Park Board has been discussing the need for a second ball field at Meadow Park. The park currently has one field that is primarily utilized for little league teams. The Park Board has discussed a long-term plan for Meadow Park to include a second ball field, additional fencing, bleachers and a shelter with restrooms and a concession area. This will allow for Meadow Park to be utilized for potential tournament play and additional usage of the fields by various organizations and the community of Belle Plaine. The engineer’s estimate indicates a cost of $30,350 for the field, backstop and fencing. The Park Board would like to implement the ball field, backstop, and fencing along the first and third base lines at this time. They have recommended a not to exceed amount of $31,000 from the Park Fund budget to implement these items. Public Works Superintendent Fahey and Community Development Director Rosenfeld discussed the logistics of the proposed implementation of the additional field and are proposing to have public works lead the project and obtain quotes from contractors for each item. Public Works would provide as much as labor as possible and contract the work for those items needing assistance. Quotes would be obtained for the backstop and fencing.

Councilmember Coop commented that he believes the field will be an asset for Meadow Park. The soccer field will remain, sandwiched between the two ball fields. Councilmember Coop cautions the council on the upcoming expense associated with ball field, such as restrooms, shelter and concession stand. He wanted to convey to the council the huge expense for this project.

MOTION by Councilmember Coop, second by Councilmember Pingalore, accept the Park Board recommendation to install a ball field at Meadow Park and to direct staff to proceed with the implementation of a ball field, backstop and fencing at a cost not to exceed $31,000. ALL VOTED AYE. MOTION CARRIED.

Recess Regular Session.

Mayor Lies recessed the Regular Session at 7:25 p.m.

8.9. Closed Session.

Mayor Lies announced the closed session at 7:34 p.m. with Councilmembers Trost, Schneider, Pingalore, Coop and Chard present. Also present were City Administrator Murphy and Finance Director Meyer.

The purpose of the closed session was to discuss labor contract negotiations.

Reconvene Regular Session.

Mayor Lies reconvened the Regular Session at 8:50 p.m.

9. ADMINISTRATION.

9.1. Upcoming Meetings.
1. Public Works, 11:00 a.m., Tuesday, August 7.
2. EDA, 5:00 p.m., Monday, August 13.
3. Planning Commission, 7:00 p.m., Monday, August 13.
4. Primary Election, 7:00 a.m. to 8:00 p.m., August 14.
5. Design Committee, 5:00 p.m., Monday, August 20.
6. City Council, 6:00 p.m., Monday, August 20.
7. Budget Workshop, 6:00 p.m., Tuesday, August 21.

The council was reminded of the upcoming meetings as listed.

Councilmember Pingalore thanked staff and other volunteers for their successful efforts in the recent HRA Christmas in July program to help those in need.

10. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Chard, to adjourn at 8:51 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary