

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
SEPTEMBER 2, 2014**

1. PLEDGE OF ALLEGIANCE.

Mayor Michael Pingalore 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, September 2, 2014 at 6:30 p.m. in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Michael Pingalore called the meeting to order with Councilmembers Gary Trost, Cary Coop, Paul Chard and Scott Schneider present.

Also present were City Administrator Holly Kreft, Finance Director Dawn Meyer, Community Development Director Chelsea Alger, Police Chief Tom Stolee, City Engineer Joe Duncan and City Attorney Bob Vose. Wanda Savage 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 August 18, 2014.**
- 4.2. Approve Temporary On-Sale 3.2% Liquor License for Our Lady of the Prairie Church.**
- 4.3. Resolution 14-088 Appointing Dawn Meyer as Temporary Acting City Administrator.**
- 4.4. Approval of Large Assembly Permit for Belle Plaine Festival and Events for the Half-Marathon and Harvest Festival.**
- 4.5. Approving Temporary On-Sale Intoxicating Liquor License for Belle Plaine Festival and Events for the Harvest Festival.**
- 4.6. Approval of Large Assembly Permit for the Belle Plaine Fire Relief Association for September 20, 2014.**
- 4.7. Approving Temporary On-Sale Intoxicating Liquor License for Belle Plaine Fire Relief Association for Fundraiser Event.**
- 4.8. Resolution 14-092 Approving Amendment to Scott Joint Prosecution Services Joint Powers Agreement.**
- 4.9. Resolution 14-093 Authorizing the Implementation of No Parking on Portion of the 200 block of South Eagle Street.**
- 4.10. Authorizing Bolton and Menk to Submit an Application for the 2015 Clean Water Fund Grant for Blaha and Chestnut Ravines.**

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the consent agenda as follows: 4.1. Regular Session Minutes of August 18, 2014; 4.2. Approve Temporary On-Sale 3.2% Liquor License for Our Lady of the Prairie Church; 4.3. Resolution 14-088 Appointing Dawn Meyer as Temporary Acting City Administrator; 4.4. Approval of Large Assembly Permit for Belle Plaine Festival and Events for the Half-Marathon and Harvest Festival; 4.5. Approving Temporary On-Sale Intoxicating Liquor License for Belle Plaine Festival and Events for the Harvest Festival; 4.6. Approval of Large Assembly Permit for the Belle Plaine Fire Relief Association for September 20, 2014; 4.7. Approving Temporary On-Sale Intoxicating Liquor License for Belle Plaine Fire Relief Association for Fundraiser Event; 4.8. Resolution 14-092 Approving Amendment to Scott Joint Prosecution Services Joint Powers Agreement; 4.9. Resolution 14-093 Authorizing the Implementation of No Parking on Portion of the 200

block of South Eagle Street; and 4.10. Authorizing Bolton and Menk to Submit an Application for the 2015 Clean Water Fund Grant for Blaha and Chestnut Ravines. 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 and Pool Report.

Public Works Superintendent Al Fahey was unable to attend. Mayor Pingalore reported a successful year with the community pool and publicly thanked Pool Manager Jackie Hillstrom and the lifeguards. 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 City Engineer report.

5.4. Administration Report.

City Administrator Holly Kreft was present. The Council acknowledged receipt of the Administration report.

6. RECOGNITION OF INVOLVED CITIZENS.

No one spoke at the public forum.

7. PUBLIC HEARINGS – NONE SCHEDULED.

8. BUSINESS.

8.1. Presentation of Claims.

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

8.2. Authorizing the Purchase of 2014 Chevrolet Caprice Police Package Vehicle.

Mayor Pingalore referenced a memo dated September 2, 2014 from Police Chief Stolee regarding the purchase of a police package vehicle.

Police Chief Stolee explained that on August 11, 2014 the Public Safety committee met and discussed replacement of a Belle Plaine Police Department squad which is a 2009 Chevrolet Impala currently with 127,541 miles on it. A state bid quote was received from Matt Saxe Chevrolet for a 2014 Chevrolet Caprice police package vehicle. The initial MSRP pricing of the Caprice is \$34,350.00. After deductions and title fees the purchase price of the vehicle is \$23,504.51. Due to excellent state bid pricing and further rebates and incentives, the purchase price of the vehicle is \$2,895.41 less than a year ago. (\$26,400.00). Any additional equipment including set up and tear down of the squad going out of service will be done within the budget plan. The reason for the early request is to start the paperwork process due to delay in production to dealer time. Additionally, the incentive must be applied for by September 3, 2014. The pricing expired at 5:00 p.m. on August 29, 2014, but a vehicle is being held pending council action. The squad purchase is for the 2015 budget and it will not be billed or received until after January 1, 2015.

Councilmember Trost asked what happens if the City Council does not adopt the 2015 budget and levy in reference to purchasing this vehicle. Finance Director Meyer explained that if the City Council votes to approve the purchase this evening, then yes, the City is committed to the purchase. If the final budget is not approved, the City will be obligated to provide funds from other funding sources for the vehicle.

MOTION by Councilmember Coop, second by Councilmember Schneider, to authorize the purchase of a 2014 Chevrolet Caprice police package vehicle from Matt Saxe Chevrolet at a cost of \$23,504.51. ALL VOTED AYE. MOTION CARRIED.

8.3. Private Use of Public Property Agreements for City Owned Land.

- 1. Resolution 14-089 Approving Private Use of Public Property Agreement with Wayne Schmidt.**
- 2. Resolution 14-090 Approving Private Use of Public Property Agreement with Edward Fahey.**

Mayor Pingalore referenced a memo dated September 2, 2014 from City Administrator Kreft regarding the private use of city-owned land.

City Administrator Kreft explained that at the August 4, 2014 Council work session, the Council discussed the use of City-owned properties. The three specific properties discussed were the vacant property south of West Commerce Drive, the vacant property adjacent to the Public Works Facility and the future Roberts Creek Park.

West Commerce Drive RALF Property - The City owns two parcels south of West Commerce Drive consisting of approximately 12 ½ acres that were acquired for future improvements to the intersection of CSAH 3 (Meridian Street) and Hwy 169 and stormwater management. These properties are currently not farmed. Excess soil from the 2014 street project was stored on this property in the event that soil is needed for the City bridge construction. No agreement is needed at this time. Should it be farmed again in the future, the City may wish to enter into a lease agreement.

Vacant Property Adjacent to Public Works Facility - The City owned property adjacent to public works consists of approximately 5 ½ acres that is mowed by Edward Fahey. Due to the limited size, only about 6-8 bales are made from the mowing. The City does not own the proper equipment to mow this property, so it is appropriate to have someone else complete this work. The City does not pay Mr. Fahey for his labor and equipment and due to small acreage and amount of hay received, it is not beneficial for the City to enter into a lease. Staff recommends that a Private Use of Public Property Agreement be executed to indemnify the City from liability and reiterate that it is City property and the use will cease after notice is given.

Future Roberts Creek Park - The future Roberts Creek Park property consists of approximately one acre that is currently farmed by the adjacent land owner, Wayne Schmidt. There is no access to the property at this time, so the City is unable to maintain it. Again, based on the small size of the parcel, it is not beneficial for the City to enter into a lease for the property. Staff recommends that a Private Use of Public Property Agreement be executed to indemnify the City from liability and reiterate that it is City property and the use will cease after notice is given.

MOTION by Councilmember Trost, second by Councilmember Schneider, to approve Resolution 14-089 Approving Private Use of Public Property Agreement with Wayne Schmidt.

In discussion, Councilmember Coop recommended action be tabled on the Roberts Creek Park until the land is surveyed and the Park Board discusses the possibilities for the park and its development. City Engineer Duncan further explained that the lot won't be surveyed, but rather posts will be placed at the property lines when the farm crop is removed later this fall.

Councilmembers Trost and Schneider WITHDREW their motion and second, respectively.

Further discussion took place. It was the consensus of the Council to direct this issue to the Park Board. Councilmember Schneider advised staff to provide an update to Mr. Schmidt on the City Council and subsequent Park Board discussion so that an investment in fall fertilizer is not made at this time.

MOTION by Councilmember Coop, second by Councilmember Trost, to TABLE action on Resolution 14-089 Approving Private Use of Public Property Agreement with Wayne Schmidt, until a recommendation is made from the Park Board. ALL VOTED AYE. MOTION CARRIED.

Councilmember Coop commented that it appears the individual who removes the alfalfa crop from the City's vacant land is receiving exclusive rights and asked if Staff had advertised to seek interested parties in the crop land. City Administrator Kreft replied that due to the small amount of acreage, there was no other interest by anyone.

MOTION by Councilmember Trost, second by Councilmember Schneider, to adopt Resolution 14-090 Approving Private Use of Public Property Agreement with Edward Fahey. Councilmember Coop VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

8.4. Resolution 14-091 Adopting Preliminary Budget and Levy.

Mayor Pingalore referenced a memo dated September 2, 2014 from Finance Director Meyer regarding the 2015 preliminary budget and levy.

Finance Director Meyer explained that on August 18, 2014 the City Council and Department Heads held a budget workshop to address the 2015 preliminary budget and levy. After discussion it was recommended the preliminary 2015 budget and levy be approved by the City Council as presented with several items to be reviewed prior to the final budget workshop and adoption. The 2015 preliminary budget and levy must be certified to the County by September 15, 2014. Once the preliminary budget and levy have been certified, the City Council and Department Heads will need to schedule a final budget workshop in October or November to review requested information, prior to final adoption. The preliminary 2015 budget and levy may be reduced prior to finalizing, but it may not be increased.

MOTION by Councilmember Coop, second by Mayor Pingalore, to approve Resolution 14-091 Adopting Preliminary Budget and Levy. Councilmembers Schneider and Trost VOTED NAY. Mayor Pingalore and Councilmembers Chard and Coop VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Meetings.

- 1. Public Works, 11:00 a.m., Thursday, September 4.**
- 2. EDA, 5:00 p.m., Monday, September 8.**
- 3. Planning Commission, 7:00 p.m., Monday, September 8.**
- 4. Cable Vision, 5:00 p.m., Wednesday, September 10.**
- 5. Archery Range Open House, 5:00 p.m., Monday, September 15.**
- 6. Park Board, 5:15 p.m., Monday, September 15.**
- 7. City Council, 6:30 p.m., Monday, September 15.**

The Council was reminded of the upcoming meetings as listed.

10. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Schneider, to adjourn at 6:57 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary