BELLE PLAINE CITY COUNCIL
REGULAR SESSION
SEPTEMBER 4, 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 Tuesday, September 4, 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 7:06 p.m.

Also present were City Administrator David Murphy, Finance Director Dawn Meyer, Police Chief Tom Stolee, City Engineer Joe Duncan and City Attorney Bob Vose. Zachary Schoenecker served as the video recording operator.

3. APPROVAL OF AGENDA.

Councilmember Trost requested the addition of “Discussion on HRA Program for Building Permit Fee Reduction.”

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the agenda with the addition of business item, “Discussion on HRA Program for Building Permit Fee Reduction.” ALL VOTED AYE. MOTION CARRIED.

4.APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of August 20, 2012.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the consent agenda as follows: 4.1. Regular Session Minutes of August 20, 2012. 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 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.

6. PUBLIC FORUM.

Mayor Lies asked for public comment.

Tom Bartholomew, 123 South Walnut Street, encouraged council support in the promotion of the classic car roll-in for downtown Belle Plaine.

6.1. Proclamation – Constitution Week – September 17 – 23, 2012.

Mayor Lies read the Proclamation for Constitution Week, designated for September 17 – 23, 2012.

7. PUBLIC HEARINGS.

7.1. Preliminary Hearing – Proposed 2013 Street Improvement Project. The City Council will consider public comment on the proposed 2013 Street Improvement Project.

Mayor Lies opened the public hearing at 6:11 p.m. and asked for public comment.

City Engineer Duncan provided a PowerPoint presentation on the proposed 2013 street improvement project. He explained the street standards for West Main Street (MSAS), South Eagle Street, and North Buffalo Street. Photos of the televised sewer lines were presented. Eagle Street will be constructed to allow for diagonal parking along Union Square park. The preliminary assessment roll was compiled based on the City's assessment policy. City Engineer Duncan also explained the water main replacement along West Main Street in 2001 in which only the water main and service lines were assessed; there was no street improvement at that time. Those residents are not being charged for water main for the 2013 project. The Public Works Committee recommended moving up the project schedule in an effort to obtain more favorable bids.

Ken Edaburn, 307 West Main Street, questioned about the 2001 West Main water main replacement project. City Engineer Duncan explained this project installed a new water main and service lines only. These items will remain and will not be replaced as part of the 2013 street project.

Sally Hilgers, 415 West Main Street, questioned whether the street improvements increase property values to the same degree as the assessment amount. She said it is doubtful the $12,000 to $14,000 assessment to her property will increase her home value this amount.

Brett Krick, 511 West Main Street, read Section 601.06 pertaining to the maintenance and repair of public sidewalks. He commented that if city staff had been doing their job, then all sidewalks would be in acceptable condition and would not need to be assessed as part of the project. Mr. Krick also commented that many heavy trucks, including many refuse haulers, utilize West Main Street and that there is no designated truck route. He suggested a contract for only one refuse hauler.

City Engineer Duncan explained that if it is determined the sidewalk is in acceptable condition, then property owners would not be assessed. The design standards for the project have not been determined yet. He also explained the proposed width of West Main Street and the 9-ton road construction.

Tom Bartholomew, speaking of behalf of the Presbyterian Church, 219 West Main Street, explained the church has recently installed a new sidewalk and asked for consideration of waiving sidewalk assessment. He asked about street width and assessment term.

City Engineer Duncan explained the 200 block of West Main will stay at 65-foot width and the diagonal parking will remain. There will be a 10-year term for the repayment of the assessments.

Tom Meger, 520 West Main Street, asked about upgrades and how it affects his assessment. He commented on his frontage that includes about 50 feet of vacant land, which he said he cannot sell because it is a substandard lot size. He asked for some type of assessment forgiveness for his empty parcel. Mr. Meger commented that he has installed a new sidewalk at his property two years ago and would like that noted as part of the public record.

City Engineer Duncan explained the street and storm are considered a unit and assessments are a direct result of the overall project. Over-sizing is at city cost. He briefly explained the city's assessment policy.

John Winterfeldt, 426 West Main Street, explained he has just started to make payment on his assessment for street improvement on his side street and now the city is proposing another street project for his frontage property. Mr. Winterfeldt was disappointed the city did not do a complete street reconstruction in 2001. He said at that time, he approached the city regarding the sidewalk, as it was in poor condition. The city did not do any sidewalk improvements at that time, thus he had to install a new sidewalk. Now sidewalks are improved as part of the project and asked if he could send the bill to the city for his costs associated with the sidewalk improvement. Mr. Winterfeldt also questioned why the city engineers marking the street if the project has not yet been approved.

Pat Ediger, 218 West Main Street, had a brief comment about the total project cost and the assessment amount.

MOTION by Councilmember Trost, second by Councilmember Coop, to close the public hearing at 6:47 p.m. ALL VOTED AYE. MOTION CARRIED.

Councilmember Trost asked if the city intends to remove an unused driveway curb cut at 526 West Main Street. City Engineer Duncan explained that if a driveway curb cut is not in use, then it will be removed. Councilmember Trost further commented on some of the items addressed during the public hearing. He would like staff to advise Brett Kick that his driveway access will have to be replaced. Councilmember Trost also commented on the sewer service line and sewer main calculations. He noted that on the recent installation of sidewalk along Court Street that one area of the sidewalk was not replaced. He also noted the reconfiguration of parking along the west side of Tiger Park and that the city has only two licensed residential refuse haulers. Councilmember Trost would like the citizens to know the council and staff work very hard to maintain costs of reconstruction projects.

Councilmember Pingalore asked about the sidewalk location when the street width is narrowed. City Engineer Duncan explained the Public Works Committee may need to review the sidewalk location for certain portions of the project. Mayor Lies suggested that staff keep the public informed of project activities.

1. Resolution 12-112 Ordering Improvements and Directing the City Engineer to Prepare Final Plans and Specifications for the 2013 Street Improvement Project.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 12-112 Ordering Improvements and Directing the City Engineer to Prepare Final Plans and Specifications for the 2013 Street Improvement Project. ALL VOTED AYE. MOTION CARRIED.

8. BUSINESS.

8.1. Presentation of Claims.
1. Pay Request No. 2 and Final by Selling Excavating, Inc. for $1,155.86 for the 2011 Drainage Stabilization Project (payment included in 08/20/12 folio).
2. Pay Request No. 2 by Chard Tiling for $823,662.16 for the 2012 Street Improvement Project.
3. Pay Request No. 1 by Chard Tiling for $36,218.42 for the 2012 Chestnut Street Ravine Project.

MOTION by Councilmember Trost, second by Councilmember Pingalore, to approve the folio and Pay Request No. 2 and Final by Selling Excavating, Inc. for $1,155.86 for the 2011 Drainage Stabilization Project (payment included in 08/20/12 folio); 2. Pay Request No. 2 by Chard Tiling for $823,662.16 for the 2012 Street Improvement Project; and 3. Pay Request No. 1 by Chard Tiling for $36,218.42 for the 2012 Chestnut Street Ravine Project. ALL VOTED AYE. MOTION CARRIED.

8.2. Ehlers and Associates.

1. Resolution 12-110 Awarding the Sale of G.O. Improvement Bonds, Series 2012A, in the Original Aggregate Principal Amount of $1,755,000.

2. Resolution 12-111 Awarding the Sale of G.O. Water Revenue Refunding Bonds, Series 2012B, in the Original Aggregate Amount of $4,545,000.

Mayor Lies referenced a memo dated September 4, 2012 from Finance Director Meyer regarding the award of the sale of bonds.

Finance Director Meyer explained the city council awarded the contract for the 2012 street reconstruction project for $1,599,900.27. On August 20, 2012 the city council authorized the calling for the sale of G.O. Improvement Bonds for the purpose of financing the 2012 street reconstruction project and the sale of G.O. water revenue refunding bonds for the purpose of interest savings. The city proceeded with a bond rating call from Standard & Poors that was held on August 24, 2012. Standard and Poors confirmed the City's current bond rating at AA-.

Mayor Lies welcomed Nick Anhut of Ehlers and Associates.

Mr. Anhut provided the results of the bond bids received and distributed the detailed sale reports. Ehlers and Associates recommended the bond sale for the $1,755,000 General Obligation Improvement Bonds, Series 2012A, to UMB Bank, N.A., Kansas City, MO.; and the $4,545,000 General Obligation Water Revenue Refunding Bonds, Series 2012B, to Baird, Milwaukee, WI. Mr. Anhut noted the city's strong financial management resulted in the AA- bond rating.

1. Resolution 12-110 Awarding the Sale of G.O. Improvement Bonds, Series 2012A, in the Original Aggregate Principal Amount of $1,755,000.

MOTION by Councilmember Coop, second by Councilmember Trost, to approve Resolution 12-110 Awarding the Sale of G.O. Improvement Bonds, Series 2012A, in the Original Aggregate Principal Amount of $1,755,000. ALL VOTED AYE. MOTION CARRIED.

2. Resolution 12-111 Awarding the Sale of G.O. Water Revenue Refunding Bonds, Series 2012B, in the Original Aggregate Amount of $4,545,000.

MOTION by Councilmember Coop, second by Councilmember Trost, to approve Resolution 12-111 Awarding the Sale of G.O. Water Revenue Refunding Bonds, Series 2012B, in the Original Aggregate Amount of $4,545,000. ALL VOTED AYE. MOTION CARRIED.

8.3. Resolution 12-107 Authorizing 2012 Wage Increase for the Members of the Belle Plaine Fire Department.

Mayor Lies referenced a memo dated September 4, 2012 from Fire Chief Randy Koepp regarding an increase to the fire department wages.

Fire Chief Koepp explained the Fire Department budget for 2012 has included a raise in the hourly wage $.50 per hour for 2012. The Fire Department requests Council for authorization to proceed with this $.50 per hour, increasing the hourly wage from $8.75 to $9.25.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 12-107 Authorizing 2012 Wage Increase for the Members of the Belle Plaine Fire Department. ALL VOTED AYE. MOTION CARRIED.

8.4. Large Assembly Permit for Harvest Festival on October 13, 2012 by Chamber of Commerce.

Mayor Lies referenced a memo dated September 4, 2012 from City Administrator Murphy regarding the request for a large assembly permit.

City Administrator Murphy explained the Belle Plaine Chamber of Commerce has submitted a request for a large assembly permit for the Harvest Festival to include ½ Marathon and 5K to be held on October 13, 2012 at Court Square Park located at 410 North Cedar Street. The event will include a ½ Marathon, 5K run, craft fair, farmers market, polka music, clown performance and concessions. Police Chief Stolee, Public Works Superintendent Fahey and City Administrator Murphy have met with representatives from the Chamber, Anderson Race Management, Sibley County Sheriff's Department, Scott County Sheriff's Department and Minnesota Ham Radio Operators. Staff recommends approval with the conditions listed on the application.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the large assembly permit for the Harvest Festival as requested by the Chamber of Commerce with conditions as listed on the application. ALL VOTED AYE. MOTION CARRIED.

8.5. Resolution 12-108 Adopting 2013 Preliminary Budget and Levy.

Mayor Lies referenced a memo dated September 4, 2012 from Finance Director Meyer regarding the 2013 preliminary budget and levy.

Finance Director Meyer explained that on August 27, 2012 the city council and department heads held a budget workshop to address the 2013 preliminary budget and levy. After discussion it was recommended that the preliminary 2013 budget and levy be approved by the city council. The 2013 preliminary budget and levy must be certified to the county by September 15, 2012. 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, prior to final adoption. The preliminary 2013 budget and levy may be reduced prior to finalizing, but it may not be increased.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 12-108 Adopting 2013 Preliminary Budget and Levy. ALL VOTED AYE. MOTION CARRIED.

8.6. Discussion on Optional Rounding Up Program on Utility Payments for Park Related Activities.

Mayor Lies referenced a memo dated September 4, 2012 from Community Development Director Rosenfeld regarding an optional rounding up program on utility payments for park related activities.

Community Development Director Rosenfeld explained that Councilmember Coop brought this idea forward to the Park Board to discuss. The idea would allow for donations to be accepted on utility bills to go towards athletic and arts programs of the City. A line item would be added to property owner's utility bills to allow them to have the option of rounding up to the nearest dollar and donate money towards athletic and arts programs. The details of the athletic and arts programs have not been discussed. The Park Board has recommended the City Council direct staff to conduct research on the idea and staff is requesting direction from the City Council to research the potential legalities and logistics to allow for this type of program.

Councilmember Coop explained that he is aware of this type of donation program and would like to investigate whether this concept is feasible for the city. Councilmember Trost suggested a line item be added to the city's utility bill for such programs. He also noted that the Minnesota Valley Electric Cooperative offers donations.

MOTION by Councilmember Coop, second by Mayor Lies, to direct staff to research the potential legalities and logistics and feasibility of implementing a software program that would allow donations to be accepted by a rounding-up program on payments of the city's utility bills for the purpose of funding youth recreational and/or park related activities. ALL VOTED AYE. MOTION CARRIED.

8.7. Discussion on HRA Program for Building Permit Fee Reduction.

Councilmember Trost would like to re-visit the criteria listed for the HRA program for building permit fee reduction. The program limits the incentive to a maximum of two new homes per builder. He suggested the language be modified so that a builder is allowed to receive the incentive for additional new homes, if the homes are sold. A maximum of two unsold spec homes per builder would remain in effect.

Councilmember Coop suggested that this issue be sent to the HRA for review. He noted that he would like to review the other HRA incentive programs as well.

MOTION by Councilmember Trost, second by Councilmember Coop, direct staff to schedule an HRA meeting for the purpose of reviewing the HRA incentive programs and consideration of modifying the building permit fee reduction program. ALL VOTED AYE. MOTION CARRIED.

Recess Regular Session.

The Mayor recessed the regular session at 7:24 p.m.

8.8. Closed Session.

Mayor Lies announced the closed session at 7:37 p.m. with Councilmembers Trost, Coop, Schneider, Pingalore and Chard present. Also present were City Administrator Murphy and Finance Director Meyer.

The purpose of the closed session was to continue labor union negotiations with the International Union of Operating Engineers, Local No. 49.

Reconvene Regular Session.

Mayor Lies reconvened the regular session at 8:07 p.m.

8.9. Resolution 12-113 Approving 3-Year Contract with International Union of Operating Engineers, Local No. 49.

No action was taken on Resolution 12-113 Approving 3-Year Contract with International Union of Operating Engineers, Local No. 49.

9. ADMINISTRATION.
9.1. Upcoming Meetings.
1. Public Works, 11:00 a.m., Wednesday, September 5.
2. EDA, 5:00 p.m., Monday, September 10.
3. Planning Commission, 7:00 p.m., Monday, September 10.
4. Finance Ways & Means, 5:30 p.m., Tuesday, September 11.
5. Design Committee, 5:00 p.m., Monday, September 20.
6. City Council, 6:00 p.m., Monday, September 20.

The council rescheduled the Finance Ways & Means meeting from 5:30 p.m., Tuesday, September 11, to Friday, September 21, at 11:00 a.m. The Fire Relief Schedules I and II will be discussed.

10. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Trost, to adjourn at 8:13 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary