BELLE PLAINE CITY COUNCIL
REGULAR SESSION
SEPTEMBER 17, 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, September 17, 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. Commissioner Paul Chard arrived at 6:22 p.m.

Also present were City Administrator David Murphy, Community Development Director Trisha Rosenfeld, Public Works Superintendent Al Fahey, Finance Director Dawn Meyer and Police Chief Tom Stolee. Zachary Schoenecker served as the video recording operator.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of September 4, 2012.
4.2. Resolution 12-115, Appointing Logan Haskins as a Part-Time Police Officer with the Belle Plaine Police Department.
4.3. Resolution 12-119 Calling for Hearing on Final Assessment for the 2012 Street Improvement Project.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the consent agenda as follows: 4.1. Regular Session Minutes of September 4, 2012, 4.2. Resolution 12-115, Appointing Logan Haskins as a Part-Time Police Officer with the Belle Plaine Police Department and 4.3. Resolution 12-119 Calling for Hearing on Final Assessment for the 2012 Street Improvement Project. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department.

Ridgeview Ambulance Manager Doug Sweeney was present. The Council acknowledged receipt of the Ambulance Department report.

5.2. Fire Department.

Fire Chief Randy Koepp was not present. The Council acknowledged receipt of the Fire Department report.

5.3. Police Department.

Police Chief Tom Stolee was present. The Council acknowledged receipt of the Police Department report.

5.4. Community Development Department.

Community Development Director Trisha Rosenfeld was present. The Council acknowledged receipt of the Community Development Department report.

5.5. City Administration Report.

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

6. PUBLIC FORUM.

Darrel Kern, 844 Lindsey Lane, addressed the council regarding storm water drainage issues. He stated he has been in contact with Scott County and the State regarding the issues. Public Works Superintendent Fahey explained the drainage issue is nearing resolution.

7. PUBLIC HEARINGS.

7.1 Ordinance Amendment 12-04. The City Council will consider public comment on proposed Ordinance Amendment 12-04, Amending the Zoning and Subdivision Ordinances, to allow certain structures within easements and bluff areas.

Mayor Lies referenced a memo dated September 17, 2012 from Community Development Director Rosenfeld regarding proposed Ordinance 12-04 pertaining to structures in easement and bluff areas.

Community Development Director Rosenfeld explained a public hearing was called to consider an ordinance amendment to allow various types of structures in city easements and the bluff area. The proposed language was created by a compilation of other cities that have this type of ordinance in effect. Legal counsel and other staff members (public works, engineering) have also received a copy of the draft language. Upon adoption of the proposed language, staff will create an application and agreement for property owners to submit with the zoning/building permit. This document will be based on the adopted ordinance changes.

Mayor Lies opened the public hearing at 6:10 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to close the public hearing at 6:11 p.m. ALL VOTED AYE. MOTION CARRIED.

1. Reading Ordinance 12-04, Amending the Zoning Ordinance to Allow Structures in Easements and Bluff Areas.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to approve the adoption of Ordinance 12-04, Amending the Zoning Ordinance to Allow Structures in Easements and Bluff Areas. ALL VOTED AYE. MOTION CARRIED.

2. Resolution 12-116 Modifying the City's 2012 Fee Schedule by Adding Easement and Bluff Encroachment Permit Fee.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to approve Resolution 12-116 Modifying the City's 2012 Fee Schedule by Adding Easement and Bluff Encroachment Permit Fee. ALL VOTED AYE. MOTION CARRIED.

3. Resolution 12-117 Authorizing Summary Publication of Ordinance 12-04.

MOTION by Councilmember Trost, second by Councilmember Coop, to approve Resolution 12-117 Authorizing Summary Publication of Ordinance 12-04. ALL VOTED AYE. MOTION CARRIED.

7.2. Ordinance Amendment 12-05. The City Council will consider public comment on proposed Ordinance Amendment 12-05 pertaining to peddler permit regulations.

Mayor Lies referenced a memo dated September 17, 2012 from City Administrator Murphy regarding Ordinance Amendment 12-05.

City Administrator Murphy explained this item was brought forward by Council Member Coop and staff was directed by city council to prepare an amendment to city code requiring peddlers to obtain a photo identification card to conduct business in the City of Belle Plaine. The proposed code amendment accomplishes that directive and has been reviewed by City Attorney Vose and meets his approval as to form and content.

Mayor Lies opened the public hearing at 6:13 p.m. and asked for public comment.

Councilmember Coop requested language requiring peddlers to have the photo identification visibly displayed while conducting business.

MOTION by Councilmember Pingalore, second by Councilmember Coop, to close the public hearing at 6:15 p.m. ALL VOTED AYE. MOTION CARRIED.

1. Reading Ordinance 12-05, Amending Section 301 of the City Code Pertaining to Peddler Permit Regulations.

MOTION by Councilmember Coop, second by Councilmember Pingalore, to adopted Ordinance 12-05, Amending Section 301 of the City Code Pertaining to Peddler Permit Regulations, with the addition of language requiring the photo identification card to be visibly displayed while conducting business. ALL VOTED AYE. MOTION CARRIED.

Councilmember Coop noted that non-profit organizations are exempt from the photo identification card regulations, although this issue may need to be reviewed in the future. Councilmember Trost recommended an article be placed in the city's newsletter regarding the new regulation.

2. Resolution 12-118 Modifying the City's 2012 Fee Schedule by Adding Photo Identification Card Fee for Peddler Permits.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 12-118 Modifying the City's 2012 Fee Schedule by Adding Photo Identification Card Fee for Peddler Permits. ALL VOTED AYE. MOTION CARRIED.

8. BUSINESS.

8.1. Presentation of Claims.

MOTION by Councilmember Pingalore, second by Councilmember Trost, to approve the Presentation of Claims. ALL VOTED AYE. MOTION CARRIED.

Councilmember Chard arrived at 6:22 p.m.

8.2. Resolution 12-109 Awarding Bid for Cherry Street Ravine Project.

Mayor Lies referenced a memo dated September 17, 2012 from City Administrator Murphy regarding awarding the bid for the Cherry Street ravine project.

City Administrator Murphy explained bids for the 2012 Cherry Street ravine project were opened on August 23, 2012. The bids were reviewed and calculated and the lowest responsible bidder is Selly Excavating, Inc., at $22,191. The project is a priority due to the proximity to the railroad and the access that is needed to the DNR lands.

Paul Nordel, MN DNR, and Scott Potter, Minnesota 4-Wheeler Association were present. Mr. Nordel explained the importance of maintaining an access to the DNR lands for the volunteer clean up crews. He commented on the seriousness of West Nile virus resulting from mosquito infestation and the efforts to control the disease. The members of the MN 4 Wheeler Association donate labor and equipment to remove debris. Public Works Superintendent Fahey reported on the cooperation of the railroad personnel as well. Councilmember Trost suggested the DNR assist with a cost share for the road improvement. Mayor Lies thanked Mr. Nordell and Mr. Potter and the Minnesota 4-Wheeler Association for their assistance.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 12-109 Awarding Bid for Cherry Street Ravine Project. ALL VOTED AYE. MOTION CARRIED.

8.3. Schedule Special Session to Certify General Election Results.

The special session to certify the General Election results was scheduled for 6:00 a.m. on Friday, November 9, 2012. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Meetings.
1. Park Board, 5:00 p.m., Monday, September 24.
2. City Council, 6:00 p.m., Monday, October 1.
3. Public Works, 11:00 a.m., Tuesday, October 2.
4. EDA, 5:00 p.m., Monday, October 8.
5. Planning Commission, 7:00 p.m., Monday, October 8.

The council was reminded of the upcoming meetings as listed.

10. ADJOURN.

MOTION by Councilmember Trost, second by Councilmember Pingalore, to adjourn at 6:29 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary