

**BELLE PLAINE CITY COUNCIL  
REGULAR SESSION  
OCTOBER 3, 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 Monday, October 3, 2011 at 6:30 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, Paul Chard, Scott Schneider and Michael Pingalore present.

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. Beth Dempsey served as the Video Recording Operator.

**3. APPROVAL OF AGENDA.**

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

**4. APPROVAL OF CONSENT AGENDA.**

**4.1. Regular Session Minutes of September 19, 2011.**

**4.2. Resolution 11-116 Adopting Special Assessment for Delinquent Code Enforcement at 125 North Cedar Street.**

**4.3. Resolution 11-118 Authorizing Summary Publication of Ordinance 11-09, Pertaining to Variances and Buildable Land Definition.**

MOTION by Councilmember Pingalore, second by Councilmember Chard, to approve the consent agenda as follows: 4.1. Regular Session Minutes of September 19, 2011, 4.2. Resolution 11-116 Adopting Special Assessment for Delinquent Code Enforcement at 125 North Cedar Street, and 4.3. Resolution 11-118 Authorizing Summary Publication of Ordinance 11-09, Pertaining to Variances and Buildable Land Definition. 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 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. He noted that the final budget will be prepared for approval in December and the council is to advise if they would like another budget workshop prior to December. The Council acknowledged receipt of the City Administration report.

## **6. PUBLIC FORUM.**

No one spoke at the public hearing.

## **7. PUBLIC HEARINGS – NONE SCHEDULED.**

## **8. BUSINESS.**

### **8.1. Presentation of Claims.**

**1. Pay Request No. 8 and Final by Chard Tiling for \$37,546.32 for the TH169 South Frontage Road Project.**

**2. Pay Request No. 2 by Chard Tiling for \$369,818.04 the 2011 Street Improvement Project.**

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the Presentation of Claims, Pay Request No. 8 and Final by Chard Tiling for \$37,546.32 for the TH169 South Frontage Road Project, and Pay Request No. 2 by Chard Tiling for \$369,818.04 the 2011 Street Improvement Project. ALL VOTED AYE. MOTION CARRIED.

### **8.2. Fire Bill Appeal for 909 South Walnut Street.**

Mayor Lies referenced a memo dated October 3, 2011 from Finance Director Meyer regarding a fire bill appeal.

Finance Director Meyer explained that on July 21, 2011, the Belle Plaine Fire Department was paged to respond to 909 Walnut Street South for an emergency. The City billed the owner for the call per the City's policy and fee schedule. The property owner is responsible for the bill and he is appealing the charges to the City Council. The City does not reduce or dismiss fire bill charges unless there is a discrepancy regarding type of billing. The City charges individuals for fire department response in an effort to defer costs incurred for the specific incident emergency, which reduces the burden on tax dollars.

It was the consensus of the council to uphold the bill amount as per City policy as recommended by Finance Director Meyer and Fire Chief Koepp.

### **8.3. 2011 Street Improvement Project.**

#### **1. Discussion on Proposed Changes to the 2011 Street Improvement Project.**

Mayor Lies referenced a memo dated October 3, 2011 from City Administrator Murphy regarding changes to the 2011 street project.

City Administrator Murphy explained that during the project, it has become apparent that the most economically feasible time to reconstruct the surface of the 100 block of North Elm Street is in conjunction with the current project.

City Engineer Joe Duncan and Public Works Superintendent further explained that the two affected property owners have agreed to the assessments and have indicated they will sign a waiver of appeal. The change order will be prepared for an upcoming council meeting.

MOTION by Councilmember Trost, second by Councilmember Chard, to direct staff to proceed with the preparation of a change order to add the 100 block of North Elm Street to the 2011 street improvement project. ALL VOTED AYE. MOTION CARRIED.

**2. Resolution 11-117 Calling for Public Hearing for Final Assessment for the 2011 Street Improvement Project.**

Mayor Lies referenced a memo dated October 3, 2011 from City Administrator Murphy regarding the public hearing for the final assessment for the 2011 street project.

City Administrator Murphy explained the 2011 street improvement project is nearing completion and final cost estimates are known. The assessments will need to be certified no later than November 21, 2011. This resolution calls for a public hearing where all affected property owners will have the opportunity to comment on the final assessment roll.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 11-117 Calling for Public Hearing for Final Assessment for the 2011 Street Improvement Project. ALL VOTED AYE. MOTION CARRIED.

**9. ADMINISTRATION.**

**9.1. Upcoming Meetings.**

- 1. EDA, 5:00 p.m., Monday, Oct. 10.**
- 2. Planning Commission, 7:00 p.m., Monday, Oct. 10.**
- 3. Design Committee, 5:00 p.m., Monday, Oct. 17.**
- 4. City Council, 6:30 p.m., Monday, Oct. 17.**

The council members were reminded of the upcoming meetings as listed. A closed personnel committee meeting for the performance evaluation of City Administrator Murphy immediately followed this evening's regular session.

**10. ADJOURN.**

MOTION by Councilmember Coop, second by Councilmember Schneider, to adjourn at 6:47 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings  
Recording Secretary