

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
NOVEMBER 1, 2010**

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, November 1, 2010 at 6:00 p.m. at the Government Center, 218 North Meridian Street, Belle Plaine, MN. Mayor Tim Lies called the meeting to order with Councilmembers Jim Lange, Gary Trost, Dawn Underferth, Tim O'Laughlin and Cary Coop 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 Attorney Bob Vose and Video Recording Operator Beth Dempsey.

3. APPROVAL OF AGENDA.

MOTION by Councilmember O'Laughlin, 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 October 18, 2010.

4.2. Resolution 10-127 Approving Modifications to the EDA Façade Improvement Loan Program.

MOTION by Councilmember O'Laughlin, second by Councilmember Underferth, to approve the consent agenda as follows: 4.1. Regular Session Minutes of October 18, 2010, and 4.2. Resolution 10-127 Approving Modifications to the EDA Façade Improvement Loan Program. 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 and Parks Department.

Public Works Superintendent Al Fahey was present. He reported that he is working with the State regarding the pool improvements. The Council acknowledged receipt of the Public Works Department report.

5.3. Engineer Report.

City Engineer Joe Duncan was not present. The Council acknowledged receipt of the Engineer Report.

5.4. City Administration Report.

City Administrator David Murphy was present. He announced the Mayor and Council are invited to attend the Coborns Superstore ribbon cutting ceremony on November 17, 2010 at 9:00 a.m. The Council acknowledged receipt of the City Administration report.

6. PUBLIC FORUM.

No one spoke at the public forum.

7. PUBLIC HEARINGS – NONE SCHEDULED.

8. BUSINESS.

8.1. Presentation of Claims.

- 1. Pay Request No. 1 and Final by Asphalt Surface Tech. Corp. for \$88,694.50 for the 2010 Seal Coat Project.**
- 2. Pay Request No. 2 by Chard Tiling for \$49,128.22 for the 2010 Sidewalk Improvement Project.**
- 3. Pay Request No. 2 by Schneider Excavating for \$81,402.29 for the 2010 Drainage Stabilization Project.**

Councilmember Trost inquired about the utility bills at the water treatment and water storage facility. Staff will report back with details about the bills.

MOTION by Councilmember Lange, second by Councilmember Trost, to approve the Presentation of Claims, Pay Request No. 1 and Final by Asphalt Surface Tech. Corp. for \$88,694.50 for the 2010 Seal Coat Project, Pay Request No. 2 by Chard Tiling for \$49,128.22 for the 2010 Sidewalk Improvement Project and Pay Request No. 2 by Schneider Excavating for \$81,402.29 for the 2010 Drainage Stabilization Project. ALL VOTED AYE. MOTION CARRIED.

8.2. Funding Options for CSAH 3.

Mayor Lies referenced a memo dated November 1, 2010 from City Administrator Murphy regarding funding opportunities offered by the State.

City Administrator Murphy explained that MnDOT representative Matt Shands presented the criteria and requirements on October 26, 2010 in Brooklyn Park. The Transportation Economic Development (TED) program is funded for one year. This program was approved by the legislature and they are looking for demonstrable progress in the near-term. A high priority is private investment in the project. It became very clear that what they are not looking for are projects that would re-locate jobs, focus on retail development and are not speculation. Mr. Shands reported the direction he received is that the legislature has funded enough projects where the industrial park is still sitting vacant with new steets etc. sitting idle. Top priority will be given to projects that have a visible, viable private component to it. Applications with private money and a business construction plan and timetable will be the ones that will be funded.

MnDOT also presented the requirements for the Safety and Mobility (SAM) Interchange Program. It was learned during the meeting that top priority will be given to projects that alleviate high volume approaches to Trunk Highways. It is apparent that high volume intersections with trunk highways will most likely have a higher volume of serious crashes. The goal of this program is to try to correct some of the state's most dangerous intersections. One small glimmer of hope is that the window of crash data that will be evaluated is from 2000 to 2010. This timetable includes the period when CSAH 3/Meridian was not controlled with a ¾ access. City Administrator Murphy noted that representatives from Chaska were present and spoke afterwards with the MnDOT reps about the 41/169 intersection. City Administrator Murphy commented that after attending the meeting, it was apparent that the chance of success for Belle

Plaine's project is minimal at best. He recommend the City not spend the money to prepare applications for this project.

The council concurred with City Administrator Murphy and no further action was taken.

8.3. Downtown Tree Lighting.

Mayor Lies referenced a memo dated November 1, 2010 from Community Development Director Rosenfeld regarding the downtown tree lights.

Community Development Director Rosenfeld explained the City Council and Beautification Committee suggested the tree lights in the downtown be turned off for a 2-week trial period from September 26 - October 10. This was recommended by the Beautification Committee in order to solicit feedback from residents and community members as to what affect the tree lights have on the ambiance of the downtown. The lights were unplugged for this time period and limited feedback was received. Most feedback received indicated the lights should remain on. The Beautification Committee discussed the feedback at their October 12 meeting. A majority of the Beautification committee is requesting the tree lights in the downtown be turned off, with the exception to the holiday season. The Beautification Committee concluded the financial burden of the maintenance should not fall on the City for something the Chamber had originally initiated. The Beautification Committee also felt the downtown is an exclusive part of the community and should not have to strain the taxpayers of the entire community. The Chamber also indicated at this meeting the lights on the tree in Townsend Park also needs to be considered. The Beautification Committee felt the City should not be lighting this tree and the Chamber should look for other organizations to assist them with their festivities. During the Beautification Committee meeting, Council member Coop questioned the equipment necessary and if there were different options that could be explored or utilized. Council member O'Laughlin further suggested the safety concern that may be present and requested an evaluation be performed in not only the downtown area, but the City's parks and common areas also.

The Design Committee also discussed the tree lights in the downtown at their October 18, 2010 meeting. There were questions as to the maintenance cost and previous care. Staff reminded the committee that the Chamber of Commerce has requested the City take over the downtown tree lights and lighting of the large tree in Townsend Park because they do not have the financial means to continue the maintenance and this type of project does not fit within their mission of the organization. The Design Committee disagreed with the Beautification Committee and would like to see the lights left on in the downtown, if not permanently, but temporarily until the economy and state of the downtown turns around. Also suggested was that if the lights are left on, as some of them are now, they are maintained and not left "half on, half off", as that looks worse.

The Council discussed this issue at the work session on October 25, 2010. Direction was given to staff to have cost estimates provided at the next Council meeting for LED lights for the boulevard trees in the downtown and estimates from contractors to maintain the lights on a contractual basis.

Public Works Superintendent Fahey distributed the quotes from three local contractors for the maintenance of the downtown tree lights.

Mayor Lies questioned the recommendation from the Beautification Committee to remove the lights. Councilmember Underferth explained that it was due to the high cost only and that the Committee would support tree lighting if the cost was feasible. Councilmember Trost recommended the tree lights be removed. He said it is too much money and recommended that the downtown business owners pay for the lights, if they want them. Councilmember Trost commented that other commercial districts do not have decorative tree lighting. Councilmember Coop disagreed. He recommended this issue be placed on the November work session to allow time for more discussion and options. He said he would like to support

the downtown businesses. Councilmember Lange questioned the maintenance of the banners on the TH25 bridge and suggested the City participate in that function. Mayor Lies agreed, commented that the banners would be more of a general location, rather than expending funds related to the downtown only. Community Development Director Rosenfeld explained that the Chamber of Commerce asked for holiday decorating funds last year and the City authorized \$1,800 as a result.

Councilmember Underferth stated she would like time to thoroughly review the quotes submitted by the local contractors. Councilmember Trost was opposed to the investment in LED lights as an ice storm will destroy the lights. Councilmember Lange commented that he would like something done now as the holiday season is upon us. Mayor Lies summarized the need for a determination as to whether there are no lights, lights during the holiday season only, or year-around lighting. Public Works Superintendent Fahey explained that there are many trees that are now only partially lit and inquired about council direction regarding those trees. Councilmember O'Laughlin supported getting the tree lights fixed in time for the holiday season. Mayor Lies asked Finance Director Meyer about the City's budget for tree lighting maintenance. Finance Director Meyer responded that the expense would be a spend-down of the City's general fund and noted that the council may wish to look at the Park Fund.

MOTION by Councilmember O'Laughlin, second by Councilmember Lange, to direct staff to proceed with upgrading eight of the partially-lit trees in the downtown area by replacing and adding new L.E.D. lights. The other eight trees shall remain as they are.

Councilmember Trost asked about the expense of lighting the eight trees. He said he cannot vote until there is a dollar amount included in the motion. Councilmember Trost referenced the quotes and said it appears it costs \$3,000 to put the lights up and \$3,000 to take them down again. Councilmember O'Laughlin responded by saying that Councilmember Trost has the right to vote nay to the motion if he feels the cost is too high.

Councilmember O'Laughlin and Councilmember Lange amended their motion and second as follows:

MOTION by Councilmember O'Laughlin, second by Councilmember Lange, to AMEND the motion to now read that staff is directed to proceed with upgrading eight of the partially-lit trees in the downtown area by replacing and adding new L.E.D. lights, at a cost not to exceed \$5,000. The other eight trees shall remain as they are. Councilmembers O'Laughlin, Lange and Coop VOTED AYE. Mayor Lies and Councilmembers Trost and Underferth VOTED NAY. MOTION FAILED 3-3.

Mayor Lies asked City Attorney Vose for his opinion about the City donating funds back to the Chamber for the tree lighting program. City Attorney Vose explained the City cannot make a donation to an organization, however the City can pay for services; in this case – for contracted services for tree lighting.

Councilmember Coop suggested that staff prepare a resolution for the next council meeting that includes all the options for the tree lighting program. Mayor Lies and the Council concurred. This issue will be placed on the City Council agenda for November 15, 2010.

9. ADMINISTRATION.

9.1. Upcoming Meetings.

- 1. General Election, Tuesday, Nov. 2.**
- 2. Public Safety, 3:30 p.m., Wednesday, Nov. 3.**
- 3. Special Session, 6:30 a.m., Friday, Nov. 5.**
- 4. EDA, 5:00 p.m., Monday, Nov. 8.**
- 5. Planning Commission, 7:00 p.m., Monday, Nov. 8.**
- 6. Park Board, 5:00 p.m., Tuesday, Nov. 9.**
- 7. Community Services Recreation Board, 5:00 p.m., Monday, Nov. 15.**

8. Design Committee, 5:00 p.m., Monday, Nov. 15.

9. City Council, 6:00 p.m., Monday, Nov. 15.

The Council was reminded of the upcoming meetings as listed.

10. ADJOURN.

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

Respectfully submitted,

Patricia Krings
Recording Secretary