

**BELLE PLAINE CITY COUNCIL
REGULAR MEETING
NOVEMBER 2, 2020**

1. PLEDGE OF ALLEGIANCE.

Mayor Meyer 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 2, 2020 at 6:30 PM in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Meyer called the meeting to order with Councilmembers Cary Coop, Renee LeMieux, Paul Chard and Patricia Krings present.

Also present were City Administrator Meyer, Police Chief Stier, Community Development Director Smith Strack, City Engineer Duncan, Public Works Superintendent Fahey and City Attorney Vose.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

- 4.1. Regular Session Minutes of October 19, 2020.
- 4.2. Work Session Minutes of October 19, 2020.
- 4.3. Special Closed Session Minutes of October 19, 2020.
- 4.4. Call for the Public Hearing on the Proposed Fee Changes for the City's 2021 Fee Schedule.
- 4.5. Resolution 20-134 Approving Designation of Polling Locations for the 2021 Election.
- 4.6. Accept Resignation of Firefighter, Aaron Provancha
- 4.7. Resolution 20-135 Partially Accepting the NSI Extension Project and Starting Warranty.
- 4.8. Resolution 20-136 Accepting the 2018 Street & Utility Project and Closing the 2018 Street Project Fund (490) and the 2018 Alley Project Fund (489).
- ~~4.9. Call for Public Hearing for the Ordinance 20-12 Parking Regulations.~~
- 4.10. Resolution 20-137 Approving Fire Relief Schedules I and II for 2020, and Establishing the Annual Benefit Amount at \$3,000 and the 2021 Municipal Contribution at \$12,789.00.
- 4.11. Resolution 20-140 Appointing Ice Rink Attendants.
- 4.12. Resolution 20-142 Approving Purchase Agreement with Hill Properties, Inc. for Land Acquisition.
- 4.13. Resolution 20-143 Accepting the Water Tower No. 2 Coating Repair Project.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve the consent agenda as presented: 4.1. Regular Session Minutes of October 19, 2020: 4.2. Work Session Minutes of October 19, 2020: 4.3. Special Closed Session Minutes of October 19, 2020: 4.4. Call for the Public Hearing on the Proposed Fee Changes for the City's 2021 Fee Schedule: 4.5. Resolution 20-134 Approving Designation of Polling Locations for the 2021 Election: 4.6. Accept Resignation of Firefighter, Aaron Provancha; 4.7. Resolution 20-135 Partially Accepting the NSI Extension Project and Starting Warranty; 4.8. Resolution 20-136 Accepting the 2018 Street & Utility Project and Closing the 2018 Street Project Fund (490) and the 2018 Alley Project Fund (489); ~~4.9. Call for Public Hearing for the Ordinance 20-12 Parking Regulations;~~ 4.10. Resolution 20-137 Approving Fire Relief Schedules I and II for 2020, and Establishing the Annual Benefit Amount at \$3,000 and the 2021 Municipal Contribution at \$12,789.00; 4.11. Resolution 20-140 Appointing Ice Rink Attendants; 4.12. Resolution 20-142 Approving Purchase Agreement with Hill Properties, Inc. for Land Acquisition and 4.13. Resolution 20-143 Accepting the Water Tower No. 2 Coating Repair Project. Councilmember Krings requested item ~~4.9. Ordinance 20-12 Parking Regulations~~ be moved to business 7.4.

AMENDED MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve the consent agenda as with adjustments: 4.1. Regular Session Minutes of October 19, 2020: 4.2. Work

Session Minutes of October 19, 2020: 4.3. Special Closed Session Minutes of October 19, 2020: 4.4. Call for the Public Hearing on the Proposed Fee Changes for the City's 2021 Fee Schedule: 4.5. Resolution 20-134 Approving Designation of Polling Locations for the 2021 Election: 4.6. Accept Resignation of Firefighter, Aaron Provancha; 4.7. Resolution 20-135 Partially Accepting the NSI Extension Project and Starting Warranty; 4.8. Resolution 20-136 Accepting the 2018 Street & Utility Project and Closing the 2018 Street Project Fund (490) and the 2018 Alley Project Fund (489); ~~4.9. Call for Public Hearing for the Ordinance 20-12 Parking Regulations;~~ 4.10. Resolution 20-137 Approving Fire Relief Schedules I and II for 2020, and Establishing the Annual Benefit Amount at \$3,000 and the 2021 Municipal Contribution at \$12,789.00; 4.11. Resolution 20-140 Appointing Ice Rink Attendants; 4.12. Resolution 20-142 Approving Purchase Agreement with Hill Properties, Inc. for Land Acquisition and 4.13. Resolution 20-143 Accepting the Water Tower No. 2 Coating Repair Project. ALL VOTED AYE. MOTION CARRIED.

Mayor Meyer inquired on why the warranty will be backdated. City Administrator Meyer explained the work was completed as of June 1, 2020 and noted the only outstanding item is turf.

5. DEPARTMENT REPORTS.

5.1. Public Works Report.

Public Works Superintendent Fahey was present. Fahey highlighted the Public Works Report and noted barricades for the downtown patios were removed October 19 the day before the huge snowstorm.

5.2. City Engineer Report.

City Engineer Duncan was present. Duncan highlighted the City Engineer Report.

Mayor Meyer inquired if the sliding hill is complete. Public Works Superintendent Fahey confirmed the hill is complete and awaiting snow.

5.3. Administrator Report.

City Administrator Meyer was present. Meyer highlighted the Administrators Report and noted the Bond will be reviewed at tonight's meeting. Meyer explained the City has received an AA rating with a stable outlook. Meyer note elections will be held at City Hall tomorrow.

5.4. Emergency Operations Update.

Police Chief Stier was present. Stier highlighted the Emergency Operations Update and noted the County's COVID positivity rates.

City Administrator Meyer requested Stier update the Council on the statewide mutual aid. Chief Stier explained the state has administered a statewide mutual aid agreement allowing Cities to cover other Cities in times of need. Mayor Meyer inquired if compensation would be similar to when Officers went to Minneapolis. Stier confirmed the compensation. Meyer noted an uptick in calls regarding parking at the COVID testing site on Prairie Street. Stier confirmed the he has received multiple calls and note the department will step up monitoring traffic in the area.

6. PUBLIC HEARINGS.

Mayor Meyer introduced Block 89 Sanitary Sewer as part of the 2021 Improvement Project.

6.1. Block 89 Sanitary Sewer as part of the 2021 Improvement Project. The City Council will accept public comment on the proposed Block 89 Sanitary Sewer as part of the 2021 Improvement Project. City Administrator Meyer explained the Block 89 Sanitary Sewer was brought forward after Council directed review of the Sewer and by the recommendation of the Public Works Committee.

City Engineer Duncan presented a brief slideshow presentation of the Block 89 Sanitary Sewer Project, which included location, replacements and potential improvements. Duncan explained the total cost of sewer only is estimated at \$66,260.00 and falls under our assessment policy and \$27,770.00 for bituminous surfacing which if approved is 100% assessable to the residents.

Mayor Meyer opened the public hearing at 6:46 PM and asked for public comment.

No one stepped forward.

MOTION by Councilmember Krings, second by Councilmember Coop, to close the public hearing at 6:46 PM. ALL VOTED AYE. MOTION CARRIED.

6.1.1. Resolution 20-138 Ordering Improvements and Directing City Engineer to Prepare Final Plans and Specifications for the Block 89 Sanitary Sewer as part of the 2021 Improvement Project.

Councilmember Coop inquired if resolution 20-138 will need to be amended if the paving is removed. City Administrator Meyer explained the resolution includes the bituminous surface and can be withdrawn after the bid if Council chooses to remove. Councilmember LeMieux clarified the bituminous surface will be assessed at 100% resident cost. Mayor Meyer confirmed and noted if council determines cost is too much it can be removed at time of awarding the bid. Coop inquired if Council had a preference. Meyer explained moving forward with the bituminous surfacing and remove if numbers come in high. Meyer noted he has not received any contact from residents for or against. City Administrator Meyer explained letters were mailed to the affected property owners.

It was the consensus of the Council to move forward with the bituminous surface and the option to remove at bidding.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve Resolution 20-138 Ordering Improvements and Directing City Engineer to Prepare Final Plans and Specifications for the Block 89 Sanitary Sewer as part of the 2021 Improvement Project. ALL VOTED AYE. MOTION CARRIED.

Mayor Meyer introduced the agenda item final assessment hearing for the 2020 Street Project.

6.2. Final Assessment Hearing for the 2020 Street Improvement Project. The City Council will accept public comment on assessments for the 2020 Street Improvement Project.

City Administrator Meyer explained the 2020 Street Improvement Project is complete subject to final ware course and punch list items. Meyer noted resolution 20-139 will be adjusted under item number 2, the interest rate will be dropped to 3.75% based on the rating interest cost decrease for the City being passed on to the residents. City Engineer Duncan explained the assessment policy was used and some updates and increases for resident approved additional services at an additional cost. Duncan noted the total project came in \$30,000.00-50,000.00 below the bid price.

Mayor Meyer opened the public hearing at 6:54 PM and asked for public comment.

Christopher and Lauren Wood, 225 W. Forrest Street explained they received the proposed assessment and are objecting to the assessment. Wood's explained they believe City improvements should be covered under their current taxes and expressed concern regarding the notification process stating they were not notified. Mr. Wood explained the improvements will add an additional \$2,000 per year to their taxes which they cannot afford.

Mayor Meyer thanked the Wood's for their testimony and explained a definite notification process is held for improvement projects. Meyer noted part of a purchase agreement requires notification of pending assessments.

City Administrator Meyer requested Mr. and Mrs. Wood sign their appeal letter and turn in to staff as part of the appeal process.

MOTION by Councilmember LeMieux, second by Councilmember Coop, to close the public hearing at 6:57 PM. ALL VOTED AYE. MOTION CARRIED.

6.2.1. Resolution 20-139 Adopting Final Assessment for the 2020 Street Improvement Project.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve Resolution 20-139 Adopting Final Assessment for the 2020 Street Improvement Project with the adjustment to the interest rate to 3.75%. ALL VOTED AYE. MOTION CARRIED.

7. BUSINESS.

7.1. Presentation of Claims.

- 7.1.1. Pay Request No. 6 by EJM Pipe Services, Inc. for NSI Extension Project.
- 7.1.2. Pay Request No. 7 (Final) by OMG Midwest, Inc. dba Chard for 2018 Street and Utility Improvement Project.
- 7.1.3. Pay Request No. 6 by BCM Construction, Inc. for 2020 Street and Utility Improvement Project.
- 7.1.4. Pay Request No. 3 (Final) by Maguire Iron, for Water Tower #2 Coating Project.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve the presentation of claims. ALL VOTED AYE. MOTION CARRIED.

7.2. Resolution 20-141 Awarding the Sale General Obligation Improvement Bonds, Series 2020A.

City Administrator Meyer explained the 2020A Bonds were sold this morning, which include the 2020 Assessment bonding and the refunding of the 2012 EDA Bond. Meyer explained the favorable bids and interest rates were received with the final loan amount changing due to the reduction in the premium.

Todd Hagen of Ehlers was present to review the bonds sale. Hagen explained four bids were received with three bids being very similar. Hagen noted the City of Belle Plaine is teetering on a AA+ rating which is good for the future of City bonds.

Mayor Meyer inquired on the rating very strong management. Hagen explained "very strong management" is the highest score a City can receive. Councilmember Coop inquired on the strong institutional framework rating. Hagen explained the rating is given to cities with a population greater than 2,500. City Administrator Meyer explained the score for institutional framework is based on population and staffing as the City employees both a full time clerk and Administrator to separate duties.

MOTION by Coop, second by Chard, to approve Resolution 20-141 Awarding the Sale General Obligation Improvement Bonds, Series 2020A. ALL VOTED AYE. MOTION CARRIED.

7.3. Appeal of PERA Determination of Disability.

City Administrator Meyer explained enclosed in the packet was a memo from City Attorney Aslop and herself. Meyer explained staff ask council to either recommend or deny recommending an appeal based on the determination on the duty disability received from the PERA regarding a benefit notice the City received.

Mayor Meyer requested questions from council and requested focus on the number of \$430,000.00 over a period of time. Councilmember LeMieux inquired what an appeal would cost the City. City Administrator Meyer explained a letter would be filed first and legal costs along with professional expert costs would be incurred depending on how in depth the City would have to go a range of \$10,000.00-20,000.00. LeMieux inquired if Meyer had any experience on the success rate of an appeal. Meyer explained this is the first duty disability received by the City of Belle Plaine.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve denial of recommendation of appeal. ALL VOTED AYE. MOTION CARRIED.

7.4. Call for Public Hearing for the Ordinance 20-12 Parking Regulations.

Councilmember Krings explained she does not support moving forward with Ordinance 20-12.

Mayor Meyer explained he did receive some calls regarding the proposed ordinance. Meyer also noted he drove around town two times during the proposed affected times and noticed many vehicles parked on streets that would be affected by the change.

Councilmember LeMieux explained her research concluded the proposed change would run for 151 days and noted careful thought before making a big change.

Councilmember Coop explained he was in favor of calling for the public hearing to continue the process to allow residents to come forward and voice their opinion. Coop noted residents may have better recommendations.

Councilmember Chard concurred with Councilmember Coop and noted a possible 12:00 AM – 6:00 AM timeframe may be better. Chard suggested moving forward to a public hearing.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Call for Public Hearing for the Ordinance 20-12 Parking Regulations. Councilmembers Coop, Chard, Meyer and LeMieux VOTED AYE. Councilmember Krings VOTED NAY. MOTION CARRIED 4-1.

8. ADMINISTRATION.

8.1. Upcoming Tentative Meetings.

1. General Election, 7:00 AM – 8:00 PM, Tuesday, November 3.
2. EDA, 5:00 PM, Monday, November 9.
3. Planning, 6:30 PM, Monday, November 9.
4. Public Safety, 7:30 AM, Tuesday, November 10.
5. City Offices Closed in Observance of Veteran's Day, Wednesday, November 11.
6. Public Works, 9:00 AM, Thursday, November 12.
7. Special Session, 5:30 PM, Thursday, November 12.
8. Parks Commission, 5:00 PM, Monday, November 16.
9. City Council, 6:30 PM, Monday, November 16.
10. Work Session, 6:45 PM, Monday, November 16.
11. OAA Blakely Township, 6:00 PM, Wednesday, November 18.

The Council was reminded of the tentative meetings as listed. Meyer noted ballots will be accepted by Scott County representatives at the Belle Plaine Library until 3:00 PM tomorrow.

9. ADJOURN.

MOTION by Councilmember LeMieux, second by Councilmember Chard, to adjourn at 7:18 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary