BELLE PLAINE CITY COUNCIL
REGULAR SESSION
DECEMBER 15, 2014

1. PLEDGE OF ALLEGIANCE.

The Belle Plaine Boy Scouts led those present in the Pledge of Allegiance. Vice Mayor Schneider thanked the Boy Scouts for the presentation.

2. CALL TO ORDER. 2.1. Roll Call.

The Belle Plaine City Council met in Regular Session on Monday, December 15, 2014 at 6:30 p.m. in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Vice Mayor Scott Schneider called the meeting to order with Councilmembers Gary Trost, Cary Coop and Paul Chard present. Mayor Mike Pingalore was not present.

Also present were City Administrator Holly Kreft, Public Works Superintendent Al Fahey, Finance Director Dawn Meyer, Community Development Director Chelsea Alger, Police Chief Tom Stolee, City Engineer Joe Duncan and City Attorney Bob Vose. Wanda Savage served as the video recording operator.

3. APPROVAL OF AGENDA.

MOTION by Councilmember Coop, 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 December 1, 2014.
4.2. Special Session Minutes, Truth in Taxation, of December 1, 2014.
4.3. Resolution 14-144 Approving Amendments to the City's Personnel Policy.
4.4. Resolution 14-147 Local Road Improvement Program.
4.5. Resolution 14-145 Approving 2015 Salaries and Wages for City Employees.
4.6. Resolution 14-148 Approving Charitable Gambling Premises Permit for Belle Plaine Chamber of Commerce at Huck's Shipwreck Saloon, Neisen's Corner Bar and Johan's Bar and Grill.
4.7. Resolution 14-149 Approving Charitable Gambling Premises Permit for Belle Plaine Friends of the Library at Sparetime Tavern, Borough Bowl, and Red Door Bar.
4.8. Resolution 14-150 Approving Charitable Gambling Premises Permit for German Days, Inc. at Andy's Bar and Grill.
4.9. Resolution 14-146 Approving the Purchase of Tasers for the Belle Plaine Police Department.
4.10. Resolution 14-151 Approving Joint Powers Agreement with Scott County for Assessment Services.
4.11. Resolution 14-152 Adopting the City's Capital Improvement Plan.
4.12. Resolution 14-153 Approving a Façade Improvement Loan for The Now & Wow Clothing Boutique for Replacement of the Awning.
4.13. Resolution 14-154 Approving a Façade Improvement Loan for It's Just Me, Salon for Replacement of the Awning.
4.14. Approving Large Assembly for the Belle Plaine Hockey Association for Event on January 2 and 3, 2015.
4.15. Resolution 14-155 Authorizing the Replacement of Overhead Doors at the Fire Hall, 700 East Main Street.
4.16. Resolution 14-156 Appointing Dustin Hemaver as Seasonal Employee with the Belle Plaine Public Works Department.
4.17. Authorize Mayor and City Administrator to Sign "No Removal" Letter for The Lutheran Home.

Councilmember Chard requested consent agenda item "Resolution 14-155 Authorizing the Replacement of Overhead Doors at the Fire Hall, 700 East Main Street" be moved to the business portion of the agenda. Councilmember Coop requested “Approving Large Assembly for the Belle Plaine Hockey Association for Event on January 2 and 3, 2015” also be moved to the business portion.

MOTION by Councilmember Coop, second by Councilmember Trost, to move “Resolution 14-155 Authorizing the Replacement of Overhead Doors at the Fire Hall, 700 East Main Street” and “Approving Large Assembly for the Belle Plaine Hockey Association for Event on January 2 and 3, 2015” to the business portion of the agenda and approve the consent agenda as follows: 4.1. Regular Session Minutes of December 1, 2014, 4.2. Special Session Minutes, Truth in Taxation, of December 1, 2014. 4.3. Resolution 14-144 Approving Amendments to the City’s Personnel Policy, 4.4. Resolution 14-147 Local Road Improvement Program, 4.5. Resolution 14-145 Approving 2015 Salaries and Wages for City Employees, 4.6. Resolution 14-148 Approving Charitable Gambling Premises Permit for Belle Plaine Chamber of Commerce at Huck’s Shipwreck Saloon, Neisen’s Corner Bar and Johan’s Bar and Grill, 4.7. Resolution 14-149 Approving Charitable Gambling Premises Permit for Belle Plaine Friends of the Library at Sparetime Tavern, Borough Bowl, and Red Door Bar, 4.8. Resolution 14-150 Approving Charitable Gambling Premises Permit for German Days, Inc. at Andy’s Bar and Grill, 4.9. Resolution 14-146 Approving the Purchase of Tasers for the Belle Plaine Police Department, 4.10. Resolution 14-151 Approving Joint Powers Agreement with Scott County for Assessment Services, 4.11. Resolution 14-152 Adopting the City’s Capital Improvement Plan, 4.12. Resolution 14-153 Approving a Façade Improvement Loan for The Now & Wow Clothing Boutique for Replacement of the Awning, 4.13. Resolution 14-154 Approving a Façade Improvement Loan for It’s Just Me, Salon for Replacement of the Awning, 4.14. Resolution 14-156 Appointing Dustin Hemaver as Seasonal Employee with the Belle Plaine Public Works Department, and 4.15. Authorize Mayor and City Administrator to Sign “No Removal” Letter for The Lutheran Home. ALL VOTED AYE. MOTION CARRIED.

5.1. Ambulance Department.

The Council acknowledged receipt of the Ambulance Department report.

5.2. Fire Department.

Fire Chief 1st Assistant Matt Stier was 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 Chelsea Alger was present. The Council acknowledged receipt of the Community Development Department report.

5.5. Administration Report.

City Administrator Holly Kreft was present. The Council acknowledged receipt of the Administration report.

6.1. RECOGNITION OF INVOLVED CITIZENS.

No one spoke during the public forum.

7. PUBLIC HEARINGS.

7.1. Ordinance 14-08 Council Salaries. The City Council will consider public comment on proposed Ordinance 14-08, amending the City Code by amending Council salaries by incorporating the cost of living increase as determined annually by the Consumer Price Index.

Vice Mayor Schneider referenced a memo dated December 15, 2014 from City Administrator Kreft regarding proposed Ordinance 14-08.

City Administrator Kreft explained that at the September 2, 2014 Council Work session, staff presented information on the Council salaries. The current salaries of $4,400 for Council and $4,600 for Mayor were adopted in 2012. Councilmember Trost has asked if it would be possible to tie increases to Council salaries to cost of living increases so this would have to be reviewed on an annual basis. Based on research by the City Attorney, this is an option. For 2015, this would equate to a 2% increase in the salary or $88 annually for Council members and $92 for Mayor. At the November 17, 2014 meeting, the Council called for a public hearing on December 15, 2014 for the change to take effect January 1, 2015.

Vice Mayor Schneider opened the public hearing at 6:44 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Trost, second by Councilmember Coop, to close the public hearing at 6:45 p.m. ALL VOTED AYE. MOTION CARRIED.

7.1.1. Ordinance 14-08, Amending Section 104.01 of the City Code by Amending Language Pertaining to Council Salaries.

MOTION by Councilmember Coop, second by Councilmember Trost, to adopt Ordinance 14-08, Amending Section 104.01 of the City Code by Amending Language Pertaining to Council Salaries. ALL VOTED AYE. MOTION CARRIED.

7.2. Ordinance 14-09 Fees. The City Council will consider public comment on proposed Ordinance 14-09, amending the City Code by amending the City's fee schedule. Proposed changes include, but not limited to: public works equipment use, water and sewer utility fees, water and sewer connection fees, building permit fees and administrative fees.

Vice Mayor Schneider referenced a memo dated December 15, 2014 from City Administrator Kreft regarding fees.

City Administrator Kreft explained that a public hearing has been scheduled and the City Council will accept public comment on proposed Ordinance 14-09, Amending Chapter 1, Section 108, by Amending the City's Fee Schedule. The fee schedule shows the current fee structure along with proposed changes. The water and sewer rates have been adjusted per the approved Utility Rate Study and other fees have been reviewed and updated to reflect necessary changes based on City expenses.

Community Development Director Alger clarified the Zoning Ordinance Appeal Process fee. Councilmember Coop inquired about the proposed reduction in the special session fee for the various boards and commissions from $1,000 to $500. He explained the reasoning behind the higher fee and believes it should remain at $1,000 as a deterrent.

Vice Mayor Schneider opened the public hearing at 6:52 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember Chard, to close the public hearing at 6:53 p.m. ALL VOTED AYE. MOTION CARRIED.

Councilmember Trost was frustrated the utility rate increases were not discussed at a work session prior to being presented at tonight's public hearing. He stated that he has requested a status report of the water and sewer income and expenses for his review. He believes a 30% increase is too high for the 2015 rates. Finance Director Meyer explained that a status report was provided to the City Council at their work session on October 20, 2014. That report indicated income is short by approximately two percent of the anticipated revenues. A comprehensive updated study will be completed sometime in 2015. Vice Mayor Schneider confirmed that the status report was distributed by staff to the City Council at the October 20, 2014 work session.

7.2.1. Adoption of Ordinance 14-09, Amending Chapter 1, Section 108, by Amending the City's Fee Schedule.

MOTION by Councilmember Coop, second by Councilmember Chard, to adopt Ordinance 14-09, Amending Chapter 1, Section 108, by Amending the City's Fee Schedule. Councilmember Trost VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

7.2.2. Resolution 14-140 Authorizing Summary Publication of Ordinance 14-09.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 14-140 Authorizing Summary Publication of Ordinance 14-09. Councilmember Trost VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

City Attorney Vose explained that a 4/5th majority vote is necessary to approve the summary publication. Because Councilmember Trost voted nay, the City will be required to publish the entire ordinance, including the fee schedule, which will be more costly than the summary publication. An option would be for the prevailing party to make a motion to reconsider.

MOTION by Councilmember Trost, second by Councilmember Chard, to reconsider action to approve Resolution 14-140 Authorizing Summary Publication of Ordinance 14-09. ALL VOTED AYE. MOTION CARRIED.

8. BUSINESS.

8.1. Presentation of Claims.

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

8.2. Round-Up Program.

Vice Mayor Schneider referenced a memo dated December 15, 2014 from Community Development Director Alger regarding the Round-Up Program.

Community Development Director Alger explained that in September of 2013, the Council passed Resolution 13-107, adopting policy for the Round-Up Program. The Policy was updated in December 2013, changing the round-up increment from $5 to $1 on utility bills. The Program gives utility billing customers the option of rounding up their bill to the nearest $1; with the additional funding going towards community programs in the recreation fund, such as Arts in the Park supplies, swimming and youth activity fee grants, and bike helmets for safety camps. In order to make the Program work with Banyon, the City's utility billing software, an update to the software was necessary. The cost of this upgrade was approximately $300. Because of this, along with the Staff time necessary to set up accounts and continually track the funding the adopted Policy requires a minimum annual contribution of $250 in order to maintain the Program.

The Program was advertised in utility billing (twice), the *Bridge*, the EDA insert, the City's website and the local cable channel. Participation has been minimal with only eight utility accounts opting in initially, with another three added since. Through November, the Program has accumulated only $69.86 for the year. Staff provided this update to the Park Board in November, indicating the intent to discontinue the Program at the end of the year; and redistributing the money to the General Fund. The Park Board determined they would like to see the Round Up Program extended for one more year; while engaging more promotion of the program. Since this is a deviation from the adopted Policy, the Council should make a determination on whether to continue the Program.

Councilmember Coop would like to see the Round Up Program extended for one more year. He explained that he was learned that many people are not aware that the Program exists. Councilmember Coop said he intends to do a one-on-one campaign in 2015 to educate people about the Program. Councilmember Trost was opposed to the Round Up Program because it is asking the taxpayers to pay more money to the City and cited the increase in water and sewer rates for 2015. Councilmember Chard commented that he is willing to allow the program to exist for another year.

MOTION by Councilmember Trost, second by Councilmember Chard, to discontinue the Round Up Program for 2015. Councilmember Trost VOTED AYE. ALL OTHERS VOTED NAY. MOTION FAILED.

MOTION by Councilmember Coop, second by Councilmember Chard, to continue the Round Up Program until December 31, 2015. Councilmember Trost VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

8.3. Approving Large Assembly for the Belle Plaine Hockey Association for Event on January 2 and 3, 2015.

Vice Mayor Schneider referenced a memo dated December 15, 2014 from City Administrator Kreft regarding the request for a large assembly permit by the Belle Plaine Hockey Association.

City Administrator Kreft explained the Belle Plaine Hockey Association has submitted a request for a Large Assembly Permit for a pond hockey tournament to be held at the hockey and recreational ice rink on Friday and Saturday, January 2 and 3, 2015. The event may be rescheduled to the following weekend, January 9 and 10, depending on the weather conditions. The Hockey Association has submitted written permission from the property owner, Belle Plaine School District, for the use of the hockey rink for the tournament. The recreational ice rink is on city-owned property.

The use of City equipment (Zamboni) and operator during event will not be permitted, but the Public Works department will prepare the ice on Friday, January 2. The applicant has been advised that an alternate date may be needed if the weather is not conducive. Police Chief Stolee, Public Works Superintendent Fahey and City Administrator Kreft have discussed the parameters for the pond hockey tournament. Staff recommends approval with the same conditions as last year's permit, as referenced on the application.

Councilmember Coop stated the City should supply the Zamboni and labor in an effort to provide quality ice for the rink and to help support this organization. He further commented the hockey tournament will bring many visitors to our city and that we should show our support by providing adequate ice for the players. Vice Mayor Schneider questioned whether the City would absorb the cost for the Zamboni operation. Councilmember Coop responded that this organization does not have enough funds to cover the expense but they should be asked to pay what they can towards the cost. Councilmember Trost inquired about the process last year. Applicant Johnny Egan responded the City had flooded the rink, but did not use the Zamboni, therefore the ice was in poor condition. Councilmember Trost asked how long it takes to maintain the ice. Public Works Superintendent Fahey replied that it takes approximately one hour and that two employees are needed for this task. He further explained that Public Works employees are on emergency call-out during the weekends and that as a policy, the City does not participate in community events such as this. Public Works Superintendent Fahey and Finance Director Meyer explained the labor union contract does not address call out time for non-emergency events. Councilmember Trost asked whether a Public Works employee could perform the duties as a volunteer. Public Works Superintendent Fahey cited other large-scale events in which the sponsoring organization pays for city services that include police and public works. Councilmember Chard asked if the seasonal employees could operate the Zamboni on the weekends. Finance Director Meyer replied that she will have to research the labor union contract regarding this issue. Councilmember Coop questioned why staff was not aware of the call-out procedure. Finance Director Meyer explained this situation would not be considered call-out. Councilmember Chard said the event is a positive thing for the City and supports the City providing the Zamboni operation. Vice Mayor Schneider commented that he understands the ramifications with labor union contract and suggested the Council and Staff get this issue resolved before any action is taken. He said is not 100% in favor of the City providing the Zamboni service at this time but understands the short time frame and the importance of safety for the players in having adequate ice.

MOTION by Councilmember Coop, second by Councilmember Trost, to approve the Large Assembly Permit for the Belle Plaine Hockey Association, with the City providing the Zamboni operation twice on Saturday, January 3, with one application in the morning hours and the second application mid-day. ALL VOTED AYE. MOTION CARRIED.

8.4. Resolution 14-155 Authorizing the Replacement of Overhead Doors at the Fire Hall, 700 East Main Street.

Vice Mayor Schneider referenced a memo dated December 15, 2014 from City Administrator Kreft regarding the request for replacement of the overhead doors at the Fire Hall.

City Administrator Kreft explained the overhead doors and openers at the Fire Hall are original to the building, so over thirty years old. There are six doors at the Fire Hall. They are beginning to show significant wear and do not meet code for sensors. The door openers do not work consistently, and sometimes cause issues for the fire department when leaving or returning from calls. The Fire Department is working with Public Works Superintendent Fahey on obtaining quotes for replacement doors and openers. A quote of $21,000 has been received. In order to use funds available in the 2014 budget, the Department is requesting approval to purchase the doors and openers in a not to exceed amount of $30,000. This would include replacement of all six doors and openers available for all vehicles.

Councilmember Chard believes the doors do not need to be replaced after viewing them. He met with First Assistant Fire Chief Stier at the Fire Hall and believes the doors and frames can be repaired in an effort to save money. He recommended the rollers, hinges, sensors and openers be replaced, but retain the original doors. Councilmember Chard explained that he supports enhancements to install new plumbing and the purchase of washers and dryers to assist with the cleaning of the firefighters gear and believes the money could be utilized towards that project. City Administrator Kreft explained the washers and dryers are included in the 2015 budget. The funds for the door replacement would not be rolled over into 2015. Councilmember Trost would like to delay action on this issue to allow more time for research. First Assistant Chief Stier explained a recent situation in which he was unable to open the doors and believes action needs to be taken now before it occurs in an emergency situation. He said it is time to replace the doors so that the complete project is done correctly. Councilmember Chard said if the overhead doors are replaced, the City should try to sell the old ones.

MOTION by Councilmember Trost, second by Councilmember Coop, to authorize the replacement of the overhead doors at the Fire Hall at a cost not to exceed $30,000. Furthermore, staff is directed to try to sell the old doors. Councilmember Chard VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.
9.1. Upcoming Meetings.
1. BR&E, 5:00 pm, Tuesday, December 16.
2. Planning Commission, 6:30 pm, Tuesday, December 16.
3. City Offices Close at Noon on December 24 and December 25 for Christmas Holiday.
4. City Offices Close at Noon on December 31 and January 1 for New Year's Holiday.
5. Design Committee, 5:15 pm, Monday, January 5.
6. City Council, 6:30 pm, Monday, January 5.
7. Work Session, 6:45 pm, Monday, January 5.
8. Public Works, 11:00 am, Tuesday, January 6.
9. Public Safety, 4:30 pm, Tuesday, January 6.
10. EDA, 5:00 pm, Monday, January 12.
11. Planning Commission, 6:30 pm, Monday, January 12.

The Council was reminded of the upcoming meetings as listed.

10. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Chard, to adjourn the meeting at 7:52 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary