

**BELLE PLAINE CITY COUNCIL
AND
BELLE PLAINE TOWNSHIP
JOINT WORK SESSION
MAY 24, 2012**

1. CALL TO ORDER. 1.1. Roll Call.

The Belle Plaine City Council and Belle Plaine Township Board met in a joint work session on Thursday, May 24, 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 work session to order with Councilmembers Gary Trost, Cary Coop, Scott Schneider, Paul Chard and Michael Pingalore present.

Gary Schmitz called the Belle Plaine Township portion of the session to order with Supervisors Bob Koenig, Doug Kasper, Treasurer Kevin Slack and Clerk Jean McDermund present.

Also present were City Administrator David Murphy and City Engineer Joe Duncan present. There were approximately 25 people present as the audience.

2. Discussion on the Proposed Belle Plaine Trail Improvement Project.

City Administrator Murphy explained that this workshop was scheduled for the purpose of preparing a cost sharing agreement for the repair/reconstruction of Belle Plaine Trail. Attached with City Administrator Murphy's memo were correspondence between City Attorney Vose and Township Attorney Ruppe, engineer's estimate for two options of reconstruction, the reconstruction proposal submitted by Belle Plaine Township including quote from WM Mueller for mill and overlay, the joint powers agreement drafted by City Attorney Vose and submitted to Belle Plaine Township City Clerk Jean McDermund on May 16, 2012, the City of Belle Plaine/BP Township Orderly Annexation Agreement, and minutes from meetings when River Rock Church property was annexed.

Bob Koenig stated the Township proposed a road improvement in 2009 at a cost of \$34,000, but the City refused the proposal. He said only one-half of one percent of the population of Belle Plaine Township live on this road, and he does not believe the cost justifies an improvement that the City has proposed. Koenig also said 50% of the Belle Plaine Township residents live on a gravel road. He referenced a letter from the City dated 2009 in which the City acknowledged a 63/37 cost share of the road. Koenig also noted that it is only a temporary road as the future city plans indicate that it will be vacated and re-aligned.

Kevin Slack explained the determination of responsibility of the road improvement for River Rock Church property needs to be resolved. The improvement must make financial sense for the Township. It was his understanding that the River Rock Church property was City responsibility and the Township would be responsible for a total of 36% of Belle Plaine Trail. The opinion of the Township Attorney Ruppe supports this. He commented that road is more of an advantage to the City than the Township. He requested a maintenance agreement be prepared as well. He said the Township Board cannot financially accept a cost of \$72,000 for the road improvement.

Councilmember Schneider referenced Item 9, A, of the Orderly Annexation Agreement regarding road maintenance. Slack commented that the Township attorney maintains that a minor subdivision qualifies as a platting process. Councilmember Coop suggested the lawyers determine cost responsibility for the River Rock Church property. City Administrator Murphy explained the Attorneys will maintain the position of each client, and encouraged the entities to come to some sort of agreement. He also explained that there is a mechanism that would allow the city to annex a certain portion of the road via a revision to the joint powers agreement. Councilmember Trost commented that it may be cheaper than the attorney fees. Councilmember Pingalore suggested the cost of the River Rock Church road area be split 75/25.

Councilmember Schneider inquired about the annexation fees received for this area. Slack explained the funds are in the capital fund to supplement the loss of tax base. Slack advised that the Belle Plaine Township Board has not met to discuss this issue. Councilmember Chard suggested the three property

owners be invited to the next Township Board meeting. Due to its poor condition, Councilmember Chard recommended the road be closed and allow local traffic only. Schmitz agreed. Mayor Lies stated the City will follow the direction of the Township Board regarding the barricades and signage to close Belle Plaine Trail and allow local traffic only.

3. ADJOURN.

MOTION by Councilmember Trost, second by Councilmember Pingalore, to adjourn the city portion of the meeting at 7:19 p.m. ALL VOTED AYE. MOTION CARRIED.

MOTION by Schmitz, second by Kasper, to adjourn the Township Board portion of the meeting at 7:19 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary