

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
MARCH 3, 2008**

1. PLEDGE OF ALLEGIANCE.

Mayor Meger led those present in the Pledge of Allegiance.

2. CALL TO ORDER. 1.1. Roll Call.

The Belle Plaine City Council met in Regular Session on Monday, March 3, 2008 at 6:00 p.m. at the Government Center, 218 North Meridian Street, Belle Plaine, MN. Mayor Tom Meger called the meeting to order with Councilmembers Tim Lies, Dawn Underferth, Tim O'Laughlin, Jim Lange and Peter Anderly present.

Also present were City Administrator David Murphy, Community Development Director Trisha Rosenfeld, Public Works Superintendent Al Fahey, Finance Director Dawn Meyer, City Engineer Joe Duncan and City Attorney Bob Vose.

3. APPROVAL OF AGENDA.

Mayor Meger requested the addition of a Closed Session for the attorney/client privilege regarding a legal issue related to the West Commerce Drive right-of-way condemnation. Councilmember Lies requested that consent agenda item "Recommendation for Reimbursement of Air Travel Expense for Park Board Member" be moved to the business portion of the agenda.

MOTION by Councilmember Lange, second by Councilmember Underferth, to approve the agenda with consent agenda item "Recommendation for Reimbursement of Air Travel Expense for Park Board Member" moved to the business portion of the agenda, and also the addition of a Closed Session for the attorney/client privilege regarding a legal issue related to the West Commerce Drive right-of-way condemnation. ALL VOTED AYE. MOTION CARRIED.

4. APPROVAL OF CONSENT AGENDA.

- 4.1. Regular Session Minutes of February 19, 2008.
- 4.2. Approving Large Assembly Permit for the Belle Plaine Fire Department.
- 4.3. Resolution 08-018 Approving Changes to the Primary Service Area Affected by the City of Belle Plaine and the New Prague Ambulance for Scott County.
- 4.4. Resolution 08-019 Approving Changes to the Primary Service Area Affected by the City of Belle Plaine and Ridgeview Medical Center for Carver County.
- 4.5. Resolution 08-020 Approving Changes to the Primary Service Area Affected by the City of Belle Plaine, Ridgeview Medical Center and Allina for the City of Jordan.
- 4.6. Authorizing the Mayor and City Administrator to Execute Memorandum of Understanding and Agreement for the Development and Operation of Optical Fiber Network.
- 4.7. Authorizing the Mayor and City Administrator to Execute Joint Powers Agreement for Hazardous Materials Response Group.
- 4.8. Resolution 08-021 Accepting Public Improvements for the 2003 Street Improvement Project (Beaver Street).
- 4.9. Resolution 08-022 Accepting Public Improvements for the 2004 Street Improvement Project (Kittson/Hickory).
- 4.10. Resolution 08-023 Accepting Public Improvements for the 2005 Street Improvement Project (Old TH 169 Blvd, First Street N.E., & Market Street).
- 4.11. Resolution 08-024 Accepting Public Improvements for the TH169/TH25 Interchange Project.
- 4.12. Authorizing the City Administrator to Attend City and County Managers Spring Conference May 7-9, 2008.

Mayor Meger commented that he has spoken with Fire Chief Randy Koepp regarding the Large Assembly Permit for the Fire Department Street Dance and Motorcycle Run on August 23, 2008. Fire Chief Koepp will work towards reducing the amount of hours that North Meridian Street is closed to allow for better traffic flow to the adjacent businesses.

City Attorney Vose commented that Item 5 in the Memorandum of Understanding and Agreement for the Development and Operation of Optical Fiber Network states that the City will be responsible to maintain the fiber facility to enable the network to remain fully functional. The City is also responsible for an annual maintenance fee of \$1,000. City Administrator Murphy explained that it is understood that the City needs to maintain the network inside of the buildings, while the County is responsible for the network outside of the buildings.

MOTION by Councilmember Anderly, second by Councilmember Underferth, to approve the consent agenda as follows: 4.1. Regular Session Minutes of February 19, 2008, 4.2. Approving Large Assembly Permit for the Belle Plaine Fire Department, 4.3. Resolution 08-018 Approving Changes to the Primary Service Area Affected by the City of Belle Plaine and the New Prague Ambulance for Scott County, 4.4. Resolution 08-019 Approving Changes to the Primary Service Area Affected by the City of Belle Plaine and Ridgeview Medical Center for Carver County, 4.5. Resolution 08-020 Approving Changes to the Primary Service Area Affected by the City of Belle Plaine, Ridgeview Medical Center and Allina for the City of Jordan, 4.6. Authorizing the Mayor and City Administrator to Execute Memorandum of Understanding and Agreement for the Development and Operation of Optical Fiber Network, 4.7. Authorizing the Mayor and City Administrator to Execute Joint Powers Agreement for Hazardous Materials Response Group, 4.8. Resolution 08-021 Accepting Public Improvements for the 2003 Street Improvement Project (Beaver Street), 4.9. Resolution 08-022 Accepting Public Improvements for the 2004 Street Improvement Project (Kittson/Hickory), 4.10. Resolution 08-023 Accepting Public Improvements for the 2005 Street Improvement Project (Old TH 169 Blvd, First Street N.E., & Market Street), 4.11. Resolution 08-024 Accepting Public Improvements for the TH169/TH25 Interchange Project, and 4.12. Authorizing the City Administrator to Attend City and County Managers Spring Conference May 7-9, 2008. ALL VOTED AYE. MOTION CARRIED.

5. VISITOR'S REQUEST – None Scheduled.

6. PUBLIC HEARINGS – None Scheduled.

7. BUSINESS.

7.1. Presentation of Claims.

MOTION by Councilmember Lange, second by Councilmember Lies, to approve the Presentation of Claims as presented. ALL VOTED AYE. MOTION CARRIED.

7.2. Scott County Historical Society.

Mayor Meger referenced a memo dated March 3, 2008 from City Administrator Murphy regarding a request for funds from the Scott County Historical Society. Mayor Meger commented on the Scott County Historical Society efforts in helping celebrate Minnesota's 150 years of Statehood.

City Administrator Murphy explained that the Council tabled this request for further information at the February 19th Council Meeting. The Scott County Historical Society carries liability only insurance on the Episcopalian Church. The SCHS is funded through a grant from Scott County, membership dues, donations, the museum store, grants and an endowment. The SCHS is requesting \$1,000 from each of the cities in Scott County. So far Prior Lake, Shakopee and Savage have contributed \$1,000. The City of Elko-New Market has contributed \$250 and Jordan and New Prague have not acted.

Councilmember Lies commented on the outstanding issues the City has with Scott County Historical Society regarding the Episcopalian Church.

MOTION by Councilmember Lange, second by Councilmember Anderly, to authorize a payment of \$250 to the Scott County Historical Society for the purpose of participation in the celebration of the State's Sesquicentennial. Councilmember Lies VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

7.3. Resolution 08-025 Approving Visioning Goals.

Mayor Meger referenced a memo dated March 3, 2008 from City Administrator Murphy regarding the adoption of visioning goals from the recent Neu Teambuilding and Leadership Session.

City Administrator Murphy explained that Item #3 on the proposed resolution should read "Comprehensive Plan" rather than "Economic Development Plan."

MOTION by Councilmember Anderly, second by Councilmember Underferth, to approve Resolution 08-025 Approving Visioning Goals, with the correction on Item #3 from "Economic Development Plan" to "Comprehensive Plan." ALL VOTED AYE. MOTION CARRIED.

7.4. Resolution 08-026 Adopting Guiding Principles for Conduct at Council Meetings.

Mayor Meger referenced a memo dated March 3, 2008 from City Administrator Murphy regarding the guiding principles for conduct at Council meetings.

City Administrator Murphy summarized the three guiding principles: 1) Keep discussion focused on the issue before the council, 2) Project a positive image to the public in both appearance and decorum, and 3) Refrain from criticizing other council members, staff or the public during a council meeting. ALL VOTED AYE. MOTION CARRIED.

7.5. Recommendation for Reimbursement of Air Travel Expense for Park Board Member

Councilmember Lies explained that Park Board Member Michelle Gransee-Bowman has been offered an opportunity to attend the National Bike Summit in Washington D.C. on March 4- 6, 2008 by Bike Advocate Gary Shoquist, Minneapolis, MN. He serves as an excellent resource for potential funding options for future bike trails in Belle Plaine. Councilmember Lies believes the networking opportunities are valuable at this national summit. Councilmember Lies encouraged the Council to reimburse Park Board Member Gransee-Bowman \$202.00 to cover the cost of her airline ticket. Ms. Gransee-Bowman will be responsible for the cost of her food, lodging and other travel-related expenses.

MOTION by Councilmember Lies, second by Councilmember O'Laughlin, to authorize the reimbursement of \$202 to Park Board Member Gransee-Bowman for her airline ticket to attend the National Bike Summit in Washington D.C. on March 4 -6, 2008. ALL VOTED AYE. MOTION CARRIED.

Mayor Meger recessed the Regular Session at 6:21 p.m.

7.6. CLOSED SESSION.

Mayor Meger announced the Closed Session at 6:27 p.m. Present were Mayor Meger and Councilmembers Tim Lies, Dawn Underferth, Tim O'Laughlin, Jim Lange and Peter Anderly present. Also present were City Administrator David Murphy, Community Development Director Trisha Rosenfeld, Public Works Superintendent Al Fahey, Finance Director Dawn Meyer, City Engineer Joe Duncan and City Attorney Bob Vose.

City Attorney Vose provided information about an Order for Judgment on Claim and Counterclaim from Scott County Court System regarding an award of \$1,368.00 for crop damage as a result of the construction of West Commerce Drive.

MOTION by Councilmember O'Laughlin, second by Councilmember Lange, to recommend that the City Council accept the Order for Judgment on Claim and Counterclaim of \$1,426.00 and not to appeal the settlement. ALL VOTED AYE. MOTION CARRIED.

MOTION by Councilmember Lange, second by Councilmember O'Laughlin, to adjourn the Closed Session at 6:44 p.m. ALL VOTED AYE. MOTION CARRIED.

7.7. RECONVENE REGULAR SESSION.

Mayor Meger reconvened the Regular Session at 6:45 p.m.

MOTION by Councilmember O'Laughlin, second by Councilmember Lange, to accept the recommendation from the Closed Session to accept the Order for Judgment on Claim and Counterclaim of \$1,426.00 to Mark Koepp for crop damage in the West Commerce Drive right-of-way and not to appeal the settlement. ALL VOTED AYE. MOTION CARRIED.

8. ADMINISTRATION.

8.1. Upcoming Meetings.

- 1. Joint Workshop w/Pine Island at Northfield, 6:00 p.m. Tuesday, March 4.**
- 2. Planning Commission, 6:00 p.m., Wednesday, March 5.**
- 3. EDA Workshop, 5:00 p.m., Regular Session at 6:00 p.m., Monday, March 10.**
- 4. Design Committee, 6:00 p.m., Tuesday, March 11.**
- 5. Council – Department Head Workshop, 7:00 a.m., Friday, March 14.**

The Council was reminded of the upcoming meetings as listed.

Mayor Meger inquired about the Joint Workshop with Pine Island scheduled for March 4, 2008. City Administrator Murphy explained that it appears that Pine Island will have minimal representation at the meeting. Councilmember Anderly and Underferth stated that they will attend the meeting with City Administrator Murphy. Councilmember Lies indicated that he may also attend.

MOTION by Councilmember Lies, second by Councilmember O'Laughlin, to schedule a workshop at the close of the next City Council meeting on March 17, 2008 to discuss commercial development along the TH169 corridor. ALL VOTED AYE. MOTION CARRIED.

9. ADJOURN.

MOTION by Councilmember Lies, second by Councilmember O'Laughlin, to adjourn at 6:59 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary