

**BELLE PLAINE CITY COUNCIL  
REGULAR SESSION  
OCTOBER 5, 2009**

**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, October 5, 2009 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 Dawn Underferth, Gary Trost, Tim O'Laughlin and Cary Coop present. Councilmember Jim Lange arrived at 6:18 p.m.

Also present were City Administrator David Murphy, Community Development Director Trisha Rosenfeld, Public Works Superintendent Al Fahey, Finance Director Dawn Meyer, Police Chief Dave Lanning, City Engineer Joe Duncan, City Attorney Bob Vose and Video Recording Operator Shawn Vossen.

**3. APPROVAL OF AGENDA.**

MOTION by Councilmember O'Laughlin, second by Councilmember Coop, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

**4. APPROVAL OF CONSENT AGENDA.**

**4.1. Regular Session Minutes of September 21, 2009.**

**4.2. Resolution 09-097 Authorizing Park Name Change from "Settlers Park" to "Founders Memorial Park."**

**4.3. Resolution 09-098 Modifying the Patrol Sergeant Job Description.**

MOTION by Councilmember Coop, second by Councilmember Underferth, to approve the consent agenda as follows: 4.1. Regular Session Minutes of September 21, 2009, 4.2. Resolution 09-097 Authorizing Park Name Change from "Settlers Park" to "Founders Memorial Park." and 4.3. Resolution 09-098 Modifying the Patrol Sergeant Job Description. 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. The Council acknowledged receipt of the Public Works Department report.

**5.3. Engineer Report.**

City Engineer Joe Duncan was present. The Council acknowledged receipt of the Engineer Report.

**5.4. City Administration Report.**

City Administrator David Murphy was present. Councilmember Coop requested that City Administrator Murphy contact MediaCom regarding cable connection at the Junior High School. The Council acknowledged receipt of the City Administration report.

#### **6.1. VISITOR'S REQUEST.**

##### **6.1.1. Kevin O'Brien – Utility Account Appeal at 231 South Elm Street.**

Mayor Lies welcomed Kevin O'Brien.

Kevin O'Brien asked the Council to waive the \$205 utility bill that was generated at a vacant house owned by the family estate.

It was the consensus of the Council to have the charges remain.

#### **6.2. 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. 2 by Chard Tiling for \$373,887.16 for the 2009 Street Improvement Project.**

MOTION by Councilmember Trost, second by Councilmember Coop, to approve the Presentation of Claims and Pay Request No. 2 by Chard Tiling for \$373,887.16 for the 2009 Street Improvement Project. ALL VOTED AYE. MOTION CARRIED.

##### **8.2. Friends of the Library.**

###### **8.2.1. Resolution 09-093 Approving Charitable Gambling Premises Permit for Friends of the Library at Red Door Bar.**

###### **8.2.2. Resolution 09-094 Approving Charitable Gambling Premises Permit for Friends of the Library at Andy's Bar and Grill.**

###### **8.2.3. Resolution 09-095 Approving Charitable Gambling Premises Permit for Friends of the Library at Borough Bowl.**

Mayor Lies referenced a memo dated October 5, 2009 from City Administrator Murphy regarding the charitable gambling premises permit by Friends of the Library.

City Administrator Murphy explained that the charitable gambling premises permits for Friends of the Library at the Red Door Bar, Andy's Bar and Grill and Borough Bowl were tabled until the October 5, 2009 Council meeting to allow time for the Friends of the Library to submit a complete application and to provide information about the expenditure of funds. The Friends have submitted the required information. A copy was provided in the council packets.

MOTION by Councilmember Trost, second by Councilmember Coop, to approve Resolution 09-093 Approving Charitable Gambling Premises Permit for Friends of the Library at Red Door Bar. ALL VOTED AYE. MOTION CARRIED.

MOTION by Councilmember Trost, second by Councilmember Coop, to approve Resolution 09-094 Approving Charitable Gambling Premises Permit for Friends of the Library at Andy's Bar and Grill. ALL VOTED AYE. MOTION CARRIED.

MOTION by Councilmember Coop, second by Councilmember Trost, to approve Resolution 09-095 Approving Charitable Gambling Premises Permit for Friends of the Library at Borough Bowl. ALL VOTED AYE. MOTION CARRIED.

Councilmember Lange arrived at 6:18 p.m.

### **8.3. Resolution 09-096 Adopting SCALE Unified Economic Development, Land Use & Transportation Charter.**

Mayor Lies referenced a memo dated October 5, 2009 from Community Development Director Rosenfeld regarding the SCALE Unified Economic Development, Land Use & Transportation Charter.

Community Development Director Rosenfeld explained that representatives from SCALE presented the proposed Charter at the Council workshop on September 28, 2009. Tom Terry from the City of Elko New Market, Janet Williams, Mayor of Savage, and Scott County Public Works Manager Lisa Freese were in attendance and presented at the workshop. The proposed Charter for the Unified Economic Development, Land Use, and Transportation Plan, along with the proposed resolution for Council consideration were attached with Community Development Director Rosenfeld's memo. She explained that the City's legal counsel can discuss legalities of the charter document being proposed from SCALE. It is appropriate for Council to approve the charter document and the principles pertaining to the Charter. She further explained that signatories on the document are not necessarily required as this is not a binding document.

MOTION by Councilmember O'Laughlin, second by Councilmember Underferth, to approve Resolution 09-096 Adopting SCALE Unified Economic Development, Land Use & Transportation Charter. ALL VOTED AYE. MOTION CARRIED.

### **8.4. Sidewalk Issue on the 400 block of West Church Street.**

Councilmember Trost stated that he would like to see a change order prepared to remove the sidewalk proposed for the south side of the 400 block of West Church from the 2009 Street Improvement Project. Councilmember Trost stated that the sidewalk is not needed in this area and it is an unnecessary cost to the citizens and to the Trinity Lutheran Church, property owner.

MOTION by Councilmember Trost, second by Councilmember O'Laughlin, to direct staff to proceed with the preparation of a change order to the 2009 Street Improvement Project to remove the proposed sidewalk on the south side of the 400 block of West Church Street. ALL VOTED AYE. MOTION CARRIED.

### **8.5. Authorizing Site Design for Public Works Facility Expansion at 420 East Main Street by Oertel Architects.**

City Administrator Murphy explained that the Public Works Facility Committee invited Jeff Oertel, Oertel Architects, to their recent meeting. Mr. Oertel answered questions about the expansion site.

Councilmember Trost explained that the Public Works Facility Committee has been struggling in determining whether the current site at 420 East Main Street is adequate for the future needs of the Public Works Department. He complimented Public Works Superintendent Fahey on the information he provided regarding space needs. Councilmember Trost, on behalf of the Committee, recommended that Oretel Architects be authorized to prepare a site design at a cost not to exceed \$1,550.

MOTION by Councilmember Trost, second by Councilmember Underferth, to authorize Oertel Architects to prepare a site design for the expansion of the public works facility at 420 East Main Street at a cost not to exceed \$1,550. ALL VOTED AYE. MOTION CARRIED.

**9. ADMINISTRATION.**

**9.1. Upcoming Meetings.**

- 1. EDA, 5:00 p.m. Monday, October 12.**
- 2. Planning Commission, 7:00 p.m., Monday, October 12.**
- 3. Park Board, 5:00 p.m., Tuesday, October 13.**
- 4. City Council, 6:00 p.m., Monday, October 19.**
- 5. City Council Budget Workshop, 6:00 p.m. Monday, October 26.**

The Council was reminded of the upcoming meetings as listed.

**10. ADJOURN.**

MOTION by Councilmember Coop, second by Councilmember Underferth, to adjourn the meeting at 6:26 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings  
Recording Secretary