

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
DECEMBER 3, 2007**

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, December 3, 2007 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 Melissa Manderschied.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of November 19, 2007.

4.2. Budget Workshop Minutes of November 19, 2007.

4.3. Authorizing the Sale of the Belle Plaine Fire Department's 1994 Ford Squad Car.

4.4. Resolution 07-103 Denying Minor Subdivision Request by Roger Stier.

4.5. Resolution 07-135 Appointing Election Judges for the Special Election.

4.6. Resolution 07-136 Appointing Paul Traxler and Dyanne Curit as Part-Time Seasonal Employees with the Public Works Department.

Councilmember Lange noted that reference to the Ambulance Department subsidy in the proposed 2008 Budget and Levy was omitted in the Budget Workshop Minutes of November 19, 2007.

MOTION by Councilmember O'Laughlin, second by Councilmember Lies, to approve the consent agenda as follows: 4.1. Regular Session Minutes of November 19, 2007, 4.2. Budget Workshop Minutes of November 19, 2007, with the addition of language that "the Finance Ways and Means Committee noted that the proposed ambulance budget levy of \$37,800 will not be necessary due to contract management services starting in January, 2008"; 4.3. Authorizing the Sale of the Belle Plaine Fire Department's 1994 Ford Squad Car, 4.4. Resolution 07-103 Denying Minor Subdivision Request by Roger Stier, 4.5. Resolution 07-135 Appointing Election Judges for the Special Election, and 4.6. Resolution 07-136 Appointing Paul Traxler and Dyanne Curit as Part-Time Seasonal Employees with the Public Works Department. ALL VOTED AYE. MOTION CARRIED.

5. Reports.

5.1. Fire Department.

Fire Chief Chris Meyer was present. He explained that there will be upcoming elections for the Fire Department officers and that this will be his last attendance as Fire Chief. The Council acknowledged receipt of the Fire Department report.

5.2. Community Services Department.

Community Services Director Nelson Ladd was present. The Council acknowledged receipt of the Community Services Department report.

5.3. Public Works Department.

Public Works Director Al Fahey was present. Councilmember Lange acknowledged the expedient snow removal by the Public Works Department. The Council acknowledged receipt of the Public Works Department report.

5.4. Engineer Report.

City Engineer Joe Duncan was present. He reported that the North Sanitary Sewer Interceptor Project is progressing well. In reference to the 2007 Street Improvement Project, City Engineer Duncan explained that Mr. Ed Townsend's driveway along the 300 block of West South Street was re-built and the cost to the contractor still needs to be determined. The Council acknowledged receipt of the Engineer Report.

5.5. City Administration Report.

City Administrator David Murphy was present. He explained that he will be attending a meeting on December 5th with Ridgeview Medical and the City of Jordan regarding the emergency medical service area. City Administrator Murphy also reported that the City's newsletter, *The Bridge*, will be published every two months, rather than monthly. The Council acknowledged receipt of the City Administration report.

6. CERTIFICATE OF APPRECIATION.

Mdewakanton Sioux Community – Acknowledgement and Appreciation.

Mayor Meger presented a Certificate of Appreciation to the Mdewakanton Sioux Community for their assistance in the operation of the Belle Plaine Ambulance Service. Kai and Karen Hjernstad accepted the Certificate on behalf of the Mdewakanton Sioux Community.

7. PUBLIC HEARINGS – NONE SCHEDULED.

8. BUSINESS.

8.1. Presentation of Claims.

- 1. Pay Request No. 5 by Chard Tiling for \$58,766.12 for 2007 Street Improvement Project.**
- 2. Pay Request No. 4 by Heselton Construction, LLC, for \$184,925.13 for North Interceptor Sanitary Sewer Project.**

MOTION by Councilmember Lange, second by Councilmember Underferth, to approve the Presentation of Claims, Pay Request No. 5 by Chard Tiling for \$58,766.12 for 2007 Street Improvement Project and Pay Request No. 4 by Heselton Construction, LLC, for \$184,925.13 for North Interceptor Sanitary Sewer Project. ALL VOTED AYE. MOTION CARRIED.

8.2. Resolution 07-134, Authorizing Agreement with University of Minnesota Center for Rural Design for Commercial Design Standard Services.

Mayor Meger referenced a memo dated December 3, 2007 from Community Development Director Rosenfeld regarding a proposal for design services from the University of Minnesota.

Community Development Director Rosenfeld explained that the Commercial Design Committee has met with Mr. Dewey Thorbeck, Director for the University of Minnesota Center for Rural Design, regarding

design services. The Committee recommends the approval of the contract for design services by the University of Minnesota. Attached to Community Development Director Rosenfeld's memo was a copy of the proposal which outlined the perspective scope of work and cost of services for the City of Belle Plaine. The Design Committee recommends that the City enter into a contract with the University of Minnesota for the proposed design services at the cost of \$18,630.00. The funds would be expended from the budgets of Administration, EDA, Planning and Zoning, and HRA. Community Development Director Rosenfeld explained that she has interviewed other consultants regarding design services and feels that the University of Minnesota's proposal is the best value for this scope of work. Because this is a contract for professional services, no further bids are required.

Councilmember O'Laughlin, a member of the Design Committee, commented that he was impressed the University's proposal and scope of work and that this is a worthwhile project for the City to pursue.

MOTION by Councilmember O'Laughlin, second by Councilmember Underferth, to approve Resolution 07-134, Authorizing Agreement with University of Minnesota Center for Rural Design for Commercial Design Standard Services at a cost not to exceed \$18,630.00. ALL VOTED AYE. MOTION CARRIED.

8.3. Refuse Hauling Regulations Update.

Mayor Meger referenced a memo dated December 3, 2007 from City Administrator Murphy regarding an update of refuse hauling regulations.

City Administrator Murphy asked for direction regarding refuse hauling regulations. If the City intends to organize refuse collection, State Statute requires that cities allow at least 180 days prior to implementation.

Councilmember O'Laughlin commented that he supported limiting the number of refuse haulers to reduce the amount of truck traffic in residential areas and also to limit the number of days that residents leave their garbage cans on the boulevard. He also commented on the potential to have unauthorized dumping sites, that is common in large cities. Councilmember O'Laughlin also said that it appears that State Statute allows cities to have more than one contract hauler. Councilmember Lies explained that refuse hauling was discussed at previous Public Works Committee meetings. He said an advantage of a contract is that the City would have authority over the hauler for dictating the day of pick up and the number and weight of the trucks. Councilmember Lies also suggested that it be mandatory that the hauler provide recycling. City Administrator Murphy suggested refuse haulers maintain a minimum number of accounts. If the hauler cannot maintain the minimum number, then the City would not issue them a license. Public Works Superintendent Fahey stated that in previous discussions, citizens have expressed concerns for not having a choice of haulers, which may cause distention. Councilmember Anderly commented that he agrees with the concept of having less trucks on the residential streets, but expressed concern for contract hauling which severely limits the choices for residents. Mayor Meger suggested that the refuse haulers be invited to an upcoming workshop. Councilmember Underferth commented that she did not want City taxpayers required to purchase specialized refuse bags as is the case in a neighboring town.

It was the consensus of the Council to have staff research other communities regarding waste hauling and report back at a future meeting.

8.4. Ordinance 07-12, Repealing and Replacing Chapter 2, Boards and Commissions, in its Entirety.

Mayor Meger referenced a memo dated December 3, 2007 from City Administrator Murphy regarding Chapter 2 of the Belle Plaine City Code.

City Administrator Murphy reported that modifications have been to Chapter 2. Ordinance 07-12 repeals and replaces Chapter 2 in its entirety.

MOTION by Councilmember Lange, second by Councilmember Anderly, to adopt Ordinance 07-12, Repealing and Replacing Chapter 2, Boards and Commissions, in its Entirety. ALL VOTED AYE. MOTION CARRIED.

8.4.1. Resolution 07-100 Authorizing Summary Publication of Ordinance 07-12.

MOTION by Councilmember Lies, second by Councilmember Lange, approving Resolution 07-100 Authorizing Summary Publication of Ordinance 07-12. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Meetings.

1. **Joint City Council/Planning Commission, 6:00 p.m., Wednesday, December 5, 2007 Comp Plan Update.**
2. **EDA, 5:30 p.m., Monday, December 10.**
3. **City Council, 6:00 p.m., Monday, December 17.**
4. **City Offices close at noon on Monday, December 24. Closed Tuesday, December 25.**
5. **Public Works Committee, 9:30 a.m., Friday, December 28, tentative.**
6. **City Offices close at noon on Monday, December 31. Closed Tuesday, January 1.**

The Council was reminded of the upcoming meetings as listed.

10. ADJOURN.

MOTION by Councilmember Anderly, second by Councilmember Underferth, to adjourn at 6:49 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary