

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
FEBRUARY 17, 2015**

1. PLEDGE OF ALLEGIANCE.

Mayor Michael Pingalore 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 Tuesday, February 17, 2015 at 6:30 p.m. in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Michael Pingalore called the meeting to order with Councilmembers Gary Trost, Cary Coop, Scott Schneider and Paul Chard present.

Also present were City Administrator Holly Kreft, Finance Director Dawn Meyer, Community Development Director Chelsea Alger and City Engineer Joe Duncan. Wanda Savage served as the video recording operator.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of February 2, 2015.

4.2. Work Session Minutes of February 2, 2015.

4.3. Closed Personnel Committee Meeting Minutes of February 2, 2015 for the Six-Month Performance Evaluation of City Administrator Kreft.

4.4. Resolution 15-020 Appointing Clinton Herrmann as a Member of the Belle Plaine Fire Department.

4.5. Resolution 15-021 Appointing Ryan Menton as a Seasonal Ice Rink Attendant.

4.6. Resolution 15-022 Amending Façade Improvement Loan Program.

4.7. Resolution 15-023 Establishing Wage Rate for Video Camera Operators and Commentators.

4.8. Approving the Addendum and Authorizing the Annual Safe Assure Contract for Employee Safety Training.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve the consent agenda as follows: 4.1. Regular Session Minutes of February 2, 2015; 4.2. Work Session Minutes of February 2, 2015; 4.3. Closed Personnel Committee Meeting Minutes of February 2, 2015 for the Six-Month Performance Evaluation of City Administrator Kreft; 4.4. Resolution 15-020 Appointing Clinton Herrmann as a Member of the Belle Plaine Fire Department; 4.5. Resolution 15-021 Appointing Ryan Menton as a Seasonal Ice Rink Attendant; 4.6. Resolution 15-022 Amending Façade Improvement Loan Program; 4.7. Resolution 15-023 Establishing Wage Rate for Video Camera Operators and Commentators; and 4.8. Approving the Addendum and Authorizing the Annual Safe Assure Contract for Employee Safety Training. ALL VOTED AYE. MOTION CARRIED.

5.1. Ambulance Department.

The Council acknowledged receipt of the Ambulance Department report.

5.2. Fire Department.

Fire Chief Matt Stier was present. Councilmember Chard requested the BPFDF contact Prior Lake FD regarding a grant opportunity. The Council acknowledged receipt of the Fire Department report.

5.3. Police Department.

Police Chief Tom Stolee was not 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. Councilmember Coop acknowledged that Finance Director Dawn Meyer and Staff Accountant Amy Jirik worked on Presidents Day due to the annual auditor's schedule. The Council acknowledged receipt of the Administration report.

6. PUBLIC FORUM.

6.1. RECOGNITION OF INVOLVED CITIZENS.

6.2. CERTIFICATES OF APPRECIATION.

- 1. Launa Olson, Park Board.**
- 2. Nate Hvdisten, Design Committee.**
- 3. Philip Fischer, EDA.**

Mayor Pingalore presented Phil Fischer with an appreciation plaque for his 12 years of service on the EDA. Phil's family was in attendance. Mayor Pingalore also acknowledged Launa Olson for her five years on the Park Board and Nate Hvidsten's two years serving on the Design Committee.

7. PUBLIC HEARING

7.1. Ordinance 15-01. The City Council will consider public comment on proposed Ordinance 15-01, amending the Zoning Ordinance pertaining to body art establishments in Sections 1101.00 (Definitions), 1105.10 B-2, Highway Commercial, 1105.11 B-3, Central Business District, and Section 310.10 (Licensing Requirements) of the City Code. Also considered will be amendments pertaining to accessory structures in Sections 1104.11 (Limit Number of Buildings on Lot) and 1104.12 (Accessory Buildings).

Mayor Pingalore referenced a memo dated February 17, 2015 from Community Development Director Alger regarding proposed Ordinance 15-01.

Community Development Director Alger explained that in December, the Planning Commission reviewed options for Body Art Establishment regulations; determining that such establishments be encompassed within the regulations of "Personal Service Establishments." This would make them permitted uses in the B-2 and B-3 District with no further action by the City; other than their requirement to obtain proper licensure under Section 310 of the City Code. A definition for "Personal Service Establishments" was created; and various amendments to Sections 310 (Body Art Establishment licensing); 1105.11 (B-2 District regulations); and 1105.12 (B-3 District regulations) are proposed. The Planning Commission reviewed a draft ordinance in January, and found it to accurately represent the direction provided to staff at the previous meeting. The language was also reviewed by the City Council at a workshop on January 5, 2015 and supported by a majority of the Council. The proposed language found in Ordinance 15-01 would also be fairly consistent with the regulations of other communities from which staff inquired; particularly in Scott County. The remaining language included, which has not been previously discussed

but is more of a housekeeping update based on the newly adopted MN State Building Code, are Sections 5 and 6 of Ord. 15-01; dealing with Accessory Structures. One of the changes under Section 1300.0120 of the Building Code (PERMITS), Subp. 4 (Work Exempt from permit) is that the minimum square footage of detached accessory structures requiring a permit *has been increased from 120 to 200 square feet*. As such, Staff feels it would be appropriate to reflect the same in the Zoning Ordinance. Those sheds exempt from a building permit would still require a zoning permit, but the size limit would be consistent with the Building Code. Adding this second topic to Ordinance 15-01 saves on multiple public hearings and publications; particularly because it's a fairly benign amendment. The Planning Commission held a public hearing on February 9, 2015 at which time no one was present to speak either for or against the proposed amendments.

Mayor Pingalore opened the public hearing at 6:46 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember Trost, to close the public hearing at 6:47 p.m. ALL VOTED AYE. MOTION CARRIED.

1. Adoption of Ordinance 15-01, Amending Regulations Pertaining to Body Art Establishments and Section 1104 Pertaining to Accessory Buildings.

MOTION by Councilmember Trost, second by Councilmember Schneider, to adopt Ordinance 15-01, Amending Regulations Pertaining to Body Art Establishments and Section 1104 Pertaining to Accessory Buildings. ALL VOTED AYE. MOTION CARRIED.

2. Approve Resolution 15-024, Approving a summary publication of Ordinance 15-01.

MOTION by Councilmember Coop, second by Councilmember Schneider, to approve Resolution 15-024, Approving a Summary Publication of Ordinance 15-01. ALL VOTED AYE. MOTION CARRIED.

8. BUSINESS.

8.1. Presentation of Claims.

Councilmember Coop requested an explanation about an employee mileage reimbursement.

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

8.2. 2015 Street Improvement Project – Sidewalks.

Mayor Pingalore referenced a memo dated February 17, 2015 from City Administrator Kreft regarding sidewalks.

City Administrator Kreft explained that at the January 5, 2015 Council meeting, the Council authorized Bolton and Menk to complete the final design and specifications for the 2015 Street Project. During the public hearing that evening two issues were discussed: sidewalks and street width. At the January 20, 2015 Council meeting, the Council discussed the potential of adding sidewalks and trails as part of the 2015 street project. This issue was discussed at the February 3rd Public Works Committee meeting. Since the January 20th meeting, the right-of-way has been surveyed. For the preliminary report, aerial photos from the Scott County GIS are used for potential location of features. This is done to keep the costs lower before the Council moves forward with the project. Based on the survey information, there is significantly less right-of-way on the south side of the street than depicted in the aerial photo. This would preclude the City from installing a sidewalk without impacting the existing parking pads. As previously discussed, having sidewalks bisect the parking pad is not recommended.

City Engineer Duncan and Public Works Superintendent Fahey viewed the area and assessed potential locations for alternative sidewalk connections. The recommendation that was discussed at the Public Works Committee meeting is as follows:

Cherry Street and Elk Street – sidewalks included in the 2015 project on the west side of both streets.

Fountain Park – Backstop added in southeast corner due to erosion and included in the 2015 project.

Court Street – sidewalk included in future street project on the south side of the street.

Eagle Street – sidewalk included in future street project on the west side of the street to connect to existing sidewalk south of State Street.

Grove Street – sidewalk included in future street project on the west side of the street from Court Street to Church Street and connecting to existing sidewalk south of Church Street.

Elk Street – no sidewalk constructed unless part of future street project due to steep slopes and potential need to rebuild riprap area.

Meridian Street – no trail constructed on 200 block and property owners notified that they will need to replace sidewalk per City Code.

City Engineer Duncan further explained that it was not desirable to place a sidewalk along West Forest Street between the driveway pads and the right-of-way, therefore the alternate route of sidewalks on Cherry Street and Elk Street were proposed.

It was the consensus of the Council to direct Staff to proceed as recommended by the Public Works Committee and outlined in City Administrator Kreft's memo.

9. ADMINISTRATION.

9.1. Upcoming Meetings.

- 1. BR & E Task Force, 4:00 pm, Monday, February 23.**
- 2. Design Committee, 5:15 pm, Monday, March 2.**
- 3. City Council, 6:30 pm, Monday, March 2.**
- 4. Joint Planning Work Session, 6:45 pm, Monday, March 2.**
- 5. Council Work Session, 7:00 pm, Monday, March 2.**
- 6. Public Works, 11:00 am, Tuesday, March 3.**
- 7. Public Safety, TBD.**
- 8. EDA, 5:00 pm, Monday, March 9.**
- 9. Planning, 6:30 pm, Monday, March 9.**

The Council was reminded of the upcoming meetings as listed.

10. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Schneider, to adjourn at 6:57 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary