

**BELLE PLAINE CITY COUNCIL
REGULAR MEETING
FEBRUARY 18, 2020**

1. PLEDGE OF ALLEGIANCE.

Mayor Christopher Meyer 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 18, 2020 at 6:30 PM in the council chambers of City Hall 218 North Meridian Street, Belle Plaine, MN. Mayor Meyer called the meeting to order with Councilmembers Cary Coop, Paul Chard, Renee LeMieux and Patricia Krings present.

Also present were City Administrator Meyer, Finance Director Jirik, Community Development Director Smith Strack and Police Chief Stolee. Public Works Superintendent Fahey, City Engineer Duncan and City Attorney Vose were not present. Wanda Savage served as video recording operator.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

- 4.1. Regular Session Minutes of February 3, 2020.
- 4.2. Work Session Minutes of February 3, 2020.
- 4.3. Resolution 20-030 Authorizing transfer of Developer Sealcoat Escrows (Fund 803) to the sealcoat projects in the Capital Fund (Fund 402) in the amount of \$11,875.
- 4.4. Resolution 20-031 Appointing Ice Rink Attendant.
- 4.5. Resolution 20-032 Approving Terms of ROSE Loans to Kevin and Cindy Berger, Berger Interiors for a Structure at 139 Meridian Street South.
- 4.6. Resolution 20-035 Appointing Brent Shaughnessy as a member of the Belle Plaine Fire Department.

MOTION by Councilmember LeMieux, second by Councilmember Coop, to approve the agenda as listed: 4.1. Regular Session Minutes of February 3, 2020; 4.2. Work Session Minutes of February 3, 2020; 4.3. Resolution 20-030 Authorizing transfer of Developer Sealcoat Escrows (Fund 803) to the sealcoat projects in the Capital Fund (Fund 402) in the amount of \$11,875; 4.4. Resolution 20-031 Appointing Ice Rink Attendant; 4.5. Resolution 20-032 Approving Terms of ROSE Loans to Kevin and Cindy Berger, Berger Interiors for a Structure at 139 Meridian Street South and 4.6. Resolution 20-035 Appointing Brent Shaughnessy as a member of the Belle Plaine Fire Department. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department

Ambulance Director Sweeney was not present.

5.2. Fire Department.

Fire Chief Otto was present. Otto highlighted the Fire Department report. Otto noted the hiring of Brent Shaughnessy would help with daytime coverage calls.

Mayor Meyer inquired on the Fire Departments Fish Fry date. Fire Chief Otto explained this year's date is March 6.

5.3. Police Department.

Police Chief Stolee was present and highlighted the Police Department's report. Stolee noted January reported a 92% clearance rate explaining that a high clearance rate is the department's goal and cited the department is up by 200 calls over last year. Stolee announced some volunteer activities the department is taking part in including families moving forward, Skate with a cop, Coffee with a cop at Kingsway Retirement Living and the Lutheran Home and a Lions bowling event.

Councilmember Chard inquired if the department is doing something different to attribute to the increase in calls. Chief Stolee explained the community is safe however; the department is busy with many service calls on top of routine traffic stops.

5.4. Community Services Director.

Community Services Director Koller was present. Koller highlighted the Community Services Report.

Councilmember Coop inquired on what Begindergarden is. Community Services Director Koller explained begindergarden is a program designed for the kids who turn five between May 1 and September 1. Koller explained essentially those students would get two years of kindergarden.

5.5. Community Development Department.

Community Development Director Smith Strack was present and highlighted the Community Development report. Smith Strack expressed gratitude to real estate agents, builders, City Council and EDA members who joined a work session to have discussion on housing within the City. Smith Strack also noted every resident will be receiving US Census information in the mail to be filled out in March.

Mayor Meyer thanked City Staff and the Chamber of Commerce on their work putting the Gala together noting it was a great event.

6. PUBLIC HEARINGS

Mayor Meyer introduced the agenda items.

6.1. Ordinance 20-04 The City Council will hear public comment on proposed Ordinance 20-04, which, if approved, will allow event centers as conditional uses in the B-3 Central Business District.

Community Development Director Smith Strack explained Ordinance 20-04 allows for other places of assembly allowed in the Downtown under CUP. Smith Strack explained Jon Lonneman proposes amendment of Code to allow event centers as a specified conditional use in the Central Business District. Smith Strack noted a companion CUP request was submitted to allow for an event center in the Downtown. Smith Strack noted the proposed conditions as: access from public street; activities are limited to indoor spaces, unless other permits are issued; event center CUP may include limits on the number of patrons or attendees and other appropriate limitations based on the size of the site, structures, parking availability, and other relevant factors and compliance with all other City, State and Federal codes. Smith Strack explained the Planning Commission held a hearing and recommended approval with a 5-0 vote. Smith Strack requests action on Ordinance 20-04 and Resolution 20-033 providing for summary publication after the public hearing and discussion.

Mayor Meyer opened the public hearing at 6:44 PM and asked for public comment.

No one spoke at the public hearing.

MOTION by Councilmember Coop, second by Councilmember Chard, to close the public hearing at 6:44 PM. ALL VOTED AYE. MOTION CARRIED.

6.1.1. Approve Ordinance 20-04 An Ordinance amending Section 1101.00 (Definitions), Section 1103.08, Subd. 5(C) (Specific Conditional Use Standards), and Section 1105.11, Subd. 4 (Conditional Uses in the B-3 District) to provide for event centers as conditional uses in the B-3 Central Business District.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve Ordinance 20-04 An Ordinance amending Section 1101.00 (Definitions), Section 1103.08, Subd. 5(C) (Specific Conditional Use

Standards), and Section 1105.11, Subd. 4 (Conditional Uses in the B-3 District) to provide for event centers as conditional uses in the B-3 Central Business District. ALL VOTED AYE. MOTION CARRIED.

6.1.2. Resolution 20-033, A Resolution Approving Summary Publication of Ordinance 20-04.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve Resolution 20-033, A Resolution Approving Summary Publication of Ordinance 20-04. ALL VOTED AYE. MOTION CARRIED.

Mayor Meyer introduced the agenda item.

6.2. Conditional Use Permit – 139 Main Street East. The City Council will receive and consider public comment on a request by Jon Lonneman for a conditional use permit under Section 1105.11, Subd. 4 of the City Code to operate an event center in an existing structure at 139 Main Street East in the B-3 Central Business District.

Community Development Director Smith Strack explained a Conditional Use Permit was received from Jon Lonneman at 139 Main Street East to allow for an event center in a portion of the building. Smith Strack noted the proposed event center space is 5,440 square feet with permitted accessory uses including a commercial kitchen and lease office space. Smith Strack noted no expansion of the building footprint is proposed. Smith Strack explained the second story of the building is owner occupied residential living space. Smith Strack noted the building is under contract for deed with an existing parking lot south of the subject parcel and cited the subject's current catering workforce at three employees. Smith Strack explained the planned use in Destination 2040 is mixed commercial residential and the property is zoned B-3 Central Business District. Smith Strack explained commercial uses in the Central Business District are exempt from off-street parking requirements. Smith Strack explained Attorney Vose reviewed the conditions included in the resolution and cited the Planning Commission's recommended approval on a 3-2 vote. Smith Strack noted the Planning Commission members voting nay were concerned about lack of required off-street parking. Smith Strack requested action on Resolution 20-034 after the public hearing and discussion.

Mayor Meyer inquired if the hours of operation will be consistent with others in the downtown area. Community Development Director Smith Strack confirmed the hours will be consistent. Meyer inquired if a liquor license will be obtained. Smith Strack explained many types of liquor licenses are available and noted she has spoken with the applicant about the need to obtain an appropriate license if liquor will be served. Meyer inquired if the entire remodel will need to be complete before the event space can be used. Smith Strack explained the event center can be a stand alone space with outside catering.

Mayor Meyer opened the public hearing at 6:50 PM and asked for public comment.

Jim Terwedo, attorney of the applicant, stepped forward and spoke without listing his address. Terwedo gave testimony on Lonneman and his business. Terwedo cited some language in the resolution, which has been clarified by City staff.

MOTION by Councilmember LeMieux, second by Councilmember Chard, to close the public hearing at 6:57 PM. ALL VOTED AYE. MOTION CARRIED.

Mayor Meyer inquired if Council had questions or needed clarification. Councilmember Krings inquired if it is the applicant's intent to build out the kitchen at this time. Lonneman confirmed it was the intent. Krings inquired if the applicant will be seeking a liquor license. Lonneman explained he possibly may be getting a license. Krings inquired when the applicant intends to open. Lonneman explained he hopes to open the kitchen as soon as possible. Krings inquired if the space will be used for events only or potentially open as a restaurant. Lonneman said the space will be only used for events. Krings inquired if the applicant intends to ever host concerts at the space. Lonneman declined noting the space will only be used for business meetings, small parties and weddings. Krings inquired if the applicant will have a limit of guests. Lonneman stated he will need to limit guests. Mayor Meyer inquired from Community Development Director Smith

Strack if the building will have a limit on guests. Smith Strack explained under the building code limitations exist and noted capacity will be determined once the architect drawings are submitted and verified. Krings inquired how this event center is different from the other event center in town. Smith Strack explained the event centers will have similar uses but different zoning districts. Smith Strack explained this event center will have multiple uses in the downtown district. Mayor Meyer inquired if the owner moves out of the upstairs can the area become a rental. Smith Strack confirmed it could but would then be required to have two dedicated off street parking spaces.

6.2.1. Resolution 20-034, A Resolution Approving a Conditional Use Permit For An Event Center at 139 Main Street East Within An Existing Structure In The B-3 Central Business District.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve Resolution 20-034, A Resolution Approving a Conditional Use Permit for an Event Center at 139 Main Street East within An Existing Structure in the B-3 Central Business District. ALL VOTED AYE. MOTION CARRIED.

7. BUSINESS.

7.1. Presentation of Claims.

Councilmember Chard inquired on a couple charges and the splitting of a bill. Finance Director Jirik answered all questions and explained the splitting of bills occur when it is a department shared expense. Jirik noted in this case the bill split occurred due to the purchase of ice melt.

MOTION by Councilmember LeMieux, second by Councilmember Coop, to approve the presentation of claims. ALL VOTED AYE. MOTION CARRIED.

8. ADMINISTRATION.

8.1. Upcoming Meetings.

1. Design, Monday, March 2, 5:15 PM
2. City Council, Monday, March 2, 6:30 PM
3. Work Session, Monday, March 2, 6:45 PM
4. Presidential Primary Tuesday, March 3
5. EDA, Monday, March 9, 5:00 PM
6. Planning, Monday, March 9, 6:30 PM
7. Public Safety, Tuesday, March 10, 7:30 AM
8. Belle Plaine Orderly Annexation Meeting, Wednesday, March 11, 6:15 PM
9. Public Works, Thursday, March 12, 9:00 AM

Mayor Meyer reminded the Council of the upcoming meetings as listed.

9. ADJOURN.

MOTION by Councilmember Krings, second by Councilmember Coop, to adjourn the meeting at 7:09 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary