

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
FEBRUARY 21, 2017**

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 21, 2017 at 6:30 p.m. in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Christopher Meyer called the meeting to order with Councilmembers Ben Stier, Cary Coop, and Theresa McDaniel present. Councilmember Paul Chard was not present.

Also present were City Administrator Mike Votca, Finance Director Dawn Meyer, Community Development Director Cynthia Smith Strack, City Engineer Joe Duncan, Police Chief Tom Stolee and City Attorney Bob Vose. Wanda Savage served as the video recording operator.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of February 6, 2017.

4.2. Work Session Minutes of February 6, 2017.

4.3. Special Meeting of February 3, 2017.

4.4. Resolution 17-023 Order Final Plans and Specifications and Authorize Staff to Obtain Quotes for Components of the Downtown Uplighting Project.

4.5. Approve Temporary 3.2% Intoxicating Liquor License for Belle Plaine Baseball Association.

4.6. Resolution 17-024 Waive Application Fee for Administrative Subdivision.

4.7. Resolution 17-021 Appointing Bill Cable as a Volunteer Firefighter with the Belle Plaine Fire Department.

4.8. Resolution 17-026 Adopting Assessment for Water and Sewer Connection Fees for Ridgeview Medical Center.

4.9. Authorizing Contract with Safe Assure for Mandatory Employee Safety Training.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve the consent agenda as follows: 4.1. Regular Session Minutes of February 6, 2017, 4.2. Work Session Minutes of February 6, 2017, 4.3. Special Meeting of February 3, 2017, 4.4. Resolution 17-023 Order Final Plans and Specifications and Authorize Staff to Obtain Quotes for Components of the Downtown Uplighting Project, 4.5. Approve Temporary 3.2% Intoxicating Liquor License for Belle Plaine Baseball Association, 4.6. Resolution 17-024 Waive Application Fee for Administrative Subdivision, 4.7. Resolution 17-021 Appointing Bill Cable as a Volunteer Firefighter with the Belle Plaine Fire Department, 4.8. Resolution 17-026 Adopting Assessment for Water and Sewer Connection Fees for Ridgeview Medical Center and 4.9. Authorizing Contract with Safe Assure for Mandatory Employee Safety Training. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department.

Ridgeview Ambulance provided a written monthly report. The Council acknowledged receipt of the Ambulance Department report.

5.2. Fire Department.

Fire Chief Matt Stier was present. The Council acknowledged receipt of the Fire Department report.

5.3. Police Department.

Police Chief Tom Stolee presented the 2016 Annual Report of the Police Department. The Council acknowledged receipt of the Police Department report.

5.4. Community Development Department.

Community Development Director Cynthia Smith Strack was present. The Council acknowledged receipt of the Community Development Department report.

5.5. Administration Report.

City Administrator Mike Votca was present. The Council acknowledged receipt of the Administration report.

6. PUBLIC HEARINGS.

6.1. Sign Variance. The City Council will consider public comment on a request by Ridgeview Medical Center for signage variances at Ridgeview Health Campus, 165 Commerce Drive West. The applicant proposes two monuments signs of 200 square feet each and on-site directional signs that are six square feet in area rather than the four square feet allowed under 1170.20, Subd. 11(H). The variances are part of a unified sign plan submitted to the City.

Present were John Prondzinski, Vice President of Ridgeview Medical, and Bob Ackerwold of Sign Source.

Community Development Director Smith Strack explained the variance requests by Ridgeview Medical Center at Ridgeview Health Campus, 165 Commerce Drive West, include an increase in maximum square footage of two freestanding monument signs facing non-principal arterial roadways (Meridian Street South and Commerce Drive West) from 150 square feet to 200 square feet; and an increase maximum size (six sf proposed) and height (five feet proposed) of internal directional signs from four square feet and four feet respectively.

The request relates to Ridgeview Health Campus mixed use Planned Unit Development addressed at 125, 145, and 165 Commerce Drive West. The sign variance request has been submitted by Ridgeview Medical Center as fee owner of the real property contained within the Planned Unit Development. The Planning Commission recommended approval.

Mayor Meyer opened the public hearing at 7:04 p.m. and asked for public comment. No one spoke.

MOTION by Councilmember Coop, second by Councilmember McDaniel, to close the public hearing at 7:05 p.m. ALL VOTED AYE. MOTION CARRIED.

1. Resolution 17-022 Approving Sign Variances for Ridgeview Health Campus at 165 Commerce Drive West.

MOTION by Councilmember Coop, second by Mayor Meyer, to approve Resolution 17-022 Approving Sign Variances for Ridgeview Health Campus at 165 Commerce Drive West. ALL VOTED AYE. MOTION CARRIED.

6.2. Ordinance 17-01, Home Occupation Signage. The City Council will hear public comment on proposed Ordinance 17-01, which, if approved, will amend Section 1107.16, Subd. 3(1)(G), Home Occupation Requirements, of the City Code. The proposed amendment would allow one (1) four (4) square foot nameplate sign relating to the home occupation provided it was non-illuminated and affixed to the dwelling wall. The current Code standard is one (1), one (1) square foot nameplate sign.

Community Development Director Smith Strack explained the Planning Commission had discussed a standard contained in the city code relating to signs for home occupations. At this time the Code allows one, one square foot sign for a home occupation and the sign must be affixed to the dwelling unit wall. The Planning Commission reviewed sample code language from other cities in Scott County and developed language included in Ordinance 17-02 which proposes to expand the sign allowable home occupation sign size from one square foot to four square feet. The Commission also recommends adding language requiring signs to be comprised of high quality durable materials. Home occupation signs will still be limited to one in number and be required to be affixed to the dwelling. The Planning Commission recommended approval.

Mayor Meyer opened the public hearing at 7:07 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember Stier, to close the public hearing at 7:08 p.m. ALL VOTED AYE. MOTION CARRIED.

1. Adoption of Ordinance 17-01, Section 1107.16 Pertaining to Home Occupation Signage.

MOTION by Councilmember Stier, second by Mayor Meyer, to adopt Ordinance 17-01, Section 1107.16 Pertaining to Home Occupation Signage. ALL VOTED AYE. MOTION CARRIED.

7. BUSINESS.

7.1. Presentation of Claims.

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

7.2. Resolution 17-020 Veterans Park Limited Public Forum Policy.

City Administrator Votca explained that at the February 6, 2017 meeting the City Council requested the creation of a policy regarding a limited public forum at Veterans Memorial Park. The policy creates a forum in the lower portion of Veterans Memorial Park just north of the pond. One of the major legal items for this forum is distinguishing individual speech from that of the City. In order to achieve this, the displays will be the property of the requestor and insured by the requestor; the displays will only be permitted for one year; the City will mark the area with signage indicating that this area is a limited public forum and not speech of the City; and the City will mark the area to delineate the location of the forum. The City will accept requests via an application process. Applications will be processed in order of receipt. If more applications are submitted than spaces available, a waitlist will be created. Applications on the wait list will be processed in order of receipt once an opening in the forum is created. The proposed policy was attached with City Administrator Votca's memo.

City Administrator Votca read a letter from Councilmember Chard, who was unable to attend tonight's meeting. Councilmember Chard stated that Alliance Defending Freedom should establish a retainer or escrow of funds prior to approval of the proposed Veterans Park Limited Public Forum Policy to pay for all

legal fees that the Belle Plaine City and taxpayers may incur on this issue. If this request cannot be met, Councilmember Chard requested action be tabled until additional information can be obtained.

Mayor Meyer recommended modifications to the proposed policy that included adding reference to the branches of military and other clarifying language.

Councilmember Coop expressed his position regarding the proposed policy. He strongly believes there should be no religious or non-religious symbols on city property. He cited similar situations that occurred in other cities and the outcome. Councilmember Coop believes the adoption of the proposed policy will be a “gamble” for the City.

MOTION by Mayor Meyer, second by Councilmember Stier, to approve Resolution 17-020 Veterans Park Limited Public Forum Policy with modifications as recommended as presented by Mayor Meyer. Councilmember Coop VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

7.3. Resolution 17-025 Accept Plans and Specifications and Authorize Advertisement for Bids on the 2017 Street and Utility Improvement Project, including the Meridian Street Trail as an Alternate Bid.

City Administrator Votca explained that at the July 25, 2016 meeting, the City Council accepted the preliminary engineering report and called for the public hearing for the 2017 street improvement project. The hearing was held on August 15, 2016. The project consists of the reconstruction of street and utility improvements of West Main Street between Buffalo Street and Crest Street and Elk Street between Main Street and State Street. The Meridian Street Trail between Enterprise Drive and Century Street will be included as an alternate bid. The final plans and specifications have been prepared and the next step is for the Council to accept the final plans and specifications and authorize the advertisement for bids. Advertisement for bids will begin this week with the bid opening on Tuesday, March 28, 2017 at 11:00 a.m. at City Hall.

City Engineer Duncan explained that final plans and specifications have been prepared. The Meridian Street trail is included in the bid as alternate. The bid award will be presented at the April 3, 2017 Council meeting for action.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve Resolution 17-025 Accept Plans and Specifications and Authorize Advertisement for Bids on the 2017 Street and Utility Improvement Project, including the Meridian Street Trail as an Alternate Bid. ALL VOTED AYE. MOTION CARRIED.

8. ADMINISTRATION.

8.1. Upcoming Meetings.

- 1. City/School District Joint Workshop, 6:00 pm, Friday, February 24.**
- 2. Joint Planning-Belle Plaine Township, 7:00 pm, Wednesday, March 1.**
- 3. Design Committee, 5:15 pm, Monday, March 6.**
- 4. City Council, 6:30 pm, Monday, March 6.**
- 5. Work Session, 6:45 pm, Monday, March 6.**
- 6. Closed Personnel Committee, City Admin Performance Eval, 7:00 pm, Monday, March 6.**
- 7. Destination 2040, Joint Planning, 5:30 pm, Wednesday, March 8.**
- 8. Public Works, 9:00 am, Thursday, March 9.**

The Council was reminded of the upcoming meetings as listed.

9. ADJOURN.

MOTION by Councilmember Stier, second by Mayor Meyer, to adjourn at 7:28 p.m. ALL VOTED AYE.
MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary