BELLE PLAINE CITY COUNCIL
REGULAR MEETING
MARCH 17, 2025

1. PLEDGE OF ALLEGIANCE.

Mayor Ladd 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, March 17, 2025 at 6:00 PM in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Ladd called the meeting to order with Councilmembers Luke Otto, James Evans, Brady Hartmann and Rex Stacey present.

Also present were City Administrator Meyer, Community Development Director Smith Strack, Finance Director Jirik, City Engineer Duncan, Public Works Superintendent Otto, City Attorney Vose, Assistant Community Development Director Gerold and Police Sergeant Vycital. Wanda Savage served as the video recording operator.

3. APPROVAL OF AGENDA.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to approve the Agenda as presented. ALL VOTED AYE. MOTION CARRIED.

4. PUBLIC FORUM.
******Anyone wishing to address the Council must sign up before the meeting and then have a seat in the audience. The signup sheet is removed 5 minutes before the start of the meeting. Maximum of three (3) minutes per speaker. No official action will be taken.*

Curtis Cauley, 721 Butler Drive, spoke on his concern on the UTV Ordinance. Cauley explained his UTV used for farming and has an Ag tag which is supposed to make it exempt. Cauley expressed concern over another fee/permit requirement.

5. APPROVAL OF CONSENT AGENDA.
5.1. Regular Session Minutes of March 3, 2025.
5.2. Work Session Minutes of March 3, 2025.
5.3. Resolution 25-021 Resolution Approving Terms of a ROSE Program Loan to Belle Plaine Food Shelf Inc. 128 Meridian Street North.
5.4. Resolution 25-023 Re-Appointing Seasonal Life Guards, Water Safety Instructors and Aquatic Staff for the 2025 Belle Plaine Aquatic Center Season.
5.5. Accept Resignation of Desiree Weldon from the Design Committee effective February 28, 2025.
5.6. Resolution 25-024 Appointing Justin Fabel, Katie Glock, Chadwick Haider, Jonathan Schmidt and Kristine Schmidt as members of the Belle Plaine Fire Department.
5.7. Resolution 25-025 Approving Premise Permit for the Belle Plaine Chamber of Commerce at Steel Horse Tavern.
5.8. Accepting a Resignation from Public Works I Employee Jacob Lebens, Effective March 27, 2025 ~~and Authorize Advertising to Seek Candidates to Fill the Position~~.

Councilmember Evans made a motion to approve the consent agenda with the removal of the second portion of item 5.8. authorizing advertisement to seek candidates to fill the position. Evans requested further discussion at a Work Session for the position.

MOTION by Councilmember Evans, second by Councilmember Otto, to approve the Consent Agenda as follows: 5.1. Regular Session Minutes of March 3, 2025; 5.2. Work Session Minutes of March 3, 2025; 5.3. Resolution 25-021 Resolution Approving Terms of a ROSE Program Loan to Belle Plaine Food Shelf Inc. 128 Meridian Street North; 5.4. Resolution 25-023 Re-Appointing Seasonal Life Guards, Water

Safety Instructors and Aquatic Staff for the 2025 Belle Plaine Aquatic Center Season; 5.5. Accept Resignation of Desiree Weldon from the Design Committee effective February 28, 2025; 5.6. Resolution 25-024 Appointing Justin Fabel, Katie Glock, Chadwick Haider, Jonathan Schmidt and Kristine Schmidt as members of the Belle Plaine Fire Department; 5.7. Resolution 25-025 Approving Premise Permit for the Belle Plaine Chamber of Commerce at Steel Horse Tavern and 5.8. Accepting a Resignation from Public Works I Employee Jacob Lebens, Effective March 27, 2025. ALL VOTED AYE. MOTION CARRIED.

6. DEPARTMENT REPORTS.
6.1. Community Services Department. (No Report)

6.2. Ambulance Department. (Report Only)

The Council acknowledge receipt of the Ambulance Report.

6.3. Police Department.

Sergeant Vycital highlighted the Police Report.

6.4. Fire Department.

Fire Chief Otto highlighted the Fire Department Report.

6.5. Community Development Department.

Community Development Director Smith Strack highlighted the Community Development Report.

7. PUBLIC HEARINGS.
7.1. Ordinance 25-03 Zoning Code Amendment Cannabis Cultivation Downtown. The City Council will hold a public hearing on Ordinance 25-03 An Ordinance Amending City Code Chapter 11, Zoning to Provide for Cannabis Cultivation as Part of a Microbusiness Operation in the B-3 Central Business District.

Community Development Director Smith Strack reviewed the proposed Ordinance 25-03 Zoning Code Amendment Cannabis Cultivation Downtown with a brief presentation.

Council held discussion.

Mayor Ladd opened the public hearing at 6:14 PM and asked for public comment.

No one stepped forward.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to close the public hearing at 6:15 PM. ALL VOTED AYE. MOTION CARRIED.

7.1.1. Ordinance 25-03 An Ordinance Amending City Code Chapter 11, Zoning to Provide for Cannabis Cultivation as Part of a Microbusiness Operation in the B-3 Central Business District.

MOTION by Councilmember Otto, second by Councilmember Ladd, to approve Ordinance 25-03 An Ordinance Amending City Code Chapter 11, Zoning to Provide for Cannabis Cultivation as Part of a Microbusiness Operation in the B-3 Central Business District. Otto, Ladd, Hartmann and Evans VOTED AYE. Stacey VOTED NAY. MOTION CARRIED 4-1.

7.1.2. Resolution 25-026 Authorizing Summary Publication of Ordinance 25-03 An Ordinance Amending City Code Chapter 11, Zoning to Provide for Cannabis Cultivation as Part of a Microbusiness Operation in the B-3 Central Business District.

MOTION by Councilmember Hartmann, second by Councilmember Otto, to approve Resolution 25-026 Authorizing Summary Publication of Ordinance 25-03 An Ordinance Amending City Code Chapter 11, Zoning to Provide for Cannabis Cultivation as Part of a Micro Business Operation in the B-3 Central Business District. Hartmann, Otto, Ladd and Evans VOTED AYE. Stacey VOTED NAY. MOTION CARRIED 4-1.

7.2. **Variance Required Side and Rear Yard Setbacks**. The City Council is to hold a public hearing on a variance to Section 1105.14, Subd. 6(3)(b) and (c) to allow side and rear yard setbacks of eight feet in the Public/Institutional District. Side and rear yard setbacks of 20 and 25 feet respectively are required.

Assistant Community Development Director Gerold reviewed the proposed variance Required Side and Rear Yard Setbacks with a brief slideshow.

Mayor Ladd opened the public hearing at 6:20 PM and asked for public comment.

School District Representative Jeff Heine stepped forward and explained the abutting properties are owned by the School District and are unbuildable outlots. Heine noted he is available for questions.

MOTION by Councilmember Evans, second by Councilmember Ladd, to close the public hearing at 6:21 PM. ALL VOTED AYE. MOTION CARRIED.

7.2.1. **<u>Resolution 25-027(A)</u>** Approving a Variance to Allow Side and Rear Yard Setbacks of Eight Feet at Lot 1, Block 1 Belle Plaine High School.
<u>Resolution 25-027(B)</u> Denying a Variance to Decrease Side and Rear Yard Setbacks at Lot 1, Block 1 Belle Plaine High School.

MOTION by Councilmember Evans, second by Councilmember Ladd, to approve Resolution 27-027(A) Approving a Variance to Allow Side and Rear Yard Setbacks of Eight Feet at Lot 1, Block 1 Belle Plaine High School. ALL VOTED AYE. MOTION CARRIED.

7.3. **Ordinance 25-06, Amend Fee Schedule.** The City Council will consider public comment on proposed Ordinance 25-06, amending Section 108.00 of the City Code by emending the City's fee schedule. Proposed changes include the addition of Golf Cart, ATV and UTV Permit fees.

City Administrator Meyer reviewed the proposed Ordinance 25-06, Amend Fee Schedule.

Council held discussion.

Mayor Ladd opened the public hearing at 6:27 PM and asked for public comment.

Paul Chard, 320 S. Walnut, expressed concern with the registration of ATV/UTV noting they are already registered with the State and insured.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to close the public hearing at 6:29 PM. ALL VOTED AYE. MOTION CARRIED.

7.3.1. Ordinance 25-06 Amending Section 108.00 of the City Code by amending the City's Fee Schedule.

MOTION by Councilmember Ladd, second by Councilmember Stacey, to Deny Ordinance 25-06 Amending Section 108.00 of the City Code by amending the City's Fee Schedule.

Mayor Ladd rescinded the Motion.

Council held discussion.

MOTION by Councilmember Ladd, second by Councilmember Hartmann, to approve Ordinance 25-06 with the removal of ATV/UTV fees and making the golf cart fee be a one-time fee instead of an annual fee. Councilmembers Ladd, Hartmann, Stacey and Otto VOTED AYE. Councilmember Evans VOTED NAY. MOTION CARRIED 4-1.

7.3.2. Resolution 25-028 Authorizing Summary Publication of Ordinance 25-06.

MOTION by Councilmember Hartmann, second by Councilmember Otto, to approve Resolution 25-028 Authoring Summary Publication of Ordinance 25-06 as amended. Councilmember Hartmann, Otto, Stacey and Ladd VOTED AYE. Councilmember Evans VOTED NAY. MOTION CARRIED 4-1.

8. BUSINESS.
8.1. Presentation of Claims.
8.1.1. Pay Request No. 8, Project One Construction for the Fire Department Addition Project.

MOTION by Councilmember Hartmann, second by Councilmember Stacey, to approve the reviewed claims as presented in the amount of $676,606.62. ALL VOTED AYE. MOTION CARRIED.

8.2. Ordinance 25-04, Motorized Golf Carts. An Ordinance Repealing and Replacing Chapter 5, Section 507.00 of the City Code Pertaining to Motorized Golf Carts.

Council held discussion. It was the direction of the Council to adjust the fee to a one-time lifetime fee with annual registration.

8.2.1. Ordinance 25-04 An Ordinance Repealing and Replacing Chapter 5, Section 507.00 of the City Code Pertaining to Motorized Golf Carts.

MOTION by Councilmember Hartmann, second by Councilmember Stacey, to TABEL Ordinance 25-04, Motorized Golf Carts as amended. Councilmembers Hartmann, Stacey, Ladd and Otto VOTED AYE. Councilmember Evans VOTED NAY. MOTION CARRIED 4-1.

8.2.2. Resolution 25-029 Authorizing Summary Publication of Ordinance 25-04.

MOTION by Councilmember Stacey, second by Councilmember Hartmann, to approve Resolution 25-029 Authorizing Summary Publication of Ordinance 25-04 as amended. Councilmembers Stacey, Hartmann, Otto and Ladd VOTED AYE. Councilmember Evans VOTED NAY. MOTION CARRIED.

8.3. Ordinance 25-05, All-Terrain Vehicles and Utility Task Vehicles. An Ordinance Repealing and Replacing Chapter 5, Section 508 of the City Code Pertaining to All-Terrain Vehicles and Utility Task Vehicles.

Council held discussion.

8.3.1. Ordinance 25-05, An Ordinance Repealing and Replacing Chapter 5, Section 508.00 of City Code Pertaining to All-Terrain Vehicles and Utility Task Vehicles.

MOTION by Councilmember Ladd, second by Councilmember Hartmann, to TABEL Ordinance 25-05, An Ordinance Repealing and Replacing Chapter 5, Section 508.00 of City Code Pertaining to All-Terrain Vehicles and Utility Task Vehicles. Councilmembers Ladd, Hartmann, Otto and Stacey VOTED AYE. Councilmember Evans VOTED NAY. MOTION CARRIED.

8.3.2. Resolution 25-030 Authorizing Summary Publication of Ordinance 25-05.

MOTION by Councilmember Ladd, second by Councilmember Stacey, to TABEL Resolution 25-030 Authorizing Summary publication of Ordinance 25-05. Councilmember Ladd, Stacey, Otto and Hartmann VOTED AYE. Councilmember Evans VOTED NAY. MOTION CARRIED.

8.4. Resolution 25-022 Appointing Ryan Bergs as the Aquatic Center Assistant Manager.

Mayor Ladd requested a brief summary of when the position was added and the history. Public Works Superintendent Otto provided an overview of the position of Assistant Manager versus the Aquatic Center Manager and needs.

MOTION by Councilmember Hartmann, second by Councilmember Evans, to approve Resolution 25-022 Appointing Ryan Bergs as the Aquatic Center Assistant Manager. Councilmember Hartmann, Evans, Otto and Stacy VOTED AYE. Councilmember Ladd VOTED NAY. MOTION CARRIED 4-1.

8.5. Resolution 25-031 A Resolution of Application for the Public Facilities Authority Clean Water Revolving Fund.

City Administrator Meyer reviewed the request for application.

MOTION by Councilmember Hartmann, second by Councilmember Stacey, to approve Resolution 25-031 A Resolution of application for the Public Facilities Authority Clean Water Revolving Fund. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Tentative Meetings.

1. Design, Monday, April 7, 5:00 PM
2. City Council, Monday, April 7, 6:00 PM
3. Work Session, Monday, April 7, 6:15 PM

Mayor Ladd reviewed the upcoming tentative meetings as listed.

10. ADJOURN.

MOTION by Councilmember Hartmann, second by Councilmember Evan, to adjourn the meeting at 6:45 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully Submitted,

Renee Eyrich
Recording Secretary