

**BELLE PLAINE CITY COUNCIL
MEETING
MARCH 19, 2018**

1. PLEDGE OF ALLEGIANCE.

Mayor Meyer let 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 19, 2018 at 6:30 p.m. in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Meyer called the meeting to order with Councilmembers Ben Stier, Cary Coop, Paul Chard and Theresa McDaniel present.

Also present were City Administrator Dawn Meyer, Community Development Director Cynthia Smith Strack Public Works Superintendent Al Fahey, City Engineer Joe Duncan, City Attorney Bob Vose, Police Chief Tom Stolee Community Services Director Mindy Chevalier and Fire Chief Matt Stier. Ambulance Director Doug Sweeney was absent. Wanda Savage served as the video recording operator.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of March 5, 2018.

4.2. Work Session Minutes of March 5, 2018.

4.3. Authorize Purchase of Loader for Public Works.

4.4. Resolution 18-034 Appointing Seasonal Life Guards and Water Safety Instructors for the 2018 Belle Plaine Swimming Pool Season.

4.5. Resolution 18-035 Appointing Brandon Bast and Maxwell Kes as Volunteer Firefighters with the Belle Plaine Fire Department.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve the consent agenda as follows: 4.1. Regular Session Minutes of March 5, 2018; 4.2. Work Session Minutes of March 5, 2018; 4.3. Authorize Purchase of Loader for Public Works; 4.4. Resolution 18-034 Appointing Seasonal Life Guards and Water Safety Instructors for the 2018 Belle Plaine Swimming Pool Season; 4.5. Resolution 18-035 Appointing Brandon Bast and Maxwell Kes as Volunteer Firefighters with the Belle Plaine Fire Department. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department.

Ambulance Director Doug Sweeney was absent. The council acknowledged receipt of the Ambulance Report.

5.2. Fire Department.

Fire Chief Matt Stier was present. The council acknowledged receipt of the Fire Department Report. Stier explained the department is currently working on the rescue van and the council should see something in the next few meetings. Mayor Meyer questioned if the additions of the two new firefighters brings the roster back up to 30. Stier affirmed the department is now fully staffed with the two new additions.

5.3. Community Services Department.

Mindy Chevalier was present. The council acknowledged receipt of the Community Services Report.

5.4. Police Department – Annual Report.

Chief Stolee was present. The council acknowledged receipt of the Police Department Report. Stolee shared a presentation of the police department annual report. Stolee explained the PowerPoint will be available online for community members to view. Chief Stolee also emphasized the meaning of the blue light always burning outside of the police station is in remembrance of those who passed. Mayor Meyer thanked Chief Stolee and his department for their hard work.

5.5. Community Development Department.

Community Development Director Smith Strack was present. The council acknowledged receipt of the Community Development Report. Smith Strack reminded Council of the upcoming MnDOT meeting for Business owner. Smith Strack also announced Fast track/One stop shop is seeking sponsors.

6. PUBLIC HEARINGS.

6.1. Preliminary Plat: Provence On The River 2nd Addition. The City Council will consider public comment on a request by Provence Development LLC for Preliminary Plat approval for Provence On The River 2nd Addition. The preliminary plat illustrates the creation of 38 new single family lots for Outlot E of Provence on the River 2nd Addition.

Community Development Director Smith Strack explained Provence on the River 2nd Addition is a conventional plat subdividing Outlot E Provence on the River 2nd Addition. Provence Development LLC proposes the creation of 38 platted lots and replatting of one lot from Provence 1st. Smith Strack noted the Applicant intends to pursue preliminary and final platting, park dedication, and re-grading for the entire concept plan area; however, utilities will be extended in two phases. Construction of Phase 1 of Provence on the River 2nd would occur in 2018 bringing 19 one family lots to market. Smith Strack explained information on the preliminary plat, existing conditions, and preliminary utility plans was contained in a staff memo to the Planning Commission dated March 12, 2018, and included in the City Council packet. Smith Strack noted Provence Development LLC has filed escrow with the City to secure the services of the City Engineer's Office to develop the preliminary plat and engineering plans.

Mayor Meyer explained a public hearing has been scheduled and the City Council will accept public comment a request by Provence Development LLC for Preliminary Plat approval for Provence on the River 2nd Addition. The preliminary plat illustrates the creation of 38 new single family lots for Outlot E of Provence on the River 2nd Addition.

Mayor Meyer opened the public hearing at 7:04 PM and asked for public comment. There was no public comment.

MOTION by Councilmember Coop, second by Councilmember McDaniel, to close the public hearing at 7:04 PM. ALL VOTED AYE. MOTION CARRIED.

1. Resolution 18-028, A Resolution Conditionally Approving A Preliminary Plat for Provence On The River 2nd Addition.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 18-028, A Resolution Conditionally Approving A Preliminary Plat for Provence On The River 2nd Addition. ALL VOTED AYE. MOTION CARRIED.

6.2. Preliminary and Final Plat: Valley Business Park 3rd Addition. The City Council will consider public comment on a request by the City of Belle Plaine for Preliminary Plat approval for Valley Business Park 3rd Addition a resubdivision of previously platted property near South Street, Laredo Street, Maple Street, and Diversified Drive. The Council will act on proposed preliminary and final plats concurrently.

Community Development Director Smith Strack explained Valley Business Park 3rd Addition is a resubdivision of previously platted lots and improved lots. Staff initiated replatting as a means of accommodating the sale of a portion of Lot 1, Block 1 Valley Business Park 2nd Addition to a development prospect. Platting of right-of-way for the extension of Maple Street involves a portion of Lot 2, Block 1 of Valley Business Park 2nd Addition. Smith Strack noted as such replatting of Lot 2 is illustrated in the preliminary and final plats, a slight change from the concept previously approved. Smith Strack noted information on the preliminary and final plat review was contained in a staff memo to the Planning Commission dated March 12, 2018, included in the City Council packet. Smith Strack explained the City is the fee owner and developer of the property.

Mayor Meyer questioned if staff had a purchase agreement for the land. Community Development Director explained staff is recommending opening up the public hearing and motion for a continuance to the April 16th City Council meeting to allow time for continued discussion and iron out details of a purchase agreement on two of the lots.

Mayor Meyer explained a public hearing has been scheduled and the City Council will accept public comment on Resolution 18-029, A Resolution Conditionally Approving Preliminary and Final Plats for Valley Business Park 3rd Addition.

Mayor Meyer opened the public hearing at 7:05 PM and asked for public comment. There was no public comment.

MOTION by Councilmember Coop, second by Councilmember Chard, to CONTINUE the public hearing until April 16th City Council Meeting to allow additional time to set purchase agreement parameters. ALL VOTED AYE. MOTION CARRIED.

6.3. Ordinance 18-03 Outdoor Storage. The City Council will hear public comment on proposed Ordinance 18-03, An Ordinance Amending Section 1107.08 of the City Code Pertaining to Outside Storage. If approved, Ordinance 18-03 will clarify what types of items may be stored outside, the volume of said items, and standards for parking areas used for outside storage.

Community Development Director Smith Strack explained ordinance 18-03 clarifies what types of items may be stored outdoors, the volume of said items, and standards for parking areas. The following notable updates are proposed: 1) Definition of term 'recreational vehicles' to include: traditional RV's, watercraft, trailers, snowmobiles/sport utility vehicles, and hobby vehicles. Must be operable and with current license; 2) Increases the allowable storage volume from two to three recreational vehicles; 3) Allows for on and off-street parking of currently registered and operable and insured passenger vehicles and trucks not exceed a gross vehicle weight rating of nine thousand (9,000) pounds; 4) Requires parking pads be setback at least five feet (current standard is two feet) from property lines and be surfaced with bituminous, concrete, or a minimum four inches of compacted gravel; and 5) Exempts certain items such as construction materials being used on site, lawn furniture, cooking equipment, etc. provided they are property of property owner or tenant. Smith Strack noted the Planning Commission held a public hearing on the draft ordinance March 12th and approved a resolution recommending Council approval.

Mayor Meyer requested clarification on the logic behind the ordinance moving up to three recreational vehicles from the two previously in City Code. Community Development Director Smith Strack explained the Planning Commission is expanding the terminology of recreational vehicles and by expanding the terminology the principle number of items people can store outside would be too restrictive. Smith Strack explained if you have an RV, trailer and a boat in the old language you would be in violation. Meyer requested information on the 9,000 pound weight allowance and what an average motorhome weights questioning if the City would potentially run into an issue of residents being unable to park their motorhome in their driveways. Smith Strack clarified the Planning Commission would be looking at the gross vehicle weight rating verses the actual weight of the vehicle itself. Smith Strack stated qualifying items over the 9,000-pound limit would be quad axel dump trucks, school bus and semi-trucks. Meyer requested more information on the review policy, who reviews and if they had enough time to review. City Administrator

Meyer explained all ordinances should go through both the Public Safety and Public Works committees. Smith Strack explained it is routine to email department heads for comment, stating Chief Stolee was given opportunity for comment. Chief Stolee requested more time for review and noted some concerns on bullet point 3 and racing vehicles.

Mayor Meyer explained a public hearing has been scheduled and the City Council will accept public comment on Ordinance 18-03, An Ordinance Amending Section 1107.08 of the City Code Pertaining to Outside Storage. If approved, Ordinance 18-03 will clarify what types of items may be stored outside, the volume of said items, and standards for parking areas used for outside storage.

Mayor Meyer opened the public hearing at 7:13 PM and asked for public comment.

MOTION by Councilmember Meyer, second by Councilmember Coop, to CONTINUE the public hearing until April 16th City Council Meeting to allow additional time review by Public Safety and Public Works and further clarification. ALL VOTED AYE. MOTION CARRIED.

6.4. Ordinance 18-04 Off-Street Parking. The City Council will hear public comment on proposed Ordinance 18-04, An Ordinance Amending Section 1107.12, Subd. (4)(6); Section 1107.12, Subd. 4(8)(E), and Section 1107.12, Subd. 4(8)(G) of the City Code Pertaining to Off-Street Parking. The draft code amendment clarifies where vehicles may be parked and associated surfaces for parking.

Community Development Director Smith Strack explained Ordinance 18-04 clarifies where vehicles may be parked and associated surfaces for parking and will be consistent with outside storage standards. Smith Strack noted the following updates are proposed: Definition of term 'recreational vehicles' to include: traditional RV's, watercraft, trailers, snowmobiles/sport utility vehicles, and hobby vehicles. Must be operable and with current license; Increases the allowable storage volume from two to three recreational vehicles; Allows for on and off-street parking of currently registered and operable and insured passenger vehicles and trucks not exceed a gross vehicle weight rating of nine thousand (9,000) pounds; Requires parking pads be setback at least five feet (current standard is two feet) from property lines and be surfaced with bituminous, concrete, or a minimum four inches of compacted gravel; and Exempts certain items such as construction materials being used on site, lawn furniture, cooking equipment, etc. provided they are property of property owner or tenant. Smith Strack explained the Planning Commission held a public hearing on the draft ordinance March 12th and approved a resolution recommending Council approval.

Mayor Meyer stated Ordinance 18-04 mirrors the same questions as the last ordinance. Meyer suggested continuing this public hearing as well. Councilmember Coop echoed Meyers sentiments.

Mayor Meyer explained a public hearing has been scheduled and the City Council will accept public comment on Ordinance 18-04, An Ordinance Amending Section 1107.12, Subd. (4)(6); Section 1107.12, Subd. 4(8)(E), and Section 1107.12, Subd. 4(8)(G) of the City Code Pertaining to Off-Street Parking. The draft code amendment clarifies where vehicles may be parked and associated surfaces for parking.

Mayor Meyer opened the public hearing at 7:15 PM and asked for public comment.

MOTION by Councilmember Meyer, second by Councilmember Coop, to CONTINUE the public hearing until April 16th City Council Meeting to allow additional time review by Public Safety and Public Works and further clarification. ALL VOTED AYE. MOTION CARRIED.

7. BUSINESS.

7.1. Presentation of Claims.

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

7.2. Resolution 18-039 Awarding the Bid for the 2018 Street Construction project.

City Administrator Meyer explained bids for the 2018 Street Improvement Project were opened on March 15, 2018 resulting in the apparent low bidder of OMG Midwest, Inc. (dba Chard). Meyer explained City Engineer Duncan is present and available to summarize the bids and answer any questions the Council may have. City Engineer Duncan noted the City received double the expected amount of bids. Duncan explained the two alleys were an alternate on last year's project and were postponed due to cost, the new bid came in \$20,000 less than last year. Duncan's recommendation is to add the trail alternate to the street project for 2018.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve the Resolution 18-039 Awarding the Bid for the 2018 Street Construction project. ALL VOTED AYE. MOTION CARRIED.

7.3. Resolution 18-033 A Resolution Approving a Concept Plan for Milton Heights A Residential Planned Unit Development With Concurrent Subdivision.

Community Development Director Smith Strack explained Gary and Lynn Crosby propose development of *Milton Heights* consisting of 26 attached single family units on 8.86 acres abutting Elk Street South. Smith Strack noted Milton Heights will be a planned unit development with concurrent plat review. Flexibility in performance standards is proposed as a means of bringing attached dwelling units to market to satisfy an existing need. Present zoning requires housing types other than one-family units. The comprehensive plan requires a minimum density of 6 dwelling units per acre. As proposed the development would achieve a density of 6.5 dwelling units per acre. Smith Strack explained the Crosby's will utilize private financing of improvements and fee in lieu of parkland dedication is envisioned. Construction is anticipated late 2018 or, more likely, in 2019. Smith Strack explained Park Board reviewed and passed the proposal with the request of land verses fee in the south west quadrant in addition to a trail on the south side of the property and sidewalks on both sides of Williams street.

Councilmember Chard expressed his concern with the curve in Elk street and preferred the last concept for public safety reasons. Chard believes if the street isn't fixed now it will cost taxpayers more money down the road. City Engineer Duncan explained the concept provisions for water and sewer and the possible options noting none of which are a small amount of money for the developer. Duncan suggested a review by Bolton and Menk's traffic study department for an alternative. Mayor Meyer clarified as the proposal is still in the concept phase staff has time to review possible alternatives.

MOTION by Mayor Meyer, second by Councilmember Coop, to approve the Resolution 18-033 A Resolution Approving a Concept Plan for Milton Heights A Residential Planned Unit Development With Concurrent Subdivision. Meyer, Coop and McDaniel VOTED AYE. Stier and Chard VOTED NAY. MOTION CARRIED.

7.4. Resolution 18-038 Approving Library Updates.

Public Works Superintendent Fahey explained the proposed Library updates. Fahey noted quotes received from Berger Interiors and Lange's Plumbing and Heating were included in the Council packet.

MOTION by Mayor Meyer, second by Councilmember Coop, to approve Resolution 18-038 Approving Library Updates. ALL VOTED AYE. MOTION CARRIED.

7.5. Resolution 18-036 Authorizing Execution of Community Center Operational Agreement between the City of Belle Plaine and the School District for the proposed Community Center.

City Administrator Meyer explained staff was directed to work with the school district on an agreement for the proposed Community Center dictating the City contribution of \$250,000 annually towards operations and staffing. Meyer noted at the March 5th Work Session Council reviewed the proposed agreement and requested the following changes. Meyer explained the proposed agreement was included in the Council packet for review.

Councilmember Coop stated he had three points to he wanted noted for community members. Point one is his concern with the School Districts numbers for operating costs. Coop noted a \$175,000.00 yearly deficit in operating funding compared to New Prague's Aquatic Center. Point two Coop noted the proposed \$33-Million-dollar bond in his calculations would result in over a \$54-Million-dollar bond spread over the 20-year bond length. Coop concludes in order to recoup the city's contribution over the next 240 months and estimated 82,000 homes would need to be built at the median house rate thus not making the Community Center an effective tool for economic development. Point three Coop notes he wants community members to be aware that a vote yes on the referendum is actually voting yes to two tax increases. Explaining one increase from the school and one increase from the City levy as the City's share is an extra \$75,000 per year than previously budgeted. Coop expressed his view that the Community Center is too big and his belief that the pools should be taken out and start with a smaller Center leaving room for growth as the City grows. Coop finished his statement by saying he feels it is important for the community members to know the tax and encourages residents to go vote however they feel.

MOTION by Councilmember Stier, second by Mayor Meyer, to approve Resolution 18-036 Authorizing Execution of Community Center Operational Agreement between the City of Belle Plaine and the School District for the proposed Community Center. Councilmembers Stier, Meyer and McDaniel VOTED AYE. Councilmembers Coop and Chard VOTED NAY. MOTION CARRIED.

8. ADMINISTRATION.

8.1. Upcoming Meetings.

- 1. MnDOT Overlay Project – Meeting with Businesses, Schools & EMS, 4:30 PM, Tuesday, March 21.**
- 2. MnDOT Overlay Project – Public Meeting, 4:30 PM., Wednesday, March 21.**
- 3. Design Committee, 5:15 p.m., Monday, April 2.**
- 4. City Council, 6:30 p.m., Monday, April 2.**
- 5. Work Session, 6:45 p.m., Monday, April 2.**
- 6. EDA, 5:00 p.m., Monday, April 9.**
- 7. Planning, 6:30 p.m., Monday, April 9.**
- 8. Public Safety, 4:30 p.m., Tuesday, April 10.**
- 9. Public Works, 9:00 a.m., Thursday, April 12**

The Council was reminded of the upcoming meetings as listed.

9. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Stier, to adjourn the meeting at 7:53 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary