

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
MARCH 20, 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 Monday, March 20, 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 Paul Chard, Ben Stier, Cary Coop, and Theresa McDaniel present.

Also present were City Administrator Mike Votca, Finance Director Dawn Meyer, Community Development Director Cynthia Smith Strack, Public Works Superintendent Al Fahey, 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 Chard, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

4. APPROVAL OF CONSENT AGENDA.

4.1. Regular Session Minutes of March 6, 2017.

4.2. Work Session Minutes of March 6, 2017.

4.3. Closed Personnel Committee Meeting Minutes of March 6, 2017.

4.4. Resolution 17-031 Approving ROSE Program Application for Salon 129 at 129 Meridian Street North.

4.5. Authorizing Advertising to Seek Bids for the 2017 Seal Coat Project.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve the consent agenda as follows: 4.1. Regular Session Minutes of March 6, 2017, 4.2. Work Session Minutes of March 6, 2017, 4.3. Closed Personnel Committee Meeting Minutes of March 6, 2017, 4.4. Resolution 17-031 Approving ROSE Program Application for Salon 129 at 129 Meridian Street North, and 4.5. Authorizing Advertising to Seek Bids for the 2017 Seal Coat Project. 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 was present. 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. Minor Comprehensive Plan Amendment and Preliminary Plat for Tatiana Fields at 1001 Commerce Drive West. The City Council will accept public comment on a request by Sabyasachi Sengupta relating to the development of Tatiana Fields, a commercial recreation venue (i.e. cricket field complex) at 1001 Commerce Drive West. The Applicant requests consideration of: Minor Comprehensive Plan Amendment, Site Development Plan, and Preliminary and Final Plats. If approved, the requests will allow for the establishment of recreational fields, associated parking, and potential future amenities.

Present were Sabyasachi Sengupta, Owner; Paul Otto, Engineer; Eric Perkins and Abhijeet Kumar, Project Representatives.

Community Development Director Smith Strack provided a PowerPoint presentation of the proposed development for Tatiana Fields located at 1001 Commerce Drive West. Saby Sengupta proposes Tatiana Fields a commercial recreation athletic field venue including two regulation size and one youth size cricket fields. Ancillary uses include parking, a future clubhouse, field lighting, scoreboards, and grass berms for viewing. It will be a phased project. There will be a single access from Commerce Drive West. The sidewalk will connect to the sidewalk along Commerce Drive. Community Development Director Smith Strack further referenced easement and utilities for the site, which will be addressed in the Developers Agreement. The applicant has requested the parking lot be paved in 2018 and funds will be escrowed. At their regular meeting on March 20, 2017, the Park Board recommended the park dedication fees be waived with the contingency that instructional programs and use of the fields by the general public be allowed. Details will be outlined in the proposed development agreement. The Planning Commission recommended approval of the Minor Comprehensive Plan Amendment, Rezone, Site Plan and Preliminary Plat.

Saby Sengupta addressed the City Council. He provided a brief background of his career and explained that his mission is to bring the game of cricket to Belle Plaine and provide a first-class facility. Mr. Sengupta said that cricket is now the second most popular sport in the world. Tatiana Fields was named in memory of his late wife, Tatiana.

Paul Otto, Engineer, provided an overview of the proposed development and explained that Field 1 is regulation size to allow for tournaments; Field 2 has a 15-foot smaller radius. There is also a kids' field for the promotion of the game and also will serve for youth soccer and lacrosse. The parking lot has 125 parking stalls, calculated to provide sufficient parking for tournaments. Mr. Otto explained that all infrastructure will be placed at the onset and amenities will be added based on demand. Overhead lighting will be added in the future. The site will contain two rain gardens and a majority of the storm water will drain to the south. The well house will serve for irrigation and the future clubhouse will be connected to City services. Mr. Otto commented on the expense of constructing a cul-de-sac to serve as a terminus for Schoolhouse Drive. He had spoken with the City Engineer and consented to the construction of the cul-de-sac. Mr. Otto asked for consideration of removing the existing curb and bituminous by the City to help further reduce the owner's cost.

Mayor Meyer opened the public hearing at 6:55 p.m. and asked for public comment.

Wayne Schmidt, 23100 Oakcrest Trail, explained that he is the property owner to the west of Tatiana Fields. He supports the development and asked that sufficient fencing be added to protect from stray balls entering onto his property. Mr. Schmidt also expressed concern that his existing advertising signage for Robert Creek Preserve will be hindered by the construction of a fence.

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

6.1.1. Resolution 17-032 A Resolution to Authorize and Direct Submittal of “Tatiana Fields” Comprehensive Plan Amendment to the Metropolitan Council.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve Resolution 17-032 A Resolution to Authorize and Direct Submittal of “Tatiana Fields” Comprehensive Plan Amendment to the Metropolitan Council. ALL VOTED AYE. MOTION CARRIED.

6.1.2. Ordinance 17-05 An Ordinance Amending the Official Zoning Map by Assigning a Commercial Zoning Classification to the Property at 1001 Commerce Drive West at the Time of Annexation.

MOTION by Councilmember Coop, second by Councilmember Stier, to adopt Ordinance 17-05 An Ordinance Amending the Official Zoning Map by Assigning a Commercial Zoning Classification to the Property at 1001 Commerce Drive West at the time of Annexation.

6.1.3. Resolution 17-033 A Resolution Approving a Site Plan for a Proposed Commercial Recreation Use (Tatiana Fields) at 1001 Commerce Drive West.

Mayor Meyer inquired as how to address the applicant's request regarding the City's assistance in removing existing curb and bituminous on Schoolhouse Drive. City Attorney Vose explained it could be addressed as part of the development agreement at the time of the final plat approval. Mayor Meyer inquired the gravel service road to the well house. City Engineer Duncan explained that typically gravel drives are not allowed, however it may be acceptable if re-enforced turf is applied. He also commented on that there is no throat shown for the egress/ingress of the parking lot, which may cause congestion at the parking lot. City Attorney Vose referenced a letter dated March 20, 2017 from MNDOT referencing an existing 30-foot opening in the access at the southwest corner of the property. A permit for access will need to be applied for through MNDOT's permit office. Mayor Meyer inquired about the proposed fence. Community Development Director Smith Strack will coordinate a meeting regarding MNDOT's requirement for a fence and netting along the TH169 border. The applicant will need to obtain a fence permit from the City prior to construction of the fence.

MOTION by Councilmember Coop, second by Mayor Meyer, to approve Resolution 17-033 A Resolution Approving a Site Plan for a Proposed Commercial Recreation Use (Tatiana Fields) at 1001 Commerce Drive West. ALL VOTED AYE. MOTION CARRIED.

6.1.4. Resolution 17-034 Approving Preliminary Plat for Tatiana Fields at 1001 Commerce Drive West

MOTION by Councilmember Coop, second by Councilmember Stier, to approve Resolution 17-034 Approving Preliminary Plat for Tatiana Fields at 1001 Commerce Drive West. ALL VOTED AYE. MOTION CARRIED.

6.2. Ordinance 17-02 – Indoor Firing Ranges. The City Council will hear public comment on proposed Ordinance 17-02, which, if approved, would specifically provide for the establishment of indoor firing ranges within the City. Ordinance 17-02 proposes to amend Sections 1105.10. Subd. 4 (conditional uses in the B-2 Highway Commercial District); 1105.11, Subd. 4 (conditional uses in

the B-3 Central Business District); 1105.12, Subd. 5 (conditional uses in the I-2 General Industrial District); and 1105.13, Subd. 3 (conditional uses in the I/C Industrial Commercial District). Ordinance 17-02 also proposes to amend Section 1103.08, Subd 5(B), relating to specific standards for granting conditional use permits for indoor firing ranges.

Community Development Director Smith Strack explained that indoor firing ranges are not specifically provided for within the code, as such they are deemed prohibited. Ordinance 17-02, if approved, will provide for indoor firing ranges as principal or accessory uses under a CUP in the B-2 (Hwy Business), B-3 (Central Business), I-C (Industrial Commercial), and I-2 (General Industrial) districts. Proposed CUP criteria to be added to specific use standards under Section 1103.08, Subd. 5(B) are illustrated in the draft Ordinance and related to health and safety. Chief Stolee has suggested consideration of adding criteria related to school/park safety zones (one block radius of such schools/parks). The City Council reviewed the draft language at their workshop on March 6, 2017 and the Planning Commission recommended approval at their meeting on March 13, 2017 with limiting hours of operation from 8:00 a.m. to 10:00 p.m. as recommended by Police Chief Stolee.

Mayor Meyer inquired about an annual license fee. Community Development Director Smith Strack explained that indoor firing ranges are regulated by a conditional use permit, therefore there would be no annual fee. Councilmember Coop asked Police Chief Stolee for his recommendation. Police Chief Stolee responded that he recommends that indoor firing ranges be at least one block away from a school zone. He supports the proposed Ordinance, further explaining the State regulates permits to carry and transport weapons.

Mayor Meyer opened the public hearing at 7:11 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember Chard, to close the public hearing at 7:12 p.m. ALL VOTED AYE. MOTION CARRIED.

1. Adoption of Ordinance 17-02 Pertaining to Indoor Firing Ranges.

MOTION by Councilmember Coop, second by Councilmember Chard, to Adopt of Ordinance 17-02 Pertaining to Indoor Firing Ranges. ALL VOTED AYE. MOTION CARRIED.

2. Resolution 17-035 Approving Summary Publication of Ordinance 17-02.

Councilmember Coop inquired about the purpose of approving summary publication. Community Development Director Smith Strack explained that it is a matter of cost savings.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 17-035 Approving Summary Publication of Ordinance 17-02. ALL VOTED AYE. MOTION CARRIED.

6.3. Ordinance 17-03, Site Plan Review. The City Council will accept public comment on proposed Ordinance 17-03, which, if approved, will repeal and replace Section 1103.07 of the City Code pertaining to site plan review. The intent of Ordinance 17-03 is to allow for administrative review of all site plans.

Community Development Director Smith Strack explained that any new multiple family (three or more units), commercial, or industrial development and/or addition to an existing multi-family, commercial, or industrial structure requires submission of site and associated plans for review by the Planning Commission and City Council. Such review can easily add 60 days to the development review process. Administrative site plan review will streamline development review of projects that are permitted uses and consistent with the code. The City Council reviewed the draft ordinance at a work session on March 6, 2017. At their meeting on March 13, 2017, the Planning Commission recommended approval.

Mayor Meyer opened the public hearing at 7:18 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember Chard, to close the public hearing at :19 p.m. ALL VOTED AYE. MOTION CARRIED.

1. Adoption of Ordinance 17-03, Regulations Pertaining to Site Plan Review.

MOTION by Councilmember Coop, second by Mayor Meyer, to adopt Ordinance 17-03, Regulations Pertaining to Site Plan Review. ALL VOTED AYE. MOTION CARRIED.

2. Resolution 17-036 Approving Summary Publication of Ordinance 17-03.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 17-036 Approving Summary Publication of Ordinance 17-03. ALL VOTED AYE. MOTION CARRIED.

6.4. Ordinance 17-04. The City Council will hear public comment on proposed Ordinance 17-04, which, if approved, will amend the City Code by adding Section 315 for regulations pertaining to the licensing of tree trimming contractors.

City Administrator Votca explained the Public Works Committee made a recommendation that the Committee of the Whole consider an ordinance that would require a license for commercial tree contractors. The Committee of the Whole reviewed an example ordinance and application during the February work session and recommended that an ordinance be drafted. The City Council will conduct a public hearing prior to the approval of a new ordinance. The ordinance or summary of the ordinance must be published prior to the ordinance taking effect.

Mayor Meyer opened the public hearing at 7:21 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember Chard, to close the public hearing at 7:22 p.m. ALL VOTED AYE. MOTION CARRIED.

1. Adoption of Ordinance 17-04, Regulations Pertaining to Licensing of Tree Trimming Contractors.

MOTION by Councilmember Coop, second by Councilmember Stier, to adopt Ordinance 17-04, Regulations Pertaining to Licensing of Tree Trimming Contractors. ALL VOTED AYE. MOTION CARRIED.

2. Resolution 17-037 Approving Summary Publication of Ordinance 17-04.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve Resolution 17-037 Approving Summary Publication of Ordinance 17-04. ALL VOTED AYE. MOTION CARRIED.

7. BUSINESS.

7.1. Presentation of Claims.

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

7.2. Resolution 17-038 Approving Administrative Subdivision for Lot 1, Block 2 Belle Plaine School Plat.

Community Development Director Smith Strack explained that at their February 6, 2017 meeting, the City Council approved moving forward with an application for an administrative subdivision of property that is necessary to enable a land exchange between the City and the Belle Plaine School District. The Planning Commission recommended approval.

Mayor Meyer expressed concern for the continued use of the property as a recreational ice rink. City Administrator Votca explained that this issue will be addressed in the facilities agreement between the City and School District.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 17-038 Approving Administrative Subdivision for Lot 1, Block 2 Belle Plaine School Plat. ALL VOTED AYE. MOTION CARRIED.

8. ADMINISTRATION.

8.1. Upcoming Meetings.

1. Joint Meeting, Blakeley Township, 6:00 p.m., Tuesday, March 28.
2. Design Committee, 5:15 p.m., Monday, April 3.
3. City Council, 6:30 p.m., Monday, April 3.
4. Work Session, 6:45 p.m., Monday, April 3.
5. EDA, 5:00 p.m., Monday, April 10.
6. Planning, 6:30 p.m., Monday, April 10.
7. Public Safety, 4:30 p.m., Tuesday, April 11.
8. Public Works, 9:30 a.m., Friday, April 14, tentative.

The Council was reminded of the upcoming meetings as listed.

9. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Stier, to adjourn at 7:25 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary