

**BELLE PLAINE CITY COUNCIL
REGULAR SESSION
JUNE 19, 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, June 19, 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 Investigator Terry Stier filling in for 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 and Work Session Minutes of June 5, 2017.**
- 4.2. Resolution 17-066 Appointing Omni Kiecker as Planning Commissioner and Re-Assigning Nate Hvidsten as Alternate.**
- 4.3. Approving Large Assembly Permit for Belle Plaine River Fishing Contest on August 12, 2017.**
- 4.4. Approving 3.2% Intoxicating Liquor Temporary On-Sale License for Belle Plaine River Fishing Contest on August 12, 2017.**
- 4.5. Authorizing Closing of City Offices on July 3, 2017 Due to Holiday Schedule.**
- 4.6. Approving Intoxicating Liquor Temporary On-Sale License for Our Lady of the Prairie Church for September 9, 2017.**
- 4.7. Resolution 17-072 Placing the Comprehensive Plan Amendment for Tatiana Fields into Effect.**
- 4.8. Resolution 17-073 Adopting Uplighting Policy.**
- 4.9. Resolution 17-074 Authorizing Submittal of Pre-Grant Application to the Minnesota Historical Society for the Episcopal Church Restoration Project.**
- 4.10. Resolution 17-075 Accepting Resignation and Accepting Terms of Employment Separation for Michael J. Votca.**
- 4.11. Resolution 17-076 Appointing Dawn Meyer as Interim City Administrator.**
- 4.12. Resolution 17-077 Modifying Signatories for City Transactions at the State Bank of Belle Plaine.**

Mayor Meyer stated a Closed Personnel Committee meeting was held just prior to tonight's Regular Session. The Personnel Committee accepted the terms of the employment separation of City Administrator Mike Votca and recommended approval. The Agreement listed above specifies the terms of the separation.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve the consent agenda as follows: 4.1. Regular and Work Session Minutes of June 5, 2017, 4.2. Resolution 17-066 Appointing Omni Kiecker as Planning Commissioner and Re-Assigning Nate Hvidsten as Alternate, 4.3. Approving Large Assembly Permit for Belle Plaine River Fishing Contest on August 12, 2017, 4.4. Approving 3.2% Intoxicating Liquor Temporary On-Sale License for Belle Plaine River Fishing Contest on August 12,

2017, 4.5. Authorizing Closing of City Offices on July 3, 2017 Due to Holiday Schedule, 4.6. Approving Intoxicating Liquor Temporary On-Sale License for Our Lady of the Prairie Church for September 9, 2017, 4.7. Resolution 17-072 Placing the Comprehensive Plan Amendment for Tatiana Fields into Effect, 4.8. Resolution 17-073 Adopting Uplighting Policy, 4.9. Resolution 17-074 Authorizing Submittal of Pre-Grant Application to the Minnesota Historical Society for the Episcopal Church Restoration Project, 4.10. Resolution 17-075 Accepting Resignation and Accepting Terms of Employment Separation for Michael J. Votca, 4.11. Resolution 17-076 Appointing Dawn Meyer as Interim City Administrator, and 4.12. Resolution 17-077 Modifying Signatories for City Transactions at the State Bank of Belle Plaine. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department.

The Ridgeview Ambulance report will be provided at the next meeting.

5.2. Fire Department.

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

5.3. Police Department.

Police Investigator Terry Stier 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. Ordinance 17-06, Pertaining to Signs. The City Council will hear public comment on proposed Ordinance 17-06, which, if approved, will repeal and replace Section 1107.20 of the City Code pertaining to signs.

Mayor Meyer referenced a memo from Community Development Director Smith Strack regarding proposed Ordinance 17-06 pertaining to signs. The Planning Commission initiated an update of code standards relating to signs. The purpose of the update is to pursue content-neutral language. Impactful changes to standards related to the number, size, height, and area of signs allowed are not contemplated. Adjustments proposed for sign performance standards actually decrease the regulatory burden for dynamic and illuminated signs. Additional flexibility for review of commercial and/or industrial multiple tenant and PUD are proposed. The Planning Commission held a public hearing on the proposed amendment on June 12, 2017. Following public hearing and discussion the Commission unanimously approved a resolution recommending the Council approve Ordinance 17-06.

Mayor Meyer opened the public hearing at 6:39 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 6:40 p.m. ALL VOTED AYE. MOTION CARRIED.

6.1.1. Adoption Ordinance 17-06, Pertaining to Signs.

MOTION by Councilmember McDaniel, second by Councilmember Chard, to adopt Ordinance 17-06, Pertaining to Signs. Councilmember Coop VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

6.1.2. Resolution 17-068 Authorize Summary Publication of Ordinance 17-06.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 17-068 Authorize Summary Publication of Ordinance 17-06. ALL VOTED AYE. MOTION CARRIED.

6.2. Ordinance 17-07, Pertaining to Swimming Pools. The City Council will hear public comment on proposed Ordinance 17-07, which, if approved, will amend Sections 1101.00 (Definitions) and 1107.05 of the City Code pertaining to swimming pools.

Mayor Meyer referenced a memo from Community Development Director Smith Strack regarding proposed Ordinance 17-07. The Planning Commission has been working on an update to Code standards pertaining to swimming pools. The result is Ordinance 17-07 an ordinance amending Section 1101 (Definitions) and 1107.05 of the City Code relating to pools. The amendment was suggested by City staff after noting standards were somewhat unclear. The proposed update clarifies what is/isn't defined as a swimming pool, where pools can be located, and what types of fencing/gates are required.

Mayor Meyer opened the public hearing at 6:41 p.m. and asked for public comment. There was no response.

MOTION by Councilmember Coop, second by Councilmember McDaniel, to close the public hearing at 6:42 p.m. ALL VOTED AYE. MOTION CARRIED.

6.2.1. Adoption of Ordinance 17-07, Pertaining to Swimming Pools.

Councilmember Stier inquired about fence requirements. Community Development Director Smith Strack explained the parameters of fence requirements as they relate to swimming pools.

MOTION by Councilmember Coop, second by Councilmember Chard, to adopt Ordinance 17-07, Pertaining to Swimming Pools. ALL VOTED AYE. MOTION CARRIED.

6.2.2. Resolution 17-069 Authorize Summary Publication of Ordinance 17-07.

MOTION by Councilmember Coop, second by Mayor Meyer, to approve Resolution 17-069 Authorize Summary Publication of Ordinance 17-07. ALL VOTED AYE. MOTION CARRIED.

7. BUSINESS.

7.1. Presentation of Claims.

1. Pay Request No. 1 by Allied Blacktop for \$74,254.34 for the 2017 Pavement Maintenance.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve the Presentation of Claims and Pay Request No. 1 by Allied Blacktop for \$74,254.34 for the 2017 Pavement Maintenance. ALL VOTED AYE. MOTION CARRIED.

7.2. Resolution 17-070 Approving Developers Agreement for Buesgens Commercial Center.

Community Development Director Smith Strack explained that in 2016 the City received a Scott County CDA grant to assist with platting of Buesgens Commercial Center as a means of creating shovel ready commercial lots. The plat differs from others in that a development project is not driving platting of the property. The City Council previously approved a preliminary plat for Buesgens Commercial Center, subject to several conditions including execution of a development agreement and filing of a final plat. The developers agreement requires filing of the final plat together with required easements, when approved by the Council. Since the plat is not development driven, but rather for economic development purposes, park dedication and trunk area fees are proposed to be spread equally over all four resulting blocks and payable at the time of further subdivision/splitting or initial building permit issuance for each block.

MOTION by Councilmember Coop, second by Mayor Meyer, to approve Resolution 17-070 Approving Developers Agreement for Buesgens Commercial Center. ALL VOTED AYE. MOTION CARRIED.

7.3. Resolution 17-071 Approving Final Plat for Tatiana Fields.

Community Development Director Smith Strack explained that Sabyasachi Sengupta has submitted a final plat of Tatiana Fields for consideration and approval. The Planning Commission reviewed the final plat and recommended Council approval. The plat consists of one lot, one block subdivision. The preliminary plat was approved early this year under City Council Resolution 17-034 and a development agreement was approved last month under Resolution 17-057.

MOTION by Councilmember Coop, second by Mayor Meyer, to approve Resolution 17-071 Approving Final Plat for Tatiana Fields. ALL VOTED AYE. MOTION CARRIED.

7.4. Resolution 17-078 Ordering Feasibility Report for the 2018 Street Improvement Project.

City Administrator Votca explained the Public Works Committee has been reviewing areas of the City in an effort to prioritize future capital infrastructure improvements. Prioritization is necessary to balance the significant current needs with the financial ability of the City to address those needs. Contributing factors include characteristics such as surface condition, maintenance history, utility material, age and condition. The Public Works Committee is recommending to the City Council that the City Engineer be directed to prepare a Preliminary Engineering Report for the reconstruction of portions Oakwood Drive, Oakwood Circle and Robert Circle.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve Resolution 17-078 Ordering Feasibility Report for the 2018 Street Improvement Project. ALL VOTED AYE. MOTION CARRIED.

7.5. Authorizing the Cancellation of the July 3, 2017 Council Meeting.

City Administrator Votca explained that this year the 4th of July holiday falls on the first Tuesday of the month. The first regular meeting of the City Council is scheduled the day prior on July 3, 2017. Staff believes agenda items can be held until the July 17 meeting and recommends the cancellation of the July 3, 2017 regular City Council Meeting.

MOTION by Councilmember Coop, second by Councilmember McDaniel, to authorize the cancellation of the July 3, 2017 regular session of the City Council due to Independence Day holiday. ALL VOTED AYE. MOTION CARRIED.

8. ADMINISTRATION.

8.1. Upcoming Meetings.

- 1. Park Board, 5:00 pm, Monday, June 26.**
- 2. City Offices Closed, July 3 – 4, in honor of Independence Day.**
- 3. EDA, 5:00 pm, Monday, July 10.**
- 4. Planning, 6:30 pm, Monday, July 10.**
- 5. Public Safety, TBD.**
- 6. Episcopal Church Restoration, 9:00 am, Wednesday, July 12.**
- 7. Public Works, 9:00 am, Thursday, July 13.**
- 8. Park Board, 5:00 pm, Monday, July 17.**
- 9. City Council, 6:30 pm, Monday, July 17.**

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 6:52 p.m.
ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary