

**IBELLE PLAINE CITY COUNCIL
REGULAR MEETING
JULY 21, 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, July 21, 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, Public Works Superintendent Otto, City Attorney Vose, City Engineer Duncan, Second Assistant Fire Chief Herrmann, Ambulance Director Burton and Police Chief Stier.

3. APPROVAL OF AGENDA.

MOTION by Councilmember Hartmann, second by Councilmember Otto, 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.*

Jeremy and Roxy DeJarnette, no address spoken, spoke requesting the dog ordinance be changed to allow additional dogs. DeJarnette requested if no ordinance change to allow a 1-year reprieve from the 3 dog rule.

Michael O'Donnell, 127 S. Eagle Street, spoke in support of changing the cannabis license limit ordinance and to amend the ordinance pertaining to the limit of dogs.

Zach Tracey, 1025 E. State Street, spoke in reference of a survey he created on the Police Department Facility.

Stephen Cappetto, 316 S. Cedar Street, spoke requesting a change to the one cannabis retailer allowance ordinance.

5. APPROVAL OF CONSENT AGENDA.

- 5.1. Regular Session Minutes of June 16, 2025.
- 5.2. Approve Temporary On Sale Liquor License for an Event on September 6, 2025 for Our Lady of the Prairie Church at 200 E. Church Street.
- 5.3. Resolution 25-085 Accepting a Donation of Water for the Belle Plaine Fire Department Ribbon Cutting Ceremony and Open House from Coborn's, Belle Plaine.
- 5.4. Resolution 25-086 Accepting Donations for the 2025 Hook, Line and Heroes Youth Fishing Event.
- 5.5. Resolution 25-087 Resolution Authorizing Execution of Host Site Agreement for Minnesota GreenCorps 2025-2026 program year.
- 5.6. Resolution 25-089 Approving Staff Changes for the 2025 Aquatic Center Season.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to approve the Consent Agenda as follows: 5.1. Regular Session Minutes of June 16, 2025; 5.2. Approve Temporary On Sale Liquor License for an Event on September 6, 2025 for Our Lady of the Prairie Church at 200 E. Church Street; 5.3. Resolution 25-085 Accepting a Donation of Water for the Belle Plaine Fire Department Ribbon

Cutting Ceremony and Open House from Coborn's, Belle Plaine; 5.4. Resolution 25-086 Accepting Donations for the 2025 Hook, Line and Heroes Youth Fishing Event; 5.5. Resolution 25-087 Resolution Authorizing Execution of Host Site Agreement for Minnesota GreenCorps 2025-2026 program year and 5.6. Resolution 25-089 Approving Staff Changes for the 2025 Aquatic Center Season. ALL VOTED AYE. MOTION CARRIED.

6. DEPARTMENT REPORTS.

6.1. Community Services Department. (Report Only)

Community Services Director was not present the Council acknowledged the Community Services report.

6.2. Ambulance Department. (Report Only)

Ambulance Director Burton was not present. The Council acknowledged the Ambulance Report.

6.3. Police Department.

Police Chief Stier highlighted the Police Report.

6.4. Fire Department.

Second Assistant Fire Chief Herrmann highlighted the Fire Department Report.

6.5. Community Development Department.

Community Development Director Smith Strack highlighted the Community Development Report.

6.6. Public Works Department.

Public Works Superintendent Otto highlighted the Public Works Report.

6.7. City Engineer Department.

City Engineer Duncan highlighted the City Engineer Report.

6.8. Administration Department.

City Administrator Meyer highlighted the Administration Report.

7. PUBLIC HEARINGS.

7.1. Conditional Use Permit and Related Variances Outdoor Storage, Parking: 400 Main Street

East. The Council will consider public comment on a conditional use permit application and related variances for setbacks, parking, and surfaces submitted by Carol A. Tietz and the Tietz Trust. The conditional use permit and variances, if approved, would authorize an outdoor storage area and parking related areas at property addressed as 400 Main Street East.

Community Development Director Smith Strack reviewed the Conditional Use Permit and Related Variance for 400 Main Street with a slideshow.

Mayor Ladd opened the Public Hearing at 6:53 PM.

Denny Moriarty, 24 Woodridge Drive, spoke in opposition of the proposed CUP and Variances.

Kenny Tietz representative of Carol Tietz estate was called on to answer questions.

Karl Keup, 908 Riverview Lane, inquired on what the subject property is zoned.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to close the Public Hearing at 7:32 PM. ALL VOTED AYE. MOTION CARRIED.

The Council held discussion, asked clarifying questions and gave staff direction.

7.1.1. Resolution 25-076 Conditional Approval of a Conditional Use Permit For Outdoor Storage At 400 Main Street East.

MOTION by Councilmember Evans, second by Councilmember Hartmann to Approve Resolution 25-076 Conditional Approval of a Conditional Use Permit Providing for Accessory Outdoor Storage at 400 Main Street East with the removal of the Gate on the East side of the property. Councilmembers Evans, Hartmann, Ladd and Otto VOTED AYE. Councilmember Stacey VOTED NAY. MOTION CARRIED 4-1.

7.1.2. Resolution 25-077 Approval/Denial of Variances to Section 1107.08, Subd. 2,1, A and 1107.02 Subd 4(6) Of The City Code Which Require Outdoor Storage Areas Meet Setback Requirements and Fences Be Five Feet From An Alley.

Council held discussion, asked clarifying questions and gave staff direction.

Council requested resolution updates to reflect approval of variances from §1107.08 Subd. 2(1)(a) and §1107.02 Subd 4(6) of the City Code to allow for a two-foot (2') rear (north) setback and a one (1) foot side (east) setback for a fence and outdoor storage with conditions.

MOTION by Councilmember Hartmann, second by Councilmember Otto, to approve Resolution 25-077 A Resolution Approving Variances Providing for Fence and Outside Storage Area Side Setback of One Foot and a rear Setback of Two Feet at 400 Main Street East. Councilmembers Hartmann, Otto, Evans and Ladd VOTED AYE. Councilmember Stacey VOTED NAY. MOTION CARRIED 4-1.

7.1.3. Resolution 25-078 Approval/Denial of Variances to Section 1107.12 Of The City Code Related to Off Street Parking Requirements.

- a. Section 1107.12, Subd. 4,8,E of the City Code Which Requires Impervious Surfaces Be Setback Five Feet From Any Lot Line.
- b. Section 1107.12, Subd. 4,8,G Of The City Code Which Requires Parking Lots Be Surfaced With Asphalt or Concrete.
- c. Section 1107.12, Subd. 4,8,J Of The City Code Which Requires All Off-Street Parking Areas Have A Perimeter Curb Barrier Around The Entire Parking Lot.
- d. Section 1107.12, Subd. 9 Which Requires at Least One (1) Handicapped Parking Space Be Provided.

Council held discussion, asked clarifying questions and gave staff directives.

Council requested resolution updates to reflect a denial of requested variances for (1) exemption from Section 1107.12, Subd. 4,8,G off-street hard surfacing requirement, the Applicant must surface and stripe proposed areas for parking illustrated on the site plan (Exhibit B) and (2) ; exemption from Section 1107.12, Subd. 9 accessible parking stall provision, the Applicant must designate, stripe and sign an accessible stall closest to the accessible route into the structure

MOTION by Councilmember Otto, second by Councilmember Hartmann, to approve Resolution 25-078 a Resolution Approving Certain Variances and denying certain variances to Section 1107.012 of the City Code Related to Off Street Parking at 400 Main Street East. Councilmembers Otto, Hartmann and Ladd VOTED AYE. Councilmembers Evans and Stacey VOTED NAY. MOTION CARRIED 3-2.

Mayor Ladd called for a five-minute recess at 9:15 PM.

Mayor Ladd resumed the meeting at 9:20 PM.

7.1.4. Resolution 25-079 Approval/Denial of Variance to Section 1105.07, Subd. 5, 5 Which Requires No Structure or Combination of Structures Shall Occupy More Than Forty Percent of the Lot Area.

Council held discussion and asked clarifying questions.

MOTION by Councilmember Hartmann, second by Councilmember Otto, to approve Resolution 25-079 Approving a Variance to Section 1105.07, SUBD. 5,5 of the City Code to allow for 97% Impervious Surface Coverage at 400 Main Street East. Councilmembers Hartmann, Otto, Evans and Ladd VOTED AYE. Councilmember Stacey VOTED NAY. MOTION CARRIED 4-1.

7.2. Ordinance 25-10 Accessory Structures. The Council is to hold a public hearing on Ordinance 25-10 Ordinance Amending Section 1104.12 of the City Code Pertaining to Accessory Structures.

Community Development Director Smith Strack reviewed Ordinance 25-10 Accessory Structures with a brief slideshow.

Mayor Ladd opened the Public Hearing at 9:36 PM.

Denny Moriarty, 24 Woodridge Drive, spoke in opposition of the Ordinance.

Sarah Duklet, 828 E. Forest Street, spoke in opposition of the Ordinance.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to close the public hearing at 9:56 PM. ALL VOTED AYE. MOTION CARRIED.

7.2.1. Approval/Denial of Ordinance 25-10; Ordinance Amending Section 1104.12 of the City Code Pertaining to Accessory Structures.

MOTION by Councilmember Hartmann second by Councilmember Evans, to Deny Ordinance 25-10 Amending Section 1104.12 of the City Code Pertaining to Accessory Structures. Councilmembers Hartmann, Evans and Stacey VOTED AYE. Councilmembers Ladd and Otto VOTED NAY. MOTION CARRIED 3-2.

7.2.2. Resolution 25-080 Authorizing Summary Publication of Ordinance 25-10 An Ordinance Amending City Code Chapter 11, Section 1104.12 Pertaining To Accessory Structures.

Ordinance 25-10 was denied, no summary publication resolution action needed.

7.3. Ordinance 25-11 Building Type and Construction. The Council is to hold a public hearing on Ordinance 25-11 Ordinance Amending Section 1104.04 Building Type and Construction.

Community Development Director Smith Strack reviewed Ordinance 25-11 Building Type and Construction with a slideshow.

Mayor Ladd opened the public hearing at 9:59 PM.

Sarah Duklet, 828 E. Forest Street, spoke in opposition of the Ordinance.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to close the Public Hearing at 10:02 PM. ALL VOTED AYE. MOTION CARRIED.

7.3.1. Approval/Denial of Ordinance 25-11 Ordinance Amending Section 1104.04 Building Type and Construction.

Council held discussion.

MOTION by Councilmember Stacey, second by Councilmember Hartmann, to Deny Ordinance 25-11 Ordinance Amending Section 1104.04 Building Type and Construction. Councilmembers Stacey, Hartmann and Evans VOTED AYE. Councilmembers Otto and Ladd VOTED NAY. MOTION CARRIED 3-2.

7.3.2. Resolution 25-081 Authorizing Summary Publication of Ordinance 25-11 Ordinance Amending Section 1104.04 Building Type and Construction.

Ordinance 25-11 was denied, no summary publication resolution action needed.

7.4. Ordinance 25-12 Pole Buildings. The Council is to hold a public hearing on Ordinance 25-12 Ordinance Amending Section 1107.07 of the City Code Pertaining to Pole Buildings.

Community Development Director Smith Strack reviewed Ordinance 25-12 Pole Buildings with a slideshow.

Council held discussion and asked clarifying questions.

Mayor Ladd opened the Public Hearing at 10:12 PM.

No one stepped forward.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to close the Public Hearing at 10:12 PM. ALL VOTED AYE. MOTION CARRIED.

7.4.1. Approval/Denial of Ordinance 25-12 Ordinance Amending Section 1107.07 of the City Code Pertaining to Pole Buildings.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to deny Ordinance 25-12 Amending Section 1107.07 of the City Code Pertaining to Pole Buildings. Councilmembers Evans, Hartmann and Stacey VOTED AYE. Councilmember Ladd and Otto VOTED NAY. MOTION CARRIED 3-2.

7.4.2. Resolution 25-082 Authorizing Summary Publication of Ordinance 25-12 Ordinance Amending Section 1107.07 of the City Code Pertaining to Pole Buildings.

Ordinance 25-12 was denied, no summary publication resolution action needed.

8. BUSINESS.

8.1. Presentation of Claims.

8.1.1. Pay Request No. 1, Rochon Corporation for the Library Addition Project.

8.1.2. Pay Request No. 2, Wm. Mueller & Sons, Inc. for the 2025 Improvement Project.

8.1.3. Pay Request No. 10, Ryan Contracting Company for the 2024 Improvement Project.

- 8.1.4. Pay Request No. 11, Project one Construction, Inc. for the Fire Station Addition and Renovation Project.
- 8.1.5. Pay Request No. 2, Rochon Corporation for the Library Addition Project.
- 8.1.6. Pay Request No. 1, Allied Blacktop Company for the 2025 Pavement Maintenance Project.

MOTION by Councilmember Hartmann, second by Councilmember Stacey, to approve the reviewed claims as presented in the amount of \$1,748,982.53. ALL VOTED AYE. MOTION CARRIED.

8.2. Request by Belle Plaine Tobacco to Amend the Belle Plaine City Code to Allow Sale of Glass Pipes.

City Administrator Meyer reviewed the request from Belle Plaine Tobacco to Amend the City Code Chapter 3, Section 304.02 Pertaining to the Definition of Tobacco Related Device.

Council held discussion and asked clarifying questions of staff.

Mayor Ladd recognized Yasser Qannita to speak on behalf of his store.

8.2.1. Ordinance 25-13, Amending Chapter 3, Section 304.02 Pertaining to the Definition of Tobacco Related Device.

MOTION by Councilmember Hartmann, second by Councilmember Stacey, to Deny Ordinance 25-13 Amending Chapter 3, Section 304.02 Pertaining to the Definition of Tobacco Related Device. Councilmembers Hartmann, Stacey and Ladd VOTED AYE. Councilmember Otto VOTED NAY. Councilmember Evans ABSTAINED. MOTION CARRIED 3-1.

Staff was directed to add Tobacco Related Device to a Work Session for further review and adjustment to the language to not allow for bubble pipes but allow for cannabis pipes.

8.2.2. Resolution 25-088 Authorizing Summary Publication of Ordinance 25-13.

Ordinance 25-13 was denied, no summary publication resolution action needed.

8.3. Resolution 25-083 Authorize Purchase of a 2023 Chevrolet Tahoe 9C1 Police 4x4 Vehicle for the Police Department.

City Administrator Meyer highlighted the budgeted replacement of a Tahoe for the Police Department.

Police Chief Stier reviewed the department options in detail.

Council held discussion.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to Approve Resolution 25-088 Authorize Purchase of 2023 Chevrolet Tahoe 9C1 Police 4x4 Vehicle for the Police Department. Councilmember Evans, Hartmann and Stacey VOTED AYE. Councilmember Otto and Ladd VOTED NAY. MOTION CARRIED 3-2.

8.4. Resolution 25-084 Authorizing Revised Limits for Preliminary Report for the Proposed 2026 Improvement Project.

City Administrator Meyer highlighted the 2026 Improvement Project.

City Engineer Duncan reviewed the project areas.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to approve Resolution 25-084 Authorizing Revised Limits for Preliminary Report for the Proposed 2026 Improvement Project. ALL VOTED AYE. MOTION CARRIED.

9. ADMINISTRATION.

9.1. Upcoming Tentative Meetings.

1. Downtown Music and Food Trucks, Wednesday, July 23, 4:30 – 8:00 PM.
2. Design, Monday, August 4, 5:00 PM
3. City Council, Monday, August 4, 6:00 PM
4. Work Session, Monday, August 4 6:15 PM

Mayor Ladd reviewed the upcoming tentative meetings as listed.

10. ADJOURN.

MOTION by Councilmember Evans, second by Councilmember Hartmann, to adjourn the meeting at 10:42 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully Submitted,

Renee Eyrich
Recording Secretary