BELLE PLAINE CITY COUNCIL
REGULAR MEETING
AUGUST 21, 2023

1. PLEDGE OF ALLEGIANCE.

Mayor Woletz 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, August 21, 2023 at 6:00 PM in the council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Woletz called the meeting to order with Councilmembers Cary Coop, James Evans, Ryan Ladd and Patricia Krings present.

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

3. APPROVAL OF AGENDA.

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

4. PUBLIC FORUM. NONE.

> ***Anyone wishing to address the Council must submit in writing the subject and intent of request by 3:00 PM on the Tuesday prior to the scheduled Council meeting. Maximum of three (3) minutes per speaker. No official action will be taken.***

5. Flock Safety System Presentation.

Kyle Whyte a representative for Flock Safety System presented a slideshow on the proposed system requested by Police Chief Stier. Whyte reviewed the history of Flock and explained it is a license plate reading camera where images are stored for 30 days. Whyte noted the department must have a case number to search the database for investigations, silver alerts or amber alerts.

City Attorney Vose inquired on the record retentions for the League of Minnesota Cities on images. Whyte explained Flocks policy is to auto delete images every 30 days and noted the record does not exist until the image is taken out of the system.

Councilmember Ladd inquired on the total number of cameras and the associated fees. Whyte explained five cameras are included with the fee and explained Flock does the updates and maintenance of the system and the City would own the data and equipment.

Councilmember Evans inquired from Chief Stier why the City needs this system. Chief Stier explained the system would be used in finding missing people. Stier explained the technology is available to make the community safer and believes the City should take advantage of it.

6. APPROVAL OF CONSENT AGENDA.
6.1. Revised Regular Session Minutes of July 17, 2023.
6.2. Regular Session Minutes of August 7, 2023.
6.3. Work Session Minutes of August 7, 2023.
6.4. Resolution 23-101 A Resolution Approving Terms of a ROSE Program Loan to Steve and Cara Cox, 122 Meridian Street South.
6.5. Resolution 23-102 A Resolution Authorizing An Additional $20,000 for the EDA Housing Revitalization Loan Program from Fund 802.

6.6. Resolution 23-103 Resolution Approving Revisions to the HRA Residential Rehabilitation and Energy Efficiency Improvement Grant Program To Provide For Emerald Ash Borer Related Tree Replacement for Income Qualified Homeowners.
6.7. Resolution 23-104 Approve Purchase of Flock Safety System.
6.8. Approve Large Assembly Permit for Belle Plaine Fire Relief Association for the Pancake Breakfast on October 14, 2023.
6.9. Resolution 23-109 Amending Resolution 23-004 Declaring the Official Intent of the City of Belle Plaine to Reimburse Certain Expenditures from the Proceeds of Bonds to be issued by the City.

MOTION by Councilmember Coop, second by Councilmember Krings, to approve the Consent Agenda as follows: 6.1. Revised Regular Session Minutes of July 17, 2023; 6.2. Regular Session Minutes of August 7, 2023; 6.3. Work Session Minutes of August 7, 2023; 6.4. Resolution 23-101 A Resolution Approving Terms of a ROSE Program Loan to Steve and Cara Cox, 122 Meridian Street South; 6.5. Resolution 23-102 A Resolution Authorizing An Additional $20,000 for the EDA Housing Revitalization Loan Program from Fund 802; 6.6. Resolution 23-103 Resolution Approving Revisions to the HRA Residential Rehabilitation and Energy Efficiency Improvement Grant Program To Provide For Emerald Ash Borer Related Tree Replacement for Income Qualified Homeowners; 6.7. Resolution 23-104 Approve Purchase of Flock Safety System; 6.8. Approve Large Assembly Permit for Belle Plaine Fire Relief Association for the Pancake Breakfast on October 14, 2023 and 6.9. Resolution 23-109 Amending Resolution 23-004 Declaring the Official Intent of the City of Belle Plaine to Reimburse Certain Expenditures from the Proceeds of Bonds to be issued by the City. ALL VOTED AYE. MOTION CARRIED.

7. DEPARTMENT REPORTS.
7.1. Ambulance Department. (Report Only)

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

7.2. Fire Department.

Fire Chief Otto was present. Otto highlighted the Fire Department report.

Councilmember Krings inquired how the duty crews came about. Fire Chief Otto explained the department has experienced low numbers during holidays and other times. City Administrator Meyer explained staff have expressed concerns with staffing and noted a trial run was authorized by the Public Safety Committee. Meyer explained results will be going back to the Public Safety Committee in September for a formal recommendation to Council. Krings inquired what the policy would do. Meyer explained those on the duty crew would be required to respond on the first call for service.

Mayor Woletz explained the duty crew will have had three trial runs before the review at the Public Safety Committee and noted he has heard good things from the trial.

7.3. Police Department.

Police Chief Stier was present. Stier highlighted the Police Department report and noted 980 calls with a 91% clearance rate. Stier noted a new School Resource Officer Law put into effect and noted the City does not contract with the school and the Officer who takes calls for the school is not a SRO. Stier explained the City has been experiencing damage to City parks and requested residents who see people in parks in the early morning hours to please report it.

Councilmember Evans thanked the Police Department for the ongoing Popsicles in the Park.

7.4. Community Services Department. (Report Only)

Community Services Director Koller was not present. The Council acknowledged receipt of the Community Services report.

7.5. Community Development Department.

Community Development Director Smith Strack was present. Smith Strack reviewed the Community Development Department Report and noted code enforcement has been extremely active. Smith Strack noted two different developers have expressed the supply issues have eased up.

Mayor Woletz stated Public Works has an announcement. Public Works Superintendent Otto explained the next couple of days the City will experience extreme heat and explained the Public Works staff will have an early start and release. Otto also explained the Wednesday night Food Trucks and Music will be cancelled due to the heat.

8. PUBLIC HEARINGS.

Mayor Woletz introduced the Comprehensive Plan Amendment: Hickory Grove.

8.1. Comprehensive Plan Amendment: Hickory Grove. The City Council will hold a public hearing on a request for a comprehensive plan amendment to re-guide approximately 29 acres from mixed commercial/industrial to mixed medium to high density residential/commercial. The subject area is currently planned for mixed highway commercial and/or light industrial development.

Community Development Director Smith Strack reviewed the Comprehensive Plan Amendment with a brief slideshow. Smith Strack explained a request to change the planned land use for approximately 29 acres on Enterprise Drive and Hickory Boulevard was received from Les and Janis Buesgens. Smith Strack reviewed the existing land use, current planned use, and proposed planned use. Smith Strack noted if approved it would allow a 144 unit apartment development to move forward for review along with continued discussion regarding retail use on part of the property. Smith Strack explained Met Council authorization is required if approved and noted the Planning Commission reviewed the proposal and recommends approval. Smith Strack explained a public hearing will be held and then consideration of Resolution 23-105 which will need a super-majority vote.

Mayor Woletz opened Public Hearing at 6:34 PM.

There was no public testimony.

MOTION by Councilmember Evans, Second by Councilmember Ladd, to close the Public Hearing at 6:35 PM. ALL VOTED AYE. MOTION CARRIED.

8.1.1 Resolution 23-105 Resolution Approving a Comprehensive Plan Amendment for Hickory Grove (Buesgens) and Authorizing Submittal to the Metropolitan Council for Review.

MOTION by Councilmember Krings, second by Councilmember Coop, to approve Resolution 23-105 Resolution Approving a Comprehensive Plan Amendment for Hickory Grove (Buesgens) and Authorizing Submittal to the Metropolitan Council for Review. ALL VOTED AYE. MOTION CARRIED.

Mayor Woletz introduced the agenda item Partial Vacation of Alley Block 131.

8.2. Partial Vacation Of Alley Block 131. The City Council will consider vacating a portion of the East-West alley in Block 131, Original Plat of the City of Belle Plaine, Scott County, Minnesota.

Community Development Director Smith Strack reviewed the partial vacation of alley Block 131 with a brief slideshow. Smith Strack explained the vacation is City initiated and noted the vacation is part of a process to allow consolidation of five lots, which comprise the Police Department and Ambulance facilities. Smith Strack explained the parcels are Zoned R-3 and guided for future use of medium density residential. Smith Strack explained the current alley does not have through access to Elm Street and the partial vacation allows for flexibility for further public development and residential development of the site. Smith Strack explained two versions of Resolution 23-106 are attached and will need a super-majority vote for approval.

Councilmember Krings inquired on the alley. Community Development Director Smith Strack explained the alley is not currently a through alley noting it is currently curbed on the east end.

Councilmember Ladd inquired how many other times has the City done a vacation of an alley. Community Development Director Smith Strack explained they are done fairly regularly and noted the last one being done on Cherry Street. Smith Strack estimated 5-10 requests have been processed in her time as the Community Development Director.

Mayor Woletz opened the Public Hearing at 6:40 PM.

Chris Weldon, 540 E. Church Street testified his concerns on traffic if another business went on the already busy block.

MOTION by Councilmember Coop, second by Councilmember Ladd, to close the Public Hearing at 6:42 PM. ALL VOTED AYE. MOTION CARRIED.

Councilmember Evans inquired if Council vacates the alley and a developer wants to put homes in with an alley could it change. City Attorney Vose confirmed. Mayor Woletz explained the property is zoned R-3 which allows for townhomes and apartments.

8.2.1. Resolution 23-106(A) Resolution Approving Vacation of a Portion of the East-West Alley, Block 131, as Dedicated on the Recorded Plat of City of Belle Plaine, Scott County, Minnesota.

Resolution 23-106(B) Resolution Denying Vacation of a Portion of the East-West Alley, Block 131, as Dedicated on the Recorded Plat of City of Belle Plaine, Scott County, Minnesota.

MOTION by Councilmember Ladd to approve Resolution 23-106(B) Resolution Denying Vacation of a Portion of the East-West Alley, Block 131, as Dedicated on the Recorded Plat of City of Belle Plaine, Scott County, Minnesota. MOTION FAILED for lack of a second.

MOTION by Councilmember Evans, second by Councilmember Coop, to approve Resolution 23-106A Resolution Approving Vacation of a Portion of the East-West Alley, Block 131, as Dedicated on the Recorded Plat of City of Belle Plaine, Scott County, Minnesota. Councilmembers Evans, Coop, Woletz and Krings VOTED AYE. Councilmember Ladd VOTED NAY. MOTION CARRIED 4-1.

Mayor Woletz introduced the agenda item Preliminary Plat: East Main Square.

8.3. Preliminary Plat: East Main Square. The City Council will hold a public hearing on a request for Preliminary Plat approval for East Main Square, a resubdivision adjacent to Main Street East, Church Street East, Walnut Street North and Elm Street North.

Community Development Director Smith Strack reviewed the Preliminary Plat: East Main Square with a brief slideshow. Smith Strack explained the preliminary plat is City initiated to consolidate five lots of record, which comprise the Police Department and Ambulance facilities. Smith Strack explained the request is one of several request that will be moving forward from the City. Smith Strack explained the preliminary plat removes property lines running through buildings the City owns, provides for structure expansion or potential resale and reduces/consolidates the number of parcels the city owns for property tax statements, insurance, appraisals, legal and tracking. Smith Strack explained the Planning Commission reviewed the preliminary plat and recommended denial. Smith Strack explained the Commission opined two lots versus one lot and noted the Council is to hold a public hearing and act on Resolution 23-107.

Councilmembers Krings and Evans inquired if a purchaser could re-subdivide the lot if needed. Community Development Director Smith Strack confirmed and noted future use would have to be R-3.

Councilmember Ladd requested Community Development Director Smith Strack provide the explanation given by the Planning Commission for dividing into North and South plats. Smith Strack explained it was the opinion of the Commission and not a finding of fact.

Mayor Woletz opened the Public Hearing at 6:49 PM.

There was no public testimony.

MOTION by Councilmember Ladd, Second by Councilmember Evans to close the Public Hearing at 6:50 PM.

City Attorney Vose explained the City Council is wearing two hats as they are both the land owner/applicant along with the governing body. Vose explained the Planning Commission is required to weigh in by State Statute. Vose expressed concern with the Planning Commission making recommendations on what the land owner should do on the plat as their job is to specifically review the application and make a recommendation on if it meets subdivision requirements.

Councilmember Evans explained he has heard the property may be more valuable sold as two parcels versus one parcel and inquired if a time comes where the property is marketed is the City able to market it as either one or two. Community Development Director Smith Strack confirmed.

Mayor Woletz noted the Council is to look at the conversations with the County and the main focus as this time to reduce PID's.

8.3.1 Resolution 23-107, Resolution Approving a Preliminary Plat for East Main Square.

MOTION by Councilmember Coop, second by Councilmember Woletz, to approve Resolution 23-107, Resolution Approving a Preliminary Plat for East Main Square. Councilmembers Coop, Woletz, Krings and Evans VOTED AYE. Councilmember Ladd VOTED NAY. MOTION CARRIED 4-1.

Mayor Woletz introduced the agenda item Preliminary Plat: Gateway Parking Lot.

8.4. Preliminary Plat: Gateway Parking Lot. The City Council will hold a public hearing on a request for Preliminary Plat approval for Gateway Parking Lot, a resubdivision adjacent to Main Street East and Chestnut Street North.

Community Development Director Smith Strack reviewed the Preliminary Plat: Gateway Parking Lot with a brief slideshow. Smith Strack explained the plat is City initiated to consolidate three lots, which comprise the Gateway Parking Lot. Smith Strack explained the Planning Commission reviewed the plat and recommend approval to the City Council.

Mayor Woletz noted the structure in the center was the CenterPoint gas property. Community Development Director Smith Strack confirmed and noted the City had a land swap with CenterPoint two years ago.

Mayor Woletz open the Public Hearing at 6:59 PM

There was no public testimony.

MOTION by Councilmember Krings, second by Councilmember Ladd, to close the Public Hearing at 6:59 PM. ALL VOTED AYE. MOTION CARRIED.

8.4.1 Resolution 23-108, Resolution Approving a Preliminary Plat for Gateway Parking Lot.

MOTION by Councilmember Ladd, second by Councilmember Evans, to approve Resolution 23-108, Resolution Approving a Preliminary Plat for Gateway Parking Lot. ALL VOTED AYE. MOTION CARRIED.

9. BUSINESS.
9.1. Presentation of Claims.

Councilmember Evans inquired on the portapotty charge if it is an annual charge or year round charge. Public Works Superintendent Otto explained the portapottys are used throughout the year and the charge is year round.

MOTION by Councilmember Coop, second by Councilmember Evans, to approve the reviewed Claims as presented in the amount of $263,160.28. Councilmembers Coop, Evans, Krings and Woletz VOTED AYE. Councilmember Ladd VOTED NAY. MOTION CARRIED 4-1.

9.2. Resolution 23-091 A Resolution Approving A Conditional Use Permit Providing For Accessory Outdoor Storage at 400 Main Street East.

Community Development Director Smith Strack explained City Council postponed action on Resolution 23-091 for receipt of further information. Smith Strack explained Council discussed information at a work session on August 7 and the attached resolution has been revised at the direction of the Council.

MOTION by Councilmember Coop, second by Councilmember Woletz, to approve Resolution 23-091 A Resolution Approving A Conditional Use Permit Providing For Accessory Outdoor Storage at 400 Main Street East. Councilmember Coop, Woletz, Krings and Evans VOTED AYE. Councilmember Ladd VOTED NAY. MOTION CARRIED 4-1.

Councilmember Ladd stated one or two stipulations that ties the hands of the business owner.

9.3. Review of Wold Architects and Engineers Final Design Fees: Facilities Documents

City Administrator Meyer explained three resolutions are attached for review. Meyer explained Wold was hired to do the facility study which was adopted last year. Meyer noted Council directed staff to request a quote for the facilities design fees and noted approving and denying resolutions are included.

Mayor explained Council will discuss each resolution individually.

Councilmember Coop requested confirmation that the Police Station design fees are to build a new station. Mayor Woletz confirmed it was for a new facility. City Administrator Meyer confirmed the current bid is for a new facility as it was previously determined a new build would be on the current site or on the land next to Public Works.

9.3.1. Resolution 23-110(A) A Resolution Approving Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Police Station in the Amount of $507,600.00.

Resolution 23-110(B) A Resolution Denying Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Police Station in the Amount of $507,600.00.

MOTION by Councilmember Krings, second by Councilmember Ladd, to approve Resolution 23-110(B) A Resolution Denying Wold Architects and Engineers to proceed with design process through construction documents for the police station in the amount of $507,600.00. ALL VOTED AYE. MOTION CARRIED.

9.3.2. Resolution 23-111(A) A Resolution Approving Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Fire Station in the Amount of $144,000.00.

Resolution 23-111(B) A Resolution Denying Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Fire Station in the Amount of $144,000.00.

MOTION by Councilmember Krings, second by Councilmember Coop, to approve Resolution 23-111(A) A Resolution Approving Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Fire Station in the Amount of $144,000.00.

Councilmember Evans opined the conversation is hard to have and noted the needs at the Fire Department goes beyond turnout gear. Evans explained we need to move forward for their well being.

MOTION by Councilmember Krings, second by Councilmember Coop, to approve Resolution 23-111(A) A Resolution Approving Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Fire Station in the Amount of $144,000.00. Councilmembers Krings, Coop, Evans and Woletz VOTED AYE. Councilmember Ladd VOTED NAY. MOTION CARRIED 4-1.

Councilmember Ladd stated he does not agree with the elevator stipulation in the plan.

9.3.3. Resolution 23-112(A) A Resolution Approving Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Public Works in the Amount of $52,875.00.

Resolution 23-112(B) A Resolution Denying Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Public Works in the Amount of $52,875.00.

MOTION by Councilmember Evans, second by Councilmember Ladd, to approve Resolution 23-112(B) A Resolution Denying Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Public Works in the Amount of $52,875.00.

Councilmember Coop opined you cannot predict the future and would like to get the plans and go back for a cost update at a later date.

Councilmember Ladd opined the need for a proper break area and locker room and noted give $50,000.00 to Public Works to build themselves.

Councilmember Evans agreed with Councilmember Ladd and opined the Public Works team is talented noting shelf the request for now and it can be revisited in the future.

Mayor Woletz explained the Council went on a tour of facilities and reviewed the process of plans.

Councilmember Krings requested an explanation as to what design elements are included in the proposal. Wold representative Jon McNamara explained the design was to create additional office space and move what is upstairs downstairs to help alleviate accessibility issues and leaving storage upstairs with an elevator.

MOTION by Councilmember Evans, second by Councilmember Ladd, to approve Resolution 23-112(B) A Resolution Denying Wold Architects and Engineers to Proceed with Design Process through Construction Documents for the Public Works in the Amount of $52,875.00. Councilmembers Evans, Ladd, Woletz and Krings VOTED AYE. Councilmember Coop VOTED NAY. MOTION CARRIED 4-1.

9.4. Resolution 23-113 Authorizing Work on Chestnut Street to be added to the 2023 Improvement Project.

Public Works Superintendent Otto explained staff have done extensive overlay work on Chestnut Street. Otto noted staff are concerned with additional settling, as it will again be cut into for additional parking on North Chestnut. Otto explained staff would like to move forward with the bituminous only and noted the money is in the seal coat budget, as the City did not do a project in 2023.

Mayor Woletz inquired if this will be a change order to the 2023 Project. City Administrator Meyer explained it will not be a change order but rather staff have asked for an extension of the pricing.

Council reviewed and discussed the map of the proposed option one and option two along with the timing of the project.

MOTION by Councilmember Krings, second by Councilmember Coop to approve Resolution 23-113 Authorizing Work on Chestnut Street to be added to the 2023 Improvement Project.

Councilmember Evans expressed concern with the timing and how it would affect the surrounding businesses and church parking. Mayor Woeltz inquired if there would potentially be a soft opening on the 100 block of East Main. City Engineer Duncan explained he has not had that confirmed and noted the block could reopen under gravel and would remain open until paving.

It was the consensus of the Council to move forward with the project.

MOTION by Councilmember Krings, second by Councilmember Coop, to approve Resolution 23-113 Authorizing Work on Chestnut Street to be added to the 2023 Improvement Project. ALL VOTED AYE. MOTION CARRIED.

10. ADMINISTRATION.

10.1. Upcoming Tentative Meetings.

1. ~~Downtown Plaza Music and Food Trucks, 4:30-8:00 PM, Wednesday, August 23.~~
2. City Offices Closed in Observance of Labor Day, Monday, September 4.
3. Design, Tuesday, September 5, 5:00 PM
4. City Council, Tuesday, September 5, 6:00 PM
5. Work Session, Tuesday, September 5, 6:15 PM

Mayor Woletz reviewed the upcoming tentative meetings as listed.

11. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Evans, to adjourn the regular session at 7:33 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary