

**BELLE PLAINE CITY COUNCIL
REGULAR MEETING
OCTOBER 16, 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, October 16, 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 and Patricia Krings present. Councilmember Ryan Ladd arrived at 6:13 PM.

Also present were City Administrator Meyer, Police Sergeant Vycital, Public Works Superintendent Otto, City Engineer Duncan, Finance Director Jirik, Community Development Director Smith Strack, Fire Chief Otto, Community Services Director Koller, Ambulance Director Burton 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. APPROVAL OF CONSENT AGENDA.

- 5.1. Regular Session Minutes of October 2, 2023.
- 5.2. Work Session Minutes of October 2, 2023.
- 5.3. Budget Work Session Minutes of October 4, 2023.
- 5.4. Approve Large Assembly Permit for The Feast by the Feast Community Group at Oak Crest Elementary on November 19, 2023.
- 5.5. Approve Large Assembly Permit for LELS and International Operators Local 49er's Belle Plaine Unions for Santa Shack Events in December 2023 at the Downtown Plaza.
- 5.6. Accept Resignation of Parks Commission Member Lucas Simonson and Authorize Advertisement.
- 5.7. Resolution 23-136 Accepting \$6,000.00 Donation from the Belle Plaine Chamber of Commerce and Belle Plaine Festival and Events for Belle Plaine Octoberfest Laser Light Show.
- ~~5.8. Resolution 23-146 Approving Modified Job Descriptions for the Fire Department.~~

Councilmember Evans requested item 5.8. be moved to Business agenda item 8.6.

MOTION by Councilmember Evans, second by Councilmember Coop, to approve the Consent Agenda as follows: 5.1. Regular Session Minutes of October 2, 2023; 5.2. Work Session Minutes of October 2, 2023; 5.3. Budget Work Session Minutes of October 4, 2023; 5.4. Approve Large Assembly Permit for The Feast by the Feast Community Group at Oak Crest Elementary on November 19, 2023; 5.5. Approve Large Assembly Permit for LELS and International Operators Local 49er's Belle Plaine Unions for Santa Shack Events in December 2023 at the Downtown Plaza; 5.6. Accept Resignation of Parks Commission Member Lucas Simonson and Authorize Advertisement and 5.7. Resolution 23-136 Accepting \$6,000.00 Donation from the Belle Plaine Chamber of Commerce and Belle Plaine Festival and Events for Belle Plaine Octoberfest Laser Light Show. ALL VOTED AYE. MOTION CARRIED.

6. DEPARTMENT REPORTS.

6.1. Ambulance Department.

Ambulance Director Burton was present. Burton highlighted the Ambulance Department Report.

6.2. Fire Department.

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

6.3. Police Department.

Police Sergeant Vycital was present. Vycital highlighted the Police Department Report and noted no incidents for the half marathon.

6.4. Community Services Department.

Community Services Director Koller was present. Koller highlighted the Community Services Report and noted the Feast Large Assembly was approved and will move forward in November.

6.5. Community Development Department.

Community Development Director Smith Strack was present. Smith Strack highlighted the Community Development Report.

7. PUBLIC HEARINGS.

7.1. Final Assessment Hearing for the 2023 Improvement Project. The City Council will accept public comment on assessments for the 2023 Improvement Project.

City Administrator Meyer reviewed the assessments noting funding resulted in lower assessments than projected.

City Engineer Duncan reviewed the overall project process, communication, funding and assessments.

Mayor Woletz reviewed the process of the public hearing. Woletz opened the public hearing at 6:17 PM.

Dana Townsend, 450 Ford Road, inquired on when the residents will be notified of the reduction. Townsend inquired on the assessment for the park property at 110 Meridian Street South. City Administrator Meyer explained the assessment letters sent on September 29 include the final numbers for assessment and noted the staff will look into the 110 property letter.

Kateryna McCloskey, 301 E. Main Street, requested an itemized bill of her assessment. City Engineer Duncan confirmed staff can provide additional information.

Tracy Hein, 315 Cedar Street, expressed dissatisfaction with the project as a whole and noted the money spent could have been used on other streets.

Mr. McCloskey, 301 E. Main Street, inquired on the funding the City received. Mayor Woletz explained the funding reduced the total cost of the project. City Administrator Meyer explained funding was allowed on certain infrastructure.

City Administrator Meyer read into record the letter of appeal from Kateryna McCloskey at 301 E. Main Street.

MOTION by Councilmember Coop, second by Councilmember Evans to close the public hearing at 6:28 PM.

7.1.1. Resolution 23-137 Adopting Final Assessment for the 2023 Improvement Project.

MOTION by Councilmember Coop, second by Councilmember Krings, to approve Resolution 23-137 Adopting Final Assessment for the 2023 Improvement Project. ROLL CALL VOTE. Councilmembers Coop, Krings, Evans, Ladd and Woletz VOTED AYE. MOTION CARRIED.

7.2. Tax Abatement Request. The City Council will conduct a public hearing to consider granting a property tax abatement under Minnesota Statutes, Sections 469.1812 through 469.1815 and in compliance with Minnesota Statutes 116J.993 to 116J.995 for property described as Lot 1, Block 1 Buesgens Commercial Center 2nd Addition whereon Paul Tucci, CRP1 LLC intends to construct an approximately 10,000 square foot commercial facility.

Community Development Director Smith Strack reviewed a tax abatement request with a thorough slideshow.

Mayor Woletz opened the public hearing at 6:40 PM.

Brianna Mork, 211 S. Walnut St. requested additional information of Councilmember Krings on which part of the community is excited for the Dollar Tree and why. Councilmember Krings noted senior citizens who may not leave town will have an additional opportunity to get products at a reasonable cost.

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

7.2.1. Resolution 23-138 A Resolution Granting A Property Tax Abatement for Certain Property in the City of Belle Plaine.

MOTION by Councilmember Coop, second by Councilmember Woletz, to approve Resolution 23-138 A Resolution Granting A Property Tax Abatement for Certain Property in the City of Belle Plaine. ROLL CALL VOTE. Councilmember Coop, Woletz, Krings, and Evans VOTED AYE. Councilmember Ladd VOTED NAY. MOTION CARRIED 4-1.

7.3. Ordinance 23-07 Rezoning Lot 1, Block 4 Buesgens Commercial Center. The City Council will hold a public hearing on Ordinance 23-07 An Ordinance Rezoning Lot 1, Block 4 Buesgens Commercial Center from I-C Industrial Commercial to R-7 Mixed Housing Medium and High Density.

Community Development Director Smith Strack reviewed Ordinance 23-07 with a brief slideshow.

Mayor Woletz opened the public hearing at 6:50 PM.

No one stepped forward.

MOTION by Councilmember Coop, second by Councilmember Woletz to close the public hearing at 6:52 PM. ALL VOTED AYE. MOTION CARRIED.

7.3.1. Approve Ordinance 23-07 An Ordinance Rezoning Lot 1, Block 4 Buesgens Commercial Center from I-C Industrial Commercial to R-7 Mixed Housing Medium and High Density.

MOTION by Councilmember Coop, second by Councilmember Krings, to approve Ordinance 23-07 An Ordinance Rezoning Lot 1, Block 4 Buesgens Commercial Center from I-C Industrial Commercial to R-7

Mixed Housing Medium and High Density. ROLL CALL VOTE. Councilmembers Coop, Krings, Woletz, Ladd and Evans VOTED AYE. MOTION CARRIED 5-0.

7.3.2. Resolution 23-139 A Resolution Approving Summary Publication of Ordinance 23-07 An Ordinance Rezoning Lot 1, Block 4 Buesgens Commercial Center from I-C Industrial Commercial to R-7 Mixed Housing Medium and High Density.

MOTION by Councilmember Coop, second by Councilmember Krings, to approve Resolution 23-139 A Resolution Approving Summary Publication of Ordinance 23-07 An ordinance Rezoning Lot 1, Block 4 Buesgens Commercial Center from I-C Industrial Commercial to R-7 Mixed Housing Medium and High Density. ROLL CALL VOTE. Councilmembers Coop, Krings, Woletz, Ladd and Evans VOTED AYE. MOTION CARRIED 5-0.

7.4. Preliminary Plat Hickory Grove and Planned Unit Development Plan Hickory Grove Apartments. The City Council will hold a public hearing on a request for Preliminary Plat and Development Stage Planned Unit Development Plan approval for a 144-unit apartment development at Hickory Boulevard and Enterprise Drive.

Community Development Director Smith Strack reviewed the Preliminary Plat Hickory Grove and Planned Unit Development Plan for Hickory Grove with a brief slideshow.

Mayor Woletz opened the public hearing at 7:18 PM.

Brianna Mork, 211 S. Walnut Street, inquired what rent is will be on at the apartments and if someone working at Dollar Tree could afford it. Mayor Woletz explained Dollar Tree has a minimum wage requirement and the apartments are proposed at market rate. Community Development Director Smith Strack explained this is a technical review and she could not comment on what renters would pay.

MOTION by Councilmember Coop, second by Councilmember Evans to close the public hearing at 7:21 PM. ALL VOTED AYE. MOTION CARRIED.

7.4.1. Resolution 23-140 Conditionally Approving a Preliminary Plat for Hickory Grove.

MOTION by Councilmember Coop, second by Councilmember Evans, to approve Resolution 23-140 Conditionally Approving a Preliminary Plat for Hickory Grove. ROLL CALL VOTE. Councilmembers Coop, Evans, Ladd, Krings and Woletz VOTED AYE. MOTION CARRIED 5-0.

7.4.2. Resolution 23-141 Conditionally Approve a Development Stage Planned Unit Development Plan for Hickory Grove Apartments.

MOTION by Councilmember Krings, second by Councilmember Coop, to approve Resolution 23-141 Conditionally Approves a Development Stage Planned Unit Development Plan for Hickory Grove Apartments. ROLL CALL VOTE. Councilmember Krings, Coop, Evans, Woletz and Ladd VOTED AYE. MOTION CARRIED.

7.5. Ordinance 23-05 Tree Preservation. The City Council will hold a public hearing on Ordinance 23-05 An Ordinance Amending Belle Plaine City Code Chapter 11, Section 1101 (Definitions), Section 1107.03 (Screening and Landscaping), Section 1109.05 (Tree and Woodland Preservation), and Chapter 12, Section 1204.02 (Preliminary Plat Requirements) Pertaining to Tree Standards.

Community Development Director Smith Strack reviewed Ordinance 23-05 Tree Preservation with a brief slideshow.

Mayor Woletz opened the public hearing at 7:31 PM.

No one spoke at the public hearing.

MOTION by Councilmember Evans, second by Councilmember Krings, to close the public hearing at 7:32 PM. ALL VOTED AYE. MOTION CARRIED.

7.5.1. Approve Ordinance 23-05 An Ordinance Amending Belle Plaine City Code Chapter 11, Section 1101 (Definitions), Section 1107.03 (Screening and Landscaping), Section 1109.05 (Tree and Woodland Preservation), and Chapter 12, Section 1204.02 (Preliminary Plat Requirements) Pertaining to Tree Standards.

MOTION by Councilmember Evans, second by Councilmember Krings, to approve Ordinance 23-05 An Ordinance Amending Belle Plaine City Code Chapter 11, Section 1101 (Definitions), Section 1107.03 (Screening and Landscaping), Section 1109.05 (Tree and Woodland Preservation), and Chapter 12, Section 1204.02 (Preliminary Plat Requirements) Pertaining to Tree Standards. ROLL CALL VOTE. Councilmembers Evans, Krings, Woletz, Ladd and Coop VOTED AYE. MOTION CARRIED 5-0.

7.5.2. Resolution 23-142 A Resolution Approving Summary Publication of Ordinance 23-05 An Ordinance Amending Belle Plaine City Code Chapter 11, Section 1101 (Definitions), Section 1107.03 (Screening and Landscaping), Section 1109.05 (Tree and Woodland Preservation), and Chapter 12, Section 1204.02 (Preliminary Plat Requirements) Pertaining to Tree Standards.

MOTION by Councilmember Coop, second by Councilmember Woletz, to approve Resolution 23-142 A Resolution Approving Summary Publication of Ordinance 23-05 An Ordinance Amending Belle Plaine City Code Chapter 11, Section 1101 (Definitions), Section 1107.03 (Screening and Landscaping), Section 1109.05 (Tree and Woodland Preservation), and Chapter 12, Section 1204.02 (Preliminary Plat Requirements) Pertaining to Tree Standards. ROLL CALL VOTE. Councilmember Coop, Woletz, Evans, Ladd and Krings VOTED AYE. MOTION CARRIED 5-0.

7.6. Ordinance 23-06 Tree Care and Maintenance. The City Council will hold a public hearing on Ordinance 23-06 An Ordinance Repealing and Replacing Chapter 606 of the City Code Pertaining to Tree Care and Maintenance.

Community Development Director Smith Strack reviewed Ordinance 23-06 with a brief slideshow.

Mayor Woletz opened the public hearing at 7:37 PM.

No one stepped forward.

MOTION by Councilmember Krings, second by Councilmember Coop, to close the public hearing at 7:38 PM. ALL VOTED AYE. MOTION CARRIED.

7.6.1. Approve Ordinance 23-06 An Ordinance Repealing and Replacing Chapter 606 of the City Code Pertaining to Tree Care and Maintenance.

MOTION by Councilmember Coop, second by Councilmember Evans, to Approve Ordinance 23-06 An Ordinance Repealing and Replacing Chapter 606 of the City Code Pertaining to Tree Care and Maintenance. ROLL CALL VOTE. Councilmembers Coop, Evans, Ladd, Woletz and Krings VOTED AYE. MOTION CARRIED 5-0.

7.6.2. Resolution 23-143 A Resolution Approving Summary Publication of Ordinance 23-06 An Ordinance Repealing and Replacing Chapter 606 of the City Code Pertaining to Tree Care and Maintenance.

MOTION by Councilmember Woletz, second by Councilmember Coop to Approve Resolution 23-143 A Resolution Approving Summary Publication of Ordinance 23-06 An Ordinance Repealing and Replacing Chapter 606 of the City Code Pertaining to Tree Care and Maintenance. ROLL CALL VOTE. Councilmember Woletz, Coop, Ladd, Krings and Evans VOTED AYE. MOTION CARRIED 5-0.

8. BUSINESS.

8.1. Presentation of Claims.

MOTION by Councilmember Evans, second by Councilmember Coop, to approve the reviewed Claims as presented in the amount of \$473,523.90. ROLL CALL VOTE. Councilmembers Evans, Coop, Krings and Woletz VOTED AYE. Councilmember Ladd VOTED NAY. MOTION CARRIED 4-1.

8.2. Annual Renewal Liability Insurance – Jeff McDonald, Canopy Group.

Finance Director Jirik introduced Jeff McDonald of Canopy Group to review the City's annual renewal liability insurance.

8.2.1. Resolution 23-144 Establishing a \$2,000,000 Per Occurrence Limit on Liability Insurance Coverage. The City of Belle Plaine elects Not to Waive the monetary limits on municipal tort liability established by MN Statute 466.04. Electing Group and Individual Open Meeting Law Insurance Coverage for the Mayor and City Council Members and Affirming a \$2,500.00 automobile, property deductible, and remaining coverage deductible set at \$5,000.00.

MOTION by Councilmember Evans, second by Councilmember Coop, to approve Resolution 23-144 Establishing a \$2,000,000 Per Occurrence Limit on Liability Insurance Coverage. The City of Belle Plaine elects Not to Waive the monetary limits on municipal tort liability established by MN Statute 466.04. Electing Group and Individual Open Meeting Law Insurance Coverage for the Mayor and City Council Members and Affirming a \$2,500.00 automobile, property deductible, and remaining coverage deductible set at \$5,000.00. ROLL CALL VOTE. Councilmembers Evans, Coop, Woletz and Ladd VOTED AYE. MOTION CARRIED 5-0.

8.3. Resolution 23-145 A Resolution Conditionally Approving a Site Plan for a Retail Facility at Lot 1, Block 1, Buesgens Commercial Center 2nd Addition.

Community Development Director Smith Strack reviewed a site plan for a retail facility on Buesgens Commercial Center second addition with a brief slideshow.

MOTION by Councilmember Krings, second by Councilmember Coop, to approve Resolution 23-145 A Resolution Conditionally Approving a Site Plan for a Retail Facility at Lot 1, Block 1, Buesgens Commercial Center 2nd Addition. ROLL CALL VOTE. Councilmembers Krings, Coop, Woletz, Ladd and Evans VOTED AYE. MOTION CARRIED 5-0.

8.4. Resolution 23-148 Authorizing Purchase of a Fire Ladder Truck to be Used for the Fire Department.

Fire Chief Otto reviewed the request to purchase a used Fire Ladder Truck for the Fire Department.

MOTION by Councilmember Evans, second by Councilmember Coop, to approve Resolution 23-148 Authorizing Purchase of a Fire Ladder Truck to be used for the Fire Department. ROLL CALL VOTE. Councilmember Evans, Coop, Woletz, Krings and Ladd VOTED AYE. MOTION CARRIED 5-0.

8.5. Resolution 23-147 Adopting Policy for Official City Council Minutes.

City Administrator Meyer reviewed the request for a policy on official City council minutes.

MOTION by Councilmember Evans, second by Councilmember Ladd, to approve Resolution 23-147 Adopting Policy for Official City Council Minutes. ROLL CALL VOTE. Councilmember Evans, Ladd and Woletz VOTED AYE. Councilmember Krings and Coop VOTED NAY. MOTION CARRIED 3-2.

8.6. Resolution 23-146 Approving Modified Job Descriptions for the Fire Department.

City Administrator Meyer reviewed the memo for the modified job descriptions for the Fire Department.

MOTION by Councilmember Woletz, second by Councilmember Coop, to table Resolution 23-146 Approving Modified Job Descriptions for the Fire Department. ROLL CALL VOTE. Councilmembers Coop, Ladd, Woletz, Evans and Krings VOTED AYE. MOTION CARRIED 5-0.

9. ADMINISTRATION.

9.1. Upcoming Tentative Meetings.

1. Budget Work Session, Wednesday, October 18, 3:00-4:30 PM.
2. Budget Work Session, Wednesday, October 25, 3:00-4:30 PM.
3. Octoberfest in Downtown Belle Plaine, Friday, October 27, 5:00-10:00 PM.
4. Design Committee, Monday, November 6, 5:00 PM
5. City Council, Monday, November 6, 6:00 PM
6. Work Session, Monday, November 6, 6:15 PM

Mayor Woletz reviewed the upcoming tentative meetings as listed.

10. ADJOURN.

MOTION by Councilmember Coop, second by Councilmember Ladd, to adjourn the regular session at 8:56 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary