

**BELLE PLAINE CITY COUNCIL
REGULAR MEETING
OCTOBER 18, 2021**

1. PLEDGE OF ALLEGIANCE.

Mayor 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, October 18, 2021 at 6:30 PM in the Council chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Meyer called the meeting to order with Councilmembers Krings, Coop, Chard and LeMieux present.

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

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

- 4.1. Regular Session Minutes of October 4, 2021.
- 4.2. Work Session Minutes of October 4, 2021.
- 4.3. Resolution 21-125 Extending Timeline Contained in City Council Resolution 20-129 for 180 days Pertaining to a Conditional Use Permit Allowing Outdoor Storage at 805 Enterprise Drive East.
- 4.4. Accepting the Resignation of Mark Herd, Utility Billing, Effective November 3, 2021.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve the consent agenda as follows: 4.1. Regular Session Minutes of October 4, 2021; 4.2. Work Session Minutes of October 4, 2021; 4.3. Resolution 21-125 Extending Timeline Contained in City Council Resolution 20-129 for 180 days Pertaining to a Conditional Use Permit Allowing Outdoor Storage at 805 Enterprise Drive East and 4.4. Accepting the Resignation of Mark Herd, Utility Billing, Effective November 3, 2021. ALL VOTED AYE. MOTION CARRIED.

5. DEPARTMENT REPORTS.

5.1. Ambulance Department.

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

5.2. Fire Department.

Fire Chief Otto was not present. The Council acknowledged the Fire Department Report

5.3. Police Department.

Police Chief Stier was present. Stier highlighted the Police Department Report.

Mayor Meyer requested an update on the new hires. Chief Stier explained Officer Eschenbach is nearing completion of the field training, Officer Guralnik has completed the field training and today was her first day in the school. Stier explained Officer Cloos is currently in his third week of field training and expects everyone will be up and running by mid-January.

5.4. Community Services Director.

Community Services Director Koller was not present. The Council acknowledged the Community Services Report.

5.5. Community Development Department.

Community Development Director Smith Strack was present. Smith Strack highlighted the Community Development Department and noted an additional 3.5 million in building value was added to the community due to reroofs.

Mayor Meyer inquired if any additional new housing permits will be received before the end of the year. Community Development Director Smith Strack confirmed three new home permits were received this week with an additional 5-10 expected before the end of the year.

Councilmember Krings inquired on the business looking for 1500 square feet of space to rent and if a space was found. Community Development Director Smith Strack explained she has reached out to potential locations and will continue working with the business to find a fit.

Councilmember LeMieux inquired if grant money is still available for façade or rehab. Community Development Director Smith Strack explained money is still available through various city programs. Smith Strack explained the EDA is also starting three new programs for next year.

6. PUBLIC HEARINGS.

Mayor Meyer introduced the public hearing item.

6.1. Non-Conforming Use Expansion Permit. The City Council will consider public comment on a request by Samuel Brummund, ABSB LLC, Owner of 727 Main Street East. The Applicant requests a non-conformance expansion permit under Code Section 1102.03, Subd. 1(2) pertaining to rear yard setback in the I/C Industrial Commercial District. The required rear yard setback under Section 1105.13, Subd. 5(3)(c) is 25 feet. The Applicant proposes an accessory structure setback the same distance as the principal structure on the lot. If approved, the 2,400 square foot accessory structure would be setback 15 feet from the rear property line.

Community Development Director Smith Strack explained Sam Brummund is in the audience for questions. Smith Strack noted if approved the construction of a 2400 square foot building is requested with the existing setback to match his current building setback.

Mayor Meyer opened the public hearing at 6:48 PM and asked for public comment.

No one spoke at the public hearing.

MOTION by Councilmember Coop, second by Councilmember Chard, to close the public hearing at 6:48 PM. ALL VOTED AYE. MOTION CARRIED.

6.1.1. Resolution 21-122 Resolution Approving a Non-Conformance Expansion Permit Relating to Placement of an Accessory Structure at 727 Main Street East in the I/C Industrial Commercial District.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 21-122 Resolution Approving a Non-Conformance Expansion Permit Relating to Placement of an Accessory

Structure at 727 Main Street East in the I/C Industrial Commercial District. ALL VOTED AYE. MOTION CARRIED.

Mayor Meyer introduced the public hearing item.

6.2. 2022 Improvement Project. The City Council will accept public comment on the proposed 2022 Improvement Project. (Downtown Project Phase One)

City Administrator Meyer explained at the September 20 City Council meeting the council accepted the preliminary engineering report and called for the public hearing for the 2022 Improvement Project. Meyer explained the 2022 Project consists of reconstruction portions of Main Street from Meridian Street to Willow Street, Meridian Street from State Street to Main Street, Church Street from Willow to Chestnut Street, Block 92 Alley and Block 103 Alley. Meyer explained after the public hearing the Council can move forward with the project, stop the project or table the project.

City Engineer Duncan explained during the October 1st Community event gave the opportunity to have personal interactions with many community members noting the overall complaint is parking. Duncan reviewed the 2022 Street and Utility Improvements Engineer Report with a slideshow. Duncan highlighted the phased projects from 2022-2024, proposed street and alley reconstruction, conditions of street, alley and sanitary sewer. Duncan explained the proposed street width, parking and axle load along with concrete walks, ADA ramps and multi-purpose lighting. Duncan reviewed Block 91 Alley as a full reconstruction and Block 103 Alley as a mill and overlay. Duncan explained the improvements to sanitary sewer along with storm sewer and catch basins. Duncan reviewed the streetscape improvements currently under development along with estimated costs. Duncan explained the assessment policy and schedule for improvements if the project moves forward.

Mayor Meyer explained this project is unique in the sense that a normal street project all design aspects are known. Meyer explained the process is out of order with this project as we have the bonding piece, which is a crucial part of financing, and the City is fortunate to be considered for the list. Meyer noted the City of hopeful the preliminary numbers are the worst-case scenario and the City is successful for the bonding bid, which would dramatically change the assessments. Meyer explained the City has yet to determine the utilization of COVID funding money to help offset portions of the project. Meyer noted the EDA is establishing grant money to help businesses as well. Meyer explained if the project moves forward the next Council action would not be until April however a work session has been scheduled for November to discuss and review amenities and design elements. Meyer explained the Council will listen to testimony and requests all speakers be respectful of each other.

Mayor Meyer opened the public hearing at 7:07 PM and asked for public comment.

Charlie Hartmann, Huck's Shipwreck – 110 North Meridian Street. Hartmann thanked the City of the help given to businesses during COVID. Hartmann explained his disappointment in this project coming forward so soon after COVID. Hartmann stated the City has very limited parking and requests angled parking be put in along with bump outs where needed. Hartman acknowledges the infrastructure needs to be addressed but has a major concern with the proposed parking.

Jeff Carlson, 100 & 102 Main Street buildings. Carlson stated has concerns with parking issues along with a major concern during a snow event. Carlson stated the extra snow left on the street from the sidewalks builds a ridge and his tenants complain they cannot get over. Carlson inquired if the City plans on plowing the sidewalk or if that will be dumped on the property owners. Carlson noted snow will further restrict parking and eliminate parking on the parallel side which will hurt the small businesses downtown.

Renee Christianson, 699 240th Street East, Jordan, owner of 212 and 214 Meridian Street. Christianson stated her appreciation for the public community outreach and noted the staff's effort for outreach. Christianson explained she supports beautification efforts in the Downtown and noted the community has

one chance to do it right. Christianson stated improvements will benefit the community for years to come and is not opposed to paying her fair share of assessments per City policy. Christianson stated she is opposed to the proposed parking and prefers parking on each side of the street. Christianson suggests the extended sidewalks will not benefit her buildings and requests angled parking on her side of the street.

Ryan Herrmann, 719 E. Beaver Street. Herrmann explained he has heard from citizens and shares the concern for parking. Herrmann explained he understands the roads and utilities need to be addressed but has a concern with the parking and streetscaping. Herrmann explained phase one of the project calls for \$400,000.00 in marketing for streetscape and inquired if bonding and COVID money will be applied to both phase one and two of the project or if any funding is available for phase two. Herrmann noted Church Street is one foot wider than Meridian Street and offers angled parking on both sides of the street. Herrmann inquired why Main and Meridian Streets do not offer angled parking on both sides.

Dan Townsend, 108 Meridian Street South, 113 Main Street East and 119 Main Street East. Townsend explained parallel parking will take up the whole street and slow traffic down. Townsend expressed concern with pushing traffic away from Downtown and although it may be safer for pedestrians he foresees a lot more fender benders.

Tom Meger, 520 Main Street West. Meger explained he agrees with everyone's concerns on parking and understands the need for infrastructure but requests to only fix what is needed. Meger request parking be kept as is in the Downtown. Meger expressed concern with his assessment for Church street and gaining of 2 angled parking spots vs the current parallel parking. Meger inquired the length of the assessment.

City Administrator Meyer explained staff are looking at the State bonding as well as money from the American Recovery Act Funding for assessment relief and explained no terms have been set for assessments as financing comes secondary after the scope of work has been determined. Meger explained he is looking at doing \$10,000.00 worth of work on top of the assessment cost. Meger explained his request to show how two additional parking spots will improve his property.

Ron Jarvi, 208 Elk Street South. Jarvi explained part of moving out to Belle Plaine from the cities was due to the small town atmosphere. Jarvi explained the look of the improvements looks phenomenal and explained the current outdoor dining is not appealing. Jarvi explained bigger communities who have created smaller roads have created parking ramps within walking distance. Jarvi said if congestion becomes a problem people will find better routes with less congestion. Jarvi said he would like to make the Downtown more appealing however, the City will need to find more parking.

Jen Shinehouse, 103 Main Street West. Shinehouse inquired what the loan payout percentage would be. Mayor Meyer explained the percentage is not yet known and noted the bonding is bid on. Finance Director Jirik noted this year was locked in at 3.5%. Shinehouse inquired if a worst case scenario has been determined noting if all the bonding is secured it could change peoples minds on the project. Meyer explained the Council does not know what funding will be received if any nor how it will be divided up to make it equal. Meyer explained the House Representatives will come down next week but are not currently in session. Community Development Director Smith Strack explained the house will go back into session mid-January.

Mayor Meyer explained the public hearing is just one step in the whole process and noted no additional public hearings would be held however more public discussion will be held. Jen Shinehouse suggested it would have been nice to have two to three financially invested people as part of a group to give opinions. Shinehouse noted parking is a major concern for her and her tenants.

Dan Townsend, stepped forward to express the wide streets are part of the identity of Belle Plaine and suggested he does not want people to final alternate routes. Townsend explained he wants the public driving past his buildings and things the design will push people away from Downtown.

Kevin Berger, 121 Meridian Street South. Berger explained business and property owners came together a month ago and voiced concern and worries, filled out comment cards. Berger inquired if any of those concerns were addressed or resolved and what changes have been made. Mayor Meyer explained the first step in the process is to order the feasibility study and all the comments from the public forums and public hearing will be reviewed during a work session.

Berger explained he does not feel the voices are being heard tonight. Meyer explained all testimonies will be taken under advisement and explained he and other Councilmembers have received calls from people who do not want to be public due to concern about their business. Meyer explained the general population will also pay for 70% of the project and their comments will be taken into account as well. Meyer explained the next step in the process will be to take a look at the amenities. Berger inquired what the improvements will cost him and will it be worth the money. Meyer explained the cost will depend on funding and amenities.

Christine Panning, 114 Meridian Street North. Panning explained she agrees with all the parking concerns comments and noted she has concerns with parking and elderly people who cant walk very will who come in for BINGO night. Panning explained the public parking lot will not help her business for parking nor those with mobility issues. Panning concurred the City helped businesses during COVID but noted she has lost cliental after 10:00 PM. Panning inquired if the sales tax for transportation will help offset funding.

City Administrator Meyer explained the ½% of sales tax used for transportation goes to Scott County. Meyer explained the City of Belle Plaine does not get that money however the City does receive State Aid funding. Meyer explained State Aid funding is currently paying for other things and the City is looking for additional State Aid funding to be freed up that can be applied to the MSA routes to help with this project as Meridian Street is currently a MSA route.

Jeff Carlson stepped forward to inquired if the state bonding doesn't come through will the beautification/streetscaping still move forward and be put on the property owners. Mayor Meyer explained he is unable to answer that as that is a voted on question and noted will need to be reviewed prior to the final approval.

Jeff Hanson, 1308 Linwood Road. Hanson suggests doing the infrastructure first then concentrate on getting more businesses Downtown before beautification of the Downtown. Hanson explained parallel parking was tried many years ago and it did not work. Hanson noted the many empty buildings Downtown and expressed it is not the right time for the streetscaping.

Karen Lambrecht, 24285 Aberdeen Avenue, business at 215 Meridian Street North. Lambrecht explained she is a business owner and renter in the Downtown. Lambrecht commended the City for moving forward with the parking lot and noted over time people will get accustomed to using it. Lambrecht inquired on handicap parking and how or where the placement will be determined. Lambrecht suggested the handicap parking be spread out over the Downtown area. Lambrecht requested those with no alley access be given a clear work plan for access to buildings and suggested the Council go on a walk Downtown to problem solve those businesses with no alley access. Lambrecht suggested doing the year's project in phases. Lambrecht explained if trees are added back in to look for different types of trees that do not cause heaving of the sidewalks.

Ashely Cauley, Tenant at 118 Meridian Street North. Cauley explained she is not against the Downtown project and thinks it is great for the Downtown for the residents and for visitors. Cauley explained she has asked for a stake holders committee to be formed for those people who have a vested interest to provide feedback and also check in meetings for those who are invested to see that the concerns are being addressed and the progress of the project. Cauley explained she agrees with the concerns brought forward at the public hearing and wants to insure a clear communication plan is devised to keep the those

up to date on the project as it moves forward and aware of what's happening when to let their patrons know.

Tamara Schmidt, 616 Main Street East, tenant at 102 Main Street East. Schmidt explained her concern is for the small businesses homed in the Downtown. Schmidt explained the building owner will likely have to raise her rent and is concerned businesses will be driven out of town during construction. Schmidt explained her lease will be renewed during the project and she will need to consider if she should renew or go to a different town.

Dawn Callahan, 111 Main Street West. Callahan expressed concern with parking and noted she has a large senior citizen client who cannot park in the parking lot. Callahan expressed concern of access during construction along with the effect of parking on her business. Callahan stated all businesses should be considered not just the bars and explained everyone deserves to be successful.

Kris Otto, 130 Cedar Street South. Otto explained she is present to represent the Belle Plaine Vet's Club and expressed concern of being shut down during construction. Otto noted they do have alley access however it cannot be used as it would be through their kitchen. Otto stated she would like to hear more about how long they would be shut down.

Ryan Herrmann stepped back forward and stated his concern about process moving forward. Herrmann stated there are lots of unanswered question and Council is voting tonight on a final plan. Herrmann inquired if the concerns have been addressed and if the final plan moves forward will the final plan ever change. Herrmann noted the City is spending money we do not even know if we have.

Jen Shinehouse stepped back forward to speak on behalf of the Hair Loft in her building. Shinehouse inquired if people can fight to get the angled parking on their side of the street. Shinehouse stated due to her tenants concerns she would like to state we would like the angled parking on our side of the street.

Ashley Buck, 103 Main Street West. Buck all concerns have been spoken about. Buck expressed concern as a business owner for a future in the town when she does not feel her concerns are being heard. Buck explained communication of a plan should come forward that will help everyone. Buck explained everyone wants Belle Plaine to be a good town and invite new businesses to come to town.

MOTION by Councilmember LeMieux, second by Councilmember Coop, to close the public hearing at 7:55 PM. ALL VOTED AYE. MOTION CARRIED.

Mayor Meyer explained the next step of the process will be to review the amenities. Meyer thanked those that came forward and gave testimony. Meyer expressed the comments were heard and explained the next meeting will be a workshop to review the amenities to stay on track with the 429 process. Meyer explained he appreciated the comment on communication plans and noted due to the loss of the Belle Plaine Herald please look to the newsletter, Facebook and City website for information on the project. Meyer explained there are many unknowns at this time and staff will continue to research and once funding is decided some questions will be answered. Meyer explained the Council is representing the greater good of the community.

Councilmember Chard explained he is happy to see the drawing of what Downtown could look like. Chard explained we know the pipe is bad the sidewalks are heaving but we do not know is funding. Chard explained two larger projects are coming forward with CASAH 6 and Highway 25 and the Downtown project is just one piece of the puzzle to make everything flow better. Chard noted the community events downtown as a great way to bring the community together. Chard stated many buildings are sitting empty Downtown and the owners do not want to fix them or rent them. Chard explained he would like to see more investment in the Downtown enhancing properties and making them rentable.

Councilmember LeMieux thanked everyone for coming out to the meeting. LeMieux explained the Council will be waiting to hear on the funding before any decisions are made. LeMieux explained to hear those who have spoken tonight and those that don't show up but call or email instead.

6.2.1. Resolution 21-123 Ordering Improvements and Directing City Engineer to Prepare Final Plans and Specifications for the 2022 Improvement Project.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve Resolution 21-123 Ordering Improvements and Directing City Engineer to Prepare Final Plans and Specifications for the 2022 Improvement Project. ALL VOTED AYE. MOTION CARRIED.

7. BUSINESS.

7.1. Presentation of Claims.

Councilmember Krings inquired on a claim 3155 on page 8 to Jarabek for \$250.00. Finance Director Jirik explained the property was part of the 2021 Street Project who had trees removed from their property and are eligible for the \$125.00 per tree allowance.

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

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

Jeff McDonald of Canopy Group reviewed the annual renewal liability insurance coverage.

Attorney Vose commented to confirm the City is not waiving the 1.5 million monetary limits on municipal tort liability established by the State. Jeff McDonald confirmed.

7.2.1. Resolution 21-124 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 Krings, second by Councilmember Coop, to approve Resolution 21-124 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. ALL VOTED AYE. MOTION CARRIED.

8. ADMINISTRATION.

8.1. Upcoming Tentative Meetings.

1. Design, Monday, November 1, 5:15 PM
2. City Council, Monday, November 1, 6:30 PM
3. Work Session, Monday, November 1, 6:45 PM
4. EDA, Monday, November 8, 5:00 PM.
5. Planning and Zoning, Monday, November 8, 6:30 PM.
6. Public Safety, Tuesday, November 9, 7:30 AM.
7. Public Works Committee, Wednesday, November 10, 9:00 AM.
8. City Offices Closed in Observance of Veteran's Day, Thursday, November 11.

Mayor Meyer reminded the council of the upcoming tentative meetings as listed.

Mayor Meyer advised a closed session will follow the regular session regarding Attorney Client privilege discussion regarding City Property Valley Business Park 3rd Addition PID: 201030010 and 201030020.

9. ADJOURN.

MOTION by Councilmember LeMieux, second by Councilmember Coop, to adjourn the Regular Session at 8:07 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary