

**BELLE PLAINE CITY COUNCIL
REGULAR MEETING
OCTOBER 19, 2020**

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 19, 2020 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 Cary Coop, Renee LeMieux, Paul Chard and Patricia Krings present.

Also present were City Administrator Meyer, Police Chief Stier, Community Development Director Smith Strack, City Engineer Duncan, Public Works Superintendent Fahey, City Attorney Vose, Community Services Director Koller, Fire Chief Otto and Ambulance Director Sweeney.

3. APPROVAL OF AGENDA.

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

4. APPROVAL OF CONSENT AGENDA.

- 4.1. Regular Session Minutes of October 5, 2020.
- 4.2. Resolution 20-122 Authorizing the Purchase of Audio Equipment for the Council Chambers with CARES Act Funds.
- 4.3. Resolution 20-123 Approving Terms of a ROSE Loan to Scott Danielson (Scotland Investments LLC) for a Structure at 725 Main Street East
- 4.4. Resolution 20-124 Approving Terms of a ROSE Loan to Judy A. Otto (Borough Bowl) 235 Ash Street South.
- 4.5. Resolution 20-125 Approving Terms of a ROSE Loan to Lisa C. Fahey (Fahey Limited Partnership) 204 Meridian St North.
- 4.6. Resolution 20-127 Resolution Approving Additional CARES Act Funding for the Belle Plaine Business Relief Grant Program and the Belle Plaine Resident Relief Grant Program
- 4.7. Resolution 20-126 Adopting the Assessment for Delinquent Fire Bills.
- 4.8. Accept the Resignation of Belle Plaine Firefighter, Doug LeMieux.
- 4.9. Resolution 20-131 Waive Portion of Special Planning Commission Meeting Fee: 805 Enterprise Drive East.
- 4.10. Resolution 20-132 Authorizing the City Facilities Cleaning Contract with High-Tech Cleaning Company.
- 4.11. Resolution 20-133 Authorizing the Purchase of Security Fencing at the Public Works Facility with CARES Act Funds.

Councilmember LeMieux inquired on how the fencing at Public Works falls under a COVID expense. City Administrator Meyer explained the facility is a secure holding area and the fencing was not a planned expense. Meyer also noted the fencing height of 8 feet is requested.

MOTION by Councilmember Krings, second by Councilmember Coop, to approve the consent agenda as follows: 4.1. Regular Session Minutes of October 5, 2020; 4.2. Resolution 20-122 Authorizing the Purchase of Audio Equipment for the Council Chambers with CARES Act Funds; 4.3. Resolution 20-123 Approving Terms of a ROSE Loan to Scott Danielson (Scotland Investments LLC) for a Structure at 725 Main Street East; 4.4. Resolution 20-124 Approving Terms of a ROSE Loan to Judy A. Otto (Borough Bowl) 235 Ash Street South; 4.5. Resolution 20-125 Approving Terms of a ROSE Loan to Lisa C. Fahey

(Fahey Limited Partnership) 204 Meridian St North; 4.6. Resolution 20-127 Resolution Approving Additional CARES Act Funding for the Belle Plaine Business Relief Grant Program and the Belle Plaine Resident Relief Grant Program; 4.7. Resolution 20-126 Adopting the Assessment for Delinquent Fire Bills; 4.8. Accept the Resignation of Belle Plaine Firefighter, Doug LeMieux; 4.9 Resolution 20-131 Waive Portion of Special Planning Commission Meeting Fee: 805 Enterprise Drive East; 4.10. Resolution 20-132 Authorizing the City Facilities Cleaning Contract with High-Tech Cleaning Company and 4.11. Resolution 20-133 Authorizing the Purchase of Security Fencing at the Public Works Facility with CARES Act Funds. ALL VOTED AYE. MOTION CARRIED.

RECOGNITION OF SERVICE

Doug LeMieux – 17 years of Service to the Belle Plaine Fire Department

Mayor Meyer explained the Recognition of Service will be held later in the meeting.

5. DEPARTMENT REPORTS.

5.1. Ambulance Report.

Ambulance Director Sweeney was present. Sweeney highlighted the Ambulance Report. The Council acknowledged receipt of the Ambulance Report.

5.2. Fire Report.

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

Councilmember Chard inquired on the grain bin equipment. Fire Chief Otto explained training was shutdown due to COVID, training will now happen this Wednesday for the equipment. Mayor Meyer noted staffing openings. Otto explained the department is down two members and will be doing testing before the first of the year.

The Council acknowledged receipt of the Fire Department Report.

5.3. Community Services Report.

Community Services Director Koller was present. Koller highlighted the Community Services Report.

Mayor Meyer inquired on classes at the warming house. Community Services Director Koller explained yoga is being held Tuesday mornings and Wednesday evenings at the warming house. Councilmember Coop inquired on the class raise the bar. Koller explained raise the bar is the new version of ring the bell which is a 5:00 AM class.

The Council acknowledged receipt of the Community Services Report.

5.4. Police Report.

Police Chief Stier was present. Stier highlighted the Police Department Report noting Officer Cayer is doing an excellent job showing an 85% case closure rate for September.

The Council acknowledged receipt of the Police Department Report.

5.5. Community Development Report.

Community Development Director Smith Strack was present. Smith Strack highlighted the Community Development Report noting she has received several calls regarding the Small Cities Grant. Smith Strack explained those who applied for the grant, are in the targeted area and qualified will receive a packet in

the next two weeks. Smith Strack explained to date 23 residential loans and 20 business loans have been given out from CARES Act funds. Smith Strack noted final platting for Prairie Gardens is expected this winter.

The Council acknowledged receipt of the Community Development Report.

6. CALL TO ORDER PLANNING AND ZONING COMMISSION

6.1. ROLL CALL.

The Planning and Zoning Commission met in special joint session on Monday, October 19, 2020 at City Hall 218 North Meridian Street, Belle Plaine, MN. Vice Chair Pankonin called the meeting to order at 6:40 PM with Commissioners Petersen, Herrmann and Duklet. Commissioners Kiecker and Cauley were not present.

Also present was Community Development Director Smith Strack and Council Liaison Chard.

6.2. APPROVAL OF AGENDA.

MOTION by Commissioner Herrmann, second by Commissioner Petersen, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

7. PUBLIC HEARINGS.

7.1. Conditional Use Permit Outdoor Storage 805 Enterprise Drive East. The Planning Commission and City Council will consider public comment on a conditional use permit application submitted by Nick Melsha, on behalf of Davis Family Investments (Applicant and Property Owner). The conditional use permit, if approved, would authorize two outdoor storage pads at property addressed as 805 Enterprise Drive East. A conditional use permit is required under Section 1107.08, Subd. 2(1) of the City Code pertaining outside storage of equipment, materials and inventory accessory to industrial uses.

Vice Chair Pankonin opened the Planning and Zoning public hearing at 6:41 PM.

Community Development Director Smith Strack reviewed the proposed Conditional Use Permit for outdoor storage at 805 Enterprise Drive East, the Cambria building. Smith Strack presented a brief slideshow outlining the request. Smith Strack noted rear yard three acres of outdoor storage for material and inventory is proposed in two phases and includes a proposed storm water facility. Smith Strack explained a CUP is required under Section 1107.08, Subd. 2(1). Smith Strack noted the applicant requests consideration for no fencing or screening per a submitted email. Smith Strack explained staff recommend some screening to maintain integrity of code as development continues on vacant lots nearby. Smith Strack explained adjustments to the proposed storm water facility including two feet of material not conducive to infiltration below high water level and a pond maintenance plan. Smith Strack noted an easement encroachment agreement will be needed if approved.

Mayor Meyer requested questions from Council. Councilmember Krings inquired if any neighboring property owners submit any comments. Community Development Director Smith Strack explained the public hearing notice was printed, posted and mailed to the surrounding 350 feet. Smith Strack noted no comments for or against the proposed storage was received. Councilmember Coop inquired where staff recommended fencing be installed. Smith Strack explained staff recommend screening on exterior. Mayor Meyer noted vegetation would hide the storage but inquired what the purpose of the chain link fence would be. Smith Strack explained code states screening and fencing to screen view presumably from 169. Mayor Meyer inquired is the storage would be the same plastic wrapped items from the north side of the highway.

Mayor Meyer opened the public hearing at 6:49 PM and asked for public comment.

Nick Melsha, Arlington, applicant and representative from Cambria was present and explained the proposed storages is for the white wrapped slabs stored on the north side of the highway. Melsha explained they plan on moving the current slabs to the south side of the highway behind the Cambria building. Melsha explained the plan is to remove 12" of dirt and lay class five rock down. Melsha explained they are requesting no fencing due to issues with snow removal and noted some trees already exist and they are willing to add additional if needed.

Mayor Meyer inquired if the relocation of storage from Main street will be permanent. Melsha confirmed Cambria's plan to relocated all outdoor storage to the main building on the South side of the highway.

Commissioner Duklet noted no lights were included in the building. Melsha explained lights already exist on the exterior of the building and they typically do not add additional yard lighting.

MOTION by Commissioner Herrmann, second by Commissioner Petersen to close the Planning and Zoning Public Hearing at 6:52 PM. ALL VOTED AYE. MOTION CARRIED.

Commissioner Pankonin inquired if staff have any specific requests for screening. Community Development Director Smith Strack explained the additional screening can be left to administrative decision. Commissioner Duklet noted no need for fencing in her opinion landscaping would be sufficient. Commissioner Herrmann explained screening is a good idea and noted the main Cambria building is well taken care of; screening would keep the same look. Pankonin confirmed his opinion of vegetative screening over fencing. Herrmann inquired on the timeline from phase one to phase two and if the request is to get storage at one facility. Melsha explained he was unsure on the timeline and confirmed one facility for storage is preferred.

7.1.1. (Planning Commission Consideration)
Resolution PZ 20-012 A Resolution Recommending Approval Of A Conditional Use Permit Providing For Accessory Outdoor Storage at 805 Enterprise Drive East.

MOTION by Commissioner Pankonin, second by Commissioner Petersen, to approve Resolution PZ 20-012 recommending approval of a Conditional Use Permit Providing for Accessory Outdoor Storage at 805 Enterprise Drive Ease with vegetation. ALL VOTED AYE. MOTION CARRIED.

7.1.2. Adjourn Planning Commission Meeting.

MOTION by Commissioner Duklet, second by Commissioner Petersen, to adjourn the meeting at 6:57 PM. ALL VOTED AYE. MOTION CARRIED.

MOTION by Commissioner Coop, second by Commissioner Krings, to close the City Council Public Hearing at 6:57 PM. ALL VOTED AYE. MOTION CARRIED.

Councilmember Coop explained it is wise to have fencing, as there is snowmobile access on the City right of way. Councilmember Chard acknowledged the efficiency of having storage on one site and suggested once the outdoor storage leaves the north side it should not be allowed back. Mayor Meyer inquired if the outdoor storage at the north of 169 facility is considered legal non-conforming. Community Development Director Smith Strack explained she would need to research as storage has been in place since she started as the Community Development Director. City Attorney Vose explained if the property is legal non-conforming it would be up to Cambria to prove. Chard suggested landscaping, noting looking to the future for development. Councilmember LeMieux confirmed no fencing but rather industrial landscaping.

7.1.3. (City Council Consideration)
Resolution 20-129 A Resolution Approving A Conditional Use Permit Providing For Accessory Outdoor Storage at 805 Enterprise Drive East.

MOTION by Councilmember LeMieux, second with Councilmember Chard, to approve Resolution 20-129 A Resolution Approving A Conditional Use Permit Providing For Accessory Outdoor Storage at 805 Enterprise Drive East with landscaping. ALL VOTED AYE. MOTION CARRIED.

8. BUSINESS.

8.1. Presentation of Claims.

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

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

8.2.1. Resolution 20-128 Establishing a \$3,000,000 Per Occurrence Limit on Liability Insurance Coverage per State Statute, Electing Group and Individual Open Meeting Law Insurance Coverage for the Mayor and City Council Members and Affirming a \$2,500 Automobile, Property Deductible, and Remaining Coverage Deductible set at \$5,000.00.

City Administrator Meyer explained the annual renewal of liability insurance has been reviewed. Meyer noted upon review the savings of approximately \$10,000.00 could be had by adjusting deductibles based on the City's claim history.

Jeff McDonald was present to review the elected coverage, property value increases and potential savings. McDonald explained the leagues is reviewing park buildings coverage this year and the City should see some rate relief at next year's renewal.

MOTION by Councilmember Krings, second by Councilmember Coop, to approve Resolution 20-128 Establishing a \$3,000,000 Per Occurrence Limit on Liability Insurance Coverage per State Statute, Electing Group and Individual Open Meeting Law Insurance Coverage for the Mayor and City Council Members and Affirming a \$2,500 Automobile, Property Deductible, and Remaining Coverage Deductible set at \$5,000.00. ALL VOTED AYE. MOTION CARRIED.

RECOGNITION OF SERVICE

Doug LeMieux – 17 years of Service to the Belle Plaine Fire Department

Mayor Meyer recognized Fire Fighter Doug LeMieux for his 17 years of service to the Belle Plaine Fire Department and congratulated him on his retirement. Meyer presented LeMieux with a plaque of appreciation.

8.3. Resolution 20-130 Providing for the Sale of \$3,370,000 General Obligation Bonds, Series 2020A, to Finance the Construction of the 2020 Street Reconstruction Improvements in the City of Belle Plaine.

City Administrator Meyer reviewed the combining of the 2020 Street Project bond with the Reissuance Bond for cost savings on issuance rates. Meyer explained the awarding of the bond will be available for review on November 2.

Mayor Meyer confirmed on November 2 we will know the rate of the bond. City Administrator Meyer confirmed the bond rate will be available on November 2nd and noted resolution 20-130 is the Council accepting the bonds being combined.

MOTION by Councilmember LeMieux, second by Councilmember Coop, to approve Resolution 20-130 Providing for the Sale of \$3,370,000 General Obligation Bonds, Series 2020A, to Finance the Construction of the 2020 Street Reconstruction Improvements in the City of Belle Plaine. ALL VOTED AYE. MOTION CARRIED.

8.4. Proposed Ordinance 20-12 Parking Regulations.

City Administrator Meyer explained the proposed Ordinance 20-12 has been reviewed at the Public Safety and Public Works Committee and was requested to be reviewed at the City Council.

Public Works Superintendent Fahey explained the residential parking during snow emergency in an ongoing issue. Fahey explained the updated proposed ordinance would help prevent the current tagging and towing of cars during a snowfall, as no parking at any time from November 1 to April 1 would be the ordinance. Fahey noted the downtown businesses are exempt from the rule as the area is signed when plowing will occur. Fahey also explained residential businesses will be exempt along with the schools.

Mayor Meyer inquired what happens when the officer enforcement is called away for an emergency. Police Chief Stier explained Officers often get called away and noted the importance of early education and warnings to prevent the parking. Meyer inquired if other cities have similar ordinances. Public Works Superintendent Fahey confirmed many other cities have similar ordinance and noted Eden Prairie is in effect year round. Fahey noted education is the key to success and relief for those residents who do not have a driveway for parking. Councilmember LeMieux inquired how this proposed ordinance would impact the downtown businesses with 2 AM closes. Fahey explained the downtown and commercial area are not enforced until signage is out, noting this ordinance is residential only. Meyer inquired about the schools and dentists in residential areas. Councilmember Chard inquired about the Lutheran Home. Fahey explained those areas are identified and are first to be cleared. Councilmember Coop suggested 12:00 AM – 6:00 AM timeline to help eliminate issues with schools and home daycares. Fahey noted any changes would need to include the language until curb to curb snow removal.

Councilmember Krings requested Mayor Meyer to take a roll call vote on proposed ordinance 20-12 Parking Regulations. City Administrator Meyer explained discussion and feedback is requested before taking back to Public Safety and Public Works for further discussion. Meyer noted a call for a public hearing could be called for on the November 2 consent agenda, with a public hearing on the November 16 agenda.

9. ADMINISTRATION.

9.1. Upcoming Tentative Meetings.

1. Design Committee, 5:15 PM, Monday, November 2.
2. City Council, 6:30 PM, Monday, November 2.
3. Work Session, 6:45 PM, Monday, November 2.
4. Election Day, 7:00 AM – 8:00 PM, Tuesday, November 3.
5. EDA, 5:00 PM, Monday, November 9.
6. Planning, 6:30 PM, Monday, November 9.
7. Public Safety, 7:30 AM, Tuesday, November 10.
8. City Offices Closed in Observance of Veteran's Day, Wednesday, November 11.
9. Public Works, 9:00 AM, Thursday, November 12.

Mayor Meyer advised of the upcoming tentative meetings as listed.

10. ADJOURN.

MOTION by Councilmember LeMieux, second by Councilmember Krings, to adjourn the regular session at 7:29 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary