

**BELLE PLAINE CITY COUNCIL
REGULAR MEETING
DECEMBER 16, 2019**

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, December 16, 2019 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, Paul Chard and Renee LeMieux present.

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

3. APPROVAL OF AGENDA.

MOTION by Councilmember LeMieux, second by Councilmember Coop, to move agenda item 4.5. to the business portion of the meeting 7.6. and approve the agenda with the change. ALL VOTED AYE.
MOTION CARRIED.

4. APPROVAL OF CONSENT AGENDA.

- 4.1. Truth and Taxation Minutes of December 2, 2019.
- 4.2. Regular Session Minutes of December 2, 2019.
- 4.3. Work Session Minutes of December 2, 2019.
- 4.4. Ordinance 19-13 Repealing and Replacing Chapter Two of the City Code and Resolution 19-158 Authorizing and Approving Summary Publication of Ordinance 19-13.
- ~~4.5. Resolution 19-159 Appointment of Lieutenants with the Belle Plaine Fire Department.~~

MOTION by Councilmember LeMieux, second by Councilmember Coop, to approve the consent agenda items as follows: 4.1. Truth and Taxation Minutes of December 2, 2019; 4.2. Regular Session Minutes of December 2, 2019; 4.3. Work Session Minutes of December 2, 2019 and 4.4. Ordinance 19-13 Repealing and Replacing Chapter Two of the City Code and Resolution 19-158 Authorizing and Approving Summary Publication of Ordinance 19-13. ALL VOTED AYE. MOTION CARRIED.

RECOGNITION

Matt Stier – 20 years of Service to the Belle Plaine Fire Department.

Mayor Meyer presented a plaque and recognized Matt Stier for his 20 years of service with the Belle Plaine Fire Department, and 5 years of being Chief. Meyer thanked Stier for his dedication to the City and recognized Stier's family for their sacrifices during his time of service to the community.

5. DEPARTMENT REPORTS.

5.1. Ambulance Report.

Ambulance Supervisor Sweeney was not present.

5.2. Fire Report.

Fire Chief Otto was present. Otto highlighted the fire department report and added a meeting with ISO insurance is set up for an updated insurance rating.

5.3. Community Services Report.

Community Services Director Koller was present. Koller highlighted the community services report noting a successful Holiday Express event.

5.4. Police Report.

Police Chief Stolee was present. Stolee highlighted the police report thanking the Public Works Union for their combined work on a successful Santa Shack event. Stolee also expressed gratitude to the Fire Department for their partnership in a highly successful blood drive.

Mayor Meyer requested an update on the cell phone training. Chief Stolee explained the nationwide training on cell phone forensics was held at the police department. Stolee noted 24 individuals from around the United States came to Belle Plaine and were trained. Stolee explained the Belle Plaine police department received the training at no cost.

5.5. Community Development Report.

Community Development Director Smith Strack was present. Smith Strack highlighted the community development report noting 561 S. Elk street is installing utilities with building permits in process for 2020 completion.

Mayor Meyer inquired on the progress of the property on West Church Street. Community Development Director Smith Strack explained staff have met with the property owner who is committed to getting the project complete.

Mayor Meyer introduced the agenda item.

6. PUBLIC HEARINGS.

6.1. Scott Schmidt: Setback Variances – R-7 Mixed Housing District. The City Council will consider public comment on a request by Scott Schmidt, owner of property in the 300 Block of Meridian Street North for variances to required front, side, and rear yard setbacks in the R-7 Mixed Housing District. If approved the variances would allow construction of a duplex on a combined infill parcel.

Community Development Director Smith Strack explained a variance request from Scott Schmidt regarding setbacks on an R-7 Mixed Housing property. Smith Strack noted the subject property is required to have a front setback of 30 feet, and Schmidt requests 16 feet, interior side setback of 10 feet, Schmidt requests 5 feet. Smith Strack explained the rear setback is tied to the height of the building, indicating the required setback of 25 feet and Schmidt is requested 21 feet. Smith Strack noted the requests are for two properties. Smith Strack explained the property was rezoned in 2019 after previous requests for mini storage. Smith Strack explained sample findings are included in the packet and appear to be consistent with use/zoning in the R-7 district. Smith Strack noted the review team has no objections to the variance request and noted the Planning Commission recommended approval with conditions contained in Resolution 19-160A.

Mayor Meyer opened the public hearing at 6:42 PM and asked for public comment.

No one spoke at the public hearing.

Motion by Councilmember Chard, second by Councilmember Coop, to close the public hearing at 6:43 PM. ALL VOTED AYE. MOTION CARRIED.

6.1.1. Resolution 19-160(A) A Resolution Approving a Variance to Front, Side, and Rear Setbacks for a Duplex in the 300 Block of Meridian Street North.

Resolution 19-160(B) A Resolution Denying a Variance to Front, Side, and Rear Setbacks for a Duplex in the 300 Block of Meridian Street North.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 19-160 (A) A Resolution Approving a Variance to Front, Side, and Rear Setbacks for a Duplex in the 300 Block of Meridian Street North. ALL VOTED AYE. MOTION CARRIED.

Councilmember Coop inquired why no sidewalk is in front of the houses. Community Development Director Smith Strack explained sidewalk was not included in the review plan.

7. BUSINESS.

7.1. Presentation of Claims.

7.1.1. Hickory Park Project, Pay Request No. 2 - Mohs Contracting, Inc.

7.1.2. Hickory Park Project, Pay Request No. 3 – Mohs Contracting, Inc.

Mayor Meyer inquired if the page two Bolton and Menk charges for Jane properties will be charged back to the project. City Administrator Meyer confirmed. Councilmember Coop inquired on the Hickory Park Project pay requests and how to determine what was paid for. City Engineer Duncan provided a detailed explanation of how the pay requests work. Duncan explained the reports are line item contracts showing work to date which is certified by reviewers, quantity of items bid, quantity used and quantity remaining. Duncan explained the City holds 5% retention of money owed until the end of the project. Coop inquired on the cost of the construction of the warming house. Duncan explained the warming house was bid as a lump sum item and noted as construction progresses a reviewer determines how much is done. Duncan noted 28 % of the house was done according to this pay request. Coop inquired if Council can assume inspections are done every step of the way. Public Works Superintendent Fahey explained Duncan is not in charge of inspections. Fahey explained the architect signs off on the building and noted he, the City Building Inspector and the State do all required inspections. Duncan explained the pay requests are slated to be paid monthly however the company submitted Novembers late. Mayor Meyer inquired if the building was still two weeks behind schedule. Fahey confirmed due to masonry issues the building is two weeks behind schedule.

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

7.2. Resolution 19-149 Approving Renewal of Premises permit for the Belle Plaine Chamber of Commerce at Neisen's Corner Bar, Huck's Shipwreck Saloon, Oldenburg Brewing Co., and Johan's Bar and Grill.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 19-149 Approving Renewal of Premises permit for the Belle Plaine Chamber of Commerce at Neisen's Corner Bar, Huck's Shipwreck Saloon, Oldenburg Brewing Co., and Johan's Bar and Grill. ALL VOTED AYE. MOTION CARRIED.

7.3. Resolution 19-150 Approving Renewal of Premises permit for German Days, Inc. at Andy's Bar and Grill.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 19-150 Approving Renewal of Premises permit for German Days, Inc. at Andy's Bar and Grill. ALL VOTED AYE. MOTION CARRIED.

Councilmember Coop requested interpretation of the report. City Administrator Meyer apologized citing she was out of the office and was not able to create a summary for Council. Meyer explained German Days submitted the Council requested data noting page one is the annual contributions and page two is the income and expense report. Coop inquired if the requested information was received. Meyer confirmed two years' worth of data was received.

7.4. Resolution 19-151 Approving Renewal of Premises Permit for the Belle Plaine Friends of the Library at Sparetime Tavern, Borough Bowl, and Red Door Bar.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve Resolution 19-151 Approving Renewal of Premises Permit for the Belle Plaine Friends of the Library at Sparetime Tavern, Borough Bowl, and Red Door Bar. ALL VOTED AYE. MOTION CARRIED.

7.5. Resolution 19-161 Approving A Lot Combination in the 300 Block of Meridian Street North as Requested by Scott Schmidt.

Community Development Director Smith Strack explained Scott Schmidt is requesting a lot combination for his property. Smith Strack noted receipt of an approved certificate of survey and explained review by the County and City staff. Smith Strack explained the Planning Commission reviewed the request and recommended approval.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve Resolution 19-161 Approving A Lot Combination in the 300 Block of Meridian Street North as Requested by Scott Schmidt. ALL VOTED AYE. MOTION CARRIED.

7.6. Resolution 19-159 Appointment of Lieutenants with the Belle Plaine Fire Department.

City Administrator Meyer explained the appointment of two lieutenants whose term is expiring in January. Meyer explained the hiring committee consisting of two fire fighters, Mayor Meyer, Councilmember Coop, City Administrator Meyer and Acting Fire Chief Otto interviewed the applicants and recommended appointment of Gau and Selly for the two year term. Mayor Meyer pointed out an error on the memo noting six applications were received for the two open lieutenant positions. Councilmember LeMieux explained the number of applicants was one of her questions. LeMieux noted having multiple calls of concern from firefighters regarding perceived changes in the department.

MOTION by councilmember Coop, second by Councilmember Chard to approve Resolution 19-159 Appointments of lieutenants with the Belle Plaine Fire Department. ALL VOTED AYE. MOTION CARRIED.

Bridge Lights –

Mayor Meyer requested an update on the Highway 25 bridge lights. Public Works Superintendent Fahey explained the lights went out this past spring due to flooding. Fahey explained the lights have remained out due to high water and wet conditions. Fahey explained he has spoke with xcel and requested they look into another way to power the bridge lights. Fahey noted until another option is found or the lights are fixed the lights will remain off on the bridge.

8. ADMINISTRATION.

8.1. Upcoming Meetings.

1. City Offices will close at 12:00 PM in observance of the holiday, Tuesday, December 24.
2. City Offices are closed in observance of the holiday, Wednesday, December 25.
3. City Offices will close at 12:00 PM in observance of the New Years, Tuesday, December 31.
4. City Offices are closed in observance of New Year's Day, Wednesday, January 1.
5. Design Committee, 5:15 PM, Monday, January 6.
6. City Council, 6:30 PM, Monday, January 6.
7. Work Session, 6:45 PM, Monday, January 6.
8. Public Works Committee, Thursday, January 9.

Mayor Meyer reminded the Council of the upcoming meetings as listed.

Councilmember Chard acknowledged the Planning Commission and the amount of projects the commission completed in 2019.

9. ADJOURN.

MOTION by Councilmember LeMieux, second by Councilmember Coop, to adjourn the meeting at 7:03 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary