



CITY COUNCIL MINUTES - Draft

COUNCIL CHAMBERS

TUESDAY, APRIL 9, 2019

6:00 PM

Call to Order/Roll Call/Pledge of Allegiance

The meeting was called to order by Mayor Kevin Voracek at 6:00 pm. Councilors Elizabeth Cap, Royal Ross, Peter van Sluis, Tom Spooner, Janna Viscomi and Jon Wood were in attendance. Also in attendance were City Administrator Tim Murray, Assistant to the City Administrator Heather Slechta, Public Works Director Travis Block, City Engineer Mark Duchene, Human Resources Manager Kevin Bushard, Park and Recreation Director Paul Peanasky, Community and Economic Development Director Deanna Kuennen, Planning Coordinator Peter Waldoek, and Police Chief Andy Bohlen.

Presentations/Introductions

Proclamation for Public Safety Telecommunicators Week April 14-20, 2019

Mayor Voracek proclaimed April 14-20, 2019 Public Safety Telecommunicators Week. The Rice Steele 911 Center Administrator will give a presentation to the Council at the April 23, 2019 meeting.

Swearing In of Charter Commission Members

City Administrator Tim Murray swore in Charter Commission Members Kymn Anderson, Dan Behrens, Kay Duchene and Pat Rice. Each of the newly appointed Charter Commissioners will serve a 4-year term, ending on December 31, 2022.

Approve minutes of March 26, 2019 Regular Council Meeting

Motion by Spooner, seconded by van Sluis to Approve minutes of March 26, 2019 Regular Council Meeting and carried unanimously.

Consent Agenda:

- A. List of bills to be paid
- B. Approve Fireworks Proposal for 4th of July Celebration
- C. Approve Private Hangar Land Lease
- D. Resolution 2019-050 Approve Tobacco License for Walmart Inc., Liquor Store
- E. Resolution 2019-055 Approve Use of Heritage Park for Family Nights on the Virtues Trail
- F. Resolution 2019-056 Approve Street Closures for Downtown Car Cruise Nights
- G. Approve Biosolids Hauling and Application Agreement Extension
- H. Approve State of Minnesota Department of Human Services Annual Work Contracts
- I. Resolution 2019-057 Support of a Job Creation Fund Application in Connection with SAGE Electrochromics, Inc.
- J. Resolution 2019-058 Accept Donations to Buckham Memorial Library for Special Programs and Equipment
- K. Adopt Small Cell Wireless Facility Aesthetics Policy
- L. Approve 2019 CIP Purchase - Dump Truck
- M. Approve Temporary Finance Department Employee Contracts
- N. Resolution 2019-061 Establish the City of Faribault Authorized Community Festivals within the City and Provide for the Terms and Conditions for Alcohol Service and Consumption at Community Festivals
- O. Approve IT Technician Position and Job Description
- P. Approve 2019 Board, Commission and Committee Appointments
- Q. Approve Subdivision Agreement Release and Satisfaction – Boldt Addition

Councilor Cap requested that Consent Agenda Item N. Resolution 2019-061 Establish the City of Faribault Authorized Community Festivals within the City and Provide for the Terms and Conditions

for Alcohol Service and Consumption at Community Festivals be removed for further discussion and Mayor Voracek requested that Consent Agenda Item O. Approve IT Technician Position and Job Description be removed for further discussion.

Motion by Ross, seconded by Wood, to approve items A-M and P-Q and carried unanimously.

Items removed for discussion:

Consent Agenda Item N. Resolution 2019-061 Establish the City of Faribault Authorized Community Festivals within the City and Provide for the Terms and Conditions for Alcohol Service and Consumption at Community Festivals

Councilor Cap requested an explanation of why the Council establishes certain events as Community Festivals. Assistant to the City Administrator Heather Slechta, explained that this designation allows for current on-sale liquor licensees to provide alcohol at the events without having a catering license or having a non-profit organization request the license.

Motion by Ross, seconded by Cap to approve Consent Agenda Item N. Resolution 2019-061 Establish the City of Faribault Authorized Community Festivals within the City and Provide for the Terms and Conditions for Alcohol Service and Consumption at Community Festivals and carried unanimously.

Consent Agenda Item O. Approve IT Technician Position and Job Description

Mayor Voracek was opposed to creating this position, in the past the City employed two IT personnel and moved to one employee plus using an outside contractor. Mayor Voracek was in favor of continuing with one employee and contracting with a new IT firm. Councilor Wood agreed with the Mayor.

Motion by Ross, seconded by Spooner to approve Consent Agenda Item O. Approve IT Technician Position and Job Description and carried unanimously.

Requests to be Heard

Frank Marzario requested that the 15-minute parking signs that were removed from in front of his business as part of the Downtown Parking Plan be reinstalled. City Staff will review the parking plan and a recommendation will be submitted to the General Affairs Committee for review.

Public Hearings – None

Items for Discussion

Resolution 2019-059 Approve Parking Restrictions and Bike Lane Signage Installations on Hulett Avenue

Public Works Director Travis Block explained that at the March 19, 2019 Joint Committee meeting the Council discussed a request from Rice County for the installation of an on-street bike lane demonstration on Hulett Ave between 20th St. NW and 7th St. NW. Parking restrictions are necessary to allow for the installation. No parking on both sides of Hulett Ave. between 20th St NW & 7th St. NW along with bike lane signage will be necessary. The installation of no parking and bike lane signage is recommended.

Mayor Voracek inquired on the length of time the demonstration would last, Block explained that it would last through the 2019 bike season, and could be revisited after that.

Motion by Spooner, seconded by Cap to approve Resolution 2019-059 Approve Parking Restrictions and Bike Lane Signage Installations on Hulett Avenue and carried unanimously.

Resolution 2019-060 Authorize Submission of a Grant Application to the Minnesota Historical Society

Community and Economic Development Director Deanna Kuennen explained that based on City Council direction, officials from the State Historic Preservation Office (SHPO) toured the building at 27 3rd Street NW. They were not able to provide a structural analysis, but based on their experience, their opinion is that the building, as well as the building at 223/225 1st Avenue NW, are salvageable. They recommended applying for a Minnesota Historical and Cultural Heritage (MHCH) Grant to obtain necessary structural analysis of the building. A structural analysis will provide the Council with objective, factual information about the building condition along with cost estimates for repair.

Small grants up to \$10,000 are awarded on a quarterly basis, with the next application submission deadline on April 12, 2019. Kuennen reported that applicants are notified of grant awards approximately 8 weeks after the submission deadline. Staff is in the process of obtaining cost estimates from qualified structural engineers, but SHPO indicated other communities have been able to obtain similar analyses for \$10,000 or less. If cost estimates come in slightly higher than \$10,000, the City could request the HPC allocate a portion of their annual budget to the project, identify another funding source, or choose not to proceed with the analysis. Kuennen also pointed out that the buildings are part of the downtown inspections program that will be happening in the near future, the City will be responsible to make property maintenance repairs to the building if the building is to stay intact.

Councilor Ross clarified that they City would not be responsible for the structural analysis unless the grant is received, just as the City would not have to make repairs to the buildings unless the City is going to keep it standing, Kuennen reiterated that Ross' clarification was correct. Councilor Wood was in support of pursuing the grant, and asked what the probability of Faribault receiving the grant would be, Kuennen explained that SHPO has encouraged the City to apply. Wood also felt that if the analysis is done it could give the HPC additional information that may support them issuing a Certificate of Appropriateness to demolish the building. Councilor Cap felt that this was the correct route to go to get factual and objective information on the buildings and not just guesstimates, and that this could be a learning opportunity for the HPC. Councilor Viscomi was not in favor of applying for the grant and would like to move forward with the demolition of the building. Councilor Spooner agreed with Viscomi, expressing this is part of the Downtown Master plan and he does not need a grant to tell him what the condition of the building is, and will vote no for any requests for money to repair the building.

Motion by Cap, seconded by van Sluis to approve Resolution 2019-060 Authorize Submission of a Grant Application to the Minnesota Historical Society. A roll call vote was requested by Mayor Voracek.

Aye: Councilor Cap, Ross, van Sluis, Wood and Mayor Voracek

Nay: Spooner and Viscomi

Motion carried: 5:2

Resolution 2019-062 Approve Final Plat for Bliss Second Addition Located Along the East Side of the 700-800 Block of St. Paul Avenue and Ordinance 2019- 3 Rezoning 1.42 Acres in Outlot B of Bliss Addition from TUD, Transitional Urban Development District to R-1, Single Family Residential Development, North of 515 St. Paul Avenue - Second Reading

Planning Coordinator Peter Waldock explained that Jeff and Rick Bliss, on behalf of the Avis Bliss Trust, have submitted an application for final plat approval. The site was platted as the Bliss Addition in 2015. The final plat of Bliss [first] Addition created two developed lots for the owner's home and family farmstead and two outlots for future development. Access to the site is from its frontage along the east side of St. Paul Avenue. The Bliss Second Addition replats Outlot A of the Bliss Addition and adds 1.42 acres to be split from Outlot B of the Bliss Addition to create a 4.02 acre single family lot. A buyer is seeking to construct one new home on the lot. The subdivision plat provides the right of way for a future city street along the south side of Lot 1 to access the 50 acre Outlot to the east, also owned by the Avis Bliss Trust.

On March 18, 2019, the Planning Commission held the public hearing and received the report from City Staff that recommended approval of the preliminary plat application. No objections to the request were received by staff prior to the meeting and none were presented at the Public Hearing. The Planning Commission discussed the preliminary plat proposal. By a vote of 7-0 the Planning Commission approved the preliminary plat and final plat of the Bliss Second Addition with findings in support of the application. On March 26, 2019 the City Council adopted Resolution 2019-049 approving the preliminary plat of the Bliss Second Addition. Additionally, the City Council approved the First Reading of Ordinance 2019-3 rezoning a portion of the site to R-1 as a part of this subdivision request. The rezoning is needed so that the new lot is not located in two different zoning districts. The rezoning will revise the district boundaries to follow the new property lines in the Bliss Second Addition plat. Since March 26, 2019 City Council meeting there have been no changes to Ordinance 2019-3.

Motion by Spooner, seconded by Cap to approve Resolution 2019-062 Approve Final Plat for Bliss Second Addition Located Along the East Side of the 700-800 Block of St. Paul Avenue and carried unanimously.

Motion by Spooner, seconded by van Sluis to approve Ordinance 2019- 3 Rezoning 1.42 Acres in Outlot B of Bliss Addition from TUD, Transitional Urban Development District to R-1, Single Family Residential Development, North of 515 St. Paul Avenue - Second Reading

Roll Call Vote:

Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, and Mayor Voracek

Nay:

Motion Carried 7:0

Approve Summary Publication of Ordinance 2019-3

Motion by Cap, seconded by Ross to approve Approve Summary Publication of Ordinance 2019-3 and carried unanimously.

Resolution 2019-063 Approve Preliminary and Final Plats of Northern Industrial Park Eleventh Addition located at 3800 Park Avenue N.

City Planning Coordinator Peter Waldock explained that Northern Partners LLC is requesting preliminary and final plat approval for replatting a 20.87 acre outlot to create a 10 acre industrial lot and a 10.87 acre outlot. The Northern Industrial Park dates back to 1997. The subdivision plat is needed to create a buildable lot for sale to Quality Equipment Co. They intend construct a new Kubota Dealership facility for sales, service, display and demonstration of tractors, forklifts and related equipment.

The Northern Industrial Park 11th Addition site is vacant and is zoned IP Industrial Park District. The SAGE High Volume Manufacturing (HVM) facility to south has a surface drainage swale that crosses the site to reach the stormwater pond in the northwest area. SAGE has an agreement with the property owner to allow this drainage path until the property is sold or developed. The agreement requires the drainage to be piped and routed along the south and west perimeters of subject site.

On April 1, 2019, the Planning Commission held a public hearing and received the report from City Staff that recommended approval of the preliminary and final plat applications. No objections to the request were received by staff prior to the meeting and none were presented at the Public Hearing. The Planning Commission discussed the applications in detail. By a vote of 7-0 the Planning Commission approved the preliminary plat and final plat of the Northern Industrial Park Eleventh Addition with findings in support of the applications.

Councilor Ross questioned what the cash value of park dedication is, Waldock explained that it is 4% of the lot value. Councilor Cap inquired about the drainage plan when Outlot A is developed in the future, Waldock explained that there is an agreement with SAGE that address the drainage plan. Cap stated that this is a nice spot for the development.

Motion by Spooner, seconded by Ross to approve Resolution 2019-063 Approve Preliminary and Final Plats of Northern Industrial Park Eleventh Addition located at 3800 Park Avenue N. and carried unanimously.

Resolution 2019-064 Approve Variances From the Requirements for Fences and Outside Storage Areas in the IP Industrial Park District at 3800 Park Avenue NW

Planning Coordinator Peter Waldock explained that Quality Equipment Co. is requesting variances from the front yard fence and front yard storage area requirements for Industrial Districts. The applicants are planning to build a Kubota Tractor dealership and forklift / commercial lift equipment business at the site. The applicants are planning a new 27,291 Sq. Ft precast concrete building that is to be located along the I-35 side of the lot. The site will also have gravel "showing areas" that are intended to show machinery on the I-35 side of the building. The Park Avenue side of the building is intended to be used as outdoor storage.

Gravel surfaced storage areas are planned on both the east and west sides of the building. The east area will be about 34,000 Sq. Ft. The west area will be planned at 30,000 Sq. Ft. The west area will be for outdoor display of tractors and equipment they sell, rent and service on site. The east storage area is for demonstrating tractors and parking tractors and equipment in for service or awaiting delivery to the customers. The parking and driveway areas will be paved and have perimeter curbs as required by code.

On April 1, 2019, the Planning Commission held a public hearing and received the report by City Staff that recommended approval of the variance applications. No objections to the request were received by staff prior to the meeting and none were presented at the Public Hearing. The Planning Commission discussed the applications in detail. By a vote of 7-0 the Planning Commission approved the preliminary plat and final plat of the Northern Industrial Park Eleventh Addition with findings in support of the applications.

Councilor Ross voiced concerns over allowing parking on gravel surfaces for one type of business and not another. Waldock explained that this is the reason behind the variance, that each situation is different, and that if another business is interested in gravel parking they can apply for a variance. Councilor Cap inquired about the size of the equipment that is going to be sold, Waldock explained that they will sell a wide variety, Community and Economic Development Director Deanna Kuennen explained that Quality Equipment will sell and service forklifts as well as Kubota brand equipment. Councilor Wood asked about the signage for the building, Waldock explained that the building plans call for signs facing the interstate. A representative from RJ Ryan, the contractors of the project explained that there will be signage on both the interstate and Park Ave sides of the building. He also explained that the equipment that will be sold is smaller in size, similar to a lawn mower as well as side by sides. RJ Ryan built a similar building for the same client in Brainerd. Mayor Voracek questioned what the land to the east of the building would be used for, Waldock stated that the area would be used for equipment demonstrations and at this time there are no development plans.

Motion by Spooner, seconded by Cap to approve Resolution 2019-064 Approve Variances From the Requirements for Fences and Outside Storage Areas in the IP Industrial Park District at 3800 Park Avenue NW and carried unanimously.

Resolution 2019-065 Authorizing Execution of a Purchase Agreement and Acquisition of Property (PID 18.30.1.25.002)

City Administrator Tim Murray explained that the City Council discussed the acquisition of the old Faribault Foods building for Police Department impound storage needs as part of a closed session meeting on March 5, 2019. A sale price of \$250,000.00 was negotiated with Faribault Foods, and a Purchase Agreement for the acquisition was prepared and has been reviewed by the City Attorney as well as the seller's attorney. The agreement allows Faribault Foods time to remove equipment, materials, and other items they currently have stored in the building, with an expected closing date by the end of July.

Motion by Viscomi, seconded by Cap to approve Resolution 2019-065 Authorizing Execution of a Purchase Agreement and Acquisition of Property (PID 18.30.1.25.002) and carried unanimously.

Bids – None

Boards and Commissions Reports, Announcements, and Project Updates

Community and Economic Development Director Deanna Kuennen informed the Council that the City has been nominated for three Minnesota Real Estate Journal awards, two of the nominations are for the Daikin Projects and the final nomination is for City/Municipality of the Year. A delegation of City Staff, Council and EDA members will be attending the awards banquet on Thursday in Bloomington as well as members of the Daikin leadership team.

Adjournment

Motion by Viscomi, seconded by Spooner to adjourn the regular City Council Meeting and carried unanimously.

The regular Council meeting adjourned at 7:06 pm.

Respectfully Submitted,

Heather J. Slehta
Assistant to the City Administrator