



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, APRIL 23, 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, City Planner David Wanberg, Interim Finance Director Ann Remold, Fire Chief Dustin Dienst, Community Development Coordinator Kim Clausen and Police Chief Andy Bohlen.

Presentations/Introductions

Rice Steele 911 Center Informational Presentation

Rice Steele 911 Center Administrator Jill Bondhus provided a brief presentation to the Council regarding the services and daily operations of the Rice Steele 911 Center. Rice Steele 911 Center provides dispatch services to the Faribault Police and Fire Departments.

Arbor Day Proclamation

Mayor Voracek proclaimed Arbor and Beautification Day and the month of May 2019 as Arbor Month in the City of Faribault. The proclamation was presented to Pauline Schreiber and Park and Recreation Director Paul Peanasky. Peanasky encouraged members of the public to call the Community Center if they would like to participate in Beautification Day on May 4th. There will also be a tree planting at North Alexander Park on May 4th at 9:00 AM.

Poppy Days Proclamation

Mayor Voracek proclaimed May 16 and May 17, 2019 as Poppy Days in the City of Faribault. Jeanette Hammond accepted the proclamation on behalf of the American Legion Auxiliary, the Veterans of Foreign Wars, and the Veterans of Foreign Wars Auxiliary. Mrs. Hammond explained the process of getting the poppies ready to sell as well as what the proceeds from the poppies are used for.

2019 Minnesota Real Estate Awards – Municipality of the Year

Community and Economic Development Director Deanna Kuennen explained that the City of Faribault was awarded the 2019 Minnesota Real Estate Awards Municipality of the Year honor. Kuennen thanked the Council for their previous and on-going support.

Approve minutes of April 9, 2019 Regular Council Meeting and April 9, 2019 Special Closed Council Meeting

Motion by Ross, seconded by van Sluis to Approve minutes of April 9, 2019 Regular Council Meeting and April 9, 2019 Special Closed Council Meeting and carried unanimously.

Consent Agenda:

- A. List of bills to be paid
- B. Resolution 2019-074 Approve Memorial Day Parade Street Closures and Use of Central Park
- C. Resolution 2019-075 Approve Premises Permit for Defeat of Jesse James Days Committee, Inc. at 10,000 Drops Craft Distillers, LLC
- D. Approve Stormwater Maintenance Agreement with Rice County
- E. Resolution 2019-070 Approve Hiring Patrol Officer
- F. Resolution 2019-071 Approve Hiring Full-Time CSO
- G. Resolution 2019-081 Authorizing the Acquisition of Certain Real Property within the City of

Faribault

- H. Authorize Request for Release of Trunk Highway Right-of-Way Easement from Minnesota Department of Transportation at 1410 Hwy. 60 W.
- I. Resolution 2019-076 Approve Street Closures for Mental Health Awareness Walk
- J. Resolution 2019-073 Approve Hiring Paid On-Call Firefighter
- K. Resolution 2019-078 Accept \$400 Grant From AAA The Auto Club Group
- L. Approve 2019 CIP Purchase - Vacuum and Valve Wrench Trailer
- M. Approve Supplemental Letter Agreement with SEH for Water Treatment Plant Construction Administration
- N. Approve 2019 CIP Purchase - Confined Space Emergency Escape Pack
- O. Accept Donations to the Canine Program
- P. Letter Supporting Joseph Development (MWF Properties) Application for Low-Income Housing Tax Credits
- Q. Approve Travel Request for Community & Economic Development Director to Attend Grassroots Exchange Network: Japan (GEN-J) and the 2019 SelectUSA Investment Summit

Motion by Spooner, seconded by Cap to approve Consent Agenda Items A-Q and carried unanimously.

Requests to be Heard

Paul Meyer and Kelly Watts both who are employed by the Co-op voiced concerns over the 3-hour parking limits imposed on the street in front of the Co-op and the loss of the public parking lot across the street from the Co-op once the Hillside Apartments are built. Currently many of the Co-op employees use the parking lot during their work day. The Co-op also used on-street parking to park customer cars when repairs were completed.

Frank Marzario requested that three, 15-Minute parking stalls be installed near the front door of his business, Pawn Minnesota.

The Council will discuss the parking concerns at a Special Joint Committee meeting following the adjournment of this meeting.

Public Hearings

Resolution 2019-079 Adopting a Modification to the Development Program for Development District No. 1; and Establishing Tax Increment Financing District No. 13: Hamilton Therein and Adopting a Tax Increment Financing Plan Therefor

Motion by Ross, seconded by Spooner to open the public hearing at 6:32 pm

Mayor Voracek invited Stacie Kvilvang of Ehlers to present to the Council information on the TIF Plan for the Hillside Apartments project. City Staff, Mac Hamilton, along with Ms. Kvilvang have been working on the application for business assistance, analyzing the project revenues, expenses and projected cash flows to determine the minimum amount of TIF necessary to support the project. TIF will begin in 2021, estimated at \$70,000 per year and have a term of 26 years. There are 12 parcels located in the proposed TIF District and at least 50% must be blighted properties to meet the test for a TIF redevelopment district. The proposed TIF district meets the 50% blighted properties test.

Councilor Cap questioned what properties on the map shown at the Council meeting were blighted properties, Ms. Kvilvang showed the Council the properties that were blighted on the map and explained that not all properties in the district need to be blighted.

There were no comments received from the public.

Motion by Cap, seconded by van Sluis to approve Resolution 2019-079 Adopting a Modification to the Development Program for Development District No. 1; and Establishing Tax Increment Financing District No. 13: Hamilton Therein and Adopting a Tax Increment Financing Plan Therefor and carried unanimously.

Motion by Spooner, seconded by van Sluis to close the public hearing at 6:37 pm. and carried unanimously.

Items for Discussion

Ordinance 2019-2 Dedication of Public Right-of-Way for Park Avenue NW and 30th Street NW – Second Reading and Approve Summary Publication of Ordinance 2019-2

City Engineer Mark DuChene explained that the City of Faribault acquired property along Park Avenue on February 21, 2000, and acquired property along 30th Street NW on March 20, 2019 as shown on the Rice County Right-of-Way Plat No. 35 as parcels 1 and 2, respectively. These parcels were acquired for roadway construction purposes and are only useful as right-of-way.

Rice County approved and recorded Rice County Right of Way Plat No. 35 on March 12, 2019 at their county board meeting and at this time staff is recommending that both parcels be dedicated as public right-of-way. Parcel 1 will become right-of-way for Park Avenue (CSAH 76) and will then be under Rice County's jurisdiction. Parcel 2 will become right-of-way for 30th Street NW and remain under the City's jurisdiction.

Since the first reading of this ordinance no changes have been made.

Motion by Cap, seconded by Ross to approve Ordinance 2019-2 Dedication of Public Right-of-Way for Park Avenue NW and 30th Street NW – Second Reading

Roll Call Vote

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

Nay:

Motion carried 7:0

Motion by Ross, seconded by van Sluis to approve Summary Publication of Ordinance 2019-2 and carried unanimously.

Resolution 2019-077 Approve Plans and Specifications and Establish Bid Date for 2019A Street Reconstruction Project – City Contract 2019-04

City Engineer Mark DuChene explained that Resolution 2019-077 approves the construction plans and specifications for the proposed 2019A Street Reconstruction Improvements project- City Contract 2019-04 as well as establishes a bid date of May 22, 2019 for the project. The proposed work includes removals, watermain replacement, sanitary sewer replacement, lot services, storm sewer construction, grading, aggregate base, bituminous paving, turf restoration, and related improvements.

The streets proposed to be included in this project are as follows:

Brand Avenue (Division Street E. to 5th Street SE)

DuChene further explained that 14th Street NW from 2nd Avenue to 3rd Avenue was included in the feasibility report for this project but due to discussions with the owners of the Faribault Woolen Mills, it is anticipated that the Woolen Mills will be petitioning the City to vacate this portion of 14th Street NW in the next year or two, so the street improvements have been removed from this project. This project also includes the replacement of a portion of the sanitary sewer interceptor no. 2 that runs parallel to the south side of the railroad tracks between 7th Avenue NW and 4th Avenue NW.

The improvements were formally ordered by the City Council on February 12, 2019 upon the passage of Resolution 2019-031, following the Public Hearing. After the improvements were ordered, the Engineering Department finalized the plans and specifications in preparation of bidding the improvements.

The total estimated cost of the improvements is \$1,689,640.00, including contingency and engineering fees. Proposed funding for the project comes from a number of sources, as outlined below:

Special Assessments	\$ 211,540.00	12.5%
Street Improvement Fund (401)	\$ 672,600.00	39.8%
Water Utility Fund (601)	\$ 245,000.00	14.5%
Sanitary Sewer Utility Fund (602)	\$ 385,500.00	22.8%
Storm Water Utility Fund (603)	\$ 175,000.00	10.4%
Total	\$ 1,689,640.00	100.0%

Construction is scheduled to begin in June, with substantial completion by the end of October 2019.

Motion by Spooner, seconded by Ross to approve Resolution 2019-077 Approve Plans and Specifications and Establish Bid Date for 2019A Street Reconstruction Project – City Contract 2019-04 and carried unanimously.

Approvals Related to the Development of a Proposed Air Separation Plant at 1305 40th Street NW - Res. 2019-066, Res. 2019-067, and Res. 2019-068

City Planner David Wanberg explained that Absolute Air, LLC is requesting the following approvals related to the development of a proposed air separation plant at 1305 40th Street:

1. Preliminary and final plat approval for Northern Industrial Park Tenth Addition;
2. A conditional use permit related to the height of proposed structures on the property;
3. A variance related to the height of a proposed fence in the front yard.

The Planning Commission conducted a public hearing on April 15, 2019 to consider the requests. The Applicant and a representative of the Owner attended the public hearing, but no one from the public was present. Furthermore, City Staff received no written or verbal comments from the public regarding the above requests. Following the public hearing, the Planning Commission, with a 6-0 vote, recommended that the City Council approve the requests based on the written findings and conditions of approvals included in the attached resolutions.

Wanberg shared with the Council that a development agreement will be presented at the May 14, 2019 Council meeting for consideration. The agreement will specify the provisions of the development including the recommendation from the Park Board to require a cash payment in lieu of parkland.

Wanberg explained the reason for the conditional use permit (CUP) is to allow for the construction of two towers, one with a proposed height of 180 feet and the other with a height of 80 feet. Currently in the I-2 Zoning District a maximum height of 65 feet is allowed. The Development Review Committee requested that the 180 foot tower be equipped with obstruction lighting on it, similar to what we have on the MMPA and the water towers that flash. The Planning Commission agreed with the adding the obstruction lighting unless expressly prohibited or discouraged by the Federal Aviation Administration (FAA), the Cold Box shall include obstruction lighting, irrespective of whether or not the FAA requires obstruction lighting on the structure. The design and installation of the obstruction lighting shall be consistent with FAA standards.

The last request that was presented to the Council by Wanberg was to approve a variance of four feet to allow an eight foot high chain link fence in the front yards of 1305 40th Street NW. Wanberg explained that the fence is necessary since the development is required to be secured to protect the health, safety, and welfare of the public.

Councilor Cap asked the if the site is designed for First Responders to get there in case of an emergency, Wanberg explained that this was address in the CUP. Mayor Voracek asked if the address is 40th Street, Wanberg explained that the address given is 1305 40th Street NW.

Resolution 2019-066 Approve Preliminary and Final Plats for Northern Industrial Park Tenth Addition
Motion by Ross, seconded by Spooner to approve Resolution 2019-066 Approve Preliminary and Final Plats for Northern Industrial Park Tenth Addition and carried unanimously.

Resolution 2019-067 Approve a Conditional Use Permit related to the Height of Proposed Structures at 1305 40th Street NW
Motion by van Sluis, seconded by Wood to approve Resolution 2019-067 Approve a Conditional Use

Permit related to the Height of Proposed Structures at 1305 40th Street NW and carried unanimously.

Resolution 2019-068 Approve a Variance of Four Feet to allow an Eight-Foot High Chain Link Fence in the Front Yards of 1305 40th Street NW

Motion by Spooner, seconded by Cap to approve Resolution 2019-068 Approve a Variance of Four Feet to allow an Eight-Foot High Chain Link Fence in the Front Yards of 1305 40th Street NW and carried unanimously.

Bids

Resolution 2019-080 Approve 2018 CIP Purchase of Fire Apparatus 2133

Fire Chief Dustin Dienst reported to the Council that the 2018 CIP had approved \$175,000 for the purchase of a fire apparatus to replace a 1997 Ford F-350 Grass Rig, however due to how the bids were received, the dollars were moved to 2019. This piece of equipment is used and designed for wildland fires. It is also utilized to transport firefighters to any type of emergency call, but mainly structure fires. The design of this vehicle also makes it very useful in emergency situations that require off-road capability to get personnel to the scene of the incident. There were bids received from R.C. Bliss, Heiman, Prostrollo Auto Plaza and MidWest Fire. By combining the Chassis from R.C. Bliss and Body from Heiman the department was able to get the cost of Fire Apparatus 2133 under the budgeted CIP amount.

Chassis (per spec) R.C. Bliss	\$ 41,334.00
Body (per spec) Heiman Fire Equipment	<u>\$133,400.00</u>
Total	\$174,734.00

Mayor Voracek asked if the 1997 Ford F-350 Grass Rig would be going to auction, Dienst explained that the truck would be repurposed.

Motion by Viscomi, seconded by Cap to Approve Resolution 2019-080 Approve 2018 CIP Purchase of Fire Apparatus 2133 with the chassis purchased from R.C. Bliss and the body purchased from Heiman Fire Equipment for a total project cost of \$174,734 and carried unanimously.

Boards and Commissions Reports, Announcements and Project Updates

City Administrator Tim Murray reminded the Council that there will be a Joint Committee (Annual Retreat) meeting on April 30, 2019 at 1:00pm at The Inn at Shattuck.

Adjournment

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

Meeting adjourned at 7:03 pm.

Respectfully Submitted,

Heather J. Slechta
Assistant to the City Administrator