



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, FEBRUARY 12, 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 and Jon Wood were in attendance. Councilor Janna Viscomi was absent. 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, Police Chief Andy Bohlen and Fire Chief Dustin Dienst.

Presentations/Introductions

Swearing in Police Captain Dave Dillon

City Administrator Tim Murray swore in Police Captain Dave Dillon. Captain Dillon has been with the City of Faribault for 20 years.

Medal of Merit Presentations to Dave Dillon and Cadie Spicer

Police Chief Andy Bohlen recognized Captain Dave Dillon and Officer Cadie Spicer for their work on the Cannon River Drug and Violent Offender Task Force. Both Captain Dillon and Officer Spicer played integral roles on the Task Force.

Approve minutes of January 22, 2019 Regular Council Meeting and the January 22, 2019 Closed Sessions

Motion by Ross, seconded by Cap to Approve minutes of January 22, 2019 Regular Council Meeting and the January 22, 2019 Closed Sessions and carried unanimously.

Consent Agenda:

- A. List of bills to be paid
- B. Approve Application for Exempt Permit from Faribault Ducks Unlimited on March 29, 2019 at the Faribault American Legion
- C. Resolution 2019-024 Approve Pawnbrokers License for Pawn Minnesota
- D. Approve LG220 Application for Exempt Permit from Catholic United Financial Council 13 SS Lawrence/Ann for April 6, 2019 and June 30, 2019 at Bethlehem Academy
- E. Approve Temporary Liquor License for Bethlehem Academy on April 6, 2019
- F. Approve Parks and Recreation Facility Use Agreements
- G. Resolution 2019-025 Approving the Application for Public Facilities Authority Loan
- H. Accept Policy #316 – Body-Worn Camera
- I. Appointment of Committee, Board, and Commission Members
- J. Approve Changes to Current Firearms Policy #302
- K. Approve 2019 Civic Organization Agreements
- L. Approve New Temporary Hangar Rental Agreement and Private Hangar Land Lease
- M. Resolution 2019-026 Revising the 2019 Adopted Budget for Encumbrances
- N. Resolution 2019-027 Approve 2018 Budget Amendments
- O. Approve New Hangar Rental Agreement
- P. Approve Airport Private Hangar Land Lease Agreement
- Q. Approve Memorandum of Understanding with Firefighters I.A.F.F. Local 665
- R. Resolution 2019-029 Approve Hiring Fire Captain
- S. Resolution 2019-030 Approve Hiring Heavy Equipment Operator
- T. Approve CIP Purchase – Pickup Truck

U. Approve CIP Purchase – Toolcat with Broom & Snow V-Blade

V. Accept Proposal for Professional Services for Platting of Former Public Works Garage Site
Motion by Cap, seconded by van Sluis to approve Consent Agenda items A-V and carried unanimously.

Requests to be Heard-None

Public Hearings

Resolution 2019-031 Order Improvements and Order Preparation of Plans and Specifications for 2019A Street Reconstruction Improvements – Contract 2019-04

Motion by Viscomi, seconded by Spooner to open the public hearing at 6:09 pm.

City Engineer Mark DuChene explained that Resolution 2019-031 orders the improvements for the proposed 2019A Street Reconstruction Improvements project - Contract 2019-04. 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:

14th Street NW (2nd Avenue NW to 3rd Avenue NW)

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

DuChene further explained that the purpose of the hearing is to take public comment as part of the consideration by the Council in ordering the improvements. If the project is ordered, plans and specifications will be finalized and brought back to Council for approval, along with the request for authorization to advertise for public bids.

An informational meeting for this project was held at 6:00 p.m. on Thursday, January 24, 2019 with five (5) people in attendance. Some of the issues and concerns expressed at the meeting included:

- Speed of traffic, particularly buses
- Commercial traffic on street
- Business parking on street
- General questions about the special assessment policy/ charges/etc.

In addition to the informational meeting, representatives of the Faribault Woolen Mills met with staff to discuss the possibility of vacating 14th Street NW from 2nd Avenue NW to 3rd Avenue NW and part of 3rd Avenue NW immediately south of 14th Street NW for the purpose of expanding their parking lot area and reconfiguring their truck delivery/shipping bay. Currently the building's loading dock faces 2nd Avenue NW and trucks using the loading dock must maneuver on 2nd Avenue NW and once up to the loading dock, the trucks obstruct a portion of the southbound lane of 2nd Avenue NW. At this time, no street vacation application has been submitted, although one is anticipated shortly, and should the Woolen Mills proceed with submitting a street vacation request and it be approved, the 14th Street NW portion of this contract would be removed prior to bidding.

The preliminary total estimated cost of the improvements including 10% contingency and 15% engineering is \$1,813,000.00. Proposed funding for the project is as follows:

Special Assessments	\$ 211,500.00	11.7%
Street Improvement Projects Fund (401)	\$ 799,600.00	44.0%
Water Utility Fund (601)	\$ 258,100.00	14.2%
Sanitary Sewer Utility Fund (602)	\$ 368,800.00	20.3%
Storm Sewer Utility Fund (603)	<u>\$ 175,000.00</u>	<u>9.7%</u>
Total	\$1,813,000.00	100.0%

The improvements are proposed to be specially assessed per City policy, using the 2019 assessments rates set by Council Resolution 2018-227, adopted on November 13, 2018. The assessment frontages are subject to credits as given in the Community Management Plan.

Construction is scheduled to begin in May/June, with substantial completion by September, 2019.

Jason Olson, 415 Brand Ave, expressed his concerns in regards to heavy equipment being allowed to use the street, he requested that restrictions be placed on the road, currently snow is being hauled to a lot for storage. Mr. Olson was also concerned about the rate of speed that the Hiawatha Transit buses travel. Mr. Olson did state that he would like to see improvements done to the road, however, he would like to have restrictions placed on the road.

Councilor Cap asked if the snow dump site was zone properly and if the City could regulate truck weights. DuChene stated that they did review the code of ordinances and could not find anything that prohibits snow storage. DuChene also explained that the City does not enforce truck weights on city streets.

Motion by Ross, seconded by van Sluis to approve Resolution 2019-031 Order Improvements and Order Preparation of Plans and Specifications for 2019A Street Reconstruction Improvements – Contract 2019-04 and carried unanimously.

Motion by Viscomi, seconded by Cap to close the public hearing at 6:28 pm.

Items for Discussion

Ordinance 2018-15 Amending Section 11-430 of Appendix B of the Faribault Code of Ordinances related to Parking Requirements for Residential Uses in the Central Business District – Second Reading and Approve Summary Publication of Ordinance 2018-15

City Planner David Wanberg explained that on November 27, 2018, the City Council approved the first reading of Ordinance 2018-15, which eliminated a provision in the City's Unified Development Ordinance that requires a new residential use in the central business district to provide parking within 400 feet of the residential use. However, before taking action on the second reading of the ordinance, the Council directed that the Joint Committee of the City Council revisit issues associated with residential parking in the downtown – especially issues related to a proposed residential parking permit system.

The Joint Committee discussed the residential parking permit issues at its January 29, 2019 meeting and directed City Staff to bring back Ordinance 2018-15 to the February 12, 2019 City Council meeting for the second reading. No changes were made to the ordinance since the first reading.

Motion by van Sluis, seconded by Cap to approve Ordinance 2018-15 Amending Section 11-430 of Appendix B of the Faribault Code of Ordinances related to Parking Requirements for Residential Uses in the Central Business District – 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 Viscomi to Approve Summary Publication of Ordinance 2018-15 and carried unanimously.

Resolution 2018-247 Establishment of a Residential Parking Permit Program for the Central Business District

City Planner David Wanberg explained that on November 27, 2018, City Staff presented the City Council with Resolution 2018-247, which would establish a residential parking permit program for the central business district. Rather than taking action to approve or deny the resolution at the Council meeting, the Council directed City Staff to schedule a Joint Committee meeting to further discuss the proposed residential parking permit program.

The Joint Committee discussed the residential parking permit program at its January 29, 2019 meeting and directed City Staff to bring back Resolution 2018-247 to the February 12, 2019 City Council

meeting for Council action. At the direction of the Joint Committee, no changes were made to Resolution 2018-247

Councilor Cap asked if the parking permit program only was for one (1) parking permit per unit, Wanberg explained that yes one (1) permit would be given to the landlord for each unit.

Motion by Ross, seconded by Spooner to approve Resolution 2018-247 Establishment of a Residential Parking Permit Program for the Central Business District and carried 6:1 with Mayor Voracek voting nay.

Ordinance 2019-1 Delete Sec. 2-8 of the City of Faribault Code of Ordinances regarding the Advisory Joint Civil Service Commission – Second Reading and Approve Summary Publication of Ordinance 2019-1

City Administrator Tim Murray explained that this matter was discussed at the January 15, 2019 Joint Committee meeting as part of the Board and Commission appointments item. The Committee was in agreement that the JCSC should be eliminated. In conjunction with this action, City Administration and Human Resources looked to develop processes and procedures that are specific to the hiring and promotion of police and fire personnel, to include the development of eligibility and certification list.

The collective bargaining agreement with the firefighters union still contains language regarding the role of the JCSC, while the labor agreements with the police groups no longer include this reference. A Memorandum of Understanding was agreed to with the fire fighters group on this ordinance change and was approved as part of an earlier action at this meeting.

No changes were made to the ordinance since first reading.

Motion by Spooner, seconded by van Sluis to approve Ordinance 2019-1 Delete Sec. 2-8 of the City of Faribault Code of Ordinances regarding the Advisory Joint Civil Service Commission – Second Reading

Roll Call Vote:

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

Nay:

Motion carried 7:0

Motion by Spooner, seconded by Ross to Approve Summary Publication of Ordinance 2019-1 and carried unanimously.

Resolution 2019-028 Approve Plans and Specifications and Establish Bid Date for 2019 Street Overlay and Sidewalk Improvements - City Contract 2019-02

City Engineer Mark Duchene explained that Resolution 2019-028 approves the construction plans and specifications for the proposed 2019 Street Overlay and Sidewalk Improvements project - Contract 2019-02. The proposed work includes curb and gutter replacement, concrete sidewalk replacement & construction, storm sewer repairs, casting adjustment/ replacement, pavement milling, bituminous paving, pavement markings, and related improvements.

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

1st Avenue SW	(Division Street W. to Tower Place)
1st Street SW	(1st Avenue SW to 2nd Avenue SW)
2nd Street SW	(1st Avenue SW to 2nd Avenue SW)
Flynn Street	(Francis Street to Fowler Street)
Fowler Street	(Francis Street to Lind Street)
Francis Street	(Locust Street to 325' south of Lind Street)
Lind Street	(Willow Street to Fowler Street)
Locust Street	(Willow Street to Francis Street)
Poplar Street	(Willow Street to Francis Street)
Rice Street	(Francis Street to 300' south of Lind Street)
Short Street	(Francis Street to south end)

3rd Street SE (10th Avenue SE to Tischler Avenue)
12th Avenue SE (Division Street E. to 5th Street SE)
Division Street* (9th Avenue to Irving Avenue) *Sidewalk Only

The improvements were formally ordered by the City Council on January 22, 2019 upon the passage of Resolution 2019-018, 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 \$768,200.00 including contingency and engineering fees. Proposed funding for the project comes from a number of sources, as outlined below:

Special Assessments	\$ 341,500.00	44.9%
Street Improvement Fund (401)	\$ 376,500.00	49.5%
Water Utility Fund (601)	\$ 4,900.00	0.6%
Sanitary Sewer Utility Fund (602)	\$ 13,100.00	1.7%
Storm Water Utility Fund (603)	\$ 25,000.00	3.3%
Total	\$ 761,000.00	100.0%

Resolution 2019-0258 also established a bid date of March 20, 2019 for the project. Construction is scheduled to begin in June, with substantial completion by the end of August 2019.

Motion by Ross, seconded by Spooner to approve Resolution 2019-028 Approve Plans and Specifications and Establish Bid Date for 2019 Street Overlay and Sidewalk Improvements - City Contract 2019-02 and carried unanimously.

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

Councilor van Sluis rode along with a Public Works employee the other night when they were plowing snow. van Sluis posted on his Facebook that everyone should ride along while the Public Works Department is plowing, however clarified that after talking with Staff, only employees are allowed to ride in city plow trucks due to liability concerns. van Sluis did encourage all Councilors to ride along at least once. van Sluis also visited the 911 Center for a tour, the 911 Center does have a presentation and would like to share it at a future council meeting. Mayor Voracek and City Administrator Tim Murray will be on KDHL on Thursday, February 21. Mayor Voracek also encouraged the Council and public to attend the open house for Living Greens next Friday afternoon.

Adjournment

Motion by Viscomi, seconded by van Sluis to adjourn the meeting.

Meeting adjourned at 6:38 pm.

Respectfully Submitted,

Heather J. Slechta
Assistant to the City Administrator