



CITY COUNCIL Minutes – Draft

COUNCIL CHAMBERS

TUESDAY, MARCH 26, 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, Interim Finance Director Ann Remold, Planning Coordinator Peter Waldock, Police Chief Andy Bohlen and Fire Chief Dustin Dienst.

Presentations/Introductions

City Administrator Tim Murray swore in Fire Captain John Milewski. Fire Chief Dustin Dienst, stated that it was his pleasure to work in an organization that has people like John who are willing to step up, take the time and make the effort to advance themselves and lead our department into the future.

Approve minutes of March 12, 2019 Regular Council Meeting and March 12, 2019 Special Council Meeting

Motion by Ross, seconded by van Sluis to approve minutes of March 12, 2019 Regular Council Meeting and March 12, 2019 Special Council Meeting carried unanimously.

Consent Agenda:

- A. List of bills to be paid
- B. Approve 2019 Recreational Vehicle Permits
- C. Approve Temporary Liquor License for Faribault Softball Association May 3-5, 2019 at North Alexander Softball Complex
- D. Resolution 2019-046 Approve Hiring Firefighter
- E. Approve Use of North Alexander Park by Rice County Historical Society
- F. Approve Use of North Alexander Park by Faribo Drag-On's Car Club
- G. Approve 2019 CIP Purchase – Equipment Maintenance Pickup Truck
- H. Approve 2019 CIP Purchase – Engineering Department Plotter and Scanner
- I. Resolution 2019-043 Designating Municipal State Aid Streets
- J. Accept Engineering Proposal for Demolition Plans and Specifications for 25 3rd Street NW & 223/225 1st Street NW
- K. Approve Issuance of Statement of Support for Employment of Members of the National Guard and Reserves
- L. Approve 2019 Downtown Property Maintenance and Fire Inspection Program
- M. Approve Hangar Rental Agreement
- N. Approve Private Hangar Land Lease
- O. Resolution 2019-054 Authorizing Execution of an Option and Purchase Agreement for Property Located at 601 1st Avenue NE

Motion by Viscomi, seconded by Ross to approve the Consent Agenda items A-O and carried unanimously.

Requests to be Heard – None

Public Hearings – None

Items for Discussion

Ordinance 2019-2 Dedication of Public Right of Way for Park Avenue NW and 30th Street NW – First Reading

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. 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. DuChene recommended to the Council that both parcels be dedicated as public right-of-way. Parcel 1 will become right-of-way for Park Avenue (CSAH 76) and will be under Rice County's jurisdiction and Parcel 2 will become right-of-way for 30th Street NW and remain under the City's jurisdiction. By dedicating these parcels as right-of-way makes administration of utility permits and tax records cleaner and easier.

Councilor Ross questioned if the reason for acquiring the land was for sidewalks, bike lanes or to widen the road, DuChene explained it that by acquiring the land the City is able to make a more traditional intersection.

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

Roll Call Vote:

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

Motion Carried 7:0

Resolution 2019-045 Approving a Conditional Use Permit to Relocate a Previously Occupied Dwelling to 1119 1st Avenue NE

Planning Coordinator Peter Waldock explained that 1119 1st Avenue NE was the site of an abandoned home that has since been demolished and removed. The property owner is seeking a Conditional Use Permit (CUP) to move a previously occupied home to property. The proposed home is a 26' X 49' single family ranch that the owners plan to add an attached two car garage. The site is in the R-3 Density Residential District with a Shoreland Management District Overlay along the Straight River in an established residential core area of Faribault.

The Planning Commission held a public hearing on March 18, 2019. There were several neighbors present at the meeting, but no one spoke during the public hearing. No objections to the request were received by staff and none presented at the Public Hearing. The Planning Commission discussed the applicant's proposal. The site plan showed development at just below the maximum impervious surface coverage allowed for residential uses in the Shoreland Overlay District. The planning commission approved the revisions to the plan to reduce the driveway to 18' in width and direct the front entrance walk to and from the driveway to reduce impervious surface area. They also noted that the home will be compatible with others in the neighborhood. By a vote of 7-0 the Planning Commission approved the draft resolution to approve the Conditional Use Permit for with findings in support of the application.

Councilor Viscomi asked who is responsible to replace the sidewalk, Waldock explained that it is the responsibility of the developer. Councilor Cap stated that this is a great lot, great location and likes the sustainability of reusing a house.

Motion by van Sluis, seconded by Viscomi to approve Resolution 2019-045 Approving a Conditional Use Permit to Relocate a Previously Occupied Dwelling to 1119 1st Avenue NE and carried unanimously.

Resolution 2019-047 Approving a Variance for Impervious Surface Coverage in the Shoreland Management Overlay District for Construction of Municipal Water Treatment Facilities at 824 7th St. NW and Resolution 2019-048 Approving a Conditional Use Permit for Construction of Municipal Water Treatment Facilities at 824 7th St. NW

Planning Coordinator Peter Waldock explained that the City is planning to construct a new water treatment plant on the north portion of the current 6-acre plant site at 824 7th Street NW, south of the Cannon River. This area of the site is in the R-2 Low Density Residential District and the Shoreland Management Overlay District for the Cannon River. The City has operated its water treatment plant including a water storage tank, well/pump house and storage buildings for public utilities equipment at the site since the 1930's.

The proposed building will be precast concrete construction and the building will be 8,502 SF in area. There will be a new backwash structure to the west of the new treatment building. The project plans include parking and driveway areas and will provide additional screening from the adjoining residences on 8th Avenue NW. The project will include the removal of a 1-million gallon reservoir, electrical equipment and chemical feed equipment.

At its meeting of March 18, 2019, after proper notice, the Planning Commission held a public hearing. There were several neighbors present at the meeting. They had questions regarding the process operations at the plant, safety plans, truck traffic to the site and noise and whether there would be noise and odor. The Public Works Director was present to address the questions. No objections to the request were received by staff prior to the meeting and none were presented at the Public Hearing.

The Planning Commission further discussed the City's proposal. The site was developed prior to the establishment of the Shoreland District regulations in the City. The gravel surfaces on site are counted as impervious along with the buildings and paved areas. The structures are planned for site areas that are currently impervious. The Planning Commission was concerned about the amount of impervious surface coverage on the site, noting that it was well above the code limit of 25% for residential zoning districts. The Planning Commission felt that more could be done to reduce impervious surface at the site. By a vote of 6-1 the Planning Commission passed a motion to deny the variance application. This site currently has 52.6% impervious surface coverage and will have 42.7% if completed as planned. To address the Planning Commission concerns a low maintenance rain garden area at the north end of site was suggested. The Planning Commission members also recognized that this use has been in operation at this site for over 80 years. They felt the addition of the new facilities was needed and would be of benefit to the city residents and water consumers. By a vote of 7-0 the Planning Commission approved the draft resolution to approve the Conditional Use Permit with findings in support of the application with a condition to install rain gardens for roof runoff from the new building.

Councilor Cap questioned if there has been any thought of using bricks to create an impervious surface, Waldock stated that it is possible, however a cost analysis has not been done. Cap supported the planting, pollinators as well as liked the idea of planting trees on 8th Street.

Councilor Ross inquired which way the water drains from the property, Waldock and City Administrator Tim Murray explained how the water drains from the property. Councilor Viscomi and Councilor Wood were in favor of moving forward with approving the variance.

Motion by Ross, seconded by van Sluis to approve Resolution 2019-047 Approving a Variance for Impervious Surface Coverage in the Shoreland Management Overlay District for Construction of Municipal Water Treatment Facilities at 824 7th St. NW and carried unanimously.

Motion by Ross, seconded by Viscomi to approve Resolution 2019-048 Approving a Conditional Use Permit for Construction of Municipal Water Treatment Facilities at 824 7th St. NW and carried unanimously.

Resolution 2019-053 Order Improvements, Approve Plans and Specifications, and Establish Bid Date for Water Treatment Plant

Public Works Director Travis Block explained that Resolution 2019-053 orders the improvements, approves the plans and specifications, and establishes the bid date for the construction of a Water Treatment Plant to remove iron and manganese from the municipal water supply. The project is estimated to cost \$12,700,000.00 and will be funded by a loan from the Public Facilities Authority (PFA). The loan is a 20-year low interest loan that will be repaid with revenue from water availability charges (WAC), base and consumption charges. A loan application was submitted to the PFA for consideration on March 22, 2019. Construction of the project will be pending loan approval.

Councilor Ross stated that he assumed that the PFA loan would be approved, Block indicated that the PFA Officer has not seen any issues with the loan application thus far. Councilor Cap asked if all the City water comes from this location, Block explained that this is the only water plant in the city. Cap also asked how this would rate our water, Block explained that the water would be less rusty, removes iron and manganese, however it will not help with hardness.

Motion by Ross, seconded by Viscomi to approve Resolution 2019-053 Order Improvements, Approve Plans and Specifications, and Establish Bid Date for Water Treatment Plant and carried unanimously.

Resolution 2019-049 Approve Preliminary 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 - First Reading

Planning Coordinator Peter Waldock explained that Jeff and Rick Bliss, on behalf of the Avis Bliss Trust, have submitted an application for preliminary plat approval. The site was platted as the Bliss Addition in 2015. The final plat of Bliss 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. Currently 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 to access the 50 acre Outlot to the east, also owned by the Avis Bliss Trust.

On March 18, 2019, the Planning Commission held a public hearing in which City Staff recommended approval of the preliminary plat application. No one from the public was in attendance regarding this matter. No objections to the request were received by staff prior to the meeting and none were presented at the Public Hearing. The commission members discuss driveway alignment for the future home on Lot 1. The slopes are steep on the site and this affects the location of the driveway on St. Paul Avenue. The applicants were present

to address the commissioner's comments. By a vote of 7-0 the Planning Commission approved the Preliminary Plat of the Bliss Second Addition with findings in support of the application with a condition to revise the final to show the future private drive location in accordance with City Engineer approval.

Waldock explained that 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. The Planning Commission held a public hearing and received the report the City Staff which recommended approval of the rezoning application. No one from the public was in attendance regarding this matter. 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 rezoning proposal. The commissioners agreed that the Zoning Boundaries should be revised as requested to follow the new lot lines established in the Bliss Second Addition. By a vote of 7-0 the Planning Commission approved the requested rezoning with findings in support of the application subject to approval of the final plat.

Motion by Cap, seconded by van Sluis to approve Resolution 2019-049 Approve Preliminary Plat for Bliss Second Addition Located Along the East Side of the 700-800 Block of St. Paul Avenue and carried unanimously.

Motion by van Sluis, seconded by Cap 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 - First Reading

Roll Call Vote

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

Nay

Motion carried 7:0

Bids

Resolution 2019-051 Accept Bids for 2019 Miscellaneous Concrete Work – City Contract 2019-01

City Engineer Mark DuChene explained that Staff received bids for Contract 2019-01, 2019 Miscellaneous Concrete Work (City Wide) on Wednesday, March 20, 2019. The bids received are tabulated as follows:

Healy Construction Co., Inc., Faribault, MN	\$ 104,862.50*
Legends Concrete, Rochester, MN	\$ 112,625.00
Pember Companies, Inc., Menomonie, WI	\$ 132,725.00
Engineer's Estimate	\$ 86,615.00

Financing for the project comes from the Street Improvement Projects Fund. The amount of work actually completed under this contract varies widely from year to year. The 401 Fund is then reimbursed from various other City funds based on the specific work performed. Minor work in the public right-of-way can also be performed at the request of private parties via petition and waiver agreements for assessment of the work back to the private party.

Motion by Ross, seconded by Viscomi to approve Resolution 2019-051 Accept Bids for 2019 Miscellaneous Concrete Work – City Contract 2019-01 and carried unanimously.

Resolution 2019-052 Accept Bids for 2019 Street Overlay and Sidewalk Improvement Project – City Contract 2019-02

City Engineer Mark DuChene explained that on Wednesday, March 20, 2019 bids were

received 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 bids are tabulated as follows:

Crane Creek Asphalt, Faribault, MN	\$ 665,404.50
Bituminous Materials, Faribault, MN	\$ 746,374.85
Engineer's Estimate	\$ 745,625.00

Based on the low bidder's prices, the estimated funding for the project is as follows includes contingencies and engineering fees:

Special Assessments	\$ 341,500.00	42.5%
Street Improvement Fund (401)	\$ 404,050.00	50.3%
Water Utility Fund (601)	\$ 7,000.00	0.9%
Sanitary Sewer Utility Fund (602)	\$ 26,000.00	3.2%
Storm Water Utility Fund (603)*	\$ 25,000.00	3.1%
Total	\$ 803,550.00	100.0%

It is recommended to award to the low bidder, Crane Creek Asphalt. Construction on the project is scheduled to begin in June and be substantially completed by the end of August, 2019.

Motion by Viscomi, seconded by Ross to approve Resolution 2019-052 Accept Bids for 2019 Street Overlay and Sidewalk Improvement Project – City Contract 2019-02 and carried unanimously.

Boards and Commissions Reports, Announcements and Project Updates

The monthly financial report was provided to the Council for review in the council meeting packet prior to the meeting. Councilor Cap questioned the quality of the road work that was done in 2018 on Highland Place, City Engineer Mark DuChene explained that his department is aware of the road condition and that repairs will be made to the road, and the final layer of asphalt will be completed this spring. Cap also inquired on when street sweeping would begin as well as how long it would take to complete, Public Works Director Travis Block explained that his department has already been sweeping and they should finish up in the next couple weeks, when asked by Cap what homeowners could do to help out, Block stated that property

owners should refrain from raking items from the boulevard onto the street. Cap also stated that she has received the Traffic Study Requests from the Discovery School, Block stated that he has a meeting set with the Discovery School Director on Thursday. Mayor Voracek stated that the State of MN has allocated money for skate parks, and might be something for the City to look into. Caribou Coffee will be holding their grand opening on Friday at 8:00 am, and Coffee with the Council will be on Sunday, April 7, 2019 at 2:00 pm at Buckham West.

Adjournment

Motion by Viscomi, seconded by van Sluis to adjourn the regular meeting of the City Council and carried unanimously.

Meeting Adjourned at 7:15 pm.

Respectfully Submitted,

Heather Slechta
Assistant to the City Administrator