



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, AUGUST 24,
2021

6:00 PM

Call to Order/Roll Call/Pledge of Allegiance

The regular meeting of the City Council was called to order by Mayor Kevin Voracek at 6:00pm. Councilors Sara Caron, Royal Ross, Tom Spooner, Janna Viscomi and Jon Wood were in attendance, and Councilor Peter van Sluis was absent. Also in attendance was City Administrator Tim Murray, Assistant to the City Administrator Heather Slechta, Parks and Recreation Director Paul Peanasky, Public Works Director Travis Block, City Engineer Mark DuChene, Community and Economic Development Director Deanna Kuennen, Human Resources Manager Kevin Bushard and Finance Director Jeanne Day.

Presentations/Introductions – None

Approve minutes of August 5, 2021 Special City Council Meeting - Closed Session and August 10, 2021 Regular City Council Meeting

Motion by Viscomi, seconded by Spooner to approve the minutes of August 5, 2021 Special City Council Meeting - Closed Session and August 10, 2021 Regular City Council Meeting and carried unanimously.

Consent Agenda

- A. Resolution 2021-165 Approve Massage Therapist Licenses
- B. Approve Fireworks Permit for Divine Mercy Catholic Church
- C. Approve 1-4 Day Temporary Liquor License for Faribault Chamber Trust
- D. Resolution 2021-166 Accept Donation from Friends of Buckham Memorial Library
- E. Approve 2021 CIP Purchase – Ground Storage Reservoir Mixer
- F. Resolution 2021-173 Approve Limited Use Permit #6606-0028 with the Minnesota Department of Transportation for Trunk Highway 60 Beautification
- G. Resolution 2021-174 Declare Costs to be Assessed and Establish Special Assessment Hearing for 2020 MSA Street Reconstruction and Buckham Center Parking Lot Improvements - Contract 2020-04
- H. Resolution 2021-175 Amending the Community Management Plan as it Relates to Public Improvement Standards and Assessment Policies
- I. Resolution 2021-170 Accept Donations to Parks and Recreation Department
- J. Approve Professional Engineering and Related Services Proposal for Northern Links Trail Connection
- K. Approve Professional Engineering and Related Services Proposal for TH 3 Trunk Sanitary Sewer Replacement
- L. Resolution 2021-176 Authorization to Apply for the Compeer Financial Emergency Response Equipment Grant
- M. Resolution 2021-177 Approve Acquisition of 55 Willow Street (PID 18.31.4.26.001) and Authorize the Execution of the Purchase Agreement
- N. Resolution 2021-178 Approve Appointment to the Economic Development Authority
- O. Resolution 2021-179 Approve Hiring Community Services Officer
- P. Resolution 2021-180 Approve Hiring Recreation Coordinator
- Q. Resolution 2021-181 Approve Hiring Accounting Technician
- R. List of Claims for Release
- S. Approve Encroachment Agreement at 427 Division Street East
- T. Approve 1-4 Day Temporary Liquor License for the Rice County Fair

Motion by Ross, seconded by Wood to approve Consent Agenda items A-T and carried unanimously.

Requests to be Heard-None

Public Hearings – None

Items for Discussion

Resolution 2021-171 Approve a Corner Side Yard Variance for a Roof Canopy at 5 Greenhaven Bay
Community and Economic Development Director Deanna Kuennen explained that Travis and Brenda Beaupre have applied for a setback variance to allow a 6-foot entrance canopy roof to be constructed on their home that would extend into the required corner side yard setback area along the Green Drive side of their lot located at 5 Greenhaven Bay. Current city ordinances permit a 3-foot canopy encroachment into the 25-foot required yard area. The home was built in 1986 and was constructed right at the 25-foot setback line. The Beaupres wish to protect the entrance on the northeast side of their home from the weather.

At its meeting of August 3, 2021, the Development Review Committee (DRC) discussed the variance application submitted by the property owners. The DRC found that the application did not meet the findings as required by the UDO. On August 16, 2021, the Planning Commission, after proper notice, held a public hearing regarding this application. The Planning Commission received the staff report including the DRC recommendation with findings against the approval of the application. There was no one from the public present during the public hearing, City staff received one call regarding the public hearing notice, but no objections from the public were received. The Planning Commission members determined that the application for a variance was justified due to the placement of the home on the lot at the minimum setback. The Planning Commission recommended approval of the variance application and they approved findings in support of the variance request.

Motion by Ross, seconded by Spooner to approve Resolution 2021-171 Approve a Corner Side Yard Variance for a Roof Canopy at 5 Greenhaven Bay and carried unanimously.

Resolution 2021-167 Approve Preliminary Plat and Final Plat of MET CON BUSINESS PARK FOURTH ADDITION, Resolution 2021-168 Approve MET CON BUSINESS PARK FOURTH ADDITION Developer's Platting Agreement and Resolution 2021-169 Approve Early Construction Agreement for MET CON BUSINESS PARK FOURTH ADDITION

Community and Economic Development Director Deanna Kuennen informed the Council that Randy McDonough on behalf of McDonough Farms, LLC submitted applications for preliminary plat approval and final plat approval of MET CON BUSINESS PARK FOURTH ADDITION. The proposed plat shifts the north property line of Lot 1, Block 1, MET CON BUSINESS PARK THIRD ADDITION to the north, thereby allowing the existing Trystar building at 15765 Acorn Trail to expand to the north. Refer to the attached report to the Planning Commission for additional information. On July 19, 2021, the Planning Commission held a public hearing to consider the requests. No one from the public attended the public hearing or provided comments about the requests. The Planning Commission recommended that the City Council approve the Applicant's requests based on the findings and conditions included in the attached Resolution 2021-167.

Kuennen requested that the Council approve the Developer's Platting Agreement as well as the Early Start Agreement. The Early Start Agreement allows for the Developer to start before the recording of the final plat. Recording typically takes a few weeks once the plat is approved. It is at the Developer's sole risk, to start limited construction on the property.

Motion by Spooner, seconded by Wood to approve Resolution 2021-167 Approve Preliminary Plat and Final Plat of MET CON BUSINESS PARK FOURTH ADDITION and carried unanimously.

Motion by Ross, seconded by Viscomi to approve Resolution 2021-168 Approve MET CON BUSINESS PARK FOURTH ADDITION Developer's Platting Agreement and carried unanimously.

Motion by Ross, seconded by Caron to approve Resolution 2021-169 Approve Early Construction Agreement for MET CON BUSINESS PARK FOURTH ADDITION and carried unanimously.

Ordinance No. 2021-4 Approve Vacation of Drainage and Utility Easement at MET CON BUSINESS

PARK THIRD ADDITION - Second Reading and Approve Summary Publication - Ordinance 2021-4

Community and Economic Development Director Deanna Kuennen explained that this was the second reading for Ordinance 2021-4. The vacation request relates to a proposed replat of the property into the MET CON BUSINESS PARK FOURTH ADDITION, which will allow a planned expansion of the existing Trystar development at 15765 Acorn Trail. On August 10, 2021, the City Council approved the first reading of Ordinance 2021-4, which relates to the requested easement vacation. There have been no changes to the ordinance since the first reading.

Motion by Spooner, seconded by Caron to approve Ordinance No. 2021-4 Approve Vacation of Drainage and Utility Easement at MET CON BUSINESS PARK THIRD ADDITION - Second Reading

Roll Call Vote:

Aye: Councilor Caron, Ross, Spooner, Viscomi, Wood, and Mayor Voracek

Nay:

Motion carried 6:0

Motion by Ross, seconded by Wood to Approve Summary Publication - Ordinance 2021-4 and carried unanimously.

Ordinance No. 2021-5 Amend Section 4-27 of the City Code of Ordinances Regarding Hours of Operation for On-Sale Intoxicating Liquor Sales - Second Reading and Approve Summary Publication - Ordinance 2021-5

City Administrator Tim Murray explained that this was the second reading of Ordinance 2021-5, that relates to section 4-27 of the City Code that would change the bar closing time to 1:00 am, there were no changes since the first reading.

Councilor Spooner stressed that this is a matter of public safety. Councilor Viscomi stated that she is absolutely in favor of this passing. Mayor Voracek asked when this would go into effect. Murray explained that the Charter states that it goes into effect after publication. Mayor Voracek stated that he did not think that changing the ordinance would change behaviors.

Motion by Wood, seconded by Spooner to approve Ordinance No. 2021-5 Amend Section 4-27 of the City Code of Ordinances Regarding Hours of Operation for On-Sale Intoxicating Liquor Sales - Second Reading

Roll Call Vote

Aye: Councilor Ross, Spooner, Viscomi, and Wood

Nay: Councilor Caron and Mayor Voracek

Motion carried 4:2 with Councilor Caron and Mayor Voracek voting Nay.

Motion by Viscomi, seconded by Ross to Approve Summary Publication - Ordinance 2021-5 and carried unanimously.

Ordinance No. 2021-6 Annexing Land Owned by the City in Wells Township - First Reading, Ordinance No. 2021-7 Annexing Land Owned by the City in Warsaw Township - First Reading and Ordinance No. 2021-8 Annexing Land Owned by the City in Walcott Township - First Reading

Community and Economic Development Director Deanna Kuennen explained to the Council that on April 20, 2021 the City Councils' Annexation Committee supported the annexation of City-owned parcels. Staff notified Wells Township of its intent to annex 5 City-owned parcels adjacent to the city limits as well as Warsaw Township of its intent to annex two former railroad parcels that were acquired in 2009. Staff also notified Walcott Township of its intent to annex a 3.5-acre parcel that is adjacent to the city limits. Kuennen stated that the townships have not expressed any concerns with the annexation.

Motion by Spooner, seconded by Ross to approve Ordinance No. 2021-6 Annexing Land Owned by the City in Wells Township - First Reading

Roll Call Vote:

Aye: Councilor Caron, Ross, Spooner, Viscomi, Wood, and Mayor Voracek

Nay:

Motion carried 6:0

Motion by Ross, seconded by Caron to approve Ordinance No. 2021-7 Annexing Land Owned by the City in Warsaw Township - First Reading

Roll Call Vote:

Aye: Councilor Caron, Ross, Spooner, Viscomi, Wood, and Mayor Voracek

Nay:

Motion carried 6:0

Motion by Spooner, second by Ross to approve Ordinance No. 2021-8 Annexing Land Owned by the City in Walcott Township - First Reading

Roll Call Vote:

Aye: Councilor Caron, Ross, Spooner, Viscomi, Wood, and Mayor Voracek

Nay:

Motion carried 6:0

Resolution 2021-172 Order Improvements, Approve Plans and Specifications, and Establish Bid Date for Well House No.5 Replacement

Public Works Director Travis Block explained that Resolution 2021-172 orders the improvements, approves the plans and specifications, and establishes the bid date for the construction of Well House No.5 to replace the well house that was destroyed when the building flooded as a result of a pipe failure in April. The project is for the construction of a well house floor, foundation, masonry block building and electric components for the well. The well, pump and motor were not damaged during the flood. The cost estimate for the project is \$635,000.00 and will be funded by the Water Fund. The resolution also established a bid date of September 21, 2021 for the project. Construction would begin in November, with substantial completion in June 2022.

Councilor Ross asked why the project is so expensive and what was the size of the building. Block explained the cost is due to the electrical components and the building is a little bigger than 12'x16'.

Motion by Ross, seconded by Wood to approve Resolution 2021-172 Order Improvements, Approve Plans and Specifications, and Establish Bid Date for Well House No.5 Replacement and carried unanimously.

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

The Monthly Financial Report was provided to the Council as part of the meeting materials.

Mayor Voracek stated that the Council appointed a member to the EDA and is looking for another person to serve on the Board, if interested please reach out to Deanna Kuennen.

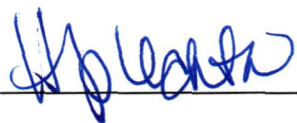
City Administrator Tim Murray reminded the Council that although next Tuesday is the fifth Tuesday of the month, there will be a work session.

Adjournment

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

Meeting adjourned at 6:22 pm.

Respectfully Submitted,



Heather Slehta
Assistant to the City Administrator