CITY COUNCIL AGENDA

COUNCIL CHAMBERS TUESDAY, JULY 26, 2022 6:00 PM

1. Call to Order/Roll Call/Pledge of Allegiance

2. Presentations/Introductions

A. Night to Unite Proclamation

3. Approve minutes of July 12, 2022 City Council Meeting and July 19, 2022 Special City Council Meeting

A. Approve Minutes of the July 12, 2022 City Council Meeting and the July 19, 2022 Special City Council Meeting

4. Consent Agenda

A. List of Claims for Release

B. Authorize Issuance of Request for Qualifications for Professional Design Services for North Viaduct Area Park Improvements

C. Approve Policy 221 - Mental Health Crisis Data

D. Resolution 2022-150 Approve Jurisdictional Transfer Agreement with Minnesota Department of Transportation for TH 298 & TH 299

E. Approve 1-4 Day Temporary On-Sale Liquor License for Faribault Minnesota Chapter, Inc.

F. Approve 1-4 Day Temporary On-Sale Liquor License for Divine Mercy Catholic School

G. Approve Resolution 2022-151 Approve Massage Therapist License

H. Approve LG230 Application to Conduct Off-Site Gambling

I. Resolution 2022-160 Approve Amendment No. 1 to Joint Powers Agreement with Rice County for Cooperative Transportation Planning Agreement for I-35/CSAH 9 Interchange Analysis

J. Resolution 2022-161 Approve Hiring of Mechanic

K. Approve Release Agreement for Early Retirement

L. Approve the Demolition, Removal and Site Restoration of the Hazardous Residential Structure Damaged by Fire Located at 1811 7th ST NW.

5. Requests to be Heard

6. Public Hearings

A. Ordinance 2022-22 Annexing Certain Lands from Cannon City Township and Zoning Such Lands in the I-1, Light Industrial District, and the P/I, Public/Institutional District - Second Reading

1. Approve Summary Publication of Ordinance 2022-22

7. Items for Discussion

A. Applications related to the Redevelopment of Property South of the Viaduct and East of Willow Street

1. Ordinance 2022-23 Vacate Unneeded Easements and Rights-of-Way South of the 1st Street NE Viaduct and East of Willow Street - First Reading
2. Resolution 2022-153 Approve the Preliminary Plat and the Final Plat of RIVERCHASE ADDITION
3. Resolution 2022-154 Approve a Comprehensive Plan Amendment related to Future Land Use South of the 1st Street NE Viaduct and East of Willow Street
4. Ordinance 2022-24 Rezone Property South of the 1st Street NE Viaduct and East of Willow Street from I-2, Heavy Industrial, to CBD, Central Business District - First Reading
5. Resolution 2022-155 Approve a Conditional Use Permit for Development in the Shoreland Management Overlay District South of the 1st Street NE Viaduct and East of Willow Street
6. Resolution 2022-156 Approve Conditional Use Permits for a Proposed Multi-Family Residential Development on Lot 1, Block 1, RIVERCHASE ADDITION

B. Resolution 2022-152 Order Improvements, Approve Plans and Specifications and Establish Bid Date for 2022 Riverchase Court Improvements - Contract 2022-13

C. Applications Related to the Development of Malecha Auto Body Shop at 2005 2nd Avenue NW

1. Ordinance 2022-25 Vacate an Unneeded Public Drainage and Utility Easement on the east side of Lot 1, Block 1 of Kuntze Addition located at 2005 2nd Avenue NW - First Reading
2. Resolution 2022-157 Approving the Preliminary and Final Plat of MAB Addition at 2005 2nd Ave NW
3. Resolution 2022-158 Approving a Conditional Use Permit for a Major Auto Repair Use in the C-2 Highway Commercial District at 2005 2nd Avenue NW
4. Resolution 2022-159 Approving a Conditional Use Permit for Development within the Shoreland Overlay District at 2005 2nd Avenue NW

8. Bids - None

9. Boards and Commissions Reports, Announcements and Project Updates

A. Monthly Financial Report

10. Adjournment

(The Council may meet as a group for dinner)

NOTE:

CC **Closed Captioning of Council meetings available on FCTV.**

Please contact the City Administrator's Office if you need special accommodations related to a disability while attending the City Council meeting.

Office of the Mayor
City of Faribault
Proclamation

Night to Unite 2022

***WHEREAS**, the Minnesota Crime Prevention Association, along with AAA of Minnesota/Iowa, and local law enforcement agencies are sponsoring a statewide program called Night to Unite on August 2nd, 2022; and*

***WHEREAS,** Night to Unite is designed to get to know one another in your neighborhood, build neighborhood involvement by bringing police and communities together; and to bring an awareness to crime prevention and local law enforcement efforts; and*

***WHEREAS,** Night to Unite supports the idea that crime prevention is an inexpensive, effective tool in strengthening police and community partnerships; and*

***WHEREAS,** Night to Unite provides opportunities to celebrate the ongoing work of law enforcement and neighborhoods in Faribault by working together to fight crime and victimization and increase public safety for all citizens; and*

***WHEREAS**, the citizens of Faribault play an important role in assisting the Faribault Police Department through joint crime, drug and violence prevention efforts;*

***NOW, THEREFORE,** I, Mayor Kevin F. Voracek, do hereby call upon all citizens in Faribault to participate in Night to Unite on August 2nd, 2022.*

***FURTHER, LET IT BE RESOLVED THAT** I, Mayor Kevin F. Voracek, do hereby proclaim Tuesday, August 2, 2022, Night to Unite in Faribault, Minnesota.*

Proclaimed this 26th day of July, 2022.

In witness whereof I have hereunto Set my hand and cause the seal to be affixed

Mayor _____

Date July 26, 2022

CITY COUNCIL MINUTES

COUNCIL CHAMBERS TUESDAY, JULY 12, 2022 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 6:01 pm. Councilors Sara Caron, Royal Ross, Peter van Sluis, Janna Viscomi and Jon Wood were in attendance. Councilor Tom Spooner was absent. Also in attendance were City Administrator Tim Murray, Administrative Assistant II Kari Casper, Police Chief John Sherwin, Public Works Director Travis Block, City Engineer Mark DuChene, Parks and Recreation Director Paul Peanasky, and Human Resources Manager Kevin Bushard.

Presentations/Introductions – None

Approve minutes of June 28, 2022 City Council Meeting
Motion by Caron, seconded by Ross to Approve Minutes of the June 28, 2022 City Council Meeting and carried unanimously.

Consent Agenda

A. List of Claims for Release
B. Resolution 2022-144 Accept Donation to Parks and Recreation Department
C. Approve Reclassification of Assistant to the City Administrator Position and Revised Job Description
D. Approve Private Hangar Land Lease Agreement
E. Resolution 2022-146 Authorizing Execution of a Memorandum of Understanding with Bird Rides, Inc. Related to the Deployment of Stand-Up Scooters in the City
F. Accept Professional Services Proposal for Riverchase Addition Regional Stormwater Basin Design
G. Accept Quotes for Customer Support and Extended Service Agreements for Generator at Water Reclamation Facility
H. Resolution 2022-147 Authorize Federal Aviation Administration Agreement for Project No. 3-27-0030-017-2022 for Airport Airfield Lighting Improvements Project
I. Approve Agreement with Municode for Ordinance Supplement Services
J. Resolution 2022-148 Appoint Election Judges for the 2022 Elections
K. Resolution 2022-149 Levying Special Assessments for Delinquent Water, Sewer, and Storm Water Accounts

Motion by van Sluis, seconded by Wood to approve Consent Agenda Items 4A-4K and carried unanimously.

Requests to be Heard- None

Public Hearings – None

Items for Discussion - None

Bids
Resolution 2022-145 Accept Bids for 2022 Prairie Ridge Park Improvements - Contract 2022-09
City Engineer Mark DuChene explained that on Wednesday, July 6, 2022, bids were received for the proposed 2022 Prairie Ridge Park Improvements - Contract 2022-09 project, including grading, seeding,

drainage pipe and a bid add alternate for parking lot improvements.

The bids were tabulated as follows:

Contractor	Base Bid	Alternate Bid	Total Bid (Base + Alternate)
Selly Excavating, Inc., Le Center, MN	$ 95,850.45	$ 60,965.00	$ 156,815.45
BCM Construction, Inc., Faribault, MN	$ 156,015.00	$ 68,945.00	$ 224,960.00
Heselton Construction, Faribault, MN	$ 168,937.00	$ 63,925.00	$ 232,862.00
Engineer's Estimate	$ 95,232.50	$ 44,059.00	$ 139,291.50

Based on the low bidder's prices, it is recommended to award to the low bidder, Selly Excavating, Inc. for both the base bid and the add alternate. The 2022 Capital Improvement Plan had $100,000 budgeted for the park grading. There is sufficient fund balance in the Park Improvement Fund (404) to complete the parking lot addition as well. It does not include stripping of baseball fields, football fields, or basketball courts that are part of the future plans. Installation of the playground should be done in September.

Councilor Ross had concerns about parking at this park. DuChene explained that the current plan has parking for about 20 and approximately an additional 20 will be added in the future.

Motion by Wood, seconded by van Sluis to approve Resolution 2022-145 Accept Bids for 2022 Prairie Ridge Park Improvements - Contract 2022-09 and carried unanimously.

Boards and Commissions Reports, Announcements and Project Updates

Councilor van Sluis asked if the Ice Arena could be used for roller blading, the Hockey Association tested this, and the concrete is too smooth to use.

Councilor Ross noted Buckham West will be providing a history of Eastern Europe seminar over the next weeks; there is a pop-up concert on Thursday; a speaker from the CIA will be coming; classes regarding health care directives; AARP driver course; and family care giver support.

Councilor van Sluis stated that the International Festival was a great success this year, 31 countries were represented and FCTV will be putting out a documentary about the festival in the coming days.

Mayor Voracek asked Police Chief Sherwin about the new THC law that went into effect in July, Chief Sherwin will be attending a webinar this week with the City Attorney's office to discuss what can and cannot be done from a law enforcement perspective. City Administrator Tim Murray informed the Council that this will be discussed at the next Council Work Session. Mayor Voracek also congratulated Councilor Wood on his new marriage, Wood invited the Council to a reception on September 16, 2022.

Adjournment

Motion by van Sluis, seconded by Wood to adjourn the meeting and carried unanimously.

The meeting adjourned at 6:16 pm.

Respectfully Submitted,

_____

Heather Slechta
City Clerk

SPECIAL CITY COUNCIL MEETING MINUTES

PUBLIC MEETING ROOM TUESDAY, JULY 19, 2022 6:00 PM

Call to Order/Roll Call

The special meeting of the City Council was called to order by Vice Mayor Tom Spooner at 6:00 pm. Councilors Sara Caron, Royal Ross, Peter van Sluis, Janna Viscomi and Jon Wood were in attendance. Mayor Kevin Voracek was absent. Also in attendance were City Administrator Tim Murray, City Clerk Heather Slechta, Police Chief John Sherwin, Public Works Director Travis Block, City Engineer Mark DuChene, Parks and Recreation Director Paul Peanasky, Finance Director Jeanne Day, Library and Communications Director Delane James, City Planner David Wanberg, Community and Economic Development Director Deanna Kuennen, Fire Chief Dustin Dienst and Human Resources Manager Kevin Bushard.

Items for Discussion

Ordinance 2022-22 Annexing Certain Lands from Cannon City Township and Zoning Such Lands in the I-1, Light Industrial District and the P/I, Public/Institutional District – First Reading

Community and Economic Development Director Deanna Kuennen explained that the Minnesota Office of Administrative Hearings notified the City that a portion of the former Trunk Highway 218 right-of-way easement adjacent to the former Faribault Foods spray fields is in Cannon City Township, not the City of Faribault. Consequently, on June 23, 2022, Rice County submitted a petition to the City of Faribault requesting that roughly 2.3 acres of the property legally described and depicted in the attached Ordinance 2022-22 be annexed from Cannon City Township to the City of Faribault. The annexation is required to facilitate the CANNON RIVER VIEW plat, which the Faribault Council approved per Resolution 2022-102 on May 10, 2022.

The City properly noticed Rice County's annexation petition in accordance with Minnesota Statutes, and the City has scheduled a public hearing and the second reading of Ordinance 2022-22 for July 26, 2022.

Councilor Ross asked who would own the land once it was annexed, Kuennen stated that Rice County is the land owner.

Motion by Ross, seconded by van Sluis to approve Ordinance 2022-22 Annexing Certain Lands from Cannon City Township and Zoning Such Lands in the I-1, Light Industrial District and the P/I, Public/Institutional District – First Reading

Roll Call Vote:
Aye: Councilor Caron, Ross, van Sluis, Viscomi, Wood, and Vice Mayor Tom Spooner
Nay:
Motion carried 6:0

Adjournment

Motion by Wood, seconded by Caron to adjourn the meeting and carried unanimously.

The meeting was adjourned at 6:03 pm.

Respectfully Submitted,

_____

Heather Slechta
City Clerk

Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Jeanne Day, Finance Director
MEETING DATE: July 26, 2022
SUBJECT: List of Claims for Release

Background:
A copy of the list of claims is available for City Council review through the City Administrator, in the amount of $1,497,409.01, which includes check numbers 175213 to 175340 and automatic clearing house payments.

The description line for each claim provides information to assist readers in understanding the purpose of the purchase and the department making the purchase. Initials of the department making the purchase are included in the description when possible. At the bottom of each page is a key, listing the primary funds to help identify the fund associated with the claim.

Recommendation:
Approve the attached List of Claims for Release.

Attachments:
1. 07-26-2022 Council AP List

AP
AP Council Approval 07-26-2022

User: astadler
Printed: 7/22/2022 9:36:33 AM

Check Numb	Last Name	Acct 1	Amount	Description
175219	1st Line/Leewes Ventures LLC	101-45125-450-42990	274.75	Slush Flavoring for Resale at Aquatic Center
	1st Line/Leewes Ventures LLC		274.75	
0	5 Star Inspections Inc	101-41110-410-43090	4,268.00	Electrical Inspections
	5 Star Inspections Inc		4,268.00	
0	A H Hermel Candy & Tobacco	101-45125-450-42990	113.51	Freezies/Candy/Etc for Resale at Aquatic Center
0	A H Hermel Candy & Tobacco	101-45125-450-42990	106.98	Freezies/Candy for Resale at Aquatic Center
0	A H Hermel Candy & Tobacco	101-45125-450-42110	142.76	Plastic Spoons for Aquatic Center
0	A H Hermel Candy & Tobacco	101-45125-450-42990	451.68	Candy/Freezies for Resale at Aquatic Center
0	A H Hermel Candy & Tobacco	101-45125-450-42110	93.03	Nitrile Gloves
0	A H Hermel Candy & Tobacco	101-45125-450-42990	473.52	Hot Dogs/Candy/Freezies/Misc for Resale at Aquatic Center
0	A H Hermel Candy & Tobacco	101-45125-450-42110	93.03	Nitrile Gloves
	A H Hermel Candy & Tobacco		1,474.51	
0	Ag Partners Coop	101-45200-450-42160	412.05	Weed Killer
0	Ag Partners Coop	101-43121-430-42160	824.10	Weed Killer
	Ag Partners Coop		1,236.15	
175220	Aimpoint Inc	215-42123-420-42410	1,208.62	Rifle Optics for SWAT / J Holm & S Angle
175220	Aimpoint Inc	215-42123-420-42410	604.31	Rifle Optics for SWAT / J Sjodin
	Aimpoint Inc		1,812.93	
0	Aman Stephanie	240-46210-460-43310	208.26	EDAM Summer Conference Mileage
	Aman Stephanie		208.26	
175221	Amazon Capital Services	101-42123-420-42180	129.82	Tourniquet Holder (5) - Tourniquet Pouch (3)

Check Numb	Last Name	Acct 1	Amount	Description
175221	Amazon Capital Services	101-45500-450-43131	36.73	Origami Adventure Kit
175221	Amazon Capital Services	101-45140-450-42110	41.93	Washington Camp Supplies
175221	Amazon Capital Services	101-45500-450-43130	43.92	3D Printer Supplies
175221	Amazon Capital Services	101-42110-420-42020	46.63	USB Cable Extension - USB Conference Microphone
175221	Amazon Capital Services	101-42220-420-42110	32.77	Blood Pressure Cuff
175221	Amazon Capital Services	602-49480-000-42170	47.99	Safety Gloves
175221	Amazon Capital Services	101-42123-420-42410	161.92	Heat Temperature Gun
175221	Amazon Capital Services	101-45500-450-42190	152.16	Books
175221	Amazon Capital Services	101-45140-450-42110	83.97	Fun Center Camp Supplies
175221	Amazon Capital Services	101-45500-450-42110	29.15	Hand Sanitizer
175221	Amazon Capital Services	101-45140-450-42110	178.86	Spirit Team Pom Poms
175221	Amazon Capital Services	101-45500-450-42010	9.87	Pocket Folders
175221	Amazon Capital Services	101-45500-450-42190	54.64	Books
	Amazon Capital Services		1,050.36	
175222	Ambitec Inc	101-42123-420-42410	5,799.90	Rifle Mini Shields
	Ambitec Inc		5,799.90	
175223	Analytical Solution Inc	602-49480-000-43090	870.09	Methane Gas Testing
	Analytical Solution Inc		870.09	
175224	Ancom Technical Center	101-42110-420-42110	60.00	Battery
	Ancom Technical Center		60.00	
0	APG Media of Southern Minnesota LLC	101-41510-410-43510	972.00	Publication of Summary Financial Report
0	APG Media of Southern Minnesota LLC	101-41110-410-43510	1,172.70	Council Notices
0	APG Media of Southern Minnesota LLC	101-41800-410-43410	369.21	Mechanic Employment Ad
0	APG Media of Southern Minnesota LLC	404-45200-450-45300	175.50	(2022-09) Bid Advertisement
	APG Media of Southern Minnesota LLC		2,689.41	
175225	APX Construction Group LLC	437-00000-000-20610	2,707.86	Maintenance to Plaza Steps
	APX Construction Group LLC		2,707.86	
0	Arrow Electric LLC	101-42110-420-44010	135.26	Converted Flourescent Light Fixture to LED
0	Arrow Electric LLC	101-42110-420-44010	181.18	Convert Flourescent Light Fixures to LED

Check Numb	Last Name	Acct 1	Amount	Description
	Arrow Electric LLC		316.44	
175226	Aspen Mills	101-42123-420-42180	160.78	Collar Brass
175226	Aspen Mills	101-42123-420-43130	204.45	Explorer Uniform Pants - Shirts
175226	Aspen Mills	101-42123-420-42180	117.69	Under Vest Shirt / T Wilson
175226	Aspen Mills	101-42110-420-42180	129.99	Uniform Pant - Cargo Pant / D Dillon
175226	Aspen Mills	101-42123-420-42180	496.69	Under Vest Shirts
175226	Aspen Mills	101-42700-420-42180	974.30	Body Armor Vest / S Irvin
175226	Aspen Mills	101-42123-420-42180	943.16	Bike Uniforms
	Aspen Mills		3,027.06	
0	Auto Value Parts Store	101-43121-430-42210	179.99	Battery - Street #418
	Auto Value Parts Store		179.99	
175227	Baker & Taylor Entertainment	101-45500-450-42190	141.61	Books
175227	Baker & Taylor Entertainment	101-45500-450-42190	53.74	Books
175227	Baker & Taylor Entertainment	101-45500-450-42190	395.36	Books
175227	Baker & Taylor Entertainment	101-45500-450-42190	202.78	Books
	Baker & Taylor Entertainment		793.49	
0	Barnum Companies, Inc.	101-42110-420-44010	187.50	Fix Chain Issues with Gate
0	Barnum Companies, Inc.	101-42110-420-44010	815.72	Planned Maintenance Check on Gates
	Barnum Companies, Inc.		1,003.22	
0	Bergan KDV	601-49430-000-43010	3,626.75	Final Billing for Audit of Financial Statements Ending 12-31-202
0	Bergan KDV	241-46330-461-43010	1,500.00	REAC Filing-Period Ending 12/31/2021
0	Bergan KDV	101-41510-410-43010	15,575.25	Final Billing for Audit of Financial Statements Ending 12-31-202
0	Bergan KDV	603-49500-000-43010	1,039.00	Final Billing for Audit of Financial Statements Ending 12-31-202
0	Bergan KDV	602-49450-000-43010	4,695.00	Final Billing for Audit of Financial Statements Ending 12-31-202
0	Bergan KDV	101-45500-450-43010	1,039.00	Final Billing for Audit of Financial Statements Ending 12-31-202
	Bergan KDV		27,475.00	
0	BGMN Inc	101-43121-430-42130	47.36	Diesel Additives
0	BGMN Inc	602-49450-000-42130	17.76	Diesel Additives
0	BGMN Inc	101-45200-450-42130	23.67	Diesel Additives
0	BGMN Inc	601-49430-000-42130	17.76	Diesel Additives
0	BGMN Inc	101-42123-420-42130	11.84	Diesel Additives

Check Numb	Last Name	Acct 1	Amount	Description
0	BGMN Inc	101-43121-430-42210	48.58	Diesel Service Kit for Stock
0	BGMN Inc	601-49430-000-42210	18.22	Diesel Service Kit for Stock
0	BGMN Inc	101-45200-450-42210	24.28	Diesel Service Kit for Stock
0	BGMN Inc	602-49450-000-42210	18.22	Diesel Service Kit for Stock
0	BGMN Inc	101-42123-420-42210	12.15	Diesel Service Kit for Stock
0	BGMN Inc	101-45200-450-42130	41.59	Diesel Additive
0	BGMN Inc	101-42123-420-42130	20.80	Diesel Additive
0	BGMN Inc	602-49450-000-42130	31.20	Diesel Additive
0	BGMN Inc	101-43121-430-42130	83.19	Diesel Additive
0	BGMN Inc	601-49430-000-42130	31.20	Diesel Additive
	BGMN Inc		447.82	
0	Border States Industries Inc	101-43160-430-42110	282.60	Street Light Bulbs
0	Border States Industries Inc	101-45200-450-44050	560.82	PVC Conduit/Electrical-Cheese Cave Pole
	Border States Industries Inc		843.42	
175228	Canon Financial Services Inc	101-42124-420-44160	201.90	Copier Lease 07/01/2022-07/31/2022
175228	Canon Financial Services Inc	101-43121-430-44160	110.14	Public Works Copier Rent 7/1/22-7/31/22
175228	Canon Financial Services Inc	601-49430-000-44160	11.46	Public Works Copier Rent 7/1/22-7/31/22
175228	Canon Financial Services Inc	240-46210-460-44160	224.41	3rd Floor Copier 07/01/2022-07/31/2022
175228	Canon Financial Services Inc	603-49500-000-44160	1.63	Public Works Copier Rent 7/1/22-7/31/22
175228	Canon Financial Services Inc	101-42210-420-44160	68.46	Copier Contract 07/01/2022 to 07/31/2022
175228	Canon Financial Services Inc	101-41940-410-44160	224.41	Copier Lease
175228	Canon Financial Services Inc	602-49450-000-44160	11.46	Public Works Copier Rent 7/1/22-7/31/22
	Canon Financial Services Inc		853.87	
175229	Cardona Lucis Luis	101-45130-450-43131	550.00	Concert in the Park Band Fee - July 28
	Cardona Lucis Luis		550.00	
0	Cave Creek LLC	267-46500-462-44930	44,307.58	TIF Payment Faribault Road #9 PAYG Due 8/1/22
	Cave Creek LLC		44,307.58	
175230	Cemstone Products Co Inc	101-45200-450-42110	358.75	Concrete for Bench by Straight River Trail
	Cemstone Products Co Inc		358.75	
175231	CenturyLink	101-41940-410-43210	325.00	City Hall - July
175231	CenturyLink	101-42210-420-43210	125.64	507-334-0486 496

Check Numb	Last Name	Acct 1	Amount	Description
175231	CenturyLink	225-49810-430-43210	58.82	507-334-3495 952 Airport
175231	CenturyLink	101-41940-410-43210	58.82	507-334-8409 948
175231	CenturyLink	902-00000-000-23935	302.10	Monthly Phone Bill
175231	CenturyLink	225-49810-430-43210	58.82	507-334-7494 946 Airport
175231	CenturyLink	902-00000-000-23935	-302.10	507 Z01-0018 863 Monthly Phone Bill
175232	CenturyLink	101-41940-410-43210	14.35	Monthly Phone Bill - June
	CenturyLink		641.45	
0	Cintas Corporation	602-49450-000-42170	24.79	Safety Cabinet Refills PWP
0	Cintas Corporation	101-43121-430-42170	238.19	Safety Cabinet Refills PWP
0	Cintas Corporation	603-49500-000-42170	3.52	Safety Cabinet Refills PWP
0	Cintas Corporation	601-49430-000-42170	24.79	Safety Cabinet Refills PWP
0	Cintas Corporation	602-49480-000-44060	30.45	Uniform Laundry
0	Cintas Corporation	602-49480-000-44060	15.96	Lab Towels Floor Mats
0	Cintas Corporation	602-49480-000-44060	30.45	Uniform Laundry
0	Cintas Corporation	101-43126-430-44060	6.20	Shop Towels
0	Cintas Corporation	602-49480-000-44060	27.03	Lab Towel/Floor Mats
0	Cintas Corporation	101-43126-430-44060	12.43	Uniform Cleaning Mechanics
0	Cintas Corporation	101-43121-430-44060	26.67	Uniform Cleaning Streets
0	Cintas Corporation	602-49480-000-44060	33.20	Uniform Laundry
0	Cintas Corporation	601-49430-000-44060	22.83	Uniform Cleaning Water
0	Cintas Corporation	603-49500-000-44060	6.36	Uniform Cleaning Stormwater
0	Cintas Corporation	602-49450-000-44060	15.50	Uniform Cleaning Sewer
0	Cintas Corporation	101-45200-450-44060	30.95	Laundry
0	Cintas Corporation	101-45122-450-44060	14.62	Mops Laundry Service
0	Cintas Corporation	898-46310-000-42110	49.83	Mats
0	Cintas Corporation	898-46310-000-44010	25.77	Sanitizer Service
0	Cintas Corporation	898-46310-000-42110	2.15	Hand Sanitizer
0	Cintas Corporation	602-49480-000-44060	15.63	Lab Towels/Floor Mats
0	Cintas Corporation	602-49450-000-44060	15.50	Uniform Cleaning Sewer
0	Cintas Corporation	602-49480-000-44060	30.45	Uniform Laundry
0	Cintas Corporation	603-49500-000-44060	6.36	Uniform Cleaning Stormwater
0	Cintas Corporation	101-43121-430-44060	25.88	Uniform Cleaning Streets
0	Cintas Corporation	101-43126-430-44060	9.14	Uniform Cleaning Mechanics
0	Cintas Corporation	601-49430-000-44060	22.83	Uniform Cleaning Water
	Cintas Corporation		767.48	
175233	City of Faribault	241-46330-461-43820	13.22	005090-007 1806 Shumway Ave
175233	City of Faribault	602-49480-000-43820	13.11	005003-022 214 14 St NE
175233	City of Faribault	225-49810-430-43850	8.32	005003-005 Airport Terminal
175233	City of Faribault	211-46310-460-43860	6.53	005003-000 16 1 St SE

Check Numb	Last Name	Acct 1	Amount	Description
175233	City of Faribault	241-46330-461-43820	13.11	005090-003 1528 Western Ave
175233	City of Faribault	241-46330-461-43820	13.11	005090-016 1814 Shumway Ave
175233	City of Faribault	241-46330-461-43860	43.95	005090-026 1526 Western Ave
175233	City of Faribault	241-46330-461-43820	13.11	005090-004 1818 Shumway Ave
175233	City of Faribault	601-49430-000-43850	221.34	005003-032 812 8 Ave NW (New Water Plant)
175233	City of Faribault	241-46330-461-43820	13.11	005090-001 920 1 St SW
175233	City of Faribault	902-00000-000-23935	8,319.00	Water/Sewer-June
175233	City of Faribault	101-45127-450-43860	36.11	005003-043 705 17 St SW
175233	City of Faribault	225-49810-430-43820	13.11	005003-005 Airport Terminal
175233	City of Faribault	241-46330-461-43860	21.88	005090-000 910 1 St SW
175233	City of Faribault	225-49810-430-43860	272.17	005003-004 3401 Hwy 21 W
175233	City of Faribault	241-46330-461-43820	13.11	005090-026 1526 Western Ave
175233	City of Faribault	602-49480-000-43820	2,346.82	005003-019 214 14 St NE
175233	City of Faribault	101-45127-450-43820	31.74	005003-043 705 17 St SW
175233	City of Faribault	211-46310-460-43820	26.37	005003-000 16 1 St SE
175233	City of Faribault	241-46330-461-43820	13.11	005090-006 1810 Shumway Ave
175233	City of Faribault	241-46330-461-43820	13.11	005090-000 910 1 St SW
175233	City of Faribault	211-46310-460-43850	33.14	005003-000 16 1 St SE
175233	City of Faribault	898-46310-000-43850	566.57	014197-000 1324 Prairie Ave
175233	City of Faribault	225-49810-430-43820	18.54	005003-004 3401 Hwy 21 W
175233	City of Faribault	241-46330-461-43860	23.70	005090-007 1806 Shumway Ave
175233	City of Faribault	898-46310-000-43820	324.96	014197-000 1324 Prairie Ave
175233	City of Faribault	602-49480-000-43860	224.31	005003-019 214 14 St NE
175233	City of Faribault	898-46310-000-43860	78.75	014197-000 1324 Prairie Ave
175233	City of Faribault	101-45127-450-43820	1,762.50	005003-030 705 17 St SW-Irrigation
175233	City of Faribault	101-45127-450-43850	22.30	005003-043 705 17 St SW
175233	City of Faribault	602-49480-000-43820	2,102.30	005003-023 214 14 St NE
175233	City of Faribault	225-49810-430-43850	15.49	005003-004 3401 Hwy 21 W
175233	City of Faribault	902-00000-000-23935	-8,319.00	Water/Sewer-June
175233	City of Faribault	873-49499-000-43850	3,024.90	Roberds Lake SIU Bill - June
175233	City of Faribault	873-49499-000-43090	594.00	Roberds Lake Billing Fee - June
	City of Faribault		11,937.90	
175234	Clark Equipment Co	431-43121-430-45400	78,706.44	New Bobcat #122
175234	Clark Equipment Co	431-00000-410-39101	-25,000.00	Trade 2012 Bobcat Loader #22902
	Clark Equipment Co		53,706.44	
175235	Clean Choice Energy	101-43160-430-43810	5.80	3041165101904 Grant St
175235	Clean Choice Energy	101-43160-430-43810	8.73	304116511800 Lyndale Ave SW
175235	Clean Choice Energy	601-49430-000-43810	3,662.19	3039299721904 Fairgrounds Dr Well
175235	Clean Choice Energy	101-43160-430-43810	-7.11	3041165121000 Lyndale Ave S

Check Numb	Last Name	Acct 1	Amount	Description
175235	Clean Choice Energy	602-49450-000-43810	39.76	3027721851150 Willow St Lift Station
175235	Clean Choice Energy	602-49450-000-43810	-2,107.50	3036919802219 Grant St NW Lift Station
175235	Clean Choice Energy	101-45200-450-43810	297.91	3043066891800 Alexander Dr Concession Stand
175235	Clean Choice Energy	603-49500-000-43810	-1,568.10	3040518161200 Belview Tr
175235	Clean Choice Energy	101-43170-430-43810	-308.87	3041315032200 30 St NW Signal Lights
175235	Clean Choice Energy	101-43160-430-43810	819.43	302767481210 3 St NE St Light
175235	Clean Choice Energy	101-43170-430-43810	416.20	3034532651500 7th St NW Signal Lights
175235	Clean Choice Energy	101-45200-450-43810	-374.93	303510224520 3rd St NW (Central Pk Bandstand)
175235	Clean Choice Energy	101-43160-430-43810	-228.18	3041576321602 2nd Ave NW
175235	Clean Choice Energy	101-45200-450-43810	558.00	3025764661815 Alexander Dr
175235	Clean Choice Energy	101-43170-430-43810	-2,979.18	302954624400 4 St NW Signal Lights
175235	Clean Choice Energy	101-45200-450-43810	-1,351.62	303239611330 9th Ave SW Sr High Tennis Cts
175235	Clean Choice Energy	101-43160-430-43810	126.64	303661815495 Heritage Place
175235	Clean Choice Energy	101-45200-450-43810	76.81	302261595920 9th Ave SW
175235	Clean Choice Energy	101-43170-430-43810	-33.37	303021725126 4 St NW Signal Lights
175235	Clean Choice Energy	101-45200-450-43810	-3,872.69	3023211021000 7th Ave SW
175235	Clean Choice Energy	101-45126-450-43810	973.60	303373970117 Shumway Ave
175235	Clean Choice Energy	101-43170-430-43810	-1,160.30	3025252474050 Highway 60W Signal Lights
175235	Clean Choice Energy	101-43170-430-43810	-79.31	303507016415 8th Ave NW Signal Lights
175235	Clean Choice Energy	602-49450-000-43810	739.10	3040518161200 Belview Tr
175235	Clean Choice Energy	101-43160-430-43810	321.60	3041576453305 Highway 60
175235	Clean Choice Energy	602-49480-000-43810	-195.84	304239286214 14 St NE
175235	Clean Choice Energy	101-45127-450-43810	264.66	304160080705 17 St SW (Soccer Complex)
175235	Clean Choice Energy	602-49450-000-43810	-4.81	303203605319 Lind St Lift Station
175235	Clean Choice Energy	101-45200-450-43810	-7,872.03	304017445900 Lyndale Ave N
175235	Clean Choice Energy	101-45500-450-43810	3,912.31	30234228711 Division St E (Library)
175235	Clean Choice Energy	101-42210-420-43810	140.68	302527702122 2nd St NW (Fire Hall)
175235	Clean Choice Energy	101-45200-450-43810	-397.57	302458578828 8th Ave NW (Park Shop)
175235	Clean Choice Energy	101-43160-430-43810	58.18	3043806371690 Highway 60W Street Lighting
175235	Clean Choice Energy	101-43170-430-43810	-116.43	3021541976 1/2 4 St NW Signal Lights
175235	Clean Choice Energy	601-49430-000-43810	2,979.18	302969048350 Alexander Park Well #6
175235	Clean Choice Energy	101-43121-430-43810	7,417.31	3040518161200 Belview Tr
175235	Clean Choice Energy	101-43170-430-43810	-160.25	3042653021990A Lyndale Ave N Signal
175235	Clean Choice Energy	101-43170-430-43810	203.46	3034532651500 7th St NW Signal Lights
175235	Clean Choice Energy	601-49430-000-43810	432.05	3040518161200 Belview Tr
175235	Clean Choice Energy	101-45200-450-43810	198.91	304017445900 Lyndale Ave N
175235	Clean Choice Energy	101-45200-450-43810	174.07	3043066891800 Alexander Dr Concession Stand
175235	Clean Choice Energy	101-43170-430-43810	24.05	3041315032200 30 St NW Signal Lights
175235	Clean Choice Energy	101-43160-430-43810	175.05	3041576321602 2nd Ave NW
175235	Clean Choice Energy	101-45127-450-43810	129.38	304160080705 17 St SW (Soccer Complex)
175235	Clean Choice Energy	101-45200-450-43810	18.48	3023211021000 7th Ave SW
175235	Clean Choice Energy	101-45126-450-43810	670.84	303373970117 Shumway Ave
175235	Clean Choice Energy	101-43160-430-43810	21.46	3041165121000 Lyndale Ave S

Check Numb	Last Name	Acct 1	Amount	Description
175235	Clean Choice Energy	101-43160-430-43810	414.72	302767481210 3 St NE St Light
175235	Clean Choice Energy	601-49430-000-43810	1,989.14	3039299721904 Fairgrounds Dr Well
175235	Clean Choice Energy	602-49450-000-43810	16.73	303203605319 Lind St Lift Station
175235	Clean Choice Energy	902-00000-000-23935	15,130.72	Solar Bill - May
175235	Clean Choice Energy	603-49500-000-43810	61.43	3040518161200 Belview Tr
175235	Clean Choice Energy	602-49450-000-43810	432.04	3040518161200 Belview Tr
175235	Clean Choice Energy	101-43121-430-43810	4,151.38	3040518161200 Belview Tr
175235	Clean Choice Energy	101-43160-430-43810	222.05	303661815495 Heritage Place
175235	Clean Choice Energy	101-45200-450-43810	56.92	302261595920 9th Ave SW
175235	Clean Choice Energy	101-45500-450-43810	1,912.51	30234228711 Division St E (Library)
175235	Clean Choice Energy	101-43160-430-43810	24.85	304116511800 Lyndale Ave SW
175235	Clean Choice Energy	101-43160-430-43810	286.59	3041576453305 Highway 60
175235	Clean Choice Energy	101-43160-430-43810	28.44	3043806371690 Highway 60W Street Lighting
175235	Clean Choice Energy	602-49450-000-43810	160.15	3036919802219 Grant St NW Lift Station
175235	Clean Choice Energy	101-43160-430-43810	27.68	3041165101904 Grant St
175235	Clean Choice Energy	101-45200-450-43810	19.14	303239611330 9th Ave SW Sr High Tennis Cts
175235	Clean Choice Energy	101-45200-450-43810	39.77	303510224520 3rd St NW (Central Pk Bandstand)
175235	Clean Choice Energy	601-49430-000-43810	1,493.88	302969048350 Alexander Park Well #6
175235	Clean Choice Energy	101-42210-420-43810	751.97	302527702122 2nd St NW (Fire Hall)
175235	Clean Choice Energy	101-45200-450-43810	684.06	3025764661815 Alexander Dr
175235	Clean Choice Energy	101-43170-430-43810	95.74	3042653021990A Lyndale Ave N Signal
175235	Clean Choice Energy	602-49450-000-43810	19.43	3027721851150 Willow St Lift Station
175235	Clean Choice Energy	101-43170-430-43810	194.35	3025252474050 Highway 60W Signal Lights
175235	Clean Choice Energy	902-00000-000-23935	-15,130.72	Solar Bill - May
	Clean Choice Energy		15,130.72	
175236	Community Co-op Oil Assn	101-45122-450-42120	34.34	Lawn Mower Gasoline
175236	Community Co-op Oil Assn	101-43121-430-42120	16.68	Blower Gas
175236	Community Co-op Oil Assn	101-45200-450-44040	10.00	Tire Repair
175236	Community Co-op Oil Assn	101-43170-430-42110	13.64	Gas For Paint Machines
175236	Community Co-op Oil Assn	101-42400-420-42220	660.00	Tires for Building Codes Truck
175236	Community Co-op Oil Assn	101-43121-430-42110	-1.01	Credit for Fuel Tax Charged on Fuel at C-Store
175236	Community Co-op Oil Assn	601-49430-000-42120	-1.88	Credit for Fuel Tax Charged on Fuel at C-Store
175236	Community Co-op Oil Assn	101-45122-450-42120	-2.32	Credit for Fuel Tax Charged on Fuel at C-Store
175236	Community Co-op Oil Assn	101-42220-420-42120	100.00	Fuel #2130
175236	Community Co-op Oil Assn	101-43121-430-44040	137.00	Tire Repair - Street #316
175236	Community Co-op Oil Assn	601-49430-000-42120	27.30	Non Oxy Fuel
175236	Community Co-op Oil Assn	101-45200-450-44040	16.00	Tire Repair
175236	Community Co-op Oil Assn	101-43126-430-42110	27.94	Propane Refill - Street #113
	Community Co-op Oil Assn		1,037.69	

Check Numb	Last Name	Acct 1	Amount	Description
175237	Complete Basement Systems	101-00000-420-32210	139.25	Refund Permit
175237	Complete Basement Systems	101-00000-420-34104	69.63	Refund Plan Check Fee
175237	Complete Basement Systems	101-00000-000-20820	3.22	Refund Surcharge
	Complete Basement Systems		212.10	
175238	Core & Main LP	601-49430-000-43095	7,493.50	Annual RNI Fee Radio Read Meters
175238	Core & Main LP	602-49480-000-43095	7,493.50	Annual RNI Fee Radio Read Meters
	Core & Main LP		14,987.00	
175239	Court Sports and More	101-45122-450-42180	191.10	Tee Shirts-Aquatic Park & Rec Staff
175239	Court Sports and More	101-45200-450-42180	326.67	Hats - Parks
175239	Court Sports and More	101-45140-450-42180	326.67	Hats & Visors - Youth Programs
175239	Court Sports and More	101-45130-450-42110	326.66	Hats and Visors - Adult Programs
175239	Court Sports and More	101-45130-450-42110	326.25	Tee Shirts-Adult Programs
	Court Sports and More		1,497.35	
175240	Crane Creek Asphalt	101-45200-450-44050	5,369.60	Asphalt Parking Lot
175240	Crane Creek Asphalt	476-43121-430-45302	413,006.32	(2022-02) Pay Req. 2
175240	Crane Creek Asphalt	101-43121-430-42240	1,418.40	Hot Mix For Street Patching/Tack
	Crane Creek Asphalt		419,794.32	
175241	CSDVRS LLC	101-42110-420-43090	12.50	Language Services
	CSDVRS LLC		12.50	
0	Culligan	101-42110-420-42230	237.95	Water
0	Culligan	602-49480-000-44160	49.25	Softener Rental
	Culligan		287.20	
175242	Daikin Applied Americas Inc	240-46210-460-44940	80,194.23	Tax Abatement Due 8/1/2022
	Daikin Applied Americas Inc		80,194.23	
175243	Dalco	601-49430-000-42110	2.03	Glass Cleaner PWP
175243	Dalco	101-43121-430-42110	19.53	Glass Cleaner PWP
175243	Dalco	603-49500-000-42110	0.30	Glass Cleaner PWP
175243	Dalco	602-49450-000-42110	2.03	Glass Cleaner PWP

Check Numb	Last Name	Acct 1	Amount	Description
	Dalco		23.89	
175244	Donahues	101-45200-450-42250	99.80	Flowers at Garfield
	Donahues		99.80	
0	Eckberg Lammers PC	101-41610-410-43045	12,654.35	Monthly Retainer
	Eckberg Lammers PC		12,654.35	
175245	Ehlers & Associates Inc	270-46500-462-43070	137.50	Review & Prepare TIF PAYG #13 Hamilton
175245	Ehlers & Associates Inc	271-46500-462-43070	455.00	Annual TIF Reporting to OSA
175245	Ehlers & Associates Inc	266-46500-462-43070	455.00	Annual TIF Reporting to OSA
175245	Ehlers & Associates Inc	263-46500-462-43070	455.00	Annual TIF Reporting to OSA
175245	Ehlers & Associates Inc	272-46500-462-43070	455.00	Annual TIF Reporting to OSA
175245	Ehlers & Associates Inc	270-46500-462-43070	455.00	Annual TIF Reporting to OSA
175245	Ehlers & Associates Inc	267-46500-462-43070	455.00	Annual TIF Reporting to OSA
	Ehlers & Associates Inc		2,867.50	
175246	Ennis Curtis & Cierra	601-00000-000-20200	0.51	Refund Check 022518-000, 1614 Rondarwal Ln
	Ennis Curtis & Cierra		0.51	
175247	Environmental Resource Associates	602-49480-000-42160	106.69	pH Test Kit
	Environmental Resource Associates		106.69	
175248	Evoqua Water Technologies LLC	602-49480-000-42210	90.68	Boiler Gaskets
	Evoqua Water Technologies LLC		90.68	
0	Falkstone LLC	101-43121-430-42240	507.51	Sealcoat Rock
	Falkstone LLC		507.51	
175249	Fareway Stores Inc #126	101-41110-410-43130	5.00	Cake for Mayors Reception-Short Paid Originally
175249	Fareway Stores Inc #126	101-42123-420-42115	12.99	Treats for Take it to the Box Drug Burn
175249	Fareway Stores Inc #126	101-45130-450-43131	4.48	Water for Concerts in the Park Band
	Fareway Stores Inc #126		22.47	

Check Numb	Last Name	Acct 1	Amount	Description
175250	Faribault Ace Hardware	101-43170-430-42240	75.75	Paint For Painting Viaduct
175250	Faribault Ace Hardware	602-49480-000-42110	32.38	Grass Sprinkler Light Bulbs
175250	Faribault Ace Hardware	101-42220-420-42110	14.38	12V Batteries
175250	Faribault Ace Hardware	241-46330-461-42110	5.39	1814 Shumway Wasp/Hornet Spray
175250	Faribault Ace Hardware	101-45200-450-42110	0.89	Cable Clips
175250	Faribault Ace Hardware	101-42210-420-42110	4.49	Battery
175250	Faribault Ace Hardware	602-49480-000-42110	35.99	Sampler Tubing
175250	Faribault Ace Hardware	101-42121-420-42110	51.27	Work Gloves
175250	Faribault Ace Hardware	101-42110-420-42110	1.68	Fasteners
175250	Faribault Ace Hardware	101-41940-410-42110	72.97	Weed Killer/Coffee Filters & Paper Towels
175250	Faribault Ace Hardware	101-45200-450-42110	7.90	Plumbing Supplies - Bushing & Elbow
175250	Faribault Ace Hardware	602-49480-000-42110	8.09	Bushing
175250	Faribault Ace Hardware	101-43121-430-42110	80.72	Glass Shields For Crack Filling
175250	Faribault Ace Hardware	601-49430-000-42110	16.18	Hex Bushing & Caulk
175250	Faribault Ace Hardware	241-46330-461-42110	82.40	523 Division Saw Blades/Ear Plug/Siding/Garage Repairs
175251	Faribault Ace Hardware	898-46310-000-42110	60.86	Hose Nozzle/Watering Hose
175250	Faribault Ace Hardware	101-42110-420-42110	16.19	Donated Bike Lock for Drug Court
175250	Faribault Ace Hardware	101-45200-450-42110	36.49	Plumbing Parts
175250	Faribault Ace Hardware	101-45200-450-42110	32.17	Plumbing Supplies
175250	Faribault Ace Hardware	101-41580-410-42410	105.48	Server Room Desk & Chair
175250	Faribault Ace Hardware	101-45200-450-42110	41.38	Rubber Gloves
175250	Faribault Ace Hardware	601-49430-000-42110	16.39	Weedkiller & Fasteners
175250	Faribault Ace Hardware	101-45200-450-42110	62.96	Garden Hose/Sprinklers
175250	Faribault Ace Hardware	101-45122-450-42110	26.80	Floor Squegee Etc
175250	Faribault Ace Hardware	601-49430-000-42210	123.83	Parts For Chop Saw
175250	Faribault Ace Hardware	101-43170-430-42110	11.50	Rollers For Painting Viaduct
175250	Faribault Ace Hardware	601-49430-000-42210	19.73	Parts For Air Compressor
	Faribault Ace Hardware		1,044.26	
175253	Faribault Area Chamber of Commerce	290-46500-462-43090	5,000.00	2022 Micro Grant Admin Fee
175252	Faribault Area Chamber of Commerce	101-41110-410-44384	13,481.90	Lodging Taxes-May
	Faribault Area Chamber of Commerce		18,481.90	
175254	Faribault Area Senior Citizens Inc	101-00000-450-34793	1,300.00	Buckham West Rental Reimbursements
	Faribault Area Senior Citizens Inc		1,300.00	
175255	Faribault Daily News	601-49430-000-44330	18.04	1 Year Daily News Subscription
175255	Faribault Daily News	101-43121-430-44330	173.31	1 Year Daily News Subscription
175255	Faribault Daily News	602-49450-000-44330	18.04	1 Year Daily News Subscription
175255	Faribault Daily News	602-49450-000-44330	2.56	1 Year Daily News Subscription

Check Numb	Last Name	Acct 1	Amount	Description
	Faribault Daily News		211.95	
175256	Faribault Division LLC	272-46500-462-44930	11,315.39	District 15 Lofts @ Evergreen TIF PAYG Due 8/1/2022
175256	Faribault Division LLC	270-46500-462-44930	22,478.90	District 13 Hamilton TIF PAYG Due 8/1/2022
	Faribault Division LLC		33,794.29	
0	Faribault Fleet Supply Inc	101-45200-450-42110	9.53	Nuts and Bolts
0	Faribault Fleet Supply Inc	101-43121-430-42110	98.99	Tissue For Crackfilling
0	Faribault Fleet Supply Inc	101-45200-450-42110	155.94	Hand Soap
0	Faribault Fleet Supply Inc	101-45200-450-42110	34.74	Eye Bolts
0	Faribault Fleet Supply Inc	101-45200-450-42410	285.00	Leaf Blower
0	Faribault Fleet Supply Inc	101-45200-450-42110	16.47	Magnetic Catch
0	Faribault Fleet Supply Inc	101-43121-430-42210	0.99	Bolts For #401
0	Faribault Fleet Supply Inc	101-45200-450-42130	66.45	Chainsaw Oil/Tree Wedges
0	Faribault Fleet Supply Inc	101-45200-450-42110	32.47	Paint/Floor Cleaner
0	Faribault Fleet Supply Inc	601-49430-000-42110	10.74	WTP Supplies - Hardware
0	Faribault Fleet Supply Inc	101-45200-450-42410	69.99	Hand Pole Saw
0	Faribault Fleet Supply Inc	603-49500-000-42110	41.98	Oats For Ground Cover
0	Faribault Fleet Supply Inc	601-49430-000-42110	15.90	WTP Supplies - Hardware
0	Faribault Fleet Supply Inc	101-45500-450-42110	37.14	Plumbing Supplies
0	Faribault Fleet Supply Inc	601-49430-000-42170	143.98	Gas Cans OSHA Approved
0	Faribault Fleet Supply Inc	101-43121-430-42110	98.99	Toilet Tissue For Crackfilling
0	Faribault Fleet Supply Inc	101-45140-450-42110	3.79	Dowels
	Faribault Fleet Supply Inc		1,123.09	
175257	Faribault Ice Arena Association	101-45130-450-43430	425.00	Advertising
	Faribault Ice Arena Association		425.00	
175258	Faribault Interiors	101-41940-410-44010	700.00	Flooring Installation in City Hall Elevator
	Faribault Interiors		700.00	
175259	Faribault Post Office	601-49430-000-43220	1,106.29	July Utility Bills
175259	Faribault Post Office	603-49500-000-43220	1,106.30	July Utility Bills
175259	Faribault Post Office	602-49480-000-43220	1,106.29	July Utility Bills
	Faribault Post Office		3,318.88	
175260	Faribault Rental Equipment Inc	101-45200-450-44160	162.00	Trencher Rental

Check Numb	Last Name	Acct 1	Amount	Description
	Faribault Rental Equipment Inc		162.00	
175261	Faribault Veterinary Clinic	101-42700-420-43090	250.00	Euthanasia Canine 22-1984
	Faribault Veterinary Clinic		250.00	
0	Faribo Plumbing & Heating Inc	601-49430-000-42210	70.00	Water Line Repair Parts
0	Faribo Plumbing & Heating Inc	601-49430-000-44045	110.00	Repair Of Water Line
0	Faribo Plumbing & Heating Inc	241-46330-461-44010	165.00	900 C Spring Road Outside Faucet Repair
0	Faribo Plumbing & Heating Inc	241-46330-461-42110	74.00	900 C Spring Road Outside Water Faucet
0	Faribo Plumbing & Heating Inc	603-49500-000-43090	16.73	PWP RPZ Inspections
0	Faribo Plumbing & Heating Inc	601-49430-000-43090	117.74	PWP RPZ Inspections
0	Faribo Plumbing & Heating Inc	602-49450-000-43090	117.74	PWP RPZ Inspections
0	Faribo Plumbing & Heating Inc	101-43125-430-43090	1,131.29	PWP RPZ Inspections
	Faribo Plumbing & Heating Inc		1,802.50	
175262	Faul Kiri Ann	101-42110-420-43090	800.00	Wellness Sessions (Donated Funds)
	Faul Kiri Ann		800.00	
0	Fette Electronics Inc	101-41580-410-42020	950.00	Badge Cards
0	Fette Electronics Inc	101-45500-450-44010	264.00	Monitoring of Burglar/Panic/Fire Panel
0	Fette Electronics Inc	898-46310-000-42110	10.74	#217 Antenna Co Ax Plate
0	Fette Electronics Inc	898-46310-000-44010	55.00	#217 Antenna Repair
	Fette Electronics Inc		1,279.74	
0	Filan Kevin	101-45200-450-43090	700.00	Weed Spraying
	Filan Kevin		700.00	
175263	Genuine Hardwood Floors	437-45122-450-45200	14,780.50	Refinish Gym and Racquetball Court Floors
	Genuine Hardwood Floors		14,780.50	
175264	Gilmore Jennifer	601-00000-000-20200	3.83	Refund Check 022694-000, 2206 West Hill St
	Gilmore Jennifer		3.83	
175265	Girards Business Solutions Inc	602-49450-000-44045	156.00	Maintenance Mail Opener 09/01/2022-08/31/2023
175265	Girards Business Solutions Inc	601-49430-000-44045	156.00	Maintenance Mail Opener 09/01/2022-08/31/2023

Check Numb	Last Name	Acct 1	Amount	Description
	Girards Business Solutions Inc		312.00	
175213	GIS Benefits	101-00000-000-21717	435.75	Vision Insurance Prepaid - August
175213	GIS Benefits	101-00000-000-11510	76.72	P Froman Dental - August
175213	GIS Benefits	101-00000-000-21716	1,072.63	Accident/Critical Illness - August
175213	GIS Benefits	101-00000-000-11510	76.72	D Knutson Dental - August
175213	GIS Benefits	101-00000-000-21710	1,837.88	Voluntary Life Insurance - August
175213	GIS Benefits	101-00000-000-21715	4,493.56	Dental Insurance Prepaid - August
175213	GIS Benefits	101-00000-000-21711	460.25	Voluntary Short Term Disability - August
	GIS Benefits		8,453.51	
175266	Glenn's Service LLC	101-42121-420-43090	66.95	Flatbed Tow of #6
175266	Glenn's Service LLC	101-42121-420-43090	79.83	Tow '19 Honda 200B of 5th to FPD Storage Facility / #22-1943
175266	Glenn's Service LLC	101-42121-420-43090	61.80	Tow Moped 700B of 5th St NW to FPD Storage Facility
	Glenn's Service LLC		208.58	
0	Godfather's Pizza	101-45140-450-43130	91.93	Safety Camp Pizza
0	Godfather's Pizza	101-45125-450-42990	130.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	104.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	130.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	78.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	208.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	156.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	117.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	156.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	130.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	156.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	156.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	247.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	195.00	Pizza for Resale at Aquatic Center
0	Godfather's Pizza	101-45125-450-42990	182.00	Pizza for Resale at Aquatic Center
	Godfather's Pizza		2,236.93	
175267	Grainger Inc	101-45122-450-42110	689.43	Gym Wipes
175267	Grainger Inc	602-49480-000-42110	4.69	Air Filter
175267	Grainger Inc	101-45110-450-42410	1,552.32	Folding Rectangular Tables (12)
175267	Grainger Inc	101-45200-450-42110	35.78	Restroom Signs
175267	Grainger Inc	101-42220-420-42210	8.59	O-Ring

Check Numb	Last Name	Acct 1	Amount	Description
	Grainger Inc		2,290.81	
0	Great Northern Environmental LLC	602-49480-000-42210	1,497.00	UV Parts
0	Great Northern Environmental LLC	602-49480-000-42110	633.00	Blower Air Filters
	Great Northern Environmental LLC		2,130.00	
175268	Hanson John	101-45130-450-43131	1,200.00	Concert in the Park Band Fee - August 4
	Hanson John		1,200.00	
175269	Harmening David	601-00000-000-20200	5.42	Refund Check 023685-000, 3006 8 Ave NW
	Harmening David		5.42	
0	Harry Brown's LLC	101-42123-420-44040	247.10	Car Washes
	Harry Brown's LLC		247.10	
0	Hawkins Inc	101-45125-450-42160	60.00	Pool Chemicals
0	Hawkins Inc	601-49430-000-42160	5,143.37	WTP Chemicals
0	Hawkins Inc	101-45122-450-42160	511.78	Pool Chemicals
0	Hawkins Inc	602-49480-000-42160	7,491.42	Ferric Phos Removal
0	Hawkins Inc	601-49430-000-42160	5,589.80	WTP Chemicals
0	Hawkins Inc	601-49430-000-42160	1,280.00	Chlorine For Water Treatment
0	Hawkins Inc	601-49430-000-42160	5,185.20	Chemicals For Water Treatment
0	Hawkins Inc	101-45125-450-42160	2,253.63	Pool Chemicals
	Hawkins Inc		27,515.20	
175270	HD Supply Facilities Maintenance	898-46310-000-42110	3.98	Plumbing Supplies - Slip Joint Nut
175270	HD Supply Facilities Maintenance	241-46330-461-42110	249.46	Filters/Gasket/Window Sash Locks/Towel Bars/Toilet Paper Dispens
175270	HD Supply Facilities Maintenance	240-46210-460-42410	46.04	2.5 Gallon Wet/Dry Vacuum
175270	HD Supply Facilities Maintenance	241-46330-461-42110	88.48	Screen Door Supplies
	HD Supply Facilities Maintenance		387.96	
175271	Heartland Animal Hospital	101-42700-420-43090	853.12	Care of Strays
	Heartland Animal Hospital		853.12	
175272	Helen M Nagel Inc	101-45200-450-42250	200.00	80 Yards Sod

Check Numb	Last Name	Acct 1	Amount	Description
175272	Helen M Nagel Inc	603-49500-000-42240	477.00	Sod For Storm Repairs
	Helen M Nagel Inc		677.00	
175273	Hillyard Hutchinson	437-45122-450-45200	2,105.40	Gym Floor Finish
175273	Hillyard Hutchinson	437-45122-450-45200	2,503.75	Gym Floor Basecoat
175273	Hillyard Hutchinson	437-45122-450-45200	3,004.50	Gym Floor Basecoat
175273	Hillyard Hutchinson	101-42110-420-42230	507.72	Enmotion Towels - Coreless Tissue
175273	Hillyard Hutchinson	101-45125-450-42110	175.29	Paper Towels/Tissues Etc
175273	Hillyard Hutchinson	101-45125-450-42110	262.90	Sanitizer/Dish Soap Liquid/Foam Soap
175273	Hillyard Hutchinson	437-45122-450-45200	-526.35	Credit-Gym Floor Finish
175273	Hillyard Hutchinson	437-45122-450-45200	-2,003.00	Credit-Gym Floor Basecoat
	Hillyard Hutchinson		6,030.21	
175274	Hoisington Andrew W	101-41940-410-44010	250.00	Paint Wall City Hall 2nd Floor
	Hoisington Andrew W		250.00	
175275	Hulbert Jr Joseph	601-00000-000-20200	12.38	Refund Check 019424-001, 854 Rogers Row
	Hulbert Jr Joseph		12.38	
175276	Hussein Mohamed	101-42121-420-43090	120.00	Interpreting Services
175276	Hussein Mohamed	101-42121-420-43090	120.00	Interpreting Service / 21-3968
	Hussein Mohamed		240.00	
175277	Hy-Vee - Accounts Receivable	101-45125-450-42990	20.03	Hot Dog Buns for Resale at Aquatic Center
175277	Hy-Vee - Accounts Receivable	101-45125-450-42990	9.13	Concessions Items for Resale at Aquatic Center
175277	Hy-Vee - Accounts Receivable	101-45125-450-42990	4.45	Hot Dog Buns for Resale at Aquatic Center
175277	Hy-Vee - Accounts Receivable	101-43121-430-42110	35.92	Water
	Hy-Vee - Accounts Receivable		69.53	
0	I & S Group Inc	437-41940-410-45204	1,735.00	(2022-10) Lockerby Site Demo
0	I & S Group Inc	437-41940-410-45208	1,735.00	(2022-10) Lockerby Site Demo
	I & S Group Inc		3,470.00	
175214	ICMA Retirement Trust 457	101-00000-000-21706	50.00	PR Batch 00514.07.2022 ICMA Deferred Comp

Check Numb	Last Name	Acct 1	Amount	Description
	ICMA Retirement Trust 457		50.00	
0	In Control Inc	601-49430-000-43090	1,080.25	Win911 Upgrade WTP
	In Control Inc		1,080.25	
0	Innovative Office Solutions LLC	101-42124-420-42010	78.91	Plates and Index Cards
0	Innovative Office Solutions LLC	101-42123-420-42010	3.22	Small Notebooks
0	Innovative Office Solutions LLC	101-45500-450-42010	13.19	Cardstock
0	Innovative Office Solutions LLC	101-45500-450-42010	15.28	Super Glue/Paper Clips/Markers/Correction Tape/Replacement Blade
0	Innovative Office Solutions LLC	101-45110-450-42420	-353.63	Returned Printer
0	Innovative Office Solutions LLC	601-49430-000-42110	2.02	Forks
0	Innovative Office Solutions LLC	603-49500-000-42110	0.29	Forks
0	Innovative Office Solutions LLC	602-49450-000-42110	2.02	Forks
0	Innovative Office Solutions LLC	101-43121-430-42110	19.41	Forks
0	Innovative Office Solutions LLC	101-45110-450-42010	58.92	Files/Clipboard/Calculator Ribbons/Post It Notes/Notepads
0	Innovative Office Solutions LLC	101-45110-450-42010	12.22	Ruled Pads
0	Innovative Office Solutions LLC	101-41800-410-42010	8.49	Scissors
0	Innovative Office Solutions LLC	101-41940-410-42110	99.75	Plastic Forks/Knives/Spoons
0	Innovative Office Solutions LLC	240-46210-460-42010	36.13	Batteries/Pens/Paper Clips/Binder Clips
0	Innovative Office Solutions LLC	101-42210-420-42010	42.90	Post-Its / 5x8 Clear Sleeves
0	Innovative Office Solutions LLC	101-45110-450-42010	96.95	Kleenex/Mousepad/Pens/Note Pads
0	Innovative Office Solutions LLC	601-49430-000-42010	13.46	Gold Paper for Disconnection Notices
0	Innovative Office Solutions LLC	101-41800-410-42010	7.59	Post Its - Legal Pads
0	Innovative Office Solutions LLC	101-41320-410-42010	7.59	Post Its - Legal Pads
0	Innovative Office Solutions LLC	101-41510-410-42010	23.59	Desk Protector/Pencil Lead/Monitor Wipes/Post Its/Legal
	Innovative Office Solutions LLC		188.30	
0	Insty-Prints	240-46210-460-42030	341.14	Letterhead Envelopes
	Insty-Prints		341.14	
0	Internal Revenue Service	101-00000-000-21704	6,785.17	PR Batch 00514.07.2022 Medicare Employee
0	Internal Revenue Service	101-00000-000-21704	6,785.17	PR Batch 00514.07.2022 Medicare Employer
0	Internal Revenue Service	101-00000-000-21703	19,763.86	PR Batch 00514.07.2022 FICA Employer
0	Internal Revenue Service	101-00000-000-21703	19,763.86	PR Batch 00514.07.2022 FICA Employee
0	Internal Revenue Service	101-00000-000-21701	43,146.79	PR Batch 00514.07.2022 Federal Income Tax
	Internal Revenue Service		96,244.85	
175278	Jameson John	601-00000-000-20200	22.04	Refund Check 005627-000, 426 4 Ave SW

Check Numb	Last Name	Acct 1	Amount	Description
	Jameson John		22.04	
175279	Keller Michael	601-00000-000-20200	1.81	Refund Check 005051-001, 620 1 St SW
	Keller Michael		1.81	
175280	Kleeberger Donald	601-00000-000-20200	1.39	Refund Check 007445-008, 1802 Crystal Ln
	Kleeberger Donald		1.39	
175281	Klemensen Jon	101-45200-450-43090	2,303.83	Contract Mowing
	Klemensen Jon		2,303.83	
0	Kline Distributing LLC	101-45125-450-42990	1,521.75	Cotton Candy/Chips/Pretzels/Etc Resale at Aquatic
0	Kline Distributing LLC	101-45125-450-42990	666.15	Cotton Candy/Chips/Popcorn/Etc Resale at Aquatic
0	Kline Distributing LLC	101-45125-450-42990	544.65	Cotton Candy/Chips/Pretzels/Etc Resale at Aquatic Center
0	Kline Distributing LLC	101-45125-450-42990	905.22	Chips/Pretzels/Cotton Candy/Etc Resale at Aquatic Center
0	Kline Distributing LLC	101-45125-450-42990	1,093.22	Chips/Pretzels/Donuts/Etc for Resale at Aquatic Center
	Kline Distributing LLC		4,730.99	
175282	Krenske KaileyTravis	601-00000-000-20200	63.45	Refund Check 019843-001, 1249 Southview Dr
	Krenske KaileyTravis		63.45	
175283	Ladd Justin	601-00000-000-20200	11.41	Refund Check 023820-000, 635 Shumway Ave
	Ladd Justin		11.41	
175284	Lamperts	101-45200-450-42110	77.96	Lumber/Concrete Forms
175284	Lamperts	241-46330-461-42110	162.25	Garage Door Gasket
175284	Lamperts	101-43170-430-42240	28.14	Concrete For Sign Posts
175284	Lamperts	101-43121-430-42110	26.99	Silt Fence For Clay Pile
175284	Lamperts	241-46330-461-42110	421.84	Steel Siding/Roofing Nails
175284	Lamperts	241-46330-461-42110	17.50	523 Division Garage Drywall
	Lamperts		734.68	
175285	Larson Milo	101-45500-450-42030	63.42	Adult Registration Cards

Check Numb	Last Name	Acct 1	Amount	Description
	Larson Milo		63.42	
0	Locators and Supplies Inc	602-49450-000-42110	506.03	Green Marking Paint
	Locators and Supplies Inc		506.03	
175286	Loffler Companies Inc	101-42124-420-44160	168.14	Color / B&W Copies
175286	Loffler Companies Inc	101-42210-420-44160	13.10	Copy Machine Charges 06/01/2022 to 06/30/2022
	Loffler Companies Inc		181.24	
175287	Lunar Tunes Music	101-45500-450-43130	300.00	Nite-to-Unite Performers
	Lunar Tunes Music		300.00	
175216	Madison National Life Insurance Co Inc	101-00000-000-21711	1,614.05	PR Batch 00514.07.2022 Long Term Disability
175215	Madison National Life Insurance Co Inc	101-42220-420-41330	74.50	Part-Time Firefighters Life Insurance
175215	Madison National Life Insurance Co Inc	101-00000-000-21710	3,155.10	Life Insurance - July
175216	Madison National Life Insurance Co Inc	101-00000-000-21711	11.05	V Esquival LTD
175216	Madison National Life Insurance Co Inc	101-00000-000-21711	14.82	E Glende LTD
	Madison National Life Insurance Co Inc		4,869.52	
0	Mantronics Mailing Systems Inc	101-41940-410-42110	170.00	Postage Machine Ink
	Mantronics Mailing Systems Inc		170.00	
175288	Martin A Windows LLC	101-43121-430-43090	1,389.28	Landscaping Downtown
175288	Martin A Windows LLC	101-45200-450-43090	1,389.29	Landscape Maintenance
	Martin A Windows LLC		2,778.57	
175289	McDonough Shane	601-00000-000-20200	67.47	Refund Check 023442-000, 314 Whipple Way
	McDonough Shane		67.47	
175290	Menards	241-46330-461-44050	531.32	1814 Shumway Sliding Patio Door/Vulkem/Loctite/Shims
	Menards		531.32	
0	Met Con Companies	101-43121-430-43090	306.28	Hauling Of Sealcoat Rock

Check Numb	Last Name	Acct 1	Amount	Description
	Met Con Companies		306.28	
0	Metronet Holdings LLC	101-41940-410-43250	815.81	Hosted Phone System
0	Metronet Holdings LLC	101-45125-450-43250	279.14	Hosted Phone System
0	Metronet Holdings LLC	602-49450-000-43250	9.51	Hosted Phone System
0	Metronet Holdings LLC	101-45500-450-43250	397.29	Hosted Phone System
0	Metronet Holdings LLC	101-43121-430-43250	568.85	Hosted Phone System
0	Metronet Holdings LLC	902-00000-000-23935	-7,560.00	Hosted Phone System
0	Metronet Holdings LLC	101-45126-450-43250	199.96	Hosted Phone System
0	Metronet Holdings LLC	101-42400-420-43250	149.43	Hosted Phone System
0	Metronet Holdings LLC	601-49430-000-43250	369.07	Hosted Phone System
0	Metronet Holdings LLC	101-41910-410-43250	81.05	Hosted Phone System
0	Metronet Holdings LLC	101-45200-450-43250	40.31	Hosted Phone System
0	Metronet Holdings LLC	602-49480-000-43250	85.56	Hosted Phone System
0	Metronet Holdings LLC	101-41110-410-43250	20.15	Hosted Phone System
0	Metronet Holdings LLC	101-45110-450-43250	298.89	Hosted Phone System
0	Metronet Holdings LLC	101-42110-420-43250	1,159.49	Hosted Phone System
0	Metronet Holdings LLC	902-00000-000-23935	7,560.00	Hosted Phone System
0	Metronet Holdings LLC	101-41320-410-43250	49.82	Hosted Phone System
0	Metronet Holdings LLC	101-42123-420-43250	313.30	Hosted Phone System
0	Metronet Holdings LLC	101-42700-420-43250	26.09	Hosted Phone System
0	Metronet Holdings LLC	101-43126-430-43250	29.66	Hosted Phone System
0	Metronet Holdings LLC	101-42210-420-43250	147.31	Hosted Phone System
0	Metronet Holdings LLC	101-42124-420-43250	104.38	Hosted Phone System
0	Metronet Holdings LLC	225-49810-430-43250	208.04	Hosted Phone System
0	Metronet Holdings LLC	101-41580-410-43250	849.07	Hosted Phone System
0	Metronet Holdings LLC	240-46210-460-43250	359.18	Hosted Phone System
0	Metronet Holdings LLC	101-42121-420-43250	141.17	Hosted Phone System
0	Metronet Holdings LLC	101-43110-430-43250	102.00	Hosted Phone System
0	Metronet Holdings LLC	101-41510-410-43250	243.64	Hosted Phone System
0	Metronet Holdings LLC	603-49500-000-43250	20.15	Hosted Phone System
0	Metronet Holdings LLC	101-41800-410-43250	118.98	Hosted Phone System
0	Metronet Holdings LLC	898-46310-000-43250	227.11	Hosted Phone System
0	Metronet Holdings LLC	101-43190-430-43250	145.59	Hosted Phone System
	Metronet Holdings LLC		7,560.00	
175291	Meyer Gerald	601-00000-000-20200	86.56	Refund Check 007410-000, 622 Short St
	Meyer Gerald		86.56	
175292	Midlands Lawn Care Service LLC	601-49430-000-44010	900.00	Lawn Chemical Spraying - 824 7 St & 1225 Parshall

Check Numb	Last Name	Acct 1	Amount	Description
	Midlands Lawn Care Service LLC		900.00	
175293	Midwest Ag Power Inc	602-49480-000-42210	95.62	Lawn Mower Parts
175293	Midwest Ag Power Inc	602-49480-000-42210	1,526.77	Tractor Parts
	Midwest Ag Power Inc		1,622.39	
175294	Midwest Tape LLC	101-45500-450-43096	257.43	Hoopla for June 2022
175294	Midwest Tape LLC	101-45500-450-42192	34.99	Audio/Visual
175294	Midwest Tape LLC	101-45500-450-42192	29.99	Audio/Visual
175294	Midwest Tape LLC	101-45500-450-42192	174.96	Audio/Visual
175294	Midwest Tape LLC	101-45500-450-42192	9.99	Audio/Visual
175294	Midwest Tape LLC	101-45500-450-42192	84.98	Audio/Visual
175294	Midwest Tape LLC	101-45500-450-42192	72.71	Audio/Visual
	Midwest Tape LLC		665.05	
175295	Minnesota Association of Government Communicators	101-45500-450-43132	85.00	Membership Renewal Fee
	Minnesota Association of Government Communicators		85.00	
0	Minnesota Child Support Payment Center	101-00000-000-21716	431.84	PR Batch 00514.07.2022 Child Support
	Minnesota Child Support Payment Center		431.84	
175296	Minnesota Department of Labor & Industry	101-42110-420-44010	100.00	Elevator Annual Operation Check
	Minnesota Department of Labor & Industry		100.00	
175297	Minnesota Department of Natural Resources	101-45200-450-43090	90.00	DNR Review for Lyndale Ave Trail
	Minnesota Department of Natural Resources		90.00	
0	Minnesota Department of Revenue	101-00000-000-21702	19,434.81	PR Batch 00514.07.2022 State Income Tax
	Minnesota Department of Revenue		19,434.81	
175298	Minnesota Department of Transportation	469-43121-430-45300	15.11	(2021-04) Materials Inspection
175299	Minnesota Department of Transportation	225-49810-430-44600	5,125.00	Hangar Loan 8/1/22-8/31/22
	Minnesota Department of Transportation		5,140.11	

Check Numb	Last Name	Acct 1	Amount	Description
175300	Minnesota Safety Council	101-42210-420-44330	635.00	MSC Membership 10/01/2022 to 09/30/2023
	Minnesota Safety Council		635.00	
0	Minnesota Valley Testing Labs Inc	602-49480-000-43090	410.00	SIU Lab Testing
0	Minnesota Valley Testing Labs Inc	602-49480-000-43090	198.00	SIU Lab Testing
0	Minnesota Valley Testing Labs Inc	602-49480-000-43090	198.00	SIU Lab Testing
0	Minnesota Valley Testing Labs Inc	602-49480-000-43090	198.00	SIU Lab Testing
0	Minnesota Valley Testing Labs Inc	602-49480-000-43090	410.00	SIU Lab Testing
0	Minnesota Valley Testing Labs Inc	602-49480-000-43090	162.40	SIU Lab Testing
0	Minnesota Valley Testing Labs Inc	602-49480-000-43090	233.60	SIU Lab Testing
0	Minnesota Valley Testing Labs Inc	602-49480-000-43090	445.20	SIU Lab Testing
	Minnesota Valley Testing Labs Inc		2,255.20	
175301	MN BCA Criminal Justice Training & Education Unit	101-42123-420-43140	75.00	DMT-G Recer / E Sammon
	MN BCA Criminal Justice Training & Education Unit		75.00	
0	Money Movers Inc	101-45110-450-43090	10.50	Monthly Insurance Reimbursement Fees
	Money Movers Inc		10.50	
0	Motor Parts & Equipment Corp	101-42123-420-42210	133.87	Battery / #9
0	Motor Parts & Equipment Corp	603-49500-000-42210	2.26	Chainsaw Spark Plug
0	Motor Parts & Equipment Corp	602-49480-000-42210	43.60	Generator Battery
0	Motor Parts & Equipment Corp	101-42123-420-42210	26.79	Oil and Air Filters for Stock
0	Motor Parts & Equipment Corp	101-42220-420-42130	23.08	Heavy Duty Oil #2117
0	Motor Parts & Equipment Corp	602-49450-000-42210	40.19	Oil and Air Filters for Stock
0	Motor Parts & Equipment Corp	601-49430-000-42210	40.19	Oil and Air Filters for Stock
0	Motor Parts & Equipment Corp	101-45200-450-42210	53.59	Oil and Air Filters for Stock
0	Motor Parts & Equipment Corp	101-43121-430-42210	107.17	Oil and Air Filters for Stock
0	Motor Parts & Equipment Corp	602-49450-000-42210	9.22	Terminal Wires for Stock
0	Motor Parts & Equipment Corp	101-45200-450-42210	14.82	Fuse
0	Motor Parts & Equipment Corp	101-43121-430-42210	24.58	Terminal Wires for Stock
0	Motor Parts & Equipment Corp	101-45200-450-42210	12.29	Terminal Wires for Stock
0	Motor Parts & Equipment Corp	601-49430-000-42210	9.22	Terminal Wires for Stock
0	Motor Parts & Equipment Corp	101-42123-420-42210	6.15	Terminal Wires for Stock
0	Motor Parts & Equipment Corp	602-49480-000-42130	933.36	Oil
0	Motor Parts & Equipment Corp	601-49430-000-42210	17.98	Bearings For Chop Saw
0	Motor Parts & Equipment Corp	101-43121-430-42210	59.16	Mud Flaps - Street #110
0	Motor Parts & Equipment Corp	101-45200-450-42210	8.98	Battery Post Terminal
0	Motor Parts & Equipment Corp	101-45200-450-42210	7.35	Cable Ties

Check Numb	Last Name	Acct 1	Amount	Description
0	Motor Parts & Equipment Corp	101-43121-430-42210	6.52	Cable Ties
0	Motor Parts & Equipment Corp	601-49430-000-42210	2.45	Cable Ties
0	Motor Parts & Equipment Corp	101-45200-450-42210	3.25	Cable Ties
0	Motor Parts & Equipment Corp	601-49430-000-42210	5.52	Cable Ties
0	Motor Parts & Equipment Corp	101-42123-420-42210	1.63	Cable Ties
0	Motor Parts & Equipment Corp	602-49450-000-42210	5.52	Cable Ties
0	Motor Parts & Equipment Corp	101-42123-420-42210	3.68	Cable Ties
0	Motor Parts & Equipment Corp	101-43121-430-42210	14.71	Cable Ties
0	Motor Parts & Equipment Corp	602-49450-000-42210	2.45	Cable Ties
0	Motor Parts & Equipment Corp	602-49480-000-42130	60.46	Trash Pump Oil
	Motor Parts & Equipment Corp		1,680.04	
0	NCL of Wisconsin Inc	602-49480-000-42160	316.39	Lab Chemicals
	NCL of Wisconsin Inc		316.39	
175217	NCPERS Group Life Insur	101-00000-000-21710	208.00	PR Batch 00514.07.2022 PERA Life Insurance
	NCPERS Group Life Insur		208.00	
175302	Nguyen Cynthia	601-00000-000-20200	13.82	Refund Check 012262-000, 204 Central Ave
	Nguyen Cynthia		13.82	
175303	Northland Securities, Inc	101-41510-410-43090	1,760.00	Long Term Financial Plan Update
	Northland Securities, Inc		1,760.00	
0	On Target A & M Inc	601-49430-000-43090	180.30	July Utility Bills
0	On Target A & M Inc	603-49500-000-43090	180.30	July Utility Bills
0	On Target A & M Inc	602-49480-000-43090	180.30	July Utility Bills
	On Target A & M Inc		540.90	
0	Orchard Trust Company	101-00000-000-21706	2,207.00	PR Batch 00514.07.2022 Roth Deferred Compensation
0	Orchard Trust Company	101-00000-000-21706	8,912.88	PR Batch 00514.07.2022 MN Deferred Comp
	Orchard Trust Company		11,119.88	
0	Owatonna Veterinary Hospital	101-42123-420-43135	192.07	Annual Checkup / Thor K9

Check Numb	Last Name	Acct 1	Amount	Description
	Owatonna Veterinary Hospital		192.07	
0	Paape Companies Inc	101-41940-410-44010	51.50	Repaired Air Handling Unit at City Hall
	Paape Companies Inc		51.50	
175304	Petty Cash	101-42110-420-43220	15.50	Certified Postage to Ship Evidence to BCA
	Petty Cash		15.50	
0	Polzin Thomas	101-45125-450-44010	347.22	Aquatic Center Window Repair
	Polzin Thomas		347.22	
0	Property Pros	211-46310-460-44010	100.00	16 SE 1st Street Mowing May 2022
0	Property Pros	898-46310-000-44010	912.69	Mowing May 2022
0	Property Pros	241-46330-461-44010	3,373.00	49 Units Mowing May 2022
0	Property Pros	280-46310-461-44010	70.00	1116 2nd Street Mowing May 2022
0	Property Pros	898-46310-000-44010	210.00	Trim Shrubs
0	Property Pros	241-46330-461-44010	1,122.00	49 Units Trim Shrubs
0	Property Pros	241-46330-461-42110	4.07	1522 Western Ace Drain Opener
0	Property Pros	241-46330-461-42110	257.62	Knechts Landscaping Plants
0	Property Pros	241-46330-461-42110	28.85	1225 NW 2nd Street 4 Ply Lumber 2X6X8
0	Property Pros	898-46310-000-42110	808.39	Menards Raised Gardens for Back Patio
0	Property Pros	241-46330-461-44010	126.00	412 NW 13th Street Garage Door Repair/Close
0	Property Pros	211-46310-460-44010	84.00	16 SE 1st Street Trim Shrubs
0	Property Pros	241-46330-461-44010	21.00	13th Street Pick Up Branches
0	Property Pros	241-46330-461-44010	84.00	904 A & B Spring Road Facia Repair
0	Property Pros	241-46330-461-42110	25.71	404 NW 13th Street Hinges
0	Property Pros	898-46310-000-42110	64.21	Faribault Fleet Supply Top Soil for Raised Gardens
0	Property Pros	241-46330-461-44010	147.00	904 Spring Road Driveway Repair/Patched
0	Property Pros	898-46310-000-44010	42.00	#211 Aerator Kitchen Faucet
0	Property Pros	241-46330-461-44010	63.00	904 C Spring Road Replace Smoke Detectors (2)
0	Property Pros	241-46330-461-44010	126.00	902 A Spring Road Facia & Soffit Repair
0	Property Pros	241-46330-461-42110	200.00	904 Spring Road D&T Masonry Rock
0	Property Pros	241-46330-461-44010	42.00	1522 Western Bathroom Sink Clog
0	Property Pros	241-46330-461-42110	141.70	523 Division Street Knechts Bushes
0	Property Pros	241-46330-461-44010	42.00	1814 Shumway Tape Broken Patio Door Glass
0	Property Pros	241-46330-461-44010	42.00	1536 Western Dryer Vent Cleaning
0	Property Pros	898-46310-000-44010	42.00	#118 Toilet Repair
0	Property Pros	241-46330-461-44010	231.00	523 Division Street Remove Dead Bushes
0	Property Pros	241-46330-461-44010	294.00	1319 NW 7th Street Remove Dead Landscaping

Check Numb	Last Name	Acct 1	Amount	Description
0	Property Pros	241-46330-461-44010	42.00	912 SW 1st Street Toilet Clog
0	Property Pros	898-46310-000-44010	336.00	Install 7 Raised Gardens for Back Patio
0	Property Pros	898-46310-000-44010	209.38	1324 Prairie Ave Spray Weeds Landscaping June 2022
0	Property Pros	241-46330-461-44010	1,300.00	49 Units Spray Weeds Landscaping June 2022
0	Property Pros	211-46310-460-44010	45.00	16 SE 1st Street Spray Weeds Landscaping June 2022
	Property Pros		10,636.62	
0	Public Employees Retirement Association	101-00000-000-21705	20,179.21	PR Batch 00514.07.2022 PERA Coordinated
0	Public Employees Retirement Association	101-00000-000-21705	17,488.59	PR Batch 00514.07.2022 PERA Coordinated
0	Public Employees Retirement Association	101-00000-000-21705	220.73	PR Batch 00514.07.2022 PERA Defined
0	Public Employees Retirement Association	101-00000-000-21705	220.73	PR Batch 00514.07.2022 PERA Defined
0	Public Employees Retirement Association	101-00000-000-21705	27,893.79	PR Batch 00514.07.2022 PERA Police & Fire
0	Public Employees Retirement Association	101-00000-000-21705	18,595.86	PR Batch 00514.07.2022 PERA Police & Fire
	Public Employees Retirement Association		84,598.91	
0	Quality Aviation Inc	225-49810-430-43090	1,416.67	Airport Management Agreement
0	Quality Aviation Inc	225-49810-430-43090	2,083.33	Airport Maintenance Agreement
	Quality Aviation Inc		3,500.00	
175305	Quality Resource Group, Inc	602-49450-000-42030	3,116.37	No. 9 Return Envelopes
175305	Quality Resource Group, Inc	601-49430-000-42030	3,116.38	No. 9 Return Envelopes
	Quality Resource Group, Inc		6,232.75	
0	R C Bliss Inc	101-42123-420-42210	-93.18	Credit-Radiator Hose #16
0	R C Bliss Inc	101-42121-420-42210	251.66	Pump Assembly - Sealant - Gasket - Bolts / #6
0	R C Bliss Inc	101-42121-420-42210	141.01	Tank Assembly - Radiator / #6
0	R C Bliss Inc	101-42121-420-42210	99.22	Spark Plug - V-Belt - Gasket / #6
0	R C Bliss Inc	101-42121-420-42210	-25.42	Credit-Bolts #6
	R C Bliss Inc		373.29	
175306	Rademacher Mathew	601-00000-000-20200	9.35	Refund Check 024247-000, 2115 Goldenray Dr
	Rademacher Mathew		9.35	
175307	Reedsburg Hardware Company	101-43126-430-42110	570.51	Lifting Chains And Straps - Shop
	Reedsburg Hardware Company		570.51	

Check Numb	Last Name	Acct 1	Amount	Description
0	Rent 'N' Save Portable Services	101-45200-450-44160	1,188.00	Portable Toilet Rentals
0	Rent 'N' Save Portable Services	101-45200-450-44160	883.00	Portable Restroom Rentals
	Rent 'N' Save Portable Services		2,071.00	
175308	RES Specialty Pyrotechnics	210-46100-410-43090	15,000.00	4th of July Fireworks Display
	RES Specialty Pyrotechnics		15,000.00	
175309	Rice County	873-49499-000-44371	5,227.21	Roberds Lake Sewer Collected - June
	Rice County		5,227.21	
175310	Rice County Environmental Services - Solid Waste	101-41580-410-43840	296.00	Recycle Old Computers
	Rice County Environmental Services - Solid Waste		296.00	
175311	Rice County Highway Department	101-45200-450-42120	1,991.21	Fuel
	Rice County Highway Department		1,991.21	
175312	Rice County Sheriff	101-42110-420-43810	408.10	Xcel Energy for Radio Tower
	Rice County Sheriff		408.10	
175313	Rice/Steele 911 Center	101-42123-420-43250	990.00	MDC Connection (CJDN)
	Rice/Steele 911 Center		990.00	
175314	Riverland Community College	101-42220-420-43140	150.00	BLS Instructor for John Milewski
	Riverland Community College		150.00	
175315	Safety-Kleen Systems Inc	101-43126-430-42110	103.15	Parts Washer Solvent
	Safety-Kleen Systems Inc		103.15	
175316	Sage Electrochromics Inc	240-46210-460-44940	85,569.93	Tax Abatement Due 8/1/2022
	Sage Electrochromics Inc		85,569.93	
0	Sanco Equipment LLC	101-43121-430-42110	364.87	Cutting Edge for Skid Loader

Check Numb	Last Name	Acct 1	Amount	Description
	Sanco Equipment LLC		364.87	
0	Schirmer Karl D	101-45500-450-44010	395.00	Carpet Maintenance
	Schirmer Karl D		395.00	
175317	Schmitz Anthony	601-00000-000-20200	27.31	Refund Check 020065-000, 228 3 Ave SW
	Schmitz Anthony		27.31	
0	Selco	101-45500-450-43250	3,696.23	Basic Tech Fees/PC Support
	Selco		3,696.23	
175318	Senko Melissa	601-00000-000-20200	116.35	Refund Check 024589-000, 1115 1 St NW
	Senko Melissa		116.35	
175319	Sherwin Williams Company #3037	101-41940-410-42230	58.82	Paint
175319	Sherwin Williams Company #3037	601-49430-000-42110	30.87	Paint For Well Houses
175319	Sherwin Williams Company #3037	241-46330-461-42110	69.66	523 Division Street Paint
	Sherwin Williams Company #3037		159.35	
0	ShofCorp LLC	898-46310-000-43090	70.05	TRACS Data July 2022
	ShofCorp LLC		70.05	
175320	Stadler Stewart & Pam	602-49450-000-44450	1,304.00	Sewer Backup Claim
	Stadler Stewart & Pam		1,304.00	
175321	Star Sports & Apparel LLC	101-45500-450-42010	10.00	Name Tag
175321	Star Sports & Apparel LLC	101-41580-410-42180	98.75	IT Clothes for LeAnna
	Star Sports & Apparel LLC		108.75	
175322	Steele Waseca Coop Electric	225-49810-430-43810	7.89	41927-Airport
175322	Steele Waseca Coop Electric	602-49450-000-43810	203.84	30493-Lift Station
175322	Steele Waseca Coop Electric	225-49810-430-43810	48.13	20891-Airport New Hangar
175322	Steele Waseca Coop Electric	225-49810-430-43810	621.83	23947-Airport 10
175322	Steele Waseca Coop Electric	225-49810-430-43810	7.89	1077021-Security Hangar 2

Check Numb	Last Name	Acct 1	Amount	Description
175322	Steele Waseca Coop Electric	101-43160-430-43810	45.14	32089-Highway 21 Lights
175322	Steele Waseca Coop Electric	225-49810-430-43810	137.86	1018611-Hangar 910K
175322	Steele Waseca Coop Electric	602-49450-000-43810	79.81	1089247-Lift Station-15625 Acorn Trl
175322	Steele Waseca Coop Electric	602-49480-000-43810	62.28	23271-Sludge Farm
175322	Steele Waseca Coop Electric	225-49810-430-43810	40.54	41901-Airport
175322	Steele Waseca Coop Electric	902-00000-000-23935	-1,817.24	Monthly Charges-June
175322	Steele Waseca Coop Electric	225-49810-430-43810	40.51	32094-Airport
175322	Steele Waseca Coop Electric	225-49810-430-43810	395.69	41875-Airport S Hangars
175322	Steele Waseca Coop Electric	101-43160-430-43810	61.04	27205-Airtech Park
175322	Steele Waseca Coop Electric	225-49810-430-43810	28.45	1018624-Hangar 910J
175322	Steele Waseca Coop Electric	902-00000-000-23935	1,817.24	Monthly Charges-June
175322	Steele Waseca Coop Electric	225-49810-430-43810	7.89	41926-Airport
175322	Steele Waseca Coop Electric	225-49810-430-43810	28.45	1017445-2011 T-Hangar
	Steele Waseca Coop Electric		1,817.24	
175323	Stein Air Inc	240-46210-460-44940	4,228.42	Tax Abatement Due 8/1/2022
	Stein Air Inc		4,228.42	
0	Stonebrooke Engineering Inc.	472-43121-430-45300	19,782.82	30th St NW-TH 3 RAB Through 6/30/22
	Stonebrooke Engineering Inc.		19,782.82	
175324	Streicher's Inc.	101-42123-420-42180	270.00	Flashlight Cas/Irritant Holder/Radio Case/Magazine Case
175324	Streicher's Inc.	101-42123-420-42180	-552.00	Credit / Handcuff Cases
175324	Streicher's Inc.	101-42123-420-42180	24.00	Name Tags
175324	Streicher's Inc.	101-42123-420-42180	30.00	ID Patches
175324	Streicher's Inc.	101-42123-420-42180	420.00	Assault Carriers To be Paid from Donated Funds
	Streicher's Inc.		192.00	
175325	Swank Motion Pictures Inc	101-45130-450-43131	465.00	Enrichment Movie
	Swank Motion Pictures Inc		465.00	
175326	Temple Troy	101-45500-450-43090	125.00	Drone Images of Roofing Project
	Temple Troy		125.00	
175327	The Joseph Company, Inc.	601-49430-000-45200	13,128.17	Pay App 7 Well House 5 Project

Check Numb	Last Name	Acct 1	Amount	Description
	The Joseph Company, Inc.		13,128.17	
0	The Library Store Inc	101-45500-450-42030	3,199.47	Library Cards
	The Library Store Inc		3,199.47	
175328	The UPS Store	601-49430-000-43250	22.44	Water Samples Sent to the MDH
	The UPS Store		22.44	
175329	Thomson Reuters - West	101-42121-420-43090	446.44	CLEAR Database
	Thomson Reuters - West		446.44	
175330	TK Elevator Corp	101-42110-420-44010	1,311.18	Elevator Inspection
	TK Elevator Corp		1,311.18	
175331	Tom's Lock & Key, LLC	241-46330-461-42110	44.50	916 SW 1st Street Passage Lever
175331	Tom's Lock & Key, LLC	241-46330-461-44010	65.00	916 SW 1st Street Passage Lever Replaced
	Tom's Lock & Key, LLC		109.50	
175332	Townsquare Media LLC	101-45110-450-43430	1,228.00	Radio Advertising
	Townsquare Media LLC		1,228.00	
175333	Triangle Automotive Machine Inc	101-43121-430-44040	590.00	Exhaust Cooler Cleaning - Street #110
	Triangle Automotive Machine Inc		590.00	
175334	Truck Center Companies East LLC	101-42220-420-42210	34.16	Hose and Clamp #2110
175334	Truck Center Companies East LLC	101-42220-420-42210	138.17	Pipe Air Transfer / Seal O-Ring #2110
175334	Truck Center Companies East LLC	101-42220-420-42210	303.70	Kit Speed Sensor #2110
	Truck Center Companies East LLC		476.03	
175335	Trystar LLC	240-46210-460-44940	30,995.34	Tax Abatement Due 8/1/2022
	Trystar LLC		30,995.34	
0	Utility Consultants Inc	602-49480-000-43090	1,254.56	Lab Testing

Check Numb	Last Name	Acct 1	Amount	Description
	Utility Consultants Inc		1,254.56	
175336	Vega Alejandra	601-00000-000-20200	125.42	Refund Check 022190-000, 1304 1 Ave NW
	Vega Alejandra		125.42	
175337	Verified Credentials Inc	101-42124-420-43090	20.00	Background Check for E Glende
	Verified Credentials Inc		20.00	
0	Virg's Appliance Service Inc	898-46310-000-44010	85.00	#208 Refrigerator Repair
0	Virg's Appliance Service Inc	241-46330-461-42110	89.90	900 A Spring Road Stove Burner/Receptacle
0	Virg's Appliance Service Inc	241-46330-461-44010	85.00	900 A Spring Road Stove Burners/Receptacle Repair
0	Virg's Appliance Service Inc	241-46330-461-44010	85.00	404 NW 13th Street Refrigerator Repair
0	Virg's Appliance Service Inc	241-46330-461-42110	101.95	404 NW 13th Street Refrigerator Gasket
0	Virg's Appliance Service Inc	241-46330-461-44010	85.00	404 NW 13th Street Refrigerator Gasket Install
	Virg's Appliance Service Inc		531.85	
175338	Wal-Mart	101-45140-450-42110	77.31	Washington Camp Supplies
175338	Wal-Mart	101-45140-450-42110	10.58	Pet Parade Signs
175338	Wal-Mart	101-45140-450-42110	92.30	Safety Camp Supplies
175338	Wal-Mart	101-42210-420-42110	24.98	Bed Sheets
175338	Wal-Mart	101-45140-450-43130	23.23	Safety Camp Project
175338	Wal-Mart	101-45140-450-42110	60.10	Creative Camp Supplies
175338	Wal-Mart	101-42220-420-42110	53.88	Gatorade-Fire Department
175338	Wal-Mart	101-42210-420-42230	22.70	Shop Towels
175338	Wal-Mart	101-45140-450-42110	11.06	Washington Camp Supplies
175338	Wal-Mart	101-45140-450-42110	28.69	Washington Camp Supplies
	Wal-Mart		404.83	
0	Wells Township	101-49200-410-43130	40,000.00	Annexation Agreement
	Wells Township		40,000.00	
0	WSB & Associates Inc	603-49500-000-43030	12,237.75	SWMP/MS4 Update
	WSB & Associates Inc		12,237.75	
175218	Xcel Energy	101-43160-430-43810	20,828.85	51-4930975-3 Street Lighting
175218	Xcel Energy	225-49810-430-43830	28.49	51-0325546-7 Hangar 910B - City

Check Numb	Last Name	Acct 1	Amount	Description
175218	Xcel Energy	225-49810-430-43830	56.97	51-0013139038-3 3401 Hwy 21 W
175218	Xcel Energy	601-49430-000-43810	56.97	51-0013092616-3 812 8 Ave NW Bldg B-WTP
175218	Xcel Energy	601-49430-000-43810	279.48	51-0012893015-3 812 8 Ave NW-WTP
175218	Xcel Energy	225-49810-430-43830	28.49	51-0325544-5 Hangar 910G - Rental
175218	Xcel Energy	101-45200-450-43810	39.12	51-0013096682-1 705 3 Ave NW-Wapacuta Park Shelter
175218	Xcel Energy	225-49810-430-43830	28.49	51-0325271-5 Hangar 910A - City
175218	Xcel Energy	101-43160-430-43810	144.92	51-0012776642-4 720 4 St NW Street Light Feed Point
175340	Xcel Energy	241-46330-461-43810	40.59	910-922 SW 1st St Parking Lot Electric Thru 7/06/22
175340	Xcel Energy	241-46330-461-43810	57.31	1526 Western Ave Parking Lot Electric thru 07/05/22
175218	Xcel Energy	101-43160-430-43810	42.07	51-0013749706-5 New Bridge Lights 2nd Ave Bridge
175218	Xcel Energy	101-43160-430-43810	91.86	51-0012926306-6 328 4 St NW-4 Ave NW Signal Sys.
175218	Xcel Energy	101-43160-430-43810	71.35	51-0012926306-6 402 Central-Central Ave Signal Sys
175218	Xcel Energy	101-43160-430-43810	87.27	51-0012926306-6 415/430 2 Ave NW-2 Ave Signal Sys.
175218	Xcel Energy	602-49450-000-43810	52.72	51-0012509758-8 1321 Matteson St-Lift Station
175218	Xcel Energy	101-43160-430-43810	91.86	51-0012926306-6 419 8 Ave NW-8 Ave Signal Sys.
175218	Xcel Energy	101-43160-430-43810	73.96	51-0012965373-9 1190 Hwy 60 W Street Light
175218	Xcel Energy	101-43160-430-43810	199.41	51-0012776641-3 218 3 St NW/129 4 St NW Street Light
175218	Xcel Energy	101-43160-430-43810	19.98	51-5358630-4 45 State Ave Lighting
175218	Xcel Energy	902-00000-000-23935	-22,355.87	Electric Bill
175218	Xcel Energy	902-00000-000-23935	22,355.87	Electric Bill
175218	Xcel Energy	101-43160-430-43810	133.61	51-0012943772-6 17 3rd St NE Unit St Light
175340	Xcel Energy	898-46310-000-43810	443.75	Electric Thru 7/11/2022
175340	Xcel Energy	898-46310-000-43830	423.26	Gas Thru 7/11/2022
175218	Xcel Energy	601-49430-000-43830	28.49	302971552 824 7th St NW Water Works
175218	Xcel Energy	101-43160-430-43810	45.28	303661815 495 Heritage Pl
175218	Xcel Energy	101-42500-420-43810	9.58	164184 930 4th CD Siren
175218	Xcel Energy	101-41940-410-43830	193.92	303640982 208 1 Ave NW City Hall
175218	Xcel Energy	101-45200-450-43810	48.08	302165394 415 2nd Ave SW Wapacuta Pk
175218	Xcel Energy	101-45122-450-43810	34.65	154794 16 Central Ave
175218	Xcel Energy	101-42500-420-43810	4.62	178539 2613A Hulett Court
175218	Xcel Energy	101-43160-430-43810	27.07	304116510 1904 Grant St NW
175218	Xcel Energy	101-45200-450-43810	32.60	304850239 TeePee Tonka Park Tunnel
175218	Xcel Energy	602-49450-000-43810	53.61	302976387 1301 Willow St Lift Station
175218	Xcel Energy	601-49430-000-43810	12,123.75	303329691 824 7 St NW Pump Water
175218	Xcel Energy	101-45126-450-43810	393.40	303373970 117 Shumway Load Profile
175218	Xcel Energy	602-49450-000-43810	5.79	302772185 1150 Willow Lift Station
175218	Xcel Energy	603-49500-000-43810	-11.09	304051816 1200 Belview Trl
175218	Xcel Energy	101-45200-450-43810	40.38	302321102 1000 7 Ave SW-S Alex Sec
175218	Xcel Energy	601-49430-000-43810	-77.99	304051816 1200 Belview Trl
175218	Xcel Energy	101-43160-430-43810	35.54	303328788 1600 30 St NW
175218	Xcel Energy	101-45500-450-43810	20.16	302342287 11 Division St E Security
175218	Xcel Energy	602-49450-000-43810	17.66	302794134 98 3 Ave NW Viaduct Lift Stati
175218	Xcel Energy	101-42500-420-43810	9.58	146104 920 9 Ave SW CD Siren

Check Numb	Last Name	Acct 1	Amount	Description
175218	Xcel Energy	437-41940-410-43810	202.77	303440015 217 Mill Street - Garage
175218	Xcel Energy	101-43160-430-43810	-409.58	302767481 210 3 St NE St Light HP
175218	Xcel Energy	101-42210-420-43830	790.19	302350193 122 2 St NW Fire Hall
175218	Xcel Energy	602-49450-000-43810	21.22	303333605 410 Frink Ave Lift Station
175218	Xcel Energy	101-45200-450-43810	26.00	175957 500 Maple Lawn Cartway
175218	Xcel Energy	602-49450-000-43810	-77.99	304051816 1200 Belview Trl
175218	Xcel Energy	601-49430-000-43810	9,441.30	303929972 1904 Fairground Dr
175218	Xcel Energy	101-42110-420-43830	81.55	303877775 11 20th St NW Evidence Garage
175218	Xcel Energy	602-49480-000-43810	7.00	Non-Recurring Charges/Credit
175218	Xcel Energy	602-49450-000-43810	39.20	303670994 1090 Cannon Circle Lift Station
175218	Xcel Energy	902-00000-000-23935	87,939.55	Electricity Bill-June
175218	Xcel Energy	101-45200-450-43810	2,412.99	302576466 1815 Alexander Dr
175218	Xcel Energy	101-45122-450-43810	6,928.46	303273787 15 Central Ave Load Profile
175218	Xcel Energy	101-43170-430-43810	253.40	303396625 27 Division St E Signal Light
175218	Xcel Energy	101-43160-430-43810	39.15	304116512 1000 Lyndale Ave S
175218	Xcel Energy	101-41940-410-43810	2,939.59	303683323 208 1 Ave NW
175218	Xcel Energy	101-45126-450-43830	125.16	302971175 117 Shumway Washington Center
175218	Xcel Energy	101-45127-450-43810	97.01	304160080 705 17th St SW
175218	Xcel Energy	602-49480-000-43830	1,400.61	302858086 214 14 St NE
175218	Xcel Energy	601-49430-000-43810	965.28	302814303 1217 Parshall Reservoir #2
175218	Xcel Energy	101-43170-430-43810	29.14	303453265 1500 7 St NW Signal Light
175218	Xcel Energy	602-49450-000-43810	43.92	302346525 3030 Hwy 60 W Lift Station
175218	Xcel Energy	101-45126-450-43810	48.74	302492805 117 Shumway-Washington Center
175218	Xcel Energy	101-45200-450-43810	18.39	302261595 920 9 Ave SW
175218	Xcel Energy	101-43160-430-43810	32.84	304116511 800 Lyndale Ave S
175218	Xcel Energy	101-45122-450-43830	322.70	302342287 Boiler Heat Line 30%
175218	Xcel Energy	101-45200-450-43830	28.49	302627100 Jefferson Warming House
175218	Xcel Energy	101-45200-450-43810	18.58	303683055 100 TP Tonka Security
175218	Xcel Energy	602-49450-000-43810	23.77	303203605 319 Lind St Lift Station
175218	Xcel Energy	101-43170-430-43810	162.02	302531059 103 3 St NE Signal Light
175218	Xcel Energy	101-42500-420-43810	39.59	304214955 930 4th Ave NW Siren
175218	Xcel Energy	101-45200-450-43810	57.48	303683055 100 Tee Pee Tonka Park
175218	Xcel Energy	603-49500-000-43830	2.22	304051816 1200 Belview Trl
175218	Xcel Energy	101-45122-450-43810	2,258.10	302825421 19 Division St W
175218	Xcel Energy	101-45500-450-43810	1,957.07	302342287 11 Division St E
175218	Xcel Energy	101-45500-450-43830	752.96	302342287 11 Division St E 70%
175218	Xcel Energy	437-41940-410-43810	262.49	302678011 217 Mill St
175218	Xcel Energy	101-43121-430-43830	150.06	304051816 1200 Belview Trl
175218	Xcel Energy	101-45122-450-43830	694.72	303402179 16 Central Ave
175218	Xcel Energy	101-45200-450-43810	35.54	303659432 618 9 Ave SW Sledding Hill
175218	Xcel Energy	101-43170-430-43810	-32.55	303691980 2219 Grant St Lift Station
175218	Xcel Energy	437-41940-410-43830	85.64	303440015 217 Mill Street - Garage
175218	Xcel Energy	101-45200-450-43810	35.54	303920032 540 2nd Ave NW

Check Numb	Last Name	Acct 1	Amount	Description
175218	Xcel Energy	101-45126-450-43810	18.70	171746 117 Shumway Lighting
175218	Xcel Energy	602-49450-000-43810	21.88	302412146 1901 7 St NW Lift Station
175218	Xcel Energy	101-45200-450-43810	37.17	303510224 Central Park Band Stand
175218	Xcel Energy	101-45125-450-43820	4,171.82	303727721 1830 2 Ave NW Aquatic Center
175218	Xcel Energy	101-43170-430-43810	38.50	304131503 2200 30th St NW
175218	Xcel Energy	602-49450-000-43830	28.49	302458578 828 8 Ave NW Park Shop
175218	Xcel Energy	602-49480-000-43810	16,374.10	304239286 214 14th St NE
175218	Xcel Energy	101-43160-430-43810	218.92	304087990 510 2 Ave NW Carnival
175218	Xcel Energy	101-42110-420-43810	7,335.72	303688424 25 4th St NW
175218	Xcel Energy	602-49450-000-43830	15.62	304051816 1200 Belview Trl
175218	Xcel Energy	101-43170-430-43810	96.41	303446090 1418 Divsion St W Signal Light
175218	Xcel Energy	101-42110-420-43810	256.89	303877775 11 20th St NW Evidence Garage
175218	Xcel Energy	101-42210-420-43810	503.33	302527702 122 2 St NW-Fire Hall
175218	Xcel Energy	601-49430-000-43830	15.62	304051816 1200 Belview Trl
175218	Xcel Energy	101-45200-450-43810	166.90	304017445 900 Lyndale Ave N
175218	Xcel Energy	101-45125-450-43810	4,948.36	303727721 1830 2 Ave NW Aquatic Center
175218	Xcel Energy	101-45200-450-43830	28.49	304017445 900 Lyndale Ave N
175218	Xcel Energy	101-43160-430-43810	-24.43	304157645 3305 Highway 60
175218	Xcel Energy	101-43170-430-43810	27.15	302525247 4050 Hwy 60 W
175218	Xcel Energy	902-00000-000-23935	-87,939.55	Electricity Bill-June
175218	Xcel Energy	101-45200-450-43810	68.90	303239611 Sr High Tennis Courts
175218	Xcel Energy	101-43160-430-43810	-28.25	304157632 1602 2nd Ave NW
175218	Xcel Energy	437-41940-410-43810	35.54	302880124 217 Mill St - Diesel Plt
175218	Xcel Energy	101-42110-420-43830	1,629.84	303688424 25 4th St NW
175218	Xcel Energy	101-43121-430-43810	-749.37	304051816 1200 Belview Trl
175218	Xcel Energy	225-49810-430-43830	28.49	302414965 3401 Hwy 21 W
175218	Xcel Energy	101-42500-420-43810	4.62	167157 1203 Parshall St
175218	Xcel Energy	602-49480-000-43810	55.83	302940983 502 3rd Ave NW
175218	Xcel Energy	101-42500-420-43810	49.44	303930334 Fairgrounds/300 Western
175218	Xcel Energy	101-43170-430-43810	9.58	156258 117 Shumway CD Siren
175218	Xcel Energy	601-49430-000-43810	7,204.83	302969048 350 Alexander Park Well #6
175218	Xcel Energy	101-42500-420-43810	4.62	154013 1851 220 St E CD Siren
175339	Xcel Energy	437-41940-410-45208	1,019.09	Removal of Utilities-55 Willow
175339	Xcel Energy	437-41940-410-45204	1,019.09	Removal of Utilities-217 Mill St
	Xcel Energy		113,298.51	
0	Zarnoth Brush Works Inc	101-43121-430-42210	608.00	Main Broom For #115
	Zarnoth Brush Works Inc		608.00	

Check Numb	Last Name	Acct 1	Amount	Description
			1,497,409.01	

Request for Council Action

TO: Mayor and City Council
THROUGH:
FROM: Tim Murray, City Administrator
MEETING DATE: July 26, 2022
SUBJECT: Authorize Issuance of Request for Qualifications for Professional Design Services for North Viaduct Area Park Improvements

---

Background:
The City Council approved a final Concept Layout Plan for the public park located directly north of the TH 60/Viaduct Bridge earlier this year. This plan was the outcome of numerous meetings with an appointed Task Force and the City Council in 2021, originally identified in the adopted Downtown Master Plan.

Staff has prepared a Request for Qualifications in order to retain the services of a consultant or consultant team to take the next steps for the development of this park. The intention is to select a consultant based upon qualifications, and then negotiate a Master Agreement/Contract as well as individual Work/Task Orders for defined scopes of work. It is anticipated the first Work/Task Order would be to evaluate the work that was done to date, provide comments and recommendations on the approved concept plan, present a revised concept plan for approval, complete schematic level design on the primary features, and prepare budget cost estimates.

That information would then be used by the Council in determining what would be included in the first phase of improvements for the development of this park, which could start as early as the second half of 2023.

Recommendation:
Authorize Issuance of the RFQ for Professional Design Services for the North Viaduct Area Park Improvements

Attachments:
1. Faribault RFQ 2022-07-26 - North Viaduct Area Park

REQUEST FOR QUALIFICATIONS

City of Faribault, Minnesota

North Viaduct Area Park Development

Date Approved: July 26, 2022

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Solicitation Attachments

- Attachment A: Page from Downtown Master Plan
- Attachment B: Final Concept Layout Plan

SECTION 1 – GENERAL INFORMATION

This Request for Qualifications (RFQ) being issued by the City of Faribault (City) seeks a consultant or team of consultants capable of concept planning, preparing design and construction documents, and performing construction phase services for the development of a dynamic and inviting public park in the city's downtown area. The proposed project scope includes site grading and utilities, one or more buildings, one or more outdoor recreational facilities, sidewalks and trails, landscaping, and related work.

Following is the primary and sole point of contact for the City regarding this solicitation. Interested parties shall not contact other City staff or elected/appointed officials prior to the submittal deadline (such actions may result in disqualification):

Tim Murray, City Administrator
tmurray@ci.faribault.mn.us
(507) 333-0355 (Office)
(507) 210-3211 (Mobile)

Office Location:
Faribault City Hall
208 1st Avenue NW
Faribault, MN 55021

It is the City's intention to enter into a Master Agreement/Contract with the selected prime consultant, and then negotiate individual Work Orders or Task Orders (the City does not have a specific format for these documents—it is anticipated that standard agreement templates utilized by the consultant would be used, subject to modifications to meet City requirements).

The City reserves the right to terminate the Agreement/Contract and any approve Work/Task Orders prior to fulfillment (with payment for work completed to the point of termination). The term of this contract is anticipated to be from September of 2022 through December of 2024, with the option to extend up to an additional two years in increments determined by the City.

Any amendments or revisions to this RFQ shall be provided to those firms that have expressed interest in this solicitation and provided contact information. The amendments and revisions will also be posted on the City's website, which is www.ci.faribault.mn.us (this original RFQ is also posted there).

Responses to this RFQ must be received no later than 11:00am, Central Daylight Savings Time, August 26, 2022. Submittals shall be made electronically in .pdf format and shall contain no more than thirty (30) total pages. Late responses will not be considered

SPECIAL NOTICE: This RFQ does not obligate the City to select a consultant(s) or complete the proposed project and the City reserves the right to cancel this solicitation if it is considered in its best interest.

SECTION 2 – PROJECT INFORMATION

The City of Faribault's Downtown Master Plan and Parks, Trails, and Open Space Plan, adopted by the City Council on September 10, 2019 and December 23, 2019, respectively, include the development of a key public park in the east side of the downtown, on the property immediately north of the TH 60/Viaduct Bridge. The City acquired the property in this area over the past several years, securing the final parcel at the end of 2020. The overall area of the property is approximately 2.7 acres, and is bounded on the east by the Union Pacific Railroad, on the south by the Trunk Highway (TH) 60/Viaduct Bridge, on the west by TH 60/1st Avenue NE and the Crooked Pint Restaurant, and on the north by 2nd Street NE.

As a first step towards the planning of these improvements, the City Council created a Task Force in early 2021 with the purpose of considering, evaluating, and recommending the features and amenities to be programmed for inclusion in the park. The following seven (7) members were appointed to the Task Force:

- Kevin Voracek (City Council)
- Janna Viscomi (City Council)
- Sally Kramer (Parks and Recreation Advisory Board)
- Elsie Slinger (Parks and Recreation Advisory Board)
- Kymn Anderson (Faribault Foundation)
- Dr. Michael Richie (Vision 2040/Downtown Master Plan Steering Committee)
- Kelly Nygaard (Faribault Main Street/Faribault Area Chamber of Commerce & Tourism)

The Parks and Recreation Director, City Planner, and City Administrator were also assigned to provide input and support the Task Force.

The Task Force held four (4) public meetings in 2021, during which they:

1. Reviewed Background Information
2. Considered and Ranked Potential Facilities and Amenities
3. Discussed Site Layout Factors and Options
4. Established Recommendations on Finishes of Features
5. Evaluated Multiple Concept Layout Sketches
6. Recommended Final Concept Layout Plan

Based upon the final recommendations from the Task Force, a final Concept Layout Plan was presented to the City Council for approval in February of 2022. The primary features/amenities included in the approved plan included:

- Open Play/Gathering Area w/ Performance Stage Location
- Park Building (Picnic Shelter, Restrooms, Warming House, Mechanical Equipment)
- Splash Pad
- Skating Loop/Ribbon
- Bridge Under-Lighting
- Outdoor Fitness Equipment
- Mural(s)

The City has not yet established a schedule for the improvements to be developed within this park, nor has a budget been established. However, the intention is to proceed with a first phase of construction as soon as the scope is finalized and financing is secured, which could be as early as the second half of 2023. The first Work/Task Order anticipated under the agreement with the selected consultant will be the determination of that scope, including schematic-level design and the preparation of cost estimates.

Subject to authorization by the City Council to proceed to construction with the identified first phase of improvements, a second Work/Task Order would be negotiated that would include final design, preparation of construction documents, and administration of the bid process.

SECTION 3 – STATEMENT OF QUALIFICATIONS CONTENT

Interested consultants/consultant teams shall submit a Statement of Qualifications (SOQ) in response to this solicitation, which shall contain information in the order listed below. The City anticipates a creative, unique response specific to this request such that all aspects demonstrate a clear relationship to the effort of developing this park. Standardized or "boilerplate" information, including firm descriptions, personnel resumes, and project narratives should be minimized. Failure to follow the requirements for content and format may result in removal from consideration.

Section 1 - Cover Letter

Section 2 - Team Identification

- The respondent shall provide the following information:
  1) The name, address, and telephone number of the lead consultant firm, and the office location from which the work would be conducted.
  2) The name, address, and telephone number of other consultant firms of the consultant team, and the office location from which the work would be conducted.
  3) The name, title, email address, and telephone number of the person who is primarily responsible for preparation of the response.

Section 3 - Project Understanding

Section 4 - Skills and Experience of Consultant Firms

- Provide the areas of expertise that each consultant firm possesses that will be utilized on this project.
- Provide recent projects (including narratives, graphics, and/or photos) completed by each consultant firm that are of similar nature to this project.

Section 5 - Project Lead

- Identify the Project Lead for this submittal and outline their specific training and experience that qualifies them for this role.
- The Project Lead shall be the single individual with primary responsibility for the consultant's or consultant team's work, interactions, and deliverables. The Project Lead shall have authority for making decisions for the consultant or consultant team, including negotiating changes in the professional services agreement, should modifications become necessary.

Section 6 - Key Personnel

- Identify other significant team members from both the prime and sub-consultant firms, their roles, and their relevant experience.

Section 7 – Project Approach

- Describe, in general terms, the approach that will be pursued in the consultant's or consultant team's design process.
- Outline the anticipated, or recommended, roles and interaction with City staff, elected/appointed officials, project task force, and the public.

Section 8 - Quality Management

Section 9 – Billing Rates

- Provide 2022 hourly billing rates for all the positions that are anticipated to be part of the consultant team, along with typical reimbursable expenses.

DO NOT INCLUDE Non-Public/Trade Secret data (as defined by Minn. Stat. § 13.37).

SECTION 4 – EVALUATION PROCEDURE AND CRITERIA

City staff, comprised of the City Administrator, Parks and Recreation Director, City Engineer, and City Planner will conduct an evaluation of responses to this solicitation, and shall bring forward either a single recommendation for selection to the City Council, or shall develop a "short list" of respondents for interviews/presentations at a joint City Council/Parks and Recreation Advisory Board work session.

Following is the evaluation/scoring criteria that will be utilized to rank the submittals:

- 20% - Demonstrated understanding of the project
- 30% - Qualifications and experience of the Lead Consultant and Project Lead
- 20% - Qualification and experience of the consultant or consultant team, particularly with regard to Key Personnel
- 30% - Project Approach

SECTION 5 – SOLICITATION TERMS

1. **Competition in Responding**

The City desires open and fair competition. Any evidence of collusion among responders in any form will result in the removal of those responders from consideration.

2. **Joint Ventures**

The City allows joint ventures among groups of responders when responding to the solicitation. However, one responder must submit a response on behalf of all the others in the group. The responder that submits the response will be considered legally responsible for the response (and the contract, if selected).

3. **Withdrawing Response**

A responder may withdraw its response prior to the due date and time.

4. **Rights Reserved**

The City reserves the right to:

- Reject any and all responses received;
- Waive or modify any informalities, irregularities, or inconsistencies in the responses received;
- Negotiate with the highest scoring Responder[s];
- Terminate negotiations and select the next response providing the best value for the City;
- Consider documented past performance resulting from a City project in the evaluation process;
- Short list the highest scoring Responders, potentially requiring the short-listed Responders to conduct presentations, demonstrations, or submit samples;
- Interview key personnel or references;
- The City reserves the right to request additional and/or clarifying information; and

5. **Responses are Nonpublic during Evaluation Process**

All materials submitted in response to this solicitation will become property of the City. During the evaluation process, all information concerning the responses submitted will remain private or nonpublic and will not be disclosed to anyone whose official duties do not require such knowledge. Responses are private or nonpublic data until the completion of the evaluation process as defined by Minn. Stat. § 13.591. The completion of the evaluation process is defined as the City having completed negotiating a contract with the selected responder. The City will notify all responders in writing of the evaluation results.

6. **Trade Secret Information**

6.1 Responders must not submit as part of their response trade secret material, as defined by Minn. Stat. § 13.37.

6.2 In the event trade secret data are submitted, responder must defend any action seeking release of data it believes to be trade secret, and indemnify and hold harmless the City,

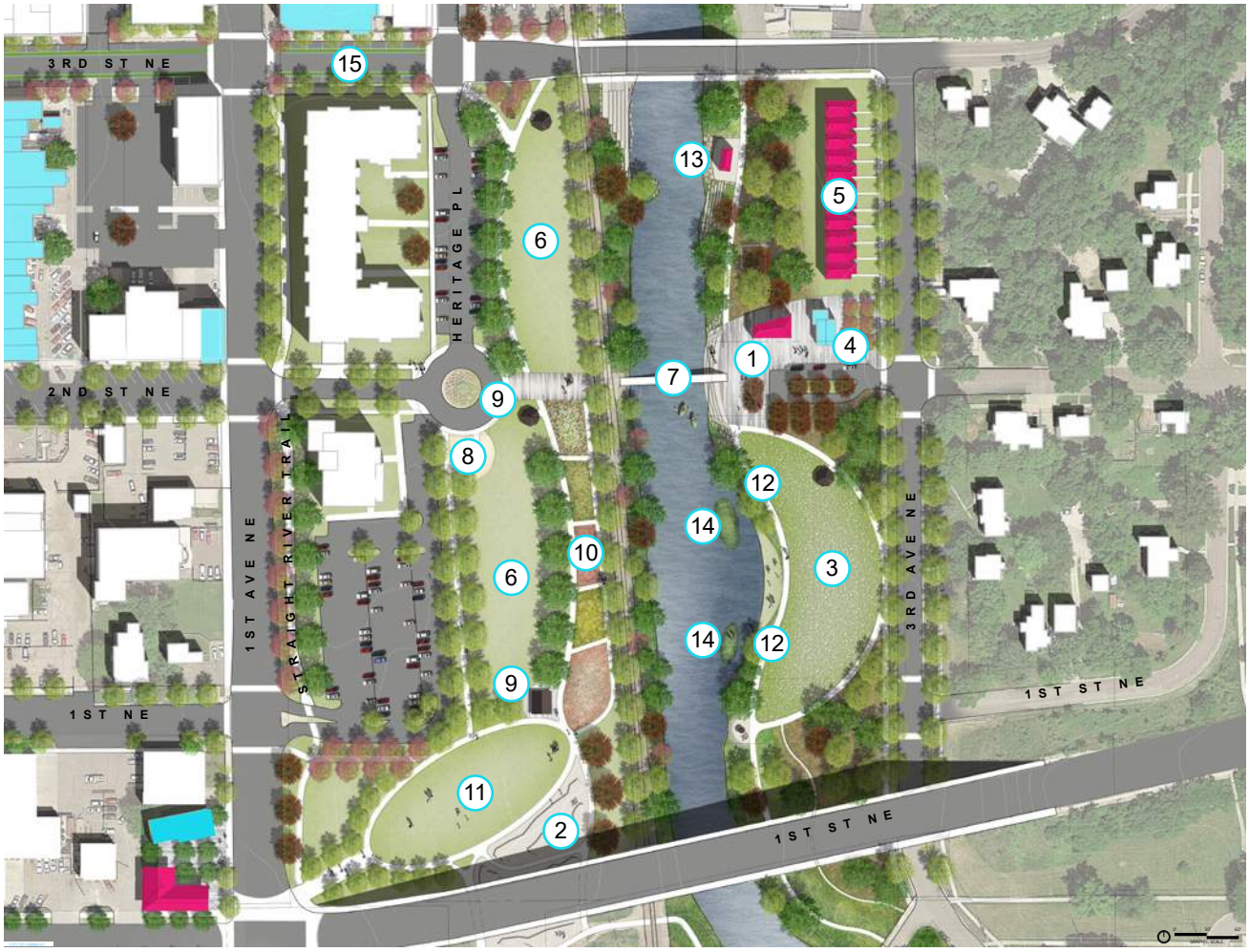
its agents and employees, from any judgments awarded against the City in favor of the party requesting the data, and any and all costs connected with that defense.

6.3 The City does not consider cost or prices to be trade secret material, as defined by Minn. Stat. § 13.37.

6.4 A responder may present and discuss trade secret information during an interview or demonstration with the City, if applicable.

7. **Selection**

The selection that may result from this solicitation is intended to be qualifications based, utilizing the total accumulated points as established in the solicitation. The City reserves the right to award this solicitation to the next highest scoring responder if they are unable to negotiate a Master Agreement/Contract and subsequent Work/Task Orders with the initial selected consultant, or to take other actions deemed to be in the best interest of the City. The City reserves the right to reject all submittals, to cancel the solicitation, or to re-issue the solicitation, whichever is in the best interest of the City.



RIVER DEVELOPMENT FOCUS AREA

1. Recreation Pavilion
   - Event Plaza
   - Bike/Canoe Rental Facility
   - Boat/Canoe Launch
2. Adventure Park
   - Skate Park
   - Climbing Wall
   - Zip Line
   - Splash Pad
3. Bee Lawn
4. Existing Historic House
5. Townhomes
6. Informal Play/Open Lawn
7. Existing Pedestrian Bridge
8. Play Area
9. Picnic Shelter
10. Peony Walk
11. Skating Trail/Ice Rink
    - Open Lawn
    - Large Gathering Space
12. River Walk
13. River Overlook
14. "River Islands"
15. On-Street Bicycle Lanes

**This is a concept sketch outlining a vision for Downtown and is not considered to be a specific recommendation or proposal*

[053]

NORTH VIADUCT AREA PARK CONCEPT PLAN

FEBRUARY 15, 2022

Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: John Sherwin, Chief of Police
MEETING DATE: July 26, 2022
SUBJECT: Approve Policy 221 - Mental Health Crisis Data

Background:

When responding to a mental health crisis, Minnesota law now gives police officers the ability to obtain limited private mental health data on individuals to assist in safely resolving incidents. Agencies that seek or use this sensitive information are required to have a written policy establishing privacy safeguards.

Recommendation:

Approve Policy 221 - Mental Health Crisis Data

Attachments:

1. 221 - Mental Health Crisis Data
2. Mental-Health-Crisis-Data

Faribault Police Department

Policy #: 221	**Subject:** Mental Health Crisis Data
Issued by: Chief John Sherwin	
Personnel: Sworn Personnel	**Date Issued: July 27, 2022**

Note: This policy is mandated by Minn. Stat. §626.8477

Purpose

Minnesota law requires certain entities and mental health providers to supply information to law enforcement, upon proper request, to aid in safely addressing a pending mental health crisis. This policy establishes procedures for requesting, documenting, using, retaining, and safeguarding the privacy of such information.

Policy

It is the policy of this department to encourage officers to seek and utilize information from mental health professionals, practitioners, and other care providers to aid in the safe resolution of individual crisis situations. Officers may initiate requests for this information when practicable and deemed advisable. Information obtained in response to such requests shall be documented, utilized, and retained in accordance with applicable laws and this policy.

Definitions

The following phrases and words have special meanings as used in this policy:

Mental Health Crisis Data (MHCD): means data on individual clients or patients that is sought and received from community mental health centers, mental health divisions of counties and providers under contract with them, or private sector mental health providers for the purpose of safely responding to a mental health crisis.

Person in Crisis (PIC): refers to an individual who is experiencing or is suspected or reported to be experiencing a mental health crisis.

Requestee: refers to an entity or individual asked to supply Mental Health Crisis Data to a law enforcement agency.

Requestor: refers to an officer or employee of this agency who makes a request for Mental Health Crisis Data.

When MHCD may be Sought

Provisions of the Minnesota Government Data Practices Act (Minn. Stat. § 13.46, subd. 7) and the Minnesota Health Records Act (Minn. Stat. § 144.294, subd. 2) require mental health providers and certain entities to supply information to law enforcement when a client or patient is currently involved in a mental health crisis, and disclosure of the information is necessary to protect the health and safety of that person or another. These laws use the definition of "mental health crisis" found in Minnesota Statutes, § 256B.0624, subdivision 2(j):

> "Mental health crisis" is a behavioral, emotional, or psychiatric situation that, without the provision of crisis response services, would likely result in significantly reducing the recipient's levels of functioning in primary activities of daily living, in an emergency situation under section 62Q.55, or in the placement of the recipient in a more restrictive setting, including but not limited to inpatient hospitalization.

A situation will qualify as a mental health crisis under this definition, thus enabling the agency to seek mental health data, if:

A. The subject appears to be experiencing a behavioral, emotional, or psychiatric episode, and

B. It would likely result in one of the following outcomes, absent the assistance of a mobile crisis provider:

    1. The person is unable to take care of basic functions like bathing, eating, dressing, and toileting; or

    2. The person needing to be transported to a hospital for an emergency medical condition; or

    3. The person being taken into custody for a transport hold; and

C. The information being sought is necessary to protect the health or safety of the PIC or another.

Requesting and Obtaining MHCD:

Officers should adhere to the following procedures in requesting MHCD:

A. Officers responding to a mental health crisis may request information themselves or have another officer, a dispatcher, or an appropriate staff member contact requestees with information requests.

B. Entities and individuals that are obligated to respond to requests for information include community mental health centers, mental health divisions of a county, and mental health providers including psychiatrists, psychologists, therapists, mental health professionals, mental health practitioners, and case managers.

C. The purpose of making a request is to obtain information from a mental health provider, familiar with the PIC, about strategies for safely responding to and resolving the pending crisis. To that end, the requestee is obligated to provide a name and phone number for the PIC's psychiatrist, psychologist, therapist, mental health professional, practitioner, or case manager, if known; and strategies to address the mental health crisis.

D. Under the law, the requestee is to provide law enforcement with the minimum information necessary to safely respond to the mental health crisis. It may be necessary and appropriate for the requestor to share information with the requestee about the dynamics and circumstances of the crisis in order to demonstrate law enforcement's need for information. Requestors should not ask for information about the PIC's diagnosis.

E. Once obtained, MHCD may be shared with other officers and members of this agency as is reasonably necessary to safely address the crisis. The information may not be used for any other purpose.

Data Practices

The following shall apply to mental health crisis data obtained by this agency:

A. **What to document.** The requestor shall document their own identity, the name of the PIC, and the identity of the person (or entity, if the name of the person is not available) that supplied data in response to the request for MHCD. In addition:

1. Information obtained about strategies for resolving crisis situations with the PIC, including any circumstances that call for particular approaches, should be documented.

2. Any information that the requestee provided about the PIC's diagnosis should not be documented.

3. The officer assigned as primary on the call shall ensure that the PIC is informed that mental health data was obtained and that this notification to the PIC is documented.

B. **How to label and store the information**. Incident reports that contain MHCD shall be coded as "Mental Health". This data may only be stored on and accessed through city-owned devices.

C. **Private data.** MHCD is and shall be administered as private data on the person in crisis.

D. **Accessing stored MHCD.** Officers and other agency personnel may access MHCD data only when their job assignment reasonably requires access to it. For a peace officer, a business need exists if it is foreseeable that the officer may be tasked in the future to respond to a mental health crisis involving the person who is the subject of the MHCD.

E. **Use of MHCD**. Mental Health Crisis Data may only be used for purposes of responding to mental health crisis situations involving the individual PIC. The data may not be used for any other purpose, such as furthering a criminal investigation or in connection with a charging decision.

F. **Retention of MHCD.** Mental Health Crisis Data shall be maintained for a period of 10 years following the latest mental health crisis known to the agency involving the subject of the MHCD, after which it shall be disposed of in such a way as to prevent its contents from being determined.

LEAGUE of MINNESOTA CITIES

INFORMATION MEMO

Mental Health Crisis Data

When responding to a mental health crisis, Minnesota law allows law enforcement agencies to obtain limited but private mental health information about the person in crisis, to aid in managing the situation safely. Agencies that seek or use this sensitive information are required to have a written policy establishing privacy safeguards. This discussion and the linked model policy are intended to help cities lawfully obtain and administer mental health crisis data ("MHCD").

RELEVANT LINKS:

Minn. Stat. §§ 13.46, subd. 7; 144.294, subd. 2.

Minn. Stat. § 626.8477.

I. Introduction

In 2022, Minnesota lawmakers amended sections of the Data Practices Act and the Health Records Act to provide law enforcement with clearer access to mental health information about persons in active crisis. In addition, a new enactment requires law enforcement agencies that seek or use this data to have a written policy establishing privacy protections. LMC has created a model policy, Mental Health Crisis Data, for agencies to consider in developing an appropriate policy. This research memorandum accompanies the model policy.

II. Access and use of mental health crisis data

The following scenario illustrates how agencies might obtain, use, and administer mental health crisis data (MHCD) under the new legislation:

A man in your community, Raphael, is threatening suicide and reportedly has access to a weapon. You have been dispatched as the primary officer on the call. While en route, a dispatcher acting on your behalf contacts county mental health. The dispatcher provides Raphael's name, explains that officers are responding to a mental health crisis, and that information is needed to keep Raphael and the officers safe.

The person at the county looks up Raphael's name on the computer and finds that he is currently being seen by a provider under contract with the county and gives the dispatcher the provider's name and phone number. In turn, the dispatcher contacts the provider and repeats the information about Raphael and the need for information. The dispatcher connects you with the provider. The provider informs that she is familiar with Raphael and adds that he has a history of severe depression and is prone to feeling acutely lonely and having suicidal ideation when intoxicated. The provider suggests that you use generous amounts of active listening with Raphael, and further recommends that you get Raphael talking about his children, who are a bright spot in his life.

This material is provided as general information and is not a substitute for legal advice. Consult your attorney for advice concerning specific situations.

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RELEVANT LINKS:

The provider's suggestions prove helpful. The call is resolved when Raphael becomes calm, stable, and is assessed as not posing a threat to himself or others.

Upon completion of the call, to satisfy legal requirements, you ensure that appropriate documentation is completed concerning the MHCD obtained from Raphael's provider, and label or flag your report to indicate that it contains "Mental Health Crisis Data." Your agency will treat this information as private data and will ensure that it is retained no longer than provided for in the retention policy.

III. Laws governing mental health records

To start at the very beginning, people generally obtain mental health services from either private providers or through county or publicly funded entities, such as community mental health centers. Section 144.294 of the Minnesota Health Records Act governs access to and disclosure of patients' mental health records across all provider types. Section 13.46 of the Minnesota Government Data Practices Act governs the handling of "mental health data" by entities subject to the Act.

The prior versions of both laws required providers to supply information to law enforcement under certain circumstances. The 2022 amendments clarify the circumstances that trigger disclosure obligations and the information that must be shared. A new provision, section 626.8477, requires law enforcement agencies that seek or use this information to enact and enforce a written policy to protect this data.

Minn. Stat. §§ 13.46, subd. 7; 144.294, subd. 2.

IV. Triggers for disclosure obligations

A provider is required to disclose mental health information to law enforcement when informed by the agency that:

- A named client or patient is currently involved in a mental health crisis as defined in section 256B.0624, subdivision 2, paragraph (j), to which the law enforcement agency has responded; and

- The information being sought is necessary to protect the health or safety of the client or patient or another.

RELEVANT LINKS:

A. Mental health crisis, defined

A provider's disclosure obligations are triggered, in part, by notification from law enforcement that a patient or client is currently involved in a "mental health crisis," as defined by Minnesota Statutes, section 256B.0624, subd. 2(j). That definition provides:

> "Mental health crisis" is a behavioral, emotional, or psychiatric situation that, without the provision of crisis response services, would likely result in significantly reducing the recipient's levels of functioning in primary activities of daily living, in an emergency situation under section 62Q.55, or in the placement of the recipient in a more restrictive setting, including but not limited to inpatient hospitalization.

See 42 C.F.R. § 441.505

This definition was not written with peace officers in mind. Rather, it is one of the criteria for determining whether medical assistance will cover the cost of crisis services, which is when they are necessary to avert a negative outcome. At a practical level, a situation should generally qualify as a mental health crisis under this definition if:

See Minn. Stat. § 62Q.55; 42 U.S.C. § 13955dd(e)(1)(A)

- The subject appears to be experiencing a behavioral, emotional, or psychiatric episode, and
- Without the involvement of a mobile crisis provider, the episode would likely culminate in one of the following negative outcomes:
    - The person being unable to take care of basic functions like bathing, eating, dressing, and toileting; or
    - The person needing to be transported to a hospital for an emergency medical condition; or
    - The person being taken into custody for a transport hold.

The fact that a mobile crisis response team is responding does not negate the existence of the crisis; agencies are still entitled to obtain MHCD if it is necessary.

Minn. Stat. §§ 13.46, subd. 7; 144.294, subd. 2.

B. The information is "necessary"

The Legislature has provided no criteria or guidelines for agencies to use in determining whether information is necessary to protect the health and safety of the person in crisis or others. Thus, there is no prohibition against officers using their professional judgment and experience in assessing situations, or in determining that certain call types, such as threatened suicide, suffice to establish a need for MHCD.

V. Obtaining mental health crisis data

Under the new enactments, providers are directed to supply law enforcement with the minimum information necessary for officers to safely respond to the crisis. Since the provider has possession of this information and the crisis itself may allow no time for appeal to a higher authority, officers should be prepared to explain the circumstances and reasons that demonstrate their need for information.

The information that providers are to supply may include: "the name and telephone number of the psychiatrist, psychologist, therapist, mental health professional, practitioner, or case manager of the client or patient, if known; and strategies to address the mental health crisis."

VI. Documenting the receipt of crisis data

Both the Health Records Act and the Data Practices Act require agencies receiving MHCD to maintain a record of who requested the data, the provider that supplied it, and the name of the subject of the data.

Though not required by the law, summarizing the data obtained from the provider is recommended, since it may prove useful during repeat crisis situations involving the same individual—especially if they occur during non-business hours when the person's provider cannot be reached.

Notably, mental health providers are to supply agencies with "strategies" for safely responding to the crisis, not with a diagnosis of the subject's condition. Nevertheless, it is foreseeable that a provider might mention a diagnoses or other highly sensitive information when trying to generate or explain "strategies" under the pressure of a pending crisis. Officers receiving this information should filter it out when preparing documentation. Returning to the illustration with Raphael, it would not be appropriate to document the diagnosis of depression. It would, however, be appropriate to note that he is prone to loneliness and suicidal thinking when drinking, and that his provider recommends active listening and getting him to talk about his children if this occurs.

RELEVANT LINKS:

VII. Policy requirement

A new statute, section 626.8477, requires all agencies that seek or use MHCD to have and enforce a written policy governing its use. The policy must cover the requirements of sections 13.46 and 144.294, together with access procedures, retention policies, and data security safeguards.

VIII.Outreach and education efforts

Perhaps the worst time for a provider or county mental health department to first learn about these new enactments, and their obligations under them, is when you are phoning them in the midst of a crisis and need information urgently. Agencies may wish to consider proactively communicating with entities and providers that serve clients in your jurisdiction. The goals of these efforts are to provide education about the laws discussed above, and to work toward mutually agreeable plans for obtaining needed information when a crisis occurs.

Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Mark DuChene, City Engineer
MEETING DATE: July 26, 2022
SUBJECT: Resolution 2022-150 Approve Jurisdictional Transfer Agreement with Minnesota Department of Transportation for TH 298 & TH 299

Background:

The Minnesota Department of Transportation ("MnDOT") and the City of Faribault (the "City") have been negotiating for a number of years a jurisdictional transfer of portions of State Trunk Highway 298 and 299 (also known as 6th Avenue NE and 6th Avenue SE) which respectively serve as access to the Minnesota State Academies for the Deaf and Blind. The City and MnDOT have now completed an agreement (a copy of which is attached) to have MnDOT turnback jurisdiction of TH 298 from TH 60 to the entrances to the MSAB campus and the MCF campus and on TH 299 from TH 60 to 5th Street NE. In lieu of MnDOT making roadway improvements to these segments of roads prior to the turnback, the State is offering to pay the City a lump sum amount of $565,920.00 which is calculated based on the useful life of the roadway that has been expended. The portions of TH 298 and 299 not included in the turnback agreement will remain under the jurisdiction of the State and the City may enter into a separate maintenance agreement with the State for minor routine maintenance, such as street sweeping and snow plowing, of which the City does currently.

Recommendation:

Approve Resolution 2022-150 Approving the Jurisdictional Transfer Agreement with MnDOT for TH 298 & TH 299

Attachments:

1. Resolution 2022-150 Approve Tunrback Agreement 1031222
2. 1031222 CS 6615 TH 298-299 Turnback Execution Copy
3. Exhibit A 4 CS 6615 Turnback Authorization Map-003

4. Exhibit B 4 CS 6616 Turnback Authorization Map-005

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-150

APPROVE JURISDICTIONAL TRANSFER AGREEMENT WITH MINNESOTA DEPARTMENT OF TRANSPORTATION FOR TH 298 & TH 299

WHEREAS, The Minnesota Department of Transportation ("MnDOT") and the City of Faribault (the "City") have been negotiating a jurisdictional transfer of portions of State Trunk Highway 298 and 299; and

WHEREAS, Minnesota Statutes §161.20 authorizes MnDOT to enter into agreements with other governmental authorities to carry out the purposes of Minnesota Statutes Chapter 161; and

WHEREAS, The City is a Road Authority as defined in Minnesota Statutes §160.02 (subd. 25); and

WHEREAS, MnDOT has determined that Trunk Highway No. 298 from the junction of Trunk Highway No. 60 southerly to Barron Road, (control section 6615), and Trunk Highway No. 299 from the junction of Trunk Highway No. 60 northerly to the State Academy of the Deaf Campus (control section 6616) (collectively "Roadway Segments") are no longer needed for trunk highway purposes; and

WHEREAS, the City is willing to assume the responsibility of those Roadway Segments of Trunk Highway No. 298 and Trunk Highway No. 299; and the cost for the repair and restoration have been established and the State will not be performing repairs prior to the transfer to the Political Subdivision, an instead an in-lieu payment will be made in an amount equal to $565,920.00 to the City to provide for the orderly reversion of the Roadway Segments to the jurisdiction of the City as provided for in MNDOT Agreement No. 1031222 and copy of which is attached and incorporated by reference to this resolution.

NOW, THEREFORE BE IT RESOLVED, that the City of Faribault enter into a State of Minnesota Trunk Highway Jurisdictional Transfer City ("Turnback") Agreement with the Minnesota Department of Transportation, MnDOT Agreement No. 1031222, a copy of which was before the City Council on July 26, 2022.

ALSO BE IT RESOLVED, that the Mayor and City Administrator are authorized to execute such contract, and any amendments thereto.

Date Adopted: July 26, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

Timothy C. Murray, City Administrator

STATE OF MINNESOTA
TRUNK HIGHWAY
JURISDICTIONAL TRANSFER
CITY
("TURNBACK") AGREEMENT

Trunk Highway (T.H.) Number: 298 (T.H. 298=298)
Control Section Number: 6615
Trunk Highway (T.H.) Number: 298 (T.H. 298=323)
Control Section Number: 6615
Trunk Highway (T.H.) Number: 299 (T.H. 299=299)
Control Section Number: 6616

Original Amounts Encumbered
Turnback Funds CY 2022
$565,920.00

Purpose: State transfer of Trunk Highway 298 and Trunk Highway 299 to the City of Faribault, Minnesota.

This Agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("MnDOT") and the City of Faribault, Minnesota, political subdivision of the State of Minnesota acting through its City Council ("Political Subdivision").

RECITALS

1. Minnesota Statutes §161.20 authorizes MnDOT to enter into agreements with other governmental authorities to carry out the purposes of Minnesota Statutes Chapter 161.

2. The Political Subdivision is a Road Authority as defined in Minnesota Statutes §160.02 (subd. 25); and

3. MnDOT has determined that Trunk Highway No. 298 from the junction of Trunk Highway No. 60 southerly to Barron Road, (control section 6615), and Trunk Highway No. 299 from the junction of Trunk Highway No. 60 northerly to the State Academy of the Deaf Campus (control section 6616) (collectively "Roadway Segments") are no longer needed for trunk highway purposes; and

4. The parties agree that Political Subdivision is the proper road authority; and

5. Minnesota Rules Chapter 8820, State-Aid Operations govern eligibility and requirements for adding roadways to state aid roadway systems; and govern eligibility for State-Aid transportation funding including Municipal Turnback Account; and

6. The parties have determined that the Roadway Segments are eligible for Municipal Turnback funding, and that a portion of the Roadway Segments are eligible for addition to the state aid system; and

7. The cost for the repair and restoration have been established and the State will not be performing repairs prior to the transfer to the Political Subdivision, an in-lieu payment will be made in an amount equal to $565,920.00; and

8. The Political Subdivision is willing to assume the responsibility of those Roadway Segments of Trunk Highway No. 298 and Trunk Highway No. 299; and

9. The parties have entered into this Agreement to provide for the orderly reversion of the Roadway Segments to the jurisdiction of the Political Subdivision.

AGREEMENT

1. Effective Date; Survival of Terms

This Agreement will be effective on the date last signed below by the parties and by such other State of Minnesota officials as required by Minnesota Statutes §16C.05. This Agreement will remain in effect until MnDOT has (1) served a Notice of Transfer, and (2) made payments (if any) as required by this Agreement. All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration of the Agreement.

2. Identification of Trunk Highway Segment; Right-of-Way Determination – Exhibits A & B

2.1. The Roadway Segments to be transferred to the Political Subdivision and covered by this Agreement are described as T.H. 298 from T.H. 60 southerly to Barron Road, 0.32 miles in length (Exhibit A); and T.H. 299 from T.H. 60 northerly to the State Academy of the Deaf Campus, 0.31 miles in length (Exhibit B).

2.2. The Roadway Segment eligible for addition to the State Aid System is T.H. 299 from T.H. 60 northerly to Ravine Street, 0.22 miles in length. MnDOT will confer with Political Subdivision to determine the final right-of-way limits prior to transfer of jurisdiction to the Political Subdivision. MnDOT will make an appropriate adjustment to mileage of the Political Subdivision's municipal state aid system mileage in accordance with Minnesota Statute §162.09 Subdivision 1, Subparts (1) and (2).

2.3. The State shall Transfer the Roadway Segments only when funds are available for payment as described in Article 6. Availability of funds and Transfer are planned no later than October 15, 2022; Transfer may occur at an earlier date if agreed to by both parties to this agreement, and if funds become available.

3. Notice of Transfer; Future Responsibility; Conveyance Documents

3.1. ***Notice of Transfer.*** MnDOT will deliver to the Political Subdivision a "Notice of Transfer" citing the effective date of Transfer ("Effective Date"). Upon the Effective Date, the Roadway Segments will Transfer from MnDOT's jurisdiction, and the Political Subdivision will become the Road Authority with jurisdiction over the Roadway Segments and will assume all responsibility for the operation, maintenance, and reconstruction of the Roadway Segments and of all structures and facilities that are a part of the Roadway Segments. The City may exercise all road authority powers over the Roadway Segments including, but not limited to, vacating and conveying the Roadway Segments.

3.2. ***Conveyance Documents***. Subsequent to issuing the Notice of Transfer, MnDOT will prepare and execute necessary and appropriate documents conveying MnDOT's interest, if any, in the Roadway Segments to the Political Subdivision.

4. Delivery of Records

Following delivery of the Notice of Transfer, MnDOT will, upon request, provide the Political Subdivision with available records concerning the Roadway Segments. Such records must be in MnDOT's possession, and will be transferred only if such transfer is lawful under the provisions of the Minnesota Government Data Practices Act. Such records may include the following:

a) A list of active maintenance agreements, including signal and routine maintenance agreements with other governmental agencies that will be cancelled, and a list of agreements with utility companies that will be cancelled;
b) Records concerning utility permits, drainage permits, driveway and other access permits, advertising and sign permits, and other limited-use permits;
c) Construction plans and records, as-built construction plans (if available);
d) Bridge inspection reports and ratings;
e) Aerial photos and other photo and video files, in either hard copy or digital form;
f) Right-of-way maps and parcel files;

g) Inventory Data;
h) Pavement condition ratings;
i) Traffic signal files including timing sequence information and repair history;
j) Accident reports and statistics;
k) Most current traffic counts;
l) Alignment ties, horizontal and vertical control monuments and related data;
m) Partially or fully completed plans for construction projects;
n) Road opening and right-of-way documentation;

5. Responsibility for Claims

MnDOT will remain responsible, to the extent authorized by Minnesota Statutes §3.736 and other applicable law, for claims related to construction, maintenance, and operation of the Roadway Segments during the period when they were a state trunk highway, even if such claims are filed after the Effective Date in the Notice of Transfer. The Political Subdivision will be responsible for claims arising out of its own construction, maintenance, or operation of the Roadway Segment after the Effective Date of Transfer.

6. Municipal Turnback Account Funds

6.1 ***Authorization***. Upon the Effective Date, and upon designation of the Roadway Segments as a state aid route, Political Subdivision will be authorized to use funds from the Municipal Turnback Account in accordance with Minnesota Statutes §161.083.

6.2 ***Eligibility –In Lieu Payment.*** The parties agree that in lieu of being paid for contracting or force account work, the Political Subdivision will receive a lump sum payment of $565,920.00 in accordance with. Minnesota Rules 8820.2300 subp. 6a.

6.3 ***Payment Schedule – In Lieu Payment.*** The In Lieu payment is anticipated to be made no later than October 15, 2022.

6.4 ***Maximum Authorized Eligibility.*** The maximum authorized eligibility under this Agreement is $565,920.00.

7. Transfer of Claims; Covenant not to Sue

By accepting the payment provided for in this Agreement, the Political Subdivision releases MnDOT from any and all claims related to the condition of the Roadway Segments, regardless of whether such claims result from surface or sub-surface conditions, and regardless of whether such conditions were known or unknown at the time of Transfer. The political subdivision is encouraged to perform its own geotechnical explorations and will not rely on previous geotechnical studies performed by MnDOT. In consideration of the turnback payment provided by MnDOT, the Political Subdivision covenants not to sue MnDOT or any other state agency or official with respect to the Roadway Segments or for any claim arising out of the condition of the Roadway Segments.

8. General Provisions

8.1. ***Venue.*** Venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

8.2. ***Termination***. This Agreement may be terminated only by mutual written agreement of the parties, except that MnDOT may terminate this Agreement if it does not obtain funding from the Minnesota Legislature.

8.3. ***Suspension.*** MnDOT may suspend its payment obligations under this Agreement in the event of a total or partial government shutdown due to failure to have an approved budget by the legal deadline. The period of suspension will end when MnDOT is legally authorized to resume such payments.

8.4. ***Severability***. If any provision of this Agreement is found to be invalid or unenforceable, such provision will not affect the validity or enforceability of any other provision of this Agreement, which will remain in force and effect.

8.5. ***Merger***. This Agreement contains all prior negotiations and agreements between MnDOT and the Political Subdivision. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

8.6. ***Amendments***. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved this Agreement, or their successors in office.

8.7. ***Government Data.*** This Agreement, and any data exchanged by the parties pursuant to this Agreement, will be "government data" and subject to the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.

8.8. ***State Audits***. The books, records, documents, and accounting practices and procedures of the Political Subdivision relevant to this Agreement are subject to examination by MnDOT and the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years.

9. Additional Provisions

None

THE BALANCE OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK

POLITICAL SUBDIVISION*
The Political Subdivision certifies that the appropriate person(s) have executed the Agreement on its behalf as required by applicable resolutions, ordinances or charter provisions.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

*** INCLUDE A RESOLUTION**

DEPARTMENT OF TRANSPORTATION

Recommended for Approval:

By: _____
(District Engineer or ADE State Aid)

Date: _____

Approved:

By: _____
(State Aid Engineer)

Date: _____

Approved

By: _____
(Operations Engineer)

Date: _____

COMMISSIONER OF ADMINISTRATION

By: _____
(With delegated authority)

Date: _____

MAP 1 OF 1

TURNBACK
PICTURE MAP

S.P. 6615-9101 (TH 298)
C.S. 6615
JOB NUMBER: TRWSP6615I101
RICE COUNTY (DISTRICT 6)

Release carries for TH 298 per registration

REALMS AUTHO #4430

DATE CREATED: 12-8-2021

ELECTRONIC FILE PATH:
per Sarah.Lee.adm.dot.state.mn.us:sadp\Documents\Projects\DN_RCH\2022\01\0001RWT\ardBack\6615I01_tb_RK.dgn

EXISTING FINAL RIGHT OF WAY MAPS - 70-72A

PREPARED BY: James Hefte
507-286-7610

CENTRAL OFFICE USE ONLY

CENTRAL OFFICE CHECK		
UNIT GROUP	INITIALS	DATE
PROJECT COORDINATION		
COMMISSIONER'S ORDERS		
DESCRIPTIONS		
PLAT PREPARATION		
CHECKING AGAINST ABOVE MAP		

PLAT RECORD CENTER USE ONLY

PLEASE FILE WITH AUTHORITY FROM THE OFFICE OF LAND MANAGEMENT

FILM BAR CODE

COMMISSIONER'S ORDERS

MINNESOTA DEPARTMENT OF TRANSPORTATION

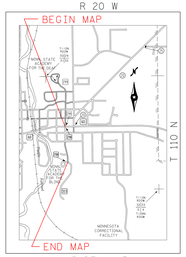
S.P. 6615-000

C.S. 6615 (298=323)

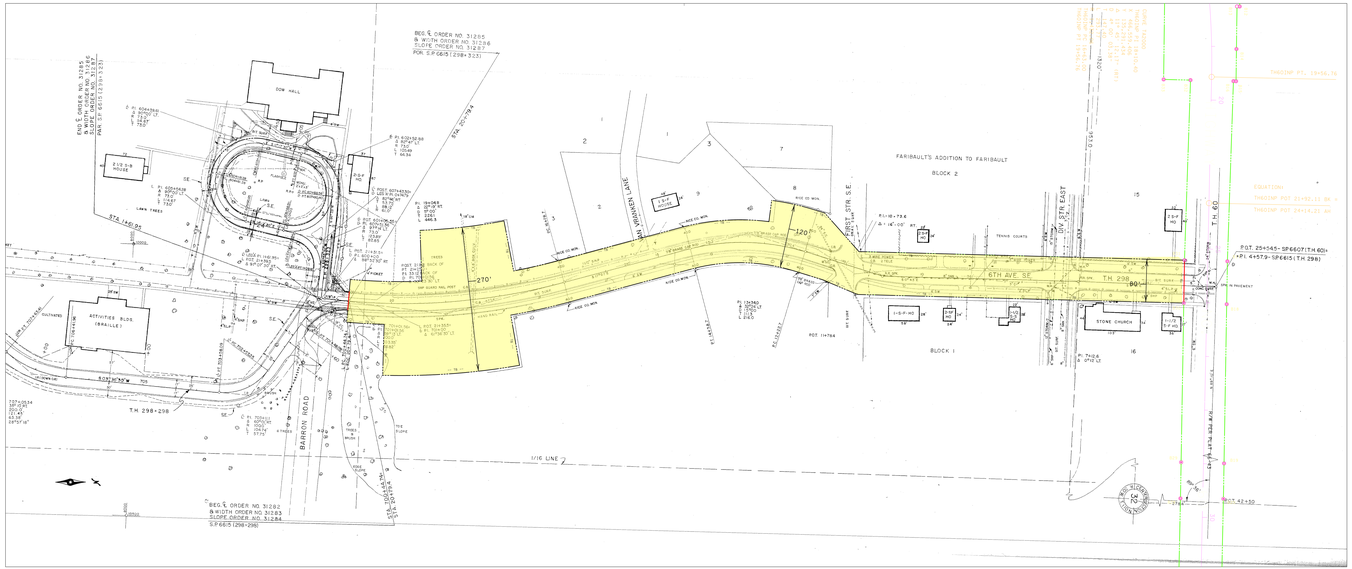
TURNBACK OF A PORTION OF TH-298
TO THE CITY OF FARIBAULT

TURNBACK TO CITY OF FARIBAULT

MUNICIPALITY OF
FARIBAULT



INDEX MAP



MAP 1 OF 1

TURNBACK AUTHORIZATION MAP

S.P. 6616-0101 (TH 299)
C.S. 6616
JOB NUMBER: T1905P6616P0101
RICE COUNTY (DISTRICT 6)

Release orders for TH 299 per legislation

REALMS AUTHO #4430

DATE CREATED: 10/4/2021

ELECTRONIC FILE PATH:
\\ROADWAY\DATA\2020\Jobs\Jobs.mdb\Jobs\Documents\Projects\SP_6616\SHEET\SHEET\Turnback\SP6616_TL_299.dgn

EXISTING FINAL RIGHT OF WAY MAPS: 10-74

PREPARED BY: James Hafle
507.286.7616

CENTRAL OFFICE USE ONLY

CENTRAL OFFICE CHECK	INITIALS	DATE
RECEIVED FROM DISTRICT		
COMMISSIONER'S ORDERS		
RECORDED		
MAPPING		
SURVEY ASSIGNED ACCESS SHEET		

STAFF MAKING ENTRY HERE CAPITAL ACCESS NUMBER

PLEASE FILE INTO AUTOMATE
FROM THE OFFICE OF LAND MANAGEMENT

FILM BOX CODE

COMMISSIONER'S ORDERS

MINNESOTA DEPARTMENT OF TRANSPORTATION

S.P. 6616-000

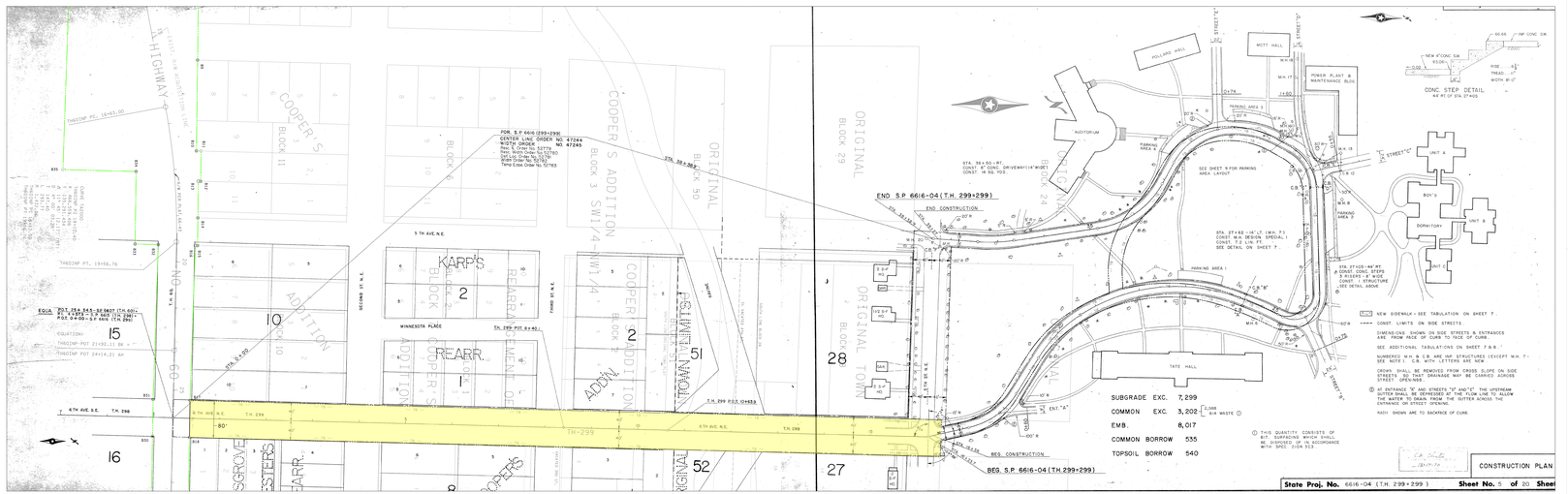
C.S. 6616 (299=299)

TURNBACK TH-299
IN THE CITY OF FARIBAULT

TURNBACK TO CITY OF FARIBAULT

MUNICIPALITY OF
FARIBAULT

INDEX MAP



Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Heather Slechta, City Clerk
MEETING DATE: July 26, 2022
SUBJECT: Approve 1-4 Day Temporary On-Sale Liquor License for Faribault Minnesota Chapter, Inc.

Background:

City Staff received an application for a 1-4 Day Temporary On-Sale Liquor License from Faribalut Minnesota Chapter, Inc for an event at Harley Davidson, 2704 W. Airport Drive on September 17, 2022. A background check is in process with the Faribault Police Department. Pending successful completion of the background check, City Staff will send a signed copy of the approved license application to the Department of Public Safety, Alcohol and Gambling Enforcement.

Recommendation:

Approve 1-4 Day Temporary On-Sale Liquor License for Faribault Minnesota Chapter, Inc.

Attachments:

1. MN Chapter - 1-4 Day Applicaiton

Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 222, St. Paul, MN 55101
651-201-7500 Fax 651-297-5259 TTY 651-282-6555

APPLICATION AND PERMIT FOR A 1 DAY TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

Name of organization	Date organized	[redacted]
Faribault Minnesota Chapter, Inc.	5/13/96	

Address	City	State	Zip Code
2704 W. Airport Drive	Faribault	MN	55021

Name of person making application	Business phone	Home phone
Ann M. Hofmeister	507-334-5130	507-330-1113

Date(s) of event: September 17, 2022

Type of organization: ☒ Club ☐ Charitable ☐ Religious ☐ Other non-profit

Organization officer's name	City	State	Zip Code
Ann M. Hofmeister	Faribault	MN	55021

Location where permit will be used. If an outdoor area, describe.

We will set up outdoors in the parking lot at Faribault Harley-Davidson

[redacted]

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license	Date Approved
Fee Amount	Permit Date
Date Fee Paid	City or County E-mail Address
	City or County Phone Number
Signature City Clerk or County Official	Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.
PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Heather Slechta, City Clerk
MEETING DATE: July 26, 2022
SUBJECT: Approve 1-4 Day Temporary On-Sale Liquor License for Divine Mercy Catholic School

---

Background:

City Staff received an application for a 1-4 Day Temporary On-Sale Liquor License from Divine Mercy Catholic School for an event at 15 SW 3rd Ave, on September 18, 2022. A background check is in process with the Faribault Police Department. Pending successful completion of the background check, City Staff will send a signed copy of the approved license application to the Department of Public Safety, Alcohol and Gambling Enforcement.

Recommendation:

Approve 1-4 Day Temporary On-Sale Liquor License for Divine Mercy Catholic School

Attachments:

1. Divine Mercy - 1-4 Day Application

Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 222, St. Paul, MN 55101
651-201-7500 Fax 651-297-5259 TTY 651-282-6555

APPLICATION AND PERMIT FOR A 1 DAY TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

Name of organization: DIVINE MERCY CATHOLIC SCHOOL
Date organized:
Address: 15 SW 3RD AVE
City: FARIBAULT
State: MN
Zip Code: 55021
Name of person making application: PHILLIP PARRISH
Business phone: 507.334.7706
Home phone:
Date(s) of event: 9.18.2022
Type of organization: ☐ Club ☐ Charitable ☒ Religious ☐ Other non-profit

Organization officer's name	City	State	Zip Code
FR. CORY ROHLFING	FARIBAULT	MN	55021
JEFF SCHULTZ	FARIBAULT	MN	55021
LISA SAMMON	FARIBAULT	MN	55021

Location where permit will be used. If an outdoor area, describe.
139 MERCY DRIVE, FARIBAULT, MN
CHURCH GROUNDS

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.
NO

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
CATHOLIC MUTUAL INSURANCE

APPROVAL
APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license
Date Approved
Fee Amount
Permit Date
Date Fee Paid
City or County E-mail Address
City or County Phone Number
Signature City Clerk or County Official
Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.
PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Tim Murray, City Administrator
FROM:	Heather Slechta, City Clerk
MEETING DATE:	July 26, 2022
SUBJECT:	Approve Resolution 2022-151 Approve Massage Therapist License

Background:

City Staff have received an application for a Massage License from Jay Schreck. A background check is in process with the Police Department. If approved, the Massage License will be valid from July 27, 2022-January 31, 2023.

Recommendation:

Approve Resolution 2022-151 Approve Massage Therapist License

Attachments:

1. Resolution 2022-151 Approve Massage Therapist License

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-151

APPROVE MASSAGE THERAPIST LICENSE

WHEREAS, Jay Schreck has presented an application to the City of Faribault for a Massage Therapist License; and

WHEREAS, the above named has paid the proper fees and provided the required documentation; and

WHEREAS, the Police Department has completed the required background investigation;

NOW, THEREFORE BE IT RESOLVED, that the above-named applicant be granted a Massage Therapist license with the City of Faribault for the term of July 27, 2022 to January 31, 2023.

Date Adopted: July 26, 2022

Faribault City Council

_____
Kevin F. Voracek, Mayor

ATTEST:

_____
Timothy C. Murray, City Administrator

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Tim Murray, City Administrator
FROM:	Heather Slechta, City Clerk
MEETING DATE:	July 26, 2022
SUBJECT:	Approve LG230 Application to Conduct Off-Site Gambling

Background:

City Staff have received an LG230 Applicaiton fot Conduct Off-Site Gambling from Divine Mercy Catholic School for an event from September 17, 2022-September 18, 2022 at Divine Mercy Catholic Church, 139 Mercy Drive. If approved, Staff will send the signed application to the Minnesota Gambling Control Board for final review and approval.

Recommendation:

Approve LG230 Application to Conduct Off-Site Gambling

Attachments:

1. Divine Mercy - Gambling Permit Application

LG230 Application to Conduct Off-Site Gambling

No Fee

ORGANIZATION INFORMATION

Organization Name: Divine Mercy Catholic School License Number: [redacted]

Address: 15 3rd Ave SW City: Faribault, MN Zip: 55021

Chief Executive Officer (CEO) Name: Gina Ashley Daytime Phone: 507-334-7706

Gambling Manager Name: Daniel Moyer Daytime Phone: 267-474-6641

GAMBLING ACTIVITY

Twelve off-site events are allowed each calendar year not to exceed a total of 36 days.

From 9/17/22 to 9/18/22

Check the type of games that will be conducted:

☐ Raffle ☒ Pull-Tabs ☐ Bingo ☐ Tipboards ☐ Paddlewheel

GAMBLING PREMISES

Name of location where gambling activity will be conducted: Divine Mercy Catholic Church

Street address and City (or township): 139 Mercy Dr. Faribault, MN Zip: 55021 County: Rice

- Do not use a post office box.
- If no street address, write in road designations (example: 3 miles east of Hwy. 63 on County Road 42).

Does your organization own the gambling premises?

☒ **Yes** If yes, a lease is not required.

☐ **No** If no, the lease agreement below must be completed, and signed by the lessor.

LEASE AGREEMENT FOR OFF-SITE ACTIVITY (a lease agreement is not required for raffles)

Rent to be paid for the leased area: $_____ (if none, write "0")

All obligations and agreements between the organization and the lessor are listed below or attached.

- Any attachments must be dated and signed by both the lessor and lessee.
- This lease and any attachments is the total and only agreement between the lessor and the organization conducting lawful gambling activities.
- Other terms, if any:

Lessor's Signature: _____ Date: _____

Print Lessor's Name: _____

CONTINUE TO PAGE 2

LG230 Application to Conduct Off-Site Gambling

Acknowledgment by Local Unit of Government: Approval by Resolution

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
City Name: _____	County Name: _____
Date Approved by City Council: _____	Date Approved by County Board: _____
Resolution Number: _____ (If none, attach meeting minutes.)	Resolution Number: _____ (If none, attach meeting minutes.)
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date Signed: _____	Title: _____ Date Signed: _____
Local unit of government must sign.	TOWNSHIP NAME: _____ **Complete below only if required by the county.** On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.) Print Township Name: _____ Signature of Township Officer: _____ Title: _____ Date Signed: _____

CHIEF EXECUTIVE OFFICER (CEO) ACKNOWLEDGMENT

The person signing this application must be your organization's CEO and have their name on file with the Gambling Control Board. If the CEO has changed and the current CEO has not filed a LG200B Organization Officers Affidavit with the Gambling Control Board, he or she must do so at this time.

I have read this application, and all information is true, accurate, and complete and, if applicable, agree to the lease terms as stated in this application.

Regina R. Ashley — **Signature of CEO (must be CEO's signature; designee may not sign)**

7/20/2022 — Date

Mail or fax to:

Minnesota Gambling Control Board
Suite 300 South
1711 West County Road B
Roseville, MN 55113
Fax: 651-639-4032

No attachments required.

Questions? Contact a Licensing Specialist at 651-539-1900.

This publication will be made available in alternative format (i.e. large print, braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application.

Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public.

If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public.

Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor; national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

An equal opportunity employer

Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Mark DuChene, City Engineer
MEETING DATE: July 26, 2022
SUBJECT: Resolution 2022-160 Approve Amendment No. 1 to Joint Powers Agreement with Rice County for Cooperative Transportation Planning Agreement for I-35/CSAH 9 Interchange Analysis

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Background:

On May 21, 2021, per Resolution 2021-116, the City Council approved a joint powers agreement (JPA) with Rice County for cooperative transportation planning agreement for the I-35/CSAH 9 interchange analysis. Since that time, the Minnesota Legislature has allocated $500,000 (the "grant") towards additional study related to components for the interchange analysis. Due to the funding restrictions and scope limitations associated with the legislative allocation, there are certain aspects of the original JPA work that are now covered by the grant and certain aspects that the City and County had hoped would be covered by the grant that are not eligible. In order to maximize the dollars allocated for this project, the County has negotiated a change in scope for the interchange analysis work related to the JPA to replace work that is now eligible under the grant with work that is needed but not eligible under the grant. Per the JPA, the City must approve all changes to the JPA, including changes to the scope of services. Note this amendment is only a change in scope and no additional monetary contribution is being requested of the City. The original JPA agreement allocated $94,500 towards the work of which the City is responsible for 35%, or a maximum of $33,075.00. The City has no direct financial responsibility for the grant allocation.

Recommendation:

Approve Resolution 2022-160 Approve Amendment No. 1 to Joint Powers Agreement with Rice County for Cooperative Transportation Planning Agreement for I-35/CSAH 9 Interchange Analysis

Attachments:

1. Resolution 2022-160
2. Cooperative Transportation Planning Agreement Amendment 1

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-160

APPROVE AMENDMENT NO. 1 TO JOINT POWERS AGREEMENT WITH RICE COUNTY FOR COOPERATIVE TRANSPORTATION PLANNING AGREEMENT FOR I-35/CSAH 9 INTERCHANGE ANALYSIS

WHEREAS, per Resolution 2021-116, approved on May 21, 2021, the City of Faribault and Rice County entered into a joint powers agreement (JPA) for cooperative transportation and planning for the I-35 & CSAH 9 interchange analysis; and

WHEREAS, since that time the Minnesota Legislature has allocated a grant in the amount of $500,000.00 to the County to further said interchange analysis and the City and County mutually desire to amend the existing JPA to accommodate a change in the work scope of the JPA; and

WHEREAS, the JPA requires any alterations, variations, modifications or waivers to the provisions of the JPA be reduced to writing and signed by authorized representatives of the County and City.

NOW, THEREFORE BE IT RESOLVED, that Faribault City Council hereby approves Amendment No. 1 to Joint Powers Agreement with Rice County for Cooperative Transportation Planning Agreement for I-35/CSAH 9 Interchange Analysis which modifies the scope of the professional services agreement between the County and Bolton and Menk, Inc. as shown on the attached amendment but does not increase the City's financial obligations under the JPA.

Date Adopted: July 26, 2022

Faribault City Council

_____
Kevin F. Voracek, Mayor

ATTEST:

_____
Timothy C. Murray, City Administrator

EXHIBIT A – SCOPE ATTACHMENT TO AMENDMENT #1

This **SCOPE ATTACHMENT** is part of **AMENDMENT #1** to the Agreement. Unless otherwise agreed to in writing by the parties, any conflict or inconsistency as to the terms set forth in the Amendment and the Agreement shall be governed by the Amendment

The parties agree to the following changes to the contract Scope of Work:

Task B: Interchange Impacts, Purpose & Need, Initial Concepts – The task in the contract is changed in its entirety to the following:

Task B: Land Use Assessment

We will assess the land use potential of the study area by utilizing City of Faribault zoning and future land use guidance and will build upon past and current city analysis. The study area will align with the City of Faribault adopted 2040 Comprehensive Plan Future Growth Area with the addition of a buffer area north of the I-35/CSAH 9 intersection as well as the speculative development area in Bridgewater Township.

The study will include three land use development scenarios, all of which assume construction of the interchange will take place in 2032:

1. *Near term development scenario (analysis year of 2032)*
2. *Long term (analysis year 2052) low development scenario*
3. *Long term (analysis year 2052) high development scenario*

It is assumed that future development will occur contiguously from existing city boundaries. Land uses developed from this analysis will be utilized when determining interchange construction impact (e.g., environmental, traffic).

We will develop a study timeline and workplan and review with county and city staff to confirm data needs and all standards prior to beginning the assessment. The deliverable for this task will be a technical memorandum summarizing the land use assessment including three above scenarios.

The work under task B is fully applicable to a future Alternative Urban Areawide Review (AUAR) should the city and/or county proceed with the AUAR with equivalent land use assumptions for this area. This would reduce the costs and scope of preparing the AUAR if completed within 5 years of the work under task B.

Task C: Concept Development & Evaluation – This task is to be eliminated.

There are no changes to the contract scope of work for Tasks A: Interchange Scoping Framework and D: Official Mapping Process.

AMENDMENT #1 TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN RICE COUNTY AND BOLTON & MENK, INC.

This AMENDMENT #1 ("Amendment") to the original Agreement for Professional Services between Rice County ("CLIENT") and Bolton & Menk, Inc. ("CONSULTANT") dated April 29, 2021 (the "Agreement") is made and entered into on this 11th day of May, 2022.

WHEREAS, CLIENT has engaged CONSULTANT, pursuant to the Agreement, to furnish CLIENT with various professional services in connection with the I-35/CSAH 9 Interchange Study (the "Project");

WHEREAS, CLIENT and CONSULTANT have agreed to amend the Agreement as set forth in this Amendment and subject to the terms and conditions of this Amendment; and,

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. SCOPE ATTACHMENT. The Scope Attachment is attached and incorporated herein by reference as Exhibit A. If the CLIENT requests or CONSULTANT performs additional services for the Project, ENGINEER shall make such request to CLIENT in writing, setting forth any changes or additions to the Scope of the Agreement, including any additional deliverables requested for the Project in Exhibit A.

2. The contract fee will not change because of this amendment and remains a not-to-exceed fee of $94,500.

3. Additional Forms. Attachments A is attached and incorporated into the Agreement.

4. All Other Terms and Conditions of the Agreement. Any conflict on inconsistency as to terms set forth in this Amendment and the Agreement or other writing will be governed by this Amendment.

IN WITNESS WHEREOF, the parties have caused this AMENDMENT #1 to be executed by their duly authorized representatives on the dates written below.

CLIENT:	CONSULTANT:
RICE COUNTY	BOLTON & MENK, INC.
SIGNED: _____	SIGNED: _____
NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
DATE: _____	DATE: _____

Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Kevin Bushard, Human Resources Manager
MEETING DATE: July 26, 2022
SUBJECT: Resolution 2022-161 Approve Hiring of Mechanic

Background:
Due to a termination, there is a need to hire a mechanic. The position was posted from June 22, 2022 to July 7, 2022.

Fourteen applications were received and reviewed. Four applicants were interviewed. The interview panel consisted of Tony Pemrick, Public Works Foreperson, Bill Rosenau, Public Works Superintendent, Travis Block, Public Works Director and Kevin Bushard, Human Resources Manager. The panel selected Tyler Nusbaum to be brought forward as the recommendation for hire.

Resolution 2022-161 recommends Tyler Nusbaum be hired as a mechanic. This is a union position and Tyler would be hired at wage Grade I, Step 3 under the Local 70 CBA for 2022-2024.

Recommendation:
Approve Resolution 2022-161, approving the hiring of Tyler Nusbaum as Mechanic for the City of Faribault.

Attachments:
1. 2022-161 Approve Hiring of Mechanic

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-161

APPROVE HIRING OF MECHANIC

WHEREAS, the City of Faribault (the "City") presently has a vacant Mechanic position that needs to be filled by a qualified candidate; and

WHEREAS, the City has advertised and interviewed for the Mechanic position with the City; and

WHEREAS, the City Council desires to fill the vacant Mechanic position.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Faribault, Minnesota, that Tyler Nusbaum shall be extended an offer of employment to fill the vacant Mechanic position.

Date Adopted: July 26, 2022

Faribault City Council

_____
Kevin F. Voracek, Mayor

ATTEST:

_____
Timothy C. Murray, City Administrator

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Tim Murray, City Administrator
FROM:	Kevin Bushard, Human Resources Manager
MEETING DATE:	July 26, 2022
SUBJECT:	Approve Release Agreement for Early Retirement

Background:

The City Council has approved an early retirement incentive plan on June 28, 2022. With that, Theresa Manz is eligible for this plan and has filled out the release agreement to accept early retirement no later than December 31, 2022.

Recommendation:

Approve the release agreement between Theresa Manz and the City of Faribault.

Attachments:

1. Theresa Manz Release Agreement

Release Agreement
Early Voluntary Retirement

This is an agreement (the "Agreement") between Theresa Manz (hereinafter "Employee") and the City of Faribault (hereinafter the "City") regarding Employee's early voluntary retirement from employment with the City and Employee's acceptance of certain benefits in exchange for signing this release agreement. The purpose of this Agreement is to fully resolve any and all early incentive retirement benefits, any regular retirement benefits, and any and all disputes/claims concerning employment, early retirement and/or regular retirement with the City.

Terms and conditions for this program are outlined in the 2022 Early Retirement Incentive Program (the "Program"), a copy of which is attached and made part of this Agreement, as approved by the Faribault City Council on June 28, 2022.

1. In exchange for the promises and agreements made by Employee in this Agreement, the City will provide Employee with the following benefits:

   a. Payment of any accrued leave according to termination consideration set forth in any employee contract or employee compensation guidelines.

   b. A lump sum payment in accordance with the financial incentive payment section of the Program (with the amount specified below). The lump sum payment along with any other negotiated or agreed upon retirement benefits shall be made to Employee within fourteen (14) days after the expiration of the rescission/revocation periods identified in Paragraph 3 herein.

   c. As permitted or required by law, retired employees may stay on the City's health insurance, but will be required to pay the full premium for the plan they select.

2. In exchange for the benefits provided by the City as described above, Employee agrees to the following terms:

   a. Date of retirement shall be no later than December 31, 2022.

   b. The lump sum payment amount shall be $28,317.60.

   c. This agreement constitutes the entire agreement between the parties with respect to the employment relationship between Employee and the City, and replaces any and all prior

agreements or understandings, including collective bargaining agreements, and the parties agree that there were no inducements or representations leading to the execution of this Agreement except as herein contained.

d. In consideration of the terms described in this agreement and release of claims, Employee and their heirs, administrators, representatives, successors, and assigns, releases and forever discharges the City and its attorneys, agents, representatives, employees, former employees, insurers, heirs, executors and assigns of and from any and all past, present or future claims, demands, obligations, actions or causes of action, at law or in equity, whether arising by statute, common law or otherwise, and for all claims for damages, of whatever kind or nature, and for all claims for attorneys' fees, costs and expenses, including but not limited to all claims of any kind arising out of your employment, including but not limited to claims for emotional distress, discrimination, or constructive discharge. Employee specifically releases the City from any claims for benefits, salary, severance payments, or any other benefits to which you might otherwise be entitled.

e. Employee is not releasing or relinquishing any right to defense and indemnification by the City for any possible claims asserted by third parties arising out of the performance of Employee's duties as an employee of the City for which the City is obligated by state or federal law to defend and indemnify the Employee.

f. In consideration of the terms described in this agreement and release of claims, Employee further acknowledges they are knowingly and voluntarily waiving all possible rights or claims arising under the Age Discrimination in Employment Act, 29 U.S.C. 626, and all possible rights or claims arising under the Minnesota Human Rights Act, Minn. Stat. 363A, et al., and that Employee has had an opportunity to consult with an attorney concerning the waiver of and content of the rights available under these acts.

g. Employee further acknowledges they are waiving and releasing any rights that Employee might otherwise have under the City Charter, and state or federal law with respect to a hearing with respect to any matter arising out of Employee's employment with the City or arising out of matters set forth in this Agreement.

h. Employee acknowledges that all confidential information regarding the business of the City compiled by, created by, and obtained by, or furnished to Employee during their employment with the City is the exclusive property of the City. Employee will promptly, on or prior to the date of Employee's retirement, return to the City all originals and copies of any material involving such confidential information. Employee affirms and agrees to abide by their obligation not to use or disclose confidential information about the City to any third party, including but not limited to potential employers, parties doing business with the City or parties with interests adverse to the City. Employee further affirms they understand that the term "confidential information" includes, but is not limited to, sensitive

and/or legally privileged data, but does not include information and documents already in the public domain.

i. Employee acknowledges they voluntarily entered into discussions with Administration regarding the Early Voluntary Retirement program. Employee further acknowledges that both parties mutually agreed to the terms and conditions of this program under the auspices that the purpose of the program is to aid an employee who wants to retire but needs assistance with health insurance coverage and that the City benefits in the short term and/or long term from the reduction in salary/benefits/severance costs.

j. The City reserves the right to cancel this program at any time. However, any employees that have fully executed agreements will still be entitled to receive the incentive, assuming they have complied with all the terms and conditions of this program and the agreement.

3. This Agreement is subject to the following rescission/revocation periods as provided by law:

Act	Revocation Period
Age Discrimination in Employment Act, 29 U.S.C. § 626(f) (1) (G)	7 days
Minnesota Human Rights Act, Minn. Stat. § 363A.031, Subd. 2	15 days

Once the Agreement has been executed, the Employee understands that he/she has the right to rescind and/or revoke the waivers and releases contained in this Agreement. To be effective, the rescission or revocation must be in writing and delivered to the City either by hand or mail within the 7-day period for the Age Discrimination in Employment Act, or within the 15-day period for the Minnesota Human Rights Act. If delivered by mail, the rescission or revocation must be: (1) postmarked within the applicable 7- or 15-day period; (2) properly addressed to the City; and (3) sent by certified mail return receipt requested. The address of the City is:

City of Faribault
Attention: Tim Murray, City Administrator
208 NW 1st Avenue
Faribault, MN 55021

IN WITNESS WHEREOF, City has caused this Agreement to be executed on its behalf by its Mayor and City Council, and Employee has signed this Agreement, as of the day and year written below.

CITY COUNCIL

By: _____
Kevin F. Voracek, Mayor

By: _____
Timothy C. Murray, City Administrator

Date: _____

EMPLOYEE

Theresa Mancy
(Employee Signature)

Date: 7/14/22

2022 Early Retirement Incentive Program

Following is an outline of the Early Retirement Incentive Program that is offered to eligible employees on a voluntary basis as a means to (1) provide recognition to employees for service to the City, (2) provide promotion/advancement opportunities for existing employees, (3) be a possible catalyst for organizational/position considerations, and (4) produce (potential) cost savings over time.

1. Eligibility requirements for the program:
   a) Permanent, fulltime City of Faribault employee
   b) Age 60+ on or before December 31, 2022
   c) Minimum of 10 years of employment with the City of Faribault
   d) Employee in "good standing" at time of retirement

2. Conditions of taking this incentive are proposed as follows:
   a) Submit notice to participate no later than September 30, 2022, with an effective retirement date on or before December 31, 2022
   b) Employees must provide a minimum of 90-days' notice of retirement (unless otherwise waived by the City Administrator)
   c) Notice of retirement is not retractable after three (3) calendar days
   d) Employees will execute an agreement accepting the terms and conditions of the program (to be approved by City Council)

3. Determination of financial incentive payment:
   a) City will compensate the employee an amount equal to the estimated 2023 premium cost for the $2,800 Deductible Plan, Single Coverage ($786.60/month) times the number of months from the date of retirement to the time the employee reaches Medicare-eligible age (65).
   b) The minimum payment for any employee will be for 12 months ($9,439.19), and the maximum payment will be for 36 months ($28,317.56).
   c) Payment will be a lump sum at the time of retirement with other accrual/severance payouts going 100% into a Health Care Savings Plan (HCSP). The HCSP would include the following:

- The City of Faribault and specifically the early retirement incentive program eligible employees, would participate in the plan which provides tax free contributions to the plan as well as tax free earnings and reimbursement of funds to the participant upon termination of employment from public service, regardless of age.
- The HCSP is a tax-free account where contributions and reimbursements are not reportable on the employee's state or federal income tax returns. The monies can be utilized by the employee for reimbursement of eligible medical expenses, tax-free, for as long as there are monies in the account. If the participant were to pass away with monies in the account then they pass to the spouse or dependent children under age 26, tax-free and can be utilized the same way. If there is no spouse or eligible dependents, then those monies pass to a beneficiary to be used in the same manner, but they are then paid as ordinary income.

d) Per existing labor agreements, retired employees may elect to stay with City health insurance coverage until Medicare-eligible age, but will be required to pay the full premium for the plan they select.

The City reserves the right to cancel this program at any time. However, any employees that have fully executed agreements will still be entitled to receive the incentive, assuming they have complied with all the terms and conditions of this program and the agreement.

Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Dustin Dienst, Fire Chief
MEETING DATE: July 26, 2022
SUBJECT: Approve the Demolition, Removal and Site Restoration of the Hazardous Residential Structure Damaged by Fire Located at 1811 7th ST NW.

Background:

On February 22, 2019 the residential structure at 1811 7th Street NW was severely damaged by a major fire; another fire occurred on May 2, 2019.

The two-story home was damaged by fire, smoke and water to the point that significant portions of the ceiling and floor areas were structurally compromised. Remaining areas have smoke and/or water damage. Most of the windows have no glass in them and have not been protected for months.

Minnesota Statute 65A.50, and City of Faribault Resolution 2003-130, allow the City to file a claim of up to 25% of the final insurance settlement for abatement, mitigation, removal or demolition of the hazard. In accordance with the statute, the City has filed an affidavit with the insurance company and with the Minnesota Department of Commerce to assure the property will be restored of the site cleared of damage.

The City has received escrow deposits that total $18,661.64 from the insurance company. According to statues, if no repair or damage/debris removal has taken place within 45 days after receipt of the funds, the City can use the funds to complete the work. Any unused portion of the funds must be returned to the insured.

Since that time the owner, Mr. Joseph Paul Ubl, has retained the services of Mr. Daryl C. Johnson, Public Adjuster to act on his behalf in pursuing claims adjustment and compensation. On November 2, 2021 I received an email from Mr. Daryl C. Johnson indicating that Rice County District Court issued an order for both parties to go to appraisal to determine the loss

amount.

On May 18, 2022 the City received another escrow check stemming from the Court ordered appraisal. This check is for $21,250 and with the addition of the first escrow deposit, we will have enough funds to demolish the home and restore the site.

This action only involves the fire-damaged house. Upon removal of the house, the garage will remain. A discussion with the property owner about removing the garage has taken place.

Recommendation:

Approve the demolition, removal and site restoration of the hazardous residential structure damaged by fire located at 1811 7th ST NW.

Attachments:

1. 2nd Request for Council Action
2. Minnesota Statutes 2021, Section 65A.50
3. 2003-130 Insurance Escrow Resolution

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Deanna Kuennen, Com. Dev. Dir. & Dustin Dienst Fire Chief
FROM:	John Rued, Building Official
MEETING DATE:	July 26, 2022
SUBJECT:	Demolition of 1811 7th Street NW

Background:
On February 22, 2019 the residential structure at 1811 7th Street NW was severely damaged by a major fire; another fire occurred on May 2, 2019.

The two-story home was damaged by fire, smoke and water to the point that significant portions of the ceiling and floor areas were structurally compromised. Remaining areas have smoke and/or water damage. Most of the windows have no glass in them and have not been protected for months.

Minnesota Statute 65A.50, and City of Faribault Resolution 2003-130, allow the City to file a claim of up to 25% of the final insurance settlement for abatement, mitigation, removal or demolition of the hazard. In accordance with the statute, the City has filed an affidavit with the insurance company and with the Minnesota Department of Commerce to assure the property will be restored of the site cleared of damage.

The City has received escrow deposits that total $18,661.64 from the insurance company. According to statues, if no repair or damage/debris removal has taken place within 45 days after receipt of the funds, the City can use the funds to complete the work. Any unused portion of the funds must be returned to the insured.

Since that time the owner, Mr. Joseph Paul Ubl, has retained the services of Mr. Daryl C. Johnson, Public Adjuster to act on his behalf in pursuing claims adjustment and compensation. On November 2, 2021 I received an email from Mr. Daryl C. Johnson indicating that Rice County District Court issued an order for both parties to go to appraisal to determine the loss amount.

On May 18, 2022 the City received another escrow check stemming from the Court ordered appraisal. This check is for $21,250 and with the addition of the first escrow deposit, we will have enough funds to demolish the home and restore the site.

This action only involves the fire-damaged house. Upon removal of the house, the garage will remain. A discussion with the property owner about removing the garage has taken place.

Recommendation:
Approve the demolition, removal and site restoration of the hazardous residential structure damaged by fire located at 1811 7th ST NW. The cost of such work and any legal, administrative or other costs shall not exceed $39,911.64 (the sum of the escrows). Any unused portion of the escrow shall be refunded to the insurer after completion.

Attachments:
- MN Statute 65A.50
- Resolution 2003-130

65A.50 TRUST OR ESCROW ACCOUNTS; INSURED REAL PROPERTY FIRE OR EXPLOSION LOSS PROCEEDS.

Subdivision 1. **Definitions.** (a) "Municipality" means statutory or home rule charter city or town.

(b) "Final settlement" means a determination of the amount due and owing to the insured, for a loss to insured real property, by any of the following means:

(1) acceptance of a proof of loss by the insurer;

(2) execution of a release by the insured;

(3) acceptance of an arbitration award by both the insured and the insurer; or

(4) judgment of a court of competent jurisdiction.

Subd. 2. **Partial withholding from settlement payments; notice.** Except as otherwise provided in this section, with respect to insured real property located in a municipality which has elected to apply this section as provided in subdivision 12, when a claim is filed for a loss to insured real property due to fire or explosion and a final settlement is reached on the loss to the insured real property, an insurer shall withhold from payment 25 percent of the actual cash value of the insured real property at the time of the loss or 25 percent of the final settlement, whichever is less. At the time that 25 percent of the settlement or judgment is withheld, the insurer shall give notice of the withholding to the treasurer of the municipality in which the insured real property is located, to the insured, and to any mortgagee having an existing lien or liens against the insured real property, if the mortgagee is named on the policy. In the case of a judgment, notice shall also be provided to the court in which judgment was entered. The notice shall include all of the following:

(1) the identity and address of the insurer;

(2) the name and address of each policyholder, including any mortgagee;

(3) location of the insured real property;

(4) the date of loss, policy number, and claim number;

(5) the amount of money withheld;

(6) a statement that the municipality may have the withheld amount paid into a trust or escrow account established for the purposes of this section if it shows cause, pursuant to subdivision 3, within 30 days that the money should be withheld to protect the public health and safety, otherwise the withheld amount shall be paid to the insured at the expiration of 30 days; and

(7) an explanation of the provisions of this section and a verbatim reproduction of subdivision 16.

Subd. 3. **Escrow procedure.** In order for a municipality to escrow the amount withheld by the insurer, and to retain that amount, the following procedure shall be used.

(a) An affidavit prepared by the chief fire official or another authorized representative of the municipality designated by the governing body of the municipality that the damaged insured structure violates existing named health and safety standards requiring the escrow of the withheld amount as surety for the repair, replacement, or removal of the damaged structure shall constitute cause for the escrowing of the withheld amount.

(b) In the case of a settlement, the affidavit shall be sent to the insurer, the insured, and any mortgagees. Upon receipt of the affidavit, the insurer shall forward the withheld amount to the treasurer of the municipality and shall provide notice of the forwarding to the insured and any mortgagees.

(c) In the case of a judgment, the affidavit shall be sent to the insurer, the insured, any mortgagees, and the court in which the judgment was entered. Upon receipt of the affidavit, the insurer shall forward the withheld amount to the treasurer of the municipality and shall provide notice of the forwarding to the insured, any mortgagees, and the court in which judgment was entered.

Subd. 4. **Deposit in trust or escrow account; release of proceeds to mortgagee.** Upon receipt of money and information from an insurer as prescribed in subdivisions 2 and 3, the local treasurer shall record the information and the date of receipt of the money and shall immediately deposit the money in a trust or escrow account established for purposes of this section. The account may be interest-bearing. If the mortgage on the insured property is in default, the treasurer of the municipality, upon written request from a first mortgagee of property with respect to which policy proceeds were withheld and placed into a trust or escrow account under subdivisions 2, 3, and this subdivision, shall release to the mortgagee all or any part of the policy proceeds received by the municipality with respect to that property, not later than ten days after receipt of the written request by the mortgagee, to the extent necessary to satisfy any outstanding lien of the mortgagee.

Subd. 5. **Commingling of funds; retention of interest.** Except as provided in subdivision 8, money deposited in an account pursuant to subdivision 4 shall not be commingled with municipal funds. Any interest earned on money placed in a trust or escrow account shall be retained by the municipality to defray expenses incurred under this section.

Subd. 6. **Release of deposited proceeds to insured.** Except as provided in clause (3), the policy proceeds deposited under subdivision 4 shall immediately be forwarded to the insured when the chief fire official or another authorized representative of the municipality designated by the governing body of the municipality receives or is shown reasonable proof of any of the following:

(1) that the damaged or destroyed portions of the insured structure have been repaired or replaced, except to the extent that the amount withheld under this subdivision is needed to complete repair or replacement;

(2) that the damaged or destroyed structure and any and all remnants of the structure have been removed from the land on which the structure or the remnants of the structure were situated, by the owner or by any other person, in compliance with the local code requirements of the municipality in which the structure was located; or

(3) that the insured has entered into a contract to perform repair, replacement, or removal services with respect to the insured real property and that the insured consents to payment of funds directly to the contractor performing the services. Funds released under this clause may be forwarded only to a contractor performing services on the insured property.

Subd. 7. **Reasonable proof.** Reasonable proof required under subdivision 6 shall include any of the following:

(1) originals or copies of pertinent contracts, invoices, receipts, and other similar papers evidencing both the work performed or to be performed and the materials used or to be used by all contractors performing repair, replacement, or removal services with respect to the insured real property, other than a contractor subject to clause (2);

(2) an affidavit executed by the contractor which has performed the greatest amount of repair or replacement work on the structure, or which has done most of the clearing and removal work if structure repair or replacement is not to be performed. The contractor shall attach to the affidavit all pertinent contracts, invoices, and receipts and shall swear that these attached papers correctly indicate the nature and extent of the work performed to date by the contractor and the materials used; or

(3) an inspection of the insured real property to verify that repair, replacement, or clearing has been completed in accordance with subdivision 6.

Subd. 8. **Use of retained proceeds.** If with respect to a loss, reasonable proof is not received by or shown to a fire official or another authorized representative of the municipality designated by the governing body of the municipality within 45 days after the policy proceeds portion was received by the treasurer, the municipality shall use the retained proceeds to secure, repair, or demolish the damaged or destroyed structure and clear the property in question, so that the structure and property are in compliance with local code requirements and applicable ordinances of the municipality. If, before the lapse of the 45 days after the proceeds portion was received by the treasurer, the municipality has secured, repaired, or demolished the damaged or destroyed structure under chapter 299F or 463 or other applicable law or ordinance, once the 45 days lapse, the municipality may release the special assessment placed on the property, if any, and reimburse itself from the retained funds. No more than 15 percent of the policy proceeds used by the municipality under this subdivision may be attributed to the municipality's administrative expenses, which must be directly related to the actions authorized under this subdivision. Any unused portion of the retained proceeds shall be returned to the insured.

Subd. 9. **Proceeds not included.** A final settlement shall not include the payment of policy proceeds for personal property or contents damage or for additional coverage not contained in the fire coverage portion of the fire insurance policy.

Subd. 10. **Immunity from liability.** There shall not be liability on the part of, and a cause of action shall not arise against, an insurer or an agent or employee of an insurer for withholding or transferring money in the course of complying or attempting to comply with this section.

Subd. 11. **Application of section; amount of settlement.** This section applies only to final settlements which exceed 49 percent of the insurance on the insured real property.

Subd. 12. **Application of section; election; list of electing municipalities.** This section applies only to property located in a municipality if the municipality, pursuant to a resolution by the governing body, notifies the commissioner in writing that the municipality has established a trust or escrow account to be used as prescribed in this section and intends to uniformly apply this section with respect to all property located within the municipality following written notification to the commissioner. The commissioner shall prepare and distribute a list of all municipalities which have elected to apply this section to all insurance companies transacting property insurance in this state.

Subd. 13. **Retention on list.** (a) A municipality shall remain on the list until a written request for deletion has been received by the commissioner, or until the municipality has failed to comply with paragraph (b), and the amended list has been prepared pursuant to this subdivision.

(b) Municipalities on the list shall report every two years to the commissioner in writing regarding the extent of the municipality's use of this section and the effect of this section on arson fires in that municipality. The report must be filed with the commissioner no later than 90 days after the two-year anniversary of the municipality's placement on the list and thereafter no later than 90 days after each subsequent two-year period. If the commissioner has not received a report required under this paragraph, the commissioner shall

promptly provide the municipality a written reminder notice. If the commissioner has not received the report within 30 days after providing the written notice, the municipality shall be treated as having made a written request for deletion under paragraph (a).

Subd. 14. **Addition to list.** A municipality may apply to be added to the list by making a written request for addition to the commissioner. When a written request for addition from a municipality has been received by the commissioner, an amended list shall be prepared and distributed indicating the addition. The addition shall be effective on the date specified by the commissioner in the amendment. The commissioner shall notify the municipality and insurance companies of the effective date of the addition which shall be effective not less than 30 days after receipt of notice by the insurance company. A municipality shall not apply this section with respect to any loss which occurred before the effective date of the addition.

Subd. 15. **Deletion from list.** A municipality may cease to apply this section for a period of not less than six months upon not less than 30 days' written notice to the commissioner. After receipt of request to be deleted from the list, the commissioner shall prepare and distribute an amendment to the list indicating the deletion. The deletion shall be effective on the date specified by the commissioner in the amendment. The commissioner shall notify the municipality and insurance companies of the effective date of the deletion which shall be effective not less than 30 days after receipt of the notice by the insurance company. A municipality shall continue to apply this section with respect to any loss which occurred before the effective date of the deletion, notwithstanding the deletion.

Subd. 16. **Exceptions to withholding requirements.** The withholding requirements of this section do not apply if all of the following occur:

(1) within 30 days after agreement on a final settlement between the insured and the insurer, the insured has filed with the insurer evidence of a contract to repair as described in subdivision 7;

(2) the insured consents to the payment of funds directly to the contractor performing the repair services. Funds released under this clause may be forwarded only to a contractor performing the repair services on the insured property; and

(3) on receipt of the contract to repair, the insurer gives notice to the municipality in which the property is situated that there will not be a withholding under this section because of the repair contract.

Subd. 17. **Demolition costs or debris removal costs as part of final settlement; withholding.** If the insured and the insurer have agreed on the demolition costs or the debris removal costs as part of the final settlement of the real property insured claim, the insurer shall withhold one of the following sums, whichever sum is the largest, and shall pay that sum in accordance with this section:

(1) the agreed cost of demolition or debris removal;

(2) 25 percent of the actual cash value of the insured real property at the time of loss; or

(3) 25 percent of the final settlement of the insured real property claim.

History: *1995 c 170 s 1; 1997 c 47 s 1-5; 1997 c 77 s 2*

CITY OF FARIBAULT
RESOLUTION 2003- 130

RESOLUTION ESTABLISHING
FIRE LOSS INSURANCE
ESCROW ACCOUNT

WHEREAS, Minnesota Statutes, Section 65A.50 authorizes the city to establish a trust or escrow account to receive proceeds from final insurance settlements for real property damaged by fire or explosion, in order to ensure that the real property, and any structures thereon, are secured, repaired or demolished in a manner that complies with local code requirements; and

WHEREAS, the statute requires the City Council to notify the Commissioner of Commerce that the City has established a trust or escrow account to be used as prescribed in the statute and intends to uniformly apply it with respect to all property located within the City of Faribault, following notification to the Commissioner.

NOW, THEREFORE, THE CITY OF FARIBAULT RESOLVES:

1. The City does hereby authorize and establish a trust or escrow account to be used as prescribed in Minnesota Statutes, Sec. 65A.50 and the provisions of that statute shall be uniformly applied with respect to all property located within the City of Faribault.

2. The Minnesota Commissioner of Commerce shall be notified of the City's intent by service of a certified copy of this Resolution.

3. The City staff shall develop appropriate procedures and notices to implement this Resolution.

Adopted: August 12, 2003

_____
Charles Ackman, Mayor

Attest:

_____
Timothy Madigan, City Administrator

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Ordinance 2022-22 Annexing Certain Lands from Cannon City Township and Zoning Such Lands in the I-1, Light Industrial District, and the P/I, Public/Institutional District - Second Reading

Background:

Ordinance 2022-22 annexes certain lands from Cannon City Township to the City of Faribault and rezones the property to I-1, Light Industrial, and P/I, Public/Institutional. The annexation is required to facilitate the CANNON RIVER VIEW plat, which the Faribault City Council approved per Resolution 2022-102. The City Council approved the first reading of Ordinance 2022-22 at a special meeting of the Council on July 19, 2022. The City Council must now conduct a public hearing to solicit public input on the proposed annexation and ordinance. At the close of the public hearing, the Council should take action on the second reading of Ordinance 2022-22. No substantive revisions were made to the ordinance since its first reading.

Recommendation:

Approve the second reading of Ordinance 2022-22.

Attachments:

1. Ordinance 2022-22 Annexing Certain Lands from Cannon City Township-Second Reading

CITY OF FARIBAULT
ORDINANCE NO. 2022-22

ANNEXING CERTAIN LANDS FROM CANNON CITY TOWNSHIP AND ZONING SUCH LANDS IN THE I-1, LIGHT INDUSTRIAL DISTRICT AND THE P/I, PUBLIC/INSTITUTIONAL DISTRICT

THE CITY OF FARIBAULT ORDAINS:

WHEREAS, on June 23, 2022, the City of Faribault (the "City") received a petition for annexation of 2.3 acres of real property that is legally described on Exhibit A attached hereto and depicted on Exhibit B attached hereto (the "Identified Land"); and

WHEREAS, on July 26, 2022, in accordance with Minnesota Statutes, section 414.033, subd. 2b, the City held a public hearing, giving 30 days' notice thereof by certified mail to Cannon City Township and all landowners within and contiguous to the Identified Land; and

WHEREAS, the Identified Land abuts the City, is less than 120 acres, is not presently served by public wastewater facilities and such facilities are not otherwise available, and the annexation petition was duly submitted by the fee owner of the Identified Land; and

WHEREAS, the Identified Land is not contiguous to any property that was either simultaneously proposed to be annexed or previously annexed within the preceding 12 months that, together with the Identified Land, would exceed 120 acres; and

WHEREAS, the Identified Land is about to become urban or suburban in character; and

WHEREAS, the Identified Land is not located within a floodplain or shoreland area; and

WHEREAS, all conditions required under Minnesota Statutes, section 414.033, subd. 2(3) have been met; and

WHEREAS, the City also provided the petitioner with written notice that the cost of electric utility service may change if the land is annexed into the City and such notice included an estimate of the changes in such service.

NOW, THEREFORE, the City Council of the City of Faribault does hereby ordain as follows:

Section I. The above recitals are incorporated into this ordinance as if fully set forth herein.

Section II. In accordance with Minnesota Statutes, section 414.033, subd. 2(3), the City Council hereby declares by ordinance that the Identified Land, as legally described on Exhibit A and depicted on Exhibit B, is annexed to the City.

Section III. The Identified Land is in the former Trunk Highway 218 right-of-way owned by Rice County and, accordingly, no taxes related to the Identified Land were paid to Cannon City Township in 2022. Consequently, no tax reimbursement payment from the City of Faribault to Cannon City Township is due related to the annexation of the Identified Land.

Section IV. There are no special assessments assigned by Cannon City Township to the Identified Land, nor is there any debt incurred by Cannon City Township attributable to the Identified Land.

Section V. The City Administrator is directed to promptly file a copy of this ordinance with the Office of Administrative Hearings (Chief Administrative Law Judge), the Cannon City Township clerk, the Rice County Auditor's Office, and the Minnesota Secretary of State. The City Administrator is directed to perform any additional actions that are deemed necessary to effectuate the intent of this ordinance.

Section VI. Upon annexation to the City and the recording of the CANNON RIVER VIEW plat, the Identified Land shall be zoned I-1, Light Industrial and P/I, Public Institutional, respectively, per Ordinance 2022-9, approved by the Faribault City Council on May 10, 2022. The City of Faribault Zoning Map should thereafter reflect said zoning. Additionally, and also upon annexation to the City and the recording of the CANNON RIVER VIEW plat, the City's Journey to 2040 Comprehensive Plan will guide the Identified Land for Commercial/Industrial/Mixed-Use and Institutional Use, respectively, per Resolution 2022-086, approved by the Faribault City Council on April 26, 2022.

Section VII. This ordinance shall be effective following its adoption and publication and the annexation is final on the date of approval by the Chief Administrative Law Judge.

First Reading: July 19, 2022

Second Reading and Public Hearing: July 26, 2022

Publication Date: August 2, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

Timothy C. Murray, City Administrator

EXHIBIT A

Legal Description of the Identified Land

All that area within the east half of the NE ¼ of section 20, Township 110 North, Range 20 West of the 5th P.M., Rice County, MN of the proposed highway, as set forth in that certain Final Certificate, recorded in Book 225 of Deeds, on pages 48-62, in the office of the County Recorder, Rice County, Minnesota, lying south of the southerly right-of-way of Faribault Blvd, excepting land already within the city and located within the following real property:

> Part of the East One-half of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Faribault, Rice County, Minnesota, described as follows: Beginning at a point in the South line of the Northeast Quarter of said Section 19 (for purposes of this description bearings are assumed and based on said South line being South 89°34'24" East), a distance of 264.00 feet easterly from the Southwest corner of said Northeast Quarter; thence North 0°31'10" East, along a line 264.00 feet easterly from and parallel with the West line of the South One-half of said Northeast Quarter, 1089.00 feet; thence North 89°34'24" West, 264.00 feet to a point in said West line; thence North 0°31'10" East, along said West line 222.40 feet to the Northwest corner of said South One-half of Northeast Quarter; thence South 89°30'45" East, along the North line of said South One-half of Northeast Quarter, 1556.69 feet to a point in the northwesterly right of way line of the Chicago Great Western Railway Company (now abandoned); thence South 25°44'12" West, along said northwesterly right of way line of abandoned railway, 596.02 feet; thence North 89°35'38" West, 707.68 feet to a point in the southeasterly line of an easement for Trunk Highway construction and maintenance acquired by the State of Minnesota, as stated in the final certificate, filed and of record in the County Recorder's Office in Book 225 of Deeds, pages 48 to 62; thence southwesterly, along said highway easement line, on a curve, concave easterly (curve data; radius = 3729.72 feet; delta angle = 3°40'32"; chord bearing and distance = South 10°00'22" West, 239.23 feet), an arc distance of 239.27 feet; thence southwesterly, along a offset spiral curve of increasing radius (center line of spiral curve data: degree of curve = 1°07'30"; length of curve = 150.00 feet; spiral offset = 90.00 feet) chord bearing and distance = 7°24'58" West, 148.23 feet; thence South 7°02'36" West, 720.50 feet to a point in the South line of the North One-fourth of the North One-half of the Southeast Quarter of said Section 19; thence North 89°35'38" West, along the South line of said North One-fourth of the North One-half of Southeast Quarter, 32.15 feet; to a point in the center line of First Avenue N.W. as said road is built and traveled; thence North 6°39'37" East, along said center line of First Avenue N.W. as traveled, 164.02 feet; thence North 89°34'24" West, 177.34 feet to a point in a line 264.00 feet easterly from and parallel with the West line of the Southeast Quarter of said Section 19; thence North 0°30'28" East, along said parallel line, 165.00 feet to said point of beginning, subject to Minnesota Trunk Highway 3 over the Westerly side, 27th Street over the southerly side, First Avenue N.W. over the southeasterly side; and subject to an easement for Trunk Highway construction and maintenance through said above described parcel; EXCEPT parcel numbered 202 on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 66-4 in the office of the County Recorder.

EXHIBIT B

Depiction of the Identified Land

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Approve Summary Publication of Ordinance 2022-22

Background:

Ordinance 2022-22 will take effect on the date of its publication in the official newspaper of the City of Faribault. Instead of publishing the full ordinance, the Faribault City Charter allows the City Council (with five affirmative votes) to approve a summary publication of the ordinance that informs the public of the intent and effect of the ordinance. Refer to the attached summary publication of Ordinance 2022-22.

Recommendation:

Approve the attached summary publication of Ordinance 2022-22.

Attachments:

1. Ordinance 2022-22 Summary Publication

Summary Publication

CITY OF FARIBAULT
ORDINANCE No. 2022-22

ANNEXING CERTAIN LANDS FROM CANNON CITY TOWNSHIP AND ZONING SUCH LANDS IN THE I-1, LIGHT INDUSTRIAL DISTRICT, AND THE P/I, PUBLIC/INSTITUTIONAL DISTRICT

On July 26, 2022, the Faribault City Council, after conducting a public hearing, approved Ordinance 2022-22, annexing approximately 2.3 acres of land contiguous to the city, in the former Trunk Highway 218 right-of-way, east of the intersection of State Highway 3 and 30th Street NW. The approved ordinance zones the property as I-1, Light Industrial and P/I, Public/Institutional. The annexation and zoning contemplated by Ordinance 2022-22 will be final on the date of approval by the Chief Administrative Law Judge associated with the Office of Administrative Hearings. A complete copy of the ordinance, including the legal description of the property, is available for public review during regular business hours at City Hall, 208 NW 1st Avenue, Faribault, Minnesota.

First Reading: July 19, 2022
Public Hearing and Second Reading: July 26, 2022
Publication: August 2, 2022

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuenen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Applications related to the Redevelopment of Property South of the Viaduct and East of Willow Street

Background:

The City's Journey to 2040 Comprehensive Plan and Downtown Master Plan guide the existing industrial area south of the 1st Street NE viaduct and east of Willow Street for "downtown" use and "residential-commercial mixed-use." The City acquired the property in this area and is working with developers to redevelop it consistent with the community's vision.

The first phase of the redevelopment includes a proposed four-story, 77-unit, market-rate apartment building in the northwest corner of the property. Later phases include memory care and senior housing facilities. The area will also include a City-owned parking lot and a regional stormwater basin. Refer to the attached staff report for additional information.

Recommendation:

Take separate action to approve each resolution and ordinance outlined in Items 7.A.1 through 7.A.6 as recommended by the Planning Commission.

Attachments:

1. Planning Review
2. Engineering Review

Staff Report

TO:	City Council
FROM:	David Wanberg, City Planner
MEETING DATE:	July 26, 2022
SUBJECT:	Applications related to the Redevelopment of Property South of the 1st Street NE Viaduct and East of Willow Street

Background

The City of Faribault's Journey to 2040 Comprehensive Plan and Downtown Master Plan guide the area south of the 1st Street NE viaduct and east of Willow Street for residential and/or commercial use. This area includes the former Lockerby property at 217 Mill Street at 127 Willow Street, the former VP Online property at 55 Willow Street, and the former Sons of Silence property (see Figure 1: Redevelopment Area).

The City recently purchased the property shown in Figure 1 to facilitate the redevelopment of the area based on the vision and goals of the Journey to 2040 plans. The City requests the following:

1. The vacation of certain existing easements and street right-of-way;
2. Preliminary and final plats approvals;
3. A Comprehensive Plan amendment to guide the entire redevelopment area for "Downtown" use;
4. Rezoning the redevelopment area from I-2, Heavy Industrial District to CBD, Central Business District; and
5. Approval of a conditional use permit for development in the Shoreland Management Overlay District.

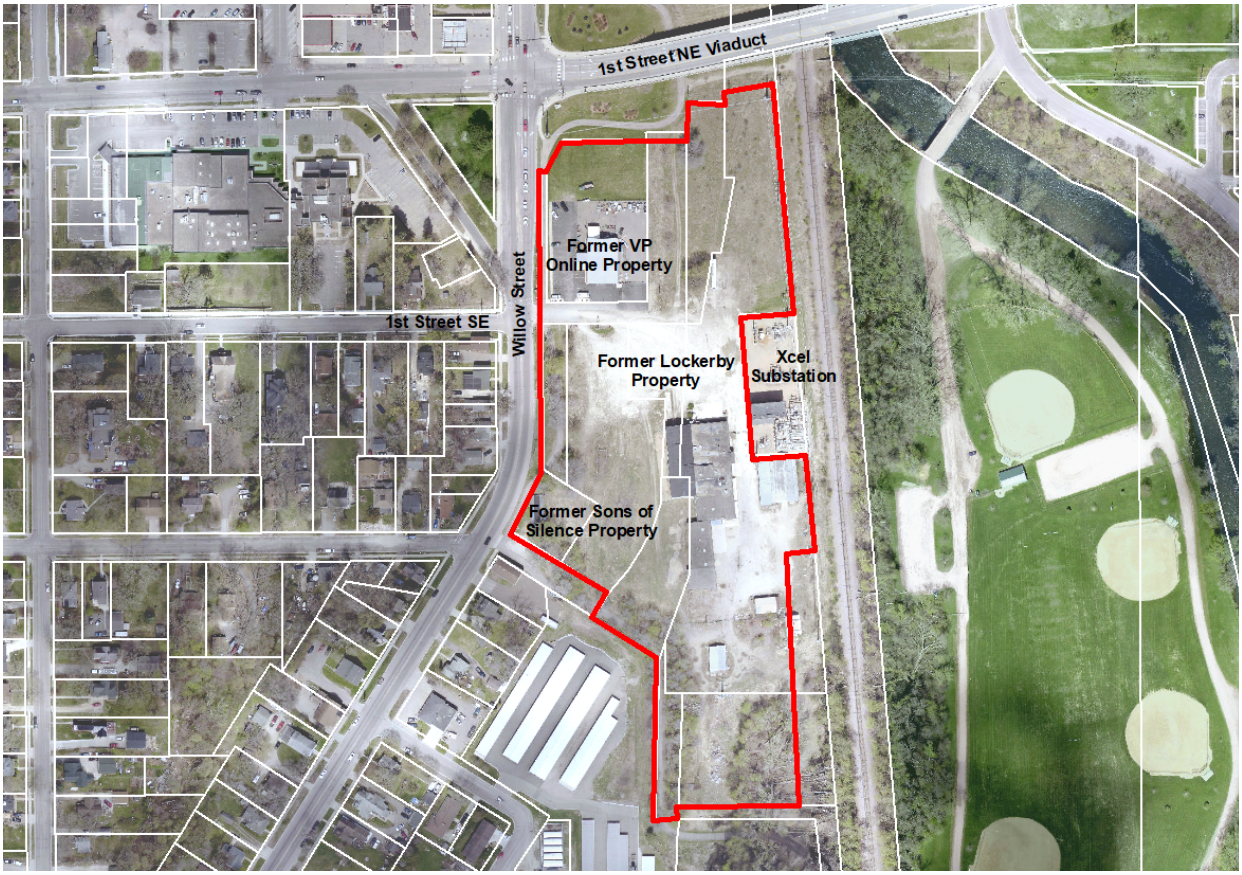

Figure 1: Redevelopment Area

Redevelopment of the area will occur in phases. Hamilton Real Estate Group (the "Developer") will develop the first phase of the area. The Developer proposes constructing a four-story, 77-unit, market-rate apartment building on a proposed lot in the northwest corner of the redevelopment area. The Developer is requesting approval of a conditional use permit (CUP) to allow the following:

1. Standalone residential use in the CBD, Central Business District;

2. The proposed four-story apartment building to exceed the base three stories or 42 feet limit in the CBD, Central Business District, without a CUP; and

3. The number of residential units to exceed the base number allowed in the CBD without a CUP.

The public hearing notice identified a variance request to allow the redevelopment area to exceed the allowable impervious coverage in the

Shoreland Management Overlay District. However, the Developer's proposal does not require that variance; therefore, the request for a variance from the allowable impervious coverage has been withdrawn.

In addition to the Developer's proposed apartment building, the first phase of the development will involve street, utilities, stormwater construction, and the demolition of existing buildings. Building demolition will be completed in August, with the construction of the apartment building anticipated to start in September, pending City and other approvals. The proposed stormwater facilities include a large, City-owned, regional stormwater basin on a proposed outlot in the southeast corner of the redevelopment area. Future development phases include the following (see Figure 2: Concept Master Plan):

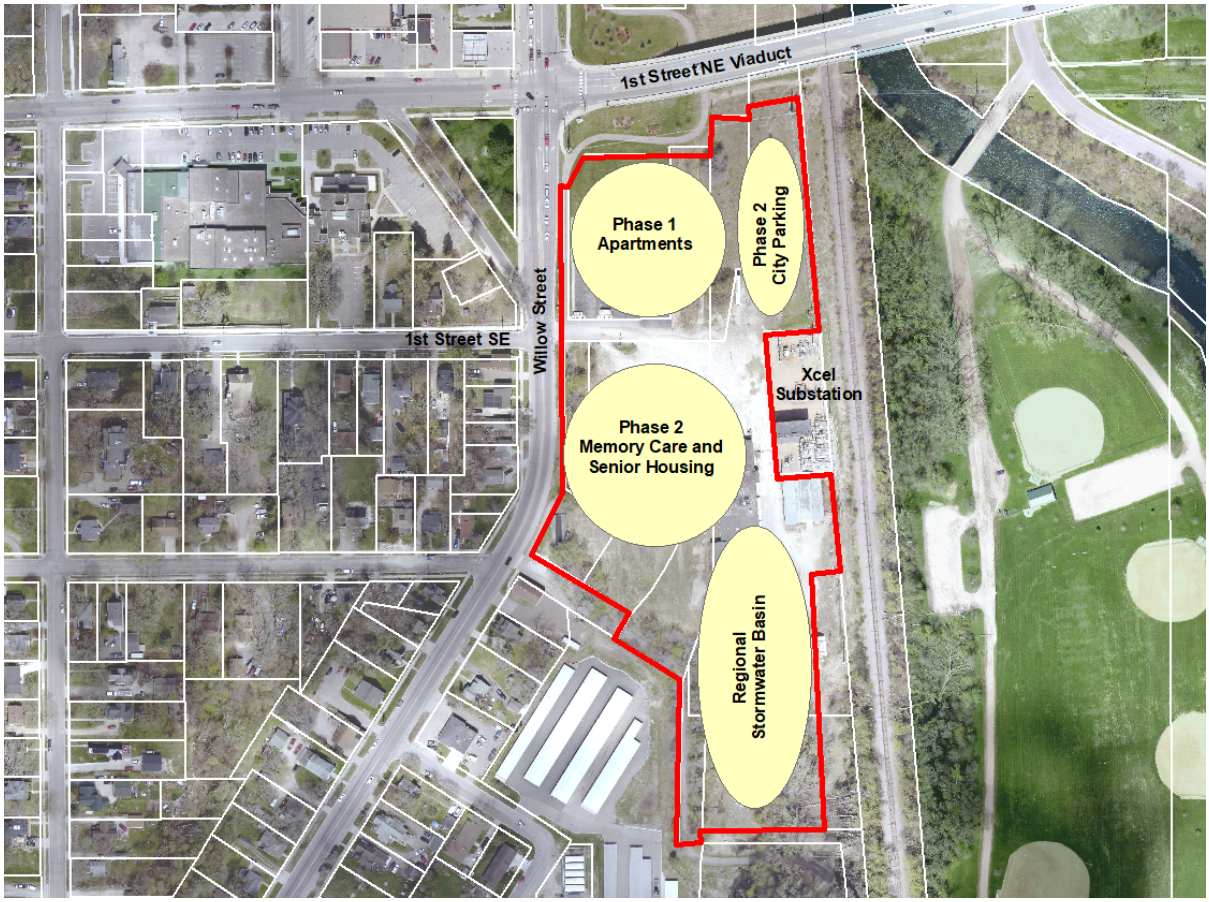

Figure 2: Concept Master Plan

1. Development of a City-owned parking lot on a proposed lot in the northeast corner of the redevelopment area; and

2. Development of memory care and senior housing on proposed lots in

the southwest corner of the redevelopment area.

Vacation of Right-of-Way / Easements

The City requests a vacation of the Mill Street right-of-way and another right-of-way / easement in the area of the former VP Online site at 55 Willow Street. The rights-of-way / easements are unnecessary and create a problem for redevelopment if they remain (see Figure 3: Vacation of Right-of-Way / Easements).

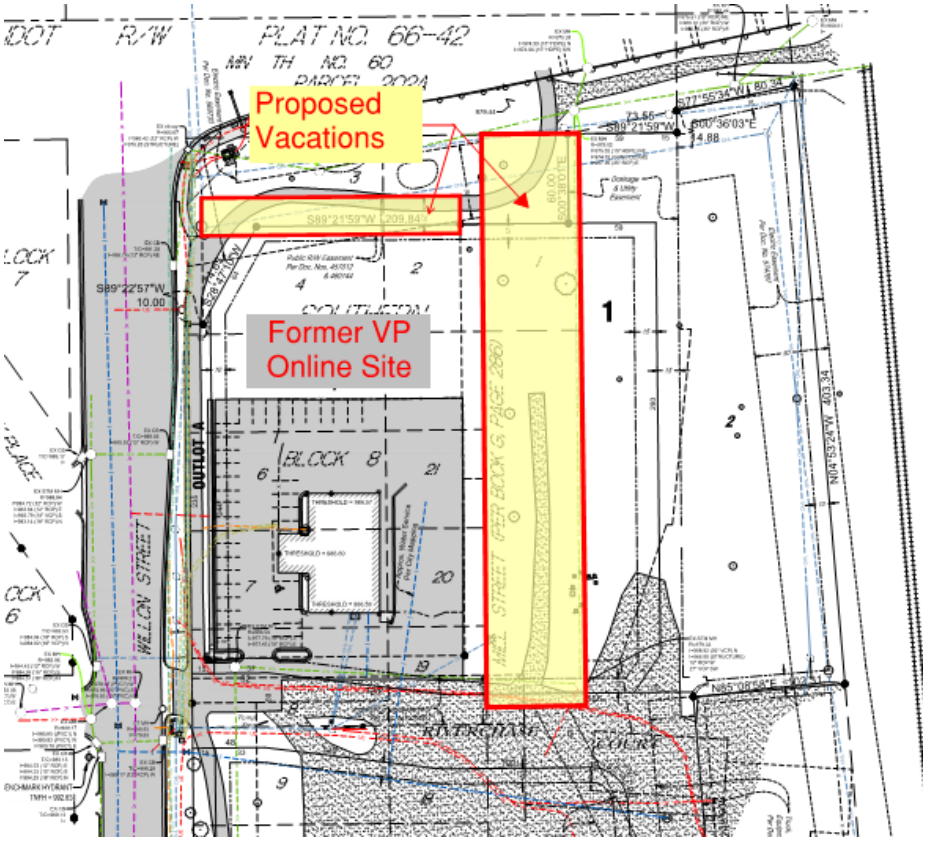

Figure 3: Vacation of Right-of Way / Easements

Preliminary and Final Plat Approval

The existing redevelopment area includes a variety of unplatted parcels and platted lots. The City requests preliminary and final plat approval to plat the property as RIVERCHASE ADDITION. The proposed plat includes the following (see Figure 4: Proposed RIVERCHASE ADDITION Plat):

1. A lot for the Developer's proposed apartment building;

2. A lot to accommodate the future memory care and senior housing – this

lot may be subdivided into two lots in the future;

3. A lot for the future City-owned parking lot;
4. Outlots to accommodate the existing City trail and the proposed regional stormwater basin; and
5. The right-of-way for the proposed Riverchase Court, which will provide street access to the properties.

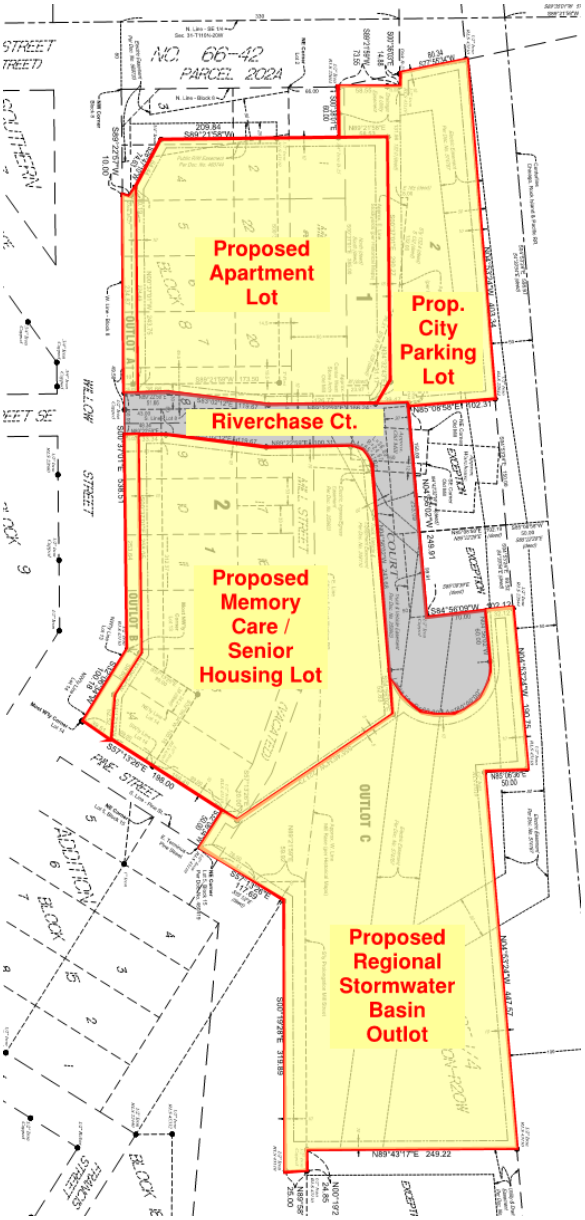

Figure 4: Proposed RIVERCHASE ADDITION Plat

The proposed plat includes standard perimeter drainage and utility easements and additional easements required for utilities. The City's Purchase and Development Agreement with the Developer waives the need for the Developer to provide parkland dedication. The City is platting the property (not the Developer). The City will construct a parking lot to serve a planned community park north of the viaduct. The City will also provide improved trails and greenspace in the platted area.

Comprehensive Plan Amendment

The City's Journey to 2040 Comprehensive Plan and Downtown Master Plan currently guides the north portion of the redevelopment area for "downtown" use and the south portion for "residential-commercial mixed-use." The City requests amending its Comprehensive Plan to guide the entire redevelopment area for "downtown use." The proposed housing in the RIVERCHASE ADDITION plat will connect to and support the downtown area; therefore, it is appropriate to guide the entire area for "downtown" use.

Rezoning

Given the City's request to guide the entire RIVERCHASE ADDITION plat for "downtown" use, it is appropriate to rezone the property from I-2, Heavy Industrial, to CBD, Central Business District. The proposed standalone residential uses in the plat are allowed in the CBD with a conditional use permit. The recently constructed Hillside Apartments and Straight River Apartments are also in the CBD. Consequently, the proposed rezoning is consistent with similar residential projects on the edge of the downtown area.

Conditional Use Permit for Development in the Shoreland Management Overlay District.

A small portion of the proposed plat is in the Shoreland Management Overlay District (see Figure 5: Shoreland Management Overlay District). The City's Unified Development requires a conditional use permit for certain types of development in the overlay district. The overlay district encompasses only a small portion of the proposed parking lot on the proposed Developer's lot in the northwest corner of the plat. The proposed apartment building is outside the overlay district.

The majority of the overlay district encompasses the lot for the future City-

owned parking lot. The City will ensure that the future City-owned parking lot will be consistent with the provisions of the overlay district. If an impervious coverage variance is required for the future City-owned parking lot, the City will apply the variance before the development of the parking lot.

The requested conditional use permit allows the City and the Minnesota Department of Natural Resources to review the proposed grading, drainage, and other development to minimize the impacts on the adjacent Straight River.

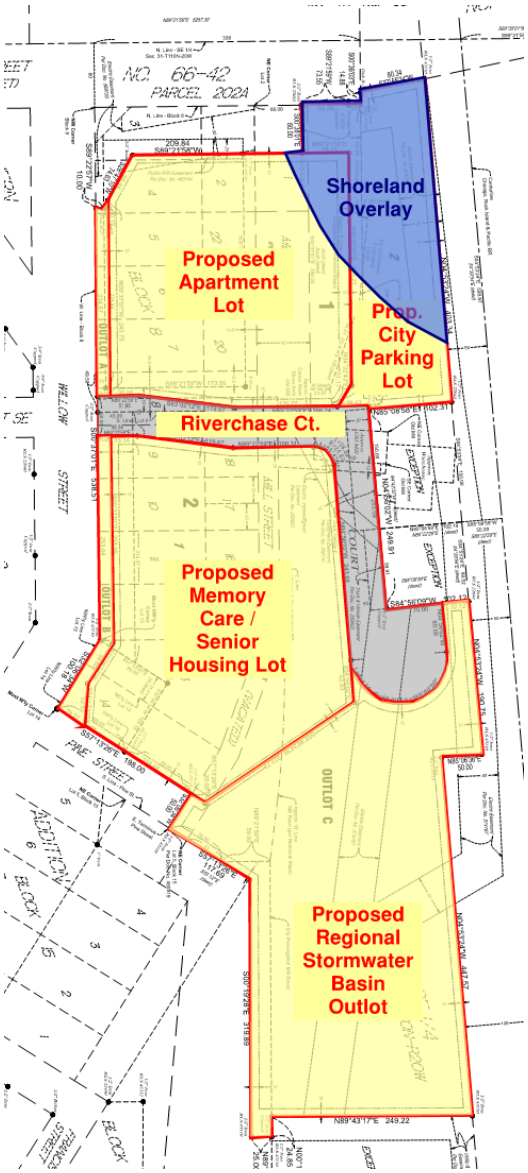

Figure 5: Shoreland Management Overlay District

Conditional Use Permit Associated with the Proposed Apartment Building on Lot 1, Block 1, RIVERCHASE ADDITION

The Developer proposes to develop a four-story, 77-unit, market-rate apartment building on Lot 1, Block 1, RIVERCHASE ADDITION (see Figure 6: Apartment Building Site Plan and Figure 7: Apartment Building Facades). The Developer is requesting approval of a conditional use permit (CUP) to allow the following:

1. Standalone residential use in the CBD, Central Business District;

2. The proposed four-story apartment building to exceed the base three stories or 42 feet limit in the CBD, Central Business District, without a CUP; and

3. The number of residential units to exceed the base number of units allowed in the CBD without a CUP.

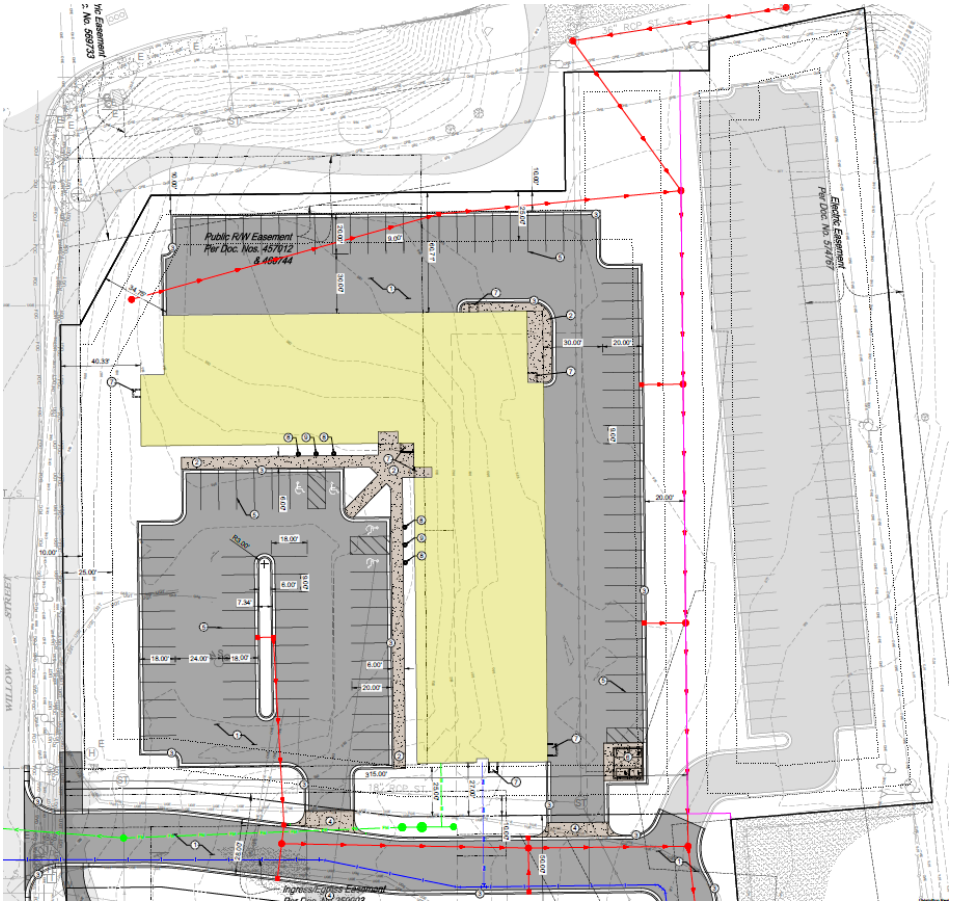

Figure 6: Apartmen t Building Site Plan

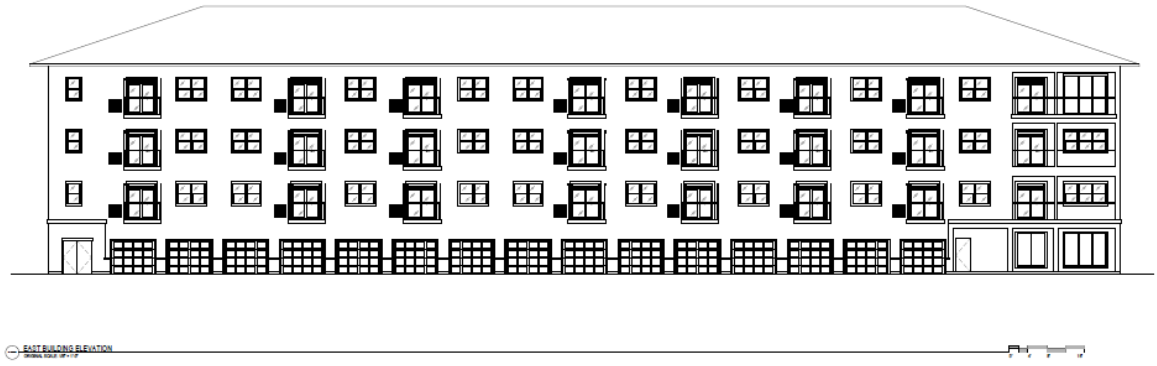

Figure 7: Apartment Building Facades

A conditional use is essentially a permitted use for which the City Council can attach appropriate conditions. In this case, City Staff feels the proposed apartment building is sound and consistent with the City's vision for this area. The apartment building includes numerous amenities and connects to the downtown and adjacent trails and parks. City Staff is working with the Developer on minor refinements to the plans, including refined pedestrian connections to the existing City trails. The standalone residential use, the height, and the density are appropriate.

Development Review Committee and Planning Commission Recommendations

The City's Development Review Committee (DRC) and the Planning Commission recommend approving all of the requests outlined in this report. The DRC and Developer continue to work on minor refinements to the development plans that will not alter the requests nor impact the Planning Commission's recommendations. Pending Council approval of the requests, the Developer intends to start construction in early September.

Resolutions and Ordinances

The City Council should take separate action on each resolution and ordinance outlined in items 7.A.1 through 7.A.6 as recommended by the Planning Commission.

Engineering Department Memorandum

TO: David Wanberg, City Planner

CC: Deanna Kuennen, Comm. and Econ. Development Director
Travis Block, Public Works Director
Jeanne Day, Finance Director

FROM: Mark DuChene, City Engineer

DATE: July 15, 2022

SUBJECT: Riverchase Addition Comprehensive Plan Amendment, Rezoning, Preliminary Plat, Final Plat, & Easement Vacation

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BACKGROUND

The City of Faribault (Owner) in conjunction with Hamilton Real Estate Group (Developer) has submitted a comprehensive plan amendment, rezoning, preliminary plat, final plat, conditional use permit and easement vacation applications for the land at 55 Willow Street (former VP Online Auctions), 217 Mill Street (former Lockerby) and 127 Willow Street (former SOS clubhouse) be platted as the Riverchase Addition subdivision. The sites are located in the SE ¼ of Section 31 Township 110, Range 20W whose parent parcels are a collective of metes and bounds parcels. The site is adjacent to Trunk Highway 60 to the north, the Straight River to the east, commercial/industrial development to the south and residential/commercial uses to the west.

Conditional Use Permit
A conditional use permit will be required for the construction of multi-family housing within a portion of the shoreland overlay district.

The proposed development will be completed by:

Owner: City of Faribault
Developer: Hamilton Real Estate Group
Surveyor: ISG
Engineer: Widseth

PLAT/COMPREHENSIVE PLAN AMENDMENT/REZONING

Owner has submitted a preliminary and final plat for Riverchase Addition. The preliminary and final plat contains three (3) lots and three (3) outlots. The City's Journey to 2040 Comprehensive Plan guided the parent parcels for Downtown and Commercial/Residential Mixed Use according to the adopted Staged Growth Plan. The Owners are requesting an amendment to the comprehensive plan to change the staged growth plan land use designations to Downtown and rezone the entire plat area as Central Business District (CBD)

The areas within the plat including their proposed use, comprehensive plan land use classification, and proposed zoning are as follows:

Lot	Area	Proposed Use
Lot 1, Block 1	95,593 sf (2.19 ac)	Multi-family Housing
Lot 2, Block 1	43,367 sf (1.00 ac)	Public Parking
Lot 1, Block 2	117,057 sf (2.69 ac)	Multi-family Senior Housing
Outlot A	3,545 sf (0.08 ac)	Park, Recreation, Open Space (Existing Trail)
Outlot B	5,940 sf (0.14 ac)	Park, Recreation, Open Space (Existing Trail)
Outlot C	141,334 sf (3.24 ac)	Stormwater Management
Rights-of-Way	40,165 sf (0.92 ac)	N/A
Total	447,002 sf (10.26 ac)	

Current title work has not been submitted with the final plat application and will be subject to the review of the City and City Attorney's office. A current tile commitment must be submitted meeting the requirements of the City Attorney and all easements and encumbrances of record shall be shown on the plat documents.

Plat shall be subject to review and approval by the MN Department of Transportation.

At the time of final plat, the Developer agrees to provide sufficient permanent property monumentation per the development agreement and shall submit to the City written verification by a registered land surveyor licensed in the State of Minnesota.

EXISTING SITE CONDITIONS

The existing site contains approximately 10.26 acres of land that that is mostly developed. The site is relatively flat and generally drains from west to east towards the Straight River. There are numerous buildings within the plat area that are scheduled to be removed ahead of redevelopment. There is also an Xcel Energy electric substation adjacent to the east side of the plat that will remain and must have vehicle access provided.

EASEMENTS

Existing Easements
There are multiple existing easements on the site, including:

- 50-foot easement for electric transmission lines in favor of NSP (Xcel Energy) per Doc 574767. No changes to this easement are required.

- Public Right of Way Easement in favor of the City of Faribault as shown per Docs 457012 & 460744. This easement is no longer needed and will be vacated.
- Ingress/Egress Easement in favor of NSP (Xcel Energy) as shown per Doc 259903. This easement has been requested to be released from Xcel as the ingress/egress covered by the easement will be contained within the proposed Riverchase Court right of way.
- Truck, Vehicle & Equipment Easement in favor of NSP (Xcel Energy) as shown per Doc 384110. This easement has been requested to be released from Xcel as the area covered by the easement will be contained within the proposed Riverchase Court right of way.

Proposed Easements
The proposed plat shows perimeter drainage and utility easements as required by City code. Oversized drainage and utility easements are shown between Lot 1 & 2, Block 1 Riverchase Addition to accommodate a trunk storm sewer line as well as existing overhead power lines in the northwest corner of said Lot 2.

Final easement locations and sizes shall be subject to the City Engineer's review and approval based on final site and utility designs.

STREET AND SITE LAYOUT

Riverchase Court
Riverchase Court is proposed to be a local street and extended from the intersection of Willow Street and 1st Street SE to the east/southeast and terminate in a cul-de-sac. Riverchase Court is proposed to be constructed as a 32-foot wide, undivided urban roadway with no parking on both sides and no sidewalk. Riverchase Court is proposed to be within a 50-ft right-of-way. The Owner is responsible for 100% of the costs to construct Riverchase Court.

Trunk Highway 60
The proposed plat is south of and adjacent to TH 60 a minor arterial street. TH 60 is a 2-lane undivided roadway with turn lanes. No access is proposed or permitted to TH 60.

Willow Street
The proposed plat is east of and adjacent to Willow Street a minor arterial street. Willow Street is a 2-lane urban street within a 80-foot right-of-way. No improvements to Willow Street are proposed and no access to Willow Street is allowed other than the new Riverchase Court.

Mill Street
The proposed plat covers a platted but unconstructed portion of Mill Street, a vacant 66-foot-wide right-of-way per Book G, page 286. This right of way shall be vacated.

PARKS AND TRAILS

There are no new public trails or sidewalks proposed as part of the plat. The existing trail near the southwest corner of the plat may be rerouted in the future. No parkland dedication will be collected as part of the plat.

DRAINAGE, GRADING AND EROSION CONTROL

STORM SEWER

The development is located within the Straight River (M-048-026) drainage district as identified in the City's 2022 Surface Water Management Plan. Stormwater runoff generated within the site currently drains primarily to existing drainage systems and to the east which ultimately discharge to the Straight River to the east.

Proposed storm sewer improvements must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans. Storm sewer systems must be designed to limit the post construction rate of runoff from the 2, 10 & 100 yr. 24-hour storm events to less than or equal to existing conditions. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

The proposed site improvements include the addition of new and/or reconstructed impervious surfaces that exceed 1 acre. A stormwater treatment system meeting the current requirements of the Minnesota Pollution Control Agency (MPCA) Construction Storm Water permit, the City's current Municipal Separate Storm Sewers permit and 2022 Surface Water Management Plan including the Developers Guide for Stormwater Management must be incorporated into the final plans. The Developer and City have agreed to cooperate on the construction of a regional stormwater basin to serve the entire plat area. The stormwater treatment basin shall be place within Outlot C. The City shall be responsible for long term operations and maintenance of the basin. The Owner is responsible for 100% of the costs of the design and construction of the stormwater treatment basin.

A City grading permit and a National Pollution Discharge Elimination System Construction Stormwater General Permit for construction activity is required by the Minnesota Pollution Control Agency (MPCA) for areas exceeding one acre being disturbed by grading. A copy of the Notice of Stormwater Permit Coverage must be submitted to the City upon receipt from the MPCA. A stormwater pollution prevention plan (SWPPP) must be submitted meeting the requirements of the City's municipal separate storm sewer system permit and associated ordinances and the erosion and sediment control requirement as set forth in the MPCA construction stormwater general permit. A full copy of the SWPPP must be submitted to the City Engineer with the final construction plans for review and approval for each parcel as it develops.

A final post construction as-built grading plan must be submitted meeting the requirements of Article VII, Section 28-230 of the City of Faribault Code of Ordinances for each parcel as it is developed.

UTILITIES

SANITARY SEWER

The development is proposed to be served by public sanitary sewer facilities. Eight-inch sanitary sewer mains shall be extended within Riverchase Court to serve the lots. A public lift station (to be owned, operated and maintained by the City) shall be constructed to serve the plat area and the lift station shall discharge to the sewer main in Willow Street. The existing City-owned downstream facilities have sufficient capacity to serve the development. The Owner is responsible for all upfront costs associated with designing and constructing said public sanitary sewer extensions. Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

All future buildings within the plat area shall be charged the standard Sewer Access Charge (SAC) in effect at the time of building permit issuance.

WATERMAIN

The development is proposed to be served by public watermain facilities. Eight-inch watermains shall be extended Riverchase Court. The Owner is responsible for all upfront costs associated with designing and constructing said public watermain extensions.

All future buildings within the plat area shall be charged the standard Water Access Charge (WAC) in effect at the time of building permit issuance.

Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans. Final hydrant location and spacing shall be approved by the Fire Chief.

LIGHTING & ELECTRIC UTILITIES

The Owner shall be responsible for the cost of installing street lighting as required by City Council Resolution NO. 2003-198.

Per Section 15-380 of Appendix B (Unified Development Regulations) of the City Code of Ordinances, all utilities that serve newly developing areas are to be placed underground. The Owner shall be responsible for arranging and coordinating with the respective utility company and paying for any related costs for the movement of any existing overhead utilities within the proposed development (except for the existing overhead electric transmission lines) underground in conjunction with the arranging of utility servicing for the newly created lots with the subdivision and the installation of street lights.

STORM SEWER

The development includes the construction of public storm sewer systems. Storm sewer facilities must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval

with the final construction plans. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

WETLANDS

There are no known wetlands shown on the preliminary plat.

CONSTRUCTION ACCESS

Construction traffic access and egress for grading, utility, and building construction shall be restricted to a single construction access.

RECOMMENDATION

Engineering recommends approval of the Comprehensive Plan Amendment, Rezoning, Preliminary Plat, Final Plat, & Easement Vacation, subject to the comments within this report and the following:

- An updated title commitment report shall be submitted for review.
- Owner shall revise plat submittal documents according to comments in this report and other comments provided under separate cover prior to the final plat being considered by the City Council.
- Developer shall enter into a development agreement prior to filing the final plat and issuance of any building permits consistent.

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Ordinance 2022-23 Vacate Unneeded Easements and Rights-of-Way South of the 1st Street NE Viaduct and East of Willow Street - First Reading

Background:

The City proposes to vacate unneeded rights-of-way/easements in the area of the former VP Online site at 55 Willow Street to facilitate redevelopment of the area. The Planning Commission held a public hearing on July 18, 2022, to consider the proposed vacation. No one from the public provided comments, and the Commission recommended approval of the proposed vacation as outlined in the attached Ordinance 2022-23.

Recommendation:

Approve the first reading of Ordinance 2022-23.

Attachments:

1. Ordinance 2022-23 Vacate Unneeded Easements and Rights-of-Way South of the 1st Street NE Viaduct and East of Willow Street - First Reading

CITY OF FARIBAULT
ORDINANCE No. 2022-23

VACATE UNNEEDED EASEMENTS AND RIGHTS-OF-WAY SOUTH OF THE 1ST STREET NE VIADUCT AND EAST OF WILLOW STREET

WHEREAS, the City of Faribault is the fee owner of land parcels adjacent to unneeded easements and rights-of-way south of the 1st Street NE viaduct and east of Willow Street in Faribault; and

WHEREAS, the City of Faribault wishes to vacate the unneeded easements and rights-of-way legally described in Exhibit A and graphically depicted in Exhibit B to facilitate the proposed RIVERCHASE ADDITION plat; and

WHEREAS, the proposed plat of RIVERCHASE ADDITION includes dedicated public street right-of-way and drainage and utility easements to serve the plat, thereby negating the need for the City of Faribault to maintain the easements and rights-of-way legally described in Exhibit A and graphically depicted in Exhibit B; and

WHEREAS, City Staff completed a review of the Applicant's vacation request and made a report to the Faribault Planning Commission, a copy of which has been presented to the Faribault City Council; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing to solicit public input on the proposed vacation of easements and rights-of-way, and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the proposed vacation of easements and rights-of-way based on the following findings as required by Section 2-540 of the City's Unified Development Ordinance:

1. No private rights will be injured or endangered because of said vacation.

2. The public will not suffer loss or inconvenience because of said vacation.

3. No written objection was received, before the public hearing, from an adjacent property owner who did not join in the application; and

WHEREAS, at a public meeting on July 26, 2022, and a public meeting on _____, 2022, the City Council considered the proposed vacation of easements and rights-of-way and concurred with the recommendations and findings of the Planning Commission as stated in the above recitals and hereby makes identical findings.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1. Vacation of the unneeded easements and rights-of-way. The City Council hereby approves the vacation of the unneeded easements and rights-of-way legally described in Exhibit A and graphically depicted in Exhibit B.

Section 2. Findings and incorporation of recitals and exhibits. The recitals and exhibits incorporated in this ordinance constitute the City Council's written findings protecting the public's health, safety, and welfare.

Section 3. Authorization to take additional steps. The City Council hereby authorizes the Mayor, City Administrator, City Staff, and City Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this ordinance.

Section 4. Effective date of this ordinance. This ordinance takes effect and is in force after its passage and publication, per Section 3.05 of the City Charter.

Public Hearing: July 18, 2022

First Reading: July 26, 2022

Second Reading: _____, 2022

Publication Date: _____, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

Timothy C. Murray, City Administrator

EXHIBIT A
Legal Description of the
Proposed Easement and Rights-of Way Vacation

PROPOSED EASEMENT VACATION
(Per Doc. Nos. 457012 & 460744)

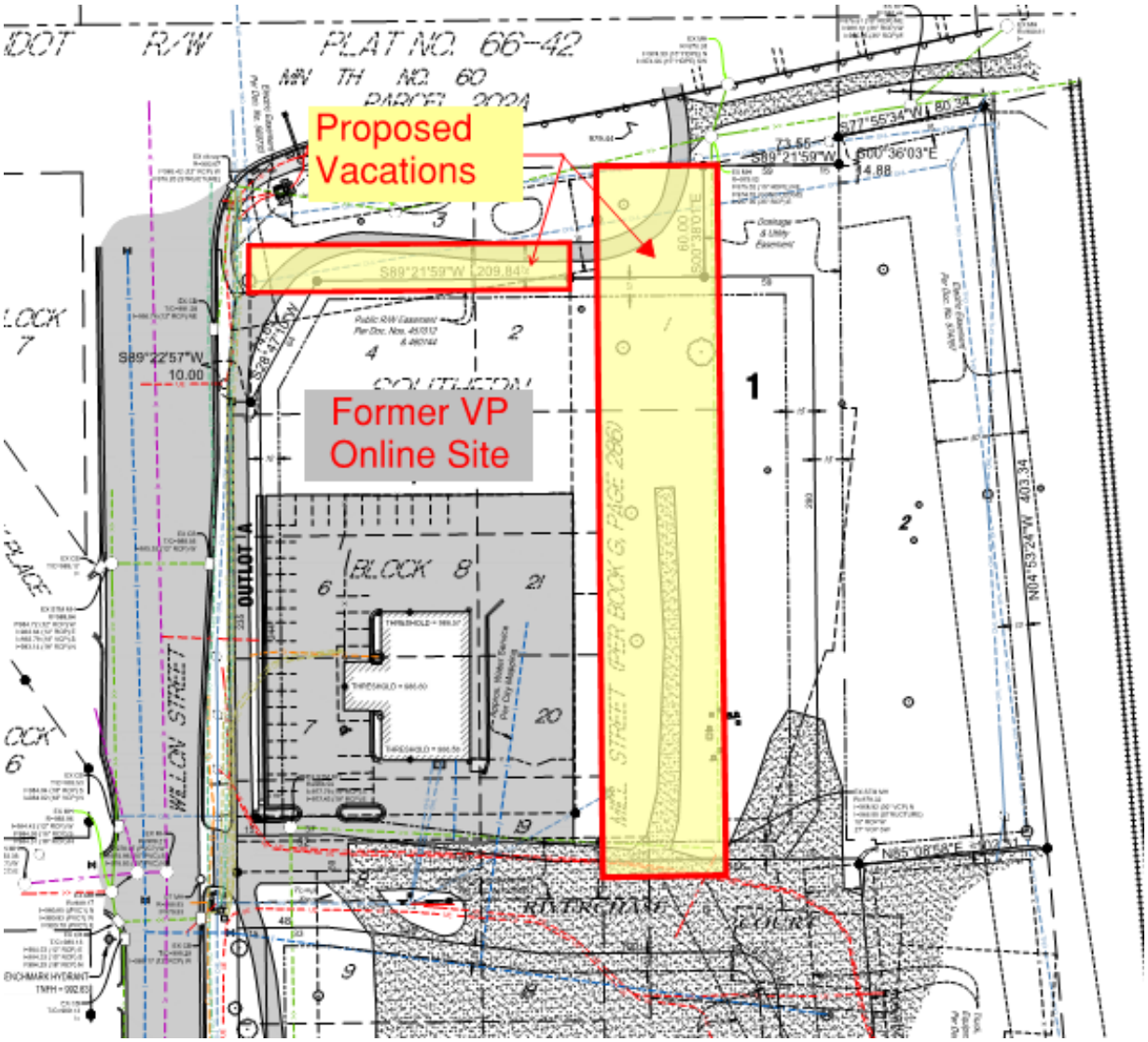
An easement for public right-of-way over, across, and under that portion of Block 8, Southern Addition to Faribault, Rice County, Minnesota, described as follows: Beginning at the Southwest corner of Lot 3, thence Easterly on the South line of Lot 3 a distance of 10 feet to the true point of beginning; thence Easterly along the South line of Lot 3, and an extension thereof, to a point in Lot 2 which is 51.5 feet Easterly of the Southeast corner of Lot 3; thence Northerly along a line which is parallel to and 51.5 feet Easterly of the East line of Lot 3, a distance of 25 feet, thence Westerly along a line which is parallel to and 25 feet Northerly of the South line of Lot 3 and the Easterly extension thereof, to the intersection with a line parallel to and 10 feet Easterly of the West line of Lot 3, thence Southerly along said parallel line to the true point of beginning.

PROPOSED MILL STREET VACATION
(Per Book G, Page 286)

Commencing on Front Street of said Town of Faribault on the North side of Lot One in Block Eight of South Faribault; thence running due South and including said Lot One in said in said Street, a distance of three hundred and eighty five (385) feet, at which point the said Street assumes a width of twenty five feet, instead of sixty six, the width throughout the above mentioned distance of three hundred and eighty five feet, and thence continues due south as before till it intersects Pine Street a distance of five hundred and forty feet, the width throughout the above mentioned five hundred and forty feet (540) being twenty five feet only.

EXCEPT the 25 foot wide portion previously vacated in Document No. 431446.

EXHIBIT B
Graphic Depiction of the Proposed
Easements and Rights-of Way Vacation



Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Resolution 2022-153 Approve the Preliminary Plat and the Final Plat of RIVERCHASE ADDITION

Background:

The existing redevelopment area includes a variety of unplatted parcels and platted lots. The City proposes to plat the property as RIVERCHASE ADDITION. The proposed plat contains the following:

1. A lot for the Developer's proposed apartment building;
2. A lot to accommodate the future memory care and senior housing – this lot may be subdivided into two lots in the future;
3. A lot for the future City-owned parking lot;
4. Outlots to accommodate the existing City trail and the proposed regional stormwater basin; and
5. The right-of-way for the proposed Riverchase Court, which will provide street access to the properties.

The Planning Commission held a public hearing on July 18, 2022, to consider the proposed RIVERCHASE ADDITION plat. No one from the public provided comments, and the Commission recommended approval of the plat as outlined in the attached Resolution 2022-153.

Recommendation:

Approve Resolution 2022-153.

Attachments:

1. 2022-153 Approve the Preliminary Plat and the Final Plat of RIVERCHASE ADDITION

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-153

APPROVE THE PRELIMINARY PLAT AND THE FINAL PLAT OF RIVERCHASE ADDITION

WHEREAS, the City of Faribault's Journey to 2040 Comprehensive Plan guides the area south of the 1st Street NE viaduct and east of Willow Street (the "Property") for "downtown" use and "residential-commercial mixed use"; and

WHEREAS, the City of Faribault (the "City") acquired the Property to facilitate the redevelopment of the Property in a manner consistent with the City's Comprehensive Plan; and

WHEREAS, the proposed redevelopment of the Property requires platting the Property; and

WHEREAS, the City proposes to plat the Property as RIVERCHASE ADDITION and intends to convey some platted lots to developers for redevelopment of the Property; and

WHEREAS, the RIVERCHASE ADDITION plat includes the following lots and outlots:

1. Lot 1, Block 1 for an apartment building;
2. Lot 2, Block 1 for a City-owned parking lot;
3. Lot 1, Block 2 for memory care and senior housing;
4. Outlots A and B for a City trail; and
5. Outlot C for a regional stormwater basin; and

WHEREAS, the RIVERCHASE ADDITION plat dedicates public street right-of-way to serve all properties in the plat; and

WHEREAS, the RIVERCHASE ADDITION plat includes standard perimeter drainage and utility easements and additional easements required for utilities and access; and

WHEREAS, as the fee owner of the Property, the City waives the parkand dedication typically associated with plats; however, the City will develop, within the plat, improved trails and a parking lot to serve adjacent parks; and

WHEREAS, City Staff completed a review of the preliminary plat and final plat of RIVERCHASE ADDITION and made a report to the Faribault Planning Commission (see the City Engineer's memorandum in Exhibit D of this resolution); and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, conducted a public hearing to solicit public input on the proposed preliminary plat and final plat of RIVERCHASE ADDITION; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's requested preliminary plat based on the following findings as required by Section 15-130 of the City's Unified Development Ordinance:

1. **The proposed preliminary plat conforms with the requirements of the Unified Development Ordinance, the applicable zoning district regulations, and any other applicable provisions of this Ordinance, subject only to acceptable rule exceptions.**

   Expanded Finding: The proposed parcels created by the preliminary plat of RIVERCHASE ADDITION are consistent with the parcel dimension requirements outlined in the City's Unified Development Ordinance for the proposed zoning districts specified in Ordinance 2022-24.

2. **The proposed subdivision is consistent with the City's Land Use Plan and any other adopted land use studies.**

   Expanded Finding: The proposed preliminary plat of RIVERCHASE ADDITION is consistent with the City's Journey to 2040 Comprehensive Plan as amended by Resolution 2022-154.

3. **The plat contains a sound, well-conceived parcel and land subdivision layout that is consistent with good land planning and site engineering design principles.**

   Expanded Finding: The preliminary plat of RIVERCHASE ADDITION is well-conceived. The size and layout of the proposed parcels allow for logical development consistent with the City's vision for redevelopment of the Property.

4. **The spacing and design of proposed curb cuts and intersection locations are consistent with good traffic engineering design and public safety considerations.**

   Expanded Finding: The preliminary plat of RIVERCHASE ADDITION provides road improvements that will improve vehicular, pedestrian, and bicycle circulation in the area.

5. **All submission requirements have been satisfied.**

   Expanded Finding: The preliminary plat of RIVERCHASE ADDITION adequately addresses the submission requirements as outlined in the City's Unified Development Ordinance; and

WHEREAS, the Planning Commission, following the July 18, 2022, public hearing, recommended that the Faribault City Council approve the requested final plat of RIVERCHASE ADDITION based on the following findings as required by Section 15-210 of the City's Unified Development Ordinance:

1. **The final plat substantially conforms to the approved preliminary plat.**

   Expanded Finding: The preliminary plat and the final plat were prepared concurrently. Therefore, the final plat conforms to the preliminary plat.

2. **The plat conforms to all applicable requirements of the Unified Development Ordinance, subject only to approved rule exceptions**.

   Expanded Finding: The final plat conforms to all applicable requirements of the City's Unified Development Ordinance.

3. **All submission requirements have been satisfied.**

Expanded Finding: The final plat adequately addresses the submission requirements as outlined in the City's Unified Development Ordinance; and

WHEREAS, at a public meeting on July 26, 2022, the City Council reviewed the preliminary plat and final plat of RIVERCHASE ADDITION and concurred with the recommendations and findings of the Planning Commission as stated in the above recitals; and hereby makes identical findings.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Faribault as follows:

Section 1. Approval of the preliminary plat and the final plat. The City Council hereby approves the preliminary plat and the final plat of RIVERCHASE ADDITION legally described in Exhibit A and depicted in Exhibit B and Exhibit C of this resolution based on the written findings in this resolution and subject to the following conditions:

1. The City Council's approvals of the preliminary plat and final plat of RIVERCHASE ADDITION are contingent on the City Attorney's plat opinion, review of title work, and any further requirements thereof.

2. The City's conveyance of lots to developers in the RIVERCHASE ADDITION plat requires that the City and developers execute a Purchase and Development Agreement to the satisfaction of the City Attorney and City Engineer before the conveyance of the lots.

3. The City is the fee owner of the Property and intends to develop a City-owned parking lot and improved trails to serve adjacent parks and the community. Consequently, the City Council does not require separate parkland dedication or cash-in-lieu of parkland for the RIVERCHASE ADDITION plat.

4. The City must refine the RIVERCHASE ADDITION plat per the comments described in the memo to David Wanberg, City Planner, from Mark DuChene, City Engineer, dated July 15, 2022, in Exhibit D of this resolution.

5. The City must record the final plat with the Rice County Recorder's Office within twelve (12) months following City Council approval, or the City Council will automatically, without further action, deem the plat null and void unless the City Council extends the deadline to record the final plat.

6. The City must have on file a signed mylar copy of the final plat as soon as possible after all signatures have been obtained and after the final plat has been successfully recorded at Rice County.

7. The City must have on file the final plat in a digital format suitable to the City Engineer as soon as possible after the final plat has been recorded at Rice County.

Section 2. Findings and incorporation of recitals and exhibits. The recitals and exhibits incorporated in this resolution constitute the City Council's written findings protecting the public's health, safety, and welfare.

Section 3. Authorization to take additional steps. The City Council hereby authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 4. Authorization to execute documents. The City Council hereby authorizes and directs the Mayor and the City Administrator to take all necessary actions and execute all appropriate documents to effectuate the approvals contemplated by this resolution.

Section 5. Effective date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: July 26, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

Timothy C. Murray, City Administrator

Exhibit A: Legal Description

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Faribault, a Minnesota municipal corporation, owner of the following described property:

Per Book G, Page 286

That Alexander Faribault of Faribault in the County of Rice and State of Minnesota and as proprietor of the Southern Addition to said Town of Faribault have granted, laid out and dedicated to and for Southern Addition and to and for the use and benefit of the *proprietor* of the several lots therein and so to and for the use of the Public as a Street and public highway and for that use and to that extent only the following described Street to wit:
Commencing on Front Street of said Town of Faribault on the North side of Lot One in Block Eight of South Faribault; thence running due South and including said Lot One in said in said Street, a distance of three hundred and eighty five (385) feet, at which point the said Street assumes a width of twenty five feet, instead of sixty six, the width throughout the above mentioned distance of three hundred and eighty five feet, and thence continues due south as before till it intersects Pine Street a distance of five hundred and forty feet, the width throughout the above mentioned five hundred and forty feet (540) being twenty five feet only.

AND

Per Doc. No. 326715

Lot Nineteen (19), Block Eight (8), in Southern Addition to Faribault, Rice County, Minnesota and also the north one-half of Lot Seventeen (17) and all of Lot Eighteen (18), in Southern Addition to Faribault, Rice County, Minnesota.

Lot Two (2) and Lot Twenty-two (22) and the North one-half of Lot Twenty-one, all in Block Eight (8), Southern Addition to Faribault, Rice County, Minnesota.

That part of the Northeast Quarter of the Southeast Quarter (NE 1/4 of the SE 1/4) of Section Thirty-one (31), Township One Hundred Ten (110) North, Range Twenty (20) West of the Fifth Principal Meridian, bounded and described as follows: Beginning at a point on the easterly extension of the North line of Block Eight (8) in Southern Addition to Faribault, 66 feet East of the Northeast corner of Lot Two (2) of said Block Eight (8) of said Southern Addition to Faribault, thence East on said extension, 66 feet; thence South 132.0 feet; thence East, approximately 16 feet; thence southerly 132.4 feet; thence West 14 feet; thence southerely and westerly, 128 feet; thence West to the easterly line of Mill Street as platted; thence North on the easterly line of Mill Street as platted, 385 feet to the point of beginning.

All of the Chicago and Northwestern Transportation Company right of way located in that part of the Southeast Quarter of Section Thirty-one (31), Township One Hundred Ten (110) North, Range Twenty (20) West of the Fifth Principal Meridian, which is located South of the North line (extended) of Block Eight (8) of Southern Addition to Faribault, excepting the following two parcels: Parcel 1 - Lots 2, 22 and the North one-half of Lot Twenty-one (21), all in Block Eight (8) of Southern Addition to Faribault; Parcel 2 - That part of the Northeast Quarter of the Southeast Quarter (NE 1/4 of the SE 1/4) of Section Thirty-one (31), Township One Hundred Ten (110) North, Range Twenty (20) West of the Fifth Principal Meridian, bounded and described as follows: Beginning at a point on the easterly extension of the North line of Block Eight (8) in Southern Addition to Faribault, 66 feet East of the Northeast corner of Lot Two (2) of said Block Eight (8) of said Southern Addition to Faribault, thence East on said extension, 66 feet; thence South 132.0 feet; thence East, approximately 16 feet; thence southerly 132.4 feet; thence West 14 feet; thence southerely and westerly, 128 feet; thence West to the easterly line of Mill Street as platted; thence North on the easterly line of Mill Street as platted, 385 feet to the point of beginning.

EXCEPT (Per Doc. No. 457013)

The West 51.5 feet of the North one-half of Lot 21; and the West 51.5 feet of Lots 2 and 22; and the West 51.5 feet of the North 19.5 feet of Lot 19; all in Block 8, Southern Addition to Faribault, Rice County, Minnesota.

AND

Per Doc. No. 457012

The following parcels in Block 8, Southern Addition to Faribault, Rice County, Minnesota:

1. The East 14.5 feet of the South one-half of Lot 21;
2. The East 14.5 feet of Lot 20;
3. The South 30 feet of the North 49.5 feet of Lot 8;
4. A strip of land 10 feet in width in Block 8, Southern Addition to Faribault, Rice County, Minnesota, described as follows: beginning at the Northwest corner of the South 30 feet of the North 49.5 feet of Lot 8; thence East 10 feet along the North line of said South 30 feet; thence North along a line 10 feet easterly of and parallel to the west line of Block 8, Southern Addition, to the point where it intersects with a line which begins on the North line of Lot 3, 45 feet east of the Northwest corner, thence runs South 44°22'46" West to the West line of Lot 3, Block 8; thence Southwesterly along the last described line to the West line of Block 8; thence Southerly along the West line to the point of beginning.

AND

Per Doc. No. 460419

A part of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company's Station Grounds situated in the East Half of the Southeast Quarter (E 1/2 of SE 1/4) of Section 31, Township 110 North, Range 20 West, Town of Faribault, Rice County, Minnesota, more particularly described as follows:

Beginning at a point 25 feet east of the Southeast corner of Lot 15 in Block 8 of the Southern Addition to the City of Faribault, running thence in a southerly and southwesterly direction 25 feet distant from and parallel to the East line of Lots 13 and 14 of said Block and continuing by the same course to the Northeast corner of Lot 5 in Block 15 of said Southern Addition the same being the point of continuation of the South line of Pine Street, now called South Second Street and 25 feet from its eastern terminus, thence South 55 1/2° East in a continuation of said south line of said Pine Street 51 feet, thence east to the west bank of the Mill Race, thence northerly along the west bank of the Mill Race, to a point on said west bank of said Mill Race directly east of the point of beginning, thence West to the point of beginning.

ALSO

Commencing at the Southeast corner of the Southeast Quarter of the Southeast Quarter of Section 31; thence North 90°00'00" West, along the South line of said Southeast Quarter of the Southeast Quarter (for purposes of this description said South line of said Southeast Quarter of the Southeast Quarter assumed North 90°00'00" West), 1087.8 feet to a point in the southerly prolongation of the East line of Fowler Street; thence North 0°00'00", along said East line of Fowler Street and its southerly prolongation, 844.44 feet; thence North 89°57'30" East, 266.00 feet; thence North 0°00'00" parallel to said east line of Fowler Street, 230 feet to the Southeast corner of that property conveyed to Gordon L. Elstad by Quit Claim deed dated June 23, 1992; thence northerly along the southerly prolongation of the West line of Mill Street as platted and forming the east line of Lot 15 and Lot 16 of Block 8, Southern Addition to the City of Faribault a distance of 175.00 feet, the point of beginning of the parcel to be described; thence South 89°57'30" West, 25.00 feet; thence northerly along a line 25.00 feet West of and parallel to said southerly prolongation of the west line of Mill Street to a point on the Southeasterly line of Francis Street; thence northwesterly to a point 76.00 feet from the eastern terminus of Pine Street and on the continuation of the south line line of Pine Street; thence East to the intersection of said southerly prolongation of the west line of Mill Street and the southeasterly line of Francis Street; thence southerly along said southerly prolongation of the West line of Mill Street to said point of beginning.

AND

Per Doc. No. 460820

Beginning at the *North corner* of Lot 8, in Block 8, Southern Addition to Faribault, Rice County, Minnesota; thence South along the West line of Block 8 a distance of 49.5 feet to the true point of beginning of the parcel to be described; thence Easterly along a line parallel to and 49.5 feet south of the North line of Lot 8, a distance of 43 feet; thence Southerly along a line parallel to and 43 feet easterly of the west line of Block 8 to a point in a line which is parallel to and 38 feet Northeasterly of the Northeasterly line of Lot 14, Block 8; thence Northwesterly along said line to the Southwest corner of Lot 12, Block 8; thence North along the West line of Block 8 to the true point of beginning.

AND

Per Doc. No. A667812

Those parts of Lot 13 and Lot 14, Block 8, in Southern Addition, Faribault, Rice County, Minnesota, describes as follows: Beginning at the most westerly corner of said Lot 14; thence northeasterly along the northwesterly lines of Lot 14 and Lot 13 (being also the southeasterly right of way line of Willow Street) to the most northwesterly corner of said Lot 13; thence southeasterly, along a line parallel wit the southwesterly line of Lot 14, a distance of 99 feet; thence southwesterly, parallel with the northwesterly lines of Lot 13 and Lot 14, to a point in the southwesterly line of Lot 14; thence northwesterly, along said southwesterly line of Lot 14, a distance of 99 feet to said point of beginning.

AND

Per File No. 2089562, Policy No. OX14002583

The West 51.5 feet of the North One-Half (N1/2) of Lot 21; and the West 51.5 feet of Lots 2 and 22; and the West 51.5 feet of the North 19.5 feet of Lot 19; and all of Lots 4, 5, 6, 7 and 20; the South One-Half (S1/2) of Lot 21; Lot 8, EXCEPT the South 16.5 feet of said Lot 8; Lot 3, EXCEPT that part of said Lot 3 described as: Beginning at a point on the North line of said Lot 3, distant 45 feet easterly of the northwest corner of said Lot 3; thence Westerly along the North line of said Lot 3 a distance of 45 feet to the northwest corner of said Lot 3; thence Southerly along the West line of said Lot 3 a distance of 45 feet; thence Northeasterly along a straight line to the point of beginning; ALL in Block 8, Southern Addition to Faribault, Rice County, Minnesota.

EXCEPTING THEREFROM the following parcels in Block 8, Southern Addition to Faribault, Rice County, Minnesota:

1. The East 14.5 feet of the South One-Half (S1/2) of Lot 21;
2. The East 14.5 feet of Lot 20;
3. The South 30 feet of the North 49.5 feet of Lot 8;
4. A strip of land 10 feet in width described as follows: Beginning at the northwest corner of the South 30 feet of the North 49.5 feet of Lot 8, thence East 10 feet along the North line of said South 30 feet; thence North along a line 10 feet Easterly of and parallel to the West line of Block 8, Southern Addition, to the point where it intersects with the line which begins on the North line of Lot 3, 45 feet East of the northwest corner, thence runs South 44°22'46" West to the West line of Lot 3, Block 8; thence Southwesterly along the last described line to the West line of Block 8; thence Southerly along the West line to the point of beginning.

AND

Per Doc. No. A719549
Parcel 1: The north one-half of Lot Seventeen (17) and all of Lot Eighteen (18), Block Eight (8) in Southern Addition to Faribault, Rice County, Minnesota.

Parcel 2: All of Lot 9 through 16, inclusive, and the South Half of Lot 17 and the South 16.5 feet of Lot 8, all being in Block 8, Southern Addition, Faribault, Minnesota.
EXCEPT those parts of Lot 13 and Lot 14, Block 8, in Southern Addition, Faribault, Rice County, Minnesota described as follows: Beginning at the most westerly corner of said Lot 14; thence northeasterly along the northwesterly lines of Lot 14 and Lot 13 (being also the southeasterly right of way line of Willow Street) to the most northwesterly corner of said Lot 13; thence southeasterly along a line parallel with the southwesterly line of Lot 14, a distance of 99 feet; thence southwesterly parallel with the northwesterly lines of Lot 13 and Lot 14, to a point in the southwesterly line of Lot 14; thence northwesterly, along said southwesterly line of Lot 14, a distance of 99 feet to the point of beginning.
ALSO EXCEPT that part of Block 8, Southern Addition to Faribault, Rice County, Minnesota, described as follows: Beginning at the *North corner* of Lot 8, in Block 8, Southern Addition to Faribault, Rice County, Minnesota; thence South along the West line of Block 8 a distance of 49.5 feet to the true point of beginning of the parcel to be described; thence Easterly along a line parallel to and 49.5 feet south of the North line of Lot 8, a distance of 43 feet; thence Southerly along a line parallel to and 43 feet easterly of the west line of Block 8 to a point in a line which is parallel to and 38 feet Northeasterly of the Northeasterly line of Lot 14, Block 8; thence Northwesterly along said line to the Southwest corner of Lot 12, Block 8; thence North along the West line of Block 8 to the true point of beginning.

Parcel 3: That part of the Southeast Quarter (SE 1/4) of Section 31, Township 110 North Range 20 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, as lies within the following described boundary lines, to wit: Beginning at a point on the North line of said Southeast Quarter (SE 1/4) Section, 80 feet north and 330 feet east of the Northwest corner of Block 8 of Southern Addition to Faribault, Rice County, Minnesota, and running from thence south on the east line of the stockyards of the Chicago and Great Western Railroad Company, and the west bank of the former tail race of Northern States Power Company, as acquired from the assignee of Polar Star Electric Company, to the center of the west arch of the stone building owned by the Faribault Manufacturing Company; thence east along the north stone wall of said building and across the tail race aforesaid to the northeast corner of said stone building to the northeast corner thereof; thence south along the east wall of said stone building to a point 12 feet south of the south wall of said stone building; thence west at right angles with said last described line and parallel with said south wall until it intersects the east line of the right of way of said Chicago and Great Western Railroad Company, thence south on the east line of said right of way and the west line of the Mill Pond to the southeast corner of Block 7 of George H. Faribault's Addition to the town, now city of Faribault, Rice County, Minnesota; thence south 20 feet; thence west 9 feet; thence South 8 degrees 35" West, 324 feet, to a point on the south line of said Section 31, 13 chains and 43 links west of the southeast corner of said Section; thence east along the section line 55 feet; thence North 7 degrees East 11 chains; thence North 69 degrees East 1 chain and 59 links; thence South 52 1/2 degrees East to the right of way of the Chicago, Rock Island and Pacific Railway Company; thence north along the west line of said right of way until it intersects the north line of said Southeast Quarter (SE 1/4) Section and from thence west on said north line to the point of beginning, hereinafter referred to as Tract A.

All that part of the Southeast Quarter (SE 1/4) of Section 31, Township 110 North Range 20 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, described as follows: Beginning at a point on the east line of the right of way of the Wisconsin, Minnesota and Pacific Railway Company, and 12 feet south of south stone wall of the old Faribault Flour Mill and running thence east parallel with and 12 feet south of said stone wall of the old Faribault Flour Mill to a point 12 feet directly south of the southeast corner of said Stone Mill, thence north along the east line of said stone building to the northeast corner thereof; thence west along the north wall of said stone building to the center of the west archway under said building; thence north along the west margin of the tail race to a point near the stockyards of said railroad company; thence in a southwesterly direction to a point on the east line of said right of way about 30 feet north of the north line of said Stone Building and from thence south along the east line of said right of way to the point of beginning. Meaning to convey by the last three courses west of said tail race all the land belonging to the Kerosene Motor Power Co., west of said tail race, south of said stockyards and north to the point of beginning.

EXCEPT that part of the Southeast Quarter (SE 1/4) of Section 31, Township 110 North Range 20 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, as lies within the following described boundary lines, to wit: Commencing at a point on the south line of said Southeast Quarter (SE 1/4), 13 chains and 43 links west of the Southeast corner of said section; thence east along said section line, 55 feet; thence North 7 degrees East 11 chains; thence westerly across the mill race to the point of intersection of the west line of said mill race with the north line of Block 7 of George H. Faribault's Addition to the town, now city, of Faribault, as extended in an easterly direction; thence southerly along the west line of said mill race to the southeast corner of said Block 7; thence South 20 feet, thence west 9 feet; thence South 8 degrees 35' West, 324 feet to the point of beginning.

ALSO EXCEPT that part of the Southeast Quarter (SE 1/4) of Section 31, Township 110 North Range 20 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, described as follows: Beginning at the Northeast corner of said Southeast Quarter (SE 1/4); thence westerly, along the north line of said Southeast Quarter (SE 1/4) (for purposes of this description bearing of said north line is assumed South 89 degrees 35'01" West), a distance of 577.63 feet to a point in the center line of the Chicago, Rock Island and Pacific Railroad; thence South 4 degrees 39'54" East, along said railroad center line, 598.97 feet; thence South 85 degrees 22'28" West, 50.00 feet to the true point of beginning of the parcel herein described; thence South 4 degrees 39'54" East, 99.52 feet; thence South 85 degrees 09'39" West, 102.12 feet; thence North 4 degrees 42'32" West, 99.91 feet; thence North 85 degrees 22'28" east, 102.19 feet to said true point of beginning; the above parcel hereinafter referred to as Tract C. The true point of beginning referred to above will be hereinafter be referred to as Point X.

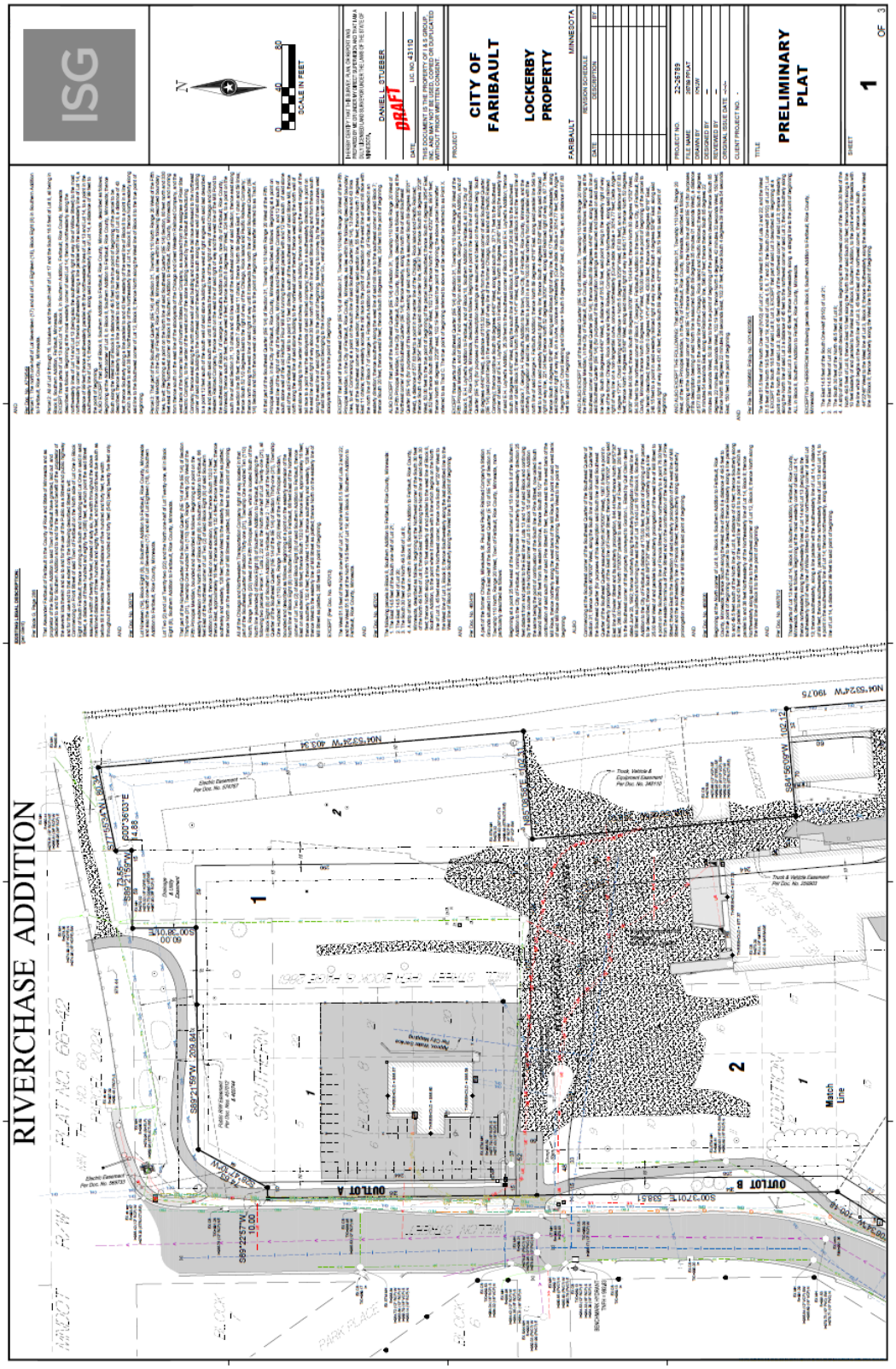
EXCEPT those parts of the Southeast Quarter (SE 1/4) of Section 31, Township 110 North Range 20 West of the Fifth Principal Meridian, and of Block 7 and vacated Flynn and Mill Streets, George H. Faribault's Addition, and of Block 5, E.H. Loyhed's Addition to Faribault, and of Block 18, Southern Addition to Faribault, all in the City of Faribault, Rice County, Minnesota, described as follows: Beginning at a point in the south line of said Southeast Quarter (SE 1/4) (for purposes of this description bearings are assumed and based on the south line being South 89 degrees 44'40" West), a distance of 515.32 feet westerly from the southeast corner of said Southeast Quarter (SE 1/4) (said point being in the westerly right of way line of the former Chicago, Rock Island and Pacific Railway Company); thence continue South 89 degrees 44'40" West, along said south line, 371.71 feet to the Southeast corner of said plat of E.H. Loyhed's Addition to Faribault; thence North 8 degrees 28'45" East, along the easterly line of said E.H. Loyhed's Addition, 25.29 feet to the southeast corner of Block 5 in said E.H. Loyhed's Addition; thence South 89 degrees 44'40" West, along the south line of said Block 5, a distance of 204.00 feet to the southwest corner of said Block 5; thence North 0 degrees 14'14" West, along the west line of said Block 5 and the west line of said Block 7, George H. Faribault's Addition to the town, now City, of Faribault, Rice County, Minnesota, and the northerly prolongation of said line, 859.25 feet to a point in a line 100.00 feet northerly from and parallel with the north line of said George H. Faribult's Addition; thence North 89 degrees 43'16" East. along said parallel line 549.19 feet to a point in said westerly Railroad right of way line; thence South 4 degrees 53'48" East, along said Railroad right of way line, 221.04 feet; thence North 52 degrees 30'00" West, along said Railroad right of way line, 67.71 feet; thence South 4 degrees 53'48" East, along said Railroad right of way line, 640.17 feet; thence Southeasterly, along said Railroad right of way line, on a curve, concave northeasterly (Curve data: Radius = 3014.77 feet; Delta Angle = 1 degree 17'21"; Chord Bearing and Distance = South 5 degrees 32'29" East, 67.83 feet), an arc distance of 67.83 feet to said point of beginning.

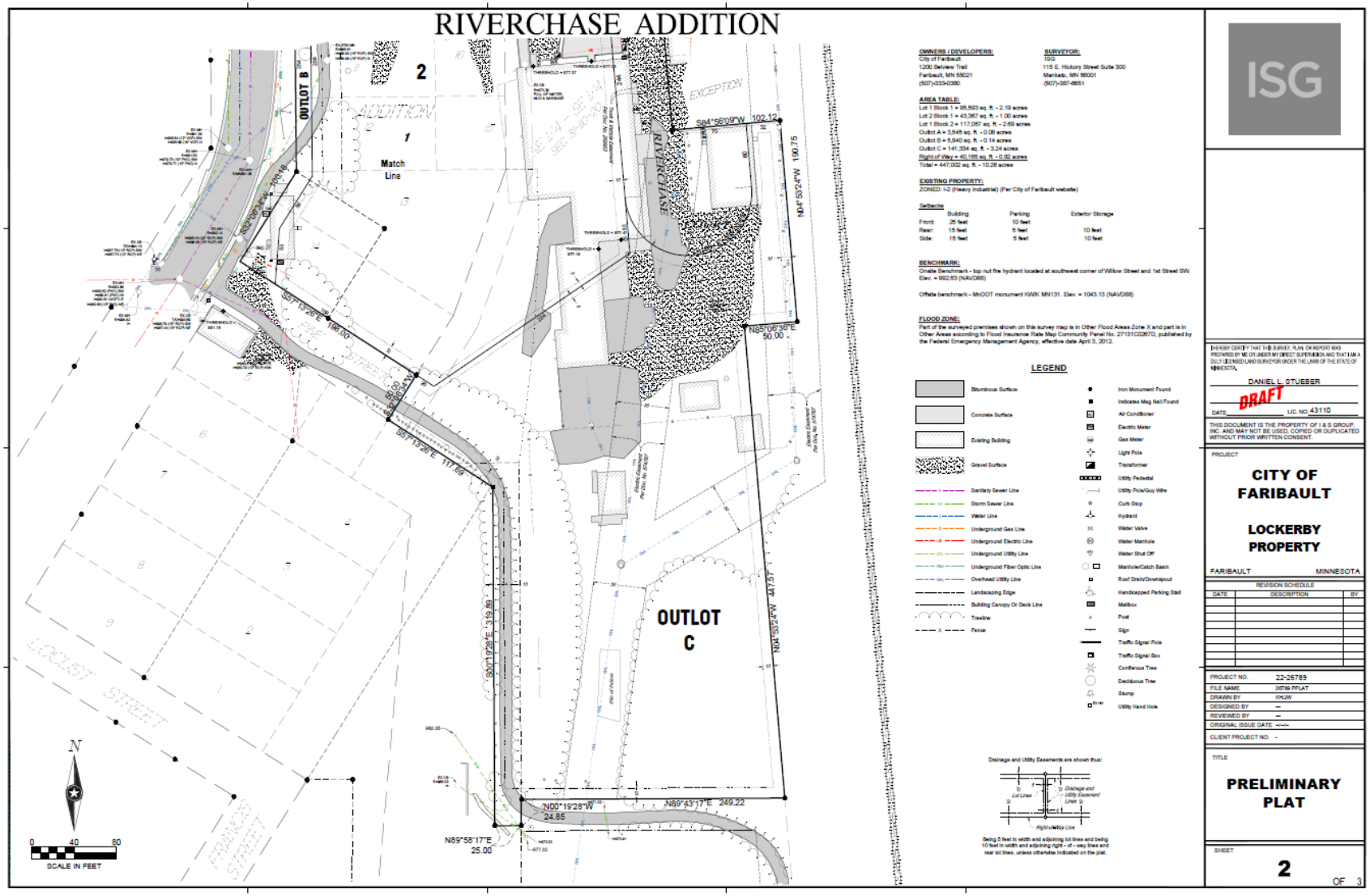
AND ALSO EXCEPT part of the Southeast Quarter (SE 1/4) of Section 31, Township 110 North Range 20 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, described as follows: Beginning at the Southeast corner of said Southeast Quarter (SE 1/4); thence South 89 degrees 44'40" West, along the south line of said Southeast Quarter (SE 1/4) (for purposes of this description bearings are assumed and based on said south line being South 89 degrees 44'40" West), a distance of 515.32 feet, said point being in the westerly right of way line of the former Chicago, Rock Island and Pacific Railway Company; thence Northwesterly, along said railroad right of way line on a non-tangential curve, concave northeasterly (Curve data: Radius = 3014.77 feet; Delta Angle = 1 degree 17'21"; Chord Bearing and Distance = North 5 degrees 32'29" West, 67.83 feet), an arc distance of 67.83 feet; thence North 4 degrees 53'48" West, along said railroad right of way line 640.17 feet; thence North 52 degrees 30'00" West 84.00 feet; thence South 69 degrees 00'00" West, 104.94 feet; thence North 80 degrees 12'52" West, 84.30 feet to the northeast corner of Block 7, George H. Faribault's Addition to the town, now City, of Faribault, Rice County, Minnesota; thence North 0 degrees 14'14" West, 150.00 feet to the true point of beginning of the parcel to be herein described; thence North 0 degrees 14'14" West, 430.00 feet; thence North 89 degrees 43'16" East, 248.15 feet to a point in said westerly railroad right of way line; thence South 4 degrees 53'48" East. along said railroad right of way line 431.40 feet; thence South 89 degrees 43'16" West, 283.19 feet to said true point of beginning.

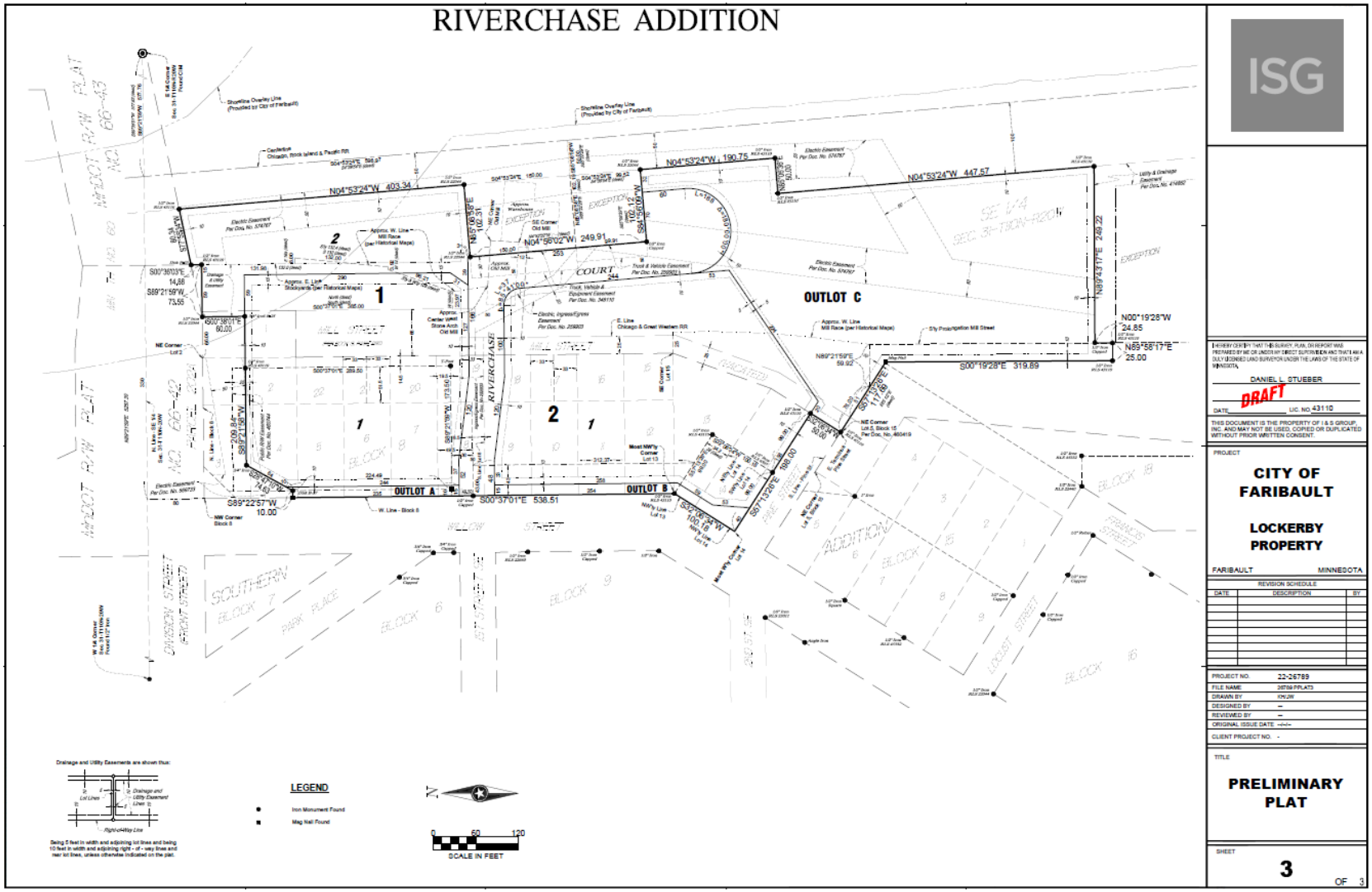
AND ALSO EXCEPT THE FOLLOWING: That part of the SE 1/4 of Section 31, Township 110 North, Range 20 West, of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, described as follows: Beginning at the Northeast corner of said SE 1/4; thence Westerly, along the North line of said SE 1/4 (for purposes of this description bearing of said North line is assumed South 89 degrees 35 minutes 01 seconds West), a distance of 577.63 feet to a point in the center line of the Chicago, Rock Island and Pacific Railroad; thence South 4 degrees 39 minutes 54 seconds East, along said Railroad center line, 598.97 feet; thence thence South 85 degrees 22 minutes 28 seconds West, 50.00 feet to the true point of beginning of the parcel herein described; thence South 85 degrees 22 minutes 28 seconds West, 102.19 feet; thence North 4 degrees 42 minutes 32 seconds West, 150 feet; thence North 85 degrees 22 minutes 28 seconds East, 102.31 feet; thence South 4 degrees 39 minutes 54 seconds East, 150 feet to the point of beginning.

Has caused the same to be surveyed and platted as **RIVERCHASE ADDITION**, and does hereby dedicate to the public, for public use, the public ways and the drainage and utility easements as created by this plat..

Exhibit B: RIVERCHASE ADDITION Preliminary Plat




RIVERCHASE ADDITION
OUTLOT B
OUTLOT C
Match Line
RIVERCHASE STREET
LOCUST STREET
FRANCIS STREET
S84°56'09"W 102.12
N04°53'24"W 190.75
N85°06'36"E 50.00
S85°13'26"E 198.00
S85°13'26"E 117.69
N00°19'28"W 319.69
N04°53'24"W 447.57
N00°19'28"W 24.85
N89°43'17"E 249.22
N89°58'17"E 25.00
N
0 40 80
SCALE IN FEET
OWNERS / DEVELOPERS:
City of Faribault
1200 Skriver Trail
Faribault, MN 55021
(507)-333-0360
SURVEYOR:
ISG
115 E. Hickory Street Suite 300
Mankato, MN 56001
(507)-387-6651
AREA TABLE:
Lot 1 Block 1 = 95,593 sq. ft. - 2.19 acres
Lot 2 Block 1 = 43,367 sq. ft. - 1.00 acres
Lot 1 Block 2 = 117,087 sq. ft. - 2.69 acres
Outlot A = 3,545 sq. ft. - 0.08 acres
Outlot B = 5,940 sq. ft. - 0.14 acres
Outlot C = 141,354 sq. ft. - 3.24 acres
Right of Way = 40,155 sq. ft. - 0.92 acres
Total = 447,002 sq. ft. - 10.26 acres
EXISTING PROPERTY:
ZONED: I-2 (Heavy Industrial) (Per City of Faribault website)
Setbacks
Building Parking Exterior Storage
Front: 25 feet 10 feet
Rear: 15 feet 5 feet 10 feet
Side: 15 feet 5 feet 10 feet
BENCHMARK:
Onsite Benchmark - top nut fire hydrant located at southwest corner of Willow Street and 1st Street SW. Elev. = 992.63 (NAVD88)
Offsite benchmark - MnDOT monument KWK MN131. Elev. = 1043.13 (NAVD88)
FLOOD ZONE:
Part of the surveyed premises shown on this survey map is in Other Flood Areas Zone X and part is in Other Areas according to Flood Insurance Rate Map Community Panel No. 27131C0257D, published by the Federal Emergency Management Agency, effective date April 3, 2012.
LEGEND
Bituminous Surface
Concrete Surface
Existing Building
Gravel Surface
Sanitary Sewer Line
Storm Sewer Line
Water Line
Underground Gas Line
Underground Electric Line
Underground Utility Line
Underground Fiber Optic Line
Overhead Utility Line
Landscaping Edge
Building Canopy Or Deck Line
Treeline
Fence
Iron Monument Found
Indicates Mag Nail Found
Air Conditioner
Electric Meter
Gas Meter
Light Pole
Transformer
Utility Pedestal
Utility Pole/Guy Wire
Curb Stop
Hydrant
Water Valve
Water Manhole
Water Shut Off
Manhole/Catch Basin
Roof Drain/Downspout
Handicapped Parking Stall
Mailbox
Post
Sign
Traffic Signal Pole
Traffic Signal Box
Coniferous Tree
Deciduous Tree
Stump
Utility Hand Hole
Drainage and Utility Easements are shown thus:
Lot Lines
Drainage and Utility Easement Lines
Right-of-Way Line
Being 5 feet in width and adjoining lot lines and being 10 feet in width and adjoining right - of - way lines and rear lot lines, unless otherwise indicated on the plat.
ISG
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
DANIEL L. STUEBER
DRAFT
DATE LIC. NO. 43110
THIS DOCUMENT IS THE PROPERTY OF I & S GROUP, INC. AND MAY NOT BE USED, COPIED OR DUPLICATED WITHOUT PRIOR WRITTEN CONSENT.
PROJECT
CITY OF FARIBAULT
LOCKERBY PROPERTY
FARIBAULT MINNESOTA
REVISION SCHEDULE
DATE DESCRIPTION BY
PROJECT NO. 22-26789
FILE NAME 26789 PPLAT
DRAWN BY KHUW
DESIGNED BY –
REVIEWED BY –
ORIGINAL ISSUE DATE –/–/–
CLIENT PROJECT NO. -
TITLE
PRELIMINARY PLAT
SHEET
2
OF 3



ISG

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DANIEL L. STUEBER

DRAFT

DATE _____ LIC. NO. 43110

THIS DOCUMENT IS THE PROPERTY OF I & S GROUP, INC. AND MAY NOT BE USED, COPIED OR DUPLICATED WITHOUT PRIOR WRITTEN CONSENT.

PROJECT

CITY OF FARIBAULT

LOCKERBY PROPERTY

FARIBAULT MINNESOTA

REVISION SCHEDULE

DATE	DESCRIPTION	BY

PROJECT NO.	22-26789
FILE NAME	26789 PPLAT3
DRAWN BY	CHJW
DESIGNED BY	--
REVIEWED BY	--
ORIGINAL ISSUE DATE	--/--/--
CLIENT PROJECT NO.	-

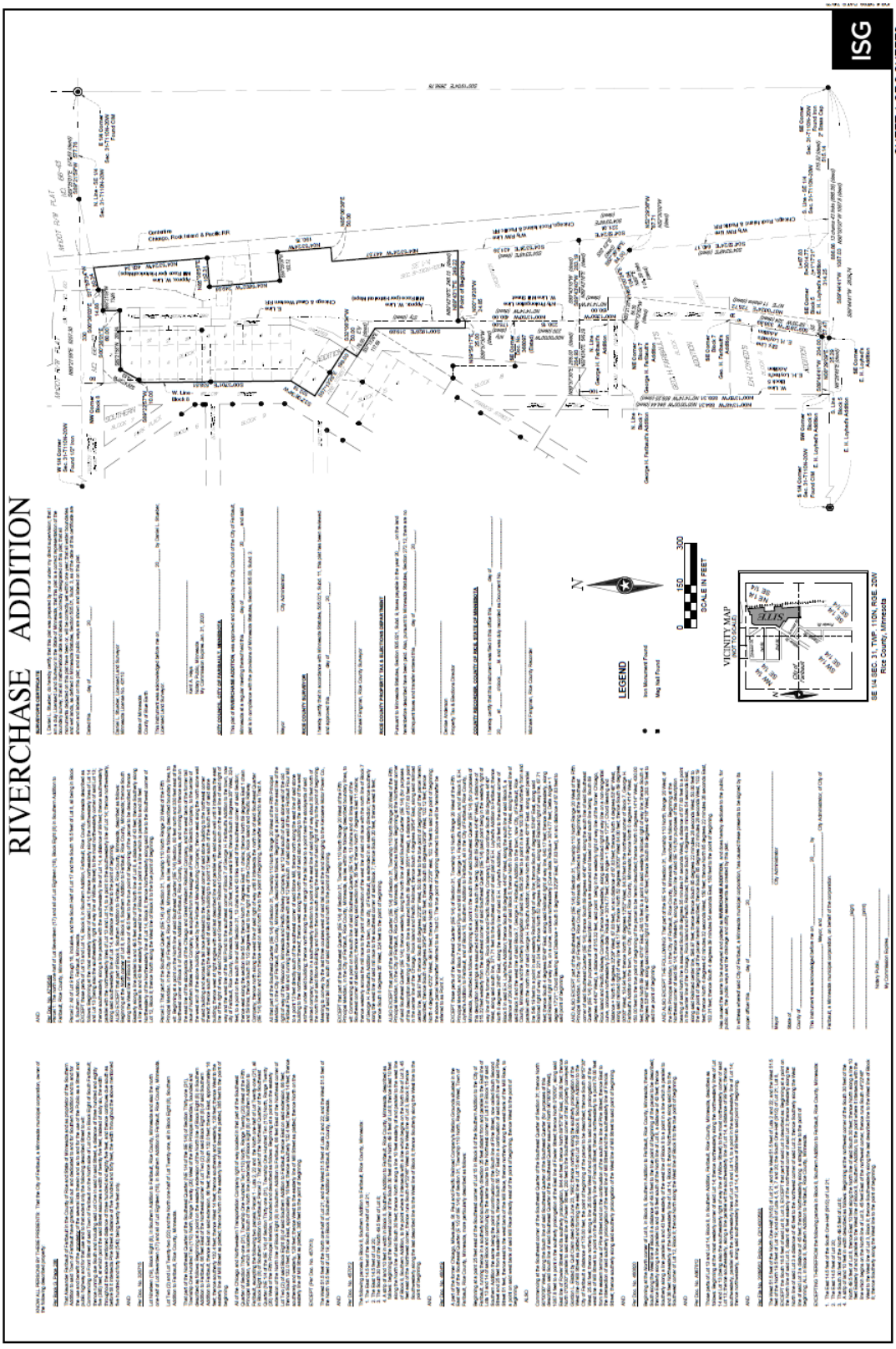
TITLE

PRELIMINARY PLAT

SHEET

3 OF 3

Exhibit C: RIVERCHASE ADDITION Final Plat



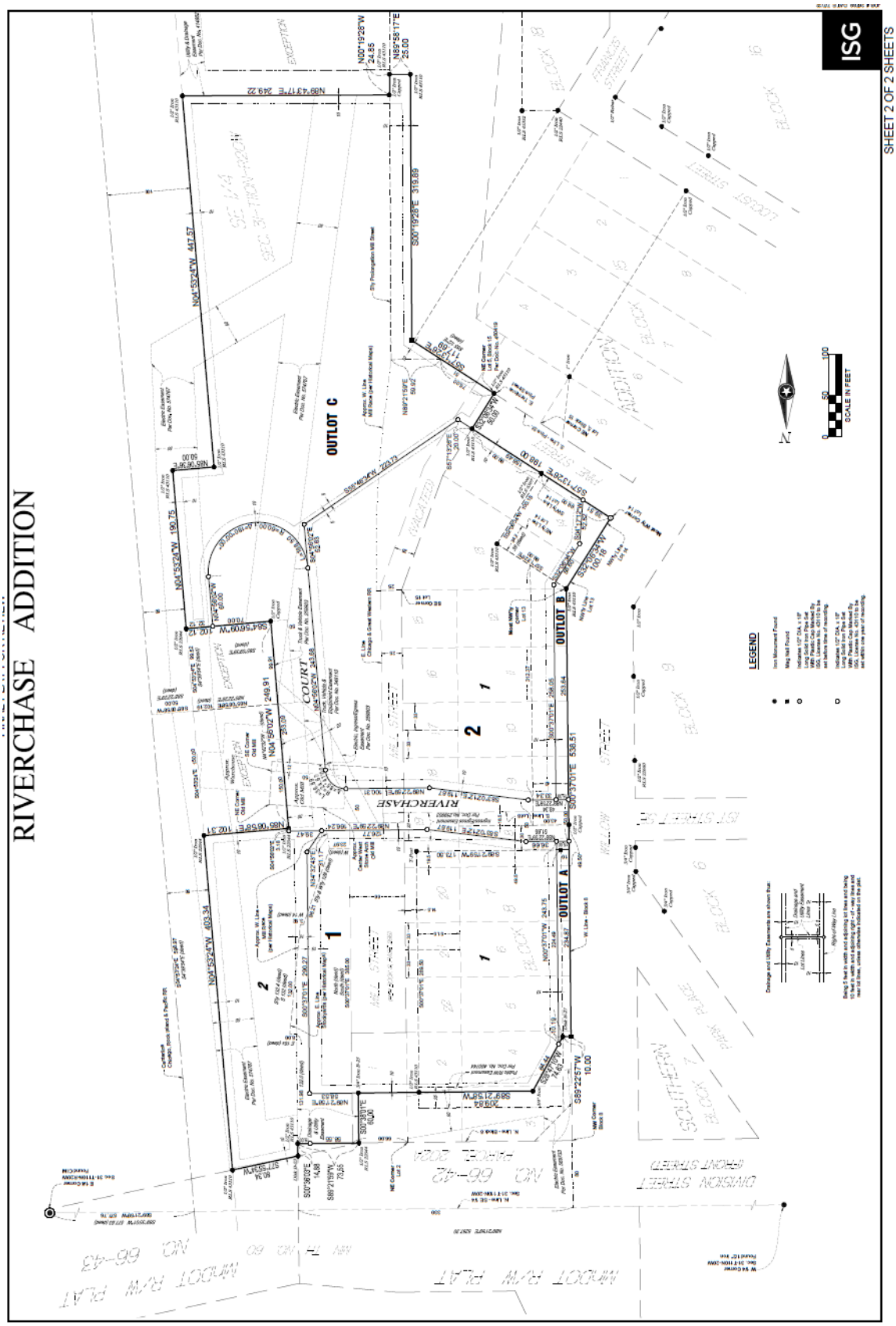

RIVERCHASE ADDITION
ISG
SHEET 2 OF 2 SHEETS
OUTLOT A
OUTLOT B
OUTLOT C
LEGEND
SCALE IN FEET
N
RIVERCHASE COURT
1ST STREET
PINE STREET
DAWSON STREET
FRANKLIN STREET
BLOCK 1
BLOCK 2
BLOCK 6
BLOCK 9
BLOCK 16
N89°58'17"E 25.00
N00°19'26"W 24.85
N89°43'17"E 249.22
S00°19'26"E 319.89
N04°53'24"W 447.57
N04°53'24"W 190.75
S89°13'26"E 198.00
S00°37'01"E 536.51
S89°22'57"W 10.00
N89°06'58"E 102.31
N04°53'24"W 403.34
S89°21'59"W 76.25
S89°21'59"W 210.24
N89°27'21"E 198.27
N89°22'49"E 100.31
N04°59'02"W 249.91
S64°56'09"W 100.13
N89°13'26"W 198.00
S89°21'59"W 60.00
S89°21'59"W 60.00
S89°21'59"W 60

Exhibit D: Memo to David Wanberg, City Planner, from Mark DuChene, City Engineer, dated July 15, 2022

Engineering Department Memorandum

TO: David Wanberg, City Planner

CC: Deanna Kuennen, Comm. and Econ. Development Director
Travis Block, Public Works Director
Jeanne Day, Finance Director

FROM: Mark DuChene, City Engineer

DATE: July 15, 2022

SUBJECT: Riverchase Addition Comprehensive Plan Amendment, Rezoning, Preliminary Plat, Final Plat, & Easement Vacation

---

BACKGROUND

The City of Faribault (Owner) in conjunction with Hamilton Real Estate Group (Developer) has submitted a comprehensive plan amendment, rezoning, preliminary plat, final plat, conditional use permit and easement vacation applications for the land at 55 Willow Street (former VP Online Auctions), 217 Mill Street (former Lockerby) and 127 Willow Street (former SOS clubhouse) be platted as the Riverchase Addition subdivision. The sites are located in the SE ¼ of Section 31 Township 110, Range 20W whose parent parcels are a collective of metes and bounds parcels. The site is adjacent to Trunk Highway 60 to the north, the Straight River to the east, commercial/industrial development to the south and residential/commercial uses to the west.

Conditional Use Permit
A conditional use permit will be required for the construction of multi-family housing within a portion of the shoreland overlay district.

The proposed development will be completed by:

Owner: City of Faribault
Developer: Hamilton Real Estate Group
Surveyor: ISG
Engineer: Widseth

PLAT/COMPREHENSIVE PLAN AMENDMENT/REZONING

Owner has submitted a preliminary and final plat for Riverchase Addition. The preliminary and final plat contains three (3) lots and three (3) outlots. The City's Journey to 2040 Comprehensive Plan guided the parent parcels for Downtown and Commercial/Residential Mixed Use according to the adopted Staged Growth Plan. The Owners are requesting an amendment to the comprehensive plan to change the staged growth plan land use designations to Downtown and rezone the entire plat area as Central Business District (CBD)

The areas within the plat including their proposed use, comprehensive plan land use classification, and proposed zoning are as follows:

Lot	Area	Proposed Use
Lot 1, Block 1	95,593 sf (2.19 ac)	Multi-family Housing
Lot 2, Block 1	43,367 sf (1.00 ac)	Public Parking
Lot 1, Block 2	117,057 sf (2.69 ac)	Multi-family Senior Housing
Outlot A	3,545 sf (0.08 ac)	Park, Recreation, Open Space (Existing Trail)
Outlot B	5,940 sf (0.14 ac)	Park, Recreation, Open Space (Existing Trail)
Outlot C	141,334 sf (3.24 ac)	Stormwater Management
Rights-of-Way	40,165 sf (0.92 ac)	N/A
Total	447,002 sf (10.26 ac)	

Current title work has not been submitted with the final plat application and will be subject to the review of the City and City Attorney's office. A current tile commitment must be submitted meeting the requirements of the City Attorney and all easements and encumbrances of record shall be shown on the plat documents.

Plat shall be subject to review and approval by the MN Department of Transportation.

At the time of final plat, the Developer agrees to provide sufficient permanent property monumentation per the development agreement and shall submit to the City written verification by a registered land surveyor licensed in the State of Minnesota.

EXISTING SITE CONDITIONS

The existing site contains approximately 10.26 acres of land that that is mostly developed. The site is relatively flat and generally drains from west to east towards the Straight River. There are numerous buildings within the plat area that are scheduled to be removed ahead of redevelopment. There is also an Xcel Energy electric substation adjacent to the east side of the plat that will remain and must have vehicle access provided.

EASEMENTS

Existing Easements
There are multiple existing easements on the site, including:

- 50-foot easement for electric transmission lines in favor of NSP (Xcel Energy) per Doc 574767. No changes to this easement are required.

- Public Right of Way Easement in favor of the City of Faribault as shown per Docs 457012 & 460744. This easement is no longer needed and will be vacated.
- Ingress/Egress Easement in favor of NSP (Xcel Energy) as shown per Doc 259903. This easement has been requested to be released from Xcel as the ingress/egress covered by the easement will be contained within the proposed Riverchase Court right of way.
- Truck, Vehicle & Equipment Easement in favor of NSP (Xcel Energy) as shown per Doc 384110. This easement has been requested to be released from Xcel as the area covered by the easement will be contained within the proposed Riverchase Court right of way.

Proposed Easements
The proposed plat shows perimeter drainage and utility easements as required by City code. Oversized drainage and utility easements are shown between Lot 1 & 2, Block 1 Riverchase Addition to accommodate a trunk storm sewer line as well as existing overhead power lines in the northwest corner of said Lot 2.

Final easement locations and sizes shall be subject to the City Engineer's review and approval based on final site and utility designs.

STREET AND SITE LAYOUT

Riverchase Court
Riverchase Court is proposed to be a local street and extended from the intersection of Willow Street and 1st Street SE to the east/southeast and terminate in a cul-de-sac. Riverchase Court is proposed to be constructed as a 32-foot wide, undivided urban roadway with no parking on both sides and no sidewalk. Riverchase Court is proposed to be within a 50-ft right-of-way. The Owner is responsible for 100% of the costs to construct Riverchase Court.

Trunk Highway 60
The proposed plat is south of and adjacent to TH 60 a minor arterial street. TH 60 is a 2-lane undivided roadway with turn lanes. No access is proposed or permitted to TH 60.

Willow Street
The proposed plat is east of and adjacent to Willow Street a minor arterial street. Willow Street is a 2-lane urban street within a 80-foot right-of-way. No improvements to Willow Street are proposed and no access to Willow Street is allowed other than the new Riverchase Court.

Mill Street
The proposed plat covers a platted but unconstructed portion of Mill Street, a vacant 66-foot-wide right-of-way per Book G, page 286. This right of way shall be vacated.

PARKS AND TRAILS

There are no new public trails or sidewalks proposed as part of the plat. The existing trail near the southwest corner of the plat may be rerouted in the future. No parkland dedication will be collected as part of the plat.

DRAINAGE, GRADING AND EROSION CONTROL

STORM SEWER

The development is located within the Straight River (M-048-026) drainage district as identified in the City's 2022 Surface Water Management Plan. Stormwater runoff generated within the site currently drains primarily to existing drainage systems and to the east which ultimately discharge to the Straight River to the east.

Proposed storm sewer improvements must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans. Storm sewer systems must be designed to limit the post construction rate of runoff from the 2, 10 & 100 yr. 24-hour storm events to less than or equal to existing conditions. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

The proposed site improvements include the addition of new and/or reconstructed impervious surfaces that exceed 1 acre. A stormwater treatment system meeting the current requirements of the Minnesota Pollution Control Agency (MPCA) Construction Storm Water permit, the City's current Municipal Separate Storm Sewers permit and 2022 Surface Water Management Plan including the Developers Guide for Stormwater Management must be incorporated into the final plans. The Developer and City have agreed to cooperate on the construction of a regional stormwater basin to serve the entire plat area. The stormwater treatment basin shall be place within Outlot C. The City shall be responsible for long term operations and maintenance of the basin. The Owner is responsible for 100% of the costs of the design and construction of the stormwater treatment basin.

A City grading permit and a National Pollution Discharge Elimination System Construction Stormwater General Permit for construction activity is required by the Minnesota Pollution Control Agency (MPCA) for areas exceeding one acre being disturbed by grading. A copy of the Notice of Stormwater Permit Coverage must be submitted to the City upon receipt from the MPCA. A stormwater pollution prevention plan (SWPPP) must be submitted meeting the requirements of the City's municipal separate storm sewer system permit and associated ordinances and the erosion and sediment control requirement as set forth in the MPCA construction stormwater general permit. A full copy of the SWPPP must be submitted to the City Engineer with the final construction plans for review and approval for each parcel as it develops.

A final post construction as-built grading plan must be submitted meeting the requirements of Article VII, Section 28-230 of the City of Faribault Code of Ordinances for each parcel as it is developed.

UTILITIES

SANITARY SEWER

The development is proposed to be served by public sanitary sewer facilities. Eight-inch sanitary sewer mains shall be extended within Riverchase Court to serve the lots. A public lift station (to be owned, operated and maintained by the City) shall be constructed to serve the plat area and the lift station shall discharge to the sewer main in Willow Street. The existing City-owned downstream facilities have sufficient capacity to serve the development. The Owner is responsible for all upfront costs associated with designing and constructing said public sanitary sewer extensions. Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

All future buildings within the plat area shall be charged the standard Sewer Access Charge (SAC) in effect at the time of building permit issuance.

WATERMAIN

The development is proposed to be served by public watermain facilities. Eight-inch watermains shall be extended Riverchase Court. The Owner is responsible for all upfront costs associated with designing and constructing said public watermain extensions.

All future buildings within the plat area shall be charged the standard Water Access Charge (WAC) in effect at the time of building permit issuance.

Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans. Final hydrant location and spacing shall be approved by the Fire Chief.

LIGHTING & ELECTRIC UTILITIES

The Owner shall be responsible for the cost of installing street lighting as required by City Council Resolution NO. 2003-198.

Per Section 15-380 of Appendix B (Unified Development Regulations) of the City Code of Ordinances, all utilities that serve newly developing areas are to be placed underground. The Owner shall be responsible for arranging and coordinating with the respective utility company and paying for any related costs for the movement of any existing overhead utilities within the proposed development (except for the existing overhead electric transmission lines) underground in conjunction with the arranging of utility servicing for the newly created lots with the subdivision and the installation of street lights.

STORM SEWER

The development includes the construction of public storm sewer systems. Storm sewer facilities must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval

with the final construction plans. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

WETLANDS

There are no known wetlands shown on the preliminary plat.

CONSTRUCTION ACCESS

Construction traffic access and egress for grading, utility, and building construction shall be restricted to a single construction access.

RECOMMENDATION

Engineering recommends approval of the Comprehensive Plan Amendment, Rezoning, Preliminary Plat, Final Plat, & Easement Vacation, subject to the comments within this report and the following:

- An updated title commitment report shall be submitted for review.
- Owner shall revise plat submittal documents according to comments in this report and other comments provided under separate cover prior to the final plat being considered by the City Council.
- Developer shall enter into a development agreement prior to filing the final plat and issuance of any building permits consistent.

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Resolution 2022-154 Approve a Comprehensive Plan Amendment related to Future Land Use South of the 1st Street NE Viaduct and East of Willow Street

Background:

The City's Journey to 2040 Comprehensive Plan currently guides the north portion of the redevelopment area for "downtown" use and the south portion for "residential-commercial mixed-use." The City proposes to amend its Comprehensive Plan to guide the entire redevelopment area for "downtown" use. The Planning Commission held a public hearing on July 18, 2022, to consider the Comprehensive Plan amendment. No one from the public provided comments, and the Commission recommended approval of the amendment as outlined in the attached Resolution 2022-154.

Recommendation:

Approve Resolution 2022-154.

Attachments:

1. 2022-154 Approve Comprehensive Plan Amendment related to Future Land Use South of the 1st Street NE Viaduct and East of Willow Street

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-154

APPROVE A COMPREHENSIVE PLAN AMENDMENT RELATED TO FUTURE LAND USE SOUTH OF THE 1ST STREET NE VIADUCT AND EAST OF WILLOW STREET

WHEREAS, the City of Faribault (the "City") is the fee owner of certain land parcels south of the 1st Street NE viaduct and east of Willow Street (the "Property"); and

WHEREAS, the City's Journey to 2040 Comprehensive Plan and Downtown Master Plan guide some of the Property's existing parcels for "downtown" use and some existing parcels for "residential-commercial mixed-use"; and

WHEREAS, the Journey to 2040 plans envision the redevelopment of the Property from its former industrial uses to residential uses, which could include some commercial uses, that support the downtown area; and

WHEREAS, the City intends to plat the Property as RIVERCHASE ADDITION per Resolution 2022-153; and

WHEREAS, the City wishes to amend the Journey to 2040 Comprehensive Plan to guide all lots and outlots in the proposed RIVERCHASE ADDITION plat for "downtown" use; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing regarding the City's Comprehensive Plan amendment request; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Comprehensive Plan amendment request based on the following written findings:

1. The public hearing and the noticing of the public hearing provided adequate opportunity for public review and comment on the requested Comprehensive Plan amendment;

2. Approval of the requested Comprehensive Plan amendment is in the best interest of the public's health, safety, and welfare. More

specifically:

A. The proposed amendment is consistent with the vision and goals for the area as expressed in the City's Journey to 2040 Comprehensive Plan and Downtown Master Plan;

B. The proposed amendment promotes the redevelopment of the in a manner consistent with the design standards for the downtown area;

C. The proposed amendment will help the City meet its housig goals; and

D. The proposed amendment will help support the downtown area by providing housing within walking distance of adjacent downtown businesses; and

3. Existing and planned infrastructure, including sanitary sewer, water, stormwater, and transportation, are suitable for the future land uses contemplated by this Comprehensive Plan amendment; and

WHEREAS, the City Council held a public meeting on July 26, 2022, to consider the City's Comprehensive Plan amendment request and the Planning Commission's recommendation related to the request; and

WHEREAS, the City Council concurs with the Planning Commission's findings as stated in the above recitals and makes identical findings.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1: Approval of the Requested Comprehensive Plan Amendment. The City Council hereby amends the City's Journey to 2040 Comprehensive Plan to guide the property south of the 1st Street NE viaduct and east of Willow Street for "downtown" use, as shown in Exhibit A of this resolution.

Section 2. Effective Date of the Comprehensive Plan Amendment. The Comprehensive Plan amendment approved by this resolution shall not take effect until the RIVERCHASE ADDITION plat associated with the subject property is recorded at Rice County.

Section 3. Amendment of the Comprehensive Plan Documents. The City of Faribault is not required to republish the Comprehensive Plan

to reflect the Comprehensive Plan amendment. However, the City Planner must appropriately indicate the amendment on the Official Land Use Plan on file with the City Planner.

Section 4. Findings and Incorporation of Recitals and Exhibits. The recitals and exhibits incorporated in this resolution constitute the City Council's written findings protecting the public's health, safety, and welfare.

Section 5. Authorization to take Additional Steps. The City Council hereby authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 6. Effective Date of this Resolution. This resolution is effective immediately upon its passage and without publication.

Date Adopted: July 26, 2022

Faribault City Council

_____

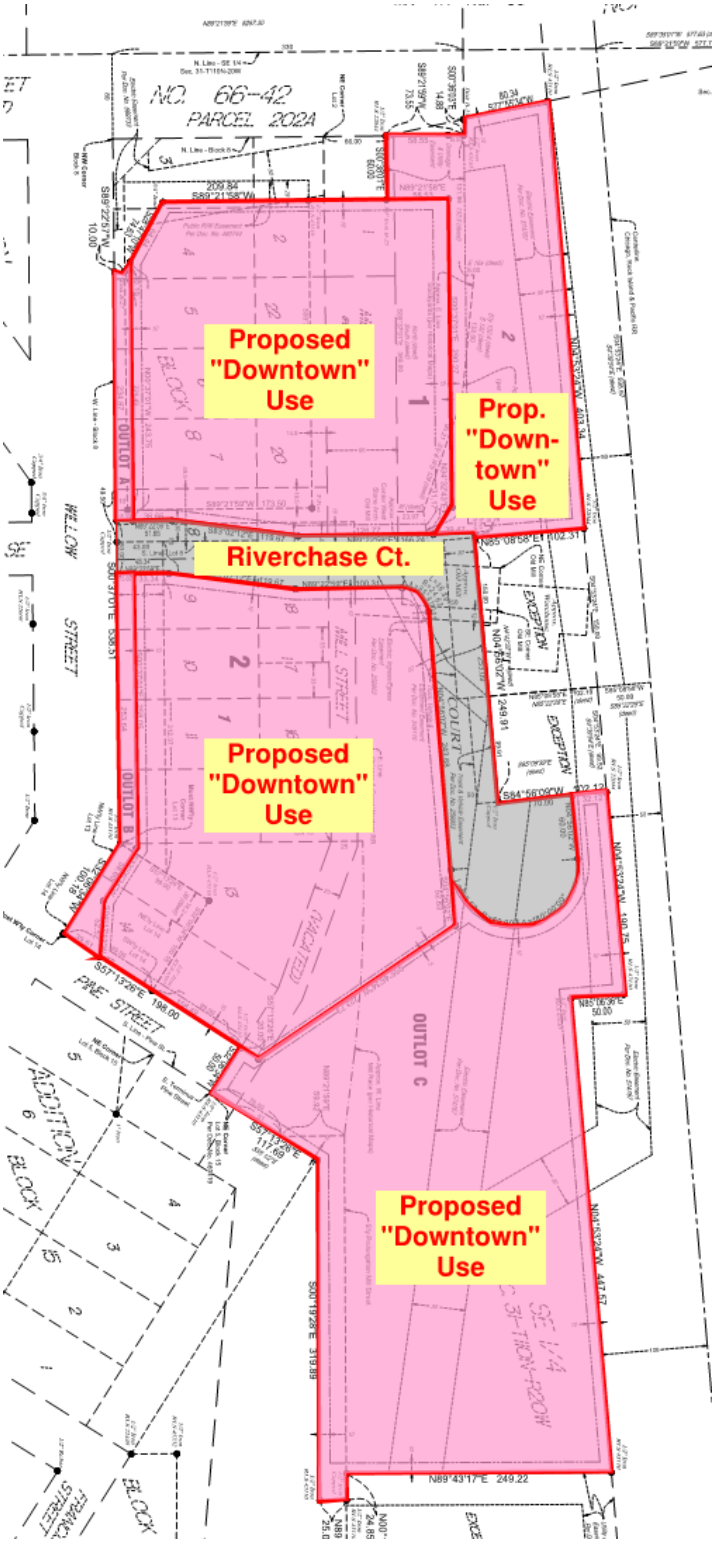
Kevin F. Voracek, Mayor

ATTEST:

_____

Timothy C. Murray, City Administrator

EXHIBIT A
Map Showing the Guided Land Use of the Subject Property after the Plat of RIVERCHASE ADDITION is Recorded at Rice County



Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Ordinance 2022-24 Rezone Property South of the 1st Street NE Viaduct and East of Willow Street from I-2, Heavy Industrial, to CBD, Central Business District - First Reading

Background:

Given the City's request to guide the entire RIVERCHASE ADDITION plat for "downtown" use, it is appropriate to rezone the property in the plat from I-2, Heavy Industrial, to CBD, Central Business District. The proposed residential uses in the plat are allowed with a conditional use permit. The proposed zoning is consistent with similar residential projects on the edge of the downtown area.

The Planning Commission held a public hearing on July 18, 2022, to consider the proposed rezoning. No one from the public provided comments, and the Commission recommended approval of the rezoning as outlined in the attached Ordinance 2022-24.

Recommendation:

Approve the first reading of Ordinance 2022-24.

Attachments:

1. Ordinance 2022-24 Rezone Property South of the 1st Street NE Viaduct and East of Willow Street from I-2, Heavy Industrial to CBD, Central Business Dis

CITY OF FARIBAULT
ORDINANCE No. 2022-24

REZONE PROPERTY SOUTH OF THE 1ST STREET NE VIADUCT AND EAST OF WILLOW STREET FROM I-2, HEAVY INDUSTRIAL TO CBD, CENTRAL BUSINESS DISTRICT

WHEREAS, the City of Faribault (the "City") is the fee owner of land parcels in Faribault south of the 1st Street NE viaduct and east of Willow Street (the "Property"); and

WHEREAS, the City intends to plat the Property as RIVERCHASE ADDITION plat per Resolution 2022-153; and

WHEREAS, the City's Journey to 2040 Comprehensive Plan guides the Property for "downtown" use per Resolution 2022-154; and

WHEREAS, the City intends to rezone the Property in the proposed RIVERCHASE ADDITION plat from I-2, Heavy Industrial to CBD, Central Business District, as shown in Exhibit A; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing regarding the City's rezoning request; and

WHEREAS, the Planning Commission finds that it is appropriate to rezone the Property based on the following findings of the Planning Commission as required by Section 2-180 of the City's Unified Development Ordinance:

1. **Criteria: Whether the amendment is consistent with the applicable policies of the City's Land Use Plan.**

   Finding: The proposed zoning is consistent with the City's Land Use Plan as outlined in Resolution 2022-154. The proposed zoning allows for "downtown" uses, including residential uses, consistent with the City's Comprehensive Plan policies.

2. **Criteria: Whether the amendment is in the public interest and is not solely for the benefit of a single property owner.**

   Finding: It is in the public's best interest to strengthen the downtown area by rezoning the Property to CBD, Central Business District.

3. **Criteria: Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of a particular property.**

Finding: The surrounding properties include commercial, parks, and residential uses. The proposed CBD, Central Business District zoning will not adversely affect the existing surrounding uses.

4. **Criteria: Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of a particular property.**

   Finding: The City's Comprehensive Plan guides the Property for downtown uses. The City's Comprehensive Plan does not envision continued use of the property for industries. There are other locations in the city better suited for industrial uses.

5. **Criteria: Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of a particular property.**

   Finding: There is a trend to relocate existing industrial uses in or near the downtown area to industrial sites near Interstate Highway 35.

WHEREAS, the City Council held a public meeting on July 26, 2022, to consider approval of the first reading of Ordinance 2022-24; and

WHEREAS, the City Council also held a public meeting on _____ __, 2022, to consider approval of the second reading of Ordinance 2022-24; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings of the Planning Commission, the City Council of the City of Faribault concurs with the written findings of the Planning Commission and makes the identical findings.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Approval of the Applicant's Rezoning Request. The City Council hereby rezones the Property described in the above recitals and graphically depicted in Exhibit A from I-2, Heavy Industrial to CBD, Central Business District. The effective date of the rezoning shall be as outlined in Section 2 of this resolution.

Section 2: Effective Date of the Rezoning. The rezoning approved by this ordinance shall not take effect until the RIVERVIEW ADDITION plat associated

with the subject property is recorded at Rice County and the summary publication of Ordinance 2022-x has been published.

Section 3: Amendment of Zoning Map. The City of Faribault is not required to republish the Zoning Map to reflect the rezoning approved by this ordinance. However, the City Planner must appropriately indicate the amendment on the Official Zoning Map on file with the City Planner.

Section 4: Findings and Incorporation of Recitals and Exhibits. The recitals and exhibits incorporated in this ordinance constitute the City Council's written findings protecting the public's health, safety, and welfare.

Section 5: Authorization to take Additional Steps. The City Council hereby authorizes and directs the Mayor, City Staff, and City Consultants to take any additional steps and actions necessary and convenient to accomplish the intent of this ordinance.

Section 6: Effective Date. This ordinance is effective immediately upon its passage and publication per the City Charter.

Public Hearing:	July 18, 2022
First Reading:	July 26, 2022
Second Reading:	_____
Published:	_____

Faribault City Council

_____

Kevin F. Voracek, Mayor

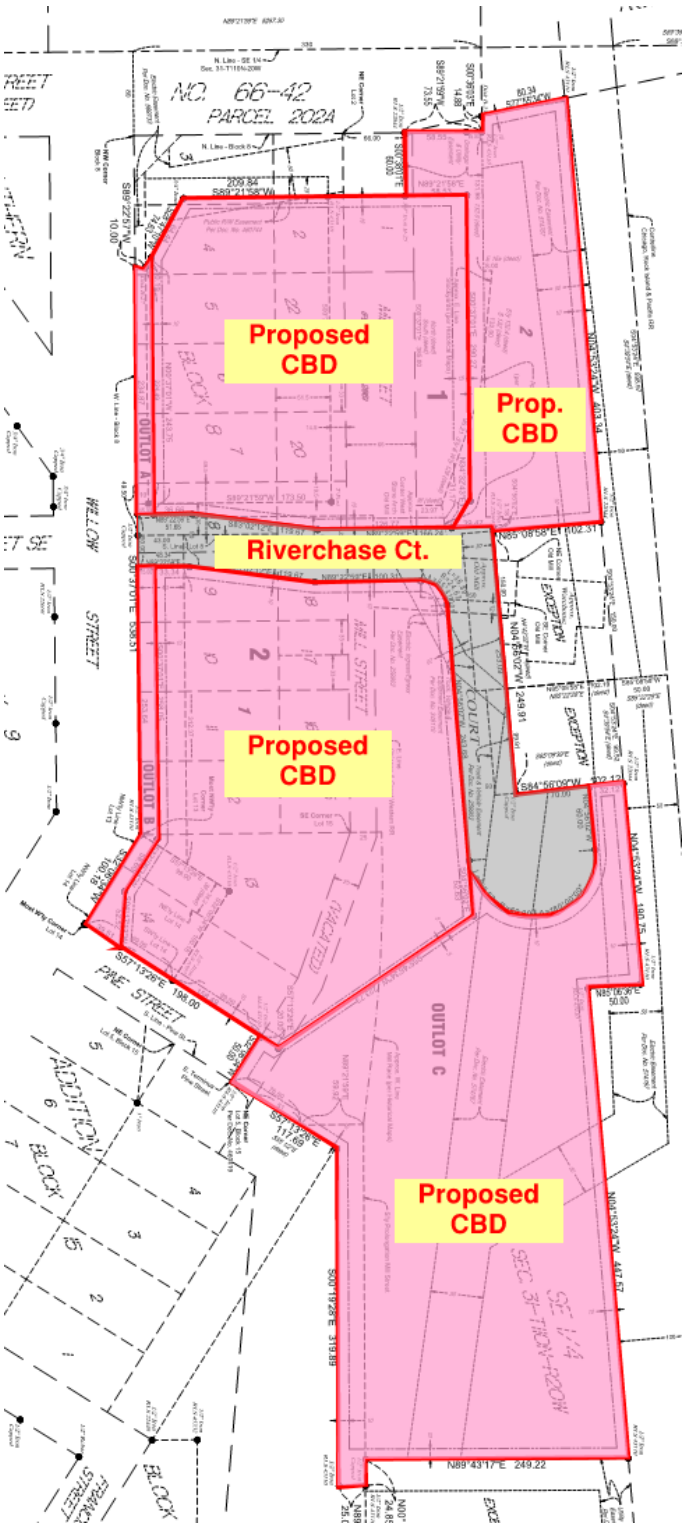
ATTEST:

_____

Timothy C. Murray, City Administrator

EXHIBIT A

Map Showing the Proposed Zoning of the Subject Property after the Plat of CANNON RIVER VIEW is Recorded at Rice County



Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Resolution 2022-155 Approve a Conditional Use Permit for Development in the Shoreland Management Overlay District South of the 1st Street NE Viaduct and East of Willow Street

Background:

A small portion of the proposed RIVERCHASE ADDITION plat is in the Shoreland Management Overlay District. The proposed development in the shoreland area includes parking areas for the proposed apartment building and City-owned parking lot. The Minnesota Department of Natural Resources expressed no concerns regarding the proposed development in the shoreland area. The City and the Minnesota Department of Natural Resources will continue to coordinate as the construction documents are finalized.

The Planning Commission held a public hearing on July 18, 2022, to consider the conditional use permit request. No one from the public provided comments, and the Commission recommended approval of the conditional use permit as outlined in the attached Resolution 2022-155.

Recommendation:

Approve Resolution 2022-155.

Attachments:

1. 2022-155 Approve a CUP for Development in the Shoreland Mangement District South of the 1st Street NE Viaduct and East of Willow Street

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-155

APPROVE A CONDITIONAL USE PERMIT FOR DEVELOPMENT IN THE SHORELAND MANAGEMENT OVERLAY DISTRICT SOUTH OF THE 1ST STREET NE VIADUCT AND EAST OF WILLOW STREET

WHEREAS, the City of Faribault (the "City") is the fee owner of certain land parcels south of the 1st Street NE viaduct and east of Willow Street (the "Property"); and

WHEREAS, the City intends to plat the Property as RIVERCHASE ADDITION per Resolution 2022-153; and

WHEREAS, part of Lot 1, Block 1 and Lot 2, Block 1 of the RIVERCHASE ADDITION are in Shoreland Management Overlay District, as depicted in Exhibit A; and

WHEREAS, the Shoreland Management Overlay District requires a conditional use permit for certain types of development and grading in the district; and

WHEREAS, the proposed development in Shoreland Management Overlay District within the proposed RIVERCHASE ADDITION plat does not include buildings but does include paved parking areas in the shoreland area, but outside the shoreland impact area as defined in the City's Unified Development Ordinance; and

WHEREAS, City Staff notified the Minnesota Department of Natural Resources of the conditional use permit request; and

WHEREAS, the preliminary plans for the proposed parking are consistent with the provisions of the City's Shoreland Management Overlay District; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing regarding the conditional use permit request; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the conditional use permit request based on the following written findings:

1. **The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

   Expanded Finding: The proposed parking lots in the Shoreland Management Overlay District will include landscaping and will be consistent with the provisions of the City's Unified Development Ordinance.

2. **The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

   Expanded Finding: The proposed parking lots are consistent with the provisions of the City's Unified Development Ordinance.

3. **The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

   Expanded Finding: The proposed parking lots will include landscaping that is compatible with the character of the surrounding area.

4. The conditional use will not impose hazards or disturbing influences on neighboring properties.

Expanded Finding: The proposed parking lots will provide necessary parking in the area and reduce the need for on-street parking in the area.

5. The conditional use will not substantially diminish the value of neighboring properties.

Expanded Finding: The proposed parking will provide organized parking spaces that will not diminish the value of neighboring properties.

6. The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.

Expanded Finding: Public sewer, water, and all other applicable municipal services serve the properties included in the conditional use permit.

7. Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.

Expanded Finding: The proposed addition will not create new demands for facilities and services at public cost.

8. Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.

Expanded Finding: The proposed addition will decrease traffic congestion in the public streets by eliminating parking on the public streets.

9. **The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.**

   Expanded Finding: The proposed parking lots in the Shoreland Management District will be in previously developed areas devoid of natural landscaping. The proposed parking lots will provide additional trees and landscaping above what exists.

10. **The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**

    Expanded Finding: The City's Land Use Plan guides the subject property for the proposed redevelopment. The addition will not adversely affect Faribault's natural resources.

11. **The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.**

    Expanded Finding: The proposed parking lots are consistent with setback and other City Code requirements.

WHEREAS, the Planning Commission further found approval of the requested conditional use permit is appropriate with the following additional findings as required by Section 13-710 (E) (2) of the City's Unified Development Ordinance:

1. **A thorough evaluation of the water body and the topographic, vegetation and soils conditions on the site must be made to ensure the prevention of soil erosion or other possible pollution of public waters, both during and after construction.**

   Expanded Finding: City Staff provided the Minnesota Department of Natural Resources (DNR) staff with the proposed development for their evaluation. No buildings will be in the Shoreland Management Overlay District. The portions of the proposed parking lots, which will be in the Overlay District, will be consistent with the City's Unified Development Ordinance provisions.

2. **The visibility of structures and other facilities as viewed from public waters is limited.**

   Expanded Finding: The proposed parking lots will include landscaping. The parking lots will not be directly visible from the adjacent Straight River.

3. **The site is adequate for water supply and is served by municipal sewer services.**

   Expanded Finding: Municipal water and sewer services serve the subject property.

4. **The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.**

   Expanded Finding: The subject property would not generate any watercraft use.

WHEREAS, the City Council held a public meeting on July 26, 2022, to consider the conditional use permit request; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings of the Planning Commission, the City Council concurs with the written findings of the Planning Commission and makes identical findings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARIBAULT, MINNESOTA, AS FOLLOWS:

Section 1: Approval of a Conditional Use Permit. The City Council hereby approves the conditional use permit request to develop parking lots in the Shoreland Management Overlay District consistent with the provisions of the City's Unified Development Ordinance.

Section 2: Conditions Attached to the Approval of the Conditional Use Permit. The conditional use permit includes the following conditions:

1. The owner of the proposed parking lots must construct the lots in substantial conformance (as determined by City Staff) with the plans shown in Exhibit B of this resolution.

2. Before beginning construction on the proposed parking lots, the property owner or developer must obtain all required permits.

3. This conditional use permit will automatically be voided if the proposed construction has not taken place within one (1) year of the approval of the conditional use permit unless the City Council has granted a petition for a time extension. The property owner must submit a written request for extension at least thirty (30) days before the expiration of the conditional use permit and must state facts showing a good faith effort to complete work permitted under the original approval.

Section 3: Additional Conditions of Approval. This conditional use permit includes the following additional conditions:

1. Approval and recording of the RIVERCHASE ADDITION plat and associated purchase and development agreement.

2. No expansion of the use allowed by this permit shall occur except upon the receipt of a new or amended conditional use permit from the City.

3. A failure by the City to take action with respect to any violation of any condition, covenant or term of this permit shall not be deemed a waiver of such condition, covenant, or term, or any subsequent violation of the same, or any other condition, covenant, or term.

4. The City may inspect the property at all reasonable times for purposes of ensuring compliance with the conditions of the conditional use permit.

5. This conditional use permit is subject to the requirements of the Faribault Code of Ordinances. The Applicant is required to comply with all applicable federal, state, and local laws, rules, and ordinances, and to obtain such other permissions and permits as may be required.

6. The violation of any terms or conditions of the conditional use permit, including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in the City's revocation of this conditional use permit. The City shall give the Applicant written notice of any violation and reasonable time, as determined by the City, to cure the violation before the City's revocation of this conditional use permit may occur.

7. This conditional use permit and the conditions imposed on it are binding on the parties, their successors, and assigns, shall run with the property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership. The obligations of the Applicant under this permit shall also be the obligations of any subsequent Owners or assigns of the property.

8. Use of the subject property for the uses allowed by this conditional use permit shall be deemed acceptance of, and agreement to, the terms of and conditions of the conditional use permit without qualification, limitation, or reservation.

9. If substantial development of construction related to this conditional use permit has not occurred within one (1) year of the date of the approval of this conditional use permit, then the City shall consider this conditional use permit void unless a petition for a time extension has been granted by the City Council. Such extension request shall be submitted in writing at least thirty (30) days before the expiration of the conditional use permit. It shall state facts showing a good faith effort to complete the work permitted under the original approval. The City may waive the construction deadline associated with the proposed City-owned parking lot.

10. If the use permitted by this conditional use permit is discontinued for one (1) year or longer, or if the use has been changed to a permitted use or any other conditional use, then this conditional use permit shall be deemed abandoned, and the use shall be brought into conformance with the Faribault Code of Ordinances.

Section 4. Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this resolution constitute

the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 6. Effective Date. This resolution is effective immediately upon its passage and without publication.

Date Adopted: July 26, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

Timothy C. Murray, City Administrator

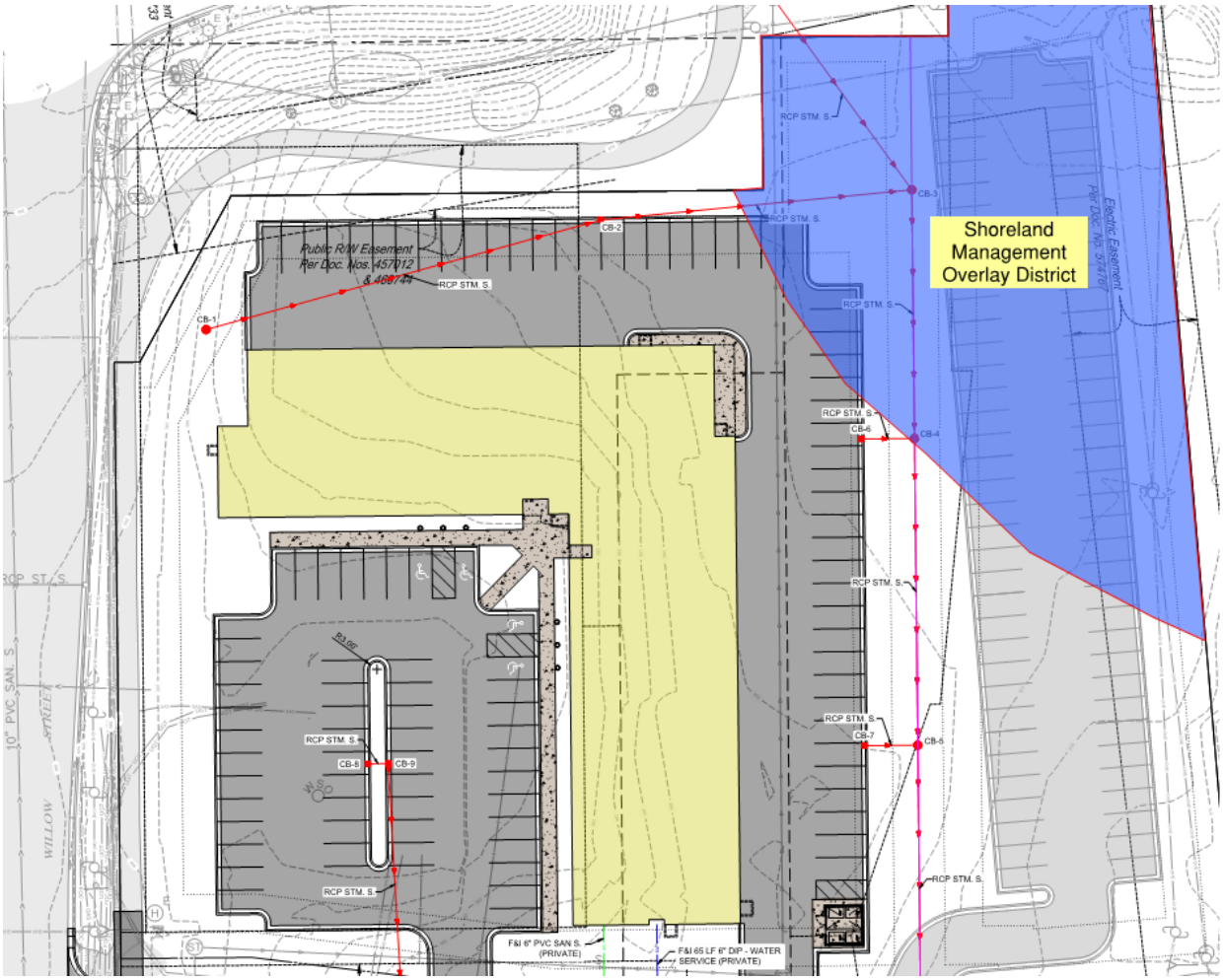
Exhibit A
Legal Description

Lot 1, Block 1, RIVERCHASE ADDITION

And

Lot 2, Block 1, RIVERCHASE ADDITION

Exhibit B
Proposed Parking Lots in the Shoreland Management Overlay District



Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Resolution 2022-156 Approve Conditional Use Permits for a Proposed Multi-Family Residential Development on Lot 1, Block 1, RIVERCHASE ADDITION

Background:

Hamilton Real Estate Group (the "Developer") proposes to develop a four-story, 77-unit, market-rate apartment building on the proposed Lot 1, Block 1, RIVERCHASE ADDITION plat. The Developer is requesting a conditional use permit (CUP) to allow approval of the following in the CBD, Central Business District:

1. The proposed apartment building to function as a standalone residential use;
2. The proposed apartment building to exceed three stories or 42 feet in height; and
3. The proposed apartment building to exceed the number of residential units based on its floor area.

The Planning Commission held a public hearing on July 18, 2022, to consider the Developer's conditional use permit request. No one from the public provided direct comments regarding the request, and the Commission recommended approval of the conditional use permit as outlined in Resolution 2022-156.

Recommendation:

Approve Resolution 2022-156 Approve Conditional Use Permits for a Proposed Multi-Family Residential Development on Lot 1, Block 1, RIVERCHASE ADDITION

Attachments:

1. 2022-156 Approve CUP for a Proposed Multi Family Residential Development on Lot 1, Block 1. RIVERCHASE ADDITION

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-156

APPROVE CONDITIONAL USE PERMITS FOR A PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON LOT 1, BLOCK 1, RIVERCHASE ADDITION

WHEREAS, Hamilton Real Estate Group (the "Applicant") submitted applications to the City of Faribault requesting approval of conditional use permits related to the development of a proposed apartment building, as depicted in Exhibit A, on property (the "Property") legally described as follows:

Lot 1, Block 1, RIVERCHASE ADDITION; and

WHEREAS, per Ordinance 2022-24, the Property is in the CBD, Central Business District; and

WHEREAS, the Applicant is requesting a conditional use permit (CUP) to allow the following in the CBD, Central Business District:

1. The proposed apartment building to function as a standalone residential use;

2. The proposed apartment building to exceed three stories or 42 feet in height; and

3. The proposed apartment building to exceed the number and size of residential units based on floor area.

WHEREAS, City Staff completed a review of the Applicant's request for

issuance of a conditional use permit and made a report to the Planning Commission, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing regarding the Applicant's request, and following said public hearing recommended that the City Council approve the Applicant's request based on the following findings as required by Chapter 2, Article 7, Section 2-300 of the City's Unified Development Ordinance:

1. **Finding: The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

   Expanded Finding: The proposed apartment building is consistent with the City's vision and goals for redevelopment of the Property as outlined in the City's Journey to 2040 Comprehensive Plan and Downtown Master Plan.

2. **Finding: The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

   Expanded Finding: The proposed apartment building is appropriately buffered from surrounding properties and will not be injurious to others. The proposed apartment is part of a planned redevelopment of the area. It will not impede orderly development.

3. **Finding: The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

   Expanded Finding: The proposed apartment building will relate in character to other uses in the CBD. It will improve the character and appearance of the redevelopment area.

4. **Finding: The conditional use will not impose hazards or disturbing influences on neighboring properties.**

Expanded Finding: The proposed apartment building will improve the redevelopment area and the hazards and disturbing influences present in the previous development on the site.

5. **Finding: The conditional use will not substantially diminish the value of neighboring properties.**

Expanded Finding: The proposed apartment will redevelop an industrial area and improve the neighborhood.

6. **Finding: The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and fire protection, and schools, or will be served adequately as a result of improvements proposed as part of the conditional use.**

Expanded Finding: The proposed apartment building will be adequately served by all essential public facilities and services, including utilities, roads, police, and fire protection.

7. **Finding: Development and operation of the conditional use will not create additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.**

Expanded Finding: The Applicant will be responsible for all costs associated with the proposed apartment building as outlined in a separate purchase and development agreement with the City.

8. **Finding: Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation or traffic.**

Expanded Finding: The proposed apartment building will be served by a public street that will accommodate the traffic.

9. **Finding: The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of importance to the community.**

Expanded Finding: The proposed apartment building is replacing an existing industrial use. The proposed building will not damage natural, scenic, or historical features of importance to the community.

10. **Finding: The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**

Expanded Finding: The City's Land Use Plan guides the subject property for redevelopment, including the residential use contemplated by this conditional use permit.

11. **Finding: The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.**

Expanded Finding: The proposed apartment building conforms to all other applicable provisions of the CBD, Central Business District; and

WHEREAS, per Section 11-60 of the City's Unified Development Ordinance, the City Council further finds that granting a conditional use permit to allow structures on the subject parcel to exceed three stories or 42 feet in height will not adversely affect the following:

1. **Access to light and air of surrounding properties.** The proposed apartment building is not immediately adjacent to other buildings. Consequently, the proposed apartment building will not adversely affect access to light and air related to surrounding properties.

2. **Shadowing of any adjacent residential areas.** The proposed apartment building is not immediately adjacent to other buildings. Consequently, the proposed apartment building will not create adverse shadows on surrounding properties.

3. **The scale and character of surrounding use.** The proposed apartment building provides the south "bookend" of multi-family residential development in the CBD, Central Business District. The

existing Straight River apartment building that serves as the north "bookend" in the CBD is of similar scale and character.

4. **Preservation of views of landmark buildings, significant open spaces or water bodies.** The proposed apartment building replaces an existing industrial use. Consequently, the proposed apartment building will contribute positively to the views in the area. The proposed apartment building will not adversely affect views to or from the adjacent Straight River.

WHEREAS, at a public meeting on July 26, 2022, the City Council considered the Applicant's request and concurred with the recommendation and findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Faribault as follows:

Section 1. Approval of Conditional Use Permit. The City Council hereby approves the Applicant's request for issuance of a conditional use permit to allow the following in the CBD, Central Business District, as generally illustrated in Exhibit A:

1. The proposed apartment building to function as a standalone residential use in the CBD, Central Business District;

2. The proposed apartment building to exceed three stories or 42 feet in height; and

3. The proposed apartment building to exceed the number of residential units based on its floor area.

Section 2. Conditions Attached to the Approval of the Conditional Use Permit. Approval of this conditional use permit is conditioned on the following:

1. The proposed apartment building must not exceed four stories in height without an amendment to this CUP.

2. The proposed apartment building must not exceed 77 units without an amendment to this CUP.

3. The Development Review Committee must provide final "site plan" approval related to the proposed apartment building development.

Section 3. Additional Conditions Attached to the Approval of this Conditional Use Permit. Approval of this conditional use permit is also conditioned on the following:

1. Approval and recording of the RIVERCHASE ADDITION plat and associated purchase and development agreement.

2. No expansion of the use allowed by this permit shall occur except upon the receipt of a new or amended conditional use permit from the City.

3. A failure by the City to take action with respect to any violation of any condition, covenant or term of this permit shall not be deemed a waiver of such condition, covenant, or term, or any subsequent violation of the same, or any other condition, covenant, or term.

4. The City may inspect the property at all reasonable times for purposes of ensuring compliance with the conditions of the conditional use permit.

5. This conditional use permit is subject to the requirements of the Faribault Code of Ordinances. The Applicant is required to comply with all applicable federal, state, and local laws, rules, and ordinances, and to obtain such other permissions and permits as may be required.

6. The violation of any terms or conditions of the conditional use permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in in the City's revocation of this conditional use permit. The City shall give the Applicant written notice of any violation and reasonable time, as determined by the City, to cure the violation before the City's revocation of this conditional use permit may occur.

7. This conditional use permit and the conditions imposed on it are binding on the parties, their successors, and assigns, shall run with the property, and shall not in any way be

affected by the subsequent sale, lease, or other change from current ownership. The obligations of the Applicant under this permit shall also be the obligations of any subsequent Owners or assigns of the property.

8. Use of the subject property for the uses allowed by this conditional use permit shall be deemed acceptance of, and agreement to, the terms of and conditions of the conditional use permit without qualification, limitation, or reservation.

9. If substantial development of construction related to this conditional use permit has not occurred within one (1) year of the date of the approval of this conditional use permit, then the City shall consider this conditional use permit void unless a petition for a time extension has been granted by the City Council. Such extension request shall be submitted in writing at least thirty (30) days before the expiration of the conditional use permit. It shall state facts showing a good faith effort to complete the work permitted under the original approval.

10. If the use permitted by this conditional use permit is discontinued for one (1) year or longer, or if the use has been changed to a permitted use or any other conditional use, then this conditional use permit shall be deemed abandoned, and the use shall be brought into conformance with the Faribault Code of Ordinances.

Section 4. Authorized Actions of the City. The City Council hereby authorizes and directs the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 5. Effective Date. This resolution shall become effective immediately upon its passage and execution without publication.

Date Adopted: July 26, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

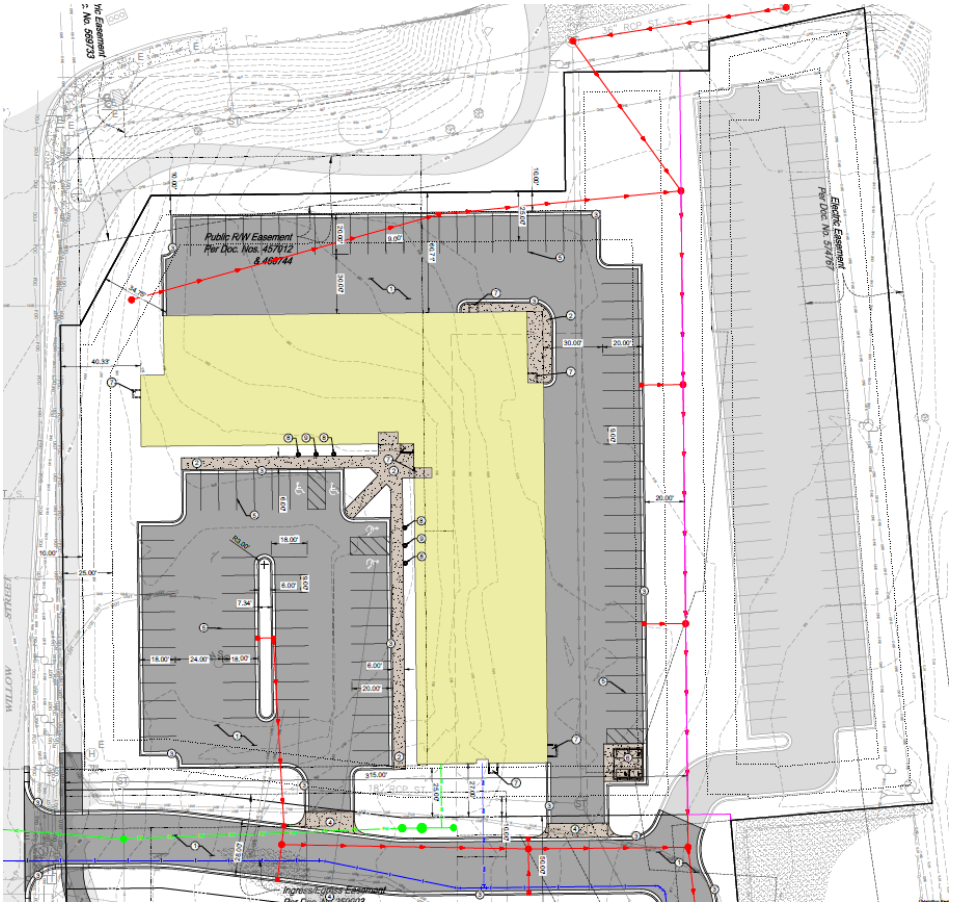
ATTEST:

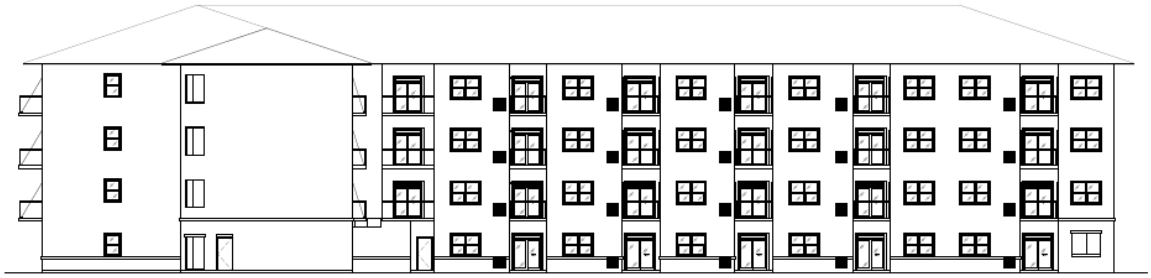
_____

Timothy C. Murray, City Administrator

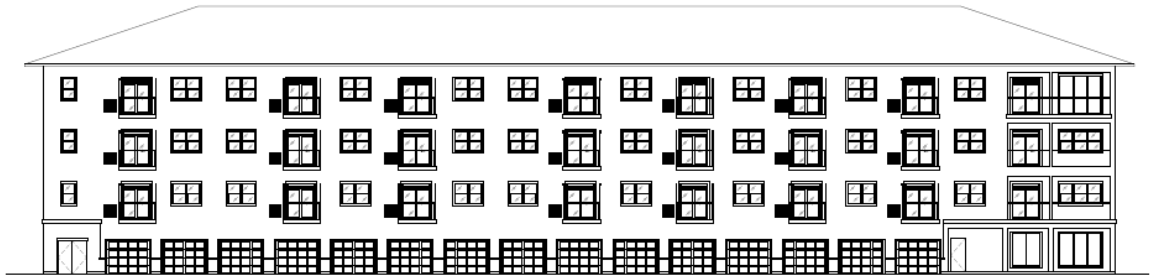
EXHIBIT A:

Proposed Apartment Building on Lot1, Block 1, RIVERCHASE ADDITION





WEST BUILDING ELEVATION



EAST BUILDING ELEVATION

Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Mark DuChene, City Engineer
MEETING DATE: July 26, 2022
SUBJECT: Resolution 2022-152 Order Improvements, Approve Plans and Specifications and Establish Bid Date for 2022 Riverchase Court Improvements - Contract 2022-13

Background:
The attached resolution orders the improvements and approves the construction plans and specifications for the proposed Riverchase Court Improvements - Contract 2022-13 project including removals, watermain, sanitary sewer, lot services, storm sewer construction, grading, aggregate base, bituminous paving, turf restoration and related improvements on the following streets:

Riverchase Court	(Willow Street to East End)

The improvements are part of the redevelopment plat proposed as Riverchase Addition which encompasses the properties at 55 Willow Street (former VP Online Auction), 217 Mill Street (Lockerby) and 127 Willow Street (SOS). Per the pre-development agreement with the developers, the City is to complete the design and construction of the public street and utility extensions for the proposed plat. The City has hired Widseth, a private engineering consulting firm to complete the plans for the project and City staff has completed the remainder of the bidding documents and will be administering the bidding and construction administration portions of the project .

The preliminary total estimated cost of the improvements, including 10% contingency and 15% engineering (covers both consultant and in-house engineering), is $1,054,400. Proposed funding for the project is as follows:

Street Improvement Fund (401)	$	390,900.00	37.1%

Water Utility Fund (601)	$ 342,200.00	32.5%
Sewer Utility Fund (602)	$ 119,500.00	11.3%
Storm Water Utility Fund (603)	$ 201,800.00	19.1%
Total	$ 1,054,400.00	100.0%

A portion of these costs may be reimbursed to their respective funds through the creation of one or more tax increment financing districts for eligible projects.

The attached resolution also establishes a bid date of August 17, 2022 for the project. Construction is scheduled to begin this fall, with substantial completion by July 1, 2023.

Recommendation:

Approve Resolution 2022-152 Order Improvements, Approve Plans and Specifications and Establish Bid Date for 2022 Riverchase Court Improvements - Contract 2022-13

Attachments:

1. Resolution 2022-152 Order Improvements Approve Plans and Specs and Est.Bid Date for 2022 Riverchase Court Improvements - Contract 2022-13
2. (2022-13) Riverchase Court Improvements Title Sheet
3. (2022-13) Bid Proposal Cover Sheet

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-152

ORDER IMPROVEMENTS, APPROVE PLANS AND SPECIFICATIONS AND ESTABLISH BID DATE FOR RIVERCHASE COURT IMPROVEMENTS - CONTRACT 2022-13

WHEREAS, the City has entered into pre-development agreements for the redevelopment of the properties at 55 Willow Street, 127 Willow Street and 217 Mill Street to be re-platted as Riverchase Addition, which includes the construction of a new public street and utilities, and;

WHEREAS, the improvement project for said street and utility construction is proposed as project Riverchase Court Improvements - Contract 2022-13

WHEREAS, the project includes removals, watermain, sanitary sewer, lot services, storm sewer construction, grading, aggregate base, bituminous paving, turf restoration and related improvements on the following streets:

Riverchase Court (Willow Street to East End)

WHEREAS, the total cost of the improvements is estimated to be $1,054,400.00, and;

WHEREAS, plans and specifications for the improvements have been prepared by the City Engineering Department or by a consultant under the direction of the City Engineer.

NOW, THEREFORE BE IT RESOLVED, plans and specifications for the proposed Riverchase Court Improvements, Contract 2022-13 are hereby ordered as proposed, and;

ALSO, BE IT RESOLVED, that plans and specifications for the Riverchase Court Improvements, Contract 2022-13, prepared the City Engineering Department or by a consultant under the direction of the City Engineer, are hereby approved, and;

ALSO, BE IT RESOLVED, a bid opening date of August 17, 2022 is hereby established for the Riverchase Court Improvements, Contract 2022-13

Date Adopted: July 26, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

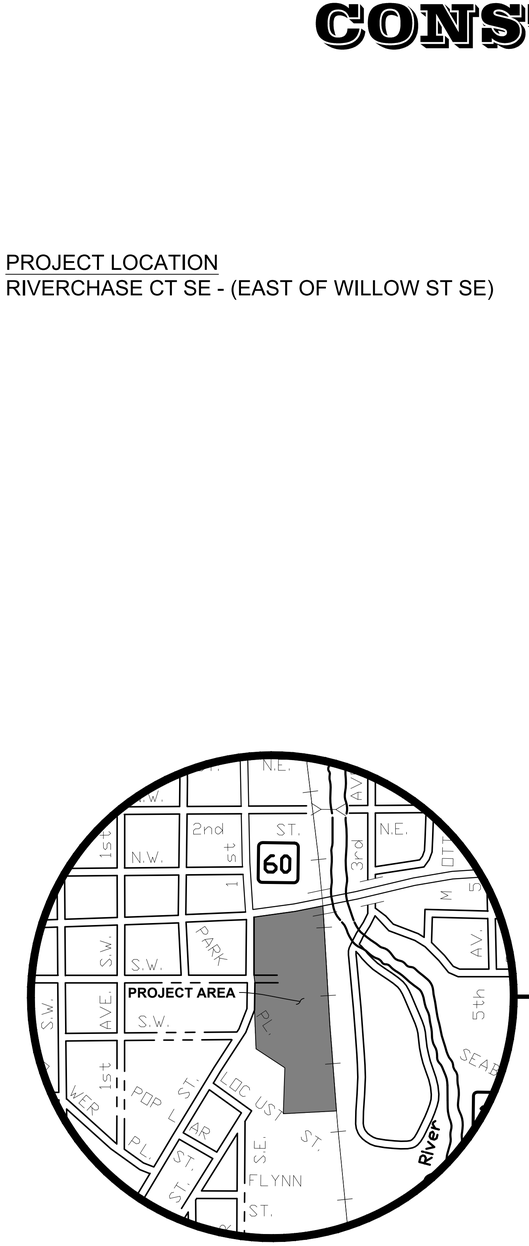
ATTEST:

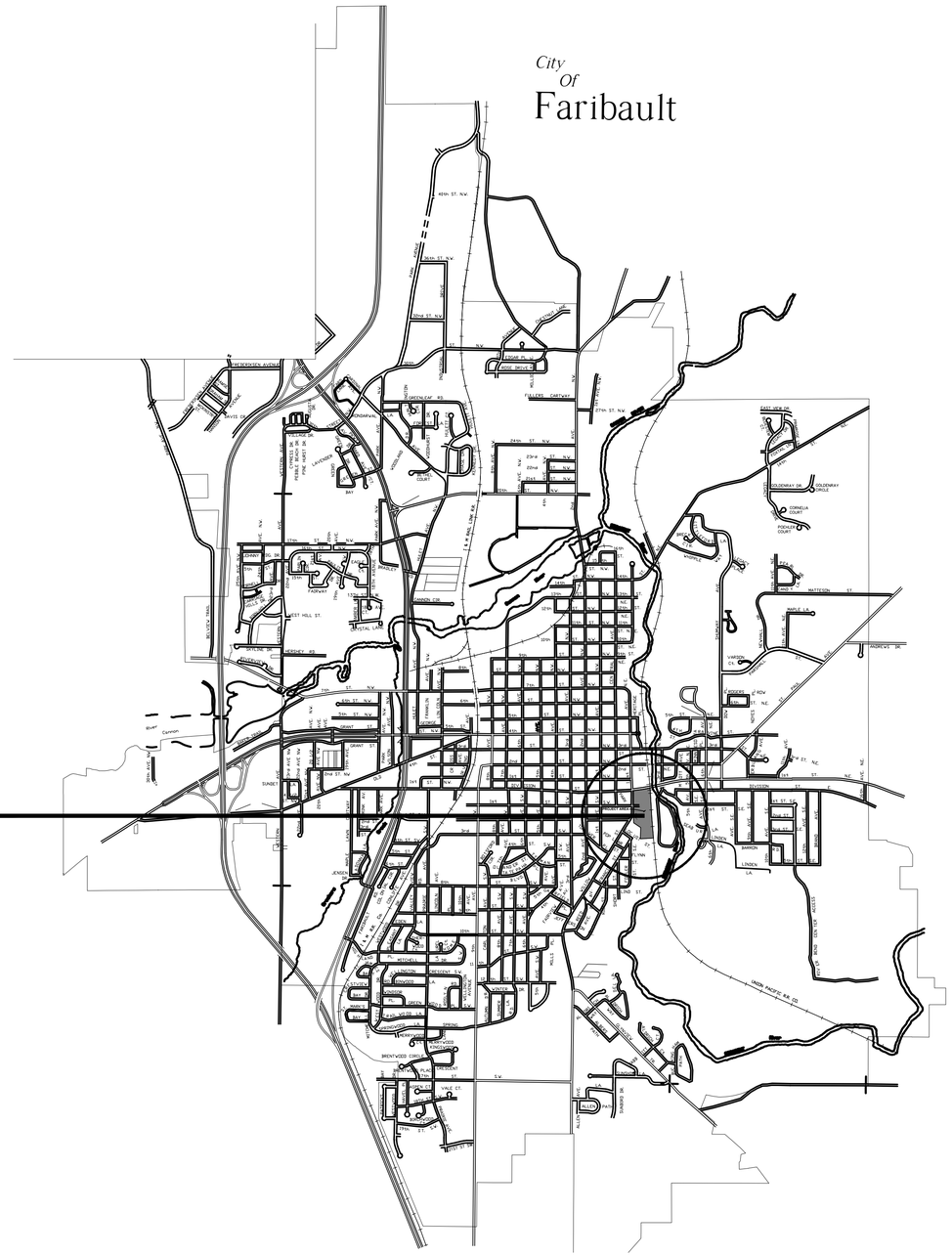
_____

Timothy C. Murray, City Administrator

CONSTRUCTION OF RIVERCHASE CT SE
FARIBAULT, MINNESOTA

PROJECT LOCATION
RIVERCHASE CT SE - (EAST OF WILLOW ST SE)

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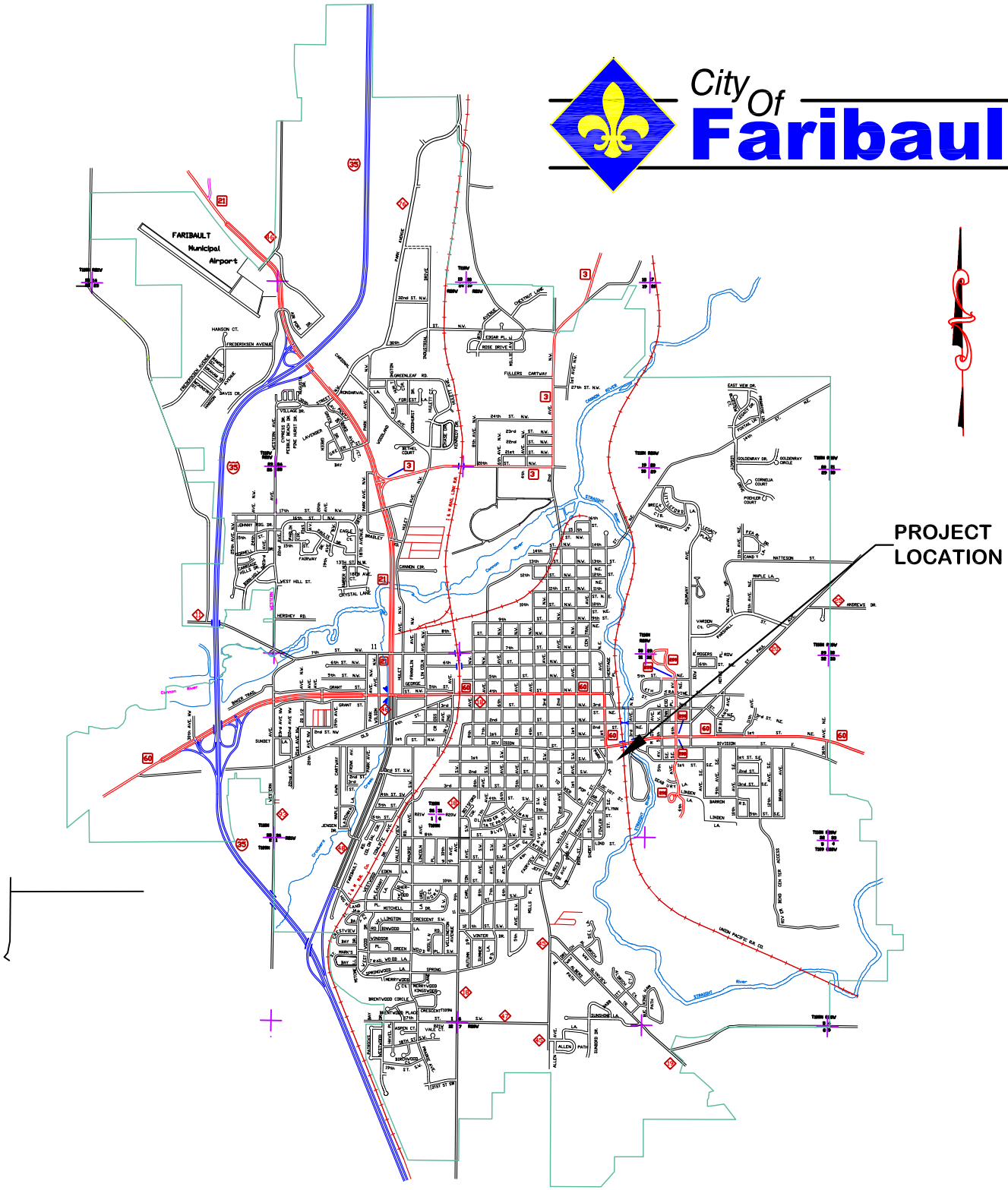
City Of Faribault



CONTRACT: 2022-13

PROJECT: RIVERCHASE COURT IMPROVEMENTS

BID DATE: August 17, 2022 11:00 a.m.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Mark W. DuChene, City Engineer

LIC. NO. 46594 *DATE* 7/22/2022

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Applications Related to the Development of Malecha Auto Body Shop at 2005 2nd Avenue NW

Background:

William Malecha is the owner of a vacant commercial lot at 2005 2nd Avenue NW. The property is comprised of a commercial lot and two Outlots that will be combined into one lot. The site is Zoned C-2, Highway Commercial District and the east portion is within the revised Shoreland Overlay District for the Cannon River. The owner proposes to construct a 10,400 SF building on this site for use as an auto body repair business & car sales lot. Parking will be provided for 32 cars and a vehicle sales display area is planned for the paved lot area on the west side of the building. The building will have nine (9) repair bays, a paint booth, wash bay, offices, storage, and mechanical area. Associated with this development proposal, the property owner has submitted applications for vacation of a public drainage and utility easement, preliminary and final plat approval and Conditional Use Permit (CUP) for major auto repair in a commercial district and a CUP for Development in the Shoreland Overlay District. A detailed staff report is attached with this memorandum to review the project in detail.

This development proposal includes four associated planning applications, each requiring separate actions for approval. The four planning applications for this development include the following:

1. Application for vacation of an unneeded public drainage and utility for easement on Lot 1, Block 1, of Kuntze Addition.
2. Application for Preliminary and Final Plat approval for MAB Addition to combine a commercial lot with two Outlots to create one larger commercial lot.

3. Application for Conditional Use Permit for Major Auto Repair in the C-2 Highway Commercial District.
4. Application for Conditional Use Permit for Commercial Development in the Shoreland Overlay District.

The Planning Commission, at its meeting of July 18, 2022, after proper notice, held a public hearing to consider each of these applications. The City did not receive any comments from the public prior to the public hearing. Several neighboring owners were in attendance at the public hearing. No objections were received. There were some questions about screening and the outside storage uses there. The Planning Commission by 6-0 vote recommended approval of each of the applications. The Planning Commission approved written findings in support of the applications accordingly. Attached with this memorandum are the proposed site plan, planning staff report and report of the City Engineer in review of this development application.

Recommendation:

Take separate action to approve the proposed ordinance and resolutions associated with this development proposal in the following agenda items.

Attachments:

1. Staff Report: Malecha Auto Body Applications - 2005 2nd Avenue NW
2. Engineering Memo for PC 2022-07-15
3. Depiction of Easement Vacation Area
4. Preliminary Plat
5. Final Plat
6. Architectural Plan (7-20-22)
7. CIVIL_PLAN_SHEETS_REV1 with notes

Public Hearing Staff Report

TO:	Planning Commission
FROM:	Peter Waldock, AICP Planning Coordinator Lucas Bertram, Planning & Zoning Intern
MEETING DATE:	July 18, 2022
SUBJECT:	Applications Related to Development of a New Auto Body Repair Business and Car Sales Lot at 2005 2nd Avenue NW

BACKGROUND

William Malecha is the owner of a vacant commercial lot at 2005 2nd Avenue NW. Additionally he owns two outlots to the east of the commercial lot. The site is Zoned C-2, Highway Commercial District and the east portion is within the revised Shoreland Overlay District for the Cannon River. The site is relatively level, wooded in the east, but had previously developed with a house along 2nd Avenue NW. The property fronts on Minnesota Highway 3 on the west, and 20th Street NW on the south that is now a fully improved City Street. A commercial driveway access from 20th Street was installed as the only access for the site.

Surrounding uses include the new Kwik Trip store approved on the lot to the south. There is a residence, and light industrial uses to the east. Those areas are also zoned in the C-2 District. To west across Hwy 3 is Casey's convenience store and gas station, and a small commercial retail use in the building at the southwest corner of Hwy 3 and 2nd Avenue NW.

PROJECT SUMMARY

The property owner / applicant proposes to construct a 10,400 SF building on

this site for use as an auto body repair business & car sales lot. The building will have nine (9) repair bays, paint booth, wash bay, offices, storage, and mechanical area. Associated with this development proposal, he has submitted applications for vacation of a public drainage and utility easement, preliminary and final plat approval and Conditional Use Permit (CUP) for major auto repair in a commercial district and a CUP for Development in the Shoreland Overlay District.

Site improvements will provide for car sales lot, secured storage for vehicles in queue for repair (located in the northeast corner of the lot), and thirty-five (35) parking spaces for employees and customers. Two (2) parking spaces are reserved as accessible parking spaces. All drives and parking areas will have bituminous paving with perimeter concrete curb.

The secured storage lot will have a gravel surface with 6' tall chain link fencing including privacy slats. Building exterior finishes will be a mix of masonry veneer (Novabrik) and stucco-look metal on the south and west facades. The north and east facades will have ribbed metal panels that have a low (less pronounced) ribbed surface.

Proposed signage will be building mounted on the west façade. The plan also shows a location for a freestanding sign, but none is proposed at this time. Exterior lighting will be building mounted with cut-offs shading/redirecting light away from the adjacent residential use. Access is planned on 20th Street NW only.

The proposed subdivision, replats the south portion of Outlot A of 218 Addition, and Outlot A of Kuntze Addition and Lot 1, Block 1 of Kuntze Addition in order to combine them into one lot. The site (once all of the parcels are combined) has a total area of 65,421 SF.

The applicant is seeking to vacate the perimeter drainage and utility easement that was platted on east line of Lot 1, of the Kuntze Addition. If not vacated this easement would cross the new lot (after the three parcels are combined).

Discussion / Review:

- Comprehensive Plan. The comprehensive plan guides the site for Residential/Commercial Mixed Use. The proposed use is consistent with the plan for this area and compatible with adjoining commercial uses to the west and south.

  The proposal is consistant with Comprehensive Plan.

- Zoning District. The site is zoned C-2 Highway Commercial District. The uses proposed in case are permitted with a CUP approval for major auto repair within this district. Additionally, parts of the lot fall in the revised Shoreland Overlay District map area, which requires a CUP for development.

- Shoreland Overlay District. In recent discussions with Mn DNR it was determined that the mapped shoreland district boundary in this area was incorrect and needed to be revised. The revised map includes the east portion of the subject in the Shoreland District.

  The MnDNR has reviewed this application and recommends installation of a water quality protection device at the intake of the stormwater ponds,

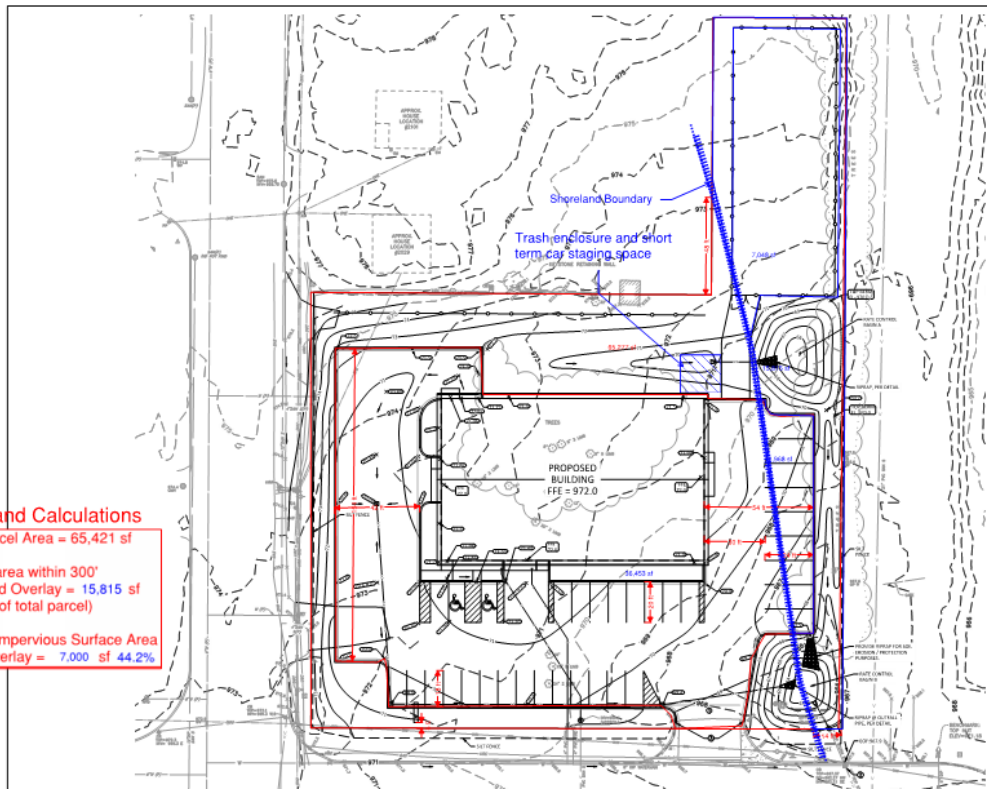
or at the intake of the storm sewer line. They have found that uses like this will likely have automotive fluids/oils on the parking area that can wash into the storm system during a large rain event, in this case very close to the river and be directly discharged. Along with removing oils this device can remove trash as well.

The applicant has indicated that there is very little leakage coming from the cars brought in for repair. Crashed cars are not brought here directly from the accident scene. They are first taken to the towing company lot then once the car owner has selected a repair shop, then the car is towed to the body shop. So leaking has stopped by the time the vehicle arrives on site. When fluids are drained from vehicles for repair it is done inside the shop with proper equipment.

It is recommended that one temporary stage space is provided north of the building outside (which is outside of the shoreland district area) in a leaking vehicle is dropped off at the site before it can be taken inside and drained of fluids. A paved space of 10' by 20' next to the trash enclosure can accommodate this purpose.

- Impervious Surface Calculations. The site (counting all three of the current lots) has a total area of 65,421 square feet (~1.5 acres). Approximately 43,217 square feet of that is covered in impervious surfaces, or 66%. Within the Shoreland Overlay District, which covers 15,815 square feet of the lot, 7,000 square feet is covered in impervious surfaces or 44%. For site area within the Shoreland Overlay District, a maximum of seventy (70) percent impervious surface coverage is permitted for commercial sites if compliant with the Surface Water Management Plan, or with approval from the City Engineer.

  The proposed development is within the allowed limits for impervious surface coverage in the Shoreland District.



- Parking Requirements. 1 space/ 300 SF of gross floor area is required for the office and three (3) spaces per service bay and one (1) space per employee for auto repair shops. With 1300 SF of office and customer area there will need to be a four and a half (4.5) spaces. There are nine (9) service bays requiring twenty-seven (27) more spaces, and with 8 employees, 8 more spaces are needed for a total requirement of forty (40) spaces.

  The site plan shows thirty-four (34) striped spaces with two (2) handicapped spaces. The paved car sales lot is about 154 wide and therefore can accommodate seventeen (17), nine (9) foot wide parking stalls if needed. The fenced storage area can be paved for additional parking space if needed. The DRC found that these factors provide "proof of parking" and determined this plan meets parking requirements based on that.

  The parking area and driveway are paved and have curbs as required by the UDO.

- Curb Cut Width. The UDO limits commercial driveways to thirty-two (32) feet in width. The City Engineer has authority to approve curb cuts of up to fifty (50) in width where necessary. In this case the curb cut width shown on the plans is about thirty-five (35) feet wide.

- Setbacks. The building and parking lot meet or exceed minimum setback requirements as noted on the plans. Parking lot exceeds setback minimums in front along 2nd Ave. NW and in the rear (east lot line).

Table 11-2. Lot dimension and setback requirements in the commercial districts.

District	C-1	C-2	C-3	CBD
Minimum lot area (sq. ft.)	10,000	20,000	40,000	none
Minimum lot width	100 feet	100 feet	100 feet	none
Building setback requirements				
Front	25 feet	25 feet	25 feet	none
Side	10 feet	10 feet	10 feet	none
Side (abutting residential district)	15 feet	15 feet	15 feet	10 feet
Corner side	25 feet	25 feet	25 feet	none
Rear	10 feet	10 feet	10 feet	10 feet
Rear (abutting residential district)	15 feet	15 feet	15 feet	10 feet
Setback for off-street parking and loading areas				
Front	10 feet	10 feet	10 feet	5 feet
Side	5 feet	5 feet	5 feet	5 feet
Side (abutting residential district)	10 feet	10 feet	10 feet	10 feet
Corner side	10 feet	10 feet	10 feet	10 feet
Rear	5 feet	5 feet	5 feet	5 feet
Rear (abutting residential district)	10 feet	10 feet	10 feet	10 feet
Setback for exterior storage areas				
Side	-	5 feet	5 feet	-
Side (abutting residential district)	-	10 feet	10 feet	-
Corner side	-	25 feet	25 feet	-
Rear	-	5 feet	5 feet	-
Rear (abutting residential district)	-	10 feet	10 feet	-

- Landscaping. The site plan indicates an impervious surface coverage of 66% in this case. The UDO requires ten (10) plantings/ acre for commercial sites with 60-79% impervious surface coverage. The site is

about 1.5 acres in area. Fifteen (15) plantings are the base number. However because the site adjoins a trail and a residence, the UDO requires a 150% increase from the base number and therefore 38 plantings will be required in this case. The plan provides for 29 plantings, as shown in the tree and shrub schedule below. The landscaping plan will need to be revised to provide 38 approved plants to meet code requirements.

TREE & SHRUB SCHEDULE			
KEY	COMMON NAME	QUANTITY	SIZE
A	YELLOW RIBBON ARBORVITAE	9	10 GALLON
B	SPRING SNOW FRUITLESS FLOWERING CRAB	4	1" DIA.
C	IVORY JAPANESE TREE LILAC	4	1"-1.5" DIA.
D	BABY BLUE EYES SPRUCE	1	4'-5' HEIGHT
E	LITTLE QUICKFIRE HYDRANGEA	4	3 GALLON
F	TAUNTON JAPANESE YEW	2	5 GALLON
G	DWARF BLUE SPRUCE	3	5 GALLON

Parking lots with over 50 spaces require landscaped islands of at least 100 SF in area. Since the plan shows 34 spaces (and proof of parking for forty (40) spaces), the islands will not be required. The plan provides shade trees along the car sales display area and the south parking area along 20th St. NW.

- Screening. The UDO requires screening for commercial sites adjoining residential uses and public parks or trails. Screening can be provided by a 6 foot tall fence or landscape plantings of 90% opacity (reached within two years after planting).

Sec. 4-130. Landscaping requirements

(I) *Screening.* When screening is required, as stated in other sections of this chapter, the following standards shall apply:

(1) The screening shall be a minimum of six (6) feet in height.

(2) The screening shall have a minimum of ninety (90) percent opacity.

(3) If landscaping is used for the screening, the plantings shall be evergreen and a minimum of six (6) [feet] in height when planted. A ninety (90) percent opacity level shall be obtained within two (2) years.

(4) Screening shall be required when the area is visible from one (1) of the following areas:

a. A residential zoning district or use.

b. A public park, trail, or open space.

c. Interstate 35, a State Highway, or County Highway.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 2008-09, § 1, 5-13-08; Ord. No. 2010-09, § 1, 6-8-10)

In this case the plan shows a screening fence along the north side of the property and surrounding the outdoor storage area (adjoining the future public trail to the east).

After submitting the plans the applicant met with home owner to the north. The neighbor prefers a landscaped screen rather than a fence and the applicant is willing to make this plan change to the plan. This revision will meet UDO requirements with increased plant numbers of evergreens

along the north property lines. Similar screening along the east parking area should also be provided to screen the future trail on that side as well.

- Signs. The sign plan provides for two freestanding signs as permitted under the UDO. Signage will be building mounted on the west wall and may be ten (10) percent of the wall area. Freestanding signs are shown on the plan at a three (3) foot setback from 20th Street NW. A five (5) foot setback is required for signs less than twenty (20) above grade. Signs at twenty (20) and up may encroach up to four (4) feet in this setback.

  Separate sign permits will be needed prior to installation of the signs.

- Building Façade. There will be a mix of masonry veneer, stucco, and finished metal panels on south and west façades, and ribbed metal panels on the east and north façades. The façade walls facing the street will be a combination of brick veneer and metal panels with a stucco like finish. The north and east facades will have ribbed metal panels that have a low (less pronounced) ribbed surface.

  The façade plans as proposed meet the UDO requirements.

- Trash Enclosure. The plan shows a trash enclosure located north of the primary building that faces away from the adjoining residence. The plan does not specify the type of enclosure. Per UDO Sec. 6-40, it must enclose at least three (3) sides by opaque screening at least six (6) feet in height. The open side of the enclosure shall not face any street or the front yard of any abutting property.

- Vacation of Public Easements. The applicants are seeking to vacate the drainage and utility easement that was platted along the east property line of Lot 1, Block 1 of Kuntze Addition. If not vacated, the easement will cross the new lot created with MAB Addition which combines three parcels into one.

  There are no City utilities within this easement and the DRC recommends approval of the vacation of the easement as proposed.

- Subdivision Plat. The MAB Addition combines the south portion of Outlot A of 218 Addition, Outlot A, of Kuntze Addition and Lot 1, of Kuntze addition to create one commercial lot. The proposed lot will meet zoning standards for lot size and frontage. The plat meets subdivision ordinance standards.

  A development agreement is required for subdivisions per Sec. 15-340 of the UDO. It will address development details and costs related to the site.

- Public Right of Way. Additional public street right of way may be needed at the intersection of Hwy 3 and 20th Street NW in the southwest corner of the site as may be determined by MnDOT and the City Engineer. It is not anticipated that this will result in conflicts with the planned improvements on the subject site.

- Parkland Dedication. The development agreement for Kuntze Addition stated that park dedication requirements were satisfied as part of the 218 Addition plat. No additional parkland dedication will be needed for this subdivision application.

- Site Address. The site currently has an address on 2nd Avenue NW. Since

there will be no driveway access from 2nd Avenue, the site should have an address from 20th Street NW instead. The address for the site should be changed to 190 20th Street NW.

Comments:

The Development Review Committee (DRC) discussed the application in this case at its meeting on June 21, 2022. The DRC had no major concerns with the proposal and recommended conditional approval of the Preliminary and Final Plat applications, and the CUPs for development in a Shoreland Overlay District. The DRC had the following comments:

1. There will need for screening to minimize impact on adjacent residential areas, and the planned trail east of the site.
2. Stormwater management design features and sizing will need to follow requirements for areas in Shoreland District. The stormwater storage may need to be increased to meet the requirements.
3. Removal of existing trees and vegetation in the shoreland area should be limited as much as possible to provide a natural screen from view of persons fishing, canoing or kayaking, etc. on the river.
4. Any exterior trash and recycling storage areas must be screened in accordance with

Recommendations:

Planning staff recommends approval of all of the applications in this case subject to conditions of approval.

<u>Suggested Conditions of approval for the Preliminary and Final Plat are as follows:</u>

1. The Applicant shall submit to the City current title work that identifies all entities with a legal interest in the subject property, including but not limited to mortgage and easement interests.
2. The Applicant shall address, to the satisfaction of the City Engineer, all comments raised by the City Engineer in his memorandum, attached as an exhibit to this resolution.
3. The Applicant shall address, to the satisfaction of the City, easement issues affecting the plat.
4. The Applicant shall address all plat-related comments from City Staff and the City Attorney.
5. The Applicant and the City of Faribault shall enter into a Development Agreement that addresses all terms and conditions of the preliminary plat and final plat to the satisfaction of the City Attorney and the City Engineer.
6. The approved final plat shall be recorded within one year of the date of approval.
7. The City Administrator and City Attorney are authorized to approve any revisions needed to carry out the intent of this resolution.

<u>Suggested Conditions of approval for the Major Automobile Repair CUP are as follows:</u>

1. Access to site will only be from 20th St. NW, as installed during the 2021 construction of public improvements on 20 Street NW along the site.
2. All auto repair work must be performed inside the building.
3. Damaged or disassemble vehicles in queue for repair must be parked within the screened storage area.
4. Parking lot striping for 40 parking spaces must be installed if the City determines a shortage of onsite parking is apparent.

Suggested Conditions of approval for the Shoreland Overlay District CUP are as follows:

1. Provide native/forb mixture grass in landscaped areas on site where feasible.
2. Preserve the natural trees and vegetation existing within the Shoreland District area of the site to the greatest extent possible.
3. Design the stormwater management system in a manner as approved by the City Engineer, to limit or filter automotive fluids from the parking lot and outdoor storage areas on site.
4. The Owner shall obtain the necessary building permits, grading permits, and all other applicable permits before construction can occur on the subject property.

Attachments:

- Draft Resolution
- City Engineer's Memo
- Maps and Plans
- Applications

Engineering Department Memorandum

TO: Peter Waldock, Planning Coordinator

CC: Deanna Kuennen, Comm. and Econ. Development Director
Travis Block, Public Works Director
Jeanne Day, Finance Director

FROM: Mark DuChene, City Engineer

DATE: July 15, 2022

SUBJECT: MAB Addition Preliminary Plat, Final Plat, Conditional Use Permit & Easement Vacation

---

BACKGROUND

William Malecha on behalf of Malecha Properties, LLC, the developer, has submitted a preliminary plat, final plat, conditional use permit and easement vacation applications. The site is located in the NE ¼ of Section 30 Township 110, Range 20W whose parent parcels are Lot 1, Block 1 and Outlot A Kuntze Addition and Outlot A 218 Addition. The site is adjacent to 20th Street NW to the south, 2nd Avenue to the west, commercial property south and residential property to the east.

The proposed subdivision is located on land that is currently zoned C-2 Highway Commercial. No rezoning is proposed. The proposed improvements include the construction of an autobody repair and sales shop.

Conditional Use Permit
A conditional use permit is required for the proposed use and is also required since a portion of the site is within the City's shoreland overlay district due to its proximity to the Cannon River. All proposed improvements must meet the requirements of the City's shoreland overlay district.

There are no proposed public improvements.

The proposed development will be completed by:

Owner/Developer:	*Malecha Properties, LLC*
Surveyor/Engineer:	*Stonebrooke Engineering, Inc.*

PLAT

Developer has submitted a preliminary and final plat for MAB Addition. The preliminary and final plat contains one (1) lot for commercial development.

The areas within the plat include:

Lot 1	1.50 acres	(65,421 sf)
Total	1.50 acres	(65,421 sf)

Current title work has not been submitted with the final plat application and will be subject to the review of the City and City Attorney's office.

The need for additional right-of-way along 2nd Avenue (TH 3) or 20th Street NW is subject to the pending review by the Minnesota Department of Transportation.

At the time of final plat, the Developer agrees to provide sufficient permanent property monumentation per the development agreement and shall submit to the City written verification by a registered land surveyor licensed in the State of Minnesota.

SITE CONDITIONS

The existing site contains approximately 1.50 acres of land that that is undeveloped. The site is relatively flat and generally drains from west to east. The site was previously a single family residence and has been vacant for a couple of years.

There appear to be multiple encroachments on the proposed plat from adjacent properties that must be removed or mitigated. These include a shed and an overhead private electric service.

EASEMENTS

Existing Easements

- There are existing perimeter drainage and utility easements (DUE) for Lot 1 Block 1 Kuntze Addition. The 5-foot DUE along the eastern property line of Lot 1 Block 1 Kuntze Addition is proposed to be vacated.

Proposed Easements

The proposed plat shows perimeter drainage and utility easements as required by City code on proposed Lot 1.

STREET AND SITE LAYOUT

No public street improvements are planned as part of the subdivision at this time; however, as part of the platting and review process for a nearby plat, the Minnesota Department of Transportation requested an intersection traffic impact study (TIS) be performed for the intersection of 2nd Avenue NW/TH 3 and 20th Street NW. The draft TIS indicated that the intersection would perform at an acceptable level of service even through the 2032 horizon

year under the build conditions. The one movement that is in being reviewed is the TH 3 southbound left turn movement onto 20th Street. This movement is being further analyzed and may require improvements to TH 3 and the requirement to dedicate additional right-of-way.

2nd Avenue NW

The site is east of and adjacent to 2nd Avenue NW a minor arterial south of 20th Street NW and a principal arterial north of 20th Street NW. 2nd Avenue NW is constructed as a 24-foot wide, two-lane urban roadway with a southbound right turn lane and is within a 66-foot right-of-way. There is currently no sidewalk on the east side of 2nd Avenue NW and none is planned as a future multi-purpose trail is planned along the east side of the proposed plat.

20th Street NW

The site is north of and adjacent to 20th Street NW a local roadway. 20th Street NW was reconstructed in 2021 and is constructed as a 32-foot wide, urban roadway and is within a 66-foot right-of-way with no parking on both sides of the street. There is currently no sidewalk on the south side of 20th Street NW but one is shown in the City's comprehensive sidewalk and trails plan. The site plan indicates one driveway entrance on 20th Street NW to serve the proposed development. Driveway entrances shall be construct to meet the City's standard commercial driveway entrance detail.

PARKS AND TRAILS

Per the development agreement for Kuntze Addition the park dedication requirements were satisfied as part of the 218 Addition plat. No proposed park land or trails are proposed as part of the development; however, the City's comprehensive trails and sidewalks plan does include the City constructing a new multipurpose trail adjacent to the east side of the proposed plat.

DRAINAGE, GRADING AND EROSION CONTROL

STORM SEWER

The development is located within the Canon River (M-048) district as identified in the City's 2022 Surface Water Management Plan. Stormwater runoff generated within the site currently drains primarily to the adjacent streets and to the east which eventually connect to existing storm sewer systems that ultimately discharge to the Cannon River to the east.

Proposed storm sewer improvements must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans. Storm sewer systems must be designed to limit the post construction rate of runoff from the 2, 10 & 100 yr. 24-hour storm events to less than or equal to existing conditions. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

The proposed site improvements include the addition of an estimated 1.01 acres of new and/or reconstructed impervious surface. A stormwater treatment system meeting the current requirements of the Minnesota Pollution Control Agency (MPCA) Construction Storm Water permit, the City's current Municipal Separate Storm Sewers permit and 2022 Surface Water Management Plan including the Developers Guide for Stormwater Management must be incorporated into the final plans. The Developer has submitted a Stormwater Management Plan and is proposing to construct a new stormwater treatment basin(s) onsite. The storm water basin is proposed to then discharge the City storm sewer system within 20th Street NW and then to the Cannon River.

The proposed stormwater basin(s) will be a private basin and the Developer will be required to enter into a long-term stormwater operations and maintenance agreement with the City and record said agreement at the Rice County Recorder's office.

A City grading permit and a National Pollution Discharge Elimination System Construction Stormwater General Permit for construction activity is required by the Minnesota Pollution Control Agency (MPCA) for areas exceeding one acre being disturbed by grading. A copy of the Notice of Stormwater Permit Coverage must be submitted to the City upon receipt from the MPCA. A stormwater pollution prevention plan (SWPPP) must be submitted meeting the requirements of the City's municipal separate storm sewer system permit and associated ordinances and the erosion and sediment control requirement as set forth in the MPCA construction stormwater general permit. A full copy of the SWPPP must be submitted to the City Engineer with the final construction plans for review and approval.

A final post construction as-built grading plan must be submitted meeting the requirements of Article VII, Section 28-230 of the City of Faribault Code of Ordinances.

UTILITIES

The existing site is currently served by City water and sewer from services extended into the site from mains located in the adjacent public streets and existing utilities have sufficient capacity to serve the proposed development.

All future buildings shall be charged the standard Sewer Access Charge (SAC) and Water Access Charge (WAC) in effect at the time of building permit issuance.

WETLANDS

There are no known wetlands shown on the preliminary plat.

CONSTRUCTION ACCESS

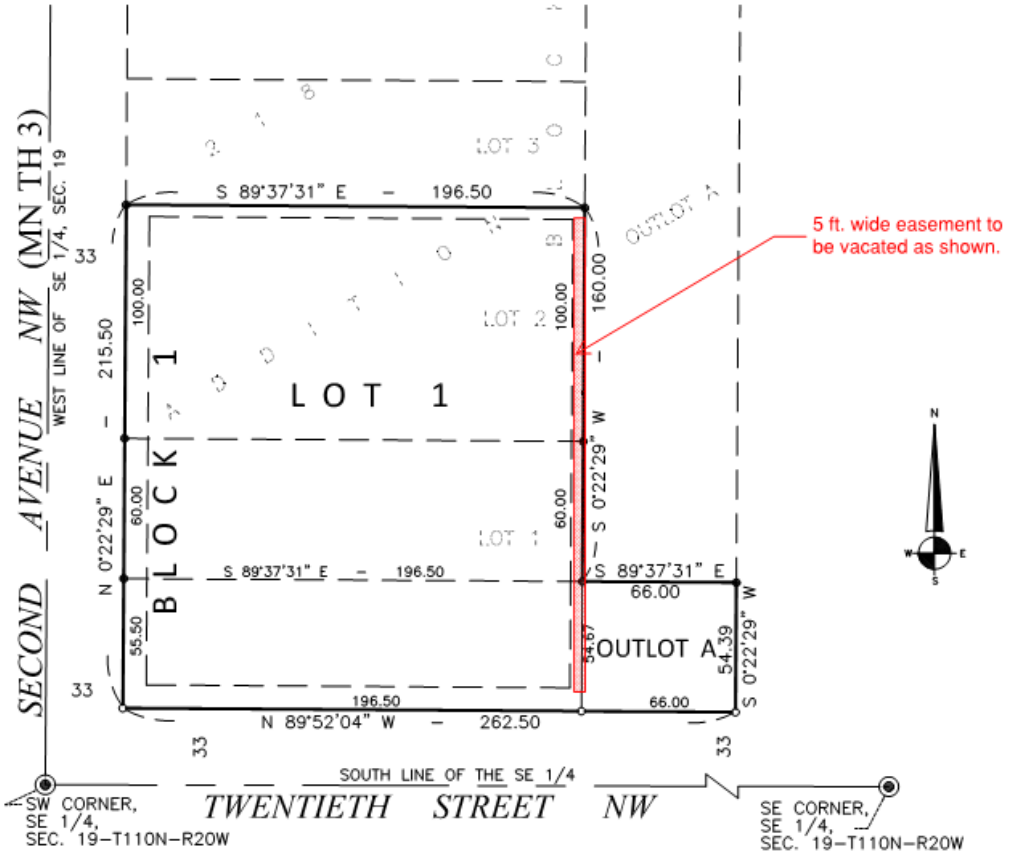
Construction traffic access and egress for grading, utility, and building construction shall be restricted to a single construction access.

RECOMMENDATION

Engineering recommends approval of the Preliminary Plat, Final Plat, Conditional Use Permit & Easement Vacation, subject to the comments within this report and the following:

- Plat revisions may be needed pending the review of the plat by MnDOT.
- Developer shall revise stormwater management report and stormwater treatment design to be in conformance with the City's MS4 Permit, 2022 Surface Water Management Plan (including the Developer's Guide for Stormwater Management) and the City's Shoreland Overlay District stormwater management requirements.
- Current title work shall be subject to review by the City and City Attorney.
- Developer shall enter into a stormwater operations and maintenance agreement prior to issuance of any type of occupancy permits.

KUNTZE ADDITION

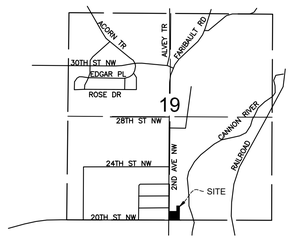


MAB ADDITION PRELIMINARY PLAT

2005 2ND AVENUE NW, FARIBAULT, MN

FARIBAULT, MN
RICE COUNTY

SECTION 19, T 110 N, R 20 W



VICINITY MAP

NOT TO SCALE

LEGEND

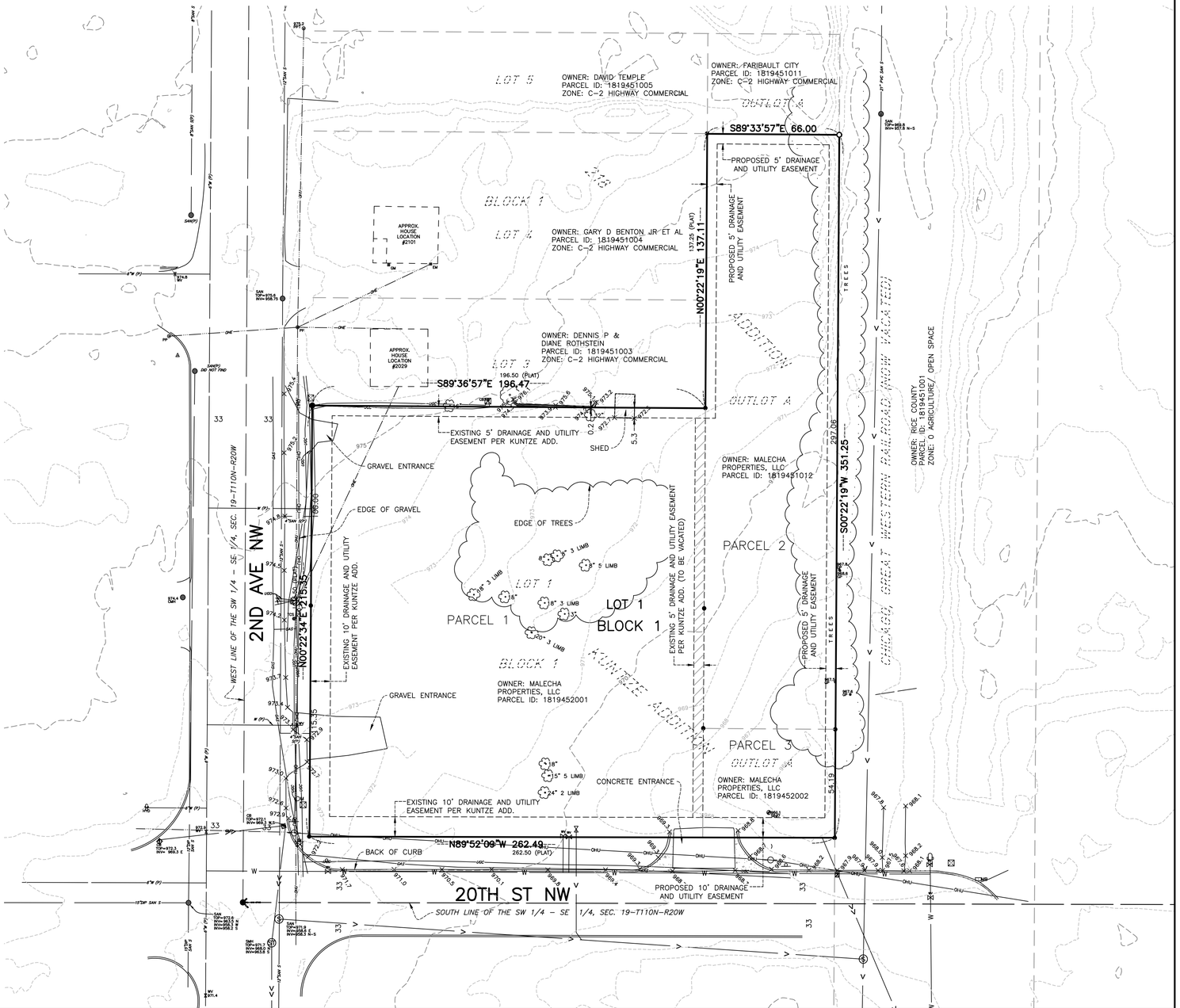
- MONUMENT FOUND
- IRON PIPE MONUMENT SET
- EXISTING SPOT ELEVATION
- EXISTING CONTOURS
- FIRE HYDRANT
- CATCH BASIN
- SEWER MANHOLES
- CURB STOP
- UTILITY PEDESTAL
- POWER POLE
- SIGN
- DECIDUOUS TREE
- WATER LINE
- SANITARY LINE
- STORM LINE
- OVERHEAD LINE
- GAS LINE
- UGC LINE
- EXISTING DRAINAGE AND UTILITY EASEMENT TO BE VACATED

BEARING BASIS
FOR THE PURPOSE OF THIS PLAT THE WEST LINE OF LOT 1, BLOCK 1, MAB ADDITION IS ASSUMED TO BEAR N32°22'34"E.

OWNER:
Malecha Properties LLC
William P. Malecha, Owner/President
23227 Bagley Ave.
Faribault, MN 55021

SURVEYOR:
Stonebrooke Engineering, Inc.
12279 Nicollet Ave. S.
Burnsville, MN 55337
Phone: 952-402-9202
Fax: 952-403-6803
www.stonebrookeengineering.com

LOT AREA:
65,421 SQUARE FEET



LEGAL DESCRIPTION

Parcel 1:
Lot 1, Block 1, Kuntze Addition, Rice County, Minnesota.

Parcel 2:
That part of Outlot A, 218 ADDITION, according to the plat recorded thereof, Rice County, Minnesota, lying south of the
easterly extension of the north line of Lot 4, Block 1, said 218 ADDITION, Rice County, Minnesota.

Parcel 3:
Outlot A of Kuntze Addition, Rice County, Minnesota

ZONE:
C-2 – HIGHWAY COMMERCIAL

Building Wall not House

SET BACK REQUIREMENTS:
25' FRONT HOUSE TO R.O.W.
10' SIDE HOUSE TO PROPERTY LINE (15' ABUTTING A RESIDENTIAL DISTRICT OR USE)
10' REAR HOUSE TO PROPERTY LINE
25' SIDE (CORNER LOT)

REV. NO.	DATE	BY	CHK	DESCRIPTION

0 30 60
SCALE FEET

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

NAME Aaron J. Mages LIC. NO. 45507 DATE 05-27-2022

DESIGNED
DRAWN ACR
CHECKED AJM

Stonebrooke

PRELIMINARY PLAT
LOT 1, BLOCK 1, MAB ADDITION
FOR: RICE COUNTY, MINNESOTA

SHEET 1 OF 1

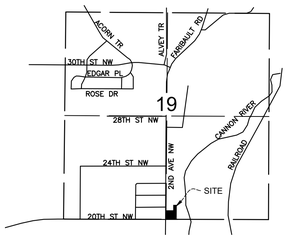
May 27, 2022 - 8:58am - S:\PROJECTS\CIVIL\0812_Ridgeline_Group\00999 (Malecha Autobody - City of Faribault - Rice County)\Survey\Cadd_Files\00999PP01.dwg

MAB ADDITION

C.R. DOC. NO.

FARIBAULT, MN
RICE COUNTY

SECTION 19, T 110 N, R 20 W



VICINITY MAP

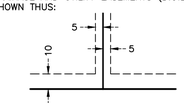
NOT TO SCALE

BEARING BASIS
FOR THE PURPOSE OF THIS PLAT THE WEST LINE OF LOT 1, BLOCK 1, MAB ADDITION IS ASSUMED TO BEAR N32°22'34"E.

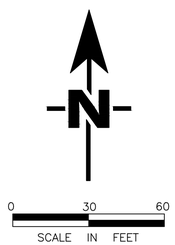
LEGEND

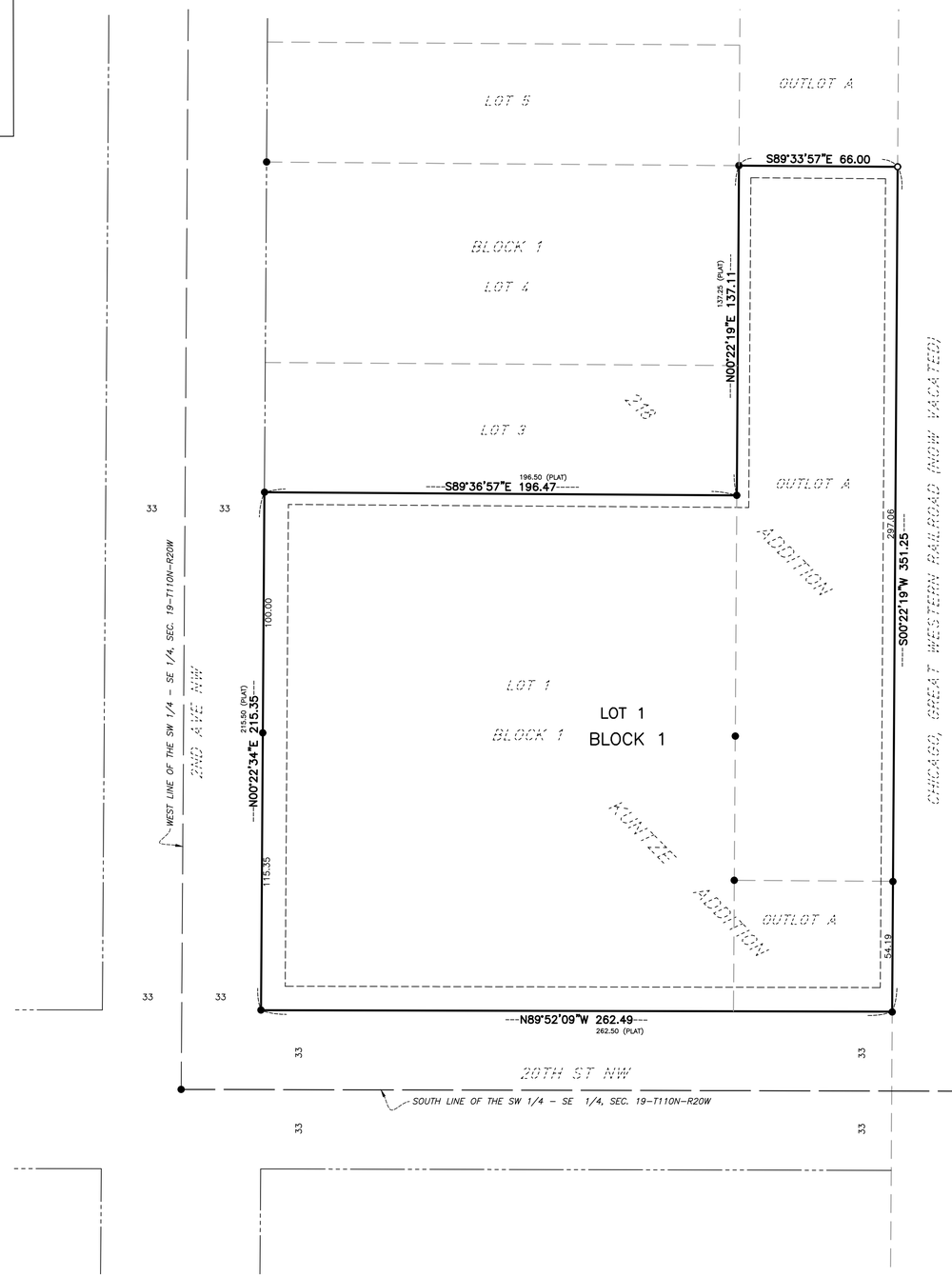
- 3/4" X 18" IRON PIPE MONUMENT SET, MARKED BY LICENSE NO. 45507 (UNLESS NOTED OTHERWISE)
- MONUMENT FOUND
- CAST IRON MONUMENT FOUND

DRAINAGE AND UTILITY EASEMENTS (D.U.E.) ARE SHOWN THUS:



BEING 5 FEET IN WIDTH, ADJOINING SIDE AND REAR LOT LINES, AND 10 FEET IN WIDTH, ADJOINING LOT LINES ALONG RIGHT OF WAY LINES, UNLESS OTHERWISE INDICATED, AS SHOWN ON PLAT.





KNOW ALL PERSONS BY THESE PRESENTS: That Malecha Properties LLC, a Minnesota corporation, owners of the following described property situated in the City of Faribault, County of Rice, State of Minnesota to wit:

Lot 1, Block 1, Kuntze Addition, Rice County, Minnesota.

AND

That part of Outlot A, 218 ADDITION, according to the plat recorded thereof, Rice County, Minnesota, lying south of the easterly extension of the north line of Lot 4, Block 1, said 218 ADDITION, Rice County, Minnesota.

AND

Outlot A of Kuntze Addition, Rice County, Minnesota

Has caused the same to be surveyed and platted as MAB ADDITION and does hereby dedicate to the public for public use the drainage and utility easements as created by this plat.

In witness whereof said Malecha Properties LLC, a Minnesota corporation, has caused these presents to be4 signed by its proper officers this _____, day of _____, 20_____.

Signed: Malecha Properties LLC

_____
William P. Malecha, President

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on _____ by William P. Malecha, President of Malecha Properties LLC, a Minnesota corporation, on behalf of the corporation.

_____

_____
Notary Public, _____ County, MN.
My commission expires_____

SURVEYOR'S CERTIFICATE

I, Aaron Mages, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota: that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this _____, day of _____, 20_____.

_____
Aaron Mages, Land Surveyor
Minnesota License No. 45507

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this_____day of_____, 20_____ by Aaron Mages, Land Surveyor.

_____

_____
Notary Public, _____ County, MN.
My commission expires_____

CITY COUNCIL, CITY OF FARIBAULT, MINNESOTA

This plat of CANNON RIVER VIEW was approved and accepted by the City Council of the City of Faribault, Minnesota at a regular meeting thereof held this _____day of_____, 20_____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been recieved by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03 Subd. 2.

City Council of Faribault, Minnesota

_____ _____
By: Mayor By: City Administrator

RICE COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this_____day of _____, 20_____.

_____
Michael Fangman
Rice County Surveyor

RICE COUNTY PROPERTY TAX & ELECTIONS

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20_____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____day of _____, 20_____.

_____
Denise Anderson
Property Tax & Elections Director

COUNTY RECORDER, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of CANNON RIVER VIEW was filed in the office of the County Recorder for public record on this_____day of_____, 20 _____ at _____ o'clock __.M. and was duly filed as Document Number_____.

_____
Michael Fangman
Rice County Recorder

REGISTRAR OF TITLES, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of CANNON RIVER VIEW was filed in the office of the County Registrar of Titles for public record on this_____day of_____, 20 _____ at _____ o'clock __.M. and was duly filed as Document Number_____.

_____
Michael Fangman
Rice County Registrar of Titles

THIS PLAT PREPARED BY STONEBROOKE ENGINEERING, INC.

May 27, 2022 - 6:06am - S:\PROJECTS\CIVIL\0812_Ridgeline_Group\00999 (Malecha Autobody - City of Faribault - Rice County)\Survey\Codd_Files\00999FP01.dwg

TREE & SHRUB SCHEDULE			
KEY	COMMON NAME	QUANTITY	SIZE
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C	IVORY JAPANESE TREE LILAC	4	1"-1.5" DIA.
D	BABY BLUE EYES SPRUCE	1	4'-5' HEIGHT
E	LITTLE QUICKFIRE HYDRANGEA	4	3 GALLON
F	TAUNTON JAPANESE YEW	2	5 GALLON
G	DWARF BLUE SPRUCE	3	5 GALLON

6 FT. CHAIN LINK FENCE W/ SLATS

SECURE STORAGE

GRAVEL

SOD

DUMPSTER ENCLOSURE W/ 6' HIGH WOOD FENCE

POND (SEE CIVIL)

CONC.

BITUMINOUS

MULCH

PERENNIAL PLANTING BED

SALES LOT

EMPLOYEE/CUSTOMER

HIAWATHA PIONEER TRL (HIGHWAY 3)

20TH STREET NW

SECOND AVE NW

FUTURE KWIK TRIP

SHORELAND BOUNDARY

Landscape screening or a screening fence needed in this area to screen the future trail

PRELIMINARY NOT FOR CONSTRUCTION

NORTH

LANDSCAPE PLAN

SCALE: 1" = 20'-0"

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DESIGNED DJM
DRAWN LMM
CHECKED DJM
PROJECT 21013
REVISIONS

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the state of Minnesota. (architectural only)

DAVID J. MEDIN

License No. 9898

Date Jul 20, 2022

MALECHA AUTO BODY

FARIBAULT, MINNESOTA.

DJ MEDIN architects, inc.
203 n.w. First Ave.
Faribault, MN 55021
507/334-2252

LANDSCAPE PLAN

L1.0

DESIGNED	DJM
DRAWN	LMM
CHECKED	DJM
PROJECT	21013
REVISIONS	

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the state of Minnesota. (architectural only)

DAVID J. MEDIN

License No. 8898

Date Jul 20, 2022

MALECHA AUTO BODY

FARIBAULT, MINNESOTA.

DJ MEDIN architects, inc.
203 n.w. First Ave.
Faribault, MN 55021
507/334-2252

FLOOR PLAN

A3.0

PRELIMINARY NOT FOR CONSTRUCTION

FLOOR PLAN

NORTH

SCALE: 3/16" = 1'-0"

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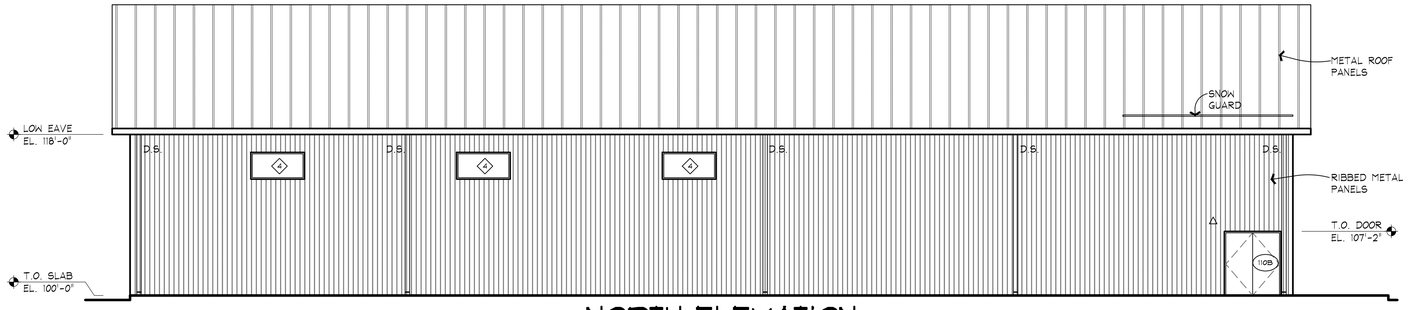
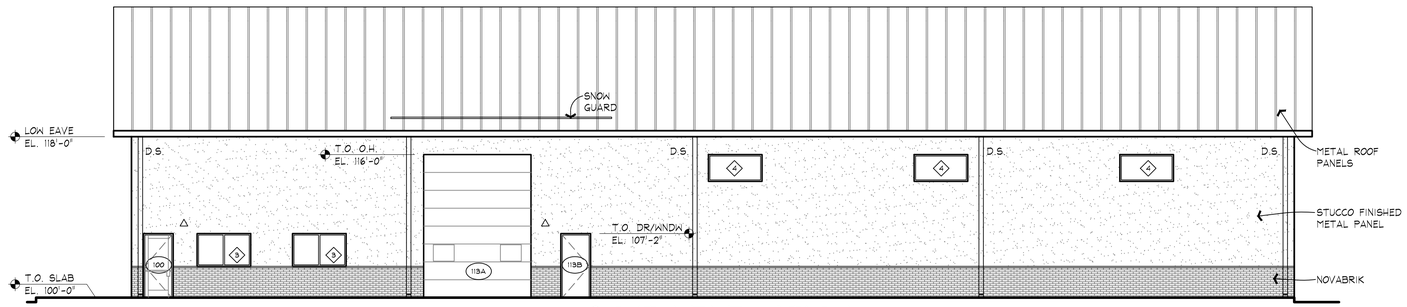


NORTH ELEVATION

1 / A5.0

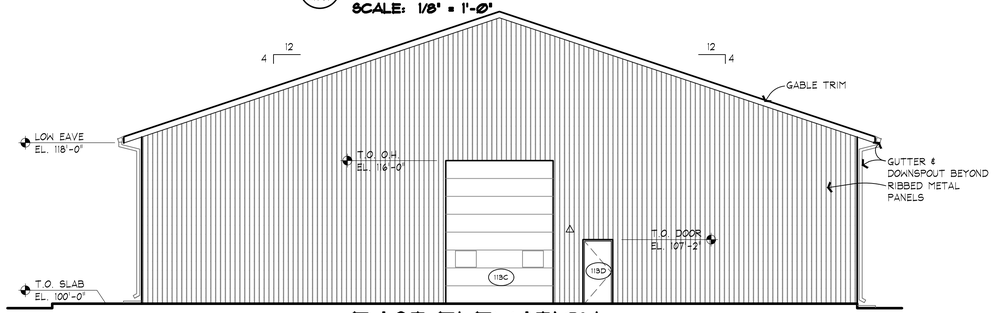
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

2 / A5.0

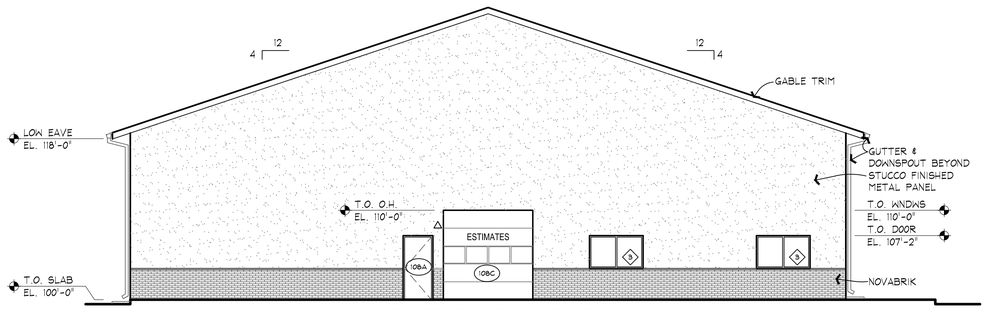
SCALE: 1/8" = 1'-0"



EAST ELEVATION

3 / A5.0

SCALE: 1/8" = 1'-0"



WEST ELEVATION

4 / A5.0

SCALE: 1/8" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

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DESIGNED	DJM
DRAWN	LMM
CHECKED	DJM
PROJECT	21013
REVISIONS	

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the state of Minnesota. (architectural only)

DAVID J. MEDIN

License No. 8898

Date Jul 20, 2022

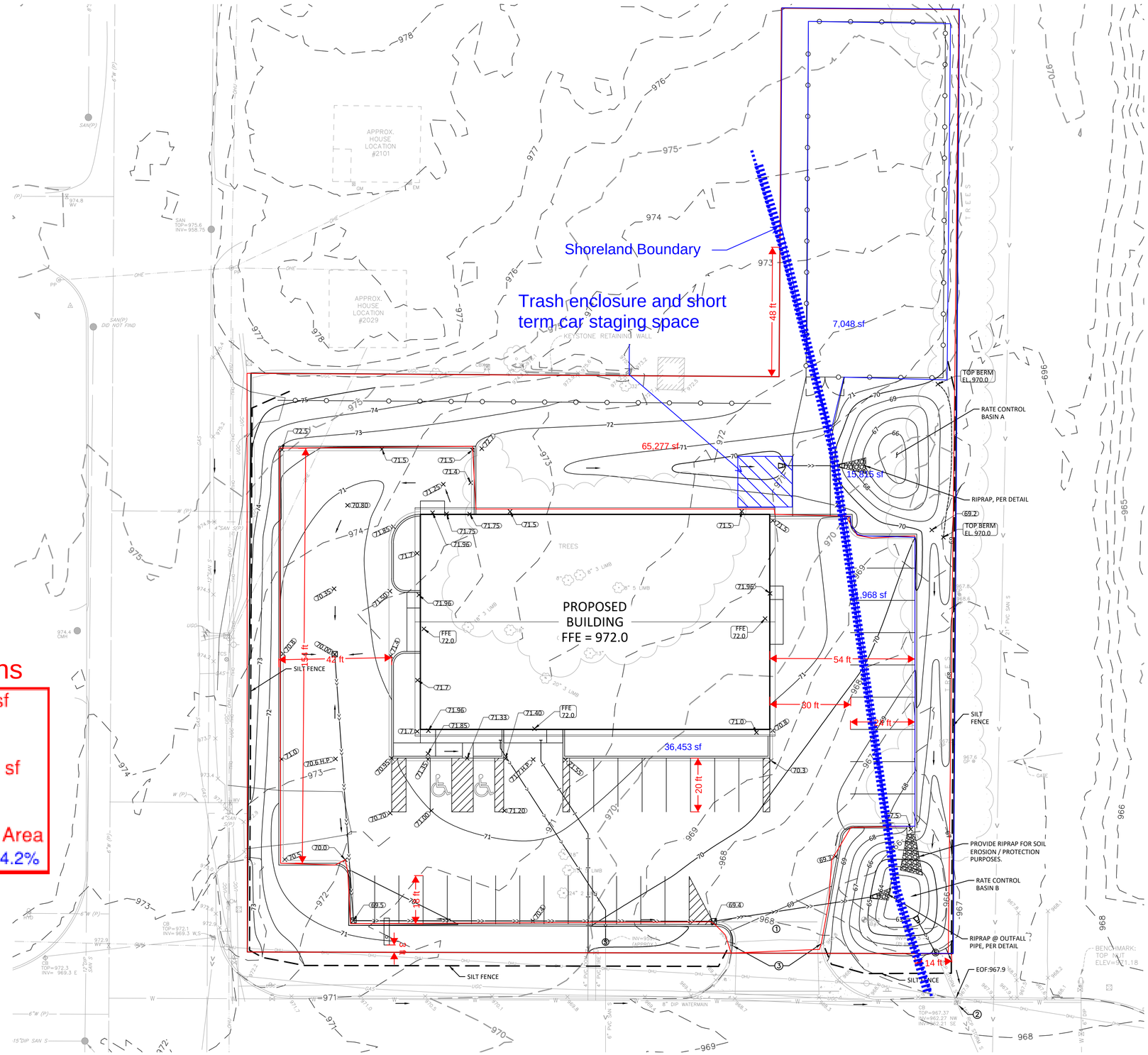
MALECHA AUTO BODY

FARIBAULT, MINNESOTA.

DJ MEDIN architects, inc.
203 n.w. First Ave.
Faribault, MN 55021
507/334-2252

EXTERIOR ELEVATIONS

A5.0



1" = 20'

KEYED NOTES:

1. PROVIDE ROCK CONSTRUCTION ENTRANCE, PER DETAIL.
2. PROVIDE "SILT SACK", OR APPROVED SIMILAR EROSION CONTROL AT EXISTING CATCH BASIN INLET.
3. MATCH INTO EXISTING CURB LINE, CREATING A SMOOTH TRANSITION.

GENERAL SITE REMOVALS, GRADING, & EROSION CONTROL NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
3. REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
4. REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
5. PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
6. PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
7. STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.
8. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
9. SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
10. THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
11. GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
12. PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
13. GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
14. PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1.
15. IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
16. EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
17. FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN.
18. PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER.
19. TOLERANCES: THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.20 FOOT ABOVE, OR 0.20 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE. THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.10 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE. AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER. TOPSOIL SHALL BE GRADED TO PLUS OR MINUS ONE INCH OF THE SPECIFIED THICKNESS.
20. MAINTENANCE: THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS. CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES. DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEEDED AND MULCHED.

Shoreland Calculations

Total Parcel Area = 65,421 sf

Approx. area within 300' Shoreland Overlay = 15,815 sf (= 24.1% of total parcel)

Approx. Impervious Surface Area within Overlay = 7,000 sf 44.2%

CITY APPLICATION SET (NOT FOR CONSTRUCTION)

REV. NO.	DATE	BY	CHK	DESCRIPTION
1	6/8/22	TRH	BLS	REVISED PER CITY DRC REVIEW

SCALE: 0, 20, 40 FEET

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NOT FOR CONSTRUCTION

NAME Robert L. Swanson LIC. NO. 24094 DATE 5/31/22

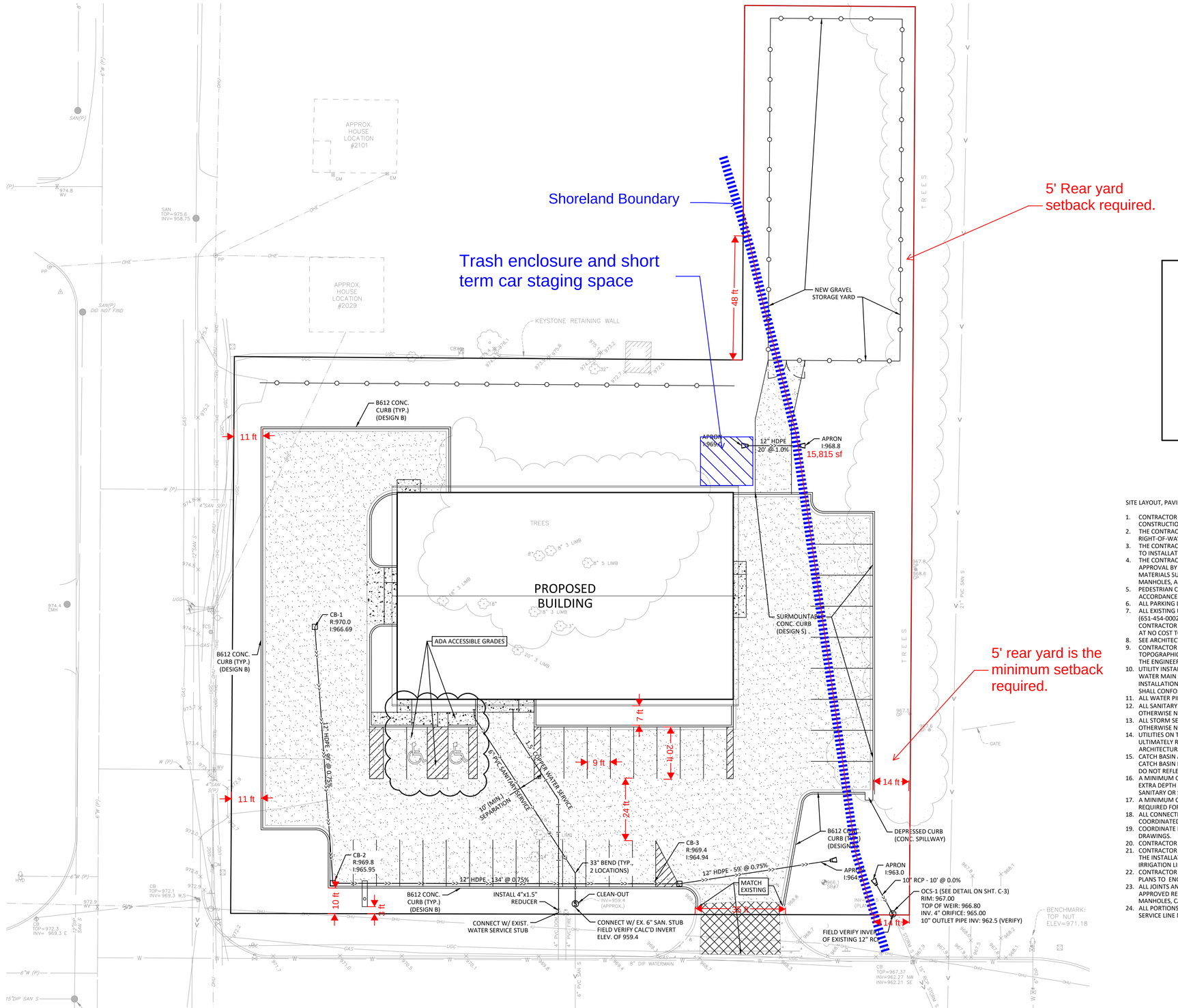
DESIGNED BLS
DRAWN TRH
CHECKED BLS

Stonebrooke

GRADING & EROSION CONTROL PLAN

MALECHA AUTO BODY

SHEET C-1



SITE LAYOUT, PAVING, & UTILITY NOTES:

1. CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION.
2. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND ACCESS PERMIT.
3. THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
4. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING, FURNISHINGS, PAVEMENTS, WALLS, MANHOLES, AND CATCH BASINS.
5. PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
6. ALL PARKING LOT PAINT STRIPPING TO BE WHITE, 4" WIDE TYP.
7. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
8. SEE ARCHITECTURAL SITE PLAN FOR HORIZONTAL DIMENSIONS AND LAYOUT.
9. CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF DISCREPANCIES OR VARIATIONS FROM THE PLANS.
10. UTILITY INSTALLATION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION" AND "SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), AND SHALL CONFORM WITH THE REQUIREMENTS OF THE CITY AND THE PROJECT SPECIFICATIONS.
11. ALL WATER PIPE SHALL BE COPPER TUBING, TYPE K, UNLESS SHOWN OTHERWISE ON PLAN DRAWINGS.
12. ALL SANITARY SEWER SHALL BE SDR 26 POLYVINYL CHLORIDE (PVC) ASTM D3034 & F679, UNLESS OTHERWISE NOTED.
13. ALL STORM SEWER PIPE SHALL BE HDPE ASTM F714 & F2306 WITH ASTM D3212 SPEC FITTINGS UNLESS OTHERWISE NOTED.
14. UTILITIES ON THE PLAN ARE SHOWN TO WITHIN 5' OF THE BUILDING FOOTPRINT. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE FINAL CONNECTION TO BUILDING LINES. COORDINATE WITH ARCHITECTURAL AND MECHANICAL PLANS.
15. CATCH BASIN AND MANHOLE RIM ELEVATIONS IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASIN RIMS IN GUTTERS SHALL BE SUMPED 0.15 FEET. RIM ELEVATIONS SHOWN ON THIS PLAN DO NOT REFLECT SUMPED ELEVATIONS.
16. A MINIMUM OF 8 FEET OF COVER IS REQUIRED OVER ALL WATERMAIN, UNLESS OTHERWISE NOTED. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM OF 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. EXTRA DEPTH WATERMAIN IS INCIDENTAL.
17. A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED FOR ALL UTILITIES, UNLESS OTHERWISE NOTED.
18. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE IN ACCORDANCE WITH CITY STANDARDS AND COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION.
19. COORDINATE LOCATIONS AND SIZES OF UTILITY SERVICE CONNECTIONS WITH THE MECHANICAL DRAWINGS.
20. CONTRACTOR SHALL COORDINATE ALL WORK WITH PRIVATE UTILITY COMPANIES.
21. CONTRACTOR SHALL COORDINATE CONNECTION OF IRRIGATION SERVICE TO UTILITIES. COORDINATE THE INSTALLATION OF IRRIGATION SLEEVES NECESSARY AS TO NOT IMPACT INSTALLATION OF UTILITIES. IRRIGATION LINE LOCATIONS SHOWN ON LANDSCAPE PLAN.
22. CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS THROUGHOUT CONSTRUCTION AND SUBMIT THESE PLANS TO ENGINEER UPON COMPLETION OF WORK.
23. ALL JOINTS AND CONNECTIONS IN STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, OR OTHER STRUCTURES.
24. ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MN RULES, CHAPTER 4714, SECTION 1109.0.

CITY APPLICATION SET
(NOT FOR CONSTRUCTION)

REV. NO.	DATE	BY	CHK	DESCRIPTION
1	6/8/22	TRH	BLS	REVISED PER CITY DRC REVIEW

SCALE 0 20 40 FEET

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NOT FOR CONSTRUCTION

NAME Robert L. Swanson LIC. NO. 24094 DATE 5/31/22

DESIGNED BLS
DRAWN TRH
CHECKED BLS

Stonebrooke

PAVING & SITE UTILITIES PLAN

MALECHA AUTO BODY

SHEET C-2

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community and Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Ordinance 2022-25 Vacate an Unneeded Public Drainage and Utility Easement on the east side of Lot 1, Block 1 of Kuntze Addition located at 2005 2nd Avenue NW - First Reading

Background:

This item is for consideration of an application to vacate un-needed public drainage and utility easements that were platted as part of the Kuntze Addition. This is the first of four applications associated with the development proposal by William Malecha for construction of a new Auto Body Repair shop and Auto Sales lot at 2005 2nd Avenue NW.

The Development Review Committee and Planning Commission are recommending approval of the request. The Planning Commission approved a draft of the ordinance with findings for approval and recommended conditions.

Recommendation:

Approve the first reading of Ordinance 2022-25 to vacate an unneeded public drainage and utility easement platted on the east line of Lot 1, Block 1 of Kuntze Addition

Attachments:

1. Ordinance 2022-25 Vacating Certain Unused Perimeter Easement on Lot 1, Block 1, Kuntze Addition

CITY OF FARIBAULT
ORDINANCE No. 2022-25

VACATE CERTAIN UNUSED PERIMETER EASEMENTS AND ACCESS RESTRICTIONS ON LOT 1, BLOCK 1, KUNTZE ADDITION

WHEREAS, William Malecha, property owner (Applicant), has applied to the City of Faribault (City) requesting that the City vacate an unused perimeter easement that is along a lot line and is no longer needed after the subdivision is replatted at this location addressed as 2005 2nd Avenue NW, legally described and graphically depicted in Exhibit A; and

WHEREAS, the applicant in this case has also applied to replat the subject property as MAB Addition, to combine the parcels into one commercial lot; and

WHEREAS, the City Engineer has determined that there is no public need to maintain the easements proposed for vacation in this application; and

WHEREAS, the City Development Review Committee reviewed the Applicant's request and also finds there is no public need to maintain the easements proposed for vacation in this application; and

WHEREAS, City Staff has made a report to the Planning Commission related to the Developer's request; and

WHEREAS, the Planning Commission, on the 18th day of July, 2022 following proper notice, held a public hearing regarding said requests; and

WHEREAS, following said public hearing, the Planning Commission recommended that the City Council approve the vacation request based on the following written findings as required by Section 2-540 of the City of Faribault Unified Development Ordinance:

1. **No private rights will be injured or endangered because of said vacation.** The requested vacation will not adversely affect private rights in any manner. The Malecha Auto Body plat associated with this application will, re-establish or maintain required drainage and utility easements at the site.

2. **The public will not suffer loss or inconvenience because of said vacation**. There is no public need to maintain the unused and unneeded public right of way easements, which the Developer has requested that the City vacate. The MAB Addition plat associated with this application will, re-establish required perimeter drainage and utility easements at the site which are adequate to serve adjacent properties.

3. **No written objection was received, prior to the public hearing, from an adjacent property owner who did not join in the application.** The proposed vacation will not adversely affect adjacent property owners.

WHEREAS, the City Council of the City of Faribault held a public meeting on July 26, 2022 for first reading in consideration of the Applicant's request, the Staff report, the summary results of the public hearing, and the written findings and recommendation of the Planning Commission related to the Applicant's request; and

WHEREAS, the City Council of the City of Faribault concurs with the recommendation and written findings of the Planning Commission as stated in the above recitals, and hereby makes the identical findings related to the vacation request; and

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Findings. The recitals set forth in this ordinance are incorporated into and made a part of this ordinance and, where applicable, constitute the findings of the Faribault City Council.

Section 2. Vacation. The unused right of way easements found along the east property line Lot 1, Block 1, of Kuntze Addition as described in Exhibit A and graphically depicted in Exhibit B are hereby vacated.

Section 3. Authorization to take Additional City Action. The Mayor, City Administrator, and the City's Consultants are hereby authorized and directed to take any and all additional steps and actions necessary and convenient to accomplish the intent of this ordinance.

Section 4. Effective Date. This ordinance shall be effective after its passage and publication, in accordance with Chapter 3 of the City Charter.

Public Hearing Date: July 18, 2022

First Reading: July 26, 2022

Second Reading: August 10, 2022

Publication Date: _____, 2022

Faribault City Council

_____
Kevin F. Voracek, Mayor

ATTEST:

_____
Timothy C. Murray, City Administrator

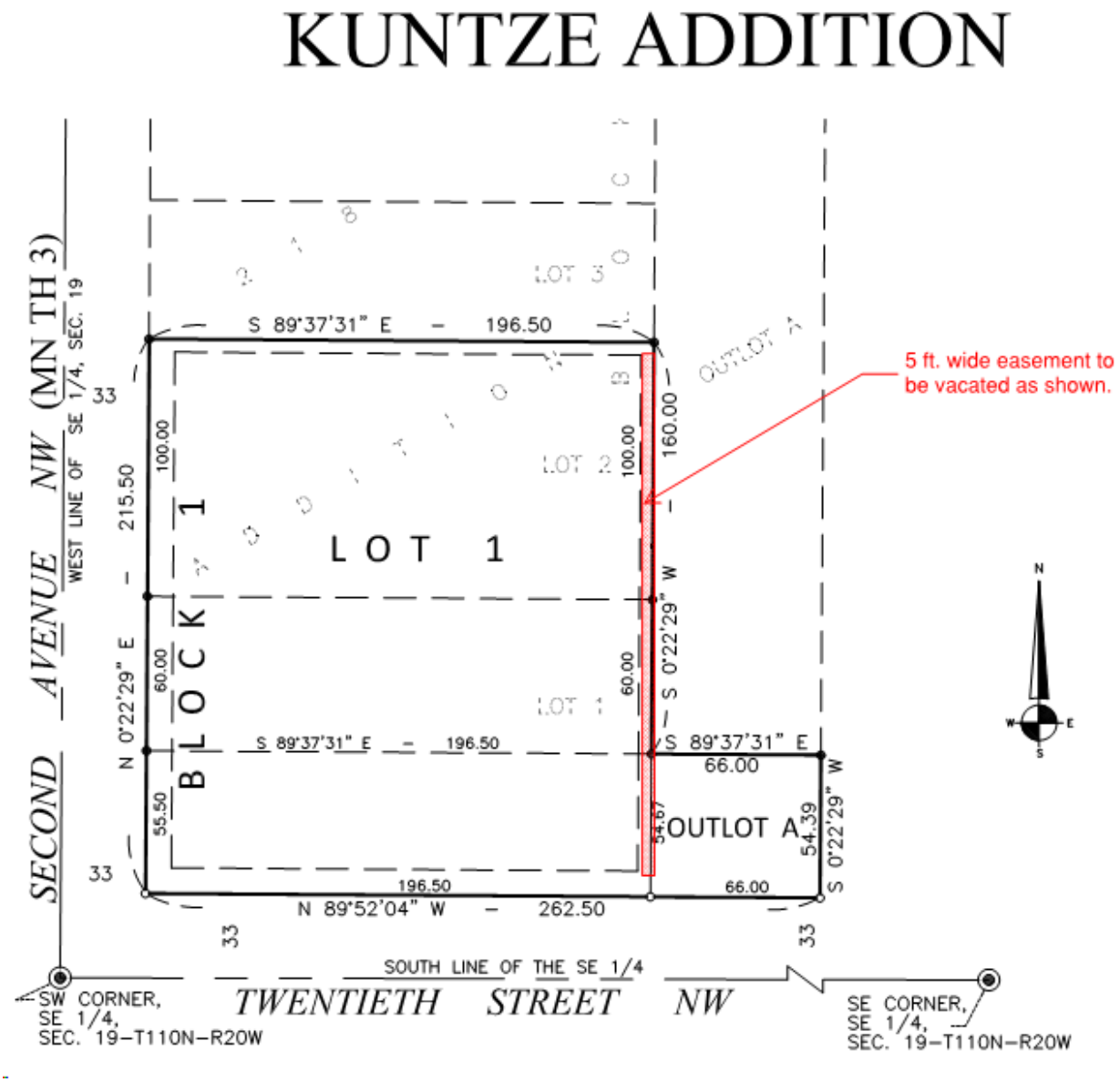
EXHIBIT A

Legal Description

Lot 1, Block 1, Kuntze Addition, Faribault, Rice County, Minnesota

Exhibit B

Graphic depiction of the easemements and access restriction to be vacated



Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community and Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Resolution 2022-157 Approving the Preliminary and Final Plat of MAB Addition at 2005 2nd Ave NW

Background:

This item is for consideration of an application for Preliminary and Final Plat approval of MAB Addition. This is the second of four applications associated with the development proposal by William Malecha for construction of a new Auto Body Repair shop and Auto Sales lot at 2005 2nd Avenue NW. The subdivision will replat two outlots and combine them with an adjoining commercial lot.

The Development Review Committee and Planning Commission are recommending approval of the request. The Planning Commission has approved the draft resolution with findings for approval and recommended conditions in this matter.

Recommendation:

Adopt Resolution 2022-157 approving the preliminary and final plat applications for MAB Addition at 2005 2nd Avenue NW.

Attachments:

1. Resolution 2022-157 Approving the Preliminary and Final Plat MAB Additon
2. Preliminary Plat
3. Final Plat

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-157

APPROVING THE PRELIMINARY AND FINAL PLATS OF MAB ADDITION AT 2005 2ND AVE NW

WHEREAS, William Malecha, property owner / applicant (Applicant) has requested preliminary and final plat approval to replat two out lots and combine them with an existing commercial lot located at 2005 2nd Avenue NW, and legally described in Exhibit A; and

WHEREAS, City Staff has completed a review of said applications and made a report to the Planning Commission, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on the 18th day of July, 2022, following proper notice, held a public hearing regarding the applications, and following said public hearing made findings and recommended approval of the applications; and

WHEREAS, the City Council, on the 26th day of July, 2022, at a public meeting considered the application; and

WHEREAS, based upon said report, hearing, and recommendation, the City Council hereby finds that approval of the preliminary plat for MAB Addition as depicted on Exhibit A, subject to the attached conditions of approval, is appropriate with the following findings as required by Section 15-130 of the City's Unified Development Ordinance:

1. **Criteria: The proposed preliminary plat conforms with the requirements of the Unified Development Ordinance, the applicable zoning district regulations, and any other applicable provisions of this Ordinance, subject only to acceptable rule exceptions.**
   Finding: The proposed preliminary plat is consistent with the area and dimensional requirements of lots in the C-2 Highway Commercial District. The preliminary plat is consistent with all other applicable provisions of the Unified Development Ordinance.

2. **Criteria: The proposed subdivision is consistent with the City's Land Use Plan and any other adopted land use studies.**

   Finding: The City's Land Use Plan guides the subject property for Mixed

Commercial and Residential Development. The proposed commercial use is consistent with this plan.

3. **Criteria: The plat contains a sound, well-conceived parcel and land subdivision layout that is consistent with good land planning and site engineering design principles.**

   Finding: The preliminary plat provides for a commercial lot that is compatible with other commercial properties in the vicinity.

4. **Criteria: The spacing and design of proposed curb cuts and intersection locations is consistent with good traffic engineering design and public safety considerations.**

   Finding: The layout of the lot in the preliminary plat is done in a manner consistent with the provisions of the City's Unified Development Ordinance and will be compatible with lots on adjoining properties.

5. **Criteria: All submission requirements have been satisfied.**

   Finding: The proposed preliminary plat adequately addresses the submission requirements as outlined in the City's Unified Development Ordinance; and

WHEREAS, the City Council further finds that approval of the final plat of MAB Additon as depicted on Exhibit B, subject to the attached conditions of approval, is appropriate with the following findings as required by Section 15-210 of the City's Unified Development Ordinance:

1. **Criteria: The final plat substantially conforms to the approved preliminary plat.**

   Finding: The Applicants have applied for the final plat approval concurrently with the preliminary plat. The Final Plat conforms to the final plat.

2. **Criteria: The plat conforms to all applicable requirements of the Unified Development Ordinance, subject only to approved rule exceptions.**

   Finding: The final plat conforms to all applicable requirements of the City's Unified Development Ordinance.

3. **All submission requirements have been satisfied.**

   Finding: The proposed final plat adequately addresses the submission

requirements as outlined in the City's Unified Development Ordinance.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Faribault that the preliminary and final plats for MAB Addition are hereby approved, subject to the following conditions:

1. The City shall assign the address as 190 20th Street NW for the commercial lot created with this plat, since the only driveway access to the site will be from 20th Street.

2. The Applicant shall submit to the City current title work that identifies all entities with a legal interest in the subject property, including, but not limited to mortgage and easement interests.

3. The Applicant shall address, to the satisfaction of the City Engineer, all comments raised by the City Engineer in his memorandum, attached as an exhibit to this resolution.

4. The Applicant shall address, to the satisfaction of the City, easement and right of way issues, if any, that may affect the plat.

5. The Applicant and the City of Faribault shall enter into a Development Agreement prior to recording the final plat and shall satisfy all terms and conditions set forth in the agreement.

6. Before the approved final plat is filed with the Rice County Recorder's office, all applicable fees must be paid.

7. As noted in the Development Agreement for the Kuntze Addition, Parkland Dedication has been satisfied in the prior subdivisions of the property and no further parkland or cash in lieu of parkland is required with this application.

8. The approved final plat shall be recorded within one year of the date of approval unless extended by the City.

9. The City Administrator and City Attorney are authorized to have final revisions made to the plat and development agreement necessary to carry out City Council intent with this approval resolution.

Date Adopted: July 26, 2022

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

EXHIBIT A

Legal Description

Parcel 1:
Lot 1, Block 1 Kuntze Addition, City of Faribault, Rice County, Minnesota;

Parcel 2:
That part of Outlot A, 218 Addition according to the plat recorded thereof, City of Faribault, Rice County, Minnesota

Parcel 3:
Outlot A, Kuntze Addition, City of Faribault, Rice County, Minnesota;

Exhibit B

[Insert Preliminary Plat]

Exhibit C

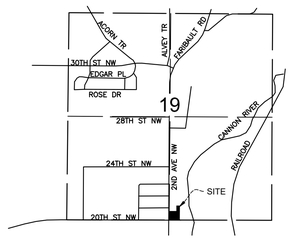
[Insert Final Plat]

MAB ADDITION PRELIMINARY PLAT

2005 2ND AVENUE NW, FARIBAULT, MN

FARIBAULT, MN
RICE COUNTY

SECTION 19, T 110 N, R 20 W



VICINITY MAP

NOT TO SCALE

LEGEND

- MONUMENT FOUND
- IRON PIPE MONUMENT SET
- EXISTING SPOT ELEVATION
- EXISTING CONTOURS
- FIRE HYDRANT
- CATCH BASIN
- SEWER MANHOLES
- CURB STOP
- UTILITY PEDESTAL
- POWER POLE
- SIGN
- DECIDUOUS TREE
- WATER LINE
- SANITARY LINE
- STORM LINE
- OVERHEAD LINE
- GAS LINE
- UGC LINE
- EXISTING DRAINAGE AND UTILITY EASEMENT TO BE VACATED

BEARING BASIS
FOR THE PURPOSE OF THIS PLAT THE WEST LINE OF LOT 1, BLOCK 1, MAB ADDITION IS ASSUMED TO BEAR N32°22'34"E.

OWNER:
Malecha Properties LLC
William P. Malecha, Owner/President
23227 Bagley Ave.
Faribault, MN 55021

SURVEYOR:
Stonebrooke Engineering, Inc.
12279 Nicollet Ave. S.
Burnsville, MN 55337
Phone: 952-402-9202
Fax: 952-403-6803
www.stonebrookeengineering.com

LOT AREA:
65,421 SQUARE FEET

LEGAL DESCRIPTION

Parcel 1:
Lot 1, Block 1, Kuntze Addition, Rice County, Minnesota.

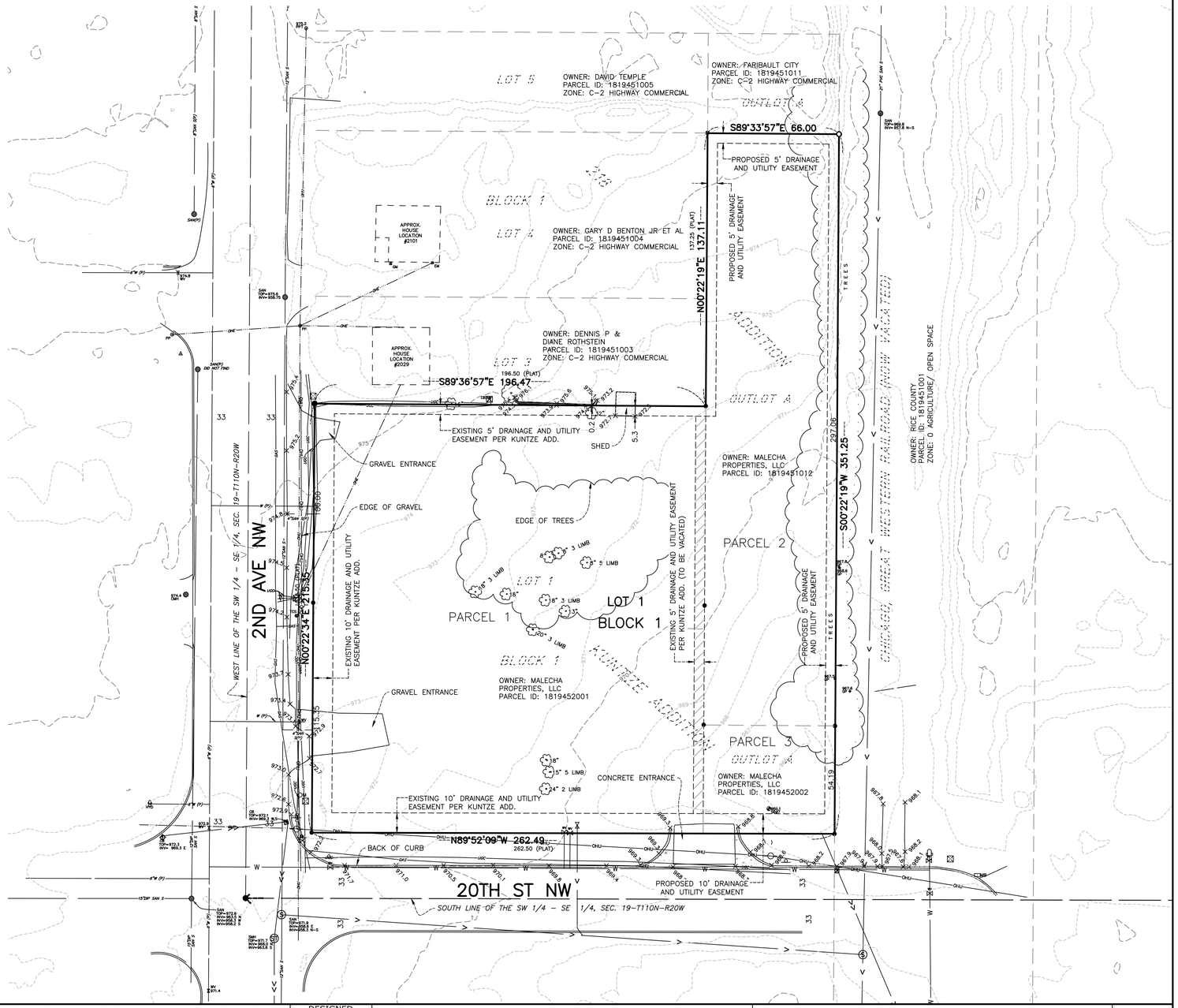
Parcel 2:
That part of Outlot A, 218 ADDITION, according to the plat recorded thereof, Rice County, Minnesota, lying south of the
easterly extension of the north line of Lot 4, Block 1, said 218 ADDITION, Rice County, Minnesota.

Parcel 3:
Outlot A of Kuntze Addition, Rice County, Minnesota

ZONE:
C-2 – HIGHWAY COMMERCIAL

Building Wall not House

SET BACK REQUIREMENTS:
25' FRONT HOUSE TO R.O.W.
10' SIDE (HOUSE TO PROPERTY LINE (15' ABUTTING A RESIDENTIAL DISTRICT OR USE)
10' REAR (HOUSE TO PROPERTY LINE
25' SIDE (CORNER LOT)



REV. NO.	DATE	BY	CHK	DESCRIPTION

0 30 60
SCALE FEET

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

NAME Aaron J. Mages LIC. NO. 45507 DATE 05-27-2022

DESIGNED
DRAWN ACR
CHECKED AJM

Stonebrooke

PRELIMINARY PLAT
LOT 1, BLOCK 1, MAB ADDITION
FOR: RICE COUNTY, MINNESOTA

SHEET 1 OF 1

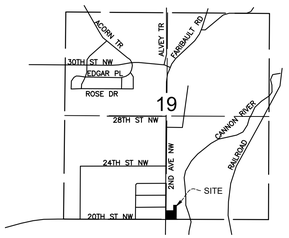
May 27, 2022 – 8:58am – S:\PROJECTS\CIVIL\0812_Ridgeline_Group\00999 (Malecha Autobody – City of Faribault – Rice County)\Survey\Cadd_Files\00999PP01.dwg

MAB ADDITION

C.R. DOC. NO.

FARIBAULT, MN
RICE COUNTY

SECTION 19, T 110 N, R 20 W



VICINITY MAP

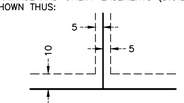
NOT TO SCALE

BEARING BASIS
FOR THE PURPOSE OF THIS PLAT THE WEST LINE OF LOT 1, BLOCK 1, MAB ADDITION IS ASSUMED TO BEAR N32°22'34"E.

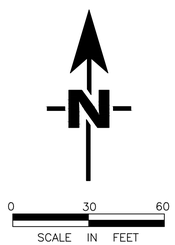
LEGEND

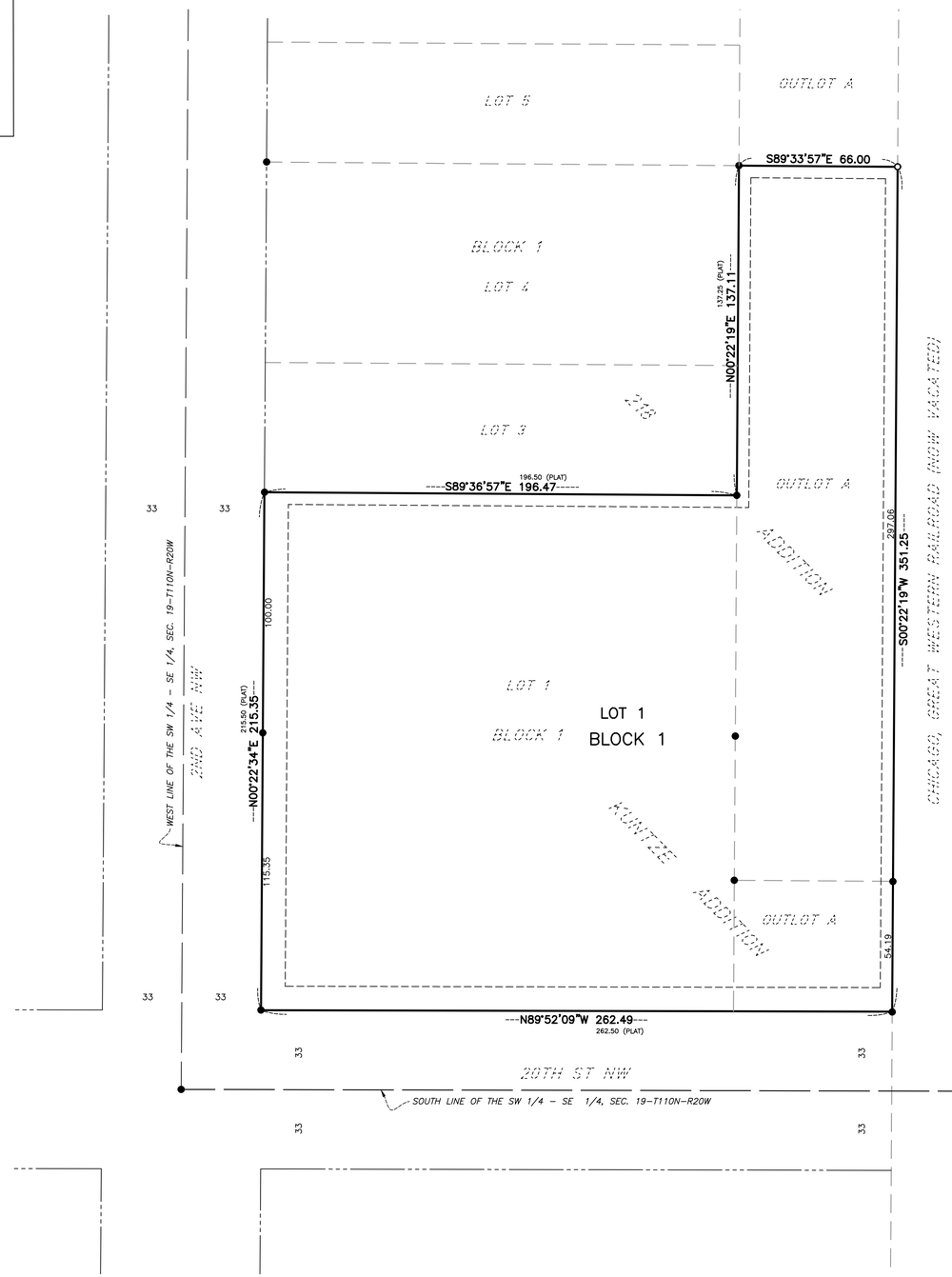
- 3/4" X 18" IRON PIPE MONUMENT SET, MARKED BY LICENSE NO. 45507 (UNLESS NOTED OTHERWISE)
- MONUMENT FOUND
- CAST IRON MONUMENT FOUND

DRAINAGE AND UTILITY EASEMENTS (D.U.E.) ARE SHOWN THUS:



BEING 5 FEET IN WIDTH, ADJOINING SIDE AND REAR LOT LINES, AND 10 FEET IN WIDTH, ADJOINING LOT LINES ALONG RIGHT OF WAY LINES, UNLESS OTHERWISE INDICATED, AS SHOWN ON PLAT.





KNOW ALL PERSONS BY THESE PRESENTS: That Malecha Properties LLC, a Minnesota corporation, owners of the following described property situated in the City of Faribault, County of Rice, State of Minnesota to wit:

Lot 1, Block 1, Kuntze Addition, Rice County, Minnesota.

AND

That part of Outlot A, 218 ADDITION, according to the plat recorded thereof, Rice County, Minnesota, lying south of the easterly extension of the north line of Lot 4, Block 1, said 218 ADDITION, Rice County, Minnesota.

AND

Outlot A of Kuntze Addition, Rice County, Minnesota

Has caused the same to be surveyed and platted as MAB ADDITION and does hereby dedicate to the public for public use the drainage and utility easements as created by this plat.

In witness whereof said Malecha Properties LLC, a Minnesota corporation, has caused these presents to be4 signed by its proper officers this _____, day of _____, 20_____.

Signed: Malecha Properties LLC

_____
William P. Malecha, President

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on _____ by William P. Malecha, President of Malecha Properties LLC, a Minnesota corporation, on behalf of the corporation.

_____

_____
Notary Public, _____ County, MN.
My commission expires_____

SURVEYOR'S CERTIFICATE

I, Aaron Mages, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota: that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this _____, day of _____, 20_____.

_____
Aaron Mages, Land Surveyor
Minnesota License No. 45507

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this_____day of_____, 20_____ by Aaron Mages, Land Surveyor.

_____

_____
Notary Public, _____ County, MN.
My commission expires_____

CITY COUNCIL, CITY OF FARIBAULT, MINNESOTA

This plat of CANNON RIVER VIEW was approved and accepted by the City Council of the City of Faribault, Minnesota at a regular meeting thereof held this _____day of_____, 20_____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been recieved by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03 Subd. 2.

City Council of Faribault, Minnesota

_____ _____
By: Mayor By: City Administrator

RICE COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this_____day of _____, 20_____.

_____
Michael Fangman
Rice County Surveyor

RICE COUNTY PROPERTY TAX & ELECTIONS

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20_____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____day of _____, 20_____.

_____
Denise Anderson
Property Tax & Elections Director

COUNTY RECORDER, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of CANNON RIVER VIEW was filed in the office of the County Recorder for public record on this_____day of_____, 20 _____ at _____ o'clock __.M. and was duly filed as Document Number_____.

_____
Michael Fangman
Rice County Recorder

REGISTRAR OF TITLES, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of CANNON RIVER VIEW was filed in the office of the County Registrar of Titles for public record on this_____day of_____, 20 _____ at _____ o'clock __.M. and was duly filed as Document Number_____.

_____
Michael Fangman
Rice County Registrar of Titles

THIS PLAT PREPARED BY STONEBROOKE ENGINEERING, INC.

May 27, 2022 - 6:06am - S:\PROJECTS\CIVIL\0812_Ridgeline_Group\00999 (Malecha Autobody - City of Faribault - Rice County)\Survey\Codd_Files\00999FP01.dwg

Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commission Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community & Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Resolution 2022-158 Approving a Conditional Use Permit for a Major Auto Repair Use in the C-2 Highway Commercial District at 2005 2nd Avenue NW

Background:

This is the third of four applications associated with the development proposal by William Malecha for construction of a new Auto Body Repair shop and Auto Sales lot at 2005 2nd Avenue NW. The Conditional Use Permit application in this case is needed for major auto repair uses in the C-2 Highway Commercial District.

The Development Review Committee and Planning Commission are recommending approval of the request. The Planning Commission has approved a draft resolution with findings for approval and recommended conditions related to this application.

Recommendation:

Adopt Resolution 2022-158 approving a Conditional Use Permit for major auto repair in the C-2 Highway Commercial District at 2005 2nd Avenue NW.

Attachments:

1. Resolution 2022-158 Approving a CUP for Major Auto Repair for Malecha Auto Body at 2005 2nd Ave

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-158

APPROVING A CONDITIONAL USE PERMIT FOR A MAJOR AUTO REPAIR USE IN A C-2 HIGHWAY COMMERCIAL DISTRICT AT 2005 2ND AVENUE NW

WHEREAS, William Malecha, property owner / applicant (Applicant), has requested a conditional use permit for a major auto repair business in the C-2 Highway Commercial District at 2005 2nd Avenue NW, legally described in Exhibit A of this resolution; and

WHEREAS, major auto repair uses including auto body repair and paint shops are allowed in the C-2 District with a conditional use permit; and

WHEREAS, City Staff has completed a review of the application they have determined that the proposed major automobile repair use is compatible with adjoining uses; and

WHEREAS, City Staff made a report to the Planning Commission pertaining to said request, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's conditional use permit request based on the following written findings:

1. **The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

   Expanded Finding: The major auto repair use will be sufficiently screened to prevent any harm to the safety, comfort, convenience, and general welfare of nearby uses.

2. **The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

   Expanded Finding: The proposed use of the property specified in this application will not injure other property, nor will it impede orderly development in the area.

3. **The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

   Expanded Finding: The building proposed to house the major auto repair use will be compatible in appearance with the surrounding area. Furthermore, the automobile-oriented use is compatible with the nearby automobile oriented-businesses.

4. **The conditional use will not impose hazards or disturbing influences on neighboring properties.**

   Expanded Finding: The proposed use of the property as a major auto repair business will not harm neighboring commercial properties. Adjoining properties to the site are currently zoned for commercial uses.

5. **The conditional use will not substantially diminish the value of neighboring properties.**

   Expanded Finding: The proposed uses will provide screening and will layout the improvements on site to minimize impact on adjoining property.

6. **The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and**

fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.

Expanded Finding: Public sewer, water, and all other applicable municipal services serve the subject property.

7. Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.

Expanded Finding: The proposed use of the property will not create new demands for facilities and services at public cost.

8. Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.

Expanded Finding: The proposed use will only have a driveway on 20th St., which should minimize congestion on 2nd Ave. NW. On-site traffic circulation appears to be adequately planned.

9. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.

Expanded Finding: The proposed use will be constructed on a vacant lot and there are no scenic or natural features and no known historic features on this site.

10. The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.

Expanded Finding: The City's Land Use Plan guides the subject property for commercial / residential mixed uses consistent with the application in this case. The application if approved will not adversely affect Faribault's natural resources.

11. The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.

Expanded Finding: The proposed conditional use permit is consistent with setback and other City Code requirements for this district.

WHEREAS, the City Council held a public meeting on July 26, 2022, during which it considered the Applicant's conditional use permit request; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings of the Planning Commission, the City Council concurs with the written findings of the Planning Commission and makes the identical findings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of a Conditional Use Permit. The City Council hereby approves the Applicant's conditional use permit request for a major auto repair business currently addressed as 2005 2nd Avenue NW based on the site plans as submitted by the Applicant and attached hereto as Exhibit B.

Section 2: Conditions Attached to the Approval of the Conditional Use Permit. The conditional use permit includes the applicable development standards listed in Sec. 7-30 of the Unified Development Ordinance for Major Automobile Repair uses and the following conditions:

1. Access to the site will be from 20th St. NW, as installed during the 2021 construction of public improvements on 20th St. NW along the site. Changes to the site access will require approval by the City Engineer.

2. All auto repair work must be performed inside the building.

3. Damaged or disassembled vehicles in the queue for repair or disposal or awaiting removal from the site, must be parked within the screened storage area.

4. Parking lot striping for 40 parking spaces must be installed if the City determines a shortage of on-site parking becomes apparent.

5. The site shall be developed in substantial conformance with the approved site plan attached with this resolution as Exhibit B.

6. The applicant must construct the building with a code compliant paint booth, air handling and filtration systems and operate this business

using appropriate sound and odor attenuation systems and methods as required by State and Local laws to mitigate impacts on nearby residences.

7. Venting of odors must be directed away from residential uses.

8. All materials, equipment, damaged or disassembled cars or car parts stored outside must be kept within the trash enclosure or fenced storage area and must be screened from view of the street, public trail and adjoining residential uses.

9. The Development Review Committee is authorized to approve site plan revisions that comply City ordinances and are necessary to carry out the intent of the City Council approval in this application.

Section 3: Additional Conditions of Approval. This conditional use permit includes the following additional conditions:

1. Failure of the City to act on a violation of a condition, covenant, or term of this permit is not a waiver of such condition, covenant, or term, or any subsequent violation of the same or any other condition, covenant, or term.

2. The City may inspect the property at all reasonable times to ensure compliance with the conditions of this permit.

3. This permit is subject to the City's code requirements. The Owner must comply with all applicable federal, state, and local laws, rules, and ordinances and obtain other permissions and permits as may be required.

4. The violation of any terms or conditions of this permit, including but not limited to any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The City must give the Owner written notice of any violation and reasonable time, as determined by the City, to cure the violation before the permit revocation.

5. This permit and its conditions are binding on the parties and their successors and assigns. This permit runs with the property and does not affect the subsequent sale, lease, or change from current ownership.

The Owner's obligations under this permit shall also be the obligations of any subsequent owners or assigns of the property.

6. Use of the property as allowed by this permit signifies the agreement of the permit's terms and conditions without qualification, limitation, or reservation.

Section 4. Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this resolution constitute the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 6. Effective Date. This resolution is effective immediately upon its passage and without publication.

Date Adopted: July 26, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

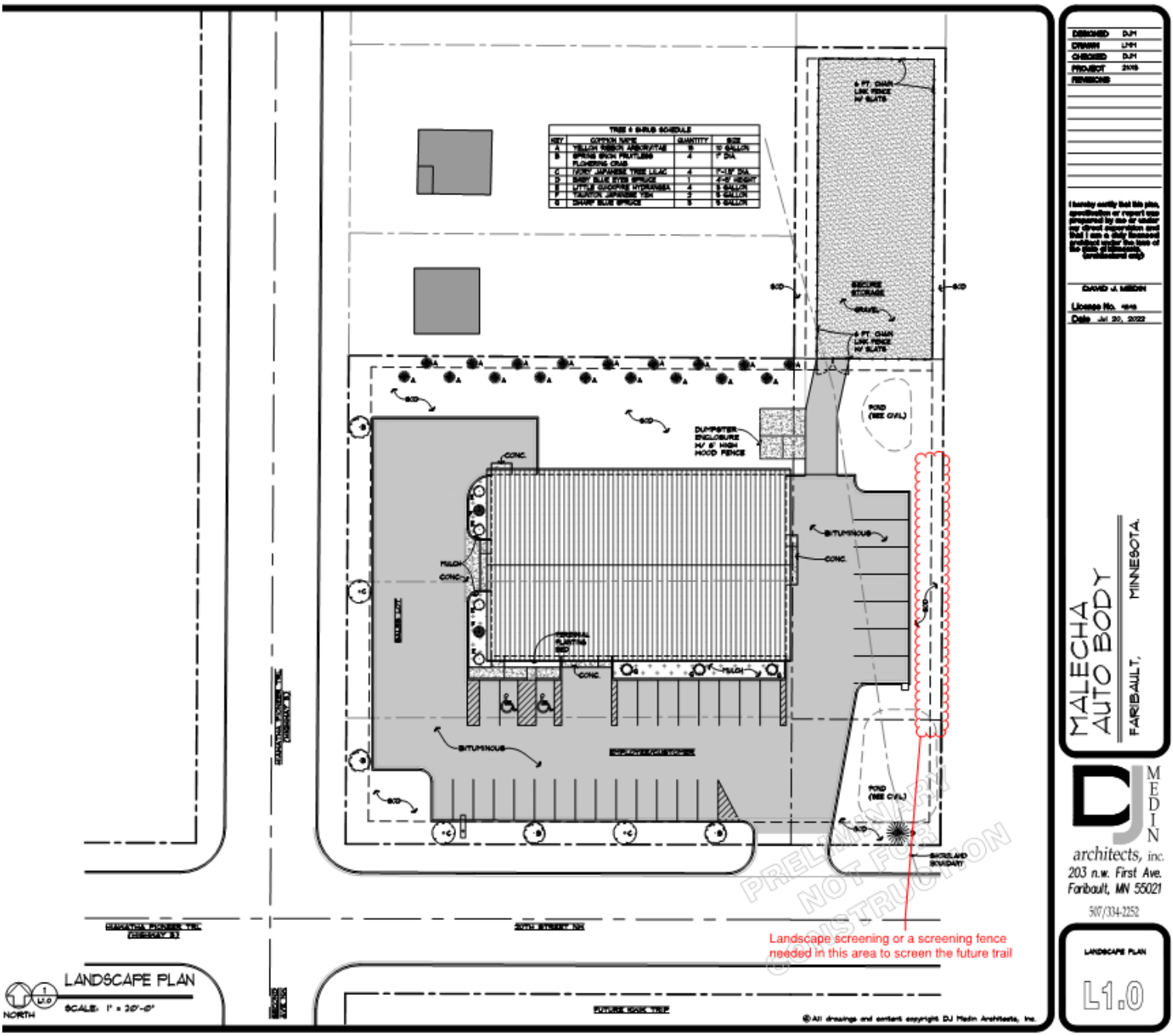
Timothy C. Murray, City Administrator

Exhibit A

Legal Description

Lot 1, Block 1, MAB Addition, City of Faribault, Rice County, Minnesota

Exhibit B
Site Plan



Request for Council Action

TO:	Mayor and City Council
THROUGH:	Planning Commisson Tim Murray, City Administrator
FROM:	Deanna Kuennen, Community and Economic Development Director
MEETING DATE:	July 26, 2022
SUBJECT:	Resolution 2022-159 Approving a Conditional Use Permit for Development within the Shoreland Overlay District at 2005 2nd Avenue NW

Background:

This is the fourth of four applications associated with the development proposal by William Malecha for construction of a new Auto Body Repair shop and Auto Sales lot at 2005 2nd Avenue NW. The Conditional Use Permit application in this case is needed for development in the shoreland management overlay district.

The Development Review Committee and Planning Commission are recommending approval of the request. The Planning Commission has approved a draft resolution with findings for approval and recommended conditions related to this application.

Recommendation:

Adopt Resolution 2022-159 Approving a Conditional Use Permit for Development within the Shoreland Overlay District at 2005 2nd Avenue NW

Attachments:

1. Resolution 2022-159 Approving a Conditional Use Permit for Development within the Shoreland Overlay District at 2005 2nd Avenue NW

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-159

APPROVING A CONDITIONAL USE PERMIT FOR A MAJOR AUTO REPAIR USE IN A SHORELAND OVERLAY DISTRICT AT 2005 2ND AVENUE NW

WHEREAS, William Malecha, property owner / applicant (Applicant), has requested a conditional use permit for development within the Shoreland Management Overlay District at 2005 2nd Avenue NW, legally described in Exhibit A of this resolution; and

WHEREAS, the subject property is zoned C-2, Highway Commercial, and is in the Shoreland Management District; and

WHEREAS, the Shoreland Management District requires a conditional use permit for development in the district; and

WHEREAS, City Staff made a report to the Planning Commission pertaining to said request, a copy of which has been presented to the City Council; and

WHEREAS, the provisions of the Shoreland Management District are intended to help preserve and enhance the quality of surface waters by regulating land use adjacent to surface waters; and

WHEREAS, City Staff notified the Minnesota Department of Natural Resources of the Applicant's Conditional Use Permit request to develop the proposed site; and

WHEREAS, Minnesota Department of Natural Resources staff have reviewed this request and have made some recommendations for protection of the Cannon River watershed; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's Conditional Use Permit request based on the following written findings:

1. **The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**
   Expanded Finding: The major auto repair use will be sufficiently screened from view from the River and the development will include stormwater management measures to reduce runoff and filter contaminants before they leave the site.

2. **The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**
   Expanded Finding: The proposed use of the property specified in this application will not injure other property, nor will it impede orderly development in the area.

3. **The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**
   Expanded Finding: The building proposed to house the major auto repair use will be compatible in appearance with the surrounding area. Furthermore, the automobile-oriented use is compatible with the nearby automobile oriented-businesses.

4. **The conditional use will not impose hazards or disturbing influences on neighboring properties.**
   Expanded Finding: The proposed development plan will mitigate impacts of noise, odor and visual impact of the use of the property.

5. **The conditional use will not substantially diminish the value of neighboring properties.**
   Expanded Finding: The proposed uses will not diminish the value of the neighboring property which are all planned and zoned for commercial uses as well.

6. **The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.**
   Expanded Finding: Public sewer, water, and all other applicable municipal services serve the subject property.

7. **Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.**
   Expanded Finding: The proposed use of the property will not create new demands for facilities and services at public cost.

8. **Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.**
   Expanded Finding: The proposed use will only have a driveway on 20th St., which should minimize congestion on 2nd Ave. NW. On-site traffic circulation appears to be adequately planned.

9. **The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.**
   Expanded Finding: The proposed use will be constructed over a vacant lot, therefore nothing will be lost.

10. **The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**
    Expanded Finding: The City's Land Use Plan guides the subject property for commercial / residential mixed uses consistent with the application in this case.

11. **The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.**
    Expanded Finding: The proposed conditional use permit is consistent with setback and other City Code requirements for this district.

WHEREAS, the Planning Commission further found approval of the requested Conditional Use Permit is appropriate with the following additional findings as required by Section 13-710 (E) (2) of the City's Unified Development Ordinance:

1. **A thorough evaluation of the water body and the topographic, vegetation, and soil conditions on the site must be made to ensure**

the prevention of soil erosion or other possible pollution of public waters, both during and after construction.
Expanded Finding: DNR representatives have made recommendations that have been incorporated into the development plan to help mitigate impacts on the river watershed.

2. **The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**
Expanded Finding: Stormwater management systems a temporary vehicle staging area landscape plantings and site layout are intended to mitigate the impact of the development and use. The development will not impede normal development in the area.

3. **The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**
Expanded Finding: The building proposed to house the proposed use will be compatible in appearance with the surrounding area. Furthermore, the use is compatible with the nearby businesses.

4. **The conditional use will not impose hazards or disturbing influences on neighboring properties.**
Expanded Finding: The proposed use of the property as proposed will not harm neighboring properties.

WHEREAS, the City Council held a public meeting on July 26, 2022, during which it considered the Applicant's conditional use permit request; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings of the Planning Commission, the City Council concurs with the written findings of the Planning Commission and makes the identical findings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of a Conditional Use Permit. The City Council hereby approves the Applicant's conditional use permit request for development in the shoreland district at 2005 2nd Avenue NW as shown on Exhibit B.

Section 2: Conditions Attached to the Approval of the Conditional Use Permit. The conditional use permit includes the following conditions:

1. The Stormwater Management system shall include filtration and contaminant separation devices similar to those recommended by the DNR representative (in the email received 7/13/2022) for this site and as approved by the City Engineer. A copy of the email is on file with the City Planning Division.

2. The Owner shall obtain the necessary building permits, grading permits, and all other applicable permits before construction can occur on the subject property.

Section 3: Additional Conditions of Approval. This conditional use permit includes the following additional conditions:

1. Failure of the City to act on a violation of a condition, covenant, or term of this permit is not a waiver of such condition, covenant, or term, or any subsequent violation of the same or any other condition, covenant, or term.

2. The City may inspect the property at all reasonable times to ensure compliance with the conditions of this permit.

3. This permit is subject to the City's code requirements. The Owner must comply with all applicable federal, state, and local laws, rules, and ordinances and obtain other permissions and permits as may be required.

4. The violation of any terms or conditions of this permit, including but not limited to any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The City must give the Owner written notice of any violation and reasonable time, as determined by the City, to cure the violation before the permit revocation.

5. This permit and its conditions are binding on the parties and their successors and assigns. This permit runs with the property and does not affect the subsequent sale, lease, or change from current ownership. The Owner's obligations under this permit shall also be the obligations of any subsequent owners or assigns of the property.

6. Use of the property as allowed by this permit signifies the agreement of the permit's terms and conditions without qualification, limitation, or reservation.

Section 4. Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this resolution constitute the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 6. Effective Date. This resolution is effective immediately upon its passage and without publication.

Date Adopted: July 26, 2022

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

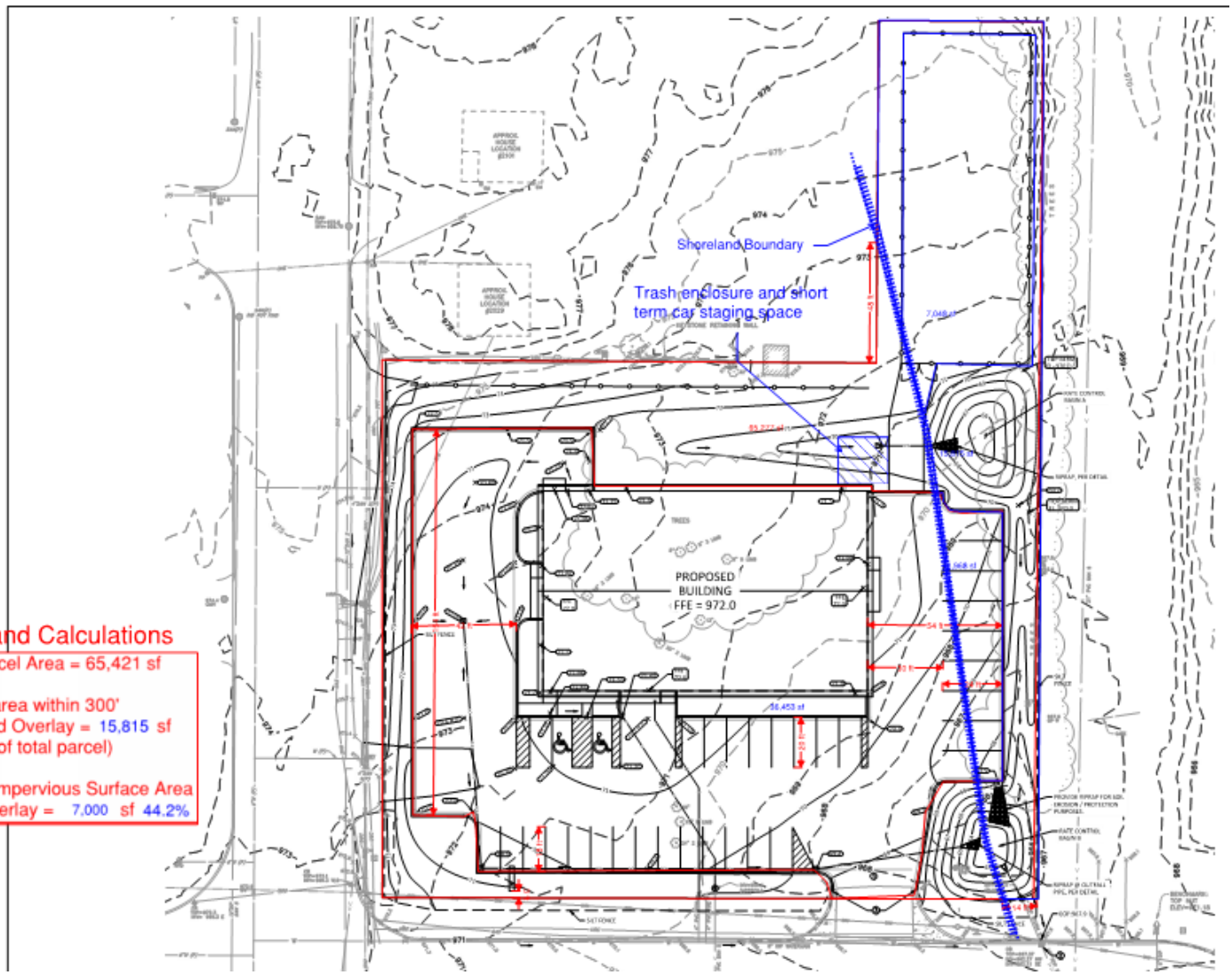
Timothy C. Murray, City Administrator

Exhibit A

Legal Description

Lot 1, Block 1, MAB Addition, City of Faribault, Rice County, Minnesota

Exhibit B
Development Plan



CITY OF FARIBAULT
MAJOR FUND FINANCIAL SUMMARY REPORT
6 MONTHS ENDING June 30, 2022
50.00%

GENERAL FUND

Revenues	Actual FY 2021	Annual Budget FY 2022	Actual to Date FY 2022	YTD % Collected
Taxes	$ 8,939,162	$ 9,143,005	$ 3,549,305	38.82%
Permit & Licenses	489,278	478,700	260,255	54.37%
Intergovernmental Revenue	8,498,397	7,201,403	313,161	4.35%
Charges for Services	1,174,927	1,404,234	398,988	28.41%
Fines & Forfeits	152,720	141,000	59,420	42.14%
Miscellaneous Revenue	89,673	156,520	(254,559)	-162.64%
Total	$ 19,344,157	$ 18,524,862	$ 4,326,570	23.36%
Expenditures				
Council	$ 644,599	$ 448,946	$ 207,953	46.32%
City Administration	281,772	299,358	129,620	43.30%
Elections	1,620	27,003	8,610	31.89%
Finance Administration	483,072	441,159	209,665	47.53%
Information Services	219,467	224,764	96,133	42.77%
Legal Services	231,411	282,650	130,739	46.25%
Personnel Administration	257,573	302,489	143,814	47.54%
Planning & Zoning	407,174	451,266	195,919	43.42%
City Hall Maintenance	182,791	199,412	94,126	47.20%
Police Administration	1,061,121	1,038,141	536,595	51.69%
Criminal Investigation	995,407	1,075,770	464,972	43.22%
Uniform Patrol	3,260,829	3,365,400	1,480,062	43.98%
Police Records	463,241	387,765	181,599	46.83%
Fire Administration	269,029	281,313	132,022	46.93%
Fire Supression	1,370,315	1,447,113	649,729	44.90%
Code Enforcement -Inspection	510,522	550,579	205,126	37.26%
Emergency Management	3,537	6,500	4,384	67.45%
Community Services	249,595	289,116	102,068	35.30%
Public Works Administration	105,765	116,525	48,425	41.56%
Street Maintenance Projects	1,402,794	1,485,405	649,241	43.71%
Ice & Snow Removal	118,371	125,000	103,837	83.07%
Equipment Maintenance	294,804	296,069	180,327	60.91%
Street Lighting	251,087	290,500	115,397	39.72%
Traffic Signs & Signals	38,880	48,947	23,107	47.21%
Engineering	556,596	627,840	265,674	42.32%
Community Center Administration	660,334	681,588	291,551	42.78%
Community Center Building	492,656	561,988	263,668	46.92%
Aquatic Center	312,744	346,565	97,111	28.02%
Washington Center	47,100	65,438	35,674	54.52%
Soccer Complex	38,298	36,557	10,633	29.09%
Adult Programs	135,362	155,158	63,292	40.79%
Youth Programs	129,655	144,020	35,264	24.49%
Parks	1,078,050	1,128,480	444,568	39.40%
Library	1,135,629	1,217,621	547,422	44.96%
Miscellaneous Unallocated	395,427	89,674	-	0.00%
Mass Transit	-	19,600	-	0.00%
Total	$ 18,086,625	$ 18,555,719	$ 8,425,774	45.41%
	1,257,532	(30,857)	(4,099,205)	
* transfer to capital funds	(1,715,848)			
YTD Fund Balance Increase (Decrease)	(458,316)			

CITY OF FARIBAULT
MAJOR FUND FINANCIAL SUMMARY REPORT
6 MONTHS ENDING June 30, 2022
50.00%

WATER FUND

Revenues	Actual FY 2021	Annual Budget FY 2022	Actual to Date FY 2022	YTD % Collected
Charges for Services	$ 3,722,553	$ 3,902,687	$ 1,987,162	50.92%
Miscellaneous Revenue	79,903	125,700	(67,838)	-53.97%
Other Sources	2,125	-	-	
Total	$ 3,804,580	$ 4,028,387	$ 1,919,324	47.64%
Expenses				
Personnel Services	$ 509,785	$ 574,003	$ 243,452	42.41%
Supplies	333,437	348,300	197,159	56.61%
Other Services & Charges	814,069	692,374	348,644	50.35%
Capital Outlay	-	1,978,312	974,906	49.28%
Debt Service	82,509	563,383	41,371	7.34%
Other Uses	678,499	90,000	45,000	50.00%
Total	$ 2,418,299	$ 4,246,372	$ 1,850,531	43.58%
YTD Fund Balance Increase (Decrease)	1,386,281	(217,985)	68,794	
Depreciation	(676,870)	(1,100,000)	(550,000)	
YTD Fund Balance Increase (Decrease) with depreciation	709,408		(481,206)	

SEWER FUND

Revenues	Actual FY 2021	Annual Budget FY 2022	Actual to Date FY 2022	YTD % Collected
Charges for Services	$ 6,295,466	$ 5,385,000	$ 2,939,085	54.58%
Fines & Forfeits	$ 13,698	$ -	$ -	0%
Miscellaneous Revenue	57,954	205,000	(475,424)	-231.91%
Other Sources	1,723,878	-	-	0.00%
Total	$ 8,090,996	$ 5,590,000	$ 2,463,660	44.07%
Expenses				
Sewer Collection				
Personnel Services	$ 373,762	$ 525,552	$ 227,834	43.35%
Supplies	61,964	96,737	44,451	45.95%
Other Services & Charges	776,254	303,643	86,963	28.64%
Capital Outlay	-	1,085,385	99,661	9.18%
Other Uses	105,000	55,838	52,500	94.02%
Water Reclamation Plant				
Personnel Services	954,701	951,546	439,426	46.18%
Supplies	393,159	377,050	143,274	38.00%
Other Services & Charges	484,827.18	1,034,643	526,241	50.86%
Capital Outlay	-	272,899	141,444	51.83%
Debt Service	292,622	1,497,156	136,578	9.12%
Other Uses	105,000	105,000	52,500	50.00%
Total	$ 3,547,290	$ 6,305,449	$ 1,950,872	30.94%
YTD Fund Balance Increase (Decrease)	4,543,706	(715,449)	512,788	
Depreciation	(1,697,010)	(1,905,000)	(952,500)	
YTD Fund Balance Increase (Decrease) with depreciation	2,846,698		(439,712)	

STORM WATER FUND

Revenues	Preliminary FY 2021	Annual Budget FY 2022	Actual to Date FY 2022	YTD % Collected
Charges for Services	$ 1,138,076	$ 1,282,004	$ 682,495	53.24%
Miscellaneous Revenue	147,012	192,000	(144,284)	-75.15%
Intergovernmental	-	150,000	-	
Total	$ 1,285,087	$ 1,624,004	$ 538,211	33.14%
Expenses				
Personnel Services	$ 229,630	$ 247,653	$ 102,731	41.48%
Supplies	29,584	38,650	8,970	23.21%
Other Services & Charges	205,430	172,282	87,516	50.80%
Capital Outlay	-	1,795,000	-	0.00%
Other Uses	35,025	-	-	
Total	$ 499,669	$ 2,253,585	$ 199,217	8.84%
YTD Fund Balance Increase (Decrease)	785,419	(629,581)	338,994	
Depreciation	(321,725)	(400,000)	(200,000)	
YTD Fund Balance Increase (Decrease) with depreciation	463,694		138,994	

CITY OF FARIBAULT
MAJOR FUND FINANCIAL SUMMARY REPORT
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50.00%

CASH AND INVESTMENTS

101	General Fund	6,700,415		Average interest Rate	
	Fire Insurance Escrow	40,250	Wells Fargo	89,728	0.23%
210	Charitable Gambling Board	56,439	4M Fund	3,802	0.93%
211	City Rental Property Mgmt	87,151	State Bank of Faribault	3,360,490	0.90%
215	Public Safety Programs	44,355	Citizens Community Federal	3,893,164	0.82%
217	Library Estate Donation	2,704,730	RBC	34,814,883	1.75%
225	Airport	558,341	Oppenheimer	5,682,892	2.61%
240	Community Development	143,103		$ 47,844,959	
241	Public Housing	208,099			
	Security Deposits Escrow	16,713			
243	Industrial Development Loan	253,846			
244	Rental Housing Rehabilitation	190,653	Petty cash (on hand)	2,202	
247	SCDP Revolving Loans	339,973	Escrow Accounts	73,102	0.73%
248	Federal MIF Loans	631,831		$ 75,304	
249	Minnesota Investment Fund	14,198			
254	CRV Rehabilitation Program	57,658			
263-272	TIF Districts	223,042			
280	Faribault HRA	1,121,420			
290	Economic Development Authority	1,310,621	TOTAL CASH	$ 47,920,263	
292	EDA Revolving Fund	393,991			
344-349	Debt Service Funds	2,263,344			
360	Equipment Certificates	238,353			
401	Street Improvement Projects	2,978,840			
404	Park Land Dedication	876,556			
431	Capital Replacement Fund	2,004,190			
437	Public Facility Projects	(33,658)			
469	2018 Construction Projects	908,516			
472	30th St NW & TH3	(71,830)			
473	2020 Construction Projects	(146,463)			
475	I-35/CSAH 9 Interchange	(2,022)			
476	2022 Construction Projects	(350,029)			
601	Water Fund	7,178,665			
602	Sewer Fund	12,078,998			
603	Storm Water Fund	3,402,113			
704	Worker's Compensation	251,282			
705	Property Liability Reserve	174,259			
873	Roberds Lake Sewer District	17,425			
897	Elderly Housing Corporation	465,958			
898	Robinwood Manor	572,800			
	Escrow Account	16,139			
	Total	$ 47,920,263			