



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, MARCH 14, 2023

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 6:00 pm. Councilors Sara Caron, Adama Doumbouya, Royal Ross, Peter van Sluis, Tom Spooner, and Chuck Thiele were in attendance. Also in attendance were City Administrator Tim Murray, City Clerk Heather Slechta, Parks and Recreation Director Paul Peanasky, City Engineer Mark DuChene, Fire Chief Dustin Dienst, Public Works Director Travis Block, Human Resources Director Kevin Bushard, Community & Economic Development Director David Wanberg, Police Chief John Sherwin and Recreation Superintendent Kevin O'Brien.

Presentations/Introductions

The American Red Cross Lifesaving Award was presented to Hunter Conrad. On October 4, 2022, Hunter Conrad, an employee of the Parks and Recreation Department, trained in American Red Cross Lifeguarding, helped to save the life of a cyclist who suffered a cardiac emergency in Dundas, MN. Hunter was driving down a back road when he saw a group of cyclists on the side of the street. He was waved down by another cyclist who explained that a member of their group had lost consciousness and fallen off his bike. Hunter informed him he was a lifeguard who is CPR certified and assisted another male member in administering CPR for approximately 10 minutes until EMS arrived. The male cyclist was airlifted to the hospital and recovered. This action exemplifies the highest concern one human being has for another who is in distress. For this act, Hunter Conrad has been awarded the American Red Cross Certificate of Merit, the highest award given by the American Red Cross to an individual or team of individuals who saves or sustains a life by using skills and knowledge learned in an American Red Cross Training Service course. Recreation Superintendent Kevin O'Brien was also recognized by the American Red Cross for providing the training for Mr. Conrad.

The Faribault Police Department presented a Community Certificate of Merit Award to Anthony Oliver for his bravery and actions. Chief Sherwin explained that on February 27, 2023, Faribault officers were dispatched to a robbery at the Holiday Station Store on 4th St. NW. When officers arrived, they discovered the suspect was still on the scene and being physically detained by a store customer, Mr. Anthony Oliver.

Approve minutes of the February 28, 2023 City Council Meeting

Motion by Ross, seconded by Doumbouya to approve Minutes of the February 28, 2023 City Council Meeting and carried unanimously.

Consent Agenda

- A. List of Claims for Release
- B. Resolution 2023-046 Approve Credit Card Use Policy
- C. Resolution 2023-047 Authorize Payment as Recommended by the Charitable Gambling Board to Buckham West - Faribault Senior Center
- D. Resolution 2023-048 Authorize Payment as Recommended by the Charitable Gambling Board to Midwest Community Development
- E. Approve July 4th Fireworks Proposal from RESPyro
- F. Resolution 2023-049 Accept Minnesota Chiefs of Police Foundation Grant Award for the Safe Summer Kick-Off Community Event
- G. Resolution 2023-057 Authorize City Participation in the Wyland Mayor's Challenge for Water Conservation
- H. Resolution 2023-051 Authorization to Apply for the Staffing for Adequate Fire and Emergency Response Grant (S.A.F.E.R.)

- I. Resolution 2023-052 Authorize Purchase and Installation of an Outdoor Warning Siren
- J. Resolution 2023-053 Accept Donation to the Fire Department
- K. Resolution 2023-032 Approve a Public Art Application for Crosswalk Art and Mosaic Art Tiles
- L. Accept Proposal for Storm Sewer Structure Repair
- M. Approve Hangar Rental Agreement Renewals
- N. Approve Application and Permit for a 1 Day to 4 Day On-Sale Liquor License and Indemnification Agreement
- O. Approve CIP Purchase of Aquatic Center Heater
- P. Resolution 2023-055 Approve Hiring Recreation Program Coordinator
- Q. Resolution 2023-056 Approve Hiring Administrative Assistant I
- R. Resolution 2023-058 Approve Premises Permit for BPO Elks Lodge #1166
- S. Approve Local 70 Memorandum of Understanding

Motion by Spooner, seconded by van Sluis to approve Consent Agenda items A.-S. and carried unanimously.

Requests to be Heard – None

Public Hearings – None

Items for Discussion

Ordinance 2023-4 Amend Ordinance 2005-16 Regarding THE VILLAGE Planned Unit Development (First Reading)

Community and Economic Development Director David Wanberg explained that Steve Underdahl, on behalf of Reliance Bank, requested an amendment to the Planned Unit Development (PUD) of THE VILLAGE for the expansion of the parking lot at Reliance Bank's site at 2300 30th Street NW. The PUD was originally approved in 2004 and amended by Ordinance 2005-16 to enlarge Outlot D of the plat for development of the parcel. Development did not occur and Reliance Bank acquired the outlot. Ordinance 2023-4 will authorize the administrative approval of a minor subdivision that shifts a shared lot line to restore Outlot D and Lot 1, Block 7 of THE VILLAGE subdivision plat to their original size and configuration as first platted in 2004. The parking lot expansion plan is consistent with the original PUD for this site.

The Planning Commission held a public hearing on this application at their March 6, 2023 meeting. No one from the public spoke during the public hearing and the City did not receive any comments from the public on this matter. The Planning Commission found the proposal to be consistent with the original PUD plans and, by a vote of 7-0, approved findings in support of the application and recommended City Council approval.

Motion by Ross, seconded van Sluis to approve Ordinance 2023-4 Amend Ordinance 2005-16 Regarding THE VILLAGE Planned Unit Development (First Reading)

Roll Call Vote:

Aye: Councilor Caron, Doumbouya, Ross, van Sluis, Spooner, Thiele and Mayor Voracek

Nay:

Motion carried 7:0

Ordinance 2023-5 Rezone Certain Properties to P/I, Public/Institutional District (First Reading)

Community and Economic Development Director David Wanberg explained that the Planning Commission authorized an application to reclassify the zoning district designation of certain public and institutional uses citywide. The City's 2040 Comprehensive Plan calls for the establishment of public and institutional zoning classifications to better address the needs of these uses while also assuring these uses are compatible with surrounding neighborhoods. The City Council adopted Ordinance 2022-3 creating the P/I, Public Institutional District in accordance with the Comprehensive Plan.

The Planning Commission held a public hearing on this application on March 6, 2023. No one from the public attended the meeting and the City did not receive any comments from the public or the property owners before or after the public hearing. The Planning Commission, by a vote of 7-0, approved the findings supporting this application and recommended City Council approval of the ordinance.

Councilor Ross asked why some church properties were not included in this zoning designation, Wanberg explained that those properties were small in size, under 2.5 acres, this zoning designation is for larger properties, and although not included are still permitted.

Motion by Ross, seconded by Spooner to approve Ordinance 2023-5 Rezone Certain Properties to P/I, Public/Institutional District (First Reading)

Roll Call Vote:

Aye: Councilor Caron, Doumbouya, Ross, van Sluis, Spooner, Thiele and Mayor Voracek

Nay:

Motion carried 7:0

Ordinance 2023-6 Annex Certain Lands from Wells Township and Zone Such Lands in the I-2, Heavy Industrial District (First Reading)

Community and Economic Development Director David Wanberg explained that Phil and Kathy LaRoche, on behalf of P.K. LaRoche, LLP, submitted a petition on January 23, 2023, to annex their property at 15339 Acorn Trail into the city of Faribault. The City's adopted Staged Growth Plan guides the property for industrial use. If annexed into the city of Faribault, the property would allow additional industrial development opportunities in Faribault. The property owner intends to sell the subject property for future industrial development. Currently, there are no specific development plans for the property.

The City properly noticed the annexation petition per Minnesota Statutes, Section 414.033, subd. 2(3), which allows the City to annex the subject property by ordinance. Consistent with Minnesota Statutes, the ordinance requires that the City make a cash reimbursement to Wells Township with respect to the property taxes. Section III of Ordinance 2023-6 requires the City to pay Wells Township the sum of \$315.53 in 2023 and the sum of \$315.53 in 2024. The total of said two-year reimbursement amount equates to 250-percent of the taxes payable to Wells Township on the subject property in 2023. Section VI of Ordinance 2023-6 zones the property to I-2, Heavy Industrial, consistent with the City's adopted Staged Growth Plan.

Motion by Spooner, seconded by van Sluis to approve Ordinance 2023-6 Annex Certain Lands from Wells Township and Zone Such Lands in the I-2, Heavy Industrial District (First Reading)

Roll Call Vote:

Aye: Councilor Caron, Doumbouya, Ross, van Sluis, Spooner, Thiele and Mayor Voracek

Nay:

Motion carried 7:0

Resolution 2023-050 Approve Plans and Specifications and Establish Bid Date for 2023 Street Overlays and Sidewalk Improvements - Contract 2023-02

City Engineer Mark DuChene explained that Resolution 2023-050 approves the construction plans and specifications for the proposed 2023 Street Overlay & Sidewalk Improvements project -Contract 2023-02; curb and gutter replacement, concrete sidewalk replacement, storm sewer repair, casting adjustment/replacement, pavement milling, bituminous paving, pavement markings, and related improvements on the following streets:

1st Street SW	(4th Avenue SW to 9th Avenue SW)
2nd Avenue NW	(1st Street NW to Division Street)
2nd Avenue SW	(Division Street to Wapacuta Park)
3rd Avenue NW	(12th Street NW to 14th Street NW)
3rd Street SW	(4th Avenue SW to 6th Avenue SW)
8th Avenue NW	(7th Street NW to 9th Street NW)
8th Street NW	(6th Avenue NW to 8th Avenue NW)
Cuyllé Bay	(12th Street SW to 12th Street SW)
12th Street SW	(6th Avenue SW to Cuyllé Court)
Birn Hill Drive	(Western Avenue to 200' west of West Hill Street)
West Hill Street	(Western Avenue to Birn Hill Drive)

The improvements were formally ordered by the City Council on February 28, 2023, upon the passage of Resolution 2023-038, following the Public Hearing. After the improvements were ordered, the Engineering Department finalized the plans and specifications in preparation of bidding for the improvements.

The preliminary total estimated cost of the improvements, including 10% contingency and 15% engineering, is \$1,117,350.00. Proposed funding for the project is as follows:

Street Improvement Fund:	\$ 1,000,700.00
Water Utility Fund:	\$ 5,800.00
Sanitary Sewer Utility Fund:	\$ 28,850.00
Storm Water Utility Fund:	\$ 82,000.00
Total:	\$ 1,117,350.00

The resolution also establishes a bid date of April 5, 2023 for the project. Construction is scheduled to begin in June, with substantial completion by the end of August 2023.

Motion by Doumbouya, seconded by Ross to approve Resolution 2023-050 Approve Plans and Specifications and Establish Bid Date for 2023 Street Overlays and Sidewalk Improvements - Contract 2023-02 and carried unanimously.

Resolution 2023-054 Approve Club and Sunday Liquor License for BPOE Lodge 1166 DBA Faribault Elks Lodge #1166

City Clerk Heather Slechta explained that the Faribault Elks Lodge #1166 submitted an application to the City of Faribault for a new Club On-Sale Liquor and Sunday Liquor Licenses located at 32 3rd Street NW. The Elks Lodge has a current license at their 131 Lyndale Avenue location. The Elks will be moving to 32 3rd Street NW in April and plan to open their bar for service on May 1, 2023, therefore, it is necessary to issue a new Club and Sunday Liquor License. If approved, the license will be effective May 1, 2023 - December 31, 2023.

Motion by Caron, seconded by Thiele to approve Resolution 2023-054 Approve Club and Sunday Liquor License for BPOE Lodge 1166 DBA Faribault Elks Lodge #1166 and carried unanimously.

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

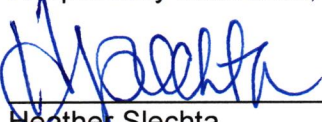
City Administrator Tim Murray informed the Council that the Work Session on March 21 will be a joint session with the Rice County Commissioners and be held at Buckham West. The Work Session will take place after the 35/County Road 9 Interchange Open House that will be from 5-6 p.m. The Council will hold a regular Work Session following the joint session.

Adjournment

Motion by Ross, seconded by van Sluis to adjourn the City Council Meeting and carried unanimously.

The meeting was adjourned at 6:27 p.m.

Respectfully Submitted,



Heather Slechta
City Clerk