



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, SEPTEMBER 12, 2023

6:00 PM

Call to Order/Roll Call/Pledge of Allegiance

The meeting of the City Council was called to order by Mayor Kevin Voracek at 6:00 p.m. 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, Community & Economic Development Director David Wanberg, Public Works Director Travis Block, Fire Chief Dustin Dienst, Police Chief John Sherwin and Library Services Director Delane James.

Presentations/Introductions – None

Approve minutes of August 22, 2023 City Council Meeting

Motion by Ross, seconded by van Sluis to Approve the minutes of August 22, 2023 City Council Meeting and carried unanimously.

Consent Agenda

- A. List of Claims for Release
- B. Approve LG220 Application for Exempt Permit for Heroes Helping Heroes
- C. Resolution 2023-158 Approve LG230 Application to Conduct Off-Site Gambling for The Catholic Church of Divine Mercy of Faribault
- D. Approve Faribault Ice Arena Association Agreement
- E. Resolution 2023-160 Accept Donations to the City of Faribault
- F. Resolution 2023-161 Approve Appointment of Board and Commission Member
- G. Approve Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License and Indemnification Agreement
- H. Resolution 2023-162 Authorize Payment as Recommended by the Charitable Gambling Board to Beau Chant Community Choir
- I. Resolution 2023-169 Approve Street Closures for Faribault High School Homecoming Parade
- J. Resolution 2023-170 Approve Street Closures for Bethlehem Academy Homecoming Parade
- K. Approve Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License
- L. Resolution 2023-168 Receive/File Feasibility Report and Establish Public Hearing for Airtech 2 Street, Utility and Stormwater Improvements - Contract 2022-07
- M. Accept Quote for Effluent Pump at Water Reclamation Facility
- N. Accept Quote for Blower Controllers at Water Reclamation Facility
- O. Resolution 2023-173 Authorize Execution of a Minor Subdivision Agreement with Home Town Federal Credit Union 1205 Highway 60 W
- P. Resolution 2023-174 Approving the Extension of the Professional Services Agreement for Electrical Inspection Services with Brian L. Grey
- Q. Resolution 2023-175 Authorize the Faribault Fire Department to Apply for the Compeer Financial Emergency Response Equipment Grant
- R. Approve Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License

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

Requests to be Heard – None

Public Hearings – None

Items for Discussion

2024 Preliminary Property Tax Levies and Establish the Budget Meeting Date

City Administrator Tim Murray presented the 2024 preliminary budget. In accordance with State Statute, the City Council is required to set a preliminary levy and certify the amount to the County Auditor by September 29, 2023. Following the establishment of a preliminary levy, the levy cannot be increased, but it can be decreased, for final certification in December. Murray stated that the Truth-in-Taxation law requires that the City Council select and announce a future meeting date to review the final budget and that date must be established at the preliminary levy meeting. The final budget must be approved and the levy certified to the County Auditor by December 27, 2023. The final budget can receive input from the public and be approved by the Council at the same meeting. It is recommended that the Council approve the final budget and tax levy at the December 12, 2023 Council meeting.

The proposed 2024 Preliminary Levy amount is \$12,242,233 of which \$874,083 is associated with operating personnel costs, including wages and benefits, for an increase of 9.46%.

Murray explained that the City of Faribault Housing and Redevelopment Authority (HRA) has separate taxing authority provided by Minnesota Statutes. The Statutes provide that the levy for the HRA shall be an amount approved by the governing body of the City, but shall not exceed the specified percent of the estimated market value. As provided by law, the HRA can levy not more than 0.0185 percent of the taxable market value. The HRA requested a levy of \$380,253 an increase of \$51,403 or an increase of 15.63%.

As with the HRA, the Economic Development Authority (EDA) of Faribault has separate taxing authority as well and has requested that the City levy a tax in 2024 for the benefit of the EDA as allowed under Minnesota Statute. The amount of the tax levied may not exceed 0.01813 percent of the estimated market value. The EDA requested the maximum amount, resulting in a \$372,648 levy or an increase of 15.63% or \$50,375.

Councilor Spooner asked what the timing is on the health insurance costs—Murray stated that they should be ready in the next 2-4 weeks, well in advance in December.

Motion by Spooner, seconded by van Sluis to approve Resolution 2023-163 Adopting the 2024 Preliminary Property Tax Levy and Establishing the Budget Meeting Date and carried unanimously.

Motion by Thiele, seconded by Ross to approve Resolution 2023-164 Approving the Faribault Housing and Redevelopment Authority Preliminary Property Tax Levy for Fiscal Year 2024 and carried unanimously.

Motion by Ross, seconded by van Sluis to approve Resolution 2023-165 Approving the Faribault Economic Development Authority Preliminary Property Tax Levy for Fiscal Year 2024 and carried unanimously.

Ordinance 2023-21 Approve Zoning Text Amendments Related to Limited Recycling Collection Centers in Commercial Districts (Second Reading) and Approve Summary Publication of Ordinance 2023-21

Community and Economic Development Director David Wanberg explained that on August 22, 2023, the Faribault City Council approved the first reading of Ordinance 2023-21, which adopts a proposed zoning text amendment to permit limited recycling collection centers in certain commercial zoning districts as a conditional use. The City has received no comments from the public nor made any substantive changes to Ordinance 2023-21 since the first reading.

Motion by van Sluis, seconded by Ross to approve Ordinance 2023-21 Approve Zoning Text Amendments Related to Limited Recycling Collection Centers in Commercial Districts (Second Reading)

Roll Call Vote:

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

Nay:

Motion carried 7:0

Motion by Ross, seconded by Spooner to Approve Summary Publication of Ordinance 2023-21 and carried unanimously.

Resolution 2023-153 Approve a Conditional Use Permit for a Limited Recycling Collection Center at 1001 Division Street

Community and Economic Development Director David Wanberg explained that Ryan Miryala of Reccy Recycling requested a conditional use permit to operate a limited recycling collection center in the Polzin Glass building at 1001 Division Street West. Approval of the conditional use permit was contingent on the City Council's approval of the second reading and publication of Ordinance 2023-21, which allows limited recycling collection centers in specified commercial districts, that was just approved by the Council. The proposed limited recycling collection center will primarily collect e-waste, including computers, gaming systems, cell phones, and the like. The proposed center will also collect some types of household appliances. All recyclable materials would be stored inside the existing building on the site.

The Planning Commission held a public hearing on August 7, 2023, to consider the Applicant's request. No one from the public provided comments. With a unanimous vote, the Planning Commission recommended that the City Council approve the Applicant's conditional use permit request based on the findings and conditions included in the attached Resolution 2023-153.

Mayor Voracek asked if the accessory building that is located on the property will still be allowed, Wanberg stated that the accessory building meets the requirements and will be allowed.

Motion by Ross, seconded by van Sluis to approve Resolution 2023-153 Approve a Conditional Use Permit for a Limited Recycling Collection Center at 1001 Division Street and carried unanimously.

Resolution 2023-171 Approve Preliminary and Final Plat Applications for Warner Addition at 616 and 620 6th Street NW

Community and Economic Development Director David Wanberg stated that Erick Warner of Warn Investments LLC requested approval of a preliminary and final plat of Warner Addition, a subdivision that re-plats two residential lots to create four twin home lots in the R-3, Medium Density Residential District at 616 and 620 6th Street NW.

The Planning Commission at its meeting on August 21, 2023 held a public hearing to consider the requests. One of the neighboring property owners expressed concern that the subdivision would increase density in the area. The commissioners responded to the concern indicating that even without approval of the requested subdivision, two duplexes could be built on the site. The subdivision will simply allow the developer to sell each unit separately on its own lot. The Planning Commission, by a vote of 5-0, recommended that the City Council approve Resolution 2023-171 based on the findings in the resolution.

Councilor Doumbouya raised concerns in regards to parking, Wanberg explained that parking is consistent with the ordinance, and parking is available in the garage as well as in the driveway. Mayor Voracek asked how deep the house would be set on the lot, Wanberg stated the building would be set at 25-foot setback going back about 44-feet plus an additional 16-feet, and they will still have a large backyard.

Motion by Thiele, seconded by Caron to approve Resolution 2023-171 Approve Preliminary and Final Plat Applications for Warner Addition at 616 and 620 6th Street NW and carried unanimously.

Resolution 2023-172 Approve Preliminary and Final Plat Applications for Ronald F. Carlsen Addition at 1810 30th Street NW

Community and Economic Development Director David Wanberg explained that Ron Carlsen requested approval of a preliminary and final plat of the Ronald F. Carlsen Addition, which plats a roughly one-acre parcel in the C-2, Highway Commercial District at 1810 30th Street NW per a letter of understanding signed in 1998.

The Planning Commission at its meeting of August 21, 2023, after proper notice, held a public hearing to consider the Applicant's requests. No one from the public provided comments regarding the

Applicant's request. The Planning Commission, by a vote of 5-0, recommended that the City Council approve Resolution 2023-172 based on the findings in the resolution.

Motion by Doumbouya, seconded by Ross to approve Resolution 2023-172 Approve Preliminary and Final Plat Applications for Ronald F. Carlsen Addition at 1810 30th Street NW and carried unanimously.

Bids

Resolution 2023-166 Accept Bids for 2023 Hydrant and Valve Replacement - Contract 2023- 14

City Engineer Mark DuChene explained that on Thursday, September 7, 2023, bids were received for the proposed 2023 Hydrant and Valve Replacement, Contract 2023-14, including removals and replacement of aging hydrants and gate valves that are reaching the end of their useful life and need replacing prior to future street reconstruction projects.

The bids were tabulated as follows:

BCM Construction, Inc., Faribault, MN	\$105,950.00
Schumacher Excavating, Inc., Zumbrota, MN	\$138,845.00
Heselton Construction, Faribault, MN	\$167,862.00
Engineer's Estimate	\$105,470.00

Based on the low bidder's prices, the estimated funding for the project including a 5% contingency and engineering fees will come from the Water Utility Fund.

DuChene recommended to award to the low bidder, BCM Construction, Inc., Faribault, MN. Construction on the project is scheduled to be substantially completed by mid-November.

Motion by Ross, seconded by Thiele to approve Resolution 2023-166 Accept Bids for 2023 Hydrant and Valve Replacement - Contract 2023- 14 and carried unanimously.

Resolution 2023-167 Accept Bids for 2023 Demolition of 422 Park Avenue - Contract 2023- 15

City Engineer Mark DuChene explained that on Thursday, September 7, 2023, bids were received for the proposed 2023 Demolition of 422 Park Avenue, Contract 2023-15.

The bids were tabulated as follows:

Fitzgerald Excavating & Trucking, Goodhue, MN	\$14,300.00
Timm's Trucking, Morristown, MN	\$20,300.00
Schumacher Excavating Inc., Zumbrota, MN	\$24,000.00
BCM Construction, Inc., Faribault, MN	\$28,300.00
G Urban Companies, Inc., St. Paul, MN	\$30,000.00
Engineer's Estimate	\$30,000.00

Based on the low bidder's prices, the estimated funding for the project including a 5% contingency and engineering fees will come from the Street Improvement Fund.

DuChene recommended to award to the low bidder, Fitzgerald Excavating & Trucking. Construction on the project is scheduled to be substantially completed by mid-November.

Motion by van Sluis, seconded by Doumbouya to approve Resolution 2023-167 Accept Bids for 2023 Demolition of 422 Park Avenue - Contract 2023- 15 and carried unanimously.

Boards and Commissions Reports, Announcements and Project Updates

City Administrator Tim Murray stated that there is a community center task force meeting at 6:00 p.m. on Thursday.

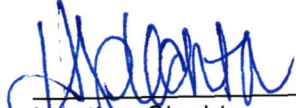
Mayor Voracek will be attending meetings in Perham and St. Joseph on Wednesday and Thursday.

Adjournment

Motion by Ross, seconded by Thiele to adjourn the meeting and carried unanimously.

The meeting was adjourned at 6:41 pm.

Respectfully Submitted,



Heather Slechta
City Clerk