



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, NOVEMBER 23, 2021

6:00 PM

Call to Order/Roll Call/Pledge of Allegiance

The regular meeting of the City Council was called to order by Mayor Kevin Voracek at 6:00pm. Councilors Sara Caron, Royal Ross, Peter van Sluis, Tom Spooner, Janna Viscomi and Jon Wood were in attendance. Also, in attendance was City Administrator Tim Murray, Assistant to the City Administrator Heather Slechta, Parks and Recreation Director Paul Peanasky, Community and Economic Development Director Deanna Kuennen, Police Chief Andy Bohlen and Finance Director Jeanne Day.

Presentations/Introductions

Parks and Recreation Director Paul Peanasky informed the Council that the Department was the recipient of the Award of Excellence from Minnesota Recreation and Parks Association for Hometown Holiday Lights Display.

Approve minutes of November 9, 2021 City Council Meeting

Motion by Ross, seconded by Spooner to approve the November 9, 2021 City Council Meeting Minutes and carried unanimously.

Consent Agenda

- A. List of Claims for Release
- B. Resolution 2021-233 Declaring 2022 Precinct Polling Locations
- C. Resolution 2021-234 Levying Special Assessments for Delinquent Water, Sewer, and Storm Water Accounts
- D. Resolution 2021-235 Levying Special Assessments for Miscellaneous Delinquent Receivable Accounts
- E. Approve LG220 Application for Exempt Permit for Catholic United Financial Council 13SS Lawrence/Anne
- F. Resolution 2021-236 Approve Massage Therapy License
- G. Resolution 2021-237 Approve 2022 Off-Sale Liquor License Renewals
- H. Resolution 2021-238 Approve 2022 Club/Sunday Liquor License Renewals
- I. Resolution 2021-239 Approve 2022 Low Volume/Sunday Liquor License Renewal
- J. Resolution 2021-240 Approve 2022 Off-Sale Malt Liquor License Renewals
- K. Resolution 2021-241 Approve 2022 Restaurant On-Sale/Sunday Liquor License Renewals
- L. Resolution 2021-242 Approve 2022 On-Sale Theater Wine and Malt Liquor License Renewals
- M. Resolution 2021-243 Approve 2022 On-Sale Wine and 3.2% Malt Liquor License Renewals
- N. Resolution 2021-244 Approve 2022 Liquor License for 10,000 Drops Craft Distillers LLC
- O. Resolution 2021-245 Approve 2022 Convention Center On-Sale and Sunday Liquor License Renewals
- P. Resolution 2021-246 Approve 2022 Tobacco License Renewals
- Q. Approve Fireworks Display Permit for Winterfest
- R. Approve Police Department Policy 403 - Case Management
- S. Resolution 2021-247 Approving Credit Card Use Policy
- T. Resolution 2021-249 Authorize Write-off of Deferred Assessment
- U. Approve MNPEA Police Support Services Labor Agreement for 2022 - 2024
- V. Approve Agreement with Law Enforcement Labor Services (Local No. 357) for 2022 - 2024
- W. Resolution 2021-250 Adopting the 2022-2024 Non-Union Compensation Plan
- X. Resolution 2021-252 Initiate Project and Order Feasibility Report for 2022 MSA Street Reconstruction Improvements - Contract 2022-04
- Y. Resolution 2021-253 Initiate Project and Order Feasibility Report for 2022 Calvary Drive Street and Utility Extension Improvements - Contract 2022-05
- Z. Resolution 2021-254 Initiate Project and Order Feasibility Report for 2022 Miscellaneous

- Watermain Improvements - Contract 2022-06
AA. Resolution 2021-251 Initiate Project and Order Feasibility Report for 2022 Faribault Road Reconstruction and Lyndale Avenue Trail Improvements - Contract 2022-03
BB. Resolution 2021-255 Authorize Payment as Recommended by the Charitable Gambling Board to Faribault Main Street
CC. Approve Release Agreements - Early Voluntary Retirement
DD. Resolution 2021-257 Approving State of Minnesota Joint Powers Agreements with the City of Faribault on Behalf of its City Attorney and Police Department

Motion by Viscomi, seconded by Wood to approve Consent Agenda Items 4A-4DD and carried unanimously.

Requests to be Heard – None

Public Hearings – None

Items for Discussion

Ordinance 2021-11 Approve PUD Overlay District to Authorize Two Principal Structures on One Multi-Family Residential Lot at 903 Spring Road - Second Reading and Approve Summary Publication of Ordinance 2021-11

Community and Economic Development Director Deanna Kuennen explained that the City Council, at its meeting of November 9, 2021, approved the first reading of Ordinance 2021-11 to approve a Planned Unit Development (PUD) allowing two primary structures on one lot located at 903 Spring Road. Since the time of the first reading, the City has not received any public comments on this ordinance. There have been no substantive changes made to the ordinance. Kuennen recommended that the Council approve Ordinance 2021-11 as well as the summary publication.

Motion by Spooner, seconded by van Sluis to approve Ordinance 2021-11 Approve PUD Overlay District to Authorize Two Principal Structures on One Multi-Family Residential Lot at 903 Spring Road - Second Reading

Roll Call Vote:

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

Nay:

Motion carried 7:0

Motion by Ross, seconded by van Sluis to approve Summary Publication of Ordinance 2021-11 and carried unanimously.

Resolution 2021-256 Approve Preliminary and Final Plat of Faribault Buckham Center Addition

Community and Economic Development Director Deanna Kuennen explained that the City is seeking subdivision plat approval for the Faribault Buckham Center Addition. This application will replat the entire block that includes the Buckham Memorial Library, the Faribault Community Center, Buckham West, homes owned by City of Faribault, Candace Knudson and B & CJ Kad LLC. The subdivision will correct conflicts in title records on the block and clear up zoning issues with the buildings crossing property lines there.

The City approved a comprehensive plan amendment and rezoning for the block in 2017 when the Senior Center was planning to expand. A preliminary plat application was approved at that time but the final plat was not processed due to title issues. Since then, the City completed a title registration process and reduced the size of the subdivision to exclude Peace Park and the Park Place right of way to avoid further title complications. The plat will combine 12 of the lots into one lot for the Community Center building complex and individual lots for Ms. Knudson, the City, and B&CJ Kad LLC. A total of 4 lots will be created in this subdivision. On November 15, 2021, the Planning Commission held a public hearing regarding this subdivision application. No one from the public had any questions or made any comments. The Planning Commission had no concerns with the applications and by a vote of 7-0 approved the findings in support of the preliminary and final plat as requested.

Motion by Wood, seconded by Ross to approve Resolution 2021-256 Approve Preliminary and Final Plat of Faribault Buckham Center Addition

Ordinance 2021-12 Repeal and Replace Chapter 15, Article 7 of the City's Unified Development Ordinance related to Park Dedication - First Reading and Ordinance 2021-13 Repeal Chapter 7, Article 1, Section 7-7 of the Faribault Code of Ordinances related to a Park Development Surcharge - First Reading

Parks and Recreation Director Paul Peanasky explained that the Faribault City Council held work sessions in the fall of 2021 to consider refinements to the City's park dedication requirements. Based on feedback from developers and the City Attorney, the Council directed that the park development surcharge obtained through the building permit process as outlined in Chapter 7, Article 1, Section 7-7 of the City Code of Ordinances be repealed. However, to offset the elimination of the park development surcharge and ensure that the City's park dedication requirements obtained through the subdivision process are sufficient to provide a quality park system, the Council directed amendments to Chapter 15, Article 7 of the City's Unified Development Ordinance.

Peanasky informed the Council that the authority and findings section states the City's authority to require park dedication through the subdivision process and outlines the City's findings for requiring park dedication. The city can determine if it wants the fees or land in lieu of parkland dedication fees. The proposed ordinance does not change the percentage of land dedication required. Should the City decide to take payments, single-family residential would cost \$1000 per lot, multi-family housing would be charged per unit starting at \$500 for the first 20 units, \$400 for units 21-50 and \$300 per unit over 50. Commercial/Industrial/Institutional would cost \$1000 per developable acre. Redevelopment fees would not be charged if it is not increasing the number of parcels or lots, however, if it does increase the parcels or lots the increased fee would be charged.

The Planning Commission held a public hearing on November 15, 2021, to consider the proposed ordinance amendment. The Commission voted not to recommend approval of the draft ordinance amendment based on a finding that the cash fee should be based on a percentage of the land's fair market value as opposed to a set fee. The Commission also found that it did not have sufficient information to verify that the proposed ordinance amendment would not decrease the amount of park dedication in the City. City Staff supports the proposed ordinance amendment based on the City Council's direction and based on the understanding that the City will periodically review the park dedication requirements and adjust them as needed.

Councilor Ross asked what the Planning Commission vote was—Peanasky stated that it was six voted Nay and one member abstained due to the thought of less revenue being generated, however, Staff is confident that they will not take a hit on it, there may be some years that it may be lower and other years that it is higher. Ross asked if the new fees were in-line with neighboring communities, Peanasky stated that we are lower than most of our neighbors.

Motion by Ross, seconded by van Sluis to approve Ordinance 2021-12 Repeal and Replace Chapter 15, Article 7 of the City's Unified Development Ordinance related to Park Dedication - First Reading

Roll Call Vote:

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

Nay:

Motion carried 7:0

Motion by van Sluis, seconded by Wood to approve Ordinance 2021-13 Repeal Chapter 7, Article 1, Section 7-7 of the Faribault Code of Ordinances related to a Park Development Surcharge - First Reading

Roll Call Vote:

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

Nay:

Motion carried 7:0

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

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

Parks and Recreation Director Paul Peanasky informed the Council of the upcoming Hometown Holidays, the Department is still accepting Christmas Trees for Central Park, if interested in donating a tree please reach out to the Community Center staff.

Mayor Voracek informed the Council of the upcoming Winterfest activities, including the Central Ave. window decorating, this year's theme is Story Book Adventures, the parade is on December 4th.

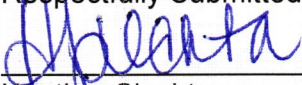
City Administrator Tim Murray reminded the Council that, due to November having five Tuesdays, there is no meeting scheduled for next week.

Adjournment

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

The meeting adjourned at 6:17 pm.

Respectfully Submitted,



Heather Slechta

Assistant to the City Administrator