



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, FEBRUARY 13, 2024

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 pm. Councilors in attendance included Adama Doumbouya, Royal Ross, Peter van Sluis, Tom Spooner and Chuck Thiele. Councilor Sara Caron was absent. Also in attendance was City Administrator Tim Murray, City Clerk Heather Slechta, Fire and Codes Service Director Dustin Dienst, Police Chief John Sherwin, City Engineer Mark DuChene, Community and Economic Development Director David Wanberg, Parks and Recreation Director Paul Peanasky, Public Works Director Travis Block and Human Resources Director Kevin Bushard.

Approve Agenda

Motion by Ross, seconded by van Sluis to approve the agenda as presented and carried unanimously.

Presentations/Introductions

2024 School Bus Driver Appreciation Day Proclamation

The annual School Bus Driver Appreciation Day Proclamation was read and presented to Faribault Transportation. School Buss Appreciation Day is on February 21, 2024. Faribault Transportation will be celebrating their drivers on that day.

Nature Everywhere Community Presentation

Brad Bourn from River Bend Nature Center updated the Council on Nature Everywhere. The City of Faribault is one of nineteen communities that were selected through an application process. The City will receive two years of strategic planning, technical support and start-up funding to develop and implement community-driven plans to connect people to nature-based experiences and learning. River Bend partnered with the Faribault Parks and Recreation Department, Somali Resettlement Services and the Minnesota Academies for the Blind and Deaf to remove barriers to nature across race and physical ability, and create an international, shared vision for the increasing outdoor accessibility and develop an outdoor inclusion and access plan. The team traveled to Austin, Texas in November to connect with experts.

Approve minutes of January 23, 2024 City Council Meeting and the February 6, 2024 Special City Council Meeting - Closed Session

Motion by Ross, seconded by Doumbouya to approve minutes of January 23, 2024, City Council Meeting and the February 6, 2024, Special City Council Meeting - Closed Session and carried unanimously.

Requests to be Heard – None

Consent Agenda

- A. List of Claims for Release
- B. Resolution 2024-030 Appoint Election Judge for the 2024 Presidential Primary
- C. Resolution 2024-031 Approve Appointment of Board and Commission Member
- D. Resolution 2024-032 Approve Street Closures for Mental Health Walk
- E. Resolution 2024-033 Approve Premises Permit for Faribault Hockey Association
- F. Approve 2024 Facility Use Agreements
- G. Resolution 2024-034 Approve Hiring Police Officer
- H. Approve Preliminary Development Agreement for Lot 1, Block 2 of RIVERCHASE ADDITION
- I. Resolution 2024-022 Accept Board of Water and Soil Resources Grant
- J. Approve Private Hangar Land Lease
- K. Approve LG220 Application for Exempt Permit for Faribault Ducks Unlimited
- L. Resolution 2024-037 Approve 2024 Massage Therapist License
- M. Approve River Bend Nature Center Lease and Operating Agreement

Motion by van Sluis, seconded by Thiele to approve Consent Agenda A-M and carried unanimously.

Public Hearings

Resolution 2024-035 Order Improvements and Order Preparation of Plans and Specifications for 2024 Street Overlay and Sidewalk Improvements - City Contract 2024-02

City Engineer Mark DuChene explained to the Council that resolution 2024-035 orders the improvements for the proposed 2024 Street Overlay & Sidewalk Improvements project-Contract 2024-02, including curb and gutter replacement, concrete sidewalk construction/replacement, storm sewer repairs, casting adjustment/ replacement, pavement milling, bituminous paving, pavement markings, and related improvements.

The streets proposed to be included in the project were as follows:

Colonial Circle	(6th Street SW to South End)
Conliffe Avenue	(5th Street SW to South End)
6th Street SW	(Faribault Road to Conliffe Avenue)
Hulett Avenue*	(TH 60/4th Street NW to 7th Street NW)
Franklin Avenue	(7th Street NW to North End)
George L. Street	(Lincoln Avenue NW to Hulett Avenue)
Lincoln Avenue	(7th Street NW to North End)
8th Street NW	(Lincoln Avenue NW to East End)
Prairie Avenue	(17th Street SW to 21st Street SW)
21st Street SW	(Prairie Avenue to 9th Avenue SW)
Cornelia Court	(Legacy Drive to End)
Poehler Court	(Legacy Drive to End)
Goldenray Drive	(Legacy Drive to Ivy Way)
Goldenray Circle	(Goldenray Drive to End)
Legacy Drive	(14th Street NE to End)

* Includes new sidewalk.

DuChene stated that the purpose of the hearing is to take public comment as part of the consideration by the Council in ordering the improvements. If the project is ordered, plans and specifications will be finalized and brought back to the Council for approval, along with the request for authorization to advertise for public bids.

DuChene explained that due to the popularity of virtual neighborhood meetings in the last few years, where property owners can view a presentation online at their leisure rather than having to come in for one specific time, another virtual neighborhood meeting was held and people were encouraged to contact the City Engineer directly with any questions after viewing the virtual open house. Three comments were received. One of the questions was about replacement of existing sidewalk, Duchene explained that the existing sidewalk will only be replaced if it meets the City's hazardous sidewalk condition criteria. The second question was about replacing driveway aprons, DuChene stated that driveway aprons are the responsibility of the property owner. The third question received was about storm sewer capacity and overflow elevations on Legacy Drive, DuChene stated that significant storm sewer changes are typically outside of the scope of a mill and overlay project.

The preliminary total estimated cost of the improvements, including 5% contingency and 15% engineering, is \$1,534,200.00. Proposed funding for the project will be as follows:

Street Improvement Fund	\$ 1,033,400.00
Water Utility Fund	\$ 10,600.00
Sanitary Sewer Utility Fund	\$ 51,200.00
Storm Water Utility Fund	\$ 439,200.00

As detailed in the feasibility report, there are no special assessments proposed as part of this project as revenues for the street improvement fund are designated to come from the franchise fee increases. It is tentatively planned to receive bids on this project in March 2024, with construction to begin in May/June 2024, and be substantially completed by the end of August 2024.

Motion by Spooner, seconded by Ross to open the public hearing and carried unanimously. The public hearing was opened at 6:17 pm.

No comments we received from the public.

Motion by Doumbouya, seconded by van Sluis to close the public hearing and carried unanimously. The public hearing was closed at 6:17 pm.

Motion by Ross, seconded by Thiele to approve Resolution 2024-035 Order Improvements and Order Preparation of Plans and Specifications for 2024 Street Overlay and Sidewalk Improvements – City Contract 2024-02 and carried unanimously.

Items for Discussion

Resolution 2024-036 Adopt Position Opposing New State of Minnesota Flag and Seal

City Administrator Tim Murray explained that a new state flag and seal were selected by the State Emblems Redesign Commission to replace the current ones. The designs will replace Minnesota's existing state flag and seal on Statehood Day on May 11 unless the Legislature intervenes.

This matter was discussed at the Council work session on January 16, 2024. The majority of the Council supported bringing forth a resolution opposing the new flag and seal to be submitted to the Governor and legislative representatives.

Narren Brown spoke to the Council in favor of the updated state seal and flag. He questioned

the Council's process to oppose the updates.

Maria Swanson agreed with the Council's opposition to the updates. She felt the updates removed the history of Minnesota and was too abstract and should have Minnesota on the flag.

Councilor Doumbouya was in support of the updates to the flag and thought the language in the resolution should be more specific in that we do not reject the work that was already done as rejecting the work should have been done at the beginning of the process.

Through much discussion it was determined that the word "work" would be replaced with the word "decision", reading as follows:

NOW, THEREFORE BE IT RESOLVED, that the Faribault City Council opposes the new official state flag and official state seal and urges our legislative delegation and the Governor to take action to reject the decision of the State Emblems Redesign Commission.

With the change in language Murray also recommend that the following be removed from the resolution:

ALSO, BE IT RESOLVED, that the Faribault City Council hereby urges our legislative delegation and the Governor to retain the existing state flag and state seal as the official emblems for the State of Minnesota.

Motion Ross, seconded by Spooner to approve Resolution 2024-036 Adopt Position Opposing New State of Minnesota Flag and Seal as amended to remove the word "work" and replaced with "decision" and the removal of "Also, be it Resolved, that the Faribault City Council hereby urges our legislative delegation and the Governor to retain the existing state flag and state seal as the official emblems for the State of Minnesota". and carried 5:0 with Doumbouya abstaining.

Ordinance 2024-3 Vacate Easements near the Intersection of 2nd Street NE and Heritage Place (Second Reading) and Ordinance 2024-3 Summary Publication

Community and Economic Development Director David Wanberg stated that on January 23, 2024, the Faribault City Council approved the first reading of Ordinance 2024-3, which vacated certain easements near the 2nd Street NE and Heritage Place intersection. The City received no comments from the public nor made substantive changes to the ordinance since the first reading. However, City staff made a minor clarification related to the legal description.

Motion by Doumbouya, seconded by van Sluis to approve Ordinance 2024-3 Vacate Easements near the Intersection of 2nd Street NE and Heritage Place (Second Reading)

Roll Call Vote:

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

Motion carried 6:0

Motion by Ross, seconded by Thiele to approve Ordinance 2024-3 Summary Publication and carried unanimously.

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

City Administrator Tim Murray reminded the Council that next Tuesday the meeting will begin at 4:30 pm and the following week there will be a joint Council, EDA and HRA meeting followed by the regular Council meeting. Those meetings, being held at Buckham West, will be on Wednesday due to party caucuses on Tuesday night.

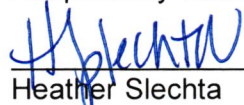
Mayor Voracek invited the public to the City Administrator Meet and Greet on Tuesday, February 20, from 3:30-4:30 pm.

Adjournment

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

The meeting was adjourned at 6:57 pm.

Respectfully Submitted,



Heather Slechta
City Clerk