



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, MARCH 11, 2025

6:00 PM

Call to Order/Roll Call/Pledge of Allegiance

The meeting of the City Council was called to order by Mayor Tom Spooner at 6:00pm. Councilors in attendance included Mandy Barnes, Adama Doumbouya, Royal Ross, John Rowan, Peter van Sluis and Chuck Thiele. Also in attendance were City Administrator Jessica Kinser, Communications Manager Brad Phenow, Parks and Recreation Director Paul Peanasky, Public Works Director Travis Block, City Planning Manager Harry Davis, City Engineer Mark DuChene, Police Chief John Sherwin, Fire Chief Dustin Dienst and Community and Economic Development Director David Wanberg.

Approve Agenda

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

Presentations/Introductions – None

Approve minutes of the February 25, 2025 City Council Meeting and the March 4, 2025 Special City Council Meeting

Motion by Rowan, seconded by Doumbouya to Approve minutes of the February 25, 2025 City Council Meeting and the March 4, 2025 Special City Council Meeting and carried unanimously.

Requests to be Heard - None

Consent Agenda

- A. Approve List of Claims
- B. Approve July 4th Fireworks Contract with RESPyro
- C. Approve Tennis Court Facility Cooperative Agreement
- D. Resolution 2025-072 Establish the City of Faribault Authorized Community Festivals within the City and Provide the Terms and Conditions for Alcohol Service and Consumption at Community Festivals
- E. Resolution 2025-059 Revising the 2025 Adopted Budget for Encumbrances
- F. Resolution 2025-073 Accept Hannah Lips Foundation Grant and Revise Budget
- G. Resolution 2025-074 Authorize Parks and Recreation Department to Apply for Location Trail Connections Grant
- H. Resolution 2025-075 Authorize Parks and Recreation Department to Apply for Outdoor Recreation Grant

- I. Resolution 2025-068 Approve Budget Adjustments
- J. Resolution 2025-064 Accept Operation and Maintenance Responsibilities for Vehicle Speed Feedback Sign on Minnesota Trunk Highway 3/20th Avenue NW
- K. Approve Quote for Variable Frequency Drives at Water Reclamation Facility
- L. Approve Use of Central Park for Cinco de Mayo Celebration
- M. Approve Task Order No. 14 with Foth for Airfield Pavement Rehabilitation Design and Bidding Services at Airport
- N. Resolution 2025-069 Authorize the City of Faribault to Host Minnesota GreenCorps Member for 2025-2026 Program Year
- O. Resolution 2025-070 Endorsing Federal Legislation to Reimburse Body Armor Costs for All Emergency Responders
- P. Approve Request to Apply for Out-of-School Time Youth Mentoring Program Grant for Parks and Recreation Department

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

Public Hearings

Resolution 2025-061 Order Improvements and Order Preparation of Plans and Specifications for 2025 Residential Street Overlay & Sidewalk Improvements - Contract 2025-02

City Engineer Mark DuChene explained that resolution 2025-061 orders the improvements for the proposed 2025 Street Overlay & Sidewalk Improvements project - Contract 2025-02, 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 this project are as follows:

15-1/2th Street NW	(22nd Ave NW to 25th Avenue NW)
15th Street NW	(22nd Ave NW to East End)
21st Avenue NW	(Paulis Drive to 16th Street NW)
23rd Avenue NW	(Cornell Drive to 15-1/2 Street NW)
25th Avenue NW*	(Birn Hill Lane to 17th Street NW)
Cornell Drive	(23rd Avenue NW to 25th Avenue NW)
Birn Hill Drive	(200' west of Hill Street to 198th Street)
Birn Hill Lane	(25th Avenue NW to Birn Hill Drive)
Johnny Ridge Road	(24th Avenue NW to 25th Avenue NW)
24th Avenue NW	(Cornell Drive to 17th Street NW)
Acorn Trail	(30th Street NW to City Limits)
Paulis Drive	(Fairway Drive to 21st Avenue NW)
Parlin Circle	(15th Street NW to north end)
Jefferson Place	(Willow Street to Fairview Avenue)
Fairview Avenue	(Garfield Place to Jefferson Place)
Cardinal Avenue*	(30th Street NW to Cardinal Lane)

Cardinal Lane (30th Street NW to Cardinal Avenue)

25th Avenue NW and Cardinal Avenue will also includes new sidewalks.

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.

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.

During the virtual open house, a question was asked about the proposed sidewalk on 25th Avenue NW and what side it should be on. DuChene stated that the sidewalk is identified per the City Council approved 2020 Sidewalk and Trails Plan, sidewalk location hasn't been officially determined, and both sides of the street have pros and cons. Another question was about access during construction, DuChene explained that mill and overlays have minimal access disruptions except for days when the milling and paving are happening, access to commercial properties will be coordinated as part of the construction process once a contractor and contractor schedule is known. The final question was about costs for project was asked, DuChene stated that no special assessments are proposed, funding is primarily from the street improvement fund funded through franchise fees.

The preliminary total estimated cost of the improvements, including a 20% contingency and 15% engineering, is \$1,284,775.00. Proposed funding for the project will be as follows:

Street Improvement Fund (401)	\$1,170,225.00
Water Utility Fund (601)	\$12,000.00
Sanitary Sewer Utility Fund (602)	\$75,350.00
Storm Water Utility Fund (603)	\$27,200.00

DuChene stated that a simple majority vote of the City Council is required to advance the improvements. It is tentatively planned to receive bids on this project in April 2025, with construction to begin in May/June 2025, and be substantially completed by the end of August 2025.

Motion by Thiele, seconded by van Sluis to open the public hearing and carried unanimously. The public hearing was opened at 6:13 pm.

Nick Parkos - 1602 25th Avenue NW, stated that they have never had a sidewalk and did not see a need until there is development on 17th Street, and if it had to go in, can it go on the east side as the utilities are on the west side.

Michelle Sailor – 1526 25th Avenue NW, stated that this sidewalk would be within 20 feet of her window, they would need to remove a planter and all of the mailboxes. She felt that there was no reason it can't go across the street where there are no mailboxes.

Motion by Doumbouya, seconded by Thiele to close the public hearing and carried unanimously. The public hearing was closed at 6:19 pm.

Councilor van Sluis stated that this is not private property, DuChene stated that it is public right-of-way. He also asked what the cost of just the sidewalks was, DuChene stated roughly \$30,000. Councilor Ross asked when the sidewalks would go in on 17th, DuChene stated that it is tough to pinpoint, they have met with the developer, but it's an unusual time with interest rates. He then asked if they would go on the north or south side of 17th, DuChene stated it could go on sides. Ross also asked if any of the homes are closer to the road on 25th, DuChene said that it is a different type of architectural design, so the distance between the nearest point of the structures are nearly the same, but the homes on the west side are a bit closer when you look at the house portion of the structure. Councilor Barnes stated that she is familiar with this area, the homes do seem closer to the road and there isn't an immediate need for sidewalks since 17th is still a gravel road, however, she was concerned that prices could increase. Mayor Spooner stated that he is an advocate for sidewalks, however, he was on the fence on this one. He thought it may be better to wait until 17th is developed. Councilor Thiele asked how much of a cost increase the City could see if they waited, DuChene stated that they could plan for 5—10% inflation to whatever year you want to push the sidewalk to. Councilor van Sluis stated that it made sense to wait until 17th is developed.

Motion by van Sluis, seconded by Barnes to approve Resolution 2025-061 Order Improvements and Order Preparation of Plans and Specifications for 2025 Residential Street Overlay & Sidewalk Improvements - Contract 2025-02 with the removal of sidewalks on 25th Avenue NW and carried unanimously.

Resolution 2025-062 Order Improvements and Order Preparation of Plans and Specifications for 2025 MSA Street Overlay & Sidewalk Improvements - Contract 2025-03

City Engineer Mark DuChene stated that resolution 2025-062 orders the improvements for the proposed 2025 MSA Street Overlay & Sidewalk Improvements project (Contract 2025-03), including curb and gutter replacement, concrete sidewalk construction/replacement, storm sewer repairs, casting adjustment/ replacement, watermain construction, pavement milling, bituminous paving, pavement markings, and related improvements.

The streets proposed to be included in this project are as follows:

Hulett Avenue (7th Street NW to Bradley Road)
Hulett Avenue** (Bradley Road to 20th Street NW (TH 3))

** Includes new watermain.

A bid alternate is also recommended to be considered by the Council to install a new watermain along Hulett Avenue from 17th Street NW to TH 3/20th Street NW.

DuChene stated that 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.

Again 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.

During the virtual open house questions about the extension of sanitary sewer on the north and south ends were asked, Duchene explained that on the south end the existing sanitary sewer terminates a very shallow depth and further extension is not possible with the additional of a lift station. There are only a few properties south of the river that are not connected to the public sanitary sewer system and it would be more economical for the properties to install a private pump and pump to the existing sewer system than to install a public lift station for such a limited number of properties. In regards to the north end of Hulett, sanitary sewer is available to the east side of Hulett Avenue along the south side of TH 3 or west side of the CPKC railroad. Properties on the west side of Hulett are already served.

The preliminary total estimated cost of the improvements, including 20% contingency and 15% engineering, (including the bid alternate) will be as follows:

MSA Street Construction Fund	\$472,525.00
Water Utility Fund (601)	\$387,500.00
Sanitary Sewer Utility Fund (602)	\$ 10,300.00

The preliminary total estimated cost of the improvements, including 20% contingency and 15% engineering, (excluding the bid alternate) as follows:

MSA Street Construction Fund	\$472,525.00
Water Utility Fund (601)	\$103,850.00
Sanitary Sewer Utility Fund (602)	\$ 10,300.00

DuChene stated that a simple majority vote of the City Council is required to advance the improvements. It is tentatively planned to receive bids on this project in April 2025, with construction to begin in May/June 2025, and be substantially completed by the end of August 2025.

Councilor Ross asked if this is approved, do they need to include the alternate, DuChene said only if they want to consider the alternate.

Motion by Rowan, seconded by Ross to open the public hearing and carried unanimously. The public hearing was opened at 6:31 pm.

There were no comments from the public.

Motion by van Sluis, seconded by Doumbouya to close the public hearing and carried unanimously. The public hearing closed at 6:32 pm.

Motion by Ross, seconded by Barnes to approve Resolution 2025-062 Order Improvements and Order Preparation of Plans and Specifications for 2025 MSA Street Overlay & Sidewalk Improvements - Contract 2025-03 and carried unanimously.

Resolution 2025-063 Order Improvements and Order Preparation of Plans and Specifications for 2025 3rd Avenue Reconstruction Improvements - Contract 2025-04

City Engineer Mark DuChene stated that resolution 2025-063 orders the improvements for the proposed 3rd Avenue SW Reconstruction Improvements - Contract 2025-04 project including removals, watermain replacement, sanitary sewer replacement, lot services, storm sewer construction, grading, aggregate base, sidewalk reconstruction, bituminous paving, turf restoration and related improvements.

DuChene stated that 3rd Avenue SW from Division Street to 3rd Street SW are proposed to be included in this project. 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.

During the virtual open house questions about driveway apron replacement and slope changes were asked, DuChene stated that typically on a reconstruction driveway aprons from the curb to the property line are replaced as part of the project costs, every effort is made in the design process to make driveway slopes better if it can be accommodated but rarely are they made steeper.

The preliminary total estimated cost of the improvements, including 10% contingency and 15% engineering, is \$1,456,250.00. Proposed funding for the project will be as follows:

Street Improvement Fund (401)	\$ 808,350.00
Water Utility Fund (601)	\$ 273,450.00
Sanitary Sewer Utility Fund (602)	\$ 168,250.00
Storm Water Utility Fund (603)	\$ 206,200.00

DuChene stated that a simple majority vote of the City Council is required to advance the improvements. It is tentatively planned to receive bids on this project in April 2025, with construction to begin in May/June 2025, and be substantially completed by the end of August 2025.

Motion by Ross, seconded by Barnes to open the public hearing and carried unanimously.

The public hearing was opened at 6:43 pm.

There was no comment from the public.

Motion by van Sluis, seconded by Thiele to close the public hearing and carried unanimously. The public hearing was closed at 6:43 pm.

Councilor Rowan asked who currently owns the angled parking that would be eliminated, DuChene stated that it is in the public right of way, but the homeowner, when contacted stated that they do not want to continue maintaining it as they do not use it. Rowan then asked why the City requires them to maintain it, DuChene stated that precedent has set that, in the recent past, the City has used a limited use agreement for angled parking that serves the property but does not serve a public purpose. Rowan also questioned if we wouldn't want to keep angled parking for it if it were to change hands and be commercial, DuChene stated that it is zoned commercial, that would be a policy decision for the Council. Ross stated that if the current owner does not want to keep angled parking, he is okay with removing it. Mayor Spooner stated that this is a busy area with school and sports, he could see an argument for keeping the angled parking, DuChene clarified that there would still be parallel parking on each side of the street, just not the angled parking.

Motion by Ross, seconded by van Sluis to approve Resolution 2025-063 Order Improvements and Order Preparation of Plans and Specifications for 2025 3rd Avenue Reconstruction Improvements - Contract 2025-04 as presented without angled parking and carried unanimously.

Items for Discussion

Ordinance 2025-1 Amend Section's 28-52 & 28-59 of the City Code of Ordinances Regarding Regulation of Backflow Devices- Second Reading and Approve Ordinance 2025-1 Summary Publication

Public Works Director Travis Block stated that Chapter 28 of the City Code of Ordinances contains language pertaining standards and specifications of materials as it relates to water supply service pipes. The City has recently entered into an agreement with BSI Inc. to provide for the management of data and testing of backflow devices throughout the City. Backflow devices are regulated under Minnesota Plumbing Code parts 4714.603.5.23-603.5.23.4. Amendments to Chapter 28-52 and 28-59 are necessary to include language regarding the plumbing code as well as testing requirements and non-compliance of testing of backflow devices. The first reading was approved on February 25, 2025, and there have been no comments received, or revisions made.

Motion by Ross, seconded by Doumbouya to approve Ordinance 2025-1 Amend Section's 28-52 & 28-59 of the City Code of Ordinances Regarding Regulation of Backflow Devices- Second Reading and

Roll Call Vote:

Aye: Councilor Barnes, Doumbouya, Ross, Rowan, van Sluis, Thiele and Mayor Voracek

Nay:

Motion carried 7:0

Motion by van Sluis, seconded by Ross to Approve Ordinance 2025-1 Summary Publication and carried unanimously.

Resolution 2025-065 Approve a Conditional Use Permit for Two Multiple-Family Buildings in the Central Business District Near the Corner of 1st Avenue NW and 1st Street NW

Planning Manager Harry Davis stated that Scott Wopata on behalf of Community Action Center (CAC) requested approval of a Conditional Use Permit (CUP) in Central Business District zoning for two new, multi-unit residential buildings at and near the southeast corner of 1st St NW and 1st Ave NW. Each structure will house 4 units each, for a total of 8 units across two platted lots. Parking on-site will be shared between the buildings. The proposed development is consistent with the planning and zoning aspects of the City's Unified Development Ordinance. The HPC has already reviewed the project and issued a Certificate of Appropriateness acknowledging that the development is not out of character with the Heritage Preservation District. The DRC, City Planning Manager, and Planning Commission recommended in favor of the project, with conditions of approval.

Councilor Ross asked if the buildings are 2200 square feet, each unit is 500 square feet, Scott Wopata stated that the units are stacked. Ross stated that the footprint is only 2200 square feet, Wopata stated that was correct. Councilor Thiele commended the CAC, this is really well thought out and something this community needs, especially the emergency housing. Mayor Spooner thanked the CAC for their hard work on this.

Motion by Doumbouya, seconded by Resolution 2025-065 Approve a Conditional Use Permit for Two Multiple-Family Buildings in the Central Business District Near the Corner of 1st Avenue NW and 1st Street NW and carried unanimously.

Resolution 2025-066 Approve a Conditional Use Permit for a Ground Mounted Solar Array at 927 Saint Paul Ave

Planning Manager Harry Davis stated that Thomas Farley, requested approval of a Conditional Use Permit (CUP) in the R-1 zoning district for a ground-mounted solar energy system over 120 square feet. The solar array will be 527 square feet in the rear yard of an approximately 0.75 acre parcel with an existing single-family home. The array will be no taller than 10 feet. Staff determined that the location of the solar system in the backyard, the rural context, and the solar farm approximately 1,000 feet away allow for a reduction in landscaping and screening, The proposed development is consistent with the planning and zoning aspects of the City's Unified Development Ordinance. The DRC, City Planning Manager, and Planning Commission recommended in favor of the project, with conditions of approval.

Mayor Spooner stated that when he was on the Planning Commission, he was not a fan of residential panels, but this is the perfect scenario and the way they are intended to be, on the edge of town, in a big yard.

Motion by Rowan, seconded by Doumbouya to approve Resolution 2025-066 Approve a Conditional Use Permit for a Ground Mounted Solar Array at 927 Saint Paul Ave and carried unanimously.

Resolution 2025-067 Approve Municipal Consent to Rice County for Lyndale Avenue (CSAH 48) Improvements SAP 066-648-006

City Engineer Mark DuChene explained that Rice County has programmed into their 2025 highway capital improvements projects a pavement preservation project for CSAH 48 (Lyndale Avenue) from the I-35 ramps to highway 60. This project includes intersection improvements at the intersection of CSAH 48 and Division Street, including but not limited to a northbound right turn lane, signal modifications to add a flashing yellow arrow phase for north and south bound traffic, street light replacement and pedestrian ramp and crosswalk improvements across CSAH 48. Since Division Street is a City jurisdictional street, Rice County is requesting the City approve municipal consent for the project as required by Minnesota Statute 162.02 as well as approve the draft engineering and construction cooperative project agreement which outlines the City's eligible cost items and cost share. The City's cost share is limited to 50% of the costs related to the signal, lighting and pedestrian crossing improvements and the cost split is consistent with previous improvements at this intersection. The City's estimated share of the costs for the project are \$60,000. The final cost share will be determined based on actual construction costs and since this project was not part of the City's approved 2025 budget a formal budget amendment will be brought before the City Council at a later date once actual final costs are known. The City's cost share for this project will come from the City's Street Improvement Fund (401) of which adequate funds exist.

Motion by Thiele, seconded by Barnes to approve Resolution 2025-067 Approve Municipal Consent to Rice County for Lyndale Avenue (CSAH 48) Improvements SAP 066-648-006 and carried unanimously.

Resolution 2025-071 Approve Quote and Authorize Purchase of 2025 Vactor Truck 2100i

Public Works Director Travis Block informed the Council that an accident with the 7th Street bridge on January 28th resulted in the 2019 Vactor Truck being totaled by the City's insurance company. The coverage limit for the vehicle was under a special endorsement because it is a chassis that has been customized with a specialized body to fit the City's needs. The endorsement limit was \$439,103. The City's policy provides 3 scenarios in which the lowest amount is paid if a vehicle is totaled: the endorsement amount, the replacement cost, or the actual cash value. The actual cash value is the lowest dollar amount and was determined by LMCIT by taking two estimates from two different companies and using the average. That average is \$398,267. With the \$50,000 deductible for this vehicle, the total the City will receive as an insurance payout is \$348,267.

The quote to purchase a new vehicle as listed in the resolution is estimated at \$678,557.69. This will result in the City needing to cover \$330,290.69. The 2025 CIP includes \$120,000.00 budgeted for the Glynview lift station generator project. This project

will be delayed, and those funds will be applied to the truck purchase, leaving a balance of \$210,290.69. The Sanitary Sewer fund (602) has \$1,238,000.00 in cash available for equipment and improvements.

Councilor Barnes stated that it was her understanding that the truck has a unique make-up so it is pieced together, Block state that it is a custom build. She then asked if the reason is to make it functional on our streets, Block stated that it makes it a low-profile vehicle, adding that a contributing factor to that strike was that it was experiencing a mechanical malfunction and would not fully lower into its transitional position. Barnes also stated that for insurance reasons when you make alterations or modifications, it can change your coverage rate/amount, and asked if we have considered looking at older used models, Block stated that the reason for purchasing new was two-fold, most of the used vehicles would not fit under the brings, and the vehicle is used frequently, and with that amount of usage, we would not know what we are getting from a reliability stand point. City Administrator Kinser added that when we put a piece of equipment on an insurance endorsement, we put the full amount, but when the market changes, our insurance coverage doesn't reflect that added inflationary increase. Kinser stated that she will check with our insurance provider to see if that is something we can do moving forward. Councilor Ross stated that this is an unexpected expense, when you pair this with the \$1,300,000.00 in unbudgeted water infrastructure improvements, we really need to keep track of this, this is a big number and he is concerned. Kinser stated that the \$1,300,000.00 for the primary splitter box is an estimate at this point, we will not know the full costs until we get bids. Also, for the sewer fund, there is money there for these unexpected costs. They will review the CIP to shuffle things around if needed. Ross asked if these funds were earmarked for future infrastructure projects, Kinser stated yes, but that fund is growing beyond what is earmarked. Barnes asked if this could be purchased used, Block stated that he did not think so with how often it is used, it is used nearly daily, sewers are cleaned in house, where as other communities contract this work. Rowan stated that he would have liked to see this come to a work session for discussion, and he could not support this.

Motion by Ross, seconded by Doumbouya to approve Resolution 2025-071 Approve Quote and Authorize Purchase of 2025 Vactor Truck 2100i and carried 6:1 with Rowan voting Nay.

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

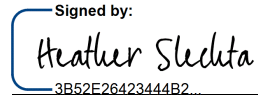
City Administrator Jessica Kinser state that the Council was all given updated an updated Capital Improvement Plan. This will be used at tomorrow's Council Chat at the Faribault Family Restaurant. Councilor Barnes stated that The Paradise Theatre has some shows coming up this weekend and River Bend Nature Center is hosting a maple syrup program this weekend. Mayor Spooner informed the Council that he attended the LMC Advanced Academy on February 21-22, 2025. He encouraged any Council Members that are interested to look into conferences and webinars as it is always nice to talk to other people in similar positions.

Adjournment

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

The meeting adjourned at 7:20 pm.

Respectfully submitted,

Signed by:

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Heather Slechta
City Clerk