

CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, FEBRUARY 8, 2022

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, Human Resources Manager Kevin Bushard, City Engineer Mark DuChene, Community and Economic Development Director Deanna Kuennen, City Planning Coordinator Peter Waldock, City Planner David Wanberg, Police Chief Andy Bohlen and Public Works Director Travis Block.

Presentations/Introductions – None

Approve minutes of January 25, 2022 City Council Meeting

Motion by Ross, seconded by van Sluis to approve the January 25, 2022 City Council Meeting Minutes and carried unanimously.

Consent Agenda

- A. List of Claims for Release
- B. Approve Quote to Replace Pool Heater at Faribault Family Aquatic Center
- C. Resolution 2022-025 Approve Appointments of Committee, Board, and Commission Members
- D. Resolution 2022-026 Revising the 2022 Adopted Budget for Encumbrances
- E. Approve Biosolids Hauling and Application Agreement Extension
- F. Approve Agricultural Land Lease
- G. Approve 2022 CIP Purchase - Skid Loader
- H. Approve Petition and Waiver of Assessment for Water Service Repair at 523 7th Street NW
- I. Resolution 2022-027 Accept American Rescue Plan Act Grant for Municipal Airport
- J. Approve Parks and Recreation Facility Use Agreements
- K. Resolution 2022-028 Accept Donations to Parks and Recreation Department
- L. Resolution 2022-029 Final Project Acceptance of NW Area Watermain Improvements - City Contract 2019-12B
- M. Resolution 2022-031 Approve Massage Licenses
- N. Approve Hangar Rental Agreement
- O. Resolution 2022-033 Receive/File Feasibility Report and Establish Public Hearing for 2022 MSA Street Reconstruction Improvements - Contract 2022-04
- P. Resolution 2022-034 Receive/File Feasibility Report and Establish Public Hearing for 2022 Faribault Road Reconstruction & Lyndale Avenue Trail Improvements - Contract 2022-03
- Q. Approve LG230 Application to Conduct Off-Site Gambling for Faribault Youth Services, Inc.
- R. Approve Preliminary Development Agreement for Demolition of Farmer Seed Building (818 4th Street NW)
- S. Resolution 2022-032 Approve Hiring of Police Chief

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

Requests to be Heard – None

Public Hearings – None

Items for Discussion

Ordinance 2021-16 Rezoning from R-1, Single Family Residential to C-2 Highway Commercial District at 1440 Willow Street - Second Reading and Approve Summary Publication of Ordinance 2021-16

Community and Economic Development Director Deanna Kuennen explained that the property owners Peter and Kathy Nass were seeking rezoning of their property at 1440 Willow Street from R-1, Single Family Residential District to C-2, Highway Commercial District. The property has an existing commercial building with a paved parking lot and an accessory building. The current owners operated their glass business from the property and rented space in the building for use as a locksmith's business. The property currently has space rented by Mad-Chassis car customizing business.

At its meeting on December 14, 2021, the City Council approved the first reading of Ordinance 2021-16, subject to the conditions of approval listed in the ordinance. The Council also approved associated resolutions granting a change to the City Comprehensive Plan to mixed Commercial / Residential Uses and a CUP for a major auto repair business (Mad Chassis custom cars) at the subject site. At the time, Mayor Voracek inquired whether the site improvements required by the change of use here were similar to other properties with a change of use. Since this site has a paved parking lot and driveway in good condition that met the required setbacks and does not need to be expanded for the new use, the only improvement needed in this case will be new parking lot paint stripes and accessible parking spaces.

Mr. Nass requested that they not be required to separate the driveway for their home from the commercial lot as stipulated in the rezoning ordinance. Currently, the ordinance does not require separation until such time that one of the lots is sold. Mr. Nass cited safety concerns for this request. Rice County Highway Department has jurisdiction over driveway access to Willow Street at this location. Staff reached out to the Rice County Highway Engineers for comment. The County Highway Engineers agree with the City requirement to separate the driveways at the time of sale of one of the properties. City staff recommended that the driveway separation requirement remain as a condition of approval in the ordinance, with the understanding that this condition will be subject to obtaining a County Highway department access permit at such time in the future, recognizing that conditions could change.

Mr. Nass was present at the meeting and requested that they driveway separation at the time of sale of one of the properties be removed from the ordinance. He also informed the Council that on his abstract it shows and easement for 1440 and 1448 Willow to share a driveway.

Councilor Viscomi had concerns about requiring the driveway separations as well. Kuennen explained that the current owner does not intend to sell at this time, however, these decisions are based on what the property could become since it is now zoned C-2. She reminded the Council that this was triggered by the zoning and comprehensive plan change requests by the property owner. Mayor Voracek stated that there could be changes in the future with Willow Street and that a driveway may not be allowed at that time. Councilor Ross asked if the parcels could be combined in the future, City Planning Coordinator Peter Waldock explained that it would be difficult as one of the properties is zoned residential and the other commercial, one would need to be rezoned.

Motion by Wood, seconded by Ross to approve Ordinance 2021-16 Rezoning from R-1, Single Family Residential to C-2 Highway Commercial District at 1440 Willow Street - Second 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 Caron to Approve Summary Publication of Ordinance 2021-16 and carried unanimously.

Resolution 2022-030 Approve Plans and Specifications and Establish Bid Date for 2022 Street Overlays and Sidewalk Improvements - Contract 2022-02

City Engineer Mark DuChene informed the Council that Resolution 2022-030 would approve the construction plans and specifications for the proposed 2022 Street Overlay & Sidewalk Improvements project - Contract 2022-02, including curb and gutter replacement, concrete sidewalk replacement, storm

sewer repairs, casting adjustment/replacement, pavement milling, bituminous paving, pavement markings, and related improvements on the following streets:

Alexander Drive	(2nd Avenue NW to Fairgrounds Drive)
6th Street NW	(Central Avenue to 8th Avenue NW)
1st Avenue NW	(2nd Street NW to 3rd Street NW & 4th Street NW to 13th Street NW)
8th Street NW	(Central Avenue to 2nd Avenue NW)
10th Street NW	(Central Avenue to 2nd Avenue NW)
11th Street NW	(1st Avenue NE to 2nd Avenue NW)
Newhall Drive	Parshall Street to Matteson Street

Also included in the proposed bid package were improvements to the public parking lot in Original Town Block 57 and lighting improvements along 1st Avenue NE from 5th Street NE to 7th Street NE.

The improvements were formally ordered by the City Council on January 11, 2022 upon the passage of Resolution 2022-009, 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 5% contingency and 15% engineering, is \$1,711,325.00. Proposed funding for the project is as follows:

Street Improvement Fund (401)	\$ 1,653,725.00
Water Utility Fund (601)	\$ 9,800.00
Sewer Utility Fund (602)	\$ 21,000.00
Storm Water Utility Fund (603)	\$ 26,800.00
Total	\$ 1,711,325.00

The resolution also established a bid date of March 2, 2022 for the project. Construction is scheduled to begin in June, with substantial completion by the end of July 2022.

Motion by Ross, seconded by Wood to approve Resolution 2022-030 Approve Plans and Specifications and Establish Bid Date for 2022 Street Overlays and Sidewalk Improvements - Contract 2022-02 and carried unanimously.

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

Mayor Voracek congratulated Community and Economic Development Director Deanna Kuennen on receiving the Economic Development Association of Minnesota, Economic Developer of the Year Award. He also stated that Police Chief Bohlen has only one meeting after tonight, as his retirement is coming soon, and congratulated Paul Froman and Doug Knudson on their retirements.

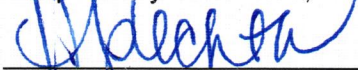
City Administrator Tim Murray informed the Council that John Sherwin will begin working as the new Police Chief for the City on March 28, 2022.

Adjournment

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

Meeting adjourned at 6:33 pm.

Respectfully Submitted,



Heather Slechta
Assistant to the City Administrator