

Faribault City Council Minutes
Regular Council Meeting on Tuesday, January 9, 2018

1. Call to Order / Roll Call / Pledge of Allegiance

Mayor Voracek called the meeting to order at 7:00 p.m. in the Council Chambers of the Faribault City Hall. Council members present included Elizabeth Cap, Kay Duchene, Royal Ross, John Rowan, Steve Underdahl, Janna Viscomi and Mayor Kevin Voracek. City staff in attendance included Interim City Administrator Mike McGuire, Public Works Director Travis Block, Police Chief Andy Bohlen, Human Resources Manager Kevin Bushard, Fire Chief Dustin Dienst, Community and Economic Development Director Deanna Kuennen, City Engineer Tim Murray, Parks and Recreation Director Paul Peanasky, Streets Superintendent Bill Rosenau, City Planner David Wanberg, and Deputy City Clerk Carole Dillerud.

2. Presentations / Introductions – None

3. Approve Minutes of December 26, 2017 Regular Council meeting and January 2, 2018 Special Council meeting.

Motion by Council member Rowan, seconded by Council member Ross, carried unanimously, to approve the minutes of the December 26, 2017 Regular Council meeting and January 2, 2018 Special Council meeting.

4. Routine Business

- A. List of bills to be paid
- B. Resolution 2018-001 Approve Designation of Legal Newspaper
- C. Resolution 2018-002 Approve Designating Authorized Signers, Official Depository and Broker/Dealers for City of Faribault
- D. Resolution 2018-003 Approve City Administrator Purchasing and Contracting Authority
- E. Resolution 2018-004 Approve Salvage Dealers License Renewals
- F. Resolution 2018-005 Approve Garbage/Refuse Haulers License Renewals
- G. Resolution 2018-006 Approve Vehicles for Hire
- H. Resolution 2018-007 Approve Massage Therapist License Renewals
- I. Appoint Committee, Board and Commission Members
- J. Approve State of MN Department of Human Services Work Contract
- K. Approve Private Hangar Land Lease Renewals
- L. Resolution 2018-009 Appoint Deputy City Administrator
- M. Resolution 2018-010 Approve Selection of Consultant to assist the City in the preparation of the Comprehensive Plan Update, the Downtown Master Plan, and the Park System Plan
- N. Resolution 2018-014 Approve Fire Captain to Attend Class at National Firefighter Academy
- O. Approve Hangar Rental Agreement Renewals
- P. Resolution 2018-017 Approve Purchase of UV Bulbs-Water Reclamation Facility
- Q. Resolution 2018-019 Approve Stormwater MS4 Permit Reissuance Application
- R. Resolution 2018-020 Approve Hiring Library Receptionists

- S. Resolution 2018-021 Approve Hiring Paid On-Call Firefighters
- T. Approve MS4 Stormwater Services Contract Extension with Cannon River Watershed Partnership
- U. Resolution 2018-022 Resolution Terminating Preliminary Development Agreement with KPM Enterprises

Motion by Council member Duchene, seconded by Council member Rowan, carried unanimously, to approve Routine Business Items A – B, D – H, J – K, N – T.

Item 4C. Resolution 2018-002 Approve Designating Authorized Signers, Official Depository and Broker/Dealers for City of Faribault

Discussed together - the authorized signatures pertained to approval of Routine Business Item 4L.

Council member Cap inquired as to who and how the Deputy City Administrator was chosen and recommended for the position. She nominated Community and Economic Development Director Kuennen as Deputy City Administrator, as she was involved in promoting development for and within the City.

Interim City Administrator McGuire commented that incoming City Administrator Murray and he had discussed who should be appointed as Deputy City Administrator during Murray's first year as City Administrator. Typically, the Deputy City Administrator was an individual who had been with the City for a lengthy time. Peanasky's twenty years of City experience as a Director, Interim City Administrator and Deputy City Administrator, made him the obvious choice for Deputy City Administrator.

Council member Viscomi supported the appointment of Director Peanasky as Deputy City Administrator.

Incoming City Administrator Murray acknowledged his discussions with McGuire and their decision to recommend Peanasky as Deputy City Administrator, stating he felt more comfortable with Peanasky's experience.

Motion by Council member Duchene, seconded by Council member Ross, carried unanimously, to adopt Resolution 2018-002 Approve Designating Authorized Signers, Official Depository and Broker/Dealers for City of Faribault

Item 4L. Resolution 2018-009 Appoint Deputy City Administrator.

Discussed together with Routine Business Item 4C.

Motion by Council member Duchene, seconded by Council member Ross, carried unanimously, to adopt Resolution 2018-009 Appoint Deputy City Administrator.

Item 4M. Resolution 2018-010 Approve Selection of Consultant to Assist the City in the preparation of the Comprehensive Plan Update, the Downtown Master Plan and the Park System Plan

Council member Cap expressed her frustration about the lack of information provided regarding the Consultant selection, the interview process, and what defined their selection.

Council member Viscomi provided a brief overview of the subcommittee's meeting and finding prior to the Council's approval (11/14/17 meeting) to the RFQ process and requirements of all

applications. The Subcommittee has been involved with the project for almost three years, with Planning Commissioners (2), Council members Underdahl and Viscomi (2), City Engineer Murray, Parks and Recreation Director Peanasky, City Planner Wanberg, Community and Economic Development Director Kuennen and Staff, and community business owners.

Council member Underdahl added that each presentation included the City's direction, scope of work, budget parameters, community innovations, and included community involvement.

Council members supported the Subcommittee's recommendation.

Motion by Council member Ross, seconded by Council member Duchene, to adopt Resolution 2018-010 Approve Selection of Consultant to Assist the City in the preparation of the Comprehensive Plan Update, the Downtown Master Plan and the Park System Plan. Motion passed 6-1. Council member Cap – Nay.

Item 4I. Appoint Committee, Board and Commission Renewals

Council member Viscomi received confirmation that the renewal appointments to the various committees, boards and commissions will begin 'soft term limits' for long-standing members, and be "retired" when applications are received to fill the vacancy.

Council members agreed that staggered term limits would also be implemented. The General Affairs Committee would continue to review applications and recommend applicants for Council approval.

Motion by Council member Underdahl, seconded by Council member Rowan, carried unanimously, to approve the Committee, Board and Commission Renewal Appointments

Item 4U. Resolution 2018-022 Resolution Terminating Preliminary Development Agreement with KPM Enterprises.

Council member Cap questioned why the City was "in a rush" to terminate the Developers Agreement and if the City had reached out to KPM.

Interim City Administrator McGuire stated that the Council had directed staff to write and mail a letter to KPM about moving forward, outstanding legal fees payment, submit plans, etc. The letter was mailed December 21, 2017 and no response had been received.

Council members appreciated Council member Cap's support for the proposed project, but stated KPM has not acted for over four (4) months nor have they contacted staff. Council and staff have been supportive throughout KPM's project ideas but no action plan has been submitted to staff or Council for approval. The property has potential and the City needs to move forward. Council also realized the amount of staff and attorney time spent on the proposed project as they worked with KPM.

Motion by Council member Viscomi, seconded by Council member Rowan, carried unanimously, to adopt Resolution 2018-022 Resolution Terminating Preliminary Development Agreement with KPM Enterprises.

5. Requests to be Heard

Jeff Stephens, 1210 7th Street NW, stated his safety concerns about 7th Street NW and vehicle traffic, trucks, and elementary children crossing to school – AM and PM. Mr. Stephens reiterated that directional signage was needed, and truck drivers did not pay attention until it was too late and that caused additional traffic problems due backing up. He also inquired about road detours during the reconstruction project this year.

Police Chief Bohlen provided confirmation that school crossing guards were in place during the AM and PM school times. Bohlen will continue to remain in contact with the school district and principal and share Mr. Stephens' safety concerns.

City Engineer Murray reported that another open house was scheduled for early February regarding the street construction project. The proposed detours, tiered phasing to reduce traffic control, and routing plans would be presented.

6. Public Hearings

A. Resolution 2018-011 Order Improvements and Order Preparation of Plans and Specifications for 2018 Street Reconstruction Improvements – Contract 2018-04 (6/7)

Motion by Council member Duchene, seconded by Council member Rowan, carried unanimously, to open the public hearing at 7:53 p.m.

City Engineer Murray presented for Council consideration the proposed improvements for the 2018 Street Reconstruction Improvements. The project included removals, grading, aggregate base, concrete curb and gutter, bituminous surfacing, sanitary sewer and services, sanitary sewer lift station and forcemain, watermain and services, storm sewer, concrete driveway pavement, turf restoration, and related improvements on the following streets: 11th Ave NE-Parshall Street to Maple Lane, Maple Lane-11th Avenue NE to east end/cul-de-sac, and Matteson Street*-200' east to 1200' east of 11th Avenue NE. (*) indicates sanitary sewer work only. The original plat did not include sanitary sewer.

An informational meeting was held January 4, 2018 with 12 people in attendance. Issues and concerns expressed included the lack of storm sewer in the area, impacts to landscaping/retaining walls, timing and cost of private sewer connection work and special assessment terms.

The total estimated cost of the improvements was \$1,228,100 and would be funded from several City funds. This was a non-petitioned project and proposed to levy special assessments of \$254,500 (20.7%) to the benefitting properties in accordance with City policy. New sanitary sewer service was proposed to be assessed at \$4,365 per lot. Construction would begin late May with substantial completion by the end of August 2018.

Rodney Lehman, 1122 Maple Lane, supported the proposed project. A signed petition by 13 property owners in favor of sanitary sewer installation had been submitted earlier in 2017.

City Engineer Murray reported there had been seven watermain breaks in the last 15 years. The scope of improvements included a lift station as more cost effective, the storm sewer was under review, no sidewalks were proposed, and one easement has been secured. The project would also stub four inch PVC service to the lots. Per City Code, property owners must hook up within 90 days. Property owners may request an extension (delay) of up to 5 years.

Motion by Council member Ross, seconded by Council member Rowan, carried unanimously, to approve Resolution 2018-011 Order Improvements and Order Preparation of Plans and Specifications for 2018 Street Reconstruction Improvements – Contract 2018-04

Motion by Council member Rowan, seconded by Council member Underdahl, carried unanimously, to close the public hearing at 8:08 p.m.

B. Resolution 2018-012 Order Improvements and Order Preparation of Plans and Specifications for Highland Place Reconstruction Improvements – Contract 2018-05 (6/7)

Motion by Council member Underdahl, seconded by Council member Duchene, carried unanimously, to open the public hearing at 8:08 p.m.

City Engineer Murray presented for Council consideration the proposed improvements for the Highland Place Reconstruction project, located from Westwood Drive to Prairie Avenue. The project includes removals, grading, aggregate base, concrete curb and gutter, bituminous surfacing, sanitary sewer and services, watermain and services, storm sewer, concrete sidewalk, and related improvements.

City records indicate there have been five watermain breaks in 19 years. Currently, no storm sewer runs the length of Highland Place. The proposed sidewalk locations were recently staked along the north side on the west end of the project.

An informational meeting for this project was held January 4, 2018 with 15 people in attendance. Issues and concerns expressed at the meeting included a request for a 4-way stop at Westwood Drive, speeding, increased traffic (since connection to Lyndale Ave), and truck traffic. Comments included that the sidewalk was not needed and would result in loss of mature trees and landscaping, would be a burden to maintain, would not get used, would impact driveways and limit parking space; frozen sewer service lines have been a problem; street does need to be repaired; existing sidewalk west of Westwood Drive was not being maintained (snow/ice).

The total estimated cost of the improvements was \$881,750 and would be funded from several City funds. This was a non-petitioned project and proposed to levy special assessments of \$129,700 (14.7%) to the benefitting properties in accordance with City policy. Construction would begin early June with substantial completion by mid-August 2018.

Council member Ross inquired as to why sidewalks were not included in the original development of the neighborhood. City Engineer Murray commented that it was an older subdivision and reasoning was unknown. Current City policy adds sidewalks when streets are improved and addressed safety concerns.

Council members also discussed storm drains and street elevations and a possible 4-way stop sign at Westwood Drive.

Allan Grinde, 1516 Highland Place, did not support the sidewalks due to the destruction of trees and front yards and due to extra sidewalk maintenance and expenses.

Paul Rensrom, 1302 Highland Place, was opposed to sidewalks and expressed vandalism concerns in the neighborhood.

Donna Lise, did not support a sidewalk due to the extra expenses and the destruction of mature trees in the neighborhood. She noted there is minimal foot traffic in the neighborhood.

Samantha Markman, 513 11th Street SW, commented that vehicle traffic volume was approximately 2,000-3,000 vehicles daily. Sidewalks support safe access to the school and walkers.

Jocelyn Bottke, 1427 Highland Place, wrote a letter supporting the Highland Place Reconstruction Improvement project. Bottke commented the sidewalks would improve safety for both walkers and children attending Jefferson Elementary school, as vehicles were driving too fast.

Council member Underdahl commented that sidewalk plans would be reviewed for possible solutions. The national movement is to be healthy.

City Engineer Murray stated that a second public meeting would be held with property owners before the final sidewalk specifications were submitted for City Council approval.

Motion by Council member Duchene, seconded by Council member Underdahl, carried unanimously, to approve Resolution 2018-012 Order Improvements and Order Preparation of Plans and Specifications for Highland Place Reconstruction Improvements with Staff directed to

modify the sidewalk locations – Contract 2018-05.

Motion by Council member Rowan, seconded by Council member Ross, carried unanimously, to close the public hearing at 8:54 p.m.

7. Items for Discussion

A. Proposed City Council and Committees Meeting Time Change, High Definition Camera in the Public Meeting Room, and Council Committee Reports

Interim City Administrator McGuire presented for Council consideration that all Council and Committee meetings begin at 6:00 p.m., citing various benefits to staff and Council with the earlier start time.

Council member Underdahl stated that if meeting times became problematic for the public, the start time should be subject to being adjusted to better meet the public's needs. The Council members discussed the change in meeting start times and agreed to change the start time. Council directed Staff to change all Council and Committee meetings to begin at 6:00 p.m., with the start time being subject to change should the meetings become problematic for the public's attendance.

Interim City Administrator McGuire requested staff direction regarding the HD television and camera to record the Committee meetings held in the Public Meeting Room.

Council member Rowan stated in the City Council's effort to be transparent, that Committee meetings would be recorded for later viewing, possibly through YouTube.

Council directed staff to investigate costs of the equipment and report back to the Council for further action.

8. Bids

A. Resolution 2018-015 Approve 2018 CIP Purchase – Road Grader

Public Works Director Block requested the Council to consider the purchase of a road grader utilized by the Street Department for snow plowing and street maintenance of gravel streets and alleys. Staff obtained a quote/State Contract bid from Ziegler Cat for \$304,565. With a trade-in credit of \$90,500, the total cost is \$214,065. The 2018 Budget and CIP include the purchase of the new equipment.

Streets Superintendent Rosenau stated that the equipment was demonstrated and staff determined the Ziegler Cat was a more solid unit mechanically. The current road grader has been used for a number of years and is showing fatigue on the mainframe. Council members asked about the current machine's usage, operational hours, trade-in value, and depreciation.

Motion by Council member Duchene, seconded by Council member Rowan, carried unanimously, to adopt Resolution 2018-015 Approve 2018 CIP Purchase of Road Grader from Ziegler Caterpillar in the amount of \$214,065 and trade-in of the City's 2003 Caterpillar 140H.

B. Resolution 2018-016 Approve 2018 CIP Purchase – Dump Truck Cab and Chassis

Public Works Director Block requested Council to consider the purchase of a 2019 Freightliner 114SD chassis IState Truck Center to replace a 2001 Sterling truck S/N 3494 that the Street Department is currently utilizing for snow removal and hauling. The MN State contract quote received was \$111,530. With a trade-in credit of \$16,000, the final purchase price is \$95,530.00. The purchase of the dump box and plow equipment would be submitted separately for Council

approval. Staff recommends awarding the contract to IState Truck Center, Inver Grove Heights, MN in the amount of \$95,530. Funds were budgeted and approved in the 2018 Budget and CIP for this purchase.

Motion by Council member Rowan, seconded by Council member Underdahl, carried unanimously, to adopt Resolution 2018-016 Approve 2018 CIP Purchase of the 2019 Freightliner 114SD chassis from IState Truck Center, Inver Grove Heights, MN for the amount of \$95,530.

C. Resolution 2018-017 Approve 2018 CIP Purchase – Pickup Truck

Public Works Director Block presented for Council consideration the purchase of a 2018 Chevrolet Silverado 1500, trading in a 1997 F250 truck. The original intent was to replace the truck with an F-550 style truck but it was no longer necessary as a tow hitch was installed on a dump truck for heavy loads. Two quotes were received and staff recommended awarding the contract to Harry Browns GM for the 2018 Silverado 1500 purchase in the amount of \$28,324.07 and the trade-in of the 1997 Ford F-250. Funds were budgeted and approved in the 2018 Budget and CIP for this purchase.

Council member Rowan received confirmation that the truck only hauled equipment, and was not used for snow plowing.

Motion by Council member Duchene, seconded by Council member Ross, carried unanimously, to adopt Resolution 2018-017 Approve 2018 CIP Purchase of the 2018 Silverado 1500 for the amount of \$28,324.07 (\$34,324.07 less \$6,000 trade-in value),

9. Announcements and Project Updates

Mayor Voracek reported that Council and staff celebrated (with cake) the departure of Interim City Administrator McGuire, retirement of Deputy City Clerk Carole Dillerud, and promotion of Tim Murray as City Administrator.

Incoming City Administrator Murray thanked the Council and was excited about his new position and was looking forward to the challenge; there are a lot of things in the works and he is glad to be part of it.

Council member Cap requested a future Joint Committee item discussion of the Human Rights Commission. It is a vital to the City and its Charter. Mayor Voracek reported that a meeting was scheduled to be held late February 2018.

Council member Cap shared information about the Mill Towns Trail in Dundas and the sculpture on the trail, and invited someone to consider doing a sculpture on the Faribault side of the trail.

10. Adjournment

Motion by Council member Viscomi, seconded by Council member Ross, carried unanimously, to adjourn the meeting at 9:24 p.m.

Respectfully submitted,



Carole A. Dillerud, Deputy City Clerk