



## CITY COUNCIL MINUTES

**COUNCIL CHAMBERS**

**TUESDAY, SEPTEMBER 11, 2018**

**6:00 PM**

### **Call to Order/Roll Call/Pledge of Allegiance**

The meeting was called to order by Mayor Kevin Voracek at 6:00 pm. Council Members Elizabeth Cap, Kay Duchene, Royal Ross, John Rowan, Steve Underdahl and Janna Viscomi were in attendance. Also in attendance were City Administrator Tim Murray, Assistant to the City Administrator Heather Slechta, Public Works Director Travis Block, Police Chief Andy Bohlen, City Engineer Mark Duchene, Finance Director Karla McCall, Human Resources Manager Kevin Bushard, City Planner David Wanberg, Planning Coordinator Peter Waldock, Library Director Delane James, and Director of Community and Economic Development Deanna Kuennen.

### **Presentations/Introductions**

#### Swearing in of New Full-Time Police Officer – Jacob Holm

Jacob Holm was sworn in as Full-Time Police Officer. Officer Holm has worked for the City for many years, starting as a Reserve Officer and then as a Community Services Officer. The Council welcomed Officer Holm to the City of Faribault.

#### Presentation to City Council on the Minnesota Towards Zero Death (TZD) and Rice County Safe Roads Coalition Reference Grant Activities

Police Chief Andy Bohlen explained that the Faribault Police department has been an active member of the Rice County Safe Roads Coalition since 2006 and also participates in the Rice County Towards Zero Death (TZD) grant each year. Jessica Schleck, Southeast Minnesota TZD coordinator, and Kathy Cooper, Rice County Safe Roads Coordinator presented the Rice County and Faribault crash trends, along with educational and enforcement collaborative efforts.

### **Approve minutes of August 28, 2018 Regular Council Meeting (majority vote)**

Motion by Rowan, seconded by Duchene to approve minutes of August 28, 2018 Regular Council Meeting and carried unanimously.

### **Consent Agenda:**

- A. List of bills to be paid
- B. Approve Hangar Rental Agreement Transfer
- C. Resolution 2018-183 Approving Extension of Time to Submit Final Plat of Faribault Buckham Center Addition and to Cure Title Defects in Underlying Property
- D. Resolution 2018-177 Declare Cost to be Assessed and Establish Special Assessment Hearing for 2018 Street Overlay Improvements – Contract 2018-03
- E. Resolution 2018-178 Declare Cost to be Assessed and Establish Special Assessment Hearing for 2018 MSA Street Overlay & Storm Sewer Improvements – Contract 2018-02
- F. Approve Permanent Right-of-Way Easement and Temporary Construction Easement for 720 4<sup>th</sup> Street NW
- G. Resolution 2018-179 Approve Street Closures for Faribault Foods Fall Frolic Walk
- H. Accept Quote for Purchase of two Patrol Squad Cars
- I. Resolution 2018-180 Approve Street Closures for Bethlehem Academy Homecoming Parade
- J. Resolution 2018-181 Authorize Execution of Agreement for Fiscal Year 2017 Assistance to Firefighters Grant (AFG)
- K. Resolution 2018-182 Receive/File Feasibility Report and Establish Public Hearing for 30<sup>th</sup>

## Street NW Improvements – Contract 2019-06

- L. Approve Right-of-Entry Agreements for TH 60 Reconstruction Project (Contract 2019-03)
- M. Resolution 2018-186 Approve Hiring Paid On-Call Firefighters
- N. Accept Proposal for Wellhead Protection Plan Amendment Assistance
- O. Accept Proposal for Potential Contaminant Source Inventory Update
- P. Approve Application for Exempt Gambling Permit for American Cancer Society on September 22, 2018
- Q. Resolution 2018-185 Approve Hiring Light Equipment Operator
- R. Approve Quote for Base Prep for Basketball Court at North Alexander Park
- S. Approve Quote for Fence Replacement at North Alexander Park
- T. Resolution 2018-187 Approve Street Closures for Divine Mercy Catholic Schools Spooktacular Run

Motion by Duchene, seconded by Ross to approve Consent Agenda items A-T and carried unanimously.

### **Requests to be Heard**

Christine Chambers (416 2<sup>nd</sup> St NE) and Darla Harmer (12 Central Ave) addressed the Council regarding concerns about the feline population in the City of Faribault. Ms. Chambers and Ms. Harmer would like property owners, particularly rental property owners, to be held responsible for spading and neutering cats that live at their property. Ms. Chambers explained that she tries to help by taking the cats to Furball Farm or Rescue 55021, however both businesses are at capacity. Mayor Voracek agreed that owners should take care of their pets. Council Member Cap questioned if the Police Department is impounding Cats. Chief Bohlen explained that yes, the Department is still taking cats in, however, it is very expensive and there is not a lot of places that will take cats. Bohlen did state that money is budgeted to pay a local vet for services, however, money could be diverted by Council action to help other organizations that would take in the stray cats.

### **Public Hearings – None**

### **Items for Discussion**

#### Resolution 2018-176 Amend the Official Downtown Parking Restrictions Map

City Planner David Wanberg explained that in late 2016, the City Council appointed downtown property owners, businesses, and residents to a Downtown Parking Committee and charged the Committee with developing recommendations to enhance parking in the downtown. The Committee prepared its recommendations and in the spring of 2018, held a community open house to solicit public input on its recommendations. On July 31, 2018, the Joint Council Committee reviewed the recommendations and directed City Staff to make minor adjustments to the recommendations. As per the direction of the Joint Council Committee, City Staff updated the Official Downtown Parking Restrictions Map. The following amendments are recommended for approval:

1. Converted the existing parking restriction on the 100, 200, 300, and 400 blocks of Central Avenue from three-hour parking to 90-minute parking.
2. Converted the existing parking restriction on the 000 block of Central Avenue and 000 block of 1<sup>st</sup> Street NE from 18-hour parking to three-hour parking.
3. Changed the enforcement period for parking restrictions from Monday through Saturday, 8:00 am to 8:00 pm to Monday through Saturday, 8:00 am to 7:00 pm.
4. Maintained the parking restriction that prohibits parking on Central Avenue from 2:00 am to 5:00 am.
5. In general, place one or two 15-minute parking spaces at the midpoint of each row of parking on the 000-500 blocks of Central Avenue. Also, in general, place one or two 15-minute parking spaces near the midpoint of each row of parking on the streets adjacent to Central Avenue. With the exception of the existing 15-minute parking spaces adjacent to the Post Office, removed existing 15-minute spaces that are not located at the midpoints of the blocks.
6. In general, placed a handicapped accessible parking space at the ends of each row of parking

on the 000-500 blocks of Central Avenue. Also, placed handicapped accessible parking on the side streets and public parking lots adjacent to Central Avenue as needed or desired.

Wanberg explained that City Staff intends to implement some, but not all of the Council-approved recommendations this fall. City Staff plans to replace the existing three-hour parking signs on the 100, 200, 300, and 400 blocks of Central Avenue with 90-minute parking signs. Wanberg also explained that some Council-approved recommendations will take longer to implement. For example, while City Staff will strive to install some new handicapped accessible parking spaces on Central Avenue this fall, other handicapped accessible parking spaces in the downtown will likely be installed and renovated in the coming years.

Council Member Viscomi was concerned with the location of some of the 15-minute parking restrictions as well as some of the locations of the handicap parking. Council Member Ross supported all of the changes and liked how it was set up for consistency. Council Member Underdahl liked the consistency of the parking changes, and stated that this can be changed if needed, we need to start somewhere.

Motion by Ross, seconded by Duchene to approve Resolution 2018-176 Amend the Official Downtown Parking Restrictions Map and carried unanimously.

Ordinance 2018-2 Amending the Unified Development Ordinance, Section 6-250, Fence Location and Height Requirements and Section 6-260, Fence Materials and Maintenance Requirements - Second Reading (4/7)

Planning Coordinator Peter Waldock explained that the City Council received the proposed ordinance for first reading, at its June 26, 2018 meeting and deferred action until it could hold further discussion at Joint Council Committee Meeting. The City Council asked to see some examples of the different types of fences. At a Joint Council Committee meeting held on July 24, 2018 the Council members reviewed photos of different fence styles they asked for staff to prepare an informational brochure using photos of fence styles to help explain the fence regulations to property owners. The Council determined that ordinance should proceed to first reading. At its August 15, 2018 Meeting the City Council approved the first reading of the proposed ordinance without changes. The ordinance is presented for second reading with no substantive changes.

Motion by Duchene, seconded by Rowan to approve Ordinance 2018-2 Amending the Unified Development Ordinance, Section 6-250, Fence Location and Height Requirements and Section 6-260, Fence Materials and Maintenance Requirements - Second Reading

Roll Call Vote:

Aye: Council Member Cap, Duchene, Ross, Rowan, Underdahl, Viscomi, Mayor Voracek.

Nay:

Motion carried 7:0

Motion by Rowan, seconded by Duchene to publish the summary of this ordinance in the Faribault Daily News and carried unanimously.

Resolution 2018-184 Approve Variances from Required Garage Setbacks and Accessory Structure Size Limits to Construct a Garage at 218 4<sup>th</sup> Avenue NW (4/7)

Planning Coordinator Peter Waldock explained that Eleuterio Rebolledo China, the property owner of 218 4<sup>th</sup> Avenue NW, is seeking to demolish the existing two garage on site and replace it with a new 24 foot by 28 foot, two car garage at same location on his property. The existing garage is located less than one foot from the rear property line and 2.3 feet from the side property line. The variance would allow replacement of a substandard undersized garage with a new structure sized for larger modern vehicles and still provide room for storage.

The site presently is occupied by a single family home and 18 foot by 12 foot shed. The variance would include the garage setback from the south lot line and the rear lot line as well as provide for a second accessory structure that is over 120 square feet in area. The current zoning at the site is R-3 Medium Density Residential and the Comprehensive Plan guides the site for low density residential. Surrounding uses are single family residential to the north, south and west on this block Rice County Government Center is across the street to the east.

On September 4, 2018, the Planning Commission held a public hearing on each of the variance requests. Two of the nearby neighbors were present to learn more about this request. Their questions were answered during the public hearing. There were no objections to the request.

Waldock informed the Council that the Planning Commission had some questions about adjoining buildings and they noted the property lines will need to be clearly identified. They felt that the variance was appropriate for the garage and recommended approval. The Commissioners voted 6-0 to approve findings in support of the variance for the garage setback and size of the second accessory structure as requested.

Karen Lassek (415 3rd St NW) is the property owner to the west of the proposed garage. Lassek requested that gutters go to the east, so that her property does not retain run off from the proposed garage. Council Member Duchene explained that there is an ordinance that protects property owners from neighboring properties projects adversely affecting their neighbors. Council Member Cap felt that this was not a good idea, and felt that the new garage should meet the current zoning regulations.

Motion by Ross, seconded by Rowan to approve Resolution 2018-184 Approve Variances from Required Garage Setbacks and Accessory Structure Size Limits to Construct a Garage at 218 4<sup>th</sup> Avenue NW and carried 6:1 with Council Member Cap voting nay.

*Approve Public Art / StoryWalk Installation as part of the Approved Small Cities Development Program Spending Plan*

Community and Economic Development Director Deanna Kuennen explained that in December, the City Council approved a new spending plan for the use of Small Cities Development Program (SCDP) funds via Resolution 2017-280. The Approved Spending Plan included \$42,500 specifically for Public Art, including a StoryWalk installation.

Library Director Delane James has researched StoryWalk, and developed a proposed StoryWalk installation for downtown Faribault. The project would include installing 18 displays on Central Avenue, starting and ending at the library. The StoryWalk would end near the main entrance of the library with an invitation to come inside and enjoy all the resources that the library has to offer. The proposed displays would be powder coated black angle frames with aluminum posts and plates to be bolted to the sidewalk. The displays would also be installed low to the ground for optimal viewing by early readers, and the proposed books chosen for the first year of the StoryWalk are accessible to all ages and reading ability, positive, promote self-esteem, and build community. James provided the Council with a list of the books planned for the first year.

The Library Board reviewed the StoryWalk and is in support of the project and looking to grow the StoryWalk with braille, QR Codes and audio. Council Member Underdahl requested the StoryWalk boards be off the sidewalk, possible take part of the fences out and locate them there. Council Member Duchene asked how often the stories would change, James explained the plan is to change out the stories monthly. Viscomi was also concerned with the location of the StoryWalk boards, Council Member Cap is in favor of the StoryWalk, would love to see the fences removed.

Kuennen explained that Staff is working with Engineering and Public Works for placement of the StoryWalk as well as benches, being mindful that this is one public space.

Kuennen explained that upon approval by City Council Staff will submit the StoryWalk installation details to the State Historic Preservation Office (SHPO). SHPO is required to complete a Section 106 assessment and make a determination, before the funds are spent, that the proposed project does not have an adverse effect to historic properties. Only after SHPO completes their assessment and makes a determination of effect, can the project be implemented.

Narren J. Brown requested that the stories show diverse perspectives. Karen Lassek, asked why the StoryWalk is being placed on Central Ave. Kuennen explained that the City Council was required to designate an area where the SCDP dollars could be spent.

Motion by Duchene, seconded by Ross to approve Public Art / StoryWalk Installation as part of the Approved Small Cities Development Program Spending Plan and carried unanimously.

### **Bids – None**

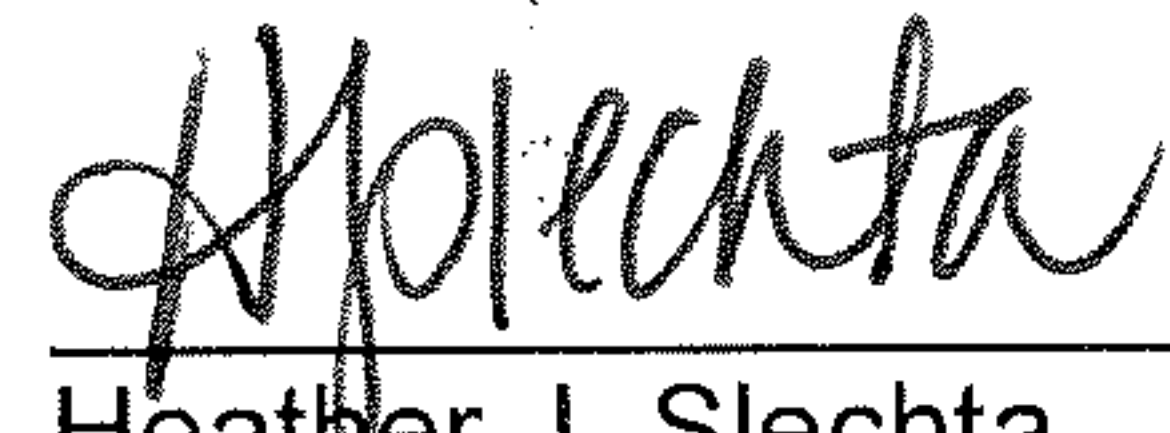
### **Boards and Commissions Reports, Announcements and Project Updates**

City Administrator Tim Murray reminded the Council of the employee appreciation picnic on Wednesday at noon at South Alexander Park. Murray also informed the Council that the new banners have started to go up in downtown. Council Member Cap requested an update on the Tee Pee Tonka trail, City Engineer Mark DuChene informed Cap that he has reached out to the railroad twice and is waiting for a response, Murray stated that this is a 2019 project. Council Member Rowan will be out next week, and Council Member Viscomi will make chili for the Chamber Chili contest.

### **Adjournment**

Motion by Viscomi, seconded by Ross to adjourn the regular Council Meeting. Meeting adjourned at 7:27 pm.

Respectfully Submitted,



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Heather J. Slechta  
Assistant to the City Administrator