This meeting was held via Zoom.com due to the COVID-19 Pandemic. Dial-In Information: 1 312 626 6799, Meeting ID: 745 560 690 in accordance with Minn. Stat. § 13D.02. Minn. Stat. § 13D.02 provides that a meeting of a public body may be conducted via telephone or other electronic means if meeting in a public location is not practical or prudent because of a health pandemic or declared emergency.

Call to Order/Roll Call
The meeting was called to order by Mayor Voracek at 6:28 pm. Councilors Elizabeth Cap, Royal Ross, Peter van Sluis, Tom Spooner, Janna Viscomi and Jon Wood were in attendance. Also in attendance were City Administrator Tim Murray, Assistant to the City Administrator Heather Slechta, City Engineer Mark DuChene, Public Works Director Travis Block, Police Chief Andy Bohlen, Fire Chief Dustin Dienst, Human Resource Manager Kevin Bushard, Community and Economic Development Director Deanna Kuennen, Parks and Recreation Director Paul Peanasky, and Library and Communications Director Delane James.

Presentations/Introductions – None

Approve minutes of March 10, 2020 Regular Council Meeting and March 15, 2020 Emergency Council Meeting (majority vote)

Motion by Wood, seconded by Cap to Approve minutes of March 10, 2020 Regular Council Meeting and March 15, 2020 Emergency Council Meeting

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 7:0

Consent Agenda
A. List of bills to be paid
B. Approve Quote for Concrete Work at Meadows Park
C. Resolution 2020-040 Renew Golf Cart/Recreational Vehicle Permits for 2020-2023
D. Resolution 2020-041 Authorize Payment as Recommended by the Charitable Gambling Board to Buckham West
E. Resolution 2020-042 Authorize Payment as Recommended by the Charitable Gambling Board to the Chamber of Commerce Vision Task Force
F. Approve Joint Powers Agreement with the Minnesota Department of Corrections to Share Mutual Aid
G. Resolution 2020-044 Receive/File Feasibility Report for 2020 Division Street and Central Avenue Street Reconstruction and Buckham Center Parking Lot Improvements – Contract 2020-04
H. Resolution 2020-045 Continue Local Emergency Declaration
I. Approve Change Order No. 1 for Inspection & Construction Testing Services for Arrival/Departure Building at Airport
J. Resolution 2020-050 Enter into Agreements for Short-Term Emergency Sheltering for Residents
K. Resolution 2020-050 Enter into Agreements for Short-Term Emergency Sheltering for Residents
L. Approve Quotes for Bell Field Improvements
M. Approve Quotes to Upgrade HVAC Controls for Buckham Center, City Hall, Fire Station and Police Station
N. Approve Mowing Quote

Motion by Cap, seconded by Spooner to approve Consent Agenda Items A-N.

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay: 
Motion carried 7:0

Requests to be Heard- None

Public Hearings – None

Items for Discussion
Ordinance 2020-5 Adopt City of Faribault Official Map No. 1 – East View Drive - Second Reading
City Engineer Mark DuChene explained that on March 10, 2020, the City Council approved the first reading of Ordinance 2020-5, Adopt City of Faribault Official Map No. 1 – East View Drive. There have been no substantive changes to Ordinance 2020-5, since the Council’s approval of the first reading. In addition, the City Planner has received no comments from the public since the first reading of the ordinance.
Motion by Ross, seconded by Wood to approve Ordinance 2020-5 Adopt City of Faribault Official Map No. 1 – East View Drive - Second Reading

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay: 
Motion carried 7:0

Approve Summary Publication of Ordinance 2020-5
Motion by Spooner, seconded by van Sluis to Approve Summary Publication of Ordinance 2020-5

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay: 
Motion carried 7:0

Ordinance 2020-7 Amending Chapter 14, Article II, Tobacco and Tobacco Related Devices and Products - First Reading
City Administrator Tim Murray explained that on December 20, 2019, the President signed legislation
to amend the Federal Food, Drug, and Cosmetic Act, and raise the federal minimum age of sale of tobacco products from 18 to 21 years. It is now illegal for a retailer to sell any tobacco product — including cigarettes, cigars and e-cigarettes — to anyone under 21. Both the City Code of Ordinances and State Statutes currently establish the minimum age to purchase, possess, and use tobacco products as 18 years old. This inconsistency results in some questions, including enforcement of the law among other things.

At the Joint Committee meeting on February 4, 2020 the Committee supported updating the City Code of Ordinances, changing the minimum age from 18 to 21. Per state statute, Staff notified all tobacco licensees of the proposed updates to the ordinance as well as the meeting date, location and time as required by state statute. Staff did not receive any comments regarding the proposed updates to the ordinance.

Murry further explained that the second reading would occur at a later date to incorporate any additional changes that may be required by state statute.

Councilor Cap questioned what the fines are for possession, Murray noted the fines that are outlined in Chapter 14 of the City Code.

Motion by Ross, seconded by Spooner to approve Ordinance 2020-7 Amending Chapter 14, Article II, Tobacco and Tobacco Related Devices and Products - First Reading

Roll Call Vote:
Aye: Councilor, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay: Councilor Cap
Motion carried 6:1

Resolution 2020-039 Order Improvements and Order Preparation of Plans and Specifications for 2020 Street Reconstruction Improvements – Contract 2020-03 (6/7)

City Engineer Mark DuChene explained that this resolution was presented to the City Council at the March 10, 2020 City Council meeting following a public hearing to consider ordering the public improvements. According to State Statute 429, since this project is a non-petitioned improvement project a 6/7ths affirmative vote was required to order the improvements. There were not enough Council members present at the meeting on March 10, 2020 to get a 6/7ths vote so the item was tabled to the March 24, 2020 meeting. Since that time, the City has received communication from both Kwik Trip and Malecha Autobody, who each own a majority of the street frontage on 20th Street NW, requesting the improvements to 20th Street NW be delayed until 2021 to allow them to more fully develop their site plans. City staff is in concurrence that it makes sense to delay the construction of 20th Street NW improvements until such time as these site plans are more developed to avoid design conflicts and potentially economic impacts to both the private parties and the City.

Resolution 2020-039 orders the improvements for the 2020 Street Reconstruction and Storm Sewer Improvements project Contract 2020-03, including removals, watermain replacement, sanitary sewer replacement, lot services, storm sewer construction, grading, aggregate base, bituminous paving, turf restoration, concrete sidewalk replacement and related improvements.

The streets proposed to be included in this project are as follows:
20th Street NW (2nd Avenue NW to East End) (Removed from original resolution)
2nd Street SE/SW (1st Avenue SW to Willow St.)
State Avenue  (Division Street E. to TH 60)

The public hearing was conducted on March 10, 2020. Only one property owner spoke at the meeting who resided on 2nd Street SW and had concerns with how their property was classified and their assessment calculated. Staff will be working with the property owner to combine their two lots into one parcel at which point the parcel will be eligible for the 100-ft lot frontage cap.

The total estimated cost of the improvements (with 20th Street removed) is $790,600.00. Proposed funding for the project comes from a number of sources, as outlined below:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Assessments</td>
<td>$79,200.00</td>
<td>10.0%</td>
</tr>
<tr>
<td>Street Improvement Projects Fund (401)</td>
<td>$474,850.00</td>
<td>60.1%</td>
</tr>
<tr>
<td>Water Utility Fund (601)</td>
<td>$93,500.00</td>
<td>11.8%</td>
</tr>
<tr>
<td>Sanitary Sewer Utility Fund (602)</td>
<td>$69,100.00</td>
<td>8.7%</td>
</tr>
<tr>
<td>Storm Sewer Utility Fund (603)</td>
<td>$73,950.00</td>
<td>9.4%</td>
</tr>
<tr>
<td>Total</td>
<td>$790,600.00</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

The improvements are proposed to be specially assessed per City policy, using the 2020 assessments rates set by Council Resolution 2018-227, adopted on November 13, 2018. The assessment frontages are subject to credits as given in the Community Management Plan. Since this is a non-petitioned project proposing to levy special assessments against benefiting properties, a minimum 6/7ths vote of the City Council is required to advance the improvements. Construction is scheduled to begin in June, with substantial completion by the end of September 2020.

Motion by Spooner, seconded by Ross to approve Resolution 2020-039 Order Improvements and Order Preparation of Plans and Specifications for 2020 Street Reconstruction Improvements – Contract 2020-03

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 7-0

Resolution 2020-046 Order Improvements, Approve Plans and Specifications, and Approve Development Agreement for Stoneridge Second Addition Utility and Street Improvements

City Engineer Mark DuChene explained that Resolution 2020-046 orders the improvements, approves the construction plans and specifications, and approves the Development Agreement for the Stoneridge Second Addition subdivision, located east of Western Avenue and just west of the Stoneridge Addition subdivision. The project includes the platting of 32 single family homes and associated street construction for 13th Street NW, along with the installation of municipal utilities.

Plans and specifications for the improvements were prepared by Jones, Haugh Smith and BCM Construction, Inc., will be serving as the engineer on the project. The Plan A improvements will be installed at the cost of the Rick Cashin Construction under a private contract and the Plan B improvements will be installed under City Contract 2020-05 with 100% of the costs specially assessed against the benefitting abutting property owners. The estimated construction cost of the improvements is $741,950.00.
A Development Agreement for the project was prepared and was attached as part of the resolution.

Motion by Wood, seconded by van Sluis to approve Resolution 2020-046 Order Improvements, Approve Plans and Specifications, and Approve Development Agreement for Stoneridge Second Addition Utility and Street Improvements

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 7:0

Bids
Resolution 2020-047 Accept Bids for 2020 Miscellaneous Concrete Work – City Contract 2020-01
City Engineer Mark DuChene explained that Staff received bids for Contract 2020-01, 2020 Miscellaneous Concrete Work (City Wide) on Wednesday, March 18, 2020.
The bids received were tabulated as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Healy Construction</td>
<td>$101,575.00</td>
</tr>
<tr>
<td>Create Construction LLC</td>
<td>$110,845.00</td>
</tr>
<tr>
<td>Legends Concrete</td>
<td>$122,560.00</td>
</tr>
<tr>
<td>R.A.W. Construction</td>
<td>$128,940.00</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$103,115.00</td>
</tr>
</tbody>
</table>

Financing for the project comes from the Street Improvement Projects Fund. The amount of work actually completed under this contract varies widely from year to year. The Street Improvement Projects Fund is then reimbursed from various other City funds based on the specific work performed.

Minor work in the public right-of-way is also performed at the request of private parties via petition and waiver agreements for assessment of the work back to the private party.

Motion by Ross, seconded by Spooner to approve Resolution 2020-047 Accept Bids for 2020 Miscellaneous Concrete Work – City Contract 2020-01

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 7:0

Resolution 2020-048 Accept Bids for 2020 Street Overlay and Sidewalk Improvements – City Contract 2020-02
City Engineer Mark DuChene explained that on Wednesday, March 18, 2020 bids were received for the proposed 2020 Street Overlay & Sidewalk Improvements project-Contract 2020-02. Contract 2020-02 includes curb and gutter replacement, concrete sidewalk replacement & construction, 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:
18th Avenue NW (160 ft. south of Paulis Dr. to 16th Street NW)
9th Avenue NW (South end to 16th Street NW)
Eagle Court (18th Avenue NW to west end/c-d-s)
Fairway Drive (Paulis Drive to 15th Street NW)
Paulis Drive (18th Avenue NW to Fairway Drive)
Bard Avenue (Green Street to Lavendar Drive)
Bard Court (Green Street to south c-d-s)
Green Drive (Green Street to Lavendar Drive)
Green Street (TH 21/Lyndale Avenue to Green Drive)
Greenhaven Bay (Green Drive to Green Drive)
Lavendar Drive (TH 21/Lyndale Avenue to Green Drive)
Airport Drive (TH 21 to Airtech Drive)
West Airport Drive (TH 21 to south end)
Industrial Drive (30th Street NW to south end)

The bids were tabulated as follows:
Crane Creek Asphalt, Faribault, MN $867,229.25
Heselton Construction, Faribault, MN $1,031,987.25
Engineer’s Estimate $1,072,140.00

Based on the low bidder’s prices including contingencies and engineering fees, the estimated funding for the project will be as follows:
Special Assessments $453,000.00 43.3%
Street Improvement Fund (401) $463,270.00 44.2%
Water Utility Fund (601) $79,350.00 7.6%
Sanitary Sewer Utility Fund (602) $13,620.00 1.3%
Storm Water Utility Fund (603) $37,960.00 3.6%
Total $1,047,200.00 100.0%

It was Staff’s recommendation to award to the low bidder, Crane Creek Asphalt. Construction on the project is scheduled to begin in June and be substantially completed by the end of August, 2020.

Motion by Spooner, seconded by Wood to approve Resolution 2020-048 Accept Bids for 2020 Street Overlay and Sidewalk Improvements – City Contract 2020-02

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 7:0

Resolution 2020-049 Accept Bids for 2020 13th Street NW Improvements – City Contract 2020-05
Wednesday, March 18, 2020 bids were received for the proposed 2020 13th Street NW Extension Improvements – Contract 2020-05, including construction of curb and gutter, concrete sidewalk, storm sewer, sanitary sewer, watermain, bituminous paving, pavement markings, and related improvements.

The bids were tabulated as follows:
BCM Construction, Inc. $234,244.50
R.A.W. Construction $271,905.50
Based on the low bidder’s prices including contingencies and engineering fees, the estimated funding for the project will be as follows:

- Special Assessments (Rick Cashin) $162,300.00 52.7%
- Special Assessments (RVS Leasing) $145,500.00 47.3%
- Total $307,800.00 100.0%

It was the recommendation of Staff to award to the low bidder, BCM Construction. Construction on the project is scheduled to begin in April/May and be substantially completed by the end of August, 2020. The assessment hearing will be held after project completion so that all costs are captured.

Motion by Ross, seconded by van Sluis to approve Resolution 2020-049 Accept Bids for 2020 13th Street NW Improvements – City Contract 2020-05

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 7:0

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

Monthly Financial Report was provided as part of the meeting packet. Fire Chief Dustin Dienst provide a COVID-19 update for the Council. City Hall is partially open, the Library, Community Center and Washington Rec. Center are closed, Public Works is open by appointment only, and the Fire and Police Department are restricting visitors. There are currently three City employees that have traveled that are currently quarantined at home for 14 days, two of which are working from home and one is a firefighter, so they are unable to work due to their job duties. Dienst has been participating in many meetings, following best practices. Dienst is in contact with Rice County, who is leading this. Dienst stated that staff is and should be tracking expenses related to the Pandemic. First responders are changing how they are responding to calls. Mayor Voracek stated that they are learning a lot, Councilor Wood thanked Dienst for their hard work and asked if there has been a change in call volume, Dienst stated that there were less calls, however, people are settling back in and call numbers are back up but medical calls are down, people are staying home and he is happy about that as it means less contact for staff. Councilor Cap questioned if there is enough PPE, Dienst stated that the hospital is ready, there are PPE concerns, hospitals go through the State for PPE, Ambulance Services go through EMRS, and Police and Fire Departments go through Rice County for supplies.

**Adjournment**

Motion by Wood, seconded by van Sluis to adjourn the meeting.

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 7:0
Meeting Adjourned at 7:03 pm

Respectfully Submitted,

Heather J. Slechta
Assistant to the City Administrator