This meeting was also able to be accessed via Zoom.com due to the COVID-19 Pandemic in accordance with Minn. Stat. § 13D.02., which 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. Dial-In Information: 1 312 626 6799; Meeting ID: 837 4456 2537

Call to Order/Roll Call/Pledge of Allegiance
The meeting was called to order by Mayor Voracek at 6:00 pm. Councilors Elizabeth Cap and Peter van Sluis attended the meeting via Zoom, Mayor Voracek Councilors Royal Ross, Tom Spooner, Janna Viscomi and Jon Wood attended the meeting in-person. Also in attendance were City Administrator Tim Murray, Assistant to the City Administrator Heather Slechta, Fire Chief Dustin Dienst, Community and Economic Development Director Deanna Kuennen, Parks and Recreation Director Paul Peanasky, City Planner David Wanberg, and IT Coordinator Tom Rouchka.

Mayor Voracek requested that Resolution 2020-102 Adopting COVID-19 Preparedness Plan Requirements for Organized Adult or Youth Sports and Bell Field and other City-Owned Outdoor Facilities be added to the agenda as Item for Discussion; 7D.

Presentations/Introductions – None

Approve minutes of June 9, 2020 Regular Council Meeting (majority vote)
Motion by Ross, seconded by Viscomi to approve the minutes of June 9, 2020 Regular Council Meeting

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 7:0

Consent Agenda:
A. List of bills to be paid
B. Approve Temporary Liquor License and Indemnification Agreement for the Faribault Chamber of Commerce and Tourism
C. Resolution 2020-094 Petitioning for Dissolution of the District One Hospital District
D. Accept Donations Made to the Police Department
E. Resolution 2020-095 Approve Hiring Police Officer
F. Approve Revised SELCO ILS Membership Agreement
G. Resolution 2020-096 Approve Agreements Related to Lofts at Evergreen Knoll
H. Resolution 2020-101 Authorization to Apply for the CenterPoint Energy Community Grant
I. Resolution 2020-092 Approve Purchase and Development Agreement for Straight River Apartments Project

Councilor Spooner acknowledged the dissolution of the District One Hospital District, and thanked those who donated to the Police Department.

Motion by Spooner, seconded by Ross to approve Consent Agenda Items A-I.
Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 7:0

Requests to be Heard
Frank Marzario informed the Council that he will be requesting a distance limitation for Pawn Shops in the city of Faribault.

Public Hearings
Resolution 2020-099 Order Improvements, Order Preparation of Plans and Specifications, Approve Plans and Specifications, and Establish a Bid Date for 2020 Division Street and Central Avenue Street Reconstruction and Buckham Center Parking Lot Improvements - Contract 2020-04
City Engineer Mark DuChene explained that Resolution 2020-097 orders the improvements, approves the plans and specifications and establishes a bid date for the proposed 2020 Division Street and Central Avenue Street Reconstruction and Buckham Center Parking Lot Improvements project-Contract 2020-04, including removals, watermain replacement, sanitary sewer replacement, lot services, storm sewer construction, grading, aggregate base, bituminous paving, turf restoration, concrete sidewalk replacement, lighting and related improvements.

The streets proposed to be included in this project are as follows:
Central Avenue (Division Street to 1st Street NE/NW)
Division Street (TH 60 (1st Avenue NE)/Willow Street to 1st Avenue NW/SW)
Buckham Center (Parking Lot Improvements)

The purpose of the public hearing was to take public comment as part of the consideration by the Council in ordering the improvements. No informational meeting was held for this project due to the COVID-19 pandemic and the relatively few property owners adjacent to the project. Letters were sent out to each property owner notifying them of the public hearing date and also included copies of the proposed assessment roll and requested that if they wanted to meet to discuss the project prior to the public hearing, the City Engineer was available for individual meetings. No comments have been received as of the time.

DuChene explained that detailed in the feasibility report, 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. The preliminary total estimated cost of the improvements including contingency and engineering costs is $1,511,550.00. Proposed funding for the project is will be as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Assessments</td>
<td>$ 89,300.00</td>
</tr>
<tr>
<td>Municipal State Aid Funds (MSAS)</td>
<td>$ 698,750.00</td>
</tr>
<tr>
<td>Street Improvement Projects Fund (401)</td>
<td>$ 128,600.00</td>
</tr>
<tr>
<td>Water Utility Fund (601)</td>
<td>$ 170,200.00</td>
</tr>
<tr>
<td>Sanitary Sewer Utility Fund (602)</td>
<td>$ 115,350.00</td>
</tr>
<tr>
<td>Storm Sewer Utility Fund (603)</td>
<td>$ 44,500.00</td>
</tr>
<tr>
<td>TIF Dist 13 Fund (Hamilton)</td>
<td></td>
</tr>
<tr>
<td>&amp; Public Facilities Fund (437)</td>
<td>$ 264,850.00</td>
</tr>
</tbody>
</table>

Due to the pandemic and the uncertainty on when the public hearing could take place, City staff have continued to work on the project plans and specifications and are requesting Council approval of the plans and specifications as well as setting a bid date at this time in order to allow as much work to be completed in 2020 as possible.

The resolution also established a bid date of July 22, 2020 for the project. This bid date and the construction schedule are dependent on receiving a timely review of the construction plans from MnDOT and may have to be delayed if approval from MnDOT is delayed. Construction is scheduled
to begin in late summer/fall and work will likely be split between the 2020 & 2021 construction seasons with work scheduled to be complete by July 1, 2021.

Councilor Ross questioned how the elevation changes in the parking lot would be addressed—DuChene explained that the difference would be made up in middle landscaping islands, the stalls would be 5% slope or less. Councilor Spooner questioned what would be completed in 2020, DuChene explained that the parking lot would be completed this year. Councilor Cap asked when Park Place would be completed, Duchene explained that the closure of Park Place should be done in November.

Motion by Ross, seconded by Wood to open the public hearing at 6:20 pm.

Roll Call Vote:
Aye: Councilor Ross, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 5:0

Due to technical difficulties Councilor Cap and Councilor van Sluis were unable to vote.

There were no comments from the public on this matter.

Motion by Wood, seconded by Ross to close the public hearing at 6:20 pm.

Roll Call Vote:
Aye: Councilor Ross, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 5:0

Due to technical difficulties Councilor Cap and Councilor van Sluis were unable to vote.

The vote for this item was tabled momentarily as staff worked to get the Zoom meeting back on-line.

Motion by Wood, seconded by Ross to approve Resolution 2020-099 Order Improvements, Order Preparation of Plans and Specifications, Approve Plans and Specifications, and Establish a Bid Date for 2020 Division Street and Central Avenue Street Reconstruction and Buckham Center Parking Lot Improvements - Contract 2020-04

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 7:0

**Items for Discussion**

*Resolution 2020-097 Approve a Variance from Sign Requirements for Faribault Woolen Mill Company at 1500 2nd Avenue NW*

Planning Coordinator Peter Waldock explained that Paul Mooty, Vice Chairman of the Faribault Woolen Mill Company requested a variance to allow a wall sign painted on the north wall of the Faribault Woolen Mill Factory at 1500 NW 2nd Avenue. Mr. Mooty proposed to have a 14' by 28' sign painted on the north center wall area of the building that had been the location of prior wall sign painted on the building. Remnants of some of the prior sign can still be seen.

Although the proposed sign is their current logo, it is intended as the re-creation of a much larger wall sign that had been painted on north wall in this location in 1970s. The Unified Development Ordinance provides for variances for historical signs. City Staff and the Planning Commission both found that
this application meets the criteria for a historical sign variance. The property is on National Register of Historic Places therefore the Faribault Historic Preservation Commission reviewed this request and has issued a certificate of appropriateness. Waldock explained that the sign must be installed per the approved plans, the sign will be allowed to fade overtime if the Woolen Mills were to leave its current site, underlying brick and paint must be maintained, and the DRC is authorized to approve plan revisions that meet the intent of this approval.

The Planning Commission held a public hearing on June 15, 2020 regarding this application. No one from the public provided comments. The Planning Commission by a vote of 6-0 approved findings in support of the variance application and they are recommending City Council approval in this case.

Councilor Viscomi had concerns regarding painting on the bring and allowing ghost imagery, Waldock explained that is it has always been allowed through a variance. Viscomi was concerned that approving this variance would open the doors to others.

Mr. Mooty explained that this will be historically consistent and there was wonderful support from the Historical Preservation Commission and Planning Commission for what they are trying to accomplish.

Motion by Ross, seconded by Spooner to Resolution 2020-097 Approve a Variance from Sign Requirements for Faribault Woolen Mill Company at 1500 2nd Avenue NW

Roll Call Vote:
Aye: Councilor Ross, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 5:0

Due to technical difficulties Councilor Cap and Councilor van Sluis were unable to vote.

The meeting was briefly recessed to allow staff to fix the Zoom meeting connection.

*Resolution 2020-098 Approve a Conditional Use Permit for an Outdoor Wedding and Reception Patio on the Roof of 310 Central Avenue*

Planning Coordinator explained that Ryan Ernster owner of 3-Ten Event Center is requested a Conditional Use Permit for an outdoor dining and drinking patio on the roof of the 310 Central Avenue building in the CBD Central Business District. The proposed deck is about 1760 SF in area. The deck is centered on the building setback from Central Avenue by about 39’ and setback from the rear wall about 17’. Access to the deck is from second-floor ballroom. There is a stairway in the north east corner of the 310 building that can access the second-floor ballroom and from there to the deck. Access can also be made from a stairway in the 306 building into the second-floor ballroom too. The north portion of 310 building is a one-story building with a two-story façade. The roof patio will not be visible from Central Avenue and only a small part may be visible from 3rd Street. Waldock explained that there were five conditions of approval including; amplified music according to ordinance standards, access form the ballroom must meet all building codes, a dark colored metal ornamental railing will be required, there must be direct or screen lighting to prevent glare and it must meet all structural requirements for roof and patio.

The Planning Commission held a public hearing on June 15, 2020 regarding this application. No one from the public provided comments. The commissioners had some questions regarding access and regarding visibility from adjoining buildings. The deck cannot be seen from adjoining buildings to the north or south, but may be visible from the west across the alley from the second-floor windows. The Planning Commission by a vote of 6-0 approved findings in support of the variance application and they are recommending City Council approval in this case.

Councilor Ross thought this was a great idea, he asked if there would be an emergency fire escape, Waldock explained that it would meet all building codes. Councilor Spooner asked why the proposed railing is dark in color, Waldock explained that was what was requested by Mr. Ernster. Councilor
Wood asked if there is an existing deck on the roof top, Waldock explained that it is currently a tar roof, the deck will be elevated up to 18-20 plus inches, the deck will be built to be flush with the egress and ingress with the second-floor ballroom and the south half of the 310 building. Councilor Cap stated that this sounds like a great idea. Mr. Ernster stated that Waldock summarized the project very well. Mayor Voracek pointed out that the ordinances allow for noise until 11pm, Waldock stated they will follow the City Code of Ordinances.

Motion by Ross, seconded by Wood to approve Resolution 2020-098 Approve a Conditional Use Permit for an Outdoor Wedding and Reception Patio on the Roof of 310 Central Avenue.

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 7:0

Resolution 2020-100 Declare Surplus Property at 734 and 810 Division Street East and Approve Professional Services Contract for Real Estate and Marketing Services

City Engineer Mark DuChene informed the Council that the City purchased the properties at 734 & 810 Division Street in 2019 in order to accommodate the extension of State Avenue from Division Street to TH 60. Subsequently, the structures at 734 Division Street have been demolished and the City Council approved the State Avenue Subdivision preliminary and final plat on March 10, 2020 per Resolution 2020-034.

The State Avenue Subdivision plat dedicated the public right-of-way for the extension of State Avenue as well as created Lot 1, Block 1 or 810 Division Street and Lot 1, Block 2 or 734 Division Street. The parcel at 734 Division Street is a vacant parcel and 810 Division Street contains the home and garage.

At this time staff is requesting Council to declare the properties at 810 Division and 734 Division Street as surplus property and authorize City staff to negotiate the sale and/or transfer of the two properties. Staff is recommending that the vacant lot, 734 Division Street, first be offered to the City’s Housing and Redevelopment Authority to either develop housing or dispose of as they see fit. The property at 810 Division Street is proposed to be sold in an as-is condition utilizing the services of a real estate agent with Evergreen Land Services, which is also the consultant that assisted the City with the acquisition of the two properties. The property will be marketed on the multiple listing services (MLS) and listed at a price determined by the consultant based on a market analysis. DuChene provided a copy of their proposal as part of the agenda packet for approval with this resolution as well.

DuChene noted that the actual sale or transfer of either property is required to be done via ordinance per the City charter and will be brought forward at a later date once the new owners of each property are known.

Mayor Voracek asked if the driveway is on the new road would that change the address, DuChene explained that typically where the driveway is located is your address. DuChene further explained that if there is a strong preference staff can work with the planning department to determine a new address to make sure that the owner doesn’t get their address changed after they move into the home. DuChene also stated that it the driveway from will be moved from Highway 60 to State Avenue for safer access for all. Councilor Cap thanked staff for all their work and appreciates that the City will recoup some of the costs through the sale of the home.

Motion by Wood, seconded by Cap to approve Resolution 2020-100 Declare Surplus Property at 734 and 810 Division Street East and Approve Professional Services Contract for Real Estate and Marketing Services

Roll Call Vote:
Aye: Councilor Cap, Ross, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:
Motion carried 6:0
Due to technical difficulties Councilor van Sluis was unable to vote.

Resolution 2020-102 Adopting COVID-19 Preparedness Plan Requirements for Organized Adult or Youth Sports and Bell Field and other City-Owned Outdoor Facilities

Parks and Recreation Director Paul Peanasky explained to the Council that Staff has been approached by the various Adult and Youth Sports Associations regarding opening the city-owned Facilities including Bell Field, the Soccer Complex, BMX Track and Softball Fields. Staff have received COVID-19 plans from a few of the organizations and will require COVID-19 plans from each of the organizations using the city facilities.

Councilor Cap asked if additional handwashing stations could be set up, similar to what is offered during the Rice County Fair, and if the restrooms are open in the area. Peanasky will check with the Rice County Fair Organization to see if the restrooms are open, and stated that once the Council approves allowing the organizations to use the City-owned facilities, City-owned restrooms will be opened.

Motion by Spooner, seconded by Ross to approve Resolution 2020-102 Adopting COVID-19 Preparedness Plan Requirements for Organized Adult or Youth Sports and Bell Field and other City-Owned Outdoor Facilities

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 7:0

Bids – None

Boards and Commissions Reports, Announcements and Project Updates
The Monthly Financial Report was provided prior to the meeting.
Councilor Cap requested that the Council reconsider allowing backyard chickens within the City of Faribault. Cap also requested information regarding the animal exemption and whether or not chickens would be allowed using the exemption. Cap informed the Council that if they were to not reconsider allowing chickens, residents could petition to have a question to allow for chickens on the ballot at the next election. Councilor Ross requested that the chicken owners at 922 Prairie Ave. be allowed an extension to keep their chickens for an additional 30 days while the Council considers changing the ordinance. Councilors Cap, Wood, van Sluis agreed with the extension.
Councilor Cap asked if Rice County SHIP Coordinator Josh Ramaker should be kept in the loop in regards to bike trails, Mayor Voracek stated that once the Ad Hoc Committee determines where the current trails are in the City, they can be brought into the conversation.

Adjournment
Motion by Spooner, seconded by Viscomi to adjourn the meeting.

Meeting adjourned at 7:28 pm.

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Spooner, Viscomi, Wood, and Mayor Voracek
Nay:

Motion carried 7:0

Respectfully Submitted,
Heather J. Slechta
Assistant to the City Administrator