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: 849 7925 8438

Call to Order/Roll Call/Pledge of Allegiance
The meeting was called to order by Mayor Voracek at 6:00 pm. Mayor Voracek, Councilors Peter van Sluis, Royal Ross, Janna Viscomi and Jon Wood attended the meeting in-person. Councilor Elizabeth Cap attended via Zoom. Councilor Tom Spooner was absent. Also in attendance, City Administrator Tim Murray, Assistant to the City Administrator Heather Slechta, Community and Economic Development Director Deanna Kuennen, City Planning Coordinator Peter Waldock, City Engineer Mark DuChene, Finance Director Jeanne Day, Fire Chief Dustin Dienst, Police Chief Andy Bohlen, Parks and Recreation Director Paul Peanasky, Communications and Library Director Delane James, Communications Coordinator Brad Phenow, Human Resource Manager Kevin Bushard, and Public Works Director Travis Block.

Presentations/Introductions – None

Approve minutes of August 25, 2020 Regular Council Meeting (majority vote)
Motion by Ross, seconded by van Sluis to approve minutes of August 25, 2020 Regular Council Meeting.

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Consent Agenda:
A. List of Claims For Release
B. Approve Hangar Rental Agreement Transfer
C. Resolution 2020-138 Approve Use of City Parking Lot #16 for Car Cruise Night
D. Approve SELCO-Rice County Agreement for Library Service
E. Approve City of Faribault Personnel Policies
F. Resolution 2020-144 Approve Establishment of School Zone Speed Limits
G. Resolution 2020-145 Approve Street Closure for Vikings/Packers Celebration
H. Resolution 2020-146 Declare Costs to be Assessed and Establish Special Assessment Hearing for 2020 Street Reconstruction Improvements – Contract 2020-03
I. Approve Permanent Drainage and Utility Easement for 1512 Babbitt Court
J. Approve Permanent Drainage and Utility Easement for 1529 Babbitt Court
K. Resolution 2020-129 Approve Agreements Related to Cashin Addition

Motion by Viscomi, seconded by Ross to approve Consent Agenda Items A-K.

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Requests to be Heard – None

Public Hearings – None

Items for Discussion
Resolution 2020-148 Approving a Conditional Use Permit for a 1080 Square Foot Garage at 221 22nd Avenue SW
Planning Coordinator Peter Waldock explained that Joel Draeger requested to expand the detached garage at his residence at 221 22nd Ave SW. The existing garage is about 24 feet deep by about 26 feet wide or about 624 square feet. The proposed addition will be 16 feet wide by 28 feet deep, an increase of 448 square feet. The Zoning Code allows garages of up to 864 square feet, plus an extra 25% totaling 1080 square feet with a CUP. Mr. Draeger will also be expanding the driveway to 32 feet at the curb. The Planning Commission held a public hearing on August 31, 2020 regarding this application. No one from public commented on the application during the public hearing, however City Staff received one phone call from a neighbor asking about the request, once Staff answered his questions there were no objections to the application.

The Planning Commission by a vote of 4-0 approved the findings in support of the Conditional Use Permit and approved the proposed conditions of approval for the application as included in the draft resolution.

Councilor Ross asked if it was six and a half feet from the property line, Waldock explained that the setback is five feet and it is--the project meets all setbacks. Ross also asked if the property owners knew the driveway could not be gravel, Waldock informed the Council that the property owners were aware.

Motion by Ross, seconded by Wood to approve Resolution 2020-148 Approving a Conditional Use Permit for a 1080 Square Foot Garage at 221 22nd Avenue SW

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Resolution 2020-139 Approving Small Business Relief Fund Awards
Community and Economic Development Director Deanna Kuennen explained that the first Faribault Small Business Relief Fund awards were approved via Resolution 2020-115 on August 12, 2020, awarding $420,000 of the dedicated $500,000. At the same meeting the City Council also re-authorized the program via Resolution 2020-116 extending the ability for qualifying businesses to submit applications so the full $500,000 could be deployed into the business community. Applications for the re-authorized program were accepted through the City’s website from August 14 through August 28, with an additional 11 applications received. Staff reviewed the applications and Resolution 202-139 approved the release of the remaining funds.

Motion by Ross, seconded by van Sluis to approve Resolution 2020-139 Approving Small Business Relief Fund Awards

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Resolution 2020-140 Adopting the 2021 Preliminary Property Tax Levy and Establishing the Budget Meeting Date, Resolution 2020-141 Approving Faribault Housing and Redevelopment Authority Preliminary Property Tax Levy for Fiscal Year 2021 and Resolution 2020-142 Approving Economic Development Authority Preliminary Property Tax Levy for Fiscal Year 2021
Finance Director Jeanne Day presented the preliminary budget for the various levy-supported funds, including the Operating Levy that includes the General Fund, Library Fund and Community and Economic Development Administration Fund. These funds show a total operating levy increase of $417,667. Day reviewed the Capital Improvement Levy that includes the Street Improvement Fund, Park Improvement Funds, Capital Equipment Fund and Public Facilities Fund, that has a decrease of $225,000 in 2021. Day also informed the Council that the Debt Service Levy will increase by $305,329 in 2021. The total proposed 2021 preliminary levy is $10,529,577. Resolution 2020-140 set the budget meeting date for December 8, 2020 at which time the Council will adopt the final 2021 levy. Day reiterated that the levy amount can decrease between now and then, however, it can not increase.

Day also presented the Housing Redevelopment Authority (HRA) and Economic Development Authority’s (EDA) levy requests. Both are requesting the maximum amount for 2021. The HRA requested a total of $295,900 or an increase of 17.46% over 2020 and the EDA requested a total of $289,982 or an increase of 17.46% over 2020.

Motion by Wood, seconded by Ross to approve Resolution 2020-140 Adopting the 2021 Preliminary Property Tax Levy and Establishing the Budget Meeting Date

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Motion by van Sluis, seconded by Viscomi to approve Resolution 2020-141 Approving Faribault Housing and Redevelopment Authority Preliminary Property Tax Levy for Fiscal Year 2021

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Motion by Ross, seconded by Wood to approve Resolution 2020-142 Approving Economic Development Authority Preliminary Property Tax Levy for Fiscal Year 2021

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Adopt City of Faribault Elected Officials Social Media Policy
Communications and Library Director Delane James and Communications Coordinator Brad Phenow explained the Elected Officials Social Media Policy that, if adopted would clearly distinguish the difference between personal and professional social media use by elected officials. The policy would still allow for elected officials to utilize their personal “pages” however, those that choose to use social media in relation to their elected office would be assigned a professional social media page by the Communications Department. The assigned pages would be administered and managed by the Communications Department, however elected officials may use their assigned professional social media page to publish content and interact with the public on City related topics. All data would be captured and preserved by the City’s archiving software. The policy also stated that when using social media, elected officials would use best practices and abide by open meeting and public records laws.

When asked how other entities are handling their social media and elected officials, Phenow informed the Council that Rice County Commissioners do not have pages, the Faribault School District school board members each manage their own pages, Dakota County are going back and forth on developing a policy and at the state level, each person is different on how their pages are handled. James and Phenow stressed that this policy would make it clear to the public what social media account was personal for each elected official and what account is their professional, elected official page.
Motion by Wood, seconded by van Sluis to Adopt City of Faribault Elected Officials Social Media Policy

Roll Call Vote:
Aye: Councilor van Sluis and Wood
Nay: Councilor Cap, Ross, Viscomi, and Mayor Voracek
Motion failed 2:4 with Cap, Ross, Viscomi and Mayor Voracek voting Nay.

Ordinance 2020-11 Authorize Conveyance of Real Property Owned by the City Located at Lot 1, Block 1, State Avenue Subdivision (aka 810 Division Street East), PID 18.32.2.80.001 – Second Reading and Approve Summary Publication of Ordinance 2020-11

City Engineer Mark DuChene reminded the Council that at the June 23, 2020 City Council meeting the Council approved Resolution 2020-100 which declared the two parcels as surplus property and approved a professional services agreement with a realtor to list the property at 810 Division Street for sale. The Property was listed for sale on July 17, 2020, and the City received an offer to purchase the property on July 19, 2020. The proposed offer was reviewed with the City Council in a closed session City Council meeting on July 28, 2020 prior to the regular City Council meeting and the Council approved the first reading of the ordinance at the July 28, 2020 regular City Council meeting. A closing on the sale of the property is now scheduled for September 18, 2020.

Motion by Ross, seconded by van Sluis to approve Ordinance 2020-11 Authorize Conveyance of Real Property Owned by the City Located at Lot 1, Block 1, State Avenue Subdivision (aka 810 Division Street East), PID 18.32.2.80.001 – Second Reading

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Motion by Ross, seconded by Viscomi to approve Summary Publication of Ordinance 2020-11

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Bids
Resolution 2020-143 Accept Bids for 2020 Library Plaza Project

Communications and Library Director Delane James informed the Council that on Wednesday, September 2, 2020 bids were received for the proposed 2020 Library Plaza Project. The bids included removals, grading, extending the existing plaza, restoration and related improvements.

The area for the proposed library plaza improvements proposed to be included in the project were:
- The current plaza surrounding the old main entrance
- The green space surrounding the current plaza
- The parking stalls immediately north of the old main entrance

The bids were tabulated as follows:
APX Construction Group, Mankato, MN $238,100
Met-Con Construction, Faribault, MN $239,500
Pember Companies, Menomonie, WI $294,635
Derau Construction, Burnsville, MN $319,800
Urban Companies, St. Paul, MN $460,000
Engineer's Estimate $240,000

Based on the low bidder’s prices, the estimated funding for the project including contingencies and engineering fees will be paid for from a donation from the Friends of Buckham Memorial Library, Inc.
It is recommended to award to the low bidder, APX Construction Group. Construction is scheduled to be completed by the end of December. The project will be paid for from a donation from the Friends of Buckham Memorial Library, Inc. James explained that the project donation is capped at $240,000, however if there are additional expenses there are dollars available through the SELCO Foundation from the Sandra Thomas estate donation.

Councilor Cap was glad to see the lowest bid came from APX construction.

Motion by Ross, seconded by Cap to approve Resolution 2020-143 Accept Bids for 2020 Library Plaza Project.

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Resolution 2020-147 Accept Bids for 2020 City Park Improvements Project - Contract 2020-08
City Engineer Mark DuChene explained that on Wednesday, September 2, 2020 bids were received for the proposed 2020 City Park Improvement Project-Contract 2020-08. The bid included removals, storm sewer, grading, paving, concrete sidewalk, restoration and related improvements

There were four areas for the proposed improvements included in this project:
- Heritage Park Second Addition Park (former Public Works site)
- North Alexander Park (Keller Parkway) Parking Lot Improvements
- Prairie Ridge Park Trail Improvements
- 1st Avenue NW & 3rd Street NW Parking Lot Improvements

The bids were tabulated as follows:

<table>
<thead>
<tr>
<th></th>
<th>Base Bid</th>
<th>Add/Alternate Bid</th>
<th>Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heselton Construction</td>
<td>$894,423.27</td>
<td>$14,041.75</td>
<td>$908,465.02</td>
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<td>BCM Construction, Inc.</td>
<td>$892,870.75</td>
<td>$19,258.75</td>
<td>$912,129.50</td>
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<td>JJD Companies, LLC</td>
<td>$960,684.45</td>
<td>$24,660.00</td>
<td>$985,344.45</td>
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<tr>
<td>R.A.W. Construction</td>
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<td>$21,922.00</td>
<td>$1,068,106.50</td>
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<td>Fitzgerald Excavating</td>
<td>$1,232,315.75</td>
<td>$14,005.00</td>
<td>$1,246,320.75</td>
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<tr>
<td>Engineer's Estimate</td>
<td>$985,478.25</td>
<td>$16,975.00</td>
<td>$1,002,453.25</td>
</tr>
</tbody>
</table>

The Heritage Park Second Addition park improvement project, the former Public Works Garage site, was bid with an add/alternate to install sewer and water services to the proposed location of a future park shelter. DuChene explained that after reviewing the project with the City Administrator and Park and Recreation Director, it was decided that the future shelter would likely not need these services and therefore the bid alternate should not be accepted. Resolution 2020-147 proposes to award the project under the assumption that the Council concurred with not accepting the bid alternate and therefore award would be based on the lowest base bid which would be from BCM Construction, Inc. DuChene further explained that of Council felt that the future park shelter should have amenities that would require sewer and/or water services, then they should make a motion to award the contract based on the sum of the lowest base bid plus the alternate which would then propose to award the contract to Heselton Construction and staff would prepare a new resolution for signatures.

Through much discussion of the Council it was the consensus of the Council to add the alternate bid to the City Park Improvement Project. DuChene will update Resolution 2020-147 to reflect the changes and the contract will be awarded to Heselton Construction in the amount of $908,465.02.

Councilor Viscomi asked about the wall at 1st and 3rd, DuChene explained that was the closest match to the neighboring building, and that more discussion on the wall will be at a later date.

Motion by Viscomi, seconded by van Sluis to approve Resolution 2020-147 Accept Bids for 2020 City Park Improvements Project - Contract 2020-08 with the addition of the alternate bid.
Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Boards and Commissions Reports, Announcements and Project Updates
City Administrator Tim Murray informed the Council that Division Street by the Community Center will be closed starting next week. Mayor Voracek requested that the centerline of the street by Napa Auto Parts needs to be restriped. The Mayor also gave a shout-out to the students from Germany that should have been spending the day touring Faribault but, due to the pandemic, were unable to come this year.

Adjournment
Motion by Viscomi, seconded by Wood to adjourn.

Roll Call Vote:
Aye: Councilor Cap, Ross, van Sluis, Viscomi, Wood, Mayor Voracek
Nay:
Motion carried 6:0

Meeting adjourned at 7:16 pm.

Respectfully Submitted,

[Signature]
Heather Slechta
Assistant to the City Administrator