



## CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, OCTOBER 25, 2022

6:00 PM

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

The regular meeting of the City Council was called to order by Mayor Kevin Voracek at 6:00 pm. Councilors Sara Caron, Royal Ross, Peter van Sluis, Tom Spooner, Janna Viscomi and Jon Wood were in attendance. Also in attendance were City Administrator Tim Murray, City Clerk Heather Slechta, Parks and Recreation Director Paul Peanasky, Public Works Director Travis Block, Human Resources Manager Kevin Bushard, Police Chief John Sherwin, and City Attorney Scott Riggs.

### Presentations/Introductions

Police Chief John Sherwin introduced Police Officer Valeria Esquivel, Badge #3227. Officer Esquivel has worked for the City for a number of years, first as a Community Services Officer and in March was hired as a Police Officer. Officer Esquivel's father pinned on her badge. Mayor Voracek asked how can youth that are interested in becoming police officers get involved, Chief Sherwin stated that they can join the Police Explorers program as well as reach out to the school resource officers, as they are in the schools to be mentors as well. There are also great opportunities at the colleges in our community and down the road.

### Approve minutes of October 11, 2022 City Council Meeting

Motion by Ross, seconded by Spooner to approve the Minutes of the October 11, 2022 City Council Meeting and carried unanimously.

### Consent Agenda

- A. List of Claims for Release
- B. Approve MOU with Minnesota Pollution Control Agency
- C. Approve Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License
- D. Resolution 2022-223 Rescind and Replace Resolution 2022-213 Approve Street Closure for Downtown Car Show
- E. Approve 2023 Insurance Liability Coverage Waiver Form
- F. Approve Petition and Waiver of Assessment for Water Service Repair at 109 4th Ave. SW
- G. Approve Quote to Replace Glycol in Boiler System at Buckham Center
- H. Resolution 2022-224 Declare Winter Decorations as Surplus
- I. Approve Job Descriptions
- J. Approve Hangar Rental Agreement
- K. Approve Faribault City Policy and Procedure - Homeless Encampments
- L. Approve Police Department Policy 326 - Homeless Persons
- M. Resolution 2022-225 Approve Hiring Library Receptionist

Mayor Voracek requested that 4F. Approve Petition and Waiver of Assessment for Water Service Repair at 109 4th Ave. SW be removed for further discussion.

Motion by Ross, seconded by van Sluis to approve Consent Agenda Items 4A-4E and 4G-4M and carried unanimously.

### Approve Petition and Waiver of Assessment for Water Service Repair at 109 4th Ave. SW

Charles Ogdahl, property owner explained that in March his waterline at home broke and was repaired at a cost of \$14,900.00. He reached out to his insurance agency as he had coverage for this repair,

however, since the pipe is over 50 years old, they would not cover the cost of the damages. They then discovered that there was a leak in another part of the line, it was repaired at a cost of \$15,150.00 due to the need to dig up the street for the repair as the watermain was located across the street from his home.

Through much discussion it was determined that the Council would like to look at the current City policy and move this to a Council Work Session.

Motion by Ross, seconded by Viscomi to table and add Approve Petition and Waiver of Assessment for Water Service Repair at 109 4th Ave. SW to the next Council Work Session for further discussion and carried unanimously.

### **Requests to be Heard**

Frank Marzario addressed the Council regarding the temporary certificate of occupancy that was granted to his landlord. Mr. Marzario requested answers to why it was granted. City Administrator Murray explained the Council rules that during public comment, the speaker is not to address individual members. Mr. Marzario requested that the Building Official come to his business and look at what he believes are violations, Mayor Voracek stated that he needs to send a respectfully written email to staff and the Council.

### **Public Hearings – None**

### **Items for Discussion**

#### Ordinance 2022-33 Amending Chapter 2, Sec. 2-4 of the City Code of Ordinances regarding City Departments and Departmental Administrators

City Administrator Tim Murray explained that the Building Codes Division was part of the Fire and Code Services Department from the early 1990s until 2012, at which time it was transferred to the Community Development Department now known as Community and Economic Development (CED) Department. With the resignation of the CED Director earlier this month, the organizational structure and operations were reviewed to determine if any changes should be considered. Based upon this review, he recommended that the Building Codes Division be moved back within the Fire Department to be renamed the Fire and Code Services Department.

This recommendation was reviewed at the October 18, 2022 Council Work Session, and the City Council was supportive of this organizational change. Section 2-4 of the City Code of Ordinances outlines the various departments of the City, and the functions contained under each. The ordinance moves the Building Codes Division operations from the CED Department to the Fire and Code Services Department. The organizational change will take effect on November 14, 2022.

Motion by Wood, seconded by Caron to approve Ordinance 2022-33 Amending Chapter 2, Sec. 2-4 of the City Code of Ordinances regarding City Departments and Departmental Administrators on first reading

Roll Call Vote:

Aye: Councilors Caron, Ross, van Sluis, Spooner, Viscomi, and 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 as part of the meeting materials.

Councilor Spooner stated that River Bend Nature Center will be hosting Bats and Bones on Saturday from 2pm-5pm, it is a great time.

Mayor Voracek stated that the Council approved a resolution to move a car show to November 13, 2022.

### **Adjournment**

Motion by Ross, seconded by Viscomi to adjourn the City Council Meeting and carried unanimously.

Meeting adjourned at 6:28 pm.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "H. Slechta", is written over a horizontal line.

Heather Slechta  
City Clerk