



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

WEDNESDAY, NOVEMBER 9,
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 and Police Chief John Sherwin.

Presentations/Introductions – None

Approve minutes of October 25, 2022 City Council Meeting

Motion by Ross, seconded by van Sluis to approve the Minutes of the October 25, 2022 City Council Meeting and carried unanimously.

Consent Agenda

- A. List of Claims for Release
- B. Approve Appointment of Interim Community and Economic Development Director
- C. Resolution 2022-226 Accept Donation from the Fundraising Event at the Paradise Center for the Arts
- D. Resolution 2022-227 Levying Special Assessments for Miscellaneous Delinquent Receivable Accounts
- E. Resolution 2022-229 Approving Use of Miscellaneous Assessment Process by Petition and Waiver for Financing Replacement of Water and Sanitary Sewer Services Using Minnesota Chapter 429 and the Community Management Plan
- F. Approve Petition and Waiver of Assessment for Water Service Repair at 109 4th Ave. SW
- G. Resolution 2022-230 Adopt 2023 Snow & Ice Control Guidelines
- H. Resolution 2022-231 Transfer and Close Equipment Certificate Debt Fund 360
- I. Accept Seasonal Bids for Miscellaneous Materials and Services
- J. Resolution 2022-233 Approve 2023 Tobacco License Renewals
- K. Approve MOU with Local 70 2022-2024
- L. Approve MOU with LELS Local 357 2022-2024

Motion by Ross, seconded by Viscomi to approve Consent Agenda Items 4A.-4L. and carried unanimously.

Requests to be Heard – None

Public Hearings

Increase On-Sale Intoxicating Liquor License Fees for 2023

City Clerk Heather Slechta explained that due to the COVID-19 Pandemic and the extended closures of bars and restaurants in 2020 and 2021, the City Council set the fees at a 50% reduction of all on-sale liquor licenses issued in the City. The On-Sale License fees increased to 75% of the pre-pandemic fees in 2022.

Per MN State Statute 340A.408 Retail License Fees; §Subd. 3a. Fee increases; notice, hearing, states no city, town, or county shall increase the fee for a liquor license governed by subdivision 1, 2, or 3,

except after notice and hearing on the proposed increase. All licensees were notified via mail on September 28, 2022, of the public hearing and notice was published in the Faribault Daily News on October 19, October 25, and November 1, 2022.

At the Work Session on July 19, 2022, the Council reviewed the proposed 2023 Fee Schedule. There were no comments received prior to the meeting regarding the increase in fees.

These fees will be officially adopted at the December 13, 2022, City Council meeting. At such a time, the licensees will be invoiced for their 2023 Liquor Licenses.

Motion by van Sluis, seconded by Spooner to open the public hearing and carried unanimously. The public hearing was open at 6:03 pm.

No comments were received by the public.

Motion by Wood, seconded by Caron to close the public hearing and carried unanimously. The public hearing was closed at 6:03 pm.

Motion by Ross, seconded by Wood to approve an Increase On-Sale Intoxicating Liquor License Fees for 2023 and carried unanimously.

Items for Discussion

Ordinance 2022-33 Amending Chapter 2, Sec. 2-4 of the City Code of Ordinances regarding City Departments and Departmental Administrators - Second Reading and Approve Summary Publication of Ordinance 2022-33

City Administrator Murray explained that this recommendation was reviewed at the October 18, 2022 Council Work Session, and the City Council was supportive of this organizational change. The ordinance moves the Building Codes Division operations from the CED Department to the Fire and Code Services Department. First reading of this ordinance was approved on October 25, 2022. There have been no comments received nor any changes made since that approval. The organizational change will take effect on November 14, 2022.

Motion by van Sluis, seconded by Ross to approve Ordinance 2022-33 Amending Chapter 2, Sec. 2-4 of the City Code of Ordinances regarding City Departments and Departmental Administrators - Second Reading

Roll Call Vote:

Aye: Councilor Caron, Ross, van Sluis, Spooner, Viscomi, Wood and Mayor Voracek

Nay:

Motion carried 7:0

Motion by Ross, seconded by Viscomi to Approve Summary Publication of Ordinance 2022-33 and carried unanimously.

Ordinance 2022-34 Amending the Faribault Code of Ordinances Related to Water and Sewers - First Reading

City Engineer Mark DuChene explained that at the October 18, 2022, Council Work Session, City staff reviewed proposed changes to Chapter 28 - Water and Sewers of the City Code of Ordinances to clean up outdated code language as well as revise the code to more clearly align with current practices. The notable proposed changes are summarized as follows:

- Remove references to quarterly billing and change to monthly billing consistent with current utility billing practices
- Change references from the utility fee schedule to just the annually adopted fee schedule.
- Update language regarding water meters and disconnection process.
- Update stormwater drainage utility fee related ordinances to better define how properties are classified and residential lot equivalents (RLE's) are allocated for billing purposes. More specifically, the changes are focused on how multi-family and mixed-use properties are to be classified to be more equitable.

Billing changes regarding the Stormwater Utility Fees are proposed to be implemented no later than the first quarter of 2023.

The proposed ordinance also includes changes regarding street restoration related to service repairs as discussed at the November 1, 2022, Council Work Session, whereby the City will complete the pavement repairs with City staff and equipment and bill the applicant for the material costs of the bituminous materials only. If requested, said costs may be assessed to the benefiting property according to the City's policy (proposed to be modified by Resolution 2022-229). If requested, curb and gutter or sidewalk restoration associated with a service repair may be completed through the City's annual miscellaneous concrete contract and those costs may be assessed to the benefiting property owner as well.

Councilor Ross question how multi-family housing would be billed, DuChene explained that up to 7-units would be charged as 3 units and above that would be charged a commercial rate.

Motion by Wood, seconded by van Sluis to approve Ordinance 2022-34 Amending the Faribault Code of Ordinances Related to Water and Sewers - First Reading

Roll Call Vote:

Aye: Councilor Caron, Ross, van Sluis, Spooner, Viscomi, Wood and Mayor Voracek

Nay:

Motion carried 7:0

Resolution 2022-232 Approve New 3.2% Off-Sale Liquor License for Kwik Trip #793

City Clerk Heather Slechta explained that Kwik Trip #793 (1955 2nd Ave NW) has requested a 3.2% Off-Sale Liquor License for their new convenience store. Kwik Trip #793 has submitted all of the required fees and paperwork. A successful background check has been completed by the Faribault Police Department and insurance documents have been reviewed by the city attorney's office.

Councilor Ross asked why the license could not be transferred, Slechta explained that the current Kwik Trip that will be closing does not have a license, this is a new license for that store number.

Motion by Ross, seconded by van Sluis to approve Resolution 2022-232 Approve New 3.2% Off-Sale Liquor License for Kwik Trip #793 and carried unanimously.

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

Councilor Caron stated that the mural has been moved to the Paradise Theater. Mayor Voracek thanked the Paradise Theater and N&S for their generous donation to the Fire Department. City Administrator Tim Murray thanked City Clerk Heather Slechta for her work on the general election. Mayor Voracek wished Deanna Kuennen the best as she leaves the City of Faribault for a new position in Farmington.

Adjournment

Motion by Viscomi, seconded by van Sluis to adjourn the City Council meeting and carried unanimously.

The meeting was adjourned at 6:17pm

Respectfully Submitted,



Heather Slechta
City Clerk