



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, NOVEMBER 28, 2023

6:00 PM

Call to Order/Roll Call/Pledge of Allegiance

The meeting of the City Council was called to order by Mayor Kevin Voracek at 6:00 p.m. Councilors Sara Caron, Adama Doumbouya, Royal Ross, Peter van Sluis, Tom Spooner and Chuck Thiele were in attendance. Also in attendance were City Administrator Tim Murray, City Clerk Heather Slechta, Human Resources Director Kevin Bushard, City Engineer Mark DuChene, Parks and Recreation Director Paul Peanasky, Public Works Director Travis Block, Community and Economic Development Director David Wanberg and City Attorney Scott Riggs.

Presentations/Introductions – None

Approve minutes of the November 14, 2023 City Council Meeting

Motion by Doumbouya, seconded by Thiele to approve the minutes of the November 14, 2023 City Council Meeting and carried unanimously.

Consent Agenda

- A. List of Claims for Release
- B. Approve Fireworks Display Application from RES Specialty Pyrotechnics Inc.
- C. Approve Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License
- D. Approve Hold Harmless and Indemnification Agreement with the Faribault Chamber of Commerce and Tourism and Update to Temporary Liquor License
- E. Approve Hangar Rental Agreement Renewal
- F. Resolution 2023-200 Authorize Payment as Recommended by the Charitable Gambling Board to Buckham West – Faribault Senior Center
- G. Resolution 2023-227 Authorize Payment as Recommended by the Charitable Gambling Board to the Faribault Foundation
- H. Resolution 2023-228 Authorize Payment as Recommended by the Charitable Gambling Board to the Rice County Historical Society
- I. Resolution 2023-229 Authorize Payment as Recommended by the Charitable Gambling Board to the Hope Center
- J. Resolution 2023-230 Authorize Payment as Recommended by the Charitable Gambling Board to the Chamber Trust
- K. Approve the 2023-2024 School Resource Officer (SRO) Contract with Faribault School District #656
- L. Approve Purchase of New ARMER Portable Radios and Related Equipment
- M. Resolution 2023-231 Accept Donation to Parks and Recreation Department
- N. Approve 2023 CIP Purchase – Replacement Towmaster Trailer
- O. Approve 2023 CIP Purchase Replacement – Street Department Service Truck
- P. Accept Seasonal Bids for Miscellaneous Materials and Services
- Q. Approve Retainer Agreement with the Law Firms of Lockridge Grindal Nauen P.L.L.P. and Napoli Shkolnik
- R. Approve Amendment No. 3 to the Professional Services Contract with Stonebrooke Engineering for the 30th Street NW and TH 3 Roundabout Project - City Contract 2023-04
- S. Resolution 2023-233 Adopt 2024 Snow and Ice Control Guidelines
- T. Approve Release Agreement
- U. Approve Trade of Fire Apparatus Chassis

Motion by Ross, seconded by Thiele to approve Consent Agenda Items A-U and carried unanimously.

Requests to be Heard – None

Public Hearings

Approve Renewal of Currency Exchange License for Luis and Ana Del Aguila

City Clerk Heather Slechta explained that the City received a renewal notification from the Minnesota Department of Commerce for a Currency Exchange License from Luis and Ana Del Aguila, to continue operating a currency exchange at 327 Central Avenue. The application is complete. Background checks on each of the owners and officers have been completed by the MN Bureau of Criminal Apprehension and no record was found. The application also included a fee schedule of all fees to be charged by the currency exchange office, and a \$10,000 surety bond valid through December 31, 2024.

A Currency Exchange License enables the licensee to be able to provide check-cashing services for the public to be able to cash payroll checks, federal and state checks, commercial checks, personal checks, and cashier checks. A Currency Exchange License is required for all locations that are not associated with a financial institution.

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

There were no comments from the public.

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

Motion by Ross, seconded by van Sluis to Approve Renewal of Currency Exchange License for Luis and Ana Del Aguila and carried unanimously.

Items for Discussion

Resolution 2023-232 Authorize the Transfer of \$500,000 from the City's General Fund to the Faribault EDA to Administer a Special Commercial Rehabilitation Loan for Faribo Downtown Central LLC

Community and Economic Development Director David Wanberg explained that Faribo Downtown Central LLC requested a \$500,000 loan from the City to assist with rehabilitating its downtown commercial buildings. The City Council held a work session on November 21, 2023, and indicated that it would be willing to transfer \$500,000 to the Faribault Economic Development Authority (EDA) to administer a special commercial rehabilitation loan on behalf of the City for Faribo Downtown Central LLC. Staff prepared Resolution 2023-232 based on the Council's direction and reviewed the Resolution with representatives from Faribault Downtown Central LLC before the Council meeting tonight.

Councilor Doumbouya asked City Attorney Scott Riggs for his legal opinion, Riggs stated that this is legal, the City can transfer money to the EDA and direct the EDA on how to spend it—it is a policy decision. Riggs also stated that there are personal guarantees, this satisfied Councilor Spooner's concerns. Councilor Doumbouya was in support of the loan as downtown needs revitalization. Mayor Voracek felt that this was a good step forward for downtown Faribault. Councilor Caron was not in favor of approving the loan since money has already been given to the investment group through the EDA and the Housing and Redevelopment Authority.

Motion by Ross, seconded by Spooner to approve Resolution 2023-232 Authorize the Transfer of \$500,000 from the City's General Fund to the Faribault EDA to Administer a Special Commercial Rehabilitation Loan for Faribo Downtown Central LLC and carried 6:1 with Councilor Caron voting nay.

Ordinance 2023-22 Authorizing Disposal by Sale of Real Property owned by City Identified as LOT 1, BLOCK 3, CANNON RIVER VIEW (Second Reading)

City Administrator Tim Murray stated that Resolution 2023-066, adopted on March 28, 2023, declared the City-owned parcel described as LOT 1, BLOCK 3, CANNON RIVER VIEW, located at the southwest corner of 1st Avenue NW and East View Drive, as surplus property and directed staff to negotiate the sale and/or transfer of the parcels for later City Council approval.

A purchase agreement for the sale of this parcel was negotiated with David and Rachel Yetzer and was approved by the Council on October 24, 2023. Section 12.04 of the City Charter currently requires that

real property be disposed of by ordinance and approved by a minimum of five council members.

No comments have been received, nor has anything changed, since first reading.

Motion by van Sluis, seconded by Doumbouya to approve Ordinance 2023-22 Authorizing Disposal by Sale of Real Property owned by City Identified as LOT 1, BLOCK 3, CANNON RIVER VIEW (Second Reading)

Roll Call Vote:

Aye: Councilor Caron, Doumbouya, Ross, van Sluis, Spooner Thiele, Mayor Voracek

Nay:

Motion carried 7:0

Motion by Ross, seconded by Caron to Approve Summary Publication of Ordinance 2023-22 and carried unanimously.

Ordinance 2023-23 Amending Article V of Chapter 14 of the Faribault City Code of Ordinances (First Reading)

City Administrator Tim Murray explained to the Council that when discussing boards and commissions earlier this year, the Council was supportive of eliminating the Council-appointed Tourism Commission, and instead having the Faribault Area Chamber of Commerce and Tourism (the Chamber) establish an internal board or committee that would advise and provide direction on the use of lodging tax funds for promoting the city. The Tourism Commission was originally established upon the passage of Ordinance 2014-14--the attached ordinance essentially reverses that, removing the requirement for a Tourism Commission.

This revision was reviewed at the Council Work Session on November 21st, with the Council in support of the change. A new 5-year agreement with the Chamber was also reviewed at the Work Session, and if the proposed ordinance is approved on first reading, the agreement will be brought forward for approval at the next City Council meeting. The new agreement is very similar to the previous 5-year agreement, but establishes the requirement for the Chamber to have an internal tourism board or committee, which would include one appointed member of the City Council. It also corrects the language on the amount of lodging tax funds that are remitted to the Chamber.

Motion by Caron, seconded by Thiele to approve Ordinance 2023-23 Amending Article V of Chapter 14 of the Faribault City Code of Ordinances (First Reading)

Roll Call Vote:

Aye: Councilor Caron, Doumbouya, Ross, van Sluis, Spooner Thiele, Mayor Voracek

Nay:

Motion carried 7:0

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

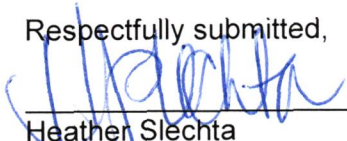
The Monthly Financial Report was provided to the Council as part of the meeting materials. Councilor Spooner stated that River Bend Nature Center had a successful deer hunt. Councilor Ross mentioned that the Senior Center held their Small Business Saturday sale. City Administrator Tim Murray stated that there will be a tour of the new Riverchase Apartments on Tuesday, December 5 at 5:00 pm. He also stated that the Senate Capital Investment Committee will be at City Hall tomorrow at 11:20 am to hear about the new Viaduct Area Park, there will be 11 senators coming as part of their Bonding Tour. Mayor Voracek reviewed the Winterfest activities that will be taking place throughout the City over the next few days.

Adjournment

Motion by Ross, seconded by Thiele adjourn the City Council meeting and carried unanimously.

The City Council meeting was adjourned at 6:18 pm.

Respectfully submitted,



Heather Slechta
City Clerk