



CITY COUNCIL MINUTES

BUCKHAM WEST
19 DIVISION ST. W

TUESDAY, MARCH 12, 2024

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 pm. Councilors in attendance included Sara Caron, Adama Doumbouya, Royal Ross, Peter van Sluis, Tom Spooner and Chuck Thiele. Also in attendance was City Administrator Tim Murray, City Clerk Heather Slechta, Police Chief John Sherwin, City Engineer Mark DuChene, Community and Economic Development Director David Wanberg, Public Works Director Travis Block, Human Resources Director Kevin Bushard, Communications Manager Brad Phenow and Fire Chief Dustin Dienst.

Approve Agenda

Motion by Ross, seconded by van Sluis to Approve Agenda as presented and carried unanimously.

Presentations/Introductions – None

Approve minutes of the February 28, 2024 Joint City Council, EDA and HRA Meeting and the February 28, 2024 City Council Meeting

Motion by Thiele, seconded by Doumbouya to approve minutes of the February 28, 2024 Joint City Council, EDA and HRA Meeting and the February 28, 2024 City Council Meeting and carried unanimously.

Requests to be Heard – None

Consent Agenda

- A. List of Claims to be Released
- B. Resolution 2024-053 Accept Donation Made to the Police Department
- C. Approve LG230 Application to Conduct Off-Site Bingo for Divine Mercy Catholic Church
- D. Resolution 2024-056 Approve Limited Use Permit #6612-0044 with the Minnesota Department of Transportation for Northern Link Trail
- E. Approve Water Tower Lease Agreement with Northfield WiFi
- F. Approve Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License for BPOE Lodge 1166 and Indemnification Agreement
- G. Approve July 4th Fireworks Proposal and Contract from RESPyro
- H. Approve Professional Engineering and Related Services Proposal for Faribault

2024 Water and Sewer Utility Improvements Proposal to Provide Design Technical Assistance

- I. Approve Quote with Five Star Telecom for Camera/Router Installation
- J. Approve Employee Tuition Reimbursement Agreement
- K. Approve Professional Engineering and Related Services Proposal for Straight River Trail - Deer Bridge In-Depth Inspection
- L. Approve Memorandum of Understanding with Local 70
- M. Resolution 2024-057 Declare Old Firefighter Helmets as Surplus

Motion by Ross, seconded by van Sluis to approve Consent Agenda items A-M and carried unanimously.

Public Hearings – None

Items for Discussion

Resolution 2024-054 Approve a Conditional Use Permit for a Drive-Through Restaurant in the Faribo West Mall Parking Lot at 190 Western Avenue N

Community and Economic Development Director David Wanberg stated that Paul Gray, Jr. on behalf of Deb and Jaime Sonnek, in coordination with Faribo West Mall, LLC, requested approval of a conditional use permit (CUP) for a drive-through restaurant at 190 Western Avenue North. Mr. Gray proposed replacing the former 144-square-foot Mojoe 2 Go drive-through coffee building on the Property with a new 544-square-foot drive-through restaurant offering soup, sandwiches, and ice cream.

Wanberg explained that in 2012, the City Council approved a CUP allowing Mojoe 2 Go to have a drive-up window with four vehicle stacking spaces. The new building, although larger, will be similar to the former Mojoe 2 Go building in that it will have a drive-up window and four vehicle stacking spaces. Like the former Mojoe 2 Go building, the proposed restaurant will have a menu board that does not have a microphone and loudspeaker. Customers will give their orders directly to employees at the drive-up or walk-up windows.

The proposed structure will include a thinset brick/stone knee wall with stucco-like wall panels, an accessible restroom and kitchen/food-prep area for approximately two employees during normal business hours. The proposed structure will not include indoor dining, but they may provide a small seasonal outdoor seating area.

Sec. 8-270 of the Unified Development Ordinance (UDO) requires a drive-through restaurant to have stacking space for four cars at the menu board and four cars at the drive-up window. In this case, there is a menu board before the window, but customers cannot order from the board. Similar to the approved 2012 CUP for the former Mojoe 2 Go building, the proposed restaurant will have four car stacking spaces for the window but not the menu board. The City Planner and the Development Review Committee (DRC) determined that Sec. 8-270 of the UDO is intended to apply to a “two-phase” system where customers order at the menu board, which is not what was being proposed. Therefore, the City Planner and DRC recommend allowing four stacking spaces (instead

of eight), consistent with the City's understanding of the UDO. The City Planner does not anticipate vehicle stacking issues associated with the proposed use.

The Planning Commission held a public hearing on March 4, 2024, to consider the CUP request. No one from the public commented to City Staff or the Planning Commission. The Planning Commission provided written findings to support the requested CUP and unanimously recommended that the City Council approve the CUP.

Motion by Ross, seconded by Doumbouya to approve Resolution 2024-054 Approve a Conditional Use Permit for a Drive-Through Restaurant in the Faribo West Mall Parking Lot at 190 Western Avenue N

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

City Administrator Tim Murray stated that as of tonight there will not be a Council Work Session next Tuesday.

Mayor Voracek stated that the open house/retirement party for City Administrator Tim Murray will be in the Public Meeting Room at City Hall on March 26, 2024 from 4:00pm-5:30pm.

Adjournment

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

The meeting was adjourned at 6:08 pm.

Respectfully Submitted,



Heather Slechta
City Clerk