



CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, JULY 23, 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, Tom Spooner, Peter van Sluis and Chuck Thiele. Also in attendance were City Administrator Jessica Kinser, City Clerk Heather Slechta, Community and Economic Development Director David Wanberg, Parks and Recreation Director Paul Peanasky, Human Resources Director Kevin Bushard, Police Chief John Sherwin, City Engineer Mark DuChene, Community and Economic Development Director David Wanberg and City Attorney Scott Riggs.

Approve Agenda

Motion by van Sluis, seconded by Doumbouya to approve the agenda as presented and carried unanimously.

Presentations/Introductions

Mayor Voracek presented Police Chief John Sherwin with the Night to Unite Proclamation. Sherwin stated that registration for neighborhood parties is on the website, you can also call in to the Police Department to register. Hosanna Church will be giving away toys at Buckham West.

Approve minutes of July 9, 2024 City Council Meeting and the July 16, 2024 Special City Council Meeting

Motion by Ross, seconded by Doumbouya to approve minutes of the July 9, 2024, City Council Meeting and the July 16, 2024 Special City Council Meeting and carried unanimously.

Requests to be Heard – None

Consent Agenda

- A. List of Claims for Release
- B. Resolution 2024-147 Approve Street Closures for IRIS 5K/10K Turkey Trot
- C. Resolution 2024-148 Adopting Data Practices Policy and Designating Responsible Authority and Compliance Officer
- D. Resolution 2024-144 Declare Patient Lifting Device as Surplus
- E. Resolution 2024-145 Authorize the Fire Department to Apply for the State of Minnesota ARMER Equipment Grant

- F. Resolution 2024-146 Accept Donation to the Police and Fire Departments
- G. Approve Faribault Ice Arena Association Agreement
- H. Approve Budget Amendment- Eliminate CSO Supervisor; Fund Property Maintenance & Fire Code Inspector
- I. Resolution 2024-150 Approve Non-Primary Entitlement Airport Funds Transfer Agreement
- J. Resolution 2024-151 Approve Limited Use Permit 6612-0046 with Minnesota Department of Transportation for TH 60 Trail
- K. Approve 2024 CIP Purchase Replacement – Engineering Department Truck
- L. Approve 2024 CIP Purchase Replacement – Stormwater Utility Department Stormwater Utility Technician Truck
- M. Approve Petition and Waiver Agreement for 1645 Lyndale Avenue North
- N. Resolution 2024-152 Approve Tobacco License for All Smoke Vape Outlet Plus Inc.
- O. Approve Professional Services Proposal for Viaduct Park Special Testing Services
- P. Resolution 2024-153 Approve Hiring Water Sewer Operator
- Q. Resolution 2024-154 Approve Hiring Community Services Officer

Motion by Spooner, seconded by Ross to approve Consent Agenda items A-Q and carried unanimously.

Public Hearings – None

Items for Discussion

Ordinance 2024-14 Amending Chapter 18 of the City of Faribault Code of Ordinances (First Reading)

Parks and Recreation Director Paul Peanasky informed the Council that the ordinance regarding alcohol in the parks was last updated in 1980. A discussion was held at the May 21, 2024, City Council Work Session. Currently, all parks that allow alcohol require a special permit except North Alexander Park. Peanasky stated that they know most picnics in the parks have individuals who have a beer or glass of wine. As a department, he felt that it was time to review this ordinance and update it to match current practices. Over the years, there have been many changes to the types of beverages that have alcohol in them. This ordinance change only allows for canned alcoholic beverages in city parks. No glass will be permitted in city parks. The Park Board supported this change.

Motion by van Sluis, seconded by Ross to approve Ordinance 2024-14 Amending Chapter 18 of the City of Faribault Code of Ordinances (First Reading)

Roll Call Vote:

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

Nay:

Motion carried 7:0

Ordinance 2024-15 Amending Chapter 26 of the City of Faribault Code of Ordinances

(First Reading)

Parks and Recreation Director Paul Peanasky stated that the tree ordinance was last updated in 1971. The current tree ordinance deals primarily with Dutch Elm disease. Peanasky stated that updating the ordinance to be more generic to address all types of tree diseases is needed. Ordinance 2024-15 changes have been reviewed by the Parks and Recreation Board as well as the Tree Board. The City Attorney has also reviewed the current version.

Peanasky informed the Council that there was also an addition to Ordinance 2024-15 that trees in boulevards are the responsibility of the landowner. This would apply to tree removal and general upkeep.

Motion by Thiele, seconded by Caron to approve Ordinance 2024-15 Amending Chapter 26 of the City of Faribault Code of Ordinances (First Reading)

Roll Call Vote:

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

Nay:

Motion carried 7:0

Ordinance 2024-11 Amend Chapter 17 of the Faribault City Code of Ordinances to Regulate City Code Violations Within the City (Second Reading) and Ordinance 2024-11 Summary Publication

City Administrator Jessica Kinser explained that in 2023, the Charter Commission recommended, and the Council adopted changes to the Charter to allow administrative offenses to be punished by civil penalty, with an ordinance setting the policy/procedure to follow. This was approved by Ordinance 2023-18, which took effect in late November 2023. Ordinance 2024-111 accomplishes the objectives of creating another tool in the City's tool box for code enforcement and compliance. The administrative citation process allows for a City official(s) to be named to issue a citation with a civil penalty for non-compliance. The individual receiving the citation has the ability to appeal, and the ordinance provides that the City can hire a hearing officer or the Council could serve as the hearing officer. This will be a decision the Council should discuss and determine how to proceed with the hearings, assuming adoption. Failure to pay will result in a line on a property or for the City to seek a judgment against a person. It is important to note that this will not be a process that results in action on the part of an owner or allows the City to abate a nuisance as defined in the code of ordinances. Non-compliance does give the City other avenues in the criminal or civil arena to get to the end goal of compliance/abatement of a nuisance.

There are additional steps that will need to occur before fully implementing this process (not in order):

- Code enforcement position - get Council approval of the position, post and hire
- Designate employees- a list of employees able to issue compliance letters and citations will come back to the Council on a consent agenda
- Adopt fee schedule - staff will bring back a proposed fee schedule for

administrative citation violations

- Internal Workflow - staff needs to discuss/determine the format and issuance/tracking with the Finance Department for payments/collections

No administrative citations will be issued until these items have been addressed.

The City received no comments from the public nor made substantive changes to the ordinance since the first reading.

Motion by Spooner, seconded by van Sluis to approve Ordinance 2024-11 Amend Chapter 17 of the Faribault City Code of Ordinances to Regulate City Code Violations Within the City (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 van Sluis to approve Ordinance 2024-11 Summary Publication and carried unanimously.

Ordinance 2024-12 Amend Chapter 16 to Update Notification and Other Requirements (Second Reading) and Ordinance 2024-12 Summary Publication

City Administrator Jessica Kinser stated that this was the second reading of an ordinance that amends Chapter 16- Nuisances to update the notification requirements to reflect what is currently happening and make pronoun changes referencing the City Administrator. The City received no comments from the public nor made substantive changes to the ordinance since the first reading.

Motion by Caron, seconded by Thiele to approve Ordinance 2024-12 Amend Chapter 16 to Update Notification and Other Requirements (Second Reading)

Roll Call Vote:

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

Nay:

Motion carried 7:0

Motion by van Sluis, seconded by Thiele to approve Ordinance 2024-12 Summary Publication and carried unanimously.

Ordinance 2024-13 Vacate a Portion of Drainage and Utility Easement at 1950 13th St NW (Second Reading) and Ordinance 2024-13 Summary Publication

Community and Economic Development Director David Wanberg stated that on July 9, 2024, the Faribault City Council approved the first reading of Ordinance 2024-13, which vacates an unnecessary portion of a drainage and utility easement at 1950 13th Street NW. The City received no comments from the public nor made substantive changes to

the ordinance since the first reading.

Motion by Ross, seconded by Doumbouya to approve Ordinance 2024-13 Vacate a Portion of Drainage and Utility Easement at 1950 13th St NW (Second Reading)

Roll Call Vote:

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

Nay:

Motion carried 7:0

Motion by Spooner, seconded by Thiele to approve Ordinance 2024-13 Summary Publication and carried unanimously.

Bids - None

Boards and Commissions Reports, Announcements and Project Updates

The Monthly Financial Report was provided to the Council prior to the meeting as part of the meeting packet. City Clerk Heather Slechta asked if the Council would be able to hold a special meeting on August 16, 2024 to approve the primary election abstract, the meeting will be held at 8:00 am. Councilor van Sluis provided an update on the Rice County Fair, Councilor Spooner stated that the River Bend Ramble will be held on August 10 and Mayor Voracek stated that Blue Collar is the next festival in town.

Adjournment

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

Respectfully Submitted,

DocuSigned by:



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Heather Slechta
City Clerk