



CITY COUNCIL MINUTES

COUNCIL CHAMBERS	TUESDAY, SEPTEMBER 10, 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 p.m. Councilors in attendance included Sara Caron, Adama Doumbouya, Royal Ross, Peter van Sluis, Tom Spooner and Chuck Thiele. Also in attendance were City Administrator Jessica Kinser, Administrative Assistant Kari Casper, Community and Economic Development Director David Wanberg, Parks and Recreation Director Paul Peanasky, Public Works Director Travis Block, City Engineer Mark DuChene, Police Chief John Sherwin, Human Resource Director Kevin Bushard, Library Services Director Delane James, Economic Development Coordinator Robert Harris III, City Planner Harry Davis, and Fire Chief Dustin Dienst.

Approve Agenda

Motion by Ross, seconded by Doumbouya to approve the agenda with the addition of the Lakelanders Proclamation and the introduction of Robert Harrison III.

Presentations/Introductions

The Constitution Week Proclamation and the Lakelanders Proclamation were presented to the organizations by Mayor Voracek.

Robert Harrison III was introduced by Community and Economic Development Director David Wanberg. Harrison is the newly hired Economic Development Coordinator.

Approve minutes of the August 27, 2024, City Council Meeting

Motion by Thiele, seconded by van Sluis to approve the minutes of the August 27, 2024, City Council Meeting and carried unanimously.

Requests to be Heard

Arleace Green from SBA Disaster spoke to the Council. Ms. Green is a Specialist for the Office of Disaster Recovery and Resilience. Ms. Green explained the various programs for disaster relief including programs for both physical damage and economic damages. Residents have until September 30 to apply for assistance through the SBA.

Consent Agenda

- A. List of Claims for Release
- B. Approve Application for Display of Fireworks/Pyrotechnic Special Effects
- C. Approve Use of North Alexander Park by Rice County Historical Society
- D. Resolution 2024-180 Approve Street Closure for Faribault Fall Festival
- E. Resolution 2024-181 Approve an Address Change from 2101 Legacy Drive to 2402 14th

Street NE for Fieldstone Family Homes Inc

- F. Approve Use of Teepee Tonka Park for BlackTop Cruisers Midwest Car Show
- G. Resolution 2024-182 Approve Hiring Police Officers
- H. Resolution 2024-183 Approve Hiring CSO Police Recruits
- I. Resolution 2024-184 Approve Hiring Property Maintenance and Fire Code Inspector
- J. Resolution 2024-185 Accept Donation to Parks and Recreation Department
- K. Resolution 2024-190 Approve CROP Hunger Walk Street Closures
- L. Resolution 2024-186 Approve On-Street Parking Restrictions
- M. Resolution 2024-188 Approve an Encroachment Agreement between the City of Faribault and Jennie-O Turkey Store
- N. Resolution 2024-191 Approve Appointment of Board and Commission Member
- O. Resolution 2024-192 Accept Donated Equipment to the Police Department - K9 Vest

Motion by Ross, seconded by Doumbouya to approve Consent Agenda Items A-O with a date correction on 6B. Approve Application for Display of Fireworks/Pyrotechnic Special Effects to September 21, 2024 and carried unanimously.

Public Hearings – None

Items for Discussion

Resolution 2024-187 Adopt the TH 60 West Master Plan

Community and Economic Development Director David Wanberg explained that the TH 60 West area includes a largely undeveloped gateway into Faribault that the City's Journey to 2040 Comprehensive Plan guides for a mix of commercial and residential uses north of TH 60 West and a mix of commercial and industrial uses south of TH 60 West. The City extended municipal utilities to this area decades ago with the expectation of big-box commercial development. However, that development did not occur, and the area has remained mostly undeveloped.

Recently, landowners and developers have expressed renewed interest in developing the area, but they have requested additional guidance regarding the City's vision for the area. The Faribault Economic Development Authority (the "EDA") and Xcel Energy provided funding to hire a consultant to assist the City in creating a master plan to help promote development in the area. A master plan is an aspirational document intended to help inspire and guide future development. It does not dictate nor regulate land use.

The master plan consultant conducted an inventory and analysis of the area, which included meetings with major property owners to learn their vision for the area. The Faribault Planning Commission, City Council, EDA, and major property owners reviewed concept plans for the area and expressed general support for the concept plans. Based on their feedback, the consultant completed a draft of the TH 60 West Master Plan, and the City noticed a public hearing to solicit public input on the master plan.

The Planning Commission held a public hearing on September 3 to solicit public input on the master plan. Four people spoke at the public hearing. Two residents from the existing residential development in Wells Township expressed concerns about the traffic in the area, particularly at the intersection of Wells Lake Drive and TH 60 West. Two people spoke in favor of the master plan. The Planning Commission unanimously recommended that the City Council approve Resolution 2024-187, which adopts the master plan based on the findings outlined in the resolution.

Again, it is important to note the TH 60 West Master Plan is an aspirational document intended to help promote development in a manner consistent with the City's Comprehensive Plan. The Plan does not dictate or regulate land use. Property owners can work with developers to submit different development plans for City review and action.

Motion by Doumbouya, seconded by Spooner to approve Resolution 2024-187 Adopt the TH 60 West Master Plan and carried unanimously.

Ordinance 2024-19 Vacate a Portion of Drainage and Utility Easement at 2343 14th St NE (First Reading)

City Planner Harry Davis stated that Johnson Reiland Builders & Remodelers with an affidavit of consent from Shattuck-St. Mary's School requested approval of a partial easement vacation at 2343 14th St NE, southwest of the intersection of 14th St NE and Legacy Drive. The proposal is to partially vacate an easement platted in The Legacy Addition plat from 1996 and carried through with the Green View Estates plat in 2005. The easement encumbers much of the west and southwest portions of the lot.

The proposed vacation is consistent with the planning and zoning aspects of the City's Unified Development Ordinance. On September 3, 2024, this request was reviewed by the Planning Commission during a public meeting with a public hearing. The Planning Commission voted unanimously in favor of recommending the request to the City Council.

Motion by Ross, seconded by van Sluis to approve Ordinance 2024-19 Vacate a Portion of Drainage and Utility Easement at 2343 14th St NE (First Reading)

Roll Call Vote:

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

Nay:

Motion carried 7:0

Ordinance 2024-18 Approve Zoning Map Amendment for 818 8th Ave NW (First Reading)

City Planner Harry Davis explained that the City of Faribault requested a zoning map amendment for 812 8th Ave NW for the Water Treatment Plant (WTP). The proposed rezoning is from R-2, Low Density Residential to P/I, Public/Institutional. In early 2023, the City of Faribault completed a large zoning map amendment for multiple properties based on the Comprehensive Plan. The zoning map amendments focused on properties in the city that were used by institutions, governments, schools, and other similar uses and guided in the Comprehensive Plan for said uses. The zoning for these properties changed to P/I, Public Institutional to better reflect the Comprehensive Plan and their purpose and use. The Water Treatment Plant is guided as Major Utilities in the Comprehensive Plan and not among the properties rezoned in 2023.

The proposed zoning map amendment is consistent with the planning and zoning aspects of the City's Comprehensive Plan and Unified Development Ordinance. The City's Development Review Committee (DRC) reviewed the proposed application on August 20, 2024 and recommended approval of the amendment. The City Planner notified MN DNR of the proposed zoning map amendment because the subject property is partially within the shoreland overlay area. The City Planner received a response on August 28, 2024, stating no concerns with the proposal.

On September 3, 2024, the Planning Commission held a public hearing for this request. The

Planning Commission heard a request from staff that included the Water Treatment Plant at 812 8th Ave NW and the Wastewater Treatment Plant (WWTP) at 214 14th St NE. During the meeting, Planning Commissioners took issue with not including the adjoining property to the WWTP which has a compost site and water treatment lagoons associated with the WWTP. The Planning Commission voted 5-1 in favor of the ordinance with Commissioner White dissenting for the reasons above. Staff has since amended the request to remove the WWTP and focus on the more immediate needs at the WTP from Public Works.

Motion by Ross, seconded by Thiele to approve Ordinance 2024-18 Approve Zoning Map Amendment for 818 8th Ave NW (First Reading)

Roll Call Vote:

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

Nay:

Motion carried 7:0

Resolution 2024-177 Adopting the 2025 Preliminary Property Tax Levy and Establishing the Budget Meeting Date; Resolution 2024-178 Approving the Faribault Economic Development Authority Preliminary Property Tax Levy for Fiscal Year 2025; Resolution 2024-179 Approving the Faribault Housing and Redevelopment Authority Preliminary Property Tax Levy for Fiscal Year 2025

City Administrator Jessica Kinser explained that the City is required to adopt a preliminary tax levy no later than September 30th of each year. Through a number of work sessions and discussions with City Council, the preliminary tax levy is proposed to be a 14.68% increase over the 2024 property tax request. The amount requested for the General Fund has increased by 12.5% over 2024. This is due mostly to higher personnel costs being budgeted. All collective bargaining agreements are up for renewal and none have settled as of this meeting. Other costs are increasing as well, including utilities, financial software maintenance fees, and other smaller items.

The amount requested for Community & Economic Development has increased due to multiple factors. 2025 marks an end to a prior policy of eliminating property tax revenue support for this fund, as there is not another revenue source available to support the operations. The position of Economic Development Coordinator is also new in 2024 and is fully budgeted in 2025. The tax levy also includes \$53,757 to cover the 2023 operating deficit.

Tax abatements decreased from 2024, as the Sage Glass abatement ends in 2024. A new abatement for Vetrotech comes online in 2025, but not at a full property valuation. Kinser stated that this number will continue to fluctuate in future years as valuations and property taxes paid to the City control how quickly a tax abatement reaches its top dollar threshold.

The tax levy for debt service has also increased. This includes \$80,000 for interest to be paid on an internal capital equipment loan. The Council will not take action on this loan until later in the year.

Kinser stated that the City of Faribault Economic Development Authority (EDA) adopted Resolution 2024-10 approving the preliminary tax levy for the EDA at the maximum amount allowed, \$408,089, at their July meeting. The EDA has not reviewed their budget for 2025, but when reviewed and approved this will come to the City Council at a future work session for a more formal presentation.

Kinser stated that the Faribault Housing and Redevelopment Authority (HRA) adopted a

resolution requesting the maximum amount of property taxes available under state statute, which is \$416,418, for 2025. As part of the preliminary tax levy, the City Council is required to take concurring or differing action. Resolution 2024-179 provides for the preliminary tax levy to include the collection of the full amount requested in 2025. The HRA has not had a chance to fully review/approve an operating budget for 2025, but once that action has occurred a presentation and discussion with the City Council will occur.

Councilor Ross asked if the LGA amount budgeted was a hard number, Kinser stated that it was.

Motion by Ross, seconded by Caron to approve Resolution 2024-177 Adopting the 2025 Preliminary Property Tax Levy and Establishing the Budget Meeting Date and carried unanimously.

Motion by van Sluis, seconded by Doumbouya to approve Resolution 2024-178 Approving the Faribault Economic Development Authority Preliminary Property Tax Levy for Fiscal Year 2025 and carried unanimously.

Motion by Caron, seconded by Thiele to approve Resolution 2024-179 Approving the Faribault Housing and Redevelopment Authority Preliminary Property Tax Levy for Fiscal Year 2025 and carried unanimously.

Resolution 2024-189 Approve Amended Public Purpose Expenditures and Purchasing Policy

City Administrator Kinser stated that in May, the City Council amended the Public Purpose Expenditure and Purchasing Policy, making minor changes regarding what positions have what authority and the procurement method. This was ahead of understanding the set-up and workflow of the new Tyler Munis ERP system. There is now a need to update the policy again to align with what the software has the capability to do. Abdo Financial Services has reviewed the policy and recommended minor language changes.

Kinser stated that the updated policy removes authority for not budgeted expenditures because there is not a way to create a workflow/approval process in Tyler for the not-budgeted expenditures. In the purchasing guidance table, the remaining table in section 2E is being amended to include the requirement for purchase orders to be completed when an invoice is \$5,001 or greater. This will initiate a different level of approval and workflow in the system. There is extra work involved with creating a purchase order, so Staff will be monitoring the number of PO's between \$5,000-\$10,000 and see if there is a workload reason that would justify bringing forward an amendment in 2025 to change this table. Regardless of whether a PO is required, every invoice is required to be approved by the department head and the Finance Director before it appears on a claims list to be paid.

As for quotes, the League of Minnesota Cities recommends two quotes which was not stated in the policy, therefore this language has been added. The language requiring that documentation of the quotes be included with the request for a purchase order has also been added.

Kinser stated that this is a policy that, per the Code of Ordinances, is to be reviewed annually. She anticipates this coming forward in 2025 as Staff continue to implement the new software system.

Motion by Thiele, seconded by van Sluis to approve Resolution 2024-189 Approve Amended Public Purpose Expenditures and Purchasing Policy and carried unanimously.

Ordinance 2024-20 Amending Chapter 13 Article II of the Faribault City Code Regarding Library Advisory Board – (First Reading)

Library Services Director Delane James explained that the Library Advisory Board reviewed Article II of Chapter 13 at their March 11, 2024, meeting. The Board found the wording confusing regarding who can serve and how members are appointed to the Library Advisory Board. They suggested that the library advisory board be made up of six (6) residents of the city or a township in the library's legal service area in Rice County, removing language that allows for the Rice County Board appointing a member and changing the student member language to a youth aged 13 years or older who is a resident of the city or a township in the library's legal service area.

At the September 3, 2024 City Council Work Session the Council reviewed the suggested language and supported the changes.

Motion by Caron, seconded by Ross to approve Ordinance 2024-20 Amending Chapter 13 Article II of the Faribault City Code Regarding Library Advisory Board - 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

Councilor van Sluis stated that the Faribault Diversity Coalition is dismantling, he also reminded everyone of the 9/11 Ceremony tomorrow at 7:46 am. Councilor Ross asked if a Charter Commission meeting has been scheduled, City Administrator Jessica Kinser stated that it is scheduled for November 13th. Mayor Voracek stated that the AAUW is doing candidate forums on October 10 at 6:30 for Mayor and Council candidates.

Adjournment

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

The meeting was adjourned at 7:11 pm.

Respectfully Submitted,

DocuSigned by:



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Heather Slechta
City Clerk