



## CITY COUNCIL MINUTES

COUNCIL CHAMBERS

TUESDAY, DECEMBER 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 pm. 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, City Clerk Heather Slechta, Community and Economic Development Director David Wanberg, Public Works Director Travis Block, Police Chief John Sherwin, Parks and Recreation Director Paul Peanasky, Human Resources Director Kevin Bushard, City Engineer Mark DuChene, Library Services Director Delane James, and Fire Chief Dustin Dienst.

### **Approve Agenda**

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

### **Presentations/Introductions – None**

### **Approve minutes of the November 26, 2024 City Council Meeting**

Motion by Ross, seconded by Thiele to approve minutes of the November 26, 2024 City Council Meeting and carried unanimously.

### **Requests to be Heard**

George Wickstrom spoke to the Council on federal debt and obligations that could impact the residents of Faribault.

### **Consent Agenda**

- A. List of Claims for Release
- B. Resolution 2024-243 Approve Memorandum of Understanding with Three Rivers Community Action Inc. for the Provision of Transit Services
- C. Approve 2024 Sanitary Sewer Budget Adjustment
- D. Approve Change Order No 1 for Upgrades to Great Hall Technology and User Experience
- E. Resolution 2024-252 Approve LUP 6606-0027 with the Minnesota Department of Transportation for Municipal ID Entrance Signs
- F. Resolution 2024-253 Approve Advanced Construction Agreement with Minnesota Department of Transportation for Northern Links Trail Project,

MnDOT Contract No 1057137

- G. Approve Change Order for Professional Services Contract for TH 3 Sanitary Sewer Extension Project, City Contract 2023-08
- H. Approve Change Order for Professional Services Contract for TH 3 Northern Links Trail Project, City Contract 2023-07
- I. Resolution 2024-254 Approve 2025 Club/Sunday Liquor License for the American Legion
- J. Resolution 2024-255 Approve 2025 Low Volume/Sunday Liquor License Renewal for The Golf Box
- K. Approve Law Enforcement Labor Services Police Department Supervisory Essential CBA 2025

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

### **Public Hearings**

City Administrator Jessica Kinser provided the Council and the public with an overview of the 2025 tax levy and budget, including the HRA and EDA levy request, fee schedule, Capital Improvement Plan and the franchise fee distribution. Kinser also reviewed the internal loan for the financing of 2025 capital equipment and the 2023 purchase of a fire truck.

Motion by Ross, seconded by van Sluis to open the public hearing and carried unanimously. The public hearing was opened at 6:42 pm.

There were no comments received from the public during the public hearing.

Motion by Thiele, seconded by van Sluis to close the public hearing and carried unanimously. The public hearing closed at 6: 42 pm.

Motion by Caron, seconded by Ross to approve Resolution 2024-244 Adopt the 2025 Property Tax Levy and carried unanimously.

Motion by Doumbouya, seconded by van Sluis to approve Resolution 2024-245 Adopt the 2025 Budget and Fund Appropriations and carried unanimously.

Motion by van Sluis, seconded by Thiele to approve Resolution 2024-246 Adopt the 2025 Housing and Redevelopment Authority Tax Levy and carried unanimously.

Motion by Ross, seconded by Doumbouya to approve Resolution 2024-247 Adopt the 2025 Economic Development Authority Tax Levy and carried unanimously.

Motion by van Sluis, seconded by Caron to approve Resolution 2024-248 Adopt the 2025 Fee Schedule and carried unanimously.

Motion by Thiele, seconded by Ross to approve Resolution 2024-249 Approve the 2025-

2029 Capital Improvement Plan and carried unanimously.

Motion by van Sluis, seconded by Caron to approve Resolution 2024-250 Approve the 2025 Franchise Fee Distribution and carried unanimously.

Motion by Ross, seconded by van Sluis to approve Resolution 2024-251 Authorize an Internal Loan for the Financing of the 2025 Capital Equipment Budget and 2023 Approved Purchase of a Fire Truck and carried unanimously.

### **Items for Discussion**

Ordinance 2024-21 Approve a Zoning Map Amendment for 739 Willow St - First Reading  
Planning Manager Harry Davis explained that Louise Heyer requested a zoning map amendment for 739 Willow St. The proposed rezoning is from R-3, Medium Density Residential District to C-1, Neighborhood Commercial District. 739 Willow St. was built in 1947 for a fur store and has historically been a commercial use. Despite its commercial origin, the subject property was zoned R-1 or R-2 in 1949 and the residential zoning designation continues today under R-3. The applicant, intending to sell the parcel, put it on the market earlier in the year. Due to the residential zoning, this commercially-used property is difficult to sell despite its history, so Ms. Heyer requests to align the property's use and zoning to correct a 77-year land use error.

The proposed zoning map amendment is consistent with the planning and zoning aspects of the City's Comprehensive Plan and Unified Development Ordinance. The comprehensive plan acknowledges and supports neighborhood-level commercial that is consistent or compatible with its context. This property, used as commercial since it was built, is well-integrated with the neighborhood. Rezoning the property to acknowledge and permit commercial is not incompatible or out of character with adjoining properties.

As a note, Ms. Heyer and all future owners of the property should know that a new business or owner of the property shall require a Zoning Certificate to review any new use. A new use may require improvements to the property related to life and safety, ADA, or other development standards. The business and/or property owner will need to work with staff to determine any necessary improvements.

The Planning Commission and Davis recommend that City Council approval the zoning map amendment for 739 Willow Street.

Motion by Ross, seconded by Thiele to approve Ordinance 2024-21 Approve a Zoning Map Amendment for 739 Willow St - First Reading

Roll Call Vote:

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

Nay:

Motion carried 7:0

Ordinance 2024-17 Establishing Regulations Related to Cannabis and Hemp Businesses

*in the City of Faribault - First Reading*

City Clerk Heather Slechta explained that Ordinance 2023-20, went into effect on August 25, 2023, is an interim ordinance authorizing the study and imposing a moratorium on the operation of cannabis businesses within the city is set to expire on January 1, 2025. Since the approval of 2023-20 the City Council and Staff have been discussing the regulation of cannabis in the city of Faribault and what regulations they would like to see in place.

From the many discussions and work sessions over the last year or so, City Staff, the Council, with the assistance of the City Attorney have developed Ordinance 2024-17 which establishes regulations related to Cannabis and Hemp businesses in the City. The purpose of the ordinance is to protect the public health, safety and welfare of the City by implementing regulations that are pursuant to Minnesota Statutes, chapter 342. All registration fees will be set annually in the fee schedule.

Motion by Caron, seconded by Ross to approve Ordinance 2024-17 Establishing Regulations Related to Cannabis and Hemp Businesses in the City of Faribault - First Reading

Roll Call Vote:

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

Nay:

Motion carried 7:0

*Ordinance 2024-22 Approve a Zoning Text Amendment to Allow Cannabis Businesses in Certain Zoning Districts - First Reading*

Planning Manager Harry Davis explained that on September 16, 2024 the Planning Commission reviewed initial recommendations from City Council for zoning text amendments that would permit cannabis businesses in certain zoning districts. Davis reviewed the initial recommendations and proposed changes matching the different cannabis business types with uses already allowed in each zoning district. The Planning Commission voted unanimously in favor of the changes based on City Council's recommendations.

At the October 1, 2024 City Council work session, Davis presented the Planning Commission's recommendations and, with Council support, sent the proposal to Kennedy & Graven for final edits. City staff and Kennedy & Graven collaborated on the attached Ordinance 2024-22. The largest changes between the October 1 version and the current version are edits to the proposed cannabis-focused definitions. The definition and small edits across the ordinance amount to no substantial changes within the larger scope of the zoning text amendment.

Motion by Caron, seconded by Doumbouya to approve Ordinance 2024-22 Approve a Zoning Text Amendment to Allow Cannabis Businesses in Certain Zoning Districts - First Reading

Roll Call Vote:

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

Nay:

Motion carried 7:0

**Resolution 2024-256 Approve New Off-Sale Liquor License for Indigo Dreams LLC dba Topsy Corner Liquor**

City Clerk Heather Slechta informed the Council that Indigo Dreams LLC dba Topsy Corner Liquor, located at 1930 2nd Ave NW, has applied for an Off-Sale Intoxicating Liquor License in the city of Faribault and has paid all required fees. If approved, the application will be forwarded to the Minnesota Department of Public Safety - Alcohol and Gambling Enforcement Division for inspection and final approval.

If the license is approved, the licensing period will be valid January 1, 2025-December 31, 2025.

Motion by Ross, seconded by van Sluis to approve Resolution 2024-256 Approve New Off-Sale Liquor License for Indigo Dreams LLC dba Topsy Corner Liquor and carried unanimously.

**Bids - None**

**Boards and Commissions Reports, Announcements and Project Updates**

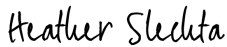
Coffee with the Council will be held on December 14, 2024 at the Library Great Hall. City Administrator Jessica Kinser stated that a farewell reception will be held for Sara and Kevin on Tuesday at 4:30 pm. Councilor van Sluis stated that Winterfest was a success again this year. Councilor Spooner reminded the Council of the upcoming Board and Commission Appreciation dinner. Mayor Voracek stated that there is a stakeholders meeting at River Bend Nature Center on Thursday.

**Adjournment**

Motion by Doumbouya, seconded by Thiele to adjourn the City Council meeting and carried unanimously. The meeting was adjourned at 7:00 pm.

Respectfully submitted,

Signed by:



Heather Slechta  
City Clerk