

FAIRMONT CITY COUNCIL AGENDA

1. CALL TO ORDER -

- Regular meeting of the Fairmont City Council held on

MONDAY, NOVEMBER 9, 2015

at **5:30 p.m.** in the City Hall Council Chambers

2. ROLL CALL -

Mayor Quiring
Councilors: Anderson
Askeland
Clerc
Peters
Zarling

3. DETERMINATION OF QUORUM -

4. PLEDGE OF ALLEGIANCE

5. READINGS OF MINUTES -

5.1 Minutes of Regular Meeting, October 26, 2015 (01)

6. OPEN DISCUSSION -

6.1 Open Discussion (02)

7. RECOGNITIONS/PRESENTATIONS -

7.1 Proclaim November 9, 2015 as "Steve Schmitz Day" and Recipient of the Golden Deeds Award by the Fairmont Exchange Club (03)

7.1a Proclamation (04)

7.2	Proclaim November 12, 2015 Community Education and Recreation Day	(05)
	7.2a Proclamation	(06)
7.3	Proclaim the week of November 16-20, 2015 as American Education Week	(07)
	7.3a Proclamation	(08)
7.4	Proclaim November 18, 2015 National Education Support Professionals Day	(09)
	7.4a Proclamation	(10)
8.	SCHEDULED HEARINGS –	
9.	ADMINISTRATIVE APPEALS –	
10.	FINANCIAL REPORTS –	
11.	REPORTS OF BOARDS, COMMITTEES, AND DEPARTMENT HEADS –	
12.	LICENSES AND PERMITS –	
12.1	Tobacco License	(11)
	12.1a Memo from Mike Humpal	(12)
	12.1b License Application	(13-14)
13.	OLD BUSINESS –	
14.	NEW BUSINESS –	
14.1	Acquisition of 506 Canyon Drive for Flood Mitigation	(15)

14.2 Local Government Resolution for Application to DEED for Small Cities Development Program 2016 Funding (16)

14.2a Resolution 2015-331 (17)

15. REGULAR AND LIQUOR DISPENSARY BILLS –

16. STATUS REPORTS/ORAL

17. ADJOURNMENT –

ADDITIONAL ATTACHMENTS – (18)

Park Board Meeting Minutes, October 20, 2015

The minutes of the Fairmont City Council meeting held on Monday, October 26, 2015 at the City Hall Council Chambers.

Mayor Pro-tem Wes Clerc called the meeting to order at 5:30 p.m. Council Members Terry Anderson, Chad Askeland, Bruce Peters and Jim Zarling were present. Also in attendance: City Administrator Mike Humpal, Public Works Director/City Engineer Troy Nemmers, City Attorney Elizabeth W. Bloomquist, Finance Director Paul Hoye and City Clerk Patricia Monsen.

It was moved by Council Member Peters, seconded by Council Member Zarling and carried to approve the minutes of the regular City Council meeting of October 12, 2015.

Humpal advised that council agenda item 12.1 would be pulled from the agenda.

During open discussion, Council Member Anderson stated that he attended the annual SMMPA meeting with Troy and was very impressed by the information presented and the group.

Humpal reminded everyone of the work session scheduled for Thursday, October 29th at 5:30 p.m.

Mayor Pro-tem Clerc proclaimed November 6th through November 8th as Poppy Days in the City of Fairmont. The memorial poppy is a symbol of our appreciation for the services rendered by veterans.

Council Member Zarling made a motion to approve **Resolution 2015-32**, approving the Double Frontage Assessment Agreements between the City of Fairmont and Melissa and Matthew Klusmeier; Connie Snyder; and, Donald and Cynthia Johnson. Council Member Askeland seconded the motion. On roll call: Council Members Askeland, Clerc, Peters, Zarling and Anderson all voted aye. No one voted nay. Mayor Pro-tem Clerc declared said motion passed.

Council Member Anderson made a motion to approve hiring Bolton & Menk to complete design services on the 2017 Margaret Street reconstruction project. Council Member Zarling seconded the motion and the motion passed.

Council Member Anderson made a motion to submit a grant application to the Bush Foundation on behalf of 1590 and for the City to act as the fiscal agent. Council Member Peters seconded the motion and the motion passed.

Council Member Peters made a motion to pay the October, 2015 bills in the amount of \$717,331.57. Council Member Zarling seconded the motion and the motion passed.

A motion was made by Council Member Askeland, seconded by Council Member Anderson and carried to adjourn the meeting at 5:40 p.m.

ATTEST:

Randy J. Quiring
Mayor

CITY OF FAIRMONT---AGENDA CONTROL SHEET---AGENDA ITEM NO. 6.1

MEETING DATE: November 9, 2015

SUBJECT: Open Discussion

REVIEWED BY: Mike Humpal, CEcD, City Administrator *MH*

SUBJECT INITIATION BY:

Petition	Board	<input checked="" type="checkbox"/>	Staff	Council	Commission	Committee
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SUBJECT BACKGROUND:

INTRODUCED BY: Mayor Randy Quiring

COUNCIL LIAISON:

TYPE OF ACTION:

Motion (Voice Vote)	Resolution (Roll Call)	Discussion
Ordinance 1 st Reading (Introduction only)	Set Public Hearing (Motion)	<input checked="" type="checkbox"/> Information Only
Ordinance 2 nd Reading (Roll call)	Hold Public Hearing (Motion to close)	

RECOMMENED ACTION BY:

City Staff	Board	Commission	Committee
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Issuance	Approval	Authorization	No recommendation
Denial	Rejection	<input checked="" type="checkbox"/> No action needed	

STATEMENT: Prior to regular business, is there any open discussion?

MOTION: None

VOTE REQUIRED:

ATTACHMENTS:

1. _____
2. _____
3. _____

Council Action: _____ Date: _____

CITY OF FAIRMONT---AGENDA CONTROL SHEET---AGENDA ITEM NO. 7.1

MEETING DATE: November 9, 2015

SUBJECT: Proclaim November 9, 2015 as “Steve Schmitz Day” and recipient of the Golden Deeds Award by the Fairmont Exchange Club.

REVIEWED BY: Mike Humpal, CEcD, City Administrator *MH*

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input checked="" type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Mayor Randy J. Quiring will proclaim November 9, 2015 as “Steve Schmitz Day” in the City of Fairmont.

MOTION: N/A

VOTE REQUIRED:

ATTACHMENTS:

1. Proclamation
- 2.
- 3.

Council Action: _____ Date: _____



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031
www.fairmont.org

Phone (507) 238-9461

Fax (507) 238-9469

PROCLAMATION

WHEREAS, Fairmont Exchange Club, a community service organization, annually honors an individual who has given unselfishly in community service and displays the true spirit of volunteerism, and;

WHEREAS, the Exchange Club in honoring one individual actually is honoring all volunteers, and;

WHEREAS, the Exchange Club wants to honor the work and dedication of volunteers and the vital resource volunteerism is to our community, and the recipient so honored in this proclamation has been and is an ideal role model for volunteers, and;

WHEREAS, we have designated the 9th day of November, 2015, to honor Steve Schmitz who has given so much love and happiness to so many people and is a symbol of patience, cheerfulness, generosity, humility, and Christian love, and;

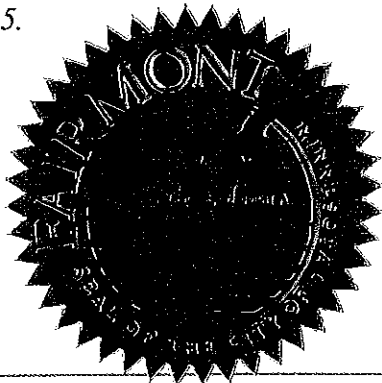
WHEREAS, we, the Exchange Club of Fairmont and the Martin County community, in honoring Steve Schmitz on November 9, 2015, are letting the present and future generations know that the world's future depends on the commitment of each individual to help and support one another.

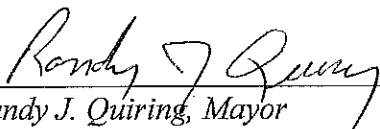
NOW, THEREFORE, I, Randy J. Quiring, Mayor of the City of Fairmont, do hereby proclaim the day of November 9, 2015, as

STEVE SCHMITZ

day in the City of Fairmont, County of Martin, and I call on all citizens of the City of Fairmont to honor all volunteers.

Given under my hand and the seal of the City of Fairmont, Minnesota this 9th day of November, 2015.




Randy J. Quiring, Mayor

CITY OF FAIRMONT---AGENDA CONTROL SHEET---AGENDA ITEM NO. 7.2

MEETING DATE: November 9, 2015

SUBJECT: Proclaim November 12, 2015 Community Education and Recreation Day

REVIEWED BY: Mike Humpal, CEcD, City Administrator *MH*

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mayor Randy J. Quiring

INTRODUCED BY: Mayor Randy J. Quiring

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input checked="" type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Mayor Randy J. Quiring will proclaim November 12, 2015 in the City of Fairmont as Community Education and Recreation Day.

MOTION: N/A

VOTE REQUIRED:

ATTACHMENTS:

1. Proclamation
- 2.
- 3.

Council Action: _____ Date: _____



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PROCLAMATION

WHEREAS, Fairmont Community Education and Recreation is celebrating 44 years of providing lifelong learning and leisure opportunities for all ages to our area; and,

WHEREAS, Fairmont CER fosters partnerships and collaborations with other organizations and agencies to promote positive collective impact of community resources for the betterment of all citizens; and,

WHEREAS, Fairmont CER actively seeks new ways to be involved in achieving the goals of whole communities collaborating for the greater good; and,

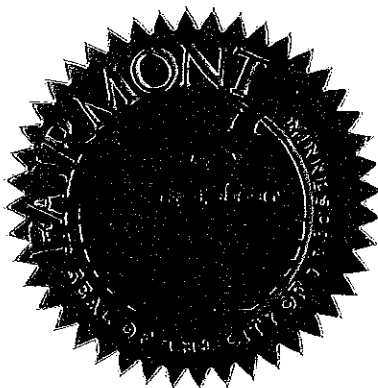
WHEREAS, The Fairmont CER Citizens Advisory Council is representative of the area populations and encourages all citizens, young and old, to be lifelong learners and actively engaged in the community; and,

WHEREAS, Fairmont CER enhances the quality of life for our community and promotes healthy, purposeful lifestyles for all ages.

NOW, THEREFORE, BE IT RESOLVED THAT I, Mayor Randy J. Quiring, do hereby proclaim Thursday, November 12, 2015 as:

COMMUNITY EDUCATION and RECREATION DAY In The City of Fairmont

And call upon all citizens to recognize and participate in this special observance by supporting Fairmont Community Education and Recreation as a provider of lifelong learning and leisure opportunities for all ages and by being involved in community life activities.




Randy J. Quiring, Mayor

CITY OF FAIRMONT---AGENDA CONTROL SHEET---AGENDA ITEM NO. 7.3

MEETING DATE: November 9, 2015

SUBJECT: Proclaim November 16-20, 2015 American Education Week

REVIEWED BY: Mike Humpal, CECD, City Administrator *MH*

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mayor Randy J. Quiring

INTRODUCED BY: Mayor Randy J. Quiring

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input checked="" type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Mayor Randy J. Quiring will proclaim the week of November 16-20, 2015 in the City of Fairmont as American Education Week.

MOTION:

VOTE REQUIRED:

ATTACHMENTS:

1. Proclamation
- 2.
- 3.

Council Action: _____ Date: _____



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PROCLAMATION

WHEREAS, American Education Week is an opportunity to recognize the accomplishments and the needs of our local public schools; and,

WHEREAS, our public schools have enabled generations of American families to build upon the lessons of the past to achieve the dreams of tomorrow; and,

WHEREAS, American's system of public education relies not only on the skills and dedication of teachers, school administrators and educational support staff, but also on the encouragement and support of the entire community; and,

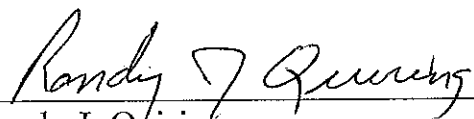
WHEREAS, teachers in the Fairmont area are joining teachers, students and educational organizations around the nation in special activities in honor of American Education Week.

NOW THEREFORE, I, Randy J. Quiring, Mayor of the City of Fairmont, along with Fairmont area teachers, am asking parents, students and civic leaders to join in the nation's annual salute to public education during the week of November 16-20, 2015 and do hereby proclaim this week to be:

AMERICAN EDUCATION WEEK

in the City of Fairmont.





Randy J. Quiring

C I T Y O F L A K E S

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 7.4

MEETING DATE: November 9, 2015

SUBJECT: Proclaim November 18, 2015 National Education Support Professionals Day

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mayor Randy J. Quiring

INTRODUCED BY: Mayor Randy J. Quiring

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input checked="" type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Mayor Randy J. Quiring will proclaim November 18, 2015 in the City of Fairmont as National Education Support Professionals Day.

MOTION:

VOTE REQUIRED:

ATTACHMENTS:

1. Proclamation
- 2.
- 3.

Council Action: _____ Date: _____



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031
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Fax (507) 238-9469

PROCLAMATION

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility and equality; and,

WHEREAS, education support professionals are an integral part of the education process; and,

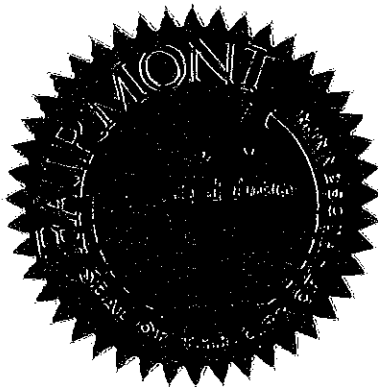
WHEREAS, education support professionals provide a safe and healthy learning environment for students; and,

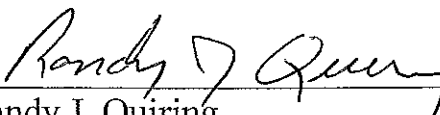
WHEREAS, education support professionals work tirelessly to serve our children and communities with care and professionalism.

NOW THEREFORE, I Randy J. Quiring, Mayor of the City of Fairmont, do hereby proclaim Wednesday, November 18, 2015, as

NATIONAL EDUCATION SUPPORT PROFESSIONALS DAY


in the City of Fairmont. I urge that we observe this day by taking time to recognize and acknowledge the importance of education support professionals in our public schools.




Randy J. Quiring

MEETING DATE: November 9, 2015

SUBJECT: Tobacco License

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON: None

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Mutaz Wazwaz was granted a tobacco license on July 13, 2015 for this location. He has decided to open a tobacco shop in Iowa instead. Salah A. Hamdah has applied for a tobacco license to open a Tobacco Shop in the former Verizon building in the strip mall on Goemann Road.

MOTION: To approve/deny the Tobacco License for Salah A. Hamdah.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Memo from Mike Humpal
2. License Application
3. _____

Council Action: _____ Date: _____




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www.fairmont.org

Phone (507) 238-9461

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MEMO

DATE: November 4, 2015
TO: Mayor and City Council
FROM: Mike Humpal, CEcD, City Administrator 
RE: Tobacco License Request

This application is different than what Staff generally sees for a tobacco license request. Usually, we have a retail establishment, that in addition to other products, is requesting to sell cigarettes and other tobacco products. This operation is a “Smoke Shop” and as such, Staff felt a more comprehensive background check was prudent.

The City’s tobacco license application is a short one and half page application. The information on the initial application was incomplete and had some inconsistencies. Staff offered to pull the application off the October 26th council agenda, in lieu of recommending denial. Staff has reviewed a newly completed application which was completed under the supervision of the City Clerk and myself. We asked and received clarification on the questions we had concerning Mr. Hamdah’s past conviction for a crime in 1988-89. With some direction from the LMC general counsel, Staff determined this conviction should not be used as a basis for denial due to the length of time that has past (30 years).

Background investigation by Fairmont Police Department Detective did uncover that Mr. Hamdah has relatives with varying degrees of separation (uncles, cousins, nephews) that have had some license and legal concerns with similar type stores in other Minnesota cities. However, there is no direct connection or proof of involvement by Mr. Hamdah, other than the fact that there is a family relationship.

Tobacco licenses are issued one year at a time and come back each year for renewal. The Council has the authority to revoke a license at any time it has clear evidence of City, State and Federal violations of the law.

At this time, City Staff does not find a legal reason to deny the tobacco application.

MH:pm

C I T Y O F ^{12.} L A K E S



TOBACCO LICENSE APPLICATION

ANNUAL LICENSE FEE: \$25
INVESTIGATION FEE: \$75

100 Downtown Plaza
Fairmont, MN 56031
507-238-3935

1. Name of individual, partnership, LLC, corporation: Smoney Tobacco Shop, Inc
2. Owner/corporate address: 1245 Goemann RD Fairmont, MN 56031
Address City State Zip
3. Applicant's full name: Salah A Hamdah
First Middle Last
4. Birth Date: [REDACTED] Driver's License No: [REDACTED]
5. Is the applicant 18 years of age or older? Yes No
6. Applicant's home address 3668 Hawkspoint Rd Wildwood, Mo 63069 374r
Address City State Zip
7. Home phone 573 808-5011 Office phone email SAL OMAR 58 at yahoo.com
8. Circle One: Minnesota Tax ID / Federal Tax ID / Social Security number [REDACTED]
(Required by the Minnesota Department of Revenue) [REDACTED]
9. Describe premises to be licensed (type of business-convenience, bar, grocery store, etc.):
Tabacco Store
10. Name of manager Salah A. Hamdah
11. Has the applicant, person managing the business, or any person associated in the business ever been convicted of any crime, misdemeanor, or violation of any city, state, or federal law involving activities licensed under this article? Yes No 1988-89.
If yes, state the nature of the offense(s) and the punishment or penalty assessed therefore.
Attach additional sheets if necessary. Alford plea
12. Is tobacco sold and/or stored in a vending machine? Yes No (if yes, read on):
Explain in detail; location of vending machine _____
Is the vending machine accessible to the public? Yes No
How is the tobacco product purchased from the vending machine? _____

AUTHORIZATION FOR RELEASE OF INFORMATION

I authorize and grant by informed consent to permit the City of Fairmont and its agents and/or representatives the right and authority to collect data classified as private which concerns me. The data which I authorize to be released includes private data as defined by Minnesota Statute 13.02, Subd. 12. I fully understand that this data is to be used in conjunction with any background investigation by the City of Fairmont pursuant to my application for a Tobacco License. I further authorize the City of Fairmont to perform an investigation of my driving record and my criminal background with local, state, and federal law enforcement agencies, including the Minnesota Bureau of Criminal Apprehension and the Fairmont Police Department.

This authorization is valid for one (1) year; however, I reserve the right to, at any time prior to that expiration, to cancel the written authorization by providing written notice of my intent, to the City of Fairmont.

By signing below, I authorize the City of Fairmont, MN to conduct a background check on me.

Signature of applicant:  Date: 10/15/15


Police Chief Approval: _____ Date: _____

Amount paid: \$100⁰⁰ Check # ~~621122~~ cash Date Council approved _____

CITY OF FAIRMONT---AGENDA CONTROL SHEET---AGENDA ITEM NO. 14.1

MEETING DATE: November 9, 2015

SUBJECT: Acquisition of 506 Canyon Drive for Flood Mitigation

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Troy Nemmers, Public Works Director/City Engineer

INTRODUCED BY: Troy Nemmers, Public Works Director/City Engineer

COUNCIL LIAISON:

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input checked="" type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: The City Council authorized Staff to negotiate the purchase of 506 Canyon Drive. That negotiation is complete. City Staff and owners have agreed on a price of \$166,000 inclusive of all State and Federal mandated relocation expenses to be paid.

MOTION: To authorize Staff to enter a formal Purchase Agreement and Waiver of Relocation Expenses in lieu of a lump sum payment, with a closing date after January 1, 2016.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

- 1.
- 2.

Council Action: _____ Date: _____

CITY OF FAIRMONT---AGENDA CONTROL SHEET---AGENDA ITEM NO. 14.2

MEETING DATE: November 9, 2015

SUBJECT: Local Government Resolution for Application to DEED for Small Cities Development Program 2016 Funding

REVIEWED BY: Mike Humpal, CEcD, City Administrator

SUBJECT INITIATION BY: Mike Humpal, CEcD, City Administrator

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Linsey Preuss, Economic Development Coordinator

INTRODUCED BY: Linsey Preuss, Economic Development Coordinator

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input checked="" type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: The City is in the process of putting together an application for 2016 Small Cities Development Program funds for owner-occupied residential homes for LMI households. Resolution 2015-33 authorizes the Mayor and City Clerk to execute documents on behalf of the City.

MOTION: Adoption of Resolution 2015-33 authorizing Mayor and City Clerk to execute documents for applying to DEED for SCDP funds.

VOTE REQUIRED: Simple majority – roll call

ATTACHMENTS:

1. Resolution 2015-33
2. _____
3. _____

Council Action: _____ Date: _____

Local Government Resolution 2015-33

Applicant Name: City of Fairmont

BE IT RESOLVED that the City of Fairmont (Applicant) act as the legal sponsor for the project contained in the Application to be submitted on November 9, 2015 (date) and that Mayor (Title of First Authorized Official) and City Clerk (Title of Second Authorized Official) are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Fairmont (Applicant).

BE IT FURTHER RESOLVED that the City of Fairmont (Applicant) has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Fairmont (Applicant) has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the State, the City of Fairmont (Applicant) may enter into an agreement with the State of Minnesota for the approved project, and that the City of Fairmont (Applicant) certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW, THEREFORE BE IT RESOLVED that Mayor (Title of First Authorized Official) and City Clerk (Title of Second Authorized Official), or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project on behalf of the Applicant.

I CERTIFY THAT the above resolution was adopted by the City Council (governing body of Applicant) of the City of Fairmont (Applicant) on November 9, 2015 (date).

SIGNED:

WITNESSED:

(First Authorized Official)

(Signature)

Mayor November 9, 2015
(Title) (Date)

(Title) November 9, 2015
(Date)

(Second Authorized Official)

City Clerk November 9, 2015
(Title) (Date)

PARK BOARD MEETING

DRAFT

Meeting Minutes
Tuesday, October 20, 2015
5:00 p.m.

Board Members Present:

- Vicki Schulte
- Jodie Whitmore
- Craig Nelson
- Nancy Johnson
- Mary Don Kislingbury
- Tracy Meadows

Council Member Present:

- Jim Zarling

Staff Present:

- Troy Nemmers, Public Works
Director/City Engineer
- Nick Lardy, Streets/Parks Superintendent

Others Present:

- Roni Dauer
- Rod Halverson (KSUM)
- Judy Bryan (Sentinel)

Cathy Malo & SkyeLi Malo

A motion was made by Jodie Whitmore to approve the minutes of September 15, 2015. The motion was seconded by Craig Nelson and carried.

Monthly update: Nick Lardy and Troy Nemmers provided a brief update on parks, docks, soccer fields' playground equipment, new trails at the soccer fields & dog park.

CER update: No report.

Old Business: None

New Business:

- a. SkyeLi Malo presented information on her Girl Scout Silver Award project and proposal to construct a new gaga pit in one of the city parks. SkyeLi stated her preference would be to have it located at the soccer fields. Jodie Whitmore made the motion to move forward with installing the gaga pit at the soccer fields. The motion was seconded by Nancy Johnson and carried.

Other discussion:

- a. Discussed the Christmas lighting at Ward & Lincoln Parks; either improve or not do at all. Jodi Whitmore requested to see more lights in the trees that are lit as part of the Glows celebration. Craig Nelson suggested decorating the light poles instead of trees and Lincoln. It was explained that the Chamber purchases the lights and City crews only install lights that are provided by the Chamber. Staff will look into options and discuss with the Chamber.

A motion was made by Nancy Johnson to adjourn the meeting at 5:44 p.m. The motion was seconded by Jodie Whitmore and carried.

Respectfully submitted,

Troy Nemmers, PE
Public Works Director/City Engineer

18.