

FAIRMONT CITY COUNCIL AGENDA

1. CALL TO ORDER -

- Regular meeting of the Fairmont City Council held on

MONDAY, OCTOBER 10, 2016

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

2. ROLL CALL -

Mayor Wallace

Councilors:

Anderson

Askeland

Clerc

Peters

Zarling

3. DETERMINATION OF QUORUM -

4. PLEDGE OF ALLEGIANCE

5. READINGS OF MINUTES -

- 5.1 Minutes of Regular Meeting, September 26, 2016 (01)

6. OPEN DISCUSSION -

- 6.1 Open Discussion (02)

7. RECOGNITIONS/PRESENTATIONS -

8. SCHEDULED HEARINGS –

8.1 Public Hearing – Concerning submittal of an application to the MN Dept. of Employment and Economic Development for a grant under the Minnesota Investment Fund (MIF) program **(03)**

8.1a Public Hearing Notice **(04)**

9. ADMINISTRATIVE APPEALS –

10. FINANCIAL REPORTS –

11. REPORTS OF BOARDS, COMMITTEES, AND DEPARTMENT HEADS –

12. LICENSES AND PERMITS –

12.1 Solid Waste Collector License **(05)**

12.1a License Application **(06-07)**

13. OLD BUSINESS –

14. NEW BUSINESS –

14.1 Authority to Appoint Successor Paying Agent on 2012A Bond Issue **(08)**

14.1a Resolution 2016-37 **(09)**

14.2 Community Center Feasibility Study **(10)**

14.2a Community Center Feasibility Study

14.3 Call for Public Hearing on Proposed Zoning Code Amendment **(11)**

14.3a Planning Commission Minutes, October 4, 2016 **(12)**

14.3b Draft Ordinance No. 2016-06 **(13-14)**

14.4 Extend Conditional Use Permit – Bradford Development LLC (15)
(Willowbrook) at 1335 Adams Avenue

14.4a Planning Commission Minutes, October 4, 2016 (16)

15. REGULAR AND LIQUOR DISPENSARY BILLS –

16. STATUS REPORTS/ORAL

17. ADJOURNMENT –

ADDITIONAL ATTACHMENTS – (17-18)

Fairmont Airport Advisory Board Minutes, September 13, 2016
Park Board Meeting Minutes, September 20, 2016

The minutes of the Fairmont City Council meeting held on Monday, September 26, 2016 at the City Hall Council Chambers.

Mayor Wallace called the meeting to order at 5:30 p.m.

Council Members Terry Anderson, Chad Askeland, Wes Clerc and Jim Zarling were present. Also in attendance: City Administrator Mike Humpal, Public Works Director/City Engineer Troy Nemmers, Finance Director Paul Hoye, City Attorney Elizabeth W. Bloomquist, Police Chief Greg Brolsma and City Clerk Patricia Monsen.

It was moved by Council Member Clerc, seconded by Council Member Askeland and carried to approve the minutes of the regular City Council meeting of September 12, 2016.

During open discussion, Mayor Wallace informed the public that there will be a florescent light recycle on October 6, 2016 from 9:00 a.m. – 1:00 p.m. at the Mid America Distribution Center.

Marty Seifert with the Coalition of Greater Minnesota Cities gave a legislative update.

Chief Greg Brolsma, Stephanie Johnson and Dennis Lockwood from the Fairmont Substance Abuse Prevention Coalition presented a summary of their five year grant from the Minnesota Department of Human Services. They also announced their successful application for a five year Federal Drug Free Community Grant, expanding the Coalition's efforts county wide.

Council Member Clerc made a motion to approve the parade permit for the homecoming parade on September 30, 2016. Council Member Zarling seconded the motion and the motion carried.

Council Member Clerc made a motion to approve the County classification of tax forfeited properties as non-conservation lands. Council Member Askeland seconded the motion and the motion carried.

Kent Barker addressed the council with a letter containing his concerns and questions regarding a pedestrian bridge and connecting the Cedar Creek Trail to Knollwood Drive.

Council Member Anderson made a motion to call for a public hearing to be held October 10, 2016 at 5:30 p.m. in the Fairmont City Hall Council Chambers regarding submitting an application to DEED to assist Zierke Built manufacturing with their business expansion.

Council Member Clerc made a motion to pay the September, 2016 bills in the amount of \$1,169,791.13. Council Member Askeland seconded the motion and the motion carried.

A motion was made by Council Member Askeland, seconded by Council Member Clerc and carried to adjourn the meeting at 6:35 p.m.

ATTEST:


Robert Wallace
Mayor

Patricia J. Monsen, City Clerk

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

MEETING DATE: October 10, 2016

SUBJECT: Open Discussion

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:

INTRODUCED BY: Mayor Robert Wallace

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)	

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	

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

MOTION: None

VOTE REQUIRED:

ATTACHMENTS:

1. _____
2. _____
3. _____

Council Action: _____ Date: _____

MEETING DATE: October 10, 2016

SUBJECT: Public Hearing – Concerning submittal of an application to the Minnesota Department of Employment and Economic Development for a grant under the Minnesota Investment Fund (MIF) program.

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:

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 type="checkbox"/>	Information Only
<input checked="" type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input checked="" 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 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 Council will take public input on the issue of submitting an application to DEED for a grant under the Minnesota Investment Fund (MIF) program to assist with the expansion of Zierke Built manufacturing to be used for the creation of jobs.

MOTION 1: To close Public Hearing

VOTE REQUIRED: Simple majority

MOTION 2: Direct staff to submit an application to the Minnesota Department of Employment and Economic Development for a grand under Minnesota Investment Fund (MIF) program to assist Zierke Built Manufacturing in their relocation.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

- Public Notice of Hearing

Council Action: _____ Date: _____

5.

PUBLIC HEARING NOTICE

Notice of Public Hearing

Notice is hereby given that on October 10, 2016 at 5:30 p.m. in the Fairmont City Hall Council Chambers, the City of Fairmont will hold a public hearing concerning submittal of an application to the Minnesota Department of Employment and Economic Development for a grant under the Minnesota Investment Fund (MIF) program.

The City of Fairmont, Minnesota is requesting approximately \$385,000 to assist with the expansion of Zierke Built Manufacturing, LLC. The funds will be used for the creation of jobs.

All interested parties are invited to attend the public hearing at which time you will be given the opportunity to express comments on the project.

Written testimony will also be accepted at the public hearing. Written comments must be received by October 7, 2016 at 4:30 p.m. at 100 Downtown Plaza, Fairmont, MN 56031. Specific questions can be directed to Linsey Preuss at 507-238-3925.


The City of Fairmont, Minnesota makes reasonable accommodation for any known disability and to meet the needs of non-English speaking residents that may interfere with a person's ability to participate in this public hearing. Persons needing an accommodation must notify City Clerk, Patricia Monsen at 507-238-3935, no later than October 7, 2016 to allow adequate time to make needed arrangements.

BY ORDER OF THE CITY OF FAIRMONT

/s/ Patricia J. Monsen
Patricia J. Monsen, City Clerk

MEETING DATE: October 10, 2016

SUBJECT: Solid Waste Collector License

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: 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
<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: Chamness Technology, Inc., d/b/a Green RU, LLC of Blairsburg, Iowa has applied for a Solid Waste Collector License. The applicant has provided a License and Permit Bond; Certificate of Liability Insurance; and Certificate of Minnesota Workers' Compensation. Applicant will be collecting organic waste from Hy-Vee Grocery Store in Fairmont once a week.

MOTION: To approve the Solid Waste Collector License for Chamness Technology, Inc., d/b/a Green RU, LLC

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. License Application
2. _____

Council Action: _____ Date: _____

**CITY OF FAIRMONT
MISCELLANEOUS LICENSE & PERMIT APPLICATION**

Applicant's Name Chamness Technology Inc. / ^{DBA} GreenRU
Applicant's Address 2255 Little Wall Lake Road
Blairsburg, Ia. 50034
Applicant's Telephone (515) 325-1133
Applicant's Signature [Signature]
Date of application 9/15/2016

Type of application: (Include dates, time, location, requests from City, etc.)

Solid Waste Collector License

Fee (if applicable) \$75/Truck ^{pl} 10/3/16

CITY USE ONLY

Application approved by _____ Date _____

Instructions/Comments _____

Application Distribution: City _____ Applicant _____ Police _____ Other _____

CITY OF FAIRMONT

GREEN-R-U ORGANIC WASTE COLLECTION AND COMPOSTING

Vehicles to be utilized in pick-up:

2014 Mack Semi Model: CXU613 VIN: 1M1AW09Y7EM040409 Plate: IA DB 3337

List of Items to be collected:

Organic waste (pre/post consumer food waste, discarded fruits/vegetables/baked goods/horticultural products) will be collected from grocery stores, restaurants and other commercial venues at least once per week based upon volume (we do not collect from residences).

Method of collection:

Each site will have a 3 yd dumpster to collect the organics which will then be collected a minimum of once per week and transported to Cedar Rapids Compost Yard Waste & Recycling Facility in Iowa.

Precise location and routes to be utilized:

Current customer will be Hy-Vee Grocery Store located at 907 S State St., Fairmont, MN. Other commercial and educational institution customers may be added in the future.


The pick-up routes utilized will be along approved truck routes and will not be through any residential streets/neighborhoods.

Disposal or processing facilities to be used:

The collected organic waste material will be transported to Compost, Yard Waste & Recycling facility operated by MFS Farms LLC located at 16225 563rd Ave. Good Thunder, MN 56037.

MEETING DATE: October 10, 2016

SUBJECT: Authority to Appoint Successor Paying Agent on 2012A Bond Issue

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:

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: Because the 2012A Bond Issue was an advanced refunding, we were required to hold an escrow account until the 2012A refunding bonds become callable. This escrow account was held by Northland Trust, therefore they were set up as the paying agent. The 2012A bond issue became callable on March 1, 2016 and the escrow account was closed. Now that the escrow account has been closed, the City of Fairmont would like to act as the paying agent for these bonds.

MOTION: To adopt Resolution 2016-37 Appointing the City of Fairmont as Paying Agent for the 2012A Bond Issue.

VOTE REQUIRED: Simple majority.

ATTACHMENTS:

1. Resolution 2016-37
2. _____

Council Action: _____ Date: _____

RESOLUTION NO. 2016-37

STATE OF MINNESOTA)
COUNTY OF MARTIN) SS
CITY OF FAIRMONT)

RESOLUTION APPOINTING SUCCESSOR PAYING AGENT

WHEREAS, the City Council adopted a Resolution Providing for the Issuance and Sale of \$5,755,000 General Obligation Bonds, Series 2012A, Pledging Special Assessments and Levying Taxes for the Payment thereof on January 23, 2012 (the "Resolution").

WHEREAS, pursuant to the Resolution, Northland Trust Services, Inc. was appointed to act as Bond Registrar for the General Obligation Bonds, Series 2012A (the "Bonds") and to serve as paying agent until a successor paying agent is duly appointed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRMONT, MINNESOTA:

1. The City Finance Director is hereby authorized to notify Northland Trust Services, Inc. and to terminate their services as paying agent for the Bonds effective October 10, 2016.
2. The City Council hereby appoints the City of Fairmont as successor paying agent for the Bonds and to assume all duties thereof pursuant to the terms of the Resolution.

Motion by:
Seconded by:
All in favor:
Opposed:
Abstained:
Absent:

ADOPTED by the City Council this 10th day of October, 2016.

Robert Wallace, Mayor


ATTEST:

Patricia J. Monsen, City Clerk

(SEAL)

MEETING DATE: October 10, 2016

SUBJECT: Community Center Feasibility Study

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: Paul Hoyer, Finance Director

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

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"/>	

RECOMMENDED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<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: Wes Brown from Bolton & Menk and Andrew Cooper from Oertel Architects, LTD will present the community center feasibility study.

MOTION #1: To accept the Community Center Feasibility Study

VOTE REQUIRED: Simple majority

ATTACHMENTS:

- Community Center Feasibility Study – Will be handed out at meeting or available at <https://app.box.com/s/y5uqpea53roi2r1flg98aw2z6qyu2z3o>

Council Action: _____ Date: _____

MEETING DATE: October 10, 2016

SUBJECT: Call for public hearing on proposed zoning code amendment

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

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: Community Development Staff

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 checked="" type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input checked="" 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 checked="" type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<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: City staff has had inquiries about building accessory structures on bare lots or lots without a principal structure (residence). Currently, the Code does not allow this. Staff proposed to allow accessory structures to be built on abutting property with conditions outlined in draft Ordinance No. 2016-06. The Planning Commission held a public hearing on October 4, 2016 to discuss and receive public input. The Planning Commission voted unanimously to recommend to the City Council Ordinance No. 2016-06 for adoption.

MOTION: To call for a public hearing on proposed ordinance amending Fairmont City Code Chapter 26 Zoning. Definitions and Article IV. General Development Regulations to be held Monday, October 24, 2016 at 5:30 p.m. in the Fairmont City Hall Council Chambers.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Planning Commission Minutes, October 4, 2016
2. Draft Ordinance No. 2016-06
3. _____

Council Action: _____ Date: _____

MINUTES OF THE FAIRMONT PLANNING COMMISSION

Regular Meeting

October 4, 2016

5:30 p.m. – Fairmont City Hall Council Chambers

Members present: Jenny Trushenski, Margaret Dillard, Ian Bents, Ed Willett, Scott Unke

Members absent: Chris Pierce

Others present: City Administrator Mike Humpal and Leanne Zarling

Vice Chairman Unke called the meeting to order at 5:30 p.m.

Minutes: The minutes of the August 2, 2016 meeting were approved as presented on a motion by Trushenski, seconded by Bents and carried.

Annual Reviews: Zarling reviewed the request by Bradford Development LLC (Willowbrook) at 1335 Adams Avenue to extend the conditional use permit granted in 2015 for an additional period not to exceed one (1) year as allowed in Section 26-84. The company is working on securing financing through HUD. Staff noted that all five (5) home occupation permits up for review are in compliance with the performance standards recommends all the permits to be renewed for another year. Willett made the motion to recommend extending the conditional use permit for Bradford Development to the City Council and to renew the home occupation permits as presented. The motion was seconded by Trushenski and it carried.

Public Hearings:

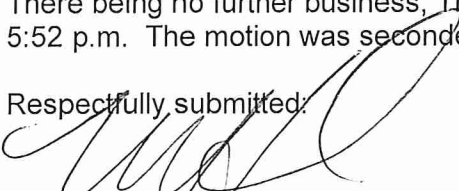
- *A) Vice Chair Unke opened the public hearing at 5:40 p.m. Mike Humpal stated that city staff have been asked on numerous occasions about putting an accessory structure on a vacant lot which is not allowable in our code. Humpal reviewed the proposed code amendment brought forth by City staff to allow accessory structures on vacant lots in residential districts on nonconforming sized-lots, that would abut the property with the principal structure of the owner if not for a public right-of-way. Humpal noted this change would allow for the revitalization of some vacant lots, the possible removal of a blighted structures and in areas that were platted with smaller lots with a single car garage or no garage might allow for property owners to have a garage and get the vehicles of the streets. Zarling noted the conditions that were included in the ordinance. No one was in attendance for the public hearing, Bents made the motion to close the public hearing at 5:50 p.m. Vice Chair Unke asked for input from the Commission. Willett asked for clarification on the shoreland impervious surface coverage limitations. Humpal explained the shoreland management ordinance set up impervious coverage limitations for properties within the shoreland management district; those lots abutting the lake are allowed 25% impervious coverage. The City did negotiate with the DNR to allow a 22' wide drive from street to front of the garage be excluded from the calculation. Bents made the motion to recommend the City Council adopt proposed Ordinance No. 2016-06 amending the zoning code. The motion was seconded by Trushenski and carried.

Old Business: None

New Business: None

There being no further business, Trushenski made the motion to adjourn the meeting at 5:52 p.m. The motion was seconded by Dillard and carried.

Respectfully submitted:


Mike Humpal, CEcD
City Administrator

DRAFT

DRAFT

ORDINANCE 2016-06

**AMENDING FAIRMONT CITY CODE CHAPTER 26 ZONING. DEFINITIONS
AND ARTICLE IV. GENERAL DEVELOPMENT REGULATIONS**

WHEREAS, City staff has had inquiries about building accessory structures on bare lots or lots without a principal structure (residence); and

WHEREAS, the Zoning Code does not allow an accessory structure to be built without a principal structure; and

WHEREAS, City staff has evaluated the concept, and researched scenarios that would repurpose/revitalize vacant lots in residential areas by allowing accessory buildings or structures on non-conforming sized-lots, that would abut the property with the principal structure; and

WHEREAS, City staff recommends that the City Code be amended to allow accessory structures on vacant lots in residential districts on non-conforming sized-lots, that would abut the property with the principal structure of the owner with conditions.

NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN, the Fairmont City Code Chapter 26 Zoning be amended by adding:

Article 1. In General. Sec. 26-1. Definitions.

Abutting or abuts means areas or lots whose boundaries at least touch one another at a single point, including areas or lots whose boundaries would touch but for an intervening public right-of-way including streets and alleys.

Article IV. General Development Regulations. Sec. 26-205. Accessory buildings, structures and uses.

(9) In residential districts, accessory buildings or structures may be built on an undeveloped non-conforming lot which abuts a lot with the principal structure.

Accessory buildings or structures built on abutting lots must meet the following standards:

(a) The abutting undeveloped lot does not meet the minimum lot size of the residential district.

(b) The accessory building or structure is allowed only in buildable areas and required rear yard area of the undeveloped lot.

(c) The accessory building or structure shall not exceed fifteen (15) feet in height.

(d) The accessory building or structure shall not exceed ten (10) percent of the undeveloped lot area.

(e) Only one (1) accessory building or structure is allowed on the undeveloped abutting lot.

(f) The abutting lot used for an accessory building or structure shall be clubbed by the County, for property tax purposes, with the lot bearing the principal structure and shall not be sold separately at a later date.

Article VI. Shoreland Management.

Sec. 26-521. Shoreland alterations and development standards.

(e) *Stormwater management.*

(2) Specific standards.

a. Impervious surface coverage limitations for lots or properties within the shoreland management district are as follows:

7. Any property clubbed with an abutting lot pursuant to City Code Section 26-205 (9) (f) will have each lot's impervious surface figured separately.

PASSED, APPROVED AND ADOPTED, this _____ day of _____, 2016

Robert Wallace, Mayor

Patricia Monsen, City Clerk

14.

MEETING DATE: October 10, 2016

SUBJECT: Extend Conditional Use Permit - Bradford Development LLC (Willowbrook) at 1335 Adams Avenue

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: Community Development Staff

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

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 checked="" type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<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: Bradford Development LLC (Willowbrook) at 1335 Adams Avenue was granted a conditional use permit for a planned unit development for a 27-unit senior co-op housing facility in October, 2015. The applicant is requesting a one (1) year extension to the conditional use permit as they have encountered some delays by HUD for securing their financing. City Code Section 26-84. Lapse of conditional use permit states, "If substantial construction has not taken place within one (1) year after issuance of a conditional use permit, the permit is void, except that the City Council upon recommendation of the planning commission, may extend the permit for an additional period not to exceed one (1) year. The Planning Commission voted unanimously to recommend the extension.

MOTION: To extend the conditional use permit for Bradford Development LLC (Willowbrook) at 1335 Adams Avenue for a planned unit development for an additional period not to exceed one (1) year.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Planning Commission Minutes, October 4, 2016
2. _____
3. _____

Council Action: _____ Date: _____

MINUTES OF THE FAIRMONT PLANNING COMMISSION

Regular Meeting

October 4, 2016

5:30 p.m. – Fairmont City Hall Council Chambers

Members present: Jenny Trushenski, Margaret Dillard, Ian Bents, Ed Willett, Scott Unke
Members absent: Chris Pierce
Others present: City Administrator Mike Humpal and Leanne Zarling

Vice Chairman Unke called the meeting to order at 5:30 p.m.

Minutes: The minutes of the August 2, 2016 meeting were approved as presented on a motion by Trushenski, seconded by Bents and carried.

Annual Reviews: Zarling reviewed the request by Bradford Development LLC (Willowbrook) at 1335 Adams Avenue to extend the conditional use permit granted in 2015 for an additional period not to exceed one (1) year as allowed in Section 26-84. The company is working on securing financing through HUD. Staff noted that all five (5) home occupation permits up for review are in compliance with the performance standards recommends all the permits to be renewed for another year. Willett made the motion to recommend extending the conditional use permit for Bradford Development to the City Council and to renew the home occupation permits as presented. The motion was seconded by Trushenski and it carried.

Public Hearings:

- A) Vice Chair Unke opened the public hearing at 5:40 p.m. Mike Humpal stated that city staff have been asked on numerous occasions about putting an accessory structure on a vacant lot which is not allowable in our code. Humpal reviewed the proposed code amendment brought forth by City staff to allow accessory structures on vacant lots in residential districts on nonconforming sized-lots, that would abut the property with the principal structure of the owner if not for a public right-of-way. Humpal noted this change would allow for the revitalization of some vacant lots, the possible removal of a blighted structures and in areas that were platted with smaller lots with a single car garage or no garage might allow for property owners to have a garage and get the vehicles of the streets. Zarling noted the conditions that were included in the ordinance. No one was in attendance for the public hearing, Bents made the motion to close the public hearing at 5:50 p.m. Vice Chair Unke asked for input from the Commission. Willett asked for clarification on the shoreland impervious surface coverage limitations. Humpal explained the shoreland management ordinance set up impervious coverage limitations for properties within the shoreland management district; those lots abutting the lake are allowed 25% impervious coverage. The City did negotiate with the DNR to allow a 22' wide drive from street to front of the garage be excluded from the calculation. Bents made the motion to recommend the City Council adopt proposed Ordinance No. 2016-06 amending the zoning code. The motion was seconded by Trushenski and carried.

Old Business: None

New Business: None

There being no further business, Trushenski made the motion to adjourn the meeting at 5:52 p.m. The motion was seconded by Dillard and carried.

Respectfully submitted:


Mike Humpal, CEcD
City Administrator

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**Fairmont Airport Advisory Board Minutes
September 13, 2016 5:30pm**

Board members present: Kate Hawkins, Dennis Turner, Tim McConnell, Jeff Militello, Dustin Weiderhoft

Staff Present: Lee Steinkamp, Airport Manager

Others: Josh Brelje, KLJ; Marcus Watson, KLJ (telephone); Dan Sherer, KLJ (telephone) Steve Holmseth, Fairmont Aerial Ag.

The meeting was called to order at 5:30pm.

The minutes from the August 16, 2016 board meeting were approved as presented on a motion by Tim McConnell, seconded by Jeff Millitello and carried.

Airport consultant update was provided by Marcus Watson and Dan Sherer of KLJ. The hangar area pavement project was discussed. An update from Josh Brelje with KLJ was presented. He reported no major issues with the project and the project is on schedule. Marcus Watson discussed the CIP and Runway 2-20 Rehab. He also discussed future airport project funding.

The Airport Manager's report was provided by Lee Steinkamp. The report included information on recent activity and fuel sales.

Old Business: The 12 month t-hangar rent for the price of 11 was discussed.

New Business: Airport Finances were discussed. Airport Needs Meeting will be held on October 11, 2016 at 5:30pm. Advisory board member terms were discussed.

No further business for the board, a motion by Tim McConnell to adjourn the meeting at 6:30pm. The motion was seconded by Kate Hawkins and carried.

Respectfully submitted:

Lee Steinkamp
Fairmont Airport Manager

PARK BOARD MEETING

DRAFT

Meeting Minutes
Tuesday, September 20, 2016
5:00 p.m.

Board Members Present:

- Vicky Schulte
- Jodie Whitmore
- Craig Nelson
- Mary Don Kislingbury
- Greg Gellert
- Jane Kollofski

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)
- Ron Kopischke, Profinium Bank

Chair Kislingbury called the meeting to order at 5:00 p.m.

A motion was made by Jodie Whitmore to approve the minutes of August 16, 2016 as presented. The motion was seconded by Greg Gellert and carried.

Monthly update: Nick Lardy provided the monthly update. Discussed Steve Pierce Park being a “memorial” park. Looking for donated trees and benches for the park.

CER update: Roni Dauer provided CER update—new CER book going out in mail on September 21st.

Old Business: None

New Business:

- a) Ron Kopischke representing Profinium Bank introduced a donation of \$1,000 to put trees into the dog park in recognition of MN Bank Impact Week. A motion was made by Craig Nelson to accept the donation from Profinium Bank. The motion was seconded by Jodie Whitmore and carried.

Other discussion:

- a. Parks will be closing week of October 15th.
- b. Moss and Rotary putting together fundraiser for accessible playground.

A motion was made by Jodie Whitmore to adjourn the meeting at 5:31 p.m. The motion was seconded by Craig Nelson and carried.

Respectfully submitted,

Troy Nemmers, PE
Public Works Director/City Engineer