

FAIRMONT CITY COUNCIL AGENDA

1. CALL TO ORDER -

- Regular meeting of the Fairmont City Council held on

MONDAY, NOVEMBER 14, 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, October 24, 2016

(01-02)

6. OPEN DISCUSSION -

6.1 Open Discussion

(03)

7. RECOGNITIONS/PRESENTATIONS -

7.1 Proclaim November 28, 2016 Early Riser Kiwanis Day **(04)**

7.1a Proclamation **(05)**

8. SCHEDULED HEARINGS –

9. ADMINISTRATIVE APPEALS –

10. FINANCIAL REPORTS –

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

12. LICENSES AND PERMITS –

12.1 Fairmont Glows Parade Permit **(06)**

12.1a Application **(07-09)**

13. OLD BUSINESS –

14. NEW BUSINESS –

14.1 Canvass City of Fairmont 2016 Election Results **(10)**

14.1a Abstract of Votes Cast **(11-19)**

14.2 Conditional Use Permit for Bryan and Marybeth Sweet at 219
Sylvan Drive (20)

14.2a Hearing Notice, Staff Review, Site Plan (21-25)

14.2b Planning Commission Minutes, November 1, 2016 (26)

15. REGULAR AND LIQUOR DISPENSARY BILLS –

16. STATUS REPORTS/ORAL

17. ADJOURNMENT –

ADDITIONAL ATTACHMENTS –

The minutes of the Fairmont City Council meeting held on Monday, October 24, 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, Bruce Peters and Jim Zarling were present. Also in attendance: Public Works Director/City Engineer Troy Nemmers, Finance Director Paul Hoye, City Attorney Elizabeth W. Bloomquist, Chief Greg Broolsma and City Clerk Patricia Monsen.

It was moved by Council Member Anderson, seconded by Council Member Clerc and carried to approve the minutes of the regular City Council meeting of October 10, 2016.

During open discussion, Nemmers announced the details of the Fall Leaf Pickup in the City. All information is on the City's website and published in the Sentinel.

Council Member Peters requested considering changing the name of Oakwood Street to Hazelmere Street.

Mayor Wallace read a thank you note from YOCO, Youth Coalition, for the city and communities support.

Mayor Wallace also thanked all the candidates running for city positions and reminded all citizens to get out and vote. The voting will be at the Knights of Columbus Hall on November 8, 2016 and the polls are open from 7:00 a.m. – 8:00 p.m.

Mayor Wallace presented a plaque to Chief Greg Broolsma in recognition of and appreciation for 30 years of distinguished service and commitment to the City of Fairmont and its citizens. Chief Broolsma thanked the community for allowing him to serve them and also spoke of all of the department's accomplishments.

Mayor Wallace proclaimed November 12, 2016 as Poppy Day in the City of Fairmont. Ardis Meyer from the Legion Ladies Auxiliary addressed the council and advised that 100% of all poppy sales go to benefit Veterans and their families.

Mayor Wallace proclaimed November 10, 2016 as Community Education and Recreation Day in the City of Fairmont. Roni Dauer addressed the council and thanked them and the citizens for the support. Dauer invited everyone to CER's open house on November 10, 2016 from 9:00 a.m. – 4:00 p.m.

Mayor Wallace proclaimed November 7, 2016 as "Elroy (Ernie) Nuss" Day and recipient of the Golden Deeds Award by the Fairmont Exchange Club.

Mayor Wallace opened the public hearing on a code amendment to allow accessory structures to be built on abutting property with conditions outlined in **Ordinance 2016-06**. The Planning Commission voted unanimously to recommend this adoption. There was no public input. Council Member Zarling made a motion to close the public hearing. Council Member Askeland seconded the motion and the motion carried. Council Member Anderson made a motion to adopt **Ordinance 2016-06**. Council Member Peters seconded the motion. On roll call: Council

members Terry Anderson, Chad Askeland, Wes Clerc, Bruce Peters and Jim Zarling all voted aye. No one voted nay. Mayor Wallace declared said motion passed.

Council Member Zarling made a motion to approve the application for a solicitor's license by American Exteriors. Council Member Askeland seconded the motion and the motion carried.

Council Member Peters made a motion to approve **Resolution 2016-38**, approving the submission of an application to DEED for a grant under the Minnesota Investment Fund program to assist with the expansion of Zierke Built Manufacturing to be used for the creation of jobs. Council Member Anderson seconded the motion. On roll call: Council Members Wes Clerc, Bruce Peters, Jim Zarling, Terry Anderson and Chad Askeland all voted aye. No one voted nay. Mayor Wallace declared said motion passed.

Council Member Anderson made a motion to approve the payment of the October, 2016 bills in the amount of \$807,022.64. Council Member Peters seconded the motion and the motion carried.

A motion was made by Council Member Askeland, seconded by Council Member Zarling and carried to adjourn the meeting at 6:08 p.m.

ATTEST:

Robert Wallace
Mayor

Patricia J. Monsen, City Clerk

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

MEETING DATE: November 14, 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)	<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: 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 14, 2016

SUBJECT: Proclaim November 28, 2016 as Early Riser Kiwanis 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 Robert Wallace

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)	<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 Robert Wallace will proclaim November 28, 2016 as Early Riser Kiwanis Day in the City of Fairmont.

MOTION: N/A

VOTE REQUIRED: N/A

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, the Early Riser Kiwanis is a part of Kiwanis International and is an active local community service club; and,

WHEREAS, the Early Riser Kiwanis supports and participates in a wide variety of community service projects with emphasis on youth service projects; and,

WHEREAS, some of the projects funded by Early Riser Kiwanis are: Koats for Kids, Kids Fishing Contest, Bike Safety, Summer Street Hockey Program, Post-Prom Parties, Dollars for Scholars, Back to School Supplies, Fairmont High School Band Trip, Maintain Hobo Trail, Maintain the Band Shelter, Meals on Wheels, Maintain Amber Lake Park, Safe Routes to School and many other community service projects; and,

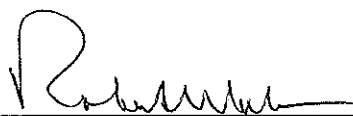
WHEREAS, the Early Riser Kiwanis is having an all you can eat pancake supper fund raiser on November 28, 2016 from 4:30 p.m. – 7:00 p.m at the Five Lakes Centre and encourages the citizens of Fairmont to come participate.

NOW THEREFORE, I, Robert Wallace, Mayor of the City of Fairmont, do hereby proclaim November 28, 2016 as

EARLY RISER KIWANIS DAY

in the City of Fairmont.




Robert Wallace, Mayor

CITY OF FAIRMONT---AGENDA CONTROL SHEET---AGENDA ITEM NO. 12.1

MEETING DATE: November 14, 2016

SUBJECT: Fairmont Glows Parade Permit

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:

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: The Fairmont Glows Committee is applying for a parade permit for November 18, 2016. The parade will begin at Ward Park at 6:00 p.m. and end at Lincoln Park. The Committee is also requesting that Albion Avenue from Webster Street to Woodland Avenue and Tilden from Park Street to Albion Avenue be blocked off, due to traffic and safety concerns for parade participants.

MOTION: To approve the Fairmont Glows' application for a parade permit for the Glows' parade on November 18, 2016 beginning at 6:00 p.m.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Application
- 2.

Council Action: _____ Date: _____

6.



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: 10/27/16

Permit Fee: \$15.00

Event: Fairmont Glows Parade

Sponsoring entity: Fairmont Area Chamber

Address: PO Box 826, Fairmont, MN 56031

Maximum estimated number of persons expected to attend at any one time: _____

Event coordinator(s): Kandi Menne

Contact Info: 502 235 5547 Phone #

info@fairmontchamber.org E-mail

Primary contacts (during event):

Name: Kandi Menne

Name Margaret Dillard

Cell#:

Cell# 507 848 4915

E-mail: info@fairmontchamber.org

E-mail: margaret@fairmontchamber.org

Event Start: Day/Date November 18, 2016

Time: 6:00 pm

Event End: Day/Date November 18, 2016

Time: 8:00 pm

Setup: Day/Date " " "

Start time: 4:30pm

End Time: "

Teardown: Day/Date " " "

Start time: "

End Time: "

- 1. Type and description of the event and a list of all activities to take place at the event.

Parade route is the same as in past years. Line up to take place at Ward Park at 5:15pm. The parade will proceed north on Downtown Plaza to North North Avenue ending at Lincoln Park. Request that beginning at 4:30pm, block off Albion Avenue from Webster Street to Woodland Avenue and Tilden from Park to Albion for safety reasons.

- 2. Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.

See attached

3. Will outside drinking water or waste collection systems be supplied? Yes; No
If yes, supply public health plans, including the number of toilet facilities that will be available.

4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. Yes; No
If yes, provide the written plans.

5. Will organizers allow outside food wagon/vendors at the event? Yes; No
If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment.

6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): Yes; No
If yes, event coordinator must complete temporary overnight camping permit and submit payment.

7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? Yes; No
If yes, please describe: Individual entries may have PA, live music, etc.

8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns? Yes; No
If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).

9. Will you be providing shuttle service? Yes; No
If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

Signature Margaret Ollard Title President Date 10-27-16

If you would like your event published on the City's website/Community Calendar, please indicate: Yes; No

Office Use Only			
\$15.00 Fee Paid	Date:	Received by: <u>Fatty Moraw</u> <u>10/28/16</u>	
Requires Council Approval	<input checked="" type="checkbox"/> Yes; <input type="checkbox"/> No	Council Meeting Date:	Action:
City Administrator Approval	Yes	No	Date

Permit distribution:

- City
- Applicant
- Police
- Parks/Streets
- Other

Menu

Fairmont, MN 56001, USA

Highland Court

Block Vehicles

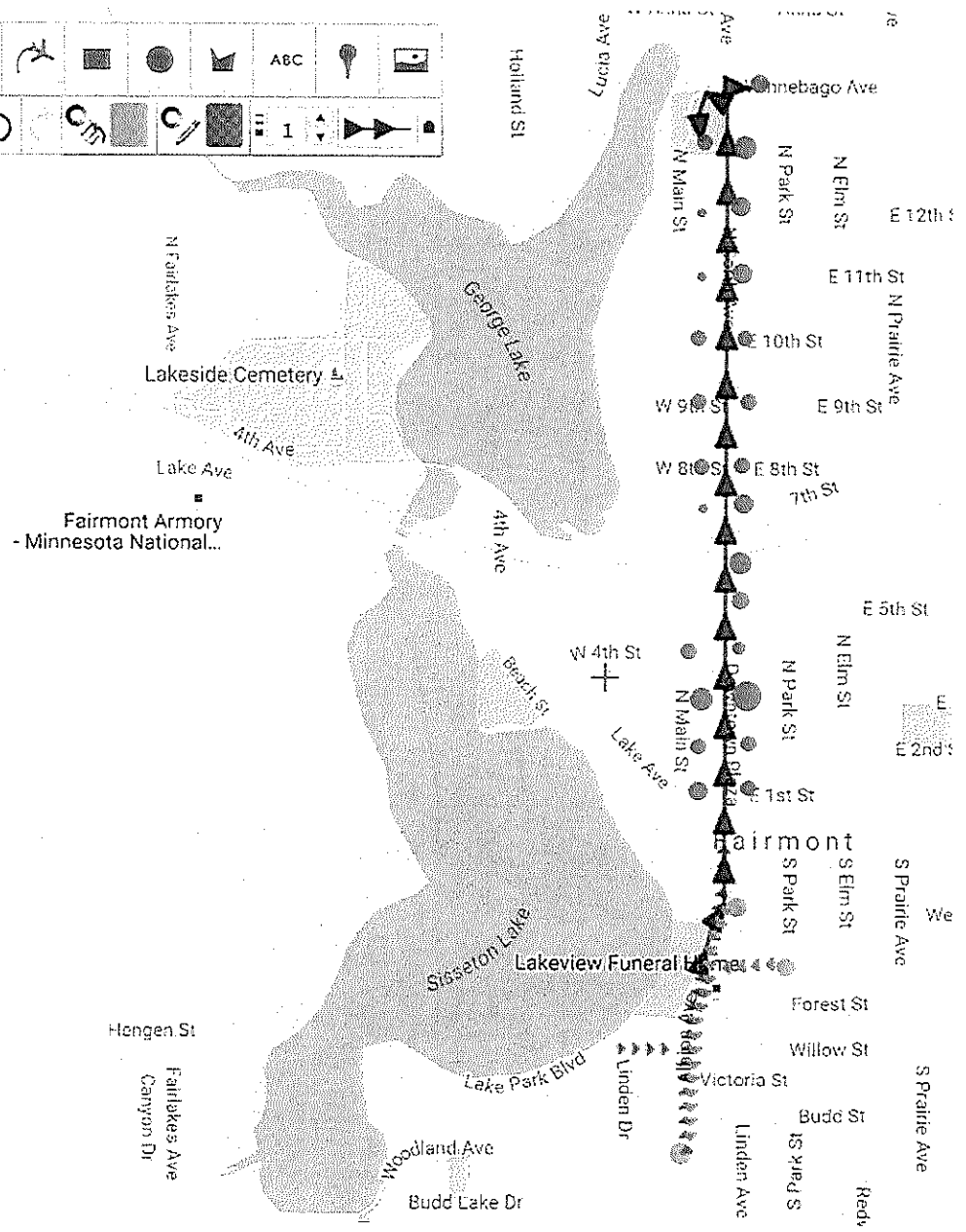
Parade Line Up

Parade Route

Barricade

Barricade

Help & Support



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

MEETING DATE: November 14, 2016

SUBJECT: Canvass City of Fairmont 2016 Election Results

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 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: The City Council, as the canvassing board for city elections, needs to canvass the returns within three to ten days after the general election and declare the results.

MOTION: To approve the election results as presented.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Abstract of Votes Cast
- 2.
- 3.

Council Action: _____ Date: _____

Abstract of Votes Cast
In the Precincts of the City of Fairmont
State of Minnesota
at the STATE GENERAL ELECTION
Held Tuesday, November 8, 2016

as compiled from the official returns.

Summary of Totals
City of Fairmont
Tuesday, November 8, 2016 STATE GENERAL ELECTION

Number of persons registered as of 7 a.m.	5693
Number of persons registered on Election Day	602
Number of accepted regular, military, and overseas absentee ballots and mail ballots	991
Number of federal office only absentee ballots	2
Number of presidential absentee ballots	0
Total number of persons voting	5069

12.

Summary of Totals
City of Fairmont
Tuesday, November 8, 2016 STATE GENERAL ELECTION

KEY TO PARTY ABBREVIATIONS

NP - Nonpartisan

Mayor (Fairmont)

NP Richie Johnson 2348	NP Debbie Foster 2523	WI WRITE-IN** 11
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Council Member at Large (Fairmont)

NP Tom Hawkins 2806	NP Chad Askeland 2055	WI WRITE-IN** 5
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Council Member Ward 2 (Fairmont)

NP Ruth Cyphers 870	NP Ed Willett 494	WI WRITE-IN** 3
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Council Member Ward 4 (Fairmont)

NP Wayne Hasek 504	NP Terry D Anderson 478	WI WRITE-IN** 4
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CITY QUESTION 1 (Fairmont)

NP YES 3032	NP NO 1923
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Detail of Election Results
City of Fairmont
Tuesday, November 8, 2016 STATE GENERAL ELECTION

Precinct	Persons Registered as of 7 A.M.	Persons Registered on Election Day	Total Number of Persons Voting
46 0035 : FAIRMONT W-1 P-1	692	70	642
46 0040 : FAIRMONT W-1 P-2	947	67	857
46 0050 : FAIRMONT W-2 P-1	726	76	670
46 0055 : FAIRMONT W-2 P-2	909	94	829
46 0065 : FAIRMONT W-3 P-1	570	88	482
46 0070 : FAIRMONT W-3 P-2	665	59	565
46 0080 : FAIRMONT W-4 P-1	613	80	555
46 0085 : FAIRMONT W-4 P-2	571	68	469
City of Fairmont Total:	5693	602	5069

Detail of Election Results
 City of Fairmont
 Tuesday, November 8, 2016 STATE GENERAL ELECTION

Office Title: Mayor (Fairmont)

Precinct	NP Richie Johnson	NP Debbie Foster	WI WRITE-IN**
46 0035 : FAIRMONT W-1 P-1	321	292	0
46 0040 : FAIRMONT W-1 P-2	444	387	0
46 0050 : FAIRMONT W-2 P-1	322	322	0
46 0055 : FAIRMONT W-2 P-2	343	445	2
46 0065 : FAIRMONT W-3 P-1	195	269	4
46 0070 : FAIRMONT W-3 P-2	240	302	2
46 0080 : FAIRMONT W-4 P-1	264	275	1
46 0085 : FAIRMONT W-4 P-2	219	231	2
Total:	2348	2523	11

Office Title: Council Member at Large (Fairmont)

Precinct	NP Tom Hawkins	NP Chad Askeland	WI WRITE-IN**
46 0035 : FAIRMONT W-1 P-1	361	250	0
46 0040 : FAIRMONT W-1 P-2	451	381	1
46 0050 : FAIRMONT W-2 P-1	371	271	0
46 0055 : FAIRMONT W-2 P-2	442	350	1
46 0065 : FAIRMONT W-3 P-1	282	181	0
46 0070 : FAIRMONT W-3 P-2	323	216	0
46 0080 : FAIRMONT W-4 P-1	311	221	2
46 0085 : FAIRMONT W-4 P-2	265	185	1
Total:	2806	2055	5

Detail of Election Results
 City of Fairmont
 Tuesday, November 8, 2016 STATE GENERAL ELECTION

Office Title: Council Member Ward 2 (Fairmont)

Precinct	NP Ruth Cyphers	NP Ed Willett	WI WRITE-IN**
46 0050 : FAIRMONT W-2 P-1	390	227	2
46 0055 : FAIRMONT W-2 P-2	480	267	1
Total:	870	494	3

Office Title: Council Member Ward 4 (Fairmont)

Precinct	NP Wayne Hasek	NP Terry D Anderson	WI WRITE-IN**
46 0080 : FAIRMONT W-4 P-1	271	263	1
46 0085 : FAIRMONT W-4 P-2	233	215	3
Total:	504	478	4

Office Title: CITY QUESTION 1 (Fairmont)

Precinct	NP YES	NP NO
46 0035 : FAIRMONT W-1 P-1	406	215
46 0040 : FAIRMONT W-1 P-2	533	307
46 0050 : FAIRMONT W-2 P-1	444	217
46 0055 : FAIRMONT W-2 P-2	488	313
46 0065 : FAIRMONT W-3 P-1	285	187
46 0070 : FAIRMONT W-3 P-2	314	238
46 0080 : FAIRMONT W-4 P-1	317	228
46 0085 : FAIRMONT W-4 P-2	245	218

Detail of Election Results
City of Fairmont
Tuesday, November 8, 2016 STATE GENERAL ELECTION

Office Title: CITY QUESTION 1 (Fairmont)

Total:	3032	1923
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We, the legally constituted county canvassing board, certify that we have herein specified the names of the persons receiving votes and the number of votes received by each office voted on, and have specified the number of votes for and against each question voted on, at the STATE GENERAL ELECTION held on Tuesday, November 8, 2016

As appears by the returns of the election precincts voting in this election, duly returned to, filed, opened, and canvassed, and now remaining on file in the office of the City of Fairmont Clerk. Witness our official signature at _____, in _____ County this _____ day of _____, 2016.

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

State of Minnesota
City of Fairmont

I, _____, Clerk of the City of Fairmont do hereby certify the within and foregoing _____ pages to be a full and correct copy of the original abstract and return of the votes cast in the City of Fairmont STATE GENERAL ELECTION held on Tuesday, November 8, 2016.

Witness my hand and official seal of office this _____ day of _____, 2016.

MEETING DATE: November 14, 2016

SUBJECT: Conditional Use Permit for **Bryan & Marybeth Sweet** at **219 Sylvan Drive** for a boathouse (water-oriented structure) in the Shoreland Overlay District

REVIEWED BY: Mike Humpal, CEcD, City Administrator

SUBJECT INITIATION:

<input type="checkbox"/>	By Petition	<input type="checkbox"/>	By Board	<input type="checkbox"/>	By Staff	<input type="checkbox"/>	By Council	<input checked="" type="checkbox"/>	By Commission	<input type="checkbox"/>	By Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator
INTRODUCED BY: Mike Humpal, CEcD City Administrator
COUNCIL LIAISON: Terry Anderson

TYPE OF ACTION:

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

RECOMMENDED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input checked="" 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 Fairmont Planning Commission held a public hearing on November 1, 2016 on a request for a conditional use permit for placement of a water-oriented structure within the shoreland overlay district (within the 50' from the high water mark) After Commission review and there was no one in attendance from the public, the Planning Commission voted unanimously to recommend the conditional use permit to the City Council for approval.

MOTION: To approve conditional use permit for **Bryan & Marybeth Sweet** at **219 Sylvan Drive** for placement of a boathouse (water-oriented structure) within the Shoreland Overlay District

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Hearing notice, staff review, site plan
2. Planning Commission Minutes, November 1, 2016
3. _____

Council Action: _____ **DATE:** _____



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

Phone (507) 238-9461

Fax (507) 238-9469

PUBLIC HEARING NOTICE

Dear Property Owner:

YOUR ATTENTION is called by the Planning Commission to a Public Hearing to be held on **November 1, 2016 at 5:30 P.M. at the Fairmont City Hall Council Chambers, 100 Downtown Plaza in the City of Fairmont** to consider:

THE CITY CODE REQUIRES IN: Section 26-79. Public Hearing. The Planning Commission shall hold at least one (1) public hearing on the request for a conditional use permit.

YOU ARE HEREBY FURTHER NOTIFIED, that your presence at this hearing is not mandatory, but it may be in your best interest to attend. This is a courtesy notice to said hearing according to Section 26-79 of the Fairmont City Code; which states: at least one (1) public hearing shall be held affording an opportunity for all parties interested to be heard.

APPLICANT IS REQUESTING CONSIDERATION OF THE FOLLOWING TO THE ABOVE REQUIREMENTS. . . The applicant is requesting a conditional use permit for the placement of an 8' x 8' boat house (water-oriented structure) at **219 Sylvan Drive**.

Address of Request: **219 Sylvan Drive**

Applicant: **Marybeth Sweet**



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

Phone (507) 238-9461

Fax (507) 238-9469

MEMO TO: Fairmont Planning Commission
MEMO FROM: Community Development Staff
DATE: October 27, 2016
SUBJECT: Public hearing to review an application for a conditional use permit for Bryan & Marybeth Sweet of 219 Sylvan Drive an 8' x 8' boathouse (water-oriented structure) in the Shoreland Overlay District

Introduction: Section 26-503 of Fairmont’s City Code “Shoreland Overlay District” allows boathouses to be established with a conditional use permit. The structural setback in the Shoreland Overlay District is fifty (50) feet from the ordinary high water level for sewered lots. This fifty (50) foot setback is called the shore impact zone and boathouses or water-oriented structures are allowed if the conditional use permit is granted.

Review Standards: The Planning Commission and pertinent staff shall review applications for conditional use permits based upon the following standards:

1. Must be in conformance with the Comprehensive Plan.
2. Must not be detrimental or injurious to the general vicinity and uses already permitted in the area.
3. Not impede the normal and orderly development of surrounding vacant property.
4. Will be served by adequate utilities, public roads, and municipal facilities. Such requirements for public facilities shall not be detrimental to the economic welfare of the city.
5. Must not cause offensive odors, fumes, dust, noise, and vibration that would be injurious or a nuisance to adjacent uses and the surrounding area.
6. Will conform to specific standards of this chapter applicable to the particular use.

Conditions for Conditional Use: The Planning Commission may recommend conditions relating to the granting of a conditional use permit as they deem necessary to carry out the intent and purpose of this chapter and protect the general welfare of the city. Recommended conditions may include the following general conditions (if applicable) and shall include specific conditions in this chapter:

1. That the architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area so as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
2. That the entire site other than that taken up by a building, structure, or plantings shall be surfaced with a material to control dust and drainage. This surfacing is subject to approval by appropriate city staff.
3. That the lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from public right-of-way.

4. That vehicular access points shall create a minimum of conflict with through traffic movement and shall comply with the requirements of this chapter.
5. That open storage and refuse from the use shall be adequately contained and controlled on-site.
6. Any other condition as deemed necessary to protect the public health, safety and general welfare.

Staff Review and Recommendation: This section of Fairmont's code is nothing new and was already a part of the zoning code when the State of Minnesota mandated cities to adopt the shoreland management laws. In 1986, the zoning code allowed boathouses with a conditional use permit, but in 1992 the state expanded the definition of boathouses to mean water-oriented structures. These structures can be used to store boats, fishing poles, motors, water skis, life jackets, oars and any other water-oriented or marine equipment.

Staff has reviewed the State's shoreland rules which allow one (1) water-oriented accessory structure such as a boathouse to a maximum of 400 sq.ft. It also cannot exceed 10 feet in height or 20 feet in width along the shoreline. The color must be natural or earth toned and if possible it should be screened from the lake with vegetation. The Gochanours have agreed to comply with the above rules and therefore staff recommends approval of the conditional use permit with the following conditions:

- 1) The structure not exceed 400 sq.ft. or 10 feet in height nor 20 feet in width.
- 2) The color to be natural, earth tone or match the house.
- 3) Vegetative screening to be planted and maintained on the sides of this structure.

Action: The Commission has the following options:

1. Recommend approval to the City Council with any applicable conditions the Planning Commission deems necessary.
2. Recommend denial by stating reasons for denial (this would be final unless the applicant appeals the decision to the City Council).
3. Table this application for more information and continue the public hearing at the December Planning Commission meeting.

CDS/lz

Leanne Zarling

From: Girolamo, Daniel (DNR) <Daniel.Girolamo@state.mn.us>
Sent: Tuesday, October 18, 2016 2:43 PM
To: Leanne Zarling
Subject: RE: Public Hearing Notice - Water-Oriented Structure - 219 Sylvan Drive

Thanks Leanne. I have no concerns with the proposed 8' x 8' boat house.

Daniel Girolamo
Area Hydrologist
MN DNR

-----Original Message-----

From: Leanne Zarling [mailto:lzarling@fairmont.org]
Sent: Tuesday, October 18, 2016 1:46 PM
To: Girolamo, Daniel (DNR) <Daniel.Girolamo@state.mn.us>
Subject: Public Hearing Notice - Water-Oriented Structure - 219 Sylvan Drive

Dan: For your information.

City of Fairmont
Leanne Zarling
Community Development Coordinator

-----Original Message-----

From: Leanne Zarling [mailto:lzarling@fairmont.org]
Sent: Tuesday, October 18, 2016 2:03 PM
To: Leanne Zarling <lzarling@fairmont.org>
Subject: Message from "UpstairsColorCopier"

This E-mail was sent from "UpstairsColorCopier" (MP C4503).

Scan Date: 10.18.2016 14:02:31 (-0500)

REMOVE RAILING,
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EXISTING

REMC
SLAB

PATCH AS REQUIRED



MINUTES OF THE FAIRMONT PLANNING COMMISSION

Regular Meeting

November 1, 2016

5:30 p.m. – Fairmont City Hall Second Floor Conference Room

Members present: Ian Bents, Margaret Dillard, Chris Pierce, Scott Unke, Jenny Trushenski

Members absent: Ed Willett

Others present: City Administrator Mike Humpal and Leanne Zarling

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

Agenda Approval: A motion was made by Trushenski, seconded by Unke to accept the agenda as presented. Motion carried.

Minutes: The minutes of the October 4, 2016 meeting were approved as presented on a motion by Trushenski, seconded by Dillard and carried.

Annual Reviews: Zarling reviewed the conditional use and home occupation permits up for review and presented staff's recommendation for all the permits to be renewed for another year. Bents made the motion to renew the permits as presented. The motion was seconded by Trushenski and it carried.

Public Hearing: A request by Bryan & Marybeth Sweet at 219 Sylvan Drive for a water-oriented structure in the shoreland overlay district. Chairman Pierce opened the public hearing at 5:32 p.m. Zarling reviewed the Sweet request as well as the review standards, conditions set out in the city code and the DNR's shoreland rules noting that the proposed structure is in compliance and will be painted to match the house. There was no one in attendance and no public comment. Trushenski made a motion to close the public hearing at 5:34 p.m. The motion was seconded by Dillard and carried. Staff recommended to the Planning Commission to send the conditional use permit request to the City Council for approval. A motion was made by Bents to approve the request as presented and recommended approval by the City Council. The motion was seconded by Unke and carried.

Old Business: None

New Business: None

There was no other business to come before the Planning Commission. On a motion by Trushenski, seconded by Dillard, the meeting was adjourned at 5:35 p.m.

Respectfully submitted,


Leanne Zarling
Community Development Coordinator