

The minutes of the Fairmont City Council meeting held on Monday, July 24, 2017 at the City Hall Council Chambers.

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

Mayor Deborah Foster, Council Members Ruth Cyphers, Tom Hawkins, Wayne Hasek, Bruce Peters and Jim Zarling were present. Also in attendance: City Administrator Mike Humpal, Finance Director Paul Hoye, City Attorney Elizabeth W. Bloomquist, Chief of Police Mike Hunter and City Clerk Patricia Monsen.

It was moved by Council Member Peters to approve the agenda with one addition, item 15.1. Council Member Cyphers seconded the motion and the motion carried.

It was moved by Council Member Hawkins, seconded by Council Member Hasek and carried to approve the minutes of the regular City Council meeting of July 10, 2017.

Mayor Foster opened the Public Hearing on proposed **Ordinance 2017-07**, an ordinance amending Fairmont City Code Chapter 26. Al Wohlrabe of 188 W. Belle Vue addressed the council voicing his desire for the approval of the proposed ordinance. Chuck Omgig of 806 Albion Avenue spoke urging the council to revoke the building permit issued to Wohlrabe and make him take out all the concrete and work he has already done and have Wohlrabe go through the variance request procedures in place. Councilor Hawkins read a letter written by Susan Krueger of 192 W. Belle Vue Road urging the council to vote no on the proposed ordinance and to have the entire zoning code reviewed and updated. Mayor Foster read a letter from Jon Omgig of Ballwin, Missouri against passing the proposed ordinance. Council Member Hawkins made a motion to close the public hearing. Council Member Peters seconded the motion and the motion carried. After much discussion by the council, Council Member Peters made a motion to adopt **Ordinance 2017-07** with the following changes: leave the original definition of building height and everywhere in the proposed ordinance where it says “mean roof” replace it with “building”. Council Member Zarling seconded the motion. On roll call: Council Members Hasek, Peters and Zarling all voted aye. Council Members Cyphers and Hawkins voted nay. Mayor Foster declared said motion passed. Council Member Hawkins took issue with this and stated that this ordinance needed to pass by a 2/3^{rds} vote, pursuant to City Code Section 26-40. City Attorney Bloomquist stated that she would need to research this issue further. Mayor Foster then declared said motion failed.

Council Member Hasek made a motion to approve a firework display permit for the Hairball concert at the Martin County Fair. Council Member Peters seconded the motion and the motion passed.

Council Member Peters made a motion to approve a Temporary On-Sale Beer License for the Truman Fire Department Relief Association for the beer garden at the Martin County Fair. Council Member Hasek seconded the motion and the motion passed.

Council Member Zarling made a motion to approve the renewal of an On-Sale Wine License and to approve the new application for an On-Sale 3.2 Beer License for David Hanson, Dairy Freeze, Inc., d/b/a Deep Freeze. Council Member Cyphers seconded the motion and the motion carried.

Council Member Hawkins made a motion to adopt **Resolution 2017-25** awarding the 2017-A (SP 123-112-001), Margaret Street from North Avenue to TH 15, construction project to Holtmeier Construction contingent on final MNDOT approval. Council Member Peters seconded the motion. On roll call: Council Members Zarling, Cyphers, Hasek, Hawkins and Peters all voted aye. No one voted nay. Mayor Foster declared said motion passed.

Council Member Peters made a motion to approve paying the bills for the month of July, 2017 in the amount of \$1,421,081.16. Council Member Hawkins seconded the motion and the motion carried.

The council took a short break. Council Member Peters made a motion to re-open the council meeting. Council Member Cyphers seconded the motion and the motion passed. At approximately 6:30 p.m. the City Council went into closed session, pursuant to Minnesota Statute 13D.05, Subd. 3(a).

A motion was made by Council Member Zarling, seconded by Council Member Hasek and carried to adjourn the meeting at 7:43 p.m.

ATTEST:

Deborah J. Foster
Mayor

Patricia J. Monsen, City Clerk