

The minutes of the Fairmont City Council meeting held on Monday, August 14, 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 Zarlino 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, Chief of Police Mike Hunter and City Clerk Patricia Monsen.

It was moved by Council Member Cyphers to approve the agenda with one addition, item 13.4. Council Member Hasek seconded the motion and the motion carried.

It was moved by Council Member Peters, seconded by Council Member Hawkins and carried to approve the minutes of the regular City Council meeting of July 24, 2017.

It was moved by Council Member Hawkins, seconded by Council Member Peters and carried to approve the minutes of the special City Council meeting of July 31, 2017.

A presentation by the Adventure Playground Committee was given. Shelly Kraemer spoke.

Paul Hoye presented the June 30, 2017 Investment Report.

Council Member Zarlino made a motion to approve an Event Permit for Jamie Kueker for Freedom to Worship Together on September 9, 2017. Council Member Hasek seconded the motion and the motion carried.

Council Member Hasek made a motion to approve an Event Permit for American Family Insurance and True Value to provide a movie in the park on September 23, 2017. Council Member Peters seconded the motion and the motion carried.

Council Member Cyphers made a motion to approve an Event Permit for the Cedar Creek Disc Golf Association Tournament and camping at Cedar Creek Park for August 18-20, 2017. Council Member Hawkins seconded the motion and the motion carried.

Council Member Hasek made a motion to approve an Event Permit for the Fairmont High School/Fairmont Soccer Association's Fall Soccer Scrimmages on August 19, 2017. Council Member Hawkins seconded the motion and the motion carried.

Council Member Hawkins requested that the council review the current open discussion process. Council Member Hawkins moved to remove the pre-meeting application restriction for the public to speak during the open discussion portion of our council meetings, but also add that there be a five-minute limit per person in open discussion, reserving the right for the Mayor to extend that time at her discretion. I also add that the Mayor has the discretion to limit disrespectful discussion or behavior. Council Member Peters seconded the motion. After much discussion, a roll call vote was taken. On roll call: Council Members Hawkins and Cyphers voted aye. Council Members Hasek, Peters and Zarlino voted nay. Mayor Foster declared said motion failed.

Council Member Zarling made a motion to authorize the Mayor and City Clerk to enter into an Agreement between the Minnesota Department of Revenue and the City of Fairmont to collect and administer the Local Option Sales Tax. Council Member Peters seconded the motion and the motion carried.

Council Member Hawkins made a motion to approve a conditional use permit for Sisseton Lake Property Development at 445 Lake Avenue for a planned unit development of four (4) units of mixed residential/commercial space. Council Member Hasek seconded the motion and the motion carried.

Mayor Foster presented a public report on the results of the closed session held on July 24, 2017 for the City Attorney's Performance Review. City Attorney Bloomquist's overall performance rating was 4.26, which falls under the "Fully Satisfied" performance level (6-5-4).

Council Member Zarling made a motion to call for a public hearing on August 28, 2017 to consider **Ordinance 2017-08**, amending City Code Sec. 26-40 to require an affirmative vote of the majority of all the council members to amend the zoning code. Council Member Peters seconded the motion and the motion carried.

Humpal reminded everyone that there will be a work session on August 23, 2017 from 3:30 p.m. – 5:00 p.m. in the City Hall Council Chambers to discuss City Code update. Chris Hood, partner in Flaherty & Hood will be our guest speaker and will share his experience with updating City Codes.

Humpal announced that a new Fire Service Agreement had been reached with the United Township Coop Fire Association.

Mayor Foster announced that there is a vacancy on the Board of Zoning Appeals and if anyone was interested to please apply. She would like to fill this position at the next meeting.

A motion was made by Council Member Zarling, seconded by Council Member Hawkins and carried to adjourn the meeting at 6:15 p.m.

ATTEST:

Deborah J. Foster
Mayor

Patricia J. Monsen, City Clerk