FAIRMONT CITY COUNCIL AGENDA

1. CALL TO ORDER -

- Regular meeting of the Fairmont City Council held on

MONDAY, SEPTEMBER 10, 2018

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

Cyphers Hawkins Hasek Peters Zarling

2. ROLL CALL -

Mayor Foster Councilors:

3. DETERMINATION OF QUORUM -

- 4. PLEDGE OF ALLEGIANCE -
- 5. APPROVAL OF AGENDA -

6. READING OF MINUTES –

6.1 Minutes of Regular Meeting, August 27, 2018

(01-02)

- 7. OPEN DISCUSSION
- 8. RECOGNITIONS/PRESENTATIONS -
- 9. SCHEDULED HEARINGS -

10. ADMINISTRATIVE APPEALS -

11. FINANCIAL REPORTS -

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

13. LICENSES AND PERMITS -

13.1	Homecoming Parade Permit	(03)
	13.1a Permit Application	(04-05)
13.2	Residents of Woodland Avenue	(06)
	13.2a Permit Application	(07-08)

14. OLD BUSINESS -

15. NEW BUSINESS -

15.1	Authority to Appoint Successor Paying Agent on 2016A Bond Issue	(09)
	15.1a Resolution 2018-27	(10)
15.2	Advertise for Bids for Airfield Pavement Rehabilitation Project	(11)
	15.2a Resolution 2018-28	(12-13)

16. REGULAR AND LIQUOR DISPENSARY BILLS -

17. STATUS REPORTS/COUNCIL/STAFF INFORMATION

18. ADJOURNMENT -

ADDITIONAL ATTACHMENTS -

The minutes of the Fairmont City Council meeting held on Monday, August 27, 2018 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, Public Works Director/City Engineer Troy Nemmers, City Attorney Elizabeth W. Bloomquist, City Clerk Patricia J. Monsen and Chief of Police Mike Hunter.

It was moved by Council Member Zarling to approve the agenda with the addition of item 13.2 an Event Permit for Grace Lutheran Church. 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 August 13, 2018.

Bradley M. Peterson from the Coalition of Greater Minnesota Cities presented an update on the work of the Coalition.

Mayor Foster opened the public hearing on proposed **Ordinance 2018-16**, an ordinance updating Fairmont City Code regarding Administrative Citations. No public comment was received. Council Member Peters made a motion to close the public hearing. Council Member Hawkins seconded the motion and the motion carried. Council Member Cyphers made a motion to approve **Ordinance 2018-16**. Council Member Hawkins seconded the motion. On roll call: Council Members Cyphers, Hasek, Hawkins, Peters and Zarling all vote aye. No one voted nay. Mayor Foster declared said motion passed.

Mayor Foster opened the public hearing on proposed **Resolution 2018-25**, a resolution vacating a portion of Thirteenth Street and alleys. No public comment was received. Council Member Zarling made a motion to close the public hearing. Council Member Hasek seconded the motion and the motion carried. Council Member Peters made a motion to approve **Resolution 2018-25**. Council Member Cyphers 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 Hasek made a motion to approve an Event Permit for Jamie Kueker with Freedom to Worship 2018 for September 8, 2018 at the Sylvania Park Band Shell. Council Member Peters seconded the motion and the motion carried.

Council Member Cyphers made a motion to approve an Event Permit for Grace Lutheran Church to block Grant Street between Tilden and Webster Streets on September 9, 2018 from 10:30 a.m. to 2:00 p.m. to hold an event called God's Grace is Amazing. Council Member Hasek seconded the motion and the motion carried.

Council Member Zarling made a motion to authorize the Mayor and City Attorney to sign the Grant Agreement for design of the new T-hangar and associated taxi lanes at the municipal airport. Council Member Cyphers seconded the motion and the motion carried.

Council Member Hawkins made a motion to adopt **Resolution 2018-26**, awarding Improvement Contract 2018-B, Cedar Creek Park Trail Extension to Ground Zero Services of Courtland, Minnesota in the amount of \$340,548.75. Council Member Cyphers seconded the motion. On roll call: Council Members Cyphers, Hawkins and Zarling all voted aye. Council Members Hasek and Peters voted nay. Mayor Foster declared said motion passed.

Council Member Peters made a motion to approve the payment of the August 2018 bills in the amount of \$1,112,508.98. Council Member Cyphers seconded the motion and the motion carried.

Humpal advised that he is still in the process of evaluating and formulating his recommendation to the council regarding outdoor entertainment in Fairmont.

Humpal stated that the kick off meeting for updating Fairmont's Comprehensive Plan is scheduled for August 29th at 6:00 p.m. in the City Hall Council Chambers.

Council Member Hawkins asked about the clear cutting that has been taking place on shoreland properties lately. Humpal stated that he has spoken with the local tree trimmers in an effort to educate them on what is appropriate. Hawkins wondered if a letter with the rules should be offered to every lakeshore property owner at the time of the real estate closing. Humpal stated that perhaps a direct mailing to the shoreland property owners could be done and a packet for the local realtors could be created to address this topic for lakeshore properties. Humpal also stated that he has talked about this topic on his weekly radio shows encouraging lakeshore property owners to come into City Hall prior to beginning any project on the lakeshore.

Mayor Foster thanked Nemmers for providing the list of streets where potholes were being patched.

A motion was made by Council Member Cyphers, seconded by Council Member Zarling and carried to adjourn the meeting at 6:19 p.m.

Deborah J. Foster Mayor

ATTEST:

Patricia J. Monsen, City Clerk

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 13.1

MEETING DATE: September 10, 2018

SUBJECT: Homecoming Parade Permit

REVIEWED BY: Mike Humpal, CEcD, City Administrator

SUBJECT INITIATION BY:

X	Petition	Board	Staff	Council	Commission	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

X	Motion (Voice Vote)	Resolution (Roll Call)	Discussion
	Ordinance 1 st Reading (Introduction only)	Set Public Hearing (Motion)	Information Only
	Ordinance 2 nd Reading (Roll call)	Hold Public Hearing (Motion to close)	

RECOMMENED ACTION BY:

X	City Staff		Board	Commission	Committee
	Issuance	X	Approval	Authorization	No recommendation

STATEMENT: Application has been received for a permit for the homecoming parade. The parade is scheduled for Friday, October 5, 2018 beginning at 4:00 p.m.

MOTION: To approve a parade permit for the homecoming parade on October 5, 2018.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

- 1. Permit application
- 2._____

3._____

Council	Action:
Counten	riction.

Date:

FAIRMENT EVENT APPLICATION/PERMIT

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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: 9/L	+ /18	Permit Fee: \$15.	.00
Event: HDY	Mecoming Parade		
Sponsoring en	ntity: FHS Istudent (a	unci I	
Address: 90	D Johnson Street		
Maximum esti	mated number of persons expect	ed to attend at any one time:(D+
Event coordina Contact		Phone # κΩ, E-mail	
Name: <u>CANC</u> Cell#: <u>501-99</u>	cts (during event): M/1.05 W1116 5-15971 C@-16471mb/14.1612.1640.05	Name Cell# E-mail:	
Event End: D Setup: D	Day/Date_ <u>DC+_51h</u> Day/Date_ <u>DC+_51h</u> Day/Date Day/Date	Start time: Start time:	_Time:_ <u>2'30</u> _Time: <u>_4:30</u> _End Time: End Time:
1. Type a HDW DR C Floak	nd description of the event and a	list of all activities to take place FAIMONT IV/SY HI Groups I (ICH VINES Will	at the event.
showing first aid and egre event.	the location of event, including a s the location of any barricades, p stations, entertainment, stages, r ess routes, signs, special lighting ML OS PREVIOUS VP VARACK OF 3	perimeter/security fencing, fire executive to estrooms or portable toilets, par , trash containers and any other	ktinguishers, safety or king areas, ingress

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- 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.
- 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: Yin S(ND) V(X N)
- 8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns?

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; <u>√</u>. 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

_ Title_<u>_XV(V()T__()</u>

Date

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

5.

	Offic	ce Use Only		
\$15.00 Fee Paid	Date	Received by:		
Requires Council Approval	Yes; No	Council Meeting Date:	Action:	
City Administrator Approval	Yes	No	Date	
Permit distribution: City Applicant Police Parks/Streets Other				

MEETING DATE: September 10, 2018

SUBJECT: Residents of Woodland Avenue

REVIEWED BY: Mike Humpal, CEcD, City Administrator

SUBJECT INITIATION BY:

X	Petition	Board	Staff	Council	Commission	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

X	Motion (Voice Vote)	Resolution (Roll Call)	Discussion
	Ordinance 1 st Reading (Introduction only)	Set Public Hearing (Motion)	Information Only
	Ordinance 2 nd Reading (Roll call)	Hold Public Hearing (Motion to close)	

RECOMMENED ACTION BY:

Х	City Staff		Board	Commission	Committee
	Issuance	X	Approval	Authorization	No recommendation
_	Denial		Rejection	No action needed	

STATEMENT: Marilyn Forstrom on behalf of the residents of Woodland Avenue would like to have Woodland Avenue from Albion Avenue to Lake Park Boulevard closed to automobile traffic on October 31, 2018 from 4:30 p.m. to 7:30 p.m. This worked well last year.

MOTION: To close Woodland Avenue to automobile traffic on October 31 from 4:30 p.m. to 7:30 p.m.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Event Permit

Council Action:

Date:

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: <u>9-3-18</u> Permit Fee: \$15.00
Event: Halloween trickor treators - Woodland Ree.
Sponsoring entity:
Address: Woodland to Lak ParkBowd- Sameas
Maximum estimated number of persons expected to attend at any one time: <u>ƏOL'7</u> .
Event coordinator(s):
Primary contacts (during event):
Name Name Cell#: Cell# E-mail: E-mall:
Event Start: Day/DateTime: Event End: Day/DateTime: Setup: Day/DateStart time:End Time:
Type and description of the event and a list of all activities to take place at the event. 2019 - NOAD WAD WEELD OF COULAND + Albion and was blocked of Couland
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.

7.

- 3. Will outside drinking water or waste collection systems be supplied? _____ Kest____ 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. _____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): ______ No If yes, event coordinator must complete temporary overhight 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:
- Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns?
 Yes
 Yes
 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	Title	Date

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

	Offic	e Use Only	
\$15.00 Fee Paid	Date:	Received by:	
Requires Council Approval	Yes;No	Council Meeting Date:	Action:
City Administrator Approval	Yes	No	Date
Permit distribution: City Applicant Police Parks/Streets Other			

MEETING DATE: September 10, 2018

SUBJECT: Authority to Appoint Successor Paying Agent on 2016A Bond Issue

REVIEWED BY: Mike Humpal, CEcD, City Administrator

SUBJECT INITIATION BY:

Petition	Board	X	Staff	Council	Commission	Committe
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SUBJECT BACKGROUND: Paul Hoye, Finance Director

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

Motion (Voice Vote)	X	Resolution (Roll Call)	Discussion
Ordinance 1 st Reading (Introduction only)		Set Public Hearing (Motion)	Information Only
Ordinance 2 nd Reading (Roll call)		Hold Public Hearing (Motion to close)	

RECOMMENED ACTION BY:

X	City Staff		Board	Commission	Committee
	Issuance	X	Approval	Authorization	No recommendation

STATEMENT: Because the 2016A Bond Issue was an advanced refunding, we were required to hold an escrow account until the 2016A refunding bonds became callable. This escrow account was held by Northland Trust therefore they were set up as the paying agent. The 2016A bond issue became callable on March 1, 2018 and the escrow account was closed. Now that the escrow account has been called, the City of Fairmont would like to act as the paying agent for these bonds.

MOTION: To adopt Resolution 2018-27 Appointing the City of Fairmont as Paying Agent for the 2016A Bond Issue.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Resolution 2018-27

Council Action:

RESOLUTION NO. 2018-27

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 \$2,715,000 General Obligation Bonds, Series 2016A, Pledging Special Assessments and Levying Taxes for the Payment thereof on March 28, 2016 (the "Resolution").

WHEREAS, pursuant to the Resolution, Northland Trust Services, Inc. was appointed to act as Bond Registrar for the General Obligation Bonds, Series 2016A (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 September 10, 2018.
- 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 September 2018.

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 15.2

MEETING DATE: September 10, 2018

SUBJECT: Advertise for Bids for Airport Pavement Rehabilitation Project

REVIEWED BY: Mike Humpal, CEcD, City Administrator

SUBJECT INITIATION BY:

Petition X Board X Staff Council Commission Commit
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SUBJECT BACKGROUND: Troy Nemmers, PE, Director of Public Works/City Engineer

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

COUNCIL LIAISON: Councilor Cyphers

TYPE OF ACTION:

Motion (Voice Vote)	X	Resolution (Roll Call)	Discussion
Ordinance 1 st Reading (Introduction only)		Set Public Hearing (Motion)	Information Only
Ordinance 2 nd Reading (Roll call)		Hold Public Hearing (Motion to close)	

RECOMMENED ACTION BY:

X City Staff Board	Commission Committee	
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Issuance	X	Approval	Authorization	No recommendation
Denial		Rejection	No action needed	

STATEMENT: The plans and specifications for the Airfield Pavement Rehabilitation project are ready for bid. This improvement consists of crack sealing, large crack repair (hot pour), emulsified asphalt seal coat, pavement marking and traffic control at the municipal airport.

The Council must pass a resolution authorizing the publication of this project. If the resolution is approved the bid opening for this project would be October 4, 2018 at 2:00 p.m. at City Hall.

MOTION: To adopt Resolution 2018-28 approving advertising of the Airfield Pavement Rehabilitation project.

VOTE REQUIRED: Simple majority - Roll call

ATTACHMENTS:

1. Resolution 2018-28 2.

Council Action:

Date:

RESOLUTION NO. 2018-28

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

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS

FAIRMONT MUNICIPAL AIRPORT MN S.P. A4601-54 AIRFIELD PAVEMENT REHABILITATION

WHEREAS, KLJ, consultants for the Fairmont Municipal Airport has arranged for the preparation of Plans and Specifications for the Fairmont Municipal Airport Airfield Pavement Rehabilitation and has presented such Plans and Specifications to the Council for approval.

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

- 1. Such Plans and Specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
- 2. The City Clerk shall prepare and cause to be inserted in the official paper, on Quest CDN, and on the City of Fairmont website (www.fairmont.org) if the estimated construction cost exceeds \$100,000, an advertisement for bids upon the making of such improvement under such approved Plans and Specifications. The advertisement shall be published for one day, shall specify the work to be done and shall state that bids will be opened on October 4, 2018, at 2:00 p.m. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the clerk and accompanied by a bid bond or certified check payable to the Clerk for five (5) percent of the amount of such bid. The bids will be tabulated at that time and will be considered by the City Council at a regular scheduled meeting to be held after review by the City Engineer of the lowest responsible responsive bidder's bid documents.

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

ADOPTED by the Council this 10th day of September 2018.

Mayor

ATTEST:

City Clerk

(SEAL)