

FAIRMONT CITY COUNCIL AGENDA

1. CALL TO ORDER -

- Regular meeting of the Fairmont City Council held on

MONDAY, FEBRUARY 11, 2019

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

2. ROLL CALL -

Mayor Foster
Councilors:

Cyphers
Hasek
Hawkins
Lubenow
Peters

3. DETERMINATION OF QUORUM -

4. PLEDGE OF ALLEGIANCE -

5. APPROVAL OF AGENDA -

6. READING OF MINUTES –

6.1 Minutes of Regular Meeting, January 28, 2019

(01-02)

7. OPEN DISCUSSION

8. RECOGNITIONS/PRESENTATIONS -

8.1 Proclamation – School Board Recognition Week

(03)

8.1a Proclamation

(04)

8.2	Proclamation – Kids Against Hunger Day	(05)
8.2a	Proclamation	(06)
8.3	Certificate of Achievement for Excellence in Financial Reporting	(07)
8.3a	Government Finance Officers Association News Release	(08)
8.3b	Certificate of Achievement in Financial Reporting	(09)
9.	SCHEDULED HEARINGS –	
9.1	Public Hearing – Vacation of a portion of an easement located at 116 Water Street	(10)
9.1a	Proposed Resolution 2019-04	(11-12)
9.1b	Map of proposed vacation	(13)
10.	ADMINISTRATIVE APPEALS –	
11.	FINANCIAL REPORTS –	
12.	REPORTS OF BOARDS, COMMITTEES, AND DEPARTMENT HEADS –	
13.	LICENSES AND PERMITS –	
13.1	One Day Temporary On-Sale Liquor License	(14)
13.1a	Application	(15)
14.	OLD BUSINESS –	
14.1	Update on Outdoor Music	(16)

15. NEW BUSINESS –

15.1	Call for a Public Hearing on proposed Ordinance 2019-04	(17)
	15.1a Memo from Mike Humpal, CEcD, City Administrator	(18-19)
	15.1b Hearing Notice	(20)
	15.1c Proposed Ordinance 2019-04	(21-22)
15.2	Call for a Public Hearing on proposed Ordinance 2019-05	(23)
	15.2a Memo from Mike Humpal, CEcD, City Administrator	(24-25)
	15.2b Hearing Notice	(26)
	15.2c Proposed Ordinance 2019-05	(27-28)
15.3	Call for a Public Hearing on proposed Ordinance 2019-06	(29)
	15.3a Memo from Mike Humpal, CEcD, City Administrator	(30-31)
	15.3b Hearing Notice	(32)
	15.3c Proposed Ordinance 2019-06	(33-34)
15.4	Call for a Public Hearing on proposed Ordinance 2019-07	(35)
	15.4a Memo from Mike Humpal, CEcD, City Administrator	(36-37)
	15.4b Hearing Notice	(38)
	15.4c Proposed Ordinance 2019-07	(39-40)
15.5	2019 Improvement Program	(41)
	15.5a Resolution 2019-05	(42-43)
15.6	2019 Improvement Program – Preliminary Report	(44)
	15.6a Resolution 2019-06	(45-46)
	15.6b Summary Report-2019 Improvement Program	(47-48)

15.7	Ordinance Amendment, Section 26-152: R-1 Single Family Residential District	(49)
15.7a	Draft Ordinance 2019-08	(50-51)
15.7b	Planning Commission Minutes-February 5, 2019	(52-53)

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, January 28, 2019 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, Wayne Hasek, Tom Hawkins, Randy Lubenow and Bruce Peters were present. Also, in attendance: Public Works Director/City Engineer Troy Nemmers, Finance Director Paul Hoye, City Attorney Elizabeth W. Bloomquist, City Clerk Patricia J. Monsen and Police Chief Mike Hunter.

It was moved by Council Member Peters to approve the agenda with the removal of item 9.3 the public hearing on proposed **Ordinance 2019-03**, amending Section 26-652. Council Member Hasek seconded the motion and the motion carried.

It was moved by Council Member Lubenow, seconded by Council Member Peters and carried to approve the minutes of the City Council meeting held on January 14, 2019.

Mayor Foster proclaimed February 7-14, 2019 as Congenital Heart Defect Awareness Week in the City of Fairmont. Hailee and Rachel Greeley were present and spoke.

Mayor Foster opened the public hearing on proposed **Ordinance 2019-01**, an ordinance amending **Ordinance 2018-01** of the City of Fairmont, relating to the softened water service rates. Hoye presented the proposed ordinance and answered questions. No comment was received from the public. Council Member Hawkins made a motion to close the public hearing. Council Member Cyphers seconded the motion and the motion carried. Council Member Peters made a motion to approve **Ordinance 2019-01**. Council Member Hawkins seconded the motion. On roll call: Council Members Cyphers, Hasek, Hawkins, Lubenow and Peters all voted aye. No one voted nay. Mayor Foster declared said motion passed.

Mayor Foster opened the public hearing on proposed **Ordinance 2019-02**, an ordinance amending Section 26-154: R-3 Multiple Family Residential District, as it pertains to side yard setbacks. No comment was received from the public. Council Member Hawkins made a motion to close the public hearing. Council Member Lubenow seconded the motion and the motion carried. Council Member Lubenow made a motion to approve **Ordinance 2019-02**. Council Member Hawkins seconded the motion. On roll call: Council Members Hasek, Hawkins, Lubenow, Peters and Cyphers all voted aye. No one voted nay. Mayor Foster declared said motion passed.

Hoye presented the December 31, 2018 Investment Report.

Council Member Hawkins made a motion to revoke the On-Sale Liquor License/Sunday Liquor License for Jessie's Smokehouse, LLC for failure to maintain liquor liability insurance and for failure of payment of the second half of the license fee. Council Member Lubenow seconded the motion and the motion carried.

Council Member Hawkins made a motion to approve the hiring of Bolton & Menk for the professional engineering services on the Lake Avenue reconstruction project. Council Member Hasek seconded the motion and the motion carried.

Council Member Peters made a motion to approve the appointment of Chantill Kahler Royer to the Fairmont Economic Development Authority Board. Council Member Hasek seconded the motion and the motion carried.

Council Member Hasek made a motion to adopt **Resolution 2019-03** approving advertising of the 2018-D construction project. Council Member Peters seconded the motion. On roll call: Council Members Hawkins, Lubenow, Peters, Cyphers and Hasek all voted aye. No one voted nay. Mayor Foster declared said motion passed.

Council Member Cyphers made a motion to set a public hearing for the vacation of a portion of an easement located at 116 Water Street for February 11, 2019 at 5:30 p.m. and directed the City Clerk to mail and publish notice of the hearing. Council Member Lubenow seconded the motion and the motion carried.

Council Member Peters made a motion to approve the payment of the January 2019 bills in the amount of \$755,967.63. Council Member Lubenow seconded the motion and the motion carried.

Council Member Cyphers, as the City of Fairmont's representative to the Region 9 Commission reported on the Legislative Committee's 2019 legislative priorities.

Council Member Peters thanked everyone involved with the Pond Hockey Association and the Fairmont Youth Hockey Association for organizing and working at the Southern Minnesota Pond Hockey Tournament, which was held in Fairmont January 18-20. Peters encouraged citizens to volunteer to help with future events such as this.

Council Member Lubenow reported that he attended the League of Minnesota Cities Newly Elected Officials 2019 Leadership Conference in Mankato. Lubenow also reminded all citizens to adhere to the snow emergencies in the City and to move their vehicles off the streets.

A motion was made by Council Member Cyphers, seconded by Hawkins and carried to adjourn the meeting at 5:55 p.m.

Deborah J. Foster
Mayor

ATTEST:

Patricia J. Monsen, City Clerk

MEETING DATE: February 11, 2019

SUBJECT: Proclamation – School Board Recognition Week

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 Deborah J. Foster

INTRODUCED BY: Mayor Deborah J. Foster

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: Mayor Deborah J. Foster will proclaim February 18–22, 2019 as School Board Recognition Week 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 CITY OF FAIRMONT recognizes the importance of public education in our community; and,

WHEREAS, THE CITY OF FAIRMONT appreciates the vital role played by those individuals who, as local school board members, establish policies to ensure an efficient, effective school system; and,

WHEREAS, school board members serve as a voice that enables our community to preserve local management and control of our public schools; and,

WHEREAS, school board members are charged with representing our local education interests to state and federal governments and ensuring compliance with state and federal laws; and,

WHEREAS, school board members selflessly devote their knowledge, time and talents as advocates for our schoolchildren; and,

WHEREAS, local school board members are strong advocates for public education and responsible for communicating the needs of the school district to the public and the public's expectations to the district;

NOW THEREFORE, I, Deborah J. Foster, Mayor of the City of Fairmont, do hereby proclaim **February 18-22, 2019**

SCHOOL BOARD RECOGNITION WEEK

and encourage all Minnesotans to join me in this special observance.





Mayor Deborah J. Foster

C I T Y O F F A I R M O N T

MEETING DATE: February 11, 2019

SUBJECT: Proclamation – Kids Against Hunger 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 Deborah J. Foster

INTRODUCED BY: Mayor Deborah J. Foster

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: Mayor Deborah J. Foster will proclaim February 16, 2019 as Kids Against Hunger 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, there is an increasing awareness of hunger in the United States and worldwide; and,

WHEREAS, there are more than 821 million people around the world who do not have enough food to eat and one in every 9 people on our planet go to bed hungry every night; and,

WHEREAS, 24,000 people die every day from hunger related causes; and every 10 seconds a child dies because of hunger-related causes; and,

WHEREAS, 16% of American households struggle to put food on the table; and,

WHEREAS, visits to food shelves in Minnesota have reached a record high of 3.4 million each year; and,

WHEREAS, hunger becomes a cycle of unhealthy pregnancies, poor nutrition in children, chronic health problems leading to lack of education and inability to work; and,

WHEREAS, in the past ten years, Martin County Kids Against Hunger has packaged over one million meals and raised over \$282,000 to cover the cost of those meals; and,

WHEREAS, the "Kids Against Hunger" food packet is a nutritionally fortified meal that can be made by just adding water to feed a family of six for less than \$2; and,

WHEREAS, Martin County volunteers have organized the Eleventh Annual Martin County Kids Against Hunger Pack for Saturday, February 16, 2019, 9:00 am – 4:00 pm, at St. John Vianney School with the goal of packing 125,000 meals; and,

WHEREAS, volunteers of all ages are encouraged to participate or donate and make a difference in the lives of many children and families in Martin County and around the world.

NOW, THEREFORE, I, Deborah J. Foster, Mayor of the City of Fairmont, County of Martin, Minnesota, do hereby proclaim Saturday, February 16, 2019, as:

Kids Against Hunger Day

and call upon all Fairmont and Martin County citizens to recognize and support the efforts of Martin County Kids Against Hunger in packing life-saving meals for local food shelves and Mission-Haiti.



Deborah J. Foster
Deborah J. Foster, Mayor

C I T Y O F F A I R M O N T M I N N E S O T A

MEETING DATE: February 11, 2019

SUBJECT: Certificate of Achievement for Excellence in Financial Reporting

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 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 checked="" type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: The City of Fairmont has been notified by the Government Finance Officers Association that the comprehensive annual financial report for the fiscal year ended December 31, 2017 qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. Congratulations to Finance Director Paul Hoyer and his staff for receiving this award again this year. The City, under Paul's guidance, has received this award for the last ten years.

MOTION: N/A

VOTE REQUIRED:

ATTACHMENTS:

1. Government Finance Officers Association News Release
2. Certificate of Achievement in Financial Reporting

Council Action: _____ Date: _____



GOVERNMENT FINANCE OFFICERS ASSOCIATION
NEWS RELEASE

FOR IMMEDIATE RELEASE

01/24/2019

For more information contact:
Michele Mark Levine, Director/TSC
Phone: (312) 977-9700
Fax: (312) 977-4806
E-mail: mlevine@gfoa.org

(Chicago, Illinois)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **City of Fairmont** by Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s) or department designated by the government as primarily responsible for preparing the award-winning CAFR.

The CAFR has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

Government Finance Officers Association is a major professional association servicing the needs of nearly 19,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington, D.C.



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**City of Fairmont
Minnesota**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

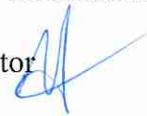
December 31, 2017

Christopher P. Morill

Executive Director/CEO

MEETING DATE: February 11, 2019

SUBJECT: Public hearing on vacation of a portion of an easement located at 116 Water Street

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: Troy Nemmers, Public Works Director/City Engineer

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

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 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 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: The City Council has the authority to vacate easements by resolution upon a 4/5ths majority vote after a public hearing. A Petition for Vacation was received by the City Clerk on January 22, 2019 from Jeremy Evans, owner of 116 Water Street. Mr. Evans is requesting the vacation of a portion of an access easement located at this property in exchange for granting a new access easement on the east side of the property.

MOTION: To approve the vacation of a portion of an existing easement at 116 Water Street.

VOTE REQUIRED: 4/5ths majority

ATTACHMENTS:

1. Proposed Resolution 2019-04 vacating a portion of easement
2. map of proposed vacation

Council Action: _____ Date: _____

RESOLUTION NO. 2019-04

**A RESOLUTION VACATING A PORTION OF A PERMANENT
EASEMENT LOCATED AT 116 WATER STREET**

WHEREAS, the City Council received a Petition for vacation of an easement located at 116 Water Street pursuant to Fairmont Charter Section 12.06, Fairmont City Code Section 23-1 and Minnesota Statute §412.851 said portion of the easement legally described as:

Commencing at the Northeast Corner of Lot Four (4), Block One (1) Barker's Subdivision of Auditor's Plat No. 133 to the City of Fairmont, as per map or plat thereof on file and of record in the office of the County Recorder in Martin County, Minnesota; thence East, parallel with the north line of said Lot 4, a distance of 12 feet to the point of beginning; thence South, parallel with the east line of said Lot 4, a distance of 90 feet; thence East, parallel with the north line of said Lot 4, a distance of 25 feet; thence North parallel with the east line of said Lot 4, a distance of 90 feet; thence west, parallel with the north line of said Lot 4, a distance of 25 feet to the point of beginning.

and setting a public hearing to consider the vacation of such easement; and,

WHEREAS, a public hearing to consider the vacation of such easement was held on the 11th day of February 2019, before the City Council in the City Council Chambers at 5:30 p.m. after published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk and all interested and affected persons were given an opportunity to voice their concerns and be heard; and,

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because property owner will be able to expand his garage; and,

WHEREAS, four-fifths of all members of the City Council concur in this resolution.

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

That such Resolution for vacation is hereby approved and the portion of easement described as follows is hereby vacated:

Commencing at the Northeast Corner of Lot Four (4), Block One (1) Barker's Subdivision of Auditor's Plat No. 133 to the City of Fairmont, as per map or plat thereof on file and of record in the office of the County Recorder in Martin County, Minnesota; thence East, parallel with the north line of said Lot 4, a distance of 12 feet to the point of beginning; thence South, parallel with the east line of said Lot 4, a distance of 90 feet; thence East, parallel with the north line of said Lot 4, a distance of 25 feet; thence North parallel with the east line of said Lot 4, a distance of 90 feet; thence west, parallel with the north line of said Lot 4, a distance of 25 feet to the point of beginning.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

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

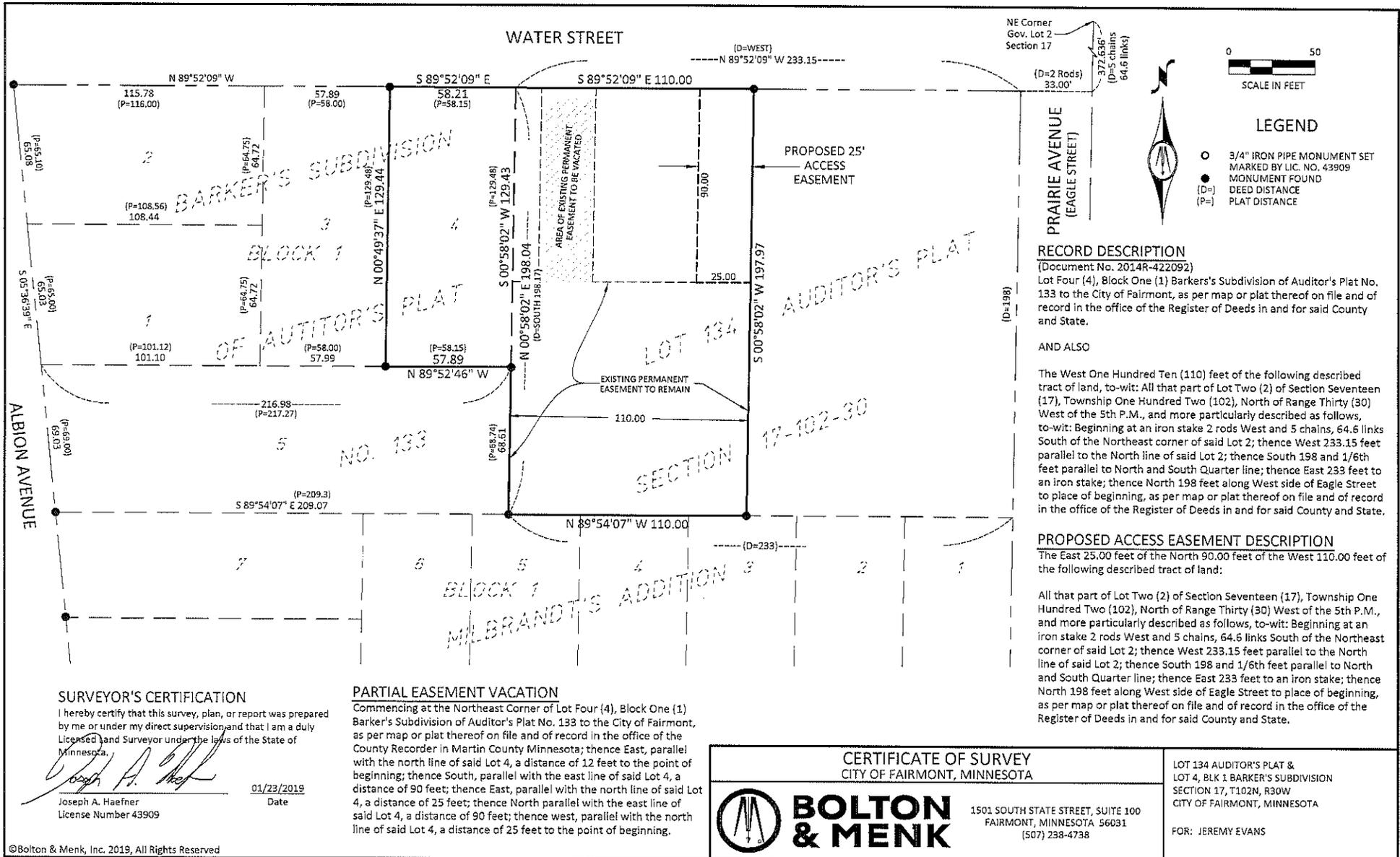
PASSED, APPROVED AND ADOPTED this 11th day of February 2019.

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

DRAFTED BY:
Elizabeth W. Bloomquist
City Attorney
100 Downtown Plaza
Fairmont, MN 56031
507-238-3939



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JOB NUMBER: F17113924

FIELD BOOK: FMT 13, PAGE 28

DRAWN BY: TW

8.4 (37) 17-102-30 (24)

MEETING DATE: February 11, 2019

SUBJECT: One Day Temporary On-Sale Liquor License

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	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:

<input checked="" type="checkbox"/>	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:

<input checked="" type="checkbox"/>	City Staff		Board		Commission		Committee
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	Issuance	<input checked="" type="checkbox"/>	Approval		Authorization		No recommendation
	Denial		Rejection		No action needed		

STATEMENT: Martin County Chapter Pheasants Forever has made application for a One Day Temporary On-Sale Liquor License to serve alcohol at an event scheduled for April 13, 2019 at the Martin County Fairgrounds Arena. Martin County Chapter Pheasants Forever has paid the license fee and has provided liquor liability insurance coverage for the event.

MOTION: To approve the One Day Temporary Liquor Licenses for Martin County Chapter Pheasants Forever for April 13, 2019.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Application
- 2.

Council Action: _____ Date: _____



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization <i>Martin County Chapter Pheasants Forever</i>		Date organized <i>1986</i>	Tax exempt number <i>4874648</i>	
Address <i>310 S. Dewey St.</i>		City <i>Fairmont</i>	State <i>Minnesota</i>	Zip Code <i>56031</i>
Name of person making application <i>Joe Maida</i>		Business phone <i>507-399-1660</i>	Home phone	
Date(s) of event <i>April 13, 2019</i>		Type of organization <input type="checkbox"/> Club <input checked="" type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit		
Organization officer's name <i>X Joe Maida</i>		City <i>Fairmont</i>	State <i>Minnesota</i>	Zip <i>56031</i>
Add New Officer				

Location where permit will be used. If an outdoor area, describe.

Martin County Fairgrounds Arena

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

Travelers Insurance \$1 million per incident with \$1 million aggregate.

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

<i>Fairmont/Martin</i> City/County	Date Approved <i>April 13, 2019</i>
<i>\$25.00</i> City Fee Amount	Permit Date <i>2-7-19</i>
<i>2-7-19</i> Date Fee Paid	<i>pmonsen@fairmont.org</i> City/County E-mail Address

Signature City Clerk or County Official

Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

MEETING DATE: February 11, 2019

SUBJECT: Update on Outdoor Music

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 checked="" 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 type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: At our July 23, 2018 City Council meeting, I read a letter from a citizen who lives in the neighborhood near the Channel Inn. If you recall, he is upset about outdoor music. At our August 27th meeting, I said I would wait until after Labor Day to complete research into this issue and address the City Council mid-winter. I plan to provide an update of my research from other communities and have a discussion with the city on the issue of Outdoor Music.

MOTION: None required.

VOTE REQUIRED:

ATTACHMENTS:

1. _____
2. _____
3. _____

Council Action: _____ Date: _____

MEETING DATE: February 11, 2019

SUBJECT: Call for a Public Hearing on proposed Ordinance 2019-04

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 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 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: Neil and Jane Jensen of 20 Downtown Plaza have made an offer of \$2,250.00 to purchase the empty lot at 26 Downtown Plaza. The City acquired this property as a tax forfeiture. The City razed the house on this lot and has been mowing and maintaining the sidewalks.

MOTION: To schedule a public hearing on proposed Ordinance 2019-04 for February 25, 2019 at 5:30 p.m. in the City Hall Council Chambers.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Memo from Mike Humpal, CEcD, City Administrator
2. Hearing Notice
3. Proposed Ordinance 2019-04

Council Action: _____ Date: _____



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

Phone (507)238-9461

Fax (507)238-9469

MEMO

DATE: January 21, 2019
TO: Mayor and City Council
FROM: Mike Humpal, CEcD, City Administrator
RE: Vacant Lot Sales

As you will recall the City took over seven properties from Tom Unruh for unpaid property taxes. These properties were razed in the summer/fall of 2018. The City has had each lot surveyed so that there is no question as to the location of the property lines.

Four individuals that own property adjacent to the vacant lots have sent the City inquiries concerning the purchase of the lots. City Staff has had a lot of discussions with these citizens over the last year. The City's past practice has been to sell vacant properties to abutting property owners at a minimal cost.

Currently we have request from:

1. Neil & Jane Jensen who live at 20 Downtown Plaza and offer to purchase 26 Downtown Plaza.
2. Mark Atkinson lives at 219 South Main Street, he also owns 217 South Main Street, which he has razed with City help. He has offered to purchase 30 Downtown Plaza.
3. Troy and Lisa Fritz live at 232 Sisseton Drive and are offering to purchase 304 Woodland Avenue. Their lot on Sisseton Drive is not large enough to build a garage. Their plan will be to build a garage on a portion of 304 Woodland and keep the rest as open space.
4. Lon & Heidi Luhmann live at 511 North Prairie and have offered to purchase 507 North Prairie.

All these folks have had to live next to these blighted houses for years. Selling the properties will allow space to build garages or just to expand their yards and otherwise just clean up the neighborhood. The lots will be back on the tax rolls and the City will no longer have to pay for maintaining them. State Statute allows the City to negotiate the sale of property. I am recommending that we sell each of the properties for \$1,500.00 plus the cost of the survey \$750.00 for a total of \$2,250; deed tax and recording fee is approximately \$50.00.

The City is required to sell the property by ordinance which requires a Public Hearing. My thoughts would be to call for the Public Hearing at the January 28th meeting and hold the Public Hearing on the sale of the properties on February 11th.

The City has a couple other lots that Staff is working with Habitat for Humanity on. Habitat for Humanity wants to move two houses from Lake Avenue to two lots on North Elm. I think that is a great idea for neighborhood revitalization and a win, win for everyone. Their time frame is later in the spring/summer. My recommendation will be to give the properties to Habitat for Humanity with them paying for the survey and recording fees.

All the other lots, the City has will be evaluated to determine potential for constructing starter homes on these lots. There is a lot to consider and staff is working with Southwest Minnesota Housing Partnership to determine highest and best use. These properties may also be offered to neighbors, but a later date.

Please contact me with questions and concerns.

MH/dj



PUBLIC HEARING NOTICE

YOUR ATTENTION is called by the Fairmont City Council to a public hearing to be held on **February 25, 2019 at 5:30 p.m. at the Fairmont City Hall Council Chambers, 100 Downtown Plaza, in the City of Fairmont** to take public input on the:

Request to purchase property owned by the City of Fairmont:

Legal description:

The tract of land commonly known as Lot Nine (9), of Block Two (2), in Webster and Johnstone's, also known as Webster and Johnson's, Addition to the Village (now City) of Fairmont, Martin County, Minnesota, according to the plat thereof dated April 13, 1878, filed April 20, 1878, and recorded in Book A of Plats, on page 5, in the office of the Register of Deeds in and for said County and State, said land more particularly described as follows, to wit:

Beginning 220 ½ feet South of a point where the West line of North Avenue, in Fairmont, Minnesota, as now established, intersects the East and West Quarter line of Section Eight (8), Township One Hundred Two (102) North, Range Thirty (30) West of the Fifth P.M. in Martin County, Minnesota; running thence South 60 feet to a point Two (2) inches East of an iron stake; thence running West 120 feet to an iron stake; thence running North 60 feet to an iron stake; thence running East 120 feet, more or less, to place of beginning.

Physical description: 26 Downtown Plaza, Fairmont, MN 56031

All persons interested are invited to attend the public hearing to offer their comments related to the purchase of this City-owned parcel. Written comments can also be submitted to Patricia J. Monsen, City Clerk, Fairmont City Hall, 100 Downtown Plaza, Fairmont, MN 56031.

/s/ Patricia J. Monsen
City Clerk

ORDINANCE NO. 2019-04

ORDINANCE TO SELL REAL PROPERTY

WHEREAS, the City of Fairmont is the owner of real estate located at 26 Downtown Plaza, Fairmont, Martin County, Minnesota, and;

WHEREAS, said real property is legally described as:

The tract of land commonly known as Lot Nine (9), of Block Two (2), in Webster and Johnstone's, also known as Webster and Johnson's, Addition to the Village (now City) of Fairmont, Martin County, Minnesota, according to the plat thereof dated April 13, 1878, filed April 20, 1878, and recorded in Book A of Plats, on page 5, in the office of the Register of Deeds in and for said County and State, said land more particularly described as follows, to wit:

Beginning 220 ½ feet South of a point where the West line of North Avenue, in Fairmont, Minnesota, as now established, intersects the East and West Quarter line of Section Eight (8), Township One Hundred Two (102) North, Range Thirty (30) West of the Fifth P.M. in Martin County, Minnesota; running thence South 60 feet to a point Two (2) inches East of an iron stake; thence running West 120 feet to an iron stake; thence running North 60 feet to an iron stake; thence running East 120 feet, more or less, to place of beginning.

and;

WHEREAS, City staff was approached by Neil and Jane Jensen with a request to purchase the vacant property described above for \$2,250.00, and;

WHEREAS, the City obtained title to the above described real property so that it could demolish a blighted building located thereon, and;

WHEREAS, the blighted building has been demolished and the City does not have any plans to develop the described real property, and;

WHEREAS, it would be in the City's best interest to have the real property placed back on the tax rolls by transferring it into a private ownership, and;

WHEREAS, the Fairmont City Council, after holding a public hearing, determined that it is in the best interest of the City of Fairmont to transfer the above described real estate to Neil and Jane Jensen.

NOW THEREFORE, it is hereby ordained by the Fairmont City Council as follows:

1. The real property described above will be transferred from the City of Fairmont to Neil and Jane Jensen for the sum of \$2,250.00.
2. The City will pay all costs associated with the transfer of the real estate.
3. The Mayor and the City Clerk are authorized to sign any and all documents necessary to transfer the real property described above.

PASSED, APPROVED AND ADOPTED, this 25th day of February 2019.

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

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

1st Reading: February 11, 2019
2nd Reading: February 25, 2019

MEETING DATE: February 11, 2019

SUBJECT: Call for a Public Hearing on proposed Ordinance 2019-05

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 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 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: Mark and Jeanne Atkinson of 219 South Main Street have made an offer of \$2,250.00 to purchase the empty lot at 30 Downtown Plaza. The City acquired this property as a tax forfeiture. The City razed the house on this lot and has been mowing and maintaining the sidewalks.

MOTION: To schedule a public hearing on proposed Ordinance 2019-05 for February 25, 2019 at 5:30 p.m. in the City Hall Council Chambers.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Memo from Mike Humpal, CEcD, City Administrator
2. Hearing Notice
3. Proposed Ordinance 2019-05

Council Action: _____ Date: _____



MEMO

DATE: January 21, 2019
TO: Mayor and City Council
FROM: Mike Humpal, CEcD, City Administrator
RE: Vacant Lot Sales

As you will recall the City took over seven properties from Tom Unruh for unpaid property taxes. These properties were razed in the summer/fall of 2018. The City has had each lot surveyed so that there is no question as to the location of the property lines.

Four individuals that own property adjacent to the vacant lots have sent the City inquiries concerning the purchase of the lots. City Staff has had a lot of discussions with these citizens over the last year. The City's past practice has been to sell vacant properties to abutting property owners at a minimal cost.

Currently we have request from:

1. Neil & Jane Jensen who live at 20 Downtown Plaza and offer to purchase 26 Downtown Plaza.
2. Mark Atkinson lives at 219 South Main Street, he also owns 217 South Main Street, which he has razed with City help. He has offered to purchase 30 Downtown Plaza.
3. Troy and Lisa Fritz live at 232 Sisseton Drive and are offering to purchase 304 Woodland Avenue. Their lot on Sisseton Drive is not large enough to build a garage. Their plan will be to build a garage on a portion of 304 Woodland and keep the rest as open space.
4. Lon & Heidi Luhmann live at 511 North Prairie and have offered to purchase 507 North Prairie.

All these folks have had to live next to these blighted houses for years. Selling the properties will allow space to build garages or just to expand their yards and otherwise just clean up the neighborhood. The lots will be back on the tax rolls and the City will no longer have to pay for maintaining them. State Statute allows the City to negotiate the sale of property. I am recommending that we sell each of the properties for \$1,500.00 plus the cost of the survey \$750.00 for a total of \$2,250; deed tax and recording fee is approximately \$50.00.

The City is required to sell the property by ordinance which requires a Public Hearing. My thoughts would be to call for the Public Hearing at the January 28th meeting and hold the Public Hearing on the sale of the properties on February 11th.

The City has a couple other lots that Staff is working with Habitat for Humanity on. Habitat for Humanity wants to move two houses from Lake Avenue to two lots on North Elm. I think that is a great idea for neighborhood revitalization and a win, win for everyone. Their time frame is later in the spring/summer. My recommendation will be to give the properties to Habitat for Humanity with them paying for the survey and recording fees.

All the other lots, the City has will be evaluated to determine potential for constructing starter homes on these lots. There is a lot to consider and staff is working with Southwest Minnesota Housing Partnership to determine highest and best use. These properties may also be offered to neighbors, but a later date.

Please contact me with questions and concerns.

MH/dj



PUBLIC HEARING NOTICE

YOUR ATTENTION is called by the Fairmont City Council to a public hearing to be held on **February 25, 2019 at 5:30 p.m. at the Fairmont City Hall Council Chambers, 100 Downtown Plaza, in the City of Fairmont** to take public input on the:

Request to purchase property owned by the City of Fairmont:

Legal description:

Lot Ten (10) Block Two (2) of Webster and Johnston's Addition to the Village (now City) of Fairmont as per the recorded map or plat thereof on file and of record in the Office of the Register of Deeds in and for Martin County, Minnesota.

Physical description: 30 Downtown Plaza, Fairmont, MN 56031

All persons interested are invited to attend the public hearing to offer their comments related to the purchase of this City-owned parcel. Written comments can also be submitted to Patricia J. Monsen, City Clerk, Fairmont City Hall, 100 Downtown Plaza, Fairmont, MN 56031.

/s/ Patricia J. Monsen
City Clerk

ORDINANCE NO. 2019-05

ORDINANCE TO SELL REAL PROPERTY

WHEREAS, the City of Fairmont is the owner of real estate located at 30 Downtown Plaza, Fairmont, Martin County, Minnesota, and;

WHEREAS, said real property is legally described as:

Lot Ten (10) Block Two (2) of Webster and Johnston's Addition to the Village (now City) of Fairmont as per the recorded map or plat thereof on file and of record in the Office of the Register of Deeds in and for Martin County, Minnesota.

and;

WHEREAS, City staff was approached by Mark and Jeanne Atkinson with a request to purchase the vacant property described above for \$2,250.00, and;

WHEREAS, the City obtained title to the above described real property so that it could demolish a blighted building located thereon, and;

WHEREAS, the blighted building has been demolished and the City does not have any plans to develop the described real property, and;

WHEREAS, it would be in the City's best interest to have the real property placed back on the tax rolls by transferring it into a private ownership, and;

WHEREAS, the Fairmont City Council, after holding a public hearing, determined that it is in the best interest of the City of Fairmont to transfer the above described real estate to Mark and Jeanne Atkinson.

NOW THEREFORE, it is hereby ordained by the Fairmont City Council as follows:

1. The real property described above will be transferred from the City of Fairmont to Mark and Jeanne Atkinson for the sum of \$2,250.00.
2. The City will pay all costs associated with the transfer of the real estate.
3. The Mayor and the City Clerk are authorized to sign any and all documents necessary to transfer the real property described above.

PASSED, APPROVED AND ADOPTED, this 25th day of February 2019.

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

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

1st Reading: February 11, 2019
2nd Reading: February 25, 2019

MEETING DATE: February 11, 2019

SUBJECT: Call for a Public Hearing on proposed Ordinance 2019-06

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 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 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: Troy and Lisa Fritz of 232 Sisseton Drive have made an offer of \$2,250.00 to purchase the empty lot at 304 Woodland Avenue. The City acquired this property as a tax forfeiture. The City razed the house on this lot and has been mowing and maintaining the sidewalks.

MOTION: To schedule a public hearing on proposed Ordinance 2019-06 for February 25, 2019 at 5:30 p.m. in the City Hall Council Chambers.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Memo from Mike Humpal, CEcD, City Administrator
2. Hearing Notice
3. Proposed Ordinance 2019-06

Council Action: _____ Date: _____



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

Phone (507)238-9461

Fax (507)238-9469

MEMO

DATE: January 21, 2019
TO: Mayor and City Council
FROM: Mike Humpal, CEcD, City Administrator
RE: Vacant Lot Sales

As you will recall the City took over seven properties from Tom Unruh for unpaid property taxes. These properties were razed in the summer/fall of 2018. The City has had each lot surveyed so that there is no question as to the location of the property lines.

Four individuals that own property adjacent to the vacant lots have sent the City inquiries concerning the purchase of the lots. City Staff has had a lot of discussions with these citizens over the last year. The City's past practice has been to sell vacant properties to abutting property owners at a minimal cost.

Currently we have request from:

1. Neil & Jane Jensen who live at 20 Downtown Plaza and offer to purchase 26 Downtown Plaza.
2. Mark Atkinson lives at 219 South Main Street, he also owns 217 South Main Street, which he has razed with City help. He has offered to purchase 30 Downtown Plaza.
3. Troy and Lisa Fritz live at 232 Sisseton Drive and are offering to purchase 304 Woodland Avenue. Their lot on Sisseton Drive is not large enough to build a garage. Their plan will be to build a garage on a portion of 304 Woodland and keep the rest as open space.
4. Lon & Heidi Luhmann live at 511 North Prairie and have offered to purchase 507 North Prairie.

All these folks have had to live next to these blighted houses for years. Selling the properties will allow space to build garages or just to expand their yards and otherwise just clean up the neighborhood. The lots will be back on the tax rolls and the City will no longer have to pay for maintaining them. State Statute allows the City to negotiate the sale of property. I am recommending that we sell each of the properties for \$1,500.00 plus the cost of the survey \$750.00 for a total of \$2,250; deed tax and recording fee is approximately \$50.00.

C I T Y O F ³⁰ L A K E S

The City is required to sell the property by ordinance which requires a Public Hearing. My thoughts would be to call for the Public Hearing at the January 28th meeting and hold the Public Hearing on the sale of the properties on February 11th.

The City has a couple other lots that Staff is working with Habitat for Humanity on. Habitat for Humanity wants to move two houses from Lake Avenue to two lots on North Elm. I think that is a great idea for neighborhood revitalization and a win, win for everyone. Their time frame is later in the spring/summer. My recommendation will be to give the properties to Habitat for Humanity with them paying for the survey and recording fees.

All the other lots, the City has will be evaluated to determine potential for constructing starter homes on these lots. There is a lot to consider and staff is working with Southwest Minnesota Housing Partnership to determine highest and best use. These properties may also be offered to neighbors, but a later date.

Please contact me with questions and concerns.

MH/dj



PUBLIC HEARING NOTICE

YOUR ATTENTION is called by the Fairmont City Council to a public hearing to be held on **February 25, 2019 at 5:30 p.m. at the Fairmont City Hall Council Chambers, 100 Downtown Plaza, in the City of Fairmont** to take public input on the:

Request to purchase property owned by the City of Fairmont:

Legal description:

A tract of land in Government Lot Four (4), of section Eight (8), Township One Hundred Two (102) North, of Range Thirty (30) West, bounded and described as follows, to-wit: Commencing at a point 44-1/2 feet East of section line between Section 7 and 8; township and range aforesaid, and 30 rods North of the Section line between Sections 8 and 17, township and range aforesaid; running thence Northerly 208 feet to a point 175 feet from the North line of Woodland Avenue in the City of Fairmont, thence Easterly 63 feet to the Northwest corner of Lot 9, in Block 4, Brodt's Lake Park Addition to the City of Fairmont, according to the plat thereof, on County and State; thence Southerly on the West line of said Lot 9 a distance of 208 feet, thence due Westerly to the point of beginning; said tract fronting on Woodland Avenue, in said City of Fairmont, and being of the dimensions, exclusive of said street, 63 feet by 175 feet.

ALSO KNOWN AND DESCRIBED AS:

Lot One (1), Block Two (2) Woodland Avenue Subdivision to the City of Fairmont, as per map or plat thereof on file and of record in the office of the Register of Deeds, Martin County, Minnesota.

Physical description: 304 Woodland Avenue, Fairmont, MN 56031

All persons interested are invited to attend the public hearing to offer their comments related to the purchase of this City-owned parcel. Written comments can also be submitted to Patricia J. Monsen, City Clerk, Fairmont City Hall, 100 Downtown Plaza, Fairmont, MN 56031.

/s/ Patricia J. Monsen
City Clerk

ORDINANCE NO. 2019-06

ORDINANCE TO SELL REAL PROPERTY

WHEREAS, the City of Fairmont is the owner of real estate located at 304 Woodland Avenue, Fairmont, Martin County, Minnesota, and;

WHEREAS, said real property is legally described as:

A tract of land in Government Lot Four (4), of section Eight (8), Township One Hundred Two (102) North, of Range Thirty (30) West, bounded and described as follows, to-wit: Commencing at a point 44-1/2 feet East of section line between Section 7 and 8; township and range aforesaid, and 30 rods North of the Section line between Sections 8 and 17, township and range aforesaid; running thence Northerly 208 feet to a point 175 feet from the North line of Woodland Avenue in the City of Fairmont, thence Easterly 63 feet to the Northwest corner of Lot 9, in Block 4, Brodt's Lake Park Addition to the City of Fairmont, according to the plat thereof, on County and State; thence Southerly on the West line of said Lot 9 a distance of 208 feet, thence due Westerly to the point of beginning; said tract fronting on Woodland Avenue, in said City of Fairmont, and being of the dimensions, exclusive of said street, 63 feet by 175 feet.

ALSO KNOWN AND DESCRIBED AS:

Lot One (1), Block Two (2) Woodland Avenue Subdivision to the City of Fairmont, as per map or plat thereof on file and of record in the office of the Register of Deeds, Martin County, Minnesota.

and;

WHEREAS, City staff was approached by Troy and Lisa Fritz with a request to purchase the vacant property described above for \$2,250.00, and;

WHEREAS, the City obtained title to the above described real property so that it could demolish a blighted building located thereon, and;

WHEREAS, the blighted building has been demolished and the City does not have any plans to develop the described real property, and;

WHEREAS, it would be in the City's best interest to have the real property placed back on the tax rolls by transferring it into a private ownership, and;

WHEREAS, the Fairmont City Council, after holding a public hearing, determined that it is in the best interest of the City of Fairmont to transfer the above described real estate to Troy and Lisa Fritz.

NOW THEREFORE, it is hereby ordained by the Fairmont City Council as follows:

1. The real property described above will be transferred from the City of Fairmont to Troy and Lisa Fritz for the sum of \$2,250.00.
2. City will pay all costs associated with the transfer of the real estate.
3. The Mayor and the City Clerk are authorized to sign any and all documents necessary to transfer the real property described above.

PASSED, APPROVED AND ADOPTED, this 25th day of February 2019.

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

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

1st Reading: February 11, 2019
2nd Reading: February 25, 2019

MEETING DATE: February 11, 2019

SUBJECT: Call for a Public Hearing on proposed Ordinance 2019-07

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 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 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: Lon and Heidi Luhmann of 511 North Prairie Avenue have made an offer of \$2,250.00 to purchase the empty lot at 507 North Prairie Avenue. The City acquired this property as a tax forfeiture. The City razed the house on this lot and has been mowing and maintaining the sidewalks.

MOTION: To schedule a public hearing on proposed Ordinance 2019-07 for February 25, 2019 at 5:30 p.m. in the City Hall Council Chambers.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Memo from Mike Humpal, CEcD, City Administrator
2. Hearing Notice
3. Proposed Ordinance 2019-07

Council Action: _____ Date: _____



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

Phone (507)238-9461

Fax (507)238-9469

MEMO

DATE: January 21, 2019
TO: Mayor and City Council
FROM: Mike Humpal, CEcD, City Administrator
RE: Vacant Lot Sales

As you will recall the City took over seven properties from Tom Unruh for unpaid property taxes. These properties were razed in the summer/fall of 2018. The City has had each lot surveyed so that there is no question as to the location of the property lines.

Four individuals that own property adjacent to the vacant lots have sent the City inquiries concerning the purchase of the lots. City Staff has had a lot of discussions with these citizens over the last year. The City's past practice has been to sell vacant properties to abutting property owners at a minimal cost.

Currently we have request from:

1. Neil & Jane Jensen who live at 20 Downtown Plaza and offer to purchase 26 Downtown Plaza.
2. Mark Atkinson lives at 219 South Main Street, he also owns 217 South Main Street, which he has razed with City help. He has offered to purchase 30 Downtown Plaza.
3. Troy and Lisa Fritz live at 232 Sisseton Drive and are offering to purchase 304 Woodland Avenue. Their lot on Sisseton Drive is not large enough to build a garage. Their plan will be to build a garage on a portion of 304 Woodland and keep the rest as open space.
4. Lon & Heidi Luhmann live at 511 North Prairie and have offered to purchase 507 North Prairie.

All these folks have had to live next to these blighted houses for years. Selling the properties will allow space to build garages or just to expand their yards and otherwise just clean up the neighborhood. The lots will be back on the tax rolls and the City will no longer have to pay for maintaining them. State Statute allows the City to negotiate the sale of property. I am recommending that we sell each of the properties for \$1,500.00 plus the cost of the survey \$750.00 for a total of \$2,250; deed tax and recording fee is approximately \$50.00.

The City is required to sell the property by ordinance which requires a Public Hearing. My thoughts would be to call for the Public Hearing at the January 28th meeting and hold the Public Hearing on the sale of the properties on February 11th.

The City has a couple other lots that Staff is working with Habitat for Humanity on. Habitat for Humanity wants to move two houses from Lake Avenue to two lots on North Elm. I think that is a great idea for neighborhood revitalization and a win, win for everyone. Their time frame is later in the spring/summer. My recommendation will be to give the properties to Habitat for Humanity with them paying for the survey and recording fees.

All the other lots, the City has will be evaluated to determine potential for constructing starter homes on these lots. There is a lot to consider and staff is working with Southwest Minnesota Housing Partnership to determine highest and best use. These properties may also be offered to neighbors, but a later date.

Please contact me with questions and concerns.

MH/dj



PUBLIC HEARING NOTICE

YOUR ATTENTION is called by the Fairmont City Council to a public hearing to be held on **February 25, 2019 at 5:30 p.m. at the Fairmont City Hall Council Chambers, 100 Downtown Plaza, in the City of Fairmont** to take public input on the:

Request to purchase property owned by the City of Fairmont:

Legal description:

Lot 14, Block 4, Ward's Addition to the Village, now City of Fairmont, Martin County, Minnesota as platted from the NE ¼ of the NW ¼ of Section 8, Township 102, Range 30, Martin County, Minnesota.

Physical description: 507 North Prairie Avenue, Fairmont, MN 56031

All persons interested are invited to attend the public hearing to offer their comments related to the purchase of this City-owned parcel. Written comments can also be submitted to Patricia J. Monsen, City Clerk, Fairmont City Hall, 100 Downtown Plaza, Fairmont, MN 56031.

/s/ Patricia J. Monsen
City Clerk

ORDINANCE NO. 2019-07

ORDINANCE TO SELL REAL PROPERTY

WHEREAS, the City of Fairmont is the owner of real estate located at 507 North Prairie Avenue, Fairmont, Martin County, Minnesota, and;

WHEREAS, said real property is legally described as:

Lot 14, Block 4, Ward's Addition to the Village, now City of Fairmont, Martin County, Minnesota as platted from the NE ¼ of the NW ¼ of Section 8, Township 102, Range 30, Martin County, Minnesota.

and;

WHEREAS, City staff was approached by Lon and Heidi Luhmann with a request to purchase the vacant property described above for \$2,250.00, and;

WHEREAS, the City obtained title to the above described real property so that it could demolish a blighted building located thereon, and;

WHEREAS, the blighted building has been demolished and the City does not have any plans to develop the described real property, and;

WHEREAS, it would be in the City's best interest to have the real property placed back on the tax rolls by transferring it into a private ownership, and;

WHEREAS, the Fairmont City Council, after holding a public hearing, determined that it is in the best interest of the City of Fairmont to transfer the above described real estate to Lon and Heidi Luhmann.

NOW THEREFORE, it is hereby ordained by the Fairmont City Council as follows:

1. The real property described above will be transferred from the City of Fairmont to Lon and Heidi Luhmann for the sum of \$2,250.00.
2. The City of Fairmont will pay all costs associated with the transfer of the real estate.
3. The Mayor and the City Clerk are authorized to sign any and all documents necessary to transfer the real property described above.

PASSED, APPROVED AND ADOPTED, this 25th day of February 2019.

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

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

1st Reading: February 11, 2019
2nd Reading: February 25, 2019

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 15.5

MEETING DATE: February 11, 2019

SUBJECT: 2019 Improvement 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: Troy Nemmers, Director of Public Works/City Engineer

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON: None

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: The City Council is required to call for an Engineering Report for improvements being proposed for 2019 to determine if they are feasible.

MOTION: To adopt Resolution No. 2019-05: Ordering Preparation of Report on the 2019 Improvements.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Resolution No. 2019-05 _____
2. _____
3. _____

Council Action: _____ Date: _____

RESOLUTION NO. 2019-05

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

RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT

WHEREAS, the City of Fairmont wishes to investigate the feasibility of making several needed Public Improvements, and;

WHEREAS, it is in the best interest of the City of Fairmont to consider such improvements and to assess benefitted property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Fairmont that the proposed improvements listed below be referred to the City Engineer's office for study and that he is instructed to report to the Council, with all convenient speed in a preliminary way, as to whether the proposed improvements are feasible and as to whether they should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

<u>Project No.</u>	<u>Description</u>
<u>RECONSTRUCTION</u>	
5719001	Winnebago Avenue: TH15 to Gravel Surface
5719002	Lake Avenue: 4 th Street to Downtown Plaza
<u>RESURFACE</u>	
6719001	Burton Lane: S. Perimeter Street to N. Perimeter Street
6719002	Lynn Street: Deadend to E. Interlaken Road
6719003	Parking Lot F
<u>OVERLAY</u>	
8719001	4 th Street: Prairie Avenue to TH15
8719002	Albion Avenue: Lake Aires Road to Interlaken Road
8719003	Day Farm Trail: Hengen Street to New Pavement
<u>SEAL COAT</u>	
7519001	E. 3 rd Street: Prairie Avenue to Deadend
7519002	W. 3 rd Street: Beach Street to Lake Avenue
7519003	Camelot Court: Home Street to Deadend

RESOLUTION NO. 2019-05, continued

7519004 Cardinal Street: Charles Street to TH15
7519005 Charles Street: Deadend to Cardinal Street
7519006 Downtown Lot A
7519007 Elm Street: 1st Street to Deadend
7519008 Eltinge Place: Deadend to Interlaken Road
7519009 Joe Burns Trail: Hall Street to Aquatic Park
7519010 Lair Road: Shoreacres Drive to Albion Avenue
7519011 North Avenue: Margaret Street to Bridge
7519012 Oxford Street: Victoria Street to Willow Street
7519013 Park Street: Budd Street to Blue Earth Avenue
7519014 Stade Lane: Deadend to Prairie Avenue
7519015 Steve Pierce Park
7519016 Summit Drive: Concrete to Woodland Avenue
7519017 Victoria Street: Albion Avenue to Cambridge Street
7519018 Water Plant
7519019 Webster Street: TH15 to Home Street

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

PASSED, APPROVED AND ADOPTED this 11th day of February 2019.

Deborah J. Foster
Mayor

ATTEST:

Patricia J. Monsen
City Clerk

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 15.6

MEETING DATE: February 11, 2019

SUBJECT: 2019 Improvement Program – Preliminary Report

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: Troy Nemmers, Director of Public Works/City Engineer

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON: None

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: By adopting Resolution 2019-05, the Council will accept the proposed 2019 Improvement Program presented by the City Engineer. It is also necessary for the Council to set the date for a public hearing to be held concerning the Improvement Program.

MOTION: To adopt Resolution No. 2019-06: Receiving Report on 2019 Improvement Program and Calling for a Public Hearing on March 25, 2019 at 5:30 p.m.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Resolution No. 2019-06
2. Summary Report – 2019 Improvement Program
3. _____

Council Action: _____ Date: _____

RESOLUTION NO. 2019-06

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

RESOLUTION RECEIVING REPORT AND CALLING FOR PUBLIC HEARING ON 2019 IMPROVEMENT PROGRAM

WHEREAS, pursuant to Resolution No. 2019-05 adopted on the 11th day of February, 2019, a report has been prepared by the City Engineer with reference to the improvements of:

<u>Project No.</u>	<u>Description</u>
<u>RECONSTRUCTION</u>	
5719001	Winnebago Avenue: TH15 to Gravel Surface
5719002	Lake Avenue: 4 th Street to Downtown Plaza
<u>RESURFACE</u>	
6719001	Burton Lane: S. Perimeter Street to N. Perimeter Street
6719002	Lynn Street: Deadend to E. Interlaken Road
6719003	Parking Lot F
<u>OVERLAY</u>	
8719001	4 th Street: Prairie Avenue to TH15
8719002	Albion Avenue: Lake Aires Road to Interlaken Road
8719003	Day Farm Trail: Hengen Street to New Pavement
<u>SEAL COAT</u>	
7519001	E. 3 rd Street: Prairie Avenue to Deadend
7519002	W. 3 rd Street: Beach Street to Lake Avenue
7519003	Camelot Court: Home Street to Deadend
7519004	Cardinal Street: Charles Street to TH15
7519005	Charles Street: Deadend to Cardinal Street
7519006	Downtown Lot A
7519007	Elm Street: 1 st Street to Deadend
7519008	Eltinge Place: Deadend to Interlaken Road
7519009	Joe Burns Trail: Hall Street to Aquatic Park
7519010	Lair Road: Shoreacres Drive to Albion Avenue
7519011	North Avenue: Margaret Street to Bridge
7519012	Oxford Street: Victoria Street to Willow Street
7519013	Park Street: Budd Street to Blue Earth Avenue

RESOLUTION NO. 2019-06, continued

7519014 Stade Lane: Deadend to Prairie Avenue
7519015 Steve Pierce Park
7519016 Summit Drive: Concrete to Woodland Avenue
7519017 Victoria Street: Albion Avenue to Cambridge Street
7519018 Water Plant
7519019 Webster Street: TH15 to Home Street

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Fairmont, Minnesota as follows:

1. The Council will consider the improvement of such streets in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes Chapter 429 at an estimated total cost of the improvement of \$5,988,434.10.
2. A public hearing shall be held on such proposed improvement on the 25th day of March 2019, in the Council Chambers of City Hall at 5:30 p.m. and the Clerk shall give mailed and published notice of such hearing and improvement as required by law.

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

PASSED, APPROVED AND ADOPTED this 11th day of February 2019.

Deborah J. Foster
Mayor

ATTEST:

Patricia J. Monsen
City Clerk



SUMMARY REPORT
2019 IMPROVEMENT PROGRAM
February 11, 2019

Reconstruction Projects (assessed @ \$80/front footage)

Winnebago Avenue (TH 15 to Gravel Surface) - This project will consist of removing the existing 44' & 24' wide concrete street and upgrading the subgrade and aggregate base levels. Repairing sanitary sewer and installing new watermain along with new services will be installed on this project. New storm sewer will be installed and a new 42' wide concrete or asphalt surface will be constructed between TH 15 and Marcus Street. The new street will be 36' wide east of Marcus Street to the gravel. There will be 10 properties that will receive benefit from this project and will be assessed according to the City's policy.

Lake Avenue (4th Street to Downtown Plaza) - This project will consist of removing the existing 56' wide concrete street and upgrading the subgrade and aggregate base levels. New sanitary sewer and watermain along with new services will be installed on this project. New storm sewer will be installed and a new 56' wide asphalt surface will be constructed. New sidewalk will be installed on both sides of the street through the project. Existing intersections will be evaluated including the traffic signals at Downtown Plaza. This project is scheduled for 2020 construction. There will be 33 properties that will receive benefit from this project and will be assessed according to the City's policy.

Resurfacing Projects (assessed @ \$54/front footage)

Burton Lane (Perimeter Dr. to Perimeter Dr.) - This project will consist of a resurfacing of the existing 32' wide street and upgrading the subgrade and aggregate base levels. Storm sewer upgrades will be made to improve drainage in the area. Spot repairs of existing curb and gutter will be completed. A new bituminous surface will be installed to replace the existing surface. A portion of the Friendship Village parking lot will also be repaired as part of this project. There will be 3 properties that will receive benefit from this project and will be assessed according to the City's policy.

Lynn Street (Deadend to E. Interlaken Rd.) - This project will consist of a resurfacing of the existing 32' wide street and upgrading the subgrade and aggregate base levels. New drain tile will be installed and spot repairs of existing curb and gutter will be completed. A new bituminous surface will be installed to replace the existing surface. There will be 8 properties that will receive benefit from this project and will be assessed according to the City's policy.

City Parking Lot F (Corner Lake Ave. and Blue Earth Ave.) - This project will consist of a resurfacing of the existing parking lot located at the corner of Lake Avenue and Blue Earth Avenue. This parking lot consists of approximately 35 off street parking stalls. A new bituminous surface will be installed to replace the existing surface. There will be no assessments for this project.

Overlay Projects (assessed @ \$32/front footage)

4th Street (Prairie Ave. to TH 15) - This project will consist of a mill and overlay of the existing 38' wide surface. Approximately 2" of existing bituminous will be milled and replaced with 2" of new bituminous. Spot repairs of existing curb and gutter will be completed. ADA sidewalk improvements will also be completed. There will be 52 properties that will receive benefit from this project and will be assessed according to the City's policy.

Albion Avenue (Lake Aires Rd. to Interlaken Rd.) - This project will consist of an overlay of the existing 24' wide surface. The overlay will include the paving of 4' wide shoulders to match the county road section. There will be 13 properties that will receive benefit from this project and will be assessed according to the City's policy.

Day Farm Pedestrian/Bike Trail (Hengen St. to existing new pavement) This project consists of reclaiming the existing asphalt trail to use as base material and paving a new 2" asphalt trail over it. There will be no assessments for this project.

Pedestrian/Bike Trail Construction Projects

Pioneer Bridge Replacement This project will consist of constructing a new pedestrian bridge at the end of Pioneer Drive. This bridge will provide a crossing at the end of the Hobo Trail. This project will not be assessed.

I-90 Pedestrian/Bike Trail This project consists of constructing a new trail from the old railroad bed on Margaret Street across Center Creek to Torgerson Drive. This project will not be assessed.

Sealcoat Projects (assessed @ \$2.50/front footage)

Various locations - Streets which have been paved with bituminous in the last 7 years will be included in this year's seal coat improvements. We are also including some streets that have been previously seal coated that still have good road base and utilities and will benefit from a new seal coat. The primary reason to seal coat is to protect the pavement from the deteriorating effects of sun and water. When asphalt is exposed to these conditions it begins to oxidize and becomes brittle. A seal coat provides a new surface to combat this deterioration. Seal coats also have other benefits, like improved surface friction and aesthetics; but the main goal is to extend the overall life of the pavement surface.

Estimated Improvement Costs	Length (LF)	Cost/LF	Construction Cost	Engineering Cost	Total Estimated Cost
RECONSTRUCTION PROJECTS					
Winnebago Avenue	2517	\$795	\$1,700,000.00	\$300,000.00	\$2,000,000.00
Lake Avenue	1868	\$1,392	\$2,210,000.00	\$390,000.00	\$2,600,000.00
RESURFACE PROJECTS					
Burton Lane	362	\$350	\$101,360.00	\$25,340.00	\$126,700.00
Lynn Street	460	\$338	\$124,384.00	\$31,096.00	\$155,480.00
City Parking Lot F (Cost/SF)	15283	\$5.60	\$68,468.00	\$17,117.00	\$85,585.00
OVERLAY PROJECTS					
4th Street	2630	\$155	\$326,120.00	\$81,530.00	\$407,650.00
Albion Avenue	3888	\$120	\$373,248.00	\$93,312.00	\$466,560.00
Day Farm Pedestrian/Bike Trail	3377	\$18	\$48,000.00	\$12,000.00	\$60,000.00
SEALCOAT PROJECTS					
		Cost/SY			
3rd Street East	7223	\$1.30	\$7,511.92	\$1,877.98	\$9,389.90
3rd Street West	926	\$1.30	\$963.04	\$240.76	\$1,203.80
Camelot Court	1783	\$1.30	\$1,854.32	\$463.58	\$2,317.90
Cardinal Street	5201	\$1.30	\$5,409.04	\$1,352.26	\$6,761.30
Charles Street	1839	\$1.30	\$1,912.56	\$478.14	\$2,390.70
Downtown Parking Lot (2nd & Main)	2247	\$1.30	\$2,336.88	\$584.22	\$2,921.10
Elm Street	6921	\$1.30	\$7,197.84	\$1,799.46	\$8,997.30
Eltinge Place	1746	\$1.30	\$1,815.84	\$453.96	\$2,269.80
Joe Burns Trail	5429	\$1.30	\$5,646.16	\$1,411.54	\$7,057.70
Lair Road	7151	\$1.30	\$7,437.04	\$1,859.26	\$9,296.30
North Avenue	3069	\$1.30	\$3,191.76	\$797.94	\$3,989.70
Oxford	655	\$1.30	\$681.20	\$170.30	\$851.50
Park	8965	\$1.30	\$9,323.60	\$2,330.90	\$11,654.50
Steve Pierce Park	1583	\$1.30	\$1,646.32	\$411.58	\$2,057.90
Stade	1471	\$1.30	\$1,529.84	\$382.46	\$1,912.30
Summit	1899	\$1.30	\$1,974.96	\$493.74	\$2,468.70
Victoria	3280	\$1.30	\$3,411.20	\$852.80	\$4,264.00
Water Plant	3078	\$1.30	\$3,201.12	\$800.28	\$4,001.40
Webster	2041	\$1.30	\$2,122.64	\$530.66	\$2,653.30
2019 Improvement Costs			\$5,020,747.28	\$967,686.82	\$5,988,434.10

MEETING DATE: February 11, 2019

SUBJECT: Ordinance Amendment, Section 26-152: R-1 Single Family Residential District

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input checked="" 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 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 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: The Planning Commission is recommending an ordinance amendment to the R-1 Single-Family Residential District as it pertains to permitted conditional uses. Right now, nursing home facilities are not listed as a permitted conditional use which creates a non-conformity. Amending this ordinance would eliminate the non-conformity but not the conditional use.

This ordinance amendment also eliminates the site area requirement language in Sec 26-152(d)(3)a. Staff feels that a site area of four times the size of a building foundation is excessive and could lead to over zoning.

MOTION: To set a public hearing for February 25, 2019 to discuss Ordinance Amendment, Section 26-152: R-1 Multiple Family Residential.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Draft Ordinance 2019-08
2. Planning Commission Minutes- February 5, 2019

Council Action: _____ Date: _____

ORDINANCE 2019-08

ORDINANCE AMENDING FAIRMONT CITY CODE ARTICLE II,

SECTION 26-152 R-1 Single-family Residential District

WHEREAS, adding nursing home facilities to the permitted conditional uses in residential zones eliminates confusion and nonconformities within city of Fairmont, and;

WHEREAS, lot area, floor area, lot width, building height and yard requirements are already regulated throughout the residential zoning code, and;

WHEREAS, staff considers further regulation of the "site area" for conditional use permits as excessive;

NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN, that Fairmont City Code Section 26-152 shall be amended as follows:

Sec. 26-152. –R-1 Single-family residential district.

(d) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are as follows:

- (1) Government and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:
 - a. Conformity with the surrounding neighborhood is maintained and yard requirements are met.
 - b. Equipment is completely enclosed in a permanent structure with no outside storage.
 - c. Adequate screening from neighboring uses and landscaping is provided in compliance with article VII.
 - d. The provisions of article II, division 4 are considered and satisfactorily met.
- (2) Residential single-family planned unit developments as regulated by article V and provided there is no increase density as allowed in the shoreland section herein.
- (3) Public or semi-public recreational buildings, hospitals, nursing home facilities and medical clinics, neighborhood or community centers; public and private educational institutions, religious institutions, cemeteries, and buildings provided that:
 - a. ~~The site area is at minimum equal to four (4) times the area of the building foundation.~~
 - a. Side yards shall be a minimum of thirty (30) feet.
 - b. Adequate screening for abutting residential areas and landscaping is provided in compliance with article VII.
 - c. Adequate off-street parking and access is provided on site in accordance with article VIII. Such parking should be adequately screened and landscaped in compliance with article VIII.
 - d. Adequate off-street loading and service entrances are provided and regulated where applicable by article VIII.
 - e. The site of the principal use and related parking is served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated.
 - f. All signing, information, or visual communication devices are in compliance with article X.
 - g. The provisions of article II, division 4 are considered and satisfactorily met.
- (4) Resorts provided that they meet conditions listed in articles IV and VII.
- (5) Bed and breakfast inn, subject to the following conditions:
 - a. The owner/operator shall reside on the property.
 - b. The inn shall comply with all applicable laws, rules and regulations governing its existence and operation, including but not limited to the state building code, the state fire code, and the state health code.
 - c. There shall be no more than five (5) guest rooms in the inn with occupancy limited to two (2) persons per guest room for a total occupancy rate of ten (10) persons per inn.

- d. The dining facilities of a bed and breakfast inn shall not be open to the public, but shall be used exclusively by the registered guests and shall only provide a breakfast meal. There will be no cooking permitted in the guest rooms. There will be no liquor sold on the premises.
 - e. There shall be a minimum of one (1) off-street parking space for each guest room and one (1) off-street parking space for the owner or manager.
 - f. Any and all signs relating to the bed and breakfast establishment shall comply with the Fairmont Zoning Code requirements in R districts and match architectural features.
 - g. Exterior lighting and parking shall be screened so as not to disturb or offend the neighboring residents.
 - h. A bed and breakfast inn shall have a minimum of two thousand (2,000) square feet of floor area.
 - i. Guests shall not stay for more than twenty (20) days within any ninety-day period. The owner or manager shall maintain a guest register showing the names, addresses and dates of occupation of the guests.
 - j. Receptions, business meetings or any other home occupation shall not be permitted in a bed and breakfast inn.
 - k. The owner or manager shall provide proof of all inspections, licenses, insurance and certificates, as well as proof of a \$1 million liability insurance policy to the zoning administrator upon the initial application for a conditional use permit and upon the approval renewal thereof.
- (6) Single-family attached dwelling units, in which each dwelling unit is to be under separate ownership providing the total structure does not contain more than four (4) dwelling units and is in compliance with article V.
- (7) Day care (group nursery), provided that:
- a. Only the rear yard is used as a play area. The play area is to be fenced.
 - b. The site is a minimum of ten thousand (10,000) square feet.
 - c. Adequate off-street parking exists.
 - d. The provisions of article II, division 4 are satisfactorily met.
- (8) Nameplate signs or identification signs exceeding six (6) square feet provided that:
- a. The sign shall in no way change the residential character of the neighborhood.
 - b. The sign shall not exceed thirty-two (32) square feet in size.
 - c. Lighting shall be shielded to prevent such light from being detectable at the lot line of the site on which the sign is located.
 - d. The sign shall be located at least ten (10) feet from any lot line.
 - e. No lighting shall be allowed that gives off an intermittent, sequential or rotating beam of light.

Motion by:
 Seconded by:
 All in Favor:
 All Opposed:
 Abstained:
 Abent:

PASSED, APPROVED AND ADOPTED this _____ day of February 2019.

 Deborah J. Foster, Mayor

 Patricia J. Monsen, City Clerk

MINUTES OF THE FAIRMONT PLANNING COMMISSION

Regular Meeting

February 5, 2019

5:30 p.m. City Hall Council Conference Room

Members present: Ed Willett, Jordan Lampman, Adam Smith and Council Liaison Tom Hawkins.

Members absent: Margaret Dillard, Tom Lytle and Scott Unke.

Others present: City Administrator Mike Humpal and Planner/Code Enforcement Technician Megan Boeck.

Chairman Willett called the meeting to order at 5:30 pm.

Agenda Approval: Motion by Lampman and second by Smith to approve the February 5, 2019 meeting agenda as presented. Motion carried.

Minutes: Motion by Lampman and second by Smith to approve the January 8, 2019 meeting minutes as presented. Motion carried.

NEW BUSINESS

Introduce New Planning Commission Member & Designate Board Chair: Members welcomed Adam Smith to the Planning Commission and tabled discussion on designating a board chair until more members could be present.

Public Hearing— St. Paul Lutheran Church, Conditional Use Permit: Boeck stated St. Paul does not wish to make application for a CUP for an electronic messaging sign at this time.

Public Hearing—Ordinance Amendment, Sec 26.152 Single Family Residential: Boeck stated Fairmont's zoning code works in such a way that permitted and conditional uses allowed in R-1 zones are also allowed in R-2 and R-3 and that the same goes for Business and Industrial zones. Boeck also stated that currently, nursing home facilities, are not listed as a permitted conditional use in R-1 zones so they are also not permitted in R-2 or R-3 and that there are three different nursing homes in Fairmont that have Conditional Use Permits for a "non-conforming use". In addition, Boeck stated that the proposed ordinance amendment would add nursing home facilities to the permitted conditional use which would eliminate the non-conformity. Lastly, Boeck stated that the proposed ordinance amendment eliminates the site area requirement language in Sec 26-152 (d)(3)a because staff feels that a site area of four times the building foundation is excessive and that Conditional Use Permits should rely more on the compatibility of the proposed use with the zoning district itself.

City Administrator Humpal stated developments are already subject to many different zoning restrictions like height limitations, lot size and setback requirements, parking and open space requirements and that removing the above-mentioned language does not change that.

Chairman Willett opened the hearing to the public. Hearing no comments motion by Smith and second by Lampman to close the hearing to the public. Motion carried.

Motion by Lampman and second by Smith to recommend the proposed ordinance amendment and call for a public hearing at the next regularly scheduled City Council meeting. Motion carried.

Comprehensive Plan—Future Land Use Map Discussion: Boeck stated that attached draft future land use map includes outline land in blue to represent land that is most likely to be developed due to the location of existing utilities. Boeck also stated that the study areas represent areas or uses that do not align with existing patterns of development or areas where existing zoning does not support the desired future of the area. Boeck also stated that the Planning Commission should consider if they would like to see a study area placed over Highway 15 and Blue Earth Ave.

Lampman stated he would support a study area over Blue Earth Ave but that he considers Highway 15 to be a good representation of Fairmont's business and industry.

Willett questioned a few different areas on the map outlined in blue and wondered if there were existing utilities or if they were areas that would need extensions. Boeck stated that she would clarify and follow up and the next meeting.

OLD BUSINESS

None.

Adjournment: Motion by Smith and second by Lampman to adjourn the meeting at 6:02 pm. Motion carried.

Respectfully submitted,

Megan Boeck
Planner/Code Enforcement Technician