

The minutes of the Fairmont City Council meeting held on Monday, May 13, 2019 at the City Hall Council Chambers.

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

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

It was moved by Council Member Peters to approve the agenda with the additions of items numbers 15.12 Advertise for Bids for Fairmont Municipal Airport 7-Unit T-Hangar and item 15.13 Recall Petition Memo. Council Member Hasek seconded the motion and the motion carried.

It was moved by Council Member Cyphers, seconded by Council Member Hawkins and carried to approve the minutes of the City Council meeting held on April 22, 2019.

During Open Discussion, Charlene McMillan of 983 Shoreacres encouraged citizens to get involved if they are unhappy with the current situation in Fairmont. David Scheppman of 805 Burton Lane addressed the Council with a suggestion to place benches at Steve Pierce Park, near the sidewalk for citizens to enjoy the view and rest while out walking.

Council Member Lubenow made a motion to approve the Event Permit for a neighborhood block party at Veterans Park on May 22, 2019. Council Member Hawkins seconded the motion and the motion carried. Mayor Foster encouraged the Council to volunteer to help serve food at the event.

Council Member Peters made a motion to approve the renewal of all alcoholic beverage licenses for 2019/2020. Council Member Cyphers seconded the motion and the motion carried.

Council Member Hasek made a motion to approve an Event Permit for the Freedom 5K and 10K race event on September 7, 2019. Council Member Hawkins seconded the motion and the motion carried.

Council Member Hasek made a motion to approve an Event Permit for the Martin County Preservation Association/Red Rock Center for a Memorial Day Community Picnic on May 27, 2019. Council Member Peters seconded the motion and the motion carried.

Council Member Hawkins made a motion to approve **Resolution 2019-18**, authorizing the Mayor and City Clerk to sign the State Grant Agreement for airport maintenance and operation. 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 Peters made a motion to adopt **Resolution 2019-19**, awarding the 2019-E Improvement Project, Sealcoat Projects to Pearson Bros., Inc. of Hanover, MN. Council Member Hasek seconded the motion. On roll call: Council Members Lubenow, Peters, Cyphers,

Hasek and Hawkins all voted aye. No one voted nay. Mayor Foster declared said motion passed.

Council Member Cyphers made a motion to authorize the Mayor to sign Task Order #9 with KLJ for professional services at the airport. Council Member Lubenow seconded the motion and the motion carried.

Council Member Hawkins made a motion to authorize the Mayor to sign the engineering services proposal from Barr Engineering for lime pond closure plans and specifications. Council Member Lubenow seconded the motion and the motion carried.

Council Member Lubenow made a motion to adopt **Resolution 2019-20**, authorizing the sale of the 2019 Improvement Bonds. Council Member Hawkins seconded the motion. On roll call: Council Members Peters, Cyphers, Hasek, Hawkins and Lubenow all voted aye. No one voted nay. Mayor Foster declared said motion passed.

Council Member Cyphers made a motion to approve a policy on Street Light Fixtures and Poles Installed in Conjunction with Small Cell Installations as approved by the Public Utilities Commission on April 9, 2019. Council Member Hasek seconded the motion and the motion carried.

Council Member Peters made a motion to adopt **Resolution 2019-21**, approving advertising of the 2019-C Improvement Project, resurfacing and overlay projects. 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.

Council Member Hawkins made a motion to authorize the Mayor and City Clerk to sign a Separation and Release Agreement between the City of Fairmont and Elizabeth Bloomquist. Council Member Cyphers seconded the motion. On roll call: Council Members Bruce Peters, Ruth Cyphers, Tom Hawkins and Randy Lubenow all voted aye. Council Member Hasek voted nay. Mayor Foster declared said motion passed.

Council Member Peters made a motion to hire the County Attorney's Office to take over criminal matters immediately. Council Member Lubenow seconded the motion and the motion carried.

Council Member Cyphers made a motion to authorize Council Member Hawkins and another Council Member of his choosing to: a. Solicit a proposal from the County Attorney's Office to take over criminal legal services on an interim basis, and; b. Solicit letters of interest from area attorneys for interim civil legal services. Council Member Lubenow seconded the motion. After much discussion, the Council decided to amend the motion. A vote on the motion failed to pass. Council Member Cyphers made a motion to authorize Council Member Hawkins, Mayor Foster and City Administrator Humpal to: a. Solicit a proposal from the County Attorney's Office to take over criminal legal services on an interim basis, and; b. Solicit letters of interest from area attorneys for interim civil legal services. Council Member Lubenow seconded the motion. On roll call: Council Members Lubenow, Hawkins and Cyphers all voted aye. Council Members Hasek and Peters voted nay. Mayor Foster declared said motion passed.

Council Member Lubenow made a motion to adopt **Resolution 2019-22**, approving advertising of the 2019-B Improvement Project, reconstruction of Winnebago Avenue from TH 15 east to the end of the existing pavement. 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.

Council Member Hawkins made a motion to adopt **Resolution 2019-23**, approving advertising of the Fairmont Municipal Airport 7-Unit T-Hangar. Council Member Cyphers 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 Peters made a motion to waive privilege on a summary memorandum and original full review memorandum concerning the recall process questions from Attorney Robert Scott. Council Member Hawkins seconded the motion and the motion carried.

Humpal reminded citizens that are out using the City parks and docks to make sure that they pick up and take their trash with them or use the trash cans. He also reminded everyone that it is illegal to let your grass get over six inches and that it is illegal to blow your grass clippings into the street. We do not want these going into our lakes.

Council Member Lubenow expressed his displeasure with the Sentinel's reporting.

Council Member Cyphers read out loud the May 10, 2019 summary memorandum from Attorney Robert Scott. She also thanked everyone for the plants, flowers, cards and support she received on the death of her mother.

Council Member Hawkins agreed with Lubenow about the Sentinel reporting and thanked all the support he has been receiving.

Council Member Peters stated that the Sentinel was only reporting what they had taken from actual emails sent by council members.

Mayor Foster advised citizens that the next Saturday Mornings with the City is scheduled for this coming Saturday, May 18<sup>th</sup> from 10:00 a.m. – 11:00 a.m. at Sylvania Park Shelter and the speaker will be City Clerk Patty Monsen, talking about the role of the City Clerk.

A motion was made by Council Member Lubenow, seconded by Cyphers and carried to adjourn the meeting at 6:24 p.m.

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Deborah J. Foster, Mayor

ATTEST:

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Patricia J. Monsen, City Clerk