

The minutes of the Fairmont City Council meeting held on Monday, June 10, 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, Finance Director Paul Hoye, City Clerk Patricia J. Monsen and Police Chief Mike Hunter.

It was moved by Council Member Peters to approve the agenda with the addition of item number 15.9 Interim Civil Legal Counsel. Council Member Hasek seconded the motion and the motion carried.

It was moved by Council Member Cyphers, seconded by Council Member Lubenow and carried to approve the minutes of the City Council meeting held on May 13, 2019.

During Open Discussion, Elroy “Ernie” Nuss of 1800 S. Prairie Avenue addressed the council with his concerns regarding recent actions by the city council.

Mayor Foster proclaimed June 18-21 as Air Race Classic Days in the City of Fairmont. Verlus Burkhart and Lee Steinkamp, Airport Manager were present and spoke of the event. Council Member Cyphers also encouraged the public to take part in the “Touch an Airplane” event sponsored by the Women of Today on Wednesday evening from 5:00 – 7:00 p.m.

Terry Viesselman, Martin County Attorney spoke to the Council regarding a proposal by his office for a six-month Prosecution Contract between the Martin County Attorney, the Martin County Board of Commissioners and the City of Fairmont for the criminal prosecution of all cases which fall under the City Attorney’s prosecutorial jurisdiction.

Kyle Meyers and Tom Olinger from Abdo, Eick and Meyers presented the results of the 2018 financial audit. Council Member Peters made a motion to accept the 2018 audit and approve the distribution of the 2018 Comprehensive Annual Financial Report. Council Member Hasek seconded the motion and the motion carried.

Council Member Lubenow made a motion to approve the permit application for the July 4th fireworks display by J & M Displays, Inc. of Urbandale, Iowa. Council Member Hawkins seconded the motion and the motion carried.

Council Member Cyphers made a motion to approve an Event Permit for Jamie Kueker – Extreme Tour 2019 for June 14, 2019. Council Member Hawkins seconded the motion and the motion carried.

Council Member Hawkins made a motion to approve an Event Permit for the Fairmont Triathlon & Duathlon to be held on June 14 and 15, 2019. Council Member Cyphers seconded the motion and the motion carried. Paul Carlson with Fairmont Triathlon spoke of the event and thanked the City and the many volunteers that help make the event possible.

Council Member Peters made a motion to approve a Temporary On-Sale Liquor License for the Opera House for an event to be held on July 4, 2019. Council Member Hasek seconded the motion and the motion carried.

Council Member Hasek made a motion to approve a Temporary On-Sale Liquor License for the Opera House for an event to be held on December 31, 2019. Council Member Peters seconded the motion and the motion carried.

Council Member Lubenow made a motion to approve a Temporary On-Sale Liquor License for Ground Up for an event to be held on July 25, 2019 at the Martin County Fairgrounds. Council Member Hawkins seconded the motion and the motion carried.

Council Member Hawkins made a motion to adopt **Resolution 2019-24**, awarding the 2019-D Improvement Project, S.A.P. #123-110-015, Albion Avenue Overlay to Minnesota Paving & Materials of Mankato, MN in the amount of \$287,838.00. Council Member Peters 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 Hasek made a motion to set a public hearing to consider **Ordinance 2019-12**, an ordinance establishing a Rural and Urban Service District within the Municipal Limits of the City of Fairmont for June 24, 2019. Council Member Cyphers seconded the motion and the motion carried.

Council Member Peters made a motion to approve **Resolution 2019-25**, in support of the Business Development Public Infrastructure Grant application for 50% of the total project cost to extend infrastructure to the new industrial property at CSAH 39 and I-90. 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 direct staff to draft an ordinance that would eliminate Sec. 2-188 (4) from City Code and to call for a public hearing. Council Member Hawkins seconded the motion. After discussion and on a roll call vote: Council Members Luebnow, Hawkins and Cyphers all voted aye. Council Members Hasek and Peters voted nay. Mayor Foster declared said motion carried.

Council Member Peters made a motion to approve **Resolution 2019-26**, restricting parking on the north side of Winnebago Avenue from Marcus Street east to the end of the pavement. Council Member Cyphers 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 Lubenow made a motion to approve **Resolution 2019-27**, authorizing the Mayor and City Clerk to sign a six-month contract with the Martin County Attorney and the Martin County Board of Commissioners for legal services for the criminal prosecution of all cases which fall under the City Attorney's prosecutorial jurisdiction. Council Member Peters 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 Cyphers made a motion to approve the Fiscal Sponsor Agreement with the Airport Advisory Board for the Air Race Classic event. Council Member Hawkins seconded the motion and the motion carried.

Council Member Hawkins made a motion to adopt **Resolution 2019-28**, awarding the 2019-C Improvement Contract, Resurface/Overlay projects to Minnesota Paving and Materials of Mankato in the amount of \$1,217,120.60. 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 authorize the Mayor and City Clerk to enter into a six-month contract to hire Flaherty & Hood of St. Paul, Minnesota as interim civil legal counsel for the City of Fairmont. Council Member Cyphers seconded the motion and the motion carried.

Council Member Hasek made a motion to approve the payment of the May 2019 bills in the amount of \$649,461.04. Council Member Hawkins seconded the motion and the motion carried.

Humpal said that the Street Department has been making repairs on Blue Earth Avenue. Weather permitting, they are hopeful to have all repairs on Blue Earth Avenue completed by June 21st.

Council Member Hasek stated that he had received a complaint about the condition of Lake Avenue from Heritage Acres west.

Mayor Foster reminded all council members to get their budget priorities to City Administrator Humpal.

Council Member Cyphers will be participating on a bus tour, other activities and attending the Region Nine Development Commission's quarterly meeting on June 19th.

Council Member Lubenow stated that he had met with residents of Friendship Village and discussed special needs of theirs.

Discussion was held regarding the process of doing City Administrator Humpal's evaluation. The Mayor stated that she had made inquiry as to how to incorporate doing a 360-type evaluation and had learned that there is a lot more to the process. She would like to use the evaluation form that has been used previously for the 2019 evaluation and have a 360-type evaluation for 2020.

A motion was made by Council Member Peters, seconded by Hasek and carried to adjourn the meeting at 7:15 p.m.

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk