

The minutes of the Fairmont City Council meeting held on Monday, August 12, 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, and Randy Lubenow were present. Council Member Bruce Peters was absent. Also, in attendance: City Administrator Mike Humpal, Public Works Director/City Engineer Troy Nemmers, Finance Director Paul Hoye, City Clerk Patricia J. Monsen and Police Chief Mike Hunter.

It was moved by Council Member Hasek to approve the agenda with the addition of 15.5 Airport T-Hangar Grant Agreement from FAA. Council Member Hawkins seconded the motion and the motion carried.

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

During Open Discussion, Jody Whitmore of 1394 Oak Beach Drive congratulated Linsey Preuss, Economic Development Coordinator, on the CHS, Inc. announcement of a \$100,000,000. expansion project in the City of Fairmont.

Jay Doyscher, owner of Virtual Identity Vault; Kim White, owner of Fairmont Awards; Sara Cyphers, owner of D & S Trophies; and Betsy Tino, owner of Minuteman Press appeared before the Council and presented the concept of "Team Fairmont". The businesses are all competitors working together to set an example for our community of what can be accomplished when all work together. T-shirts and bracelets are available for purchase at each of these businesses.

Roni Dauer of CER gave an update of the summer free playground and park program. She also gave an update on CER classes being offered this Fall and thanked the City and the community for the support given to CER.

Chief Hunter introduced new part-time Patrol Officer Luis Figueroa and City Clerk Monsen gave Officer Figueroa his official Oath of Office.

Council Member Hasek made a motion to approve the 3.2% Off Sale Liquor License for Applegreen Midwest, LLC, d/b/a Freedom Valu Center, pending a satisfactory police background investigation. Council Member Hawkins seconded the motion and the motion carried.

Council Member Hasek made a motion to approve the Tobacco License for Applegreen Midwest, LLC, pending a satisfactory police background investigation. Council Member Hawkins seconded the motion and the motion carried.

Council Member Lubenow made a motion to approve the Event Permit for the Fairmont Soccer Association's Soccer Fest on August 17, 2019. Council Member Hasek seconded the motion and the motion carried.

Council Member Cyphers made a motion to postpone any council action on proposed **Resolution 2019-32**, a resolution updating the City's adoption of the General Records Retention

Schedule for Minnesota Cities, re-appointing Patricia J. Monsen, City Clerk as the Responsible Authority for the Minnesota Government Data Practices Act and adoption of an updated Data Practices Policy. Council Cyphers wants Flaherty & Hood to highlight the changes between the new proposed Data Practices Policy and the current policy the City has had in place since June 12, 2017. Council Member Hawkins seconded the motion and the motion passed.

Council Member Hawkins made a motion to authorize the Mayor and City Clerk to sign the Grant Agreement with the MN DNR for funding of the proposed Spring Biological Nitrate Removal System to Protect Drinking Water project. Council Member Hasek seconded the motion and the motion carried.

Council Member Hawkins made a motion to approve the Conditional Use Permit request from BFI Real Estate Holdings, LLC for a pylon sign exceeding forty (40) feet in height to be located at 2235 N. State Street. Council Member Cyphers seconded the motion and the motion carried.

Council Member Hasek made a motion to approve **Resolution 2019-33**, calling for a public hearing to be held on August 26, 2019 at 5:30 p.m. regarding the property tax abatement request as a business subsidy under MN Statutes Sections 116J.993 through 116J.995 for the CHS, Inc. expansion project. Council Member Cyphers seconded the motion. On roll call: Council Members Hawkins, Lubenow, Cyphers and Hasek all voted aye. No one voted nay. Mayor Foster declared said motion passed.

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

Humpal stated that there was a good turnout last Saturday for Saturday Mornings with the City. Nick Lardy, Streets and Parks Superintendent was the speaker. Nick and his crew do an excellent job.

Humpal stated that there was a lot going on in Fairmont last weekend. The Disc Golf Tournament, Softball Tournament, the Mini Golf Course is taking shape and the Pioneer Bridge is being built.

Council Member Lubenow asked for an update on the Community Center and YMCA partnership. Humpal stated that the YMCA is currently working on an operating schedule and some programming. Things are moving forward in a positive way.

Council Member Cyphers questioned why the interim city attorneys were not present at the council meeting. Humpal stated that he was being mindful of the Council's wishes to not have the city attorneys present at every meeting. Humpal stated that they are working on some type of telephone setup by which the city attorneys are able to participate by telephone. Mayor Foster stated that if a council member wishes the attorney to attend a council meeting, they should let either Humpal or her know.

Council Member Lubenow asked where the City was at in hiring a permanent civil city attorney. It was agreed that it was time for the Mayor, Councilor Hawkins and City Administrator Mike Humpal get together to discuss this and get the process going.

Council Member Lubenow asked Nemmers for a street construction update, which Nemmers gave. Council Member Lubenow asked if the City needed to send out bids earlier in the year to get the projects completed earlier. Nemmers responded.

Mayor Foster stated that she has asked Linsey Preuss and Humpal to prepare a presentation for the Council on all the new happenings in the City. Mayor Foster stated that there are a lot of good things to celebrate in Fairmont.

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

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk