

The minutes of the Fairmont City Council meeting held on Monday, December 9, 2019 at the City Hall Council Chambers.

Mayor Deborah J. Foster called the meeting to order at 6:00 p.m.

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 Clerk Patricia J. Monsen, Police Chief Mike Hunter and Interim City Attorney Erik Ordahl.

Council Member Peters made a motion to approve the agenda as presented. Council Member Hasek seconded the motion and the motion carried.

Council Member Hasek made a motion to approve the minutes of the November 25, 2019 City Council meeting. Council Member Peters seconded the motion and the motion carried.

During Celebration Time, Nemmers shared that the Glows Parade held on November 22, 2019 was a success and that the City participated in the parade with a lighted utility truck. Fifteen volunteers walked the parade and gave out 1,000 LED light bulbs. Nemmers thanked Julie Zarling, Wade Williams and Jessie Lloyd for putting the lights on the truck.

During Open Discussion, Autumn Welcome of 1971 Knollwood Drive addressed the Council on behalf of the Humane Society. Welcome thanked the City for their donation to help with the tiling and fencing project in the backyard of the facility.

Steve Zoch of 1616 North Park Street had questions about why his property taxes had increased so much. Mayor Foster advised Zoch to direct his questions to the Martin County Assessor's Office.

Engineering Tech II/Water Resources Tyler Cowing presented the City of Fairmont's Municipal Separate Storm Sewer System (MS4) permit and update.

Council Member Peters made a motion to approve the 2020 renewals for Cigarette, Refuse Hauling, Theater and Taxi Licenses. Council Member Hasek seconded the motion and the motion carried.

At the November 25, 2019 City Council meeting, Council Member Hawkins stated that he requested Investigator Michelle Soldo provide transcripts from the interviews she conducted as part of her investigation. Council Member Peters felt there was no reason for the transcriptions and wanted to know what the cost would be for these transcriptions. Mayor Foster stated that she and the City Council had received an attorney-client privileged memorandum from Investigator Michelle M. Soldo dated December 5, 2019. Council Member Peters made a motion to waive the confidentiality on this correspondence. Council Member Hasek seconded the motion and the motion carried. Mayor Foster then read the memorandum. The memorandum stated that the cost for her services were \$4,131.86 and that it was estimated that the additional cost for witness interview summaries would be \$800-\$1,000. Investigator Soldo also listed three reasons why she did not complete witness interview summaries. Flaherty & Hood's costs for the investigation thus far are \$6,400. After much discussion, Council Member Lubenow made a motion to postpone action on this matter until legal counsel can check with

Investigator Soldo to see if she would be willing to give a summary to the council in a closed session. Council Member Cyphers seconded the motion. On roll call: Council Members Cyphers, Hawkins and Lubenow all voted aye. Council Members Hasek and Peters voted nay. Mayor Foster declared said motion passed.

Chief of Police Mike Hunter introduced new School Resource Officer William Murray and announced the promotion of Officer Dayton Asmus. Both Officers were given the Oath of Office by City Clerk Monsen.

Finance Officer Paul Hoyer presented the 2020 Property Tax Levy, 2020 Budget and the Proprietary Fund Budgets. Council Member Hawkins made a motion to adopt **Resolution 2019-54** and Council Member Peters seconded the motion. It was pointed out by Jim Zarling that the public was not given an opportunity to make comment. Council Member Peters rescinded his motion and the Council voted unanimously to rescind the motion. Jim Zarling of 406 South Hampton asked if the Dredging Fund was the same as the Lakes Restoration Fund. Hoyer responded that was correct. There was no other comment received by the public. Council Member Peters made a motion to close the public hearing. Council Member Hasek seconded the motion and the motion carried. Council Member Hawkins made a motion to adopt **Resolution 2019-54**, adopting the 2020 Property Tax Levy and ordering its certification to the Martin County Auditor by December 30, 2019. Council Member Peters seconded the motion. On roll call: Council Members Lubenow, Peters, Cyphers and Hawkins all voted aye. Council Member Hasek voted nay. Mayor Foster declared said motion passed.

Council Member Peters made a motion to approve **Resolution 2019-55**, adopting the 2020 Budget. Council Member Hawkins seconded the motion. On roll call: Council Members Peters, Cyphers, Hawkins and Lubenow all voted aye. Council Member Hasek voted nay. Mayor Foster declared said motion passed.

Council Member Hawkins made a motion to adopt **Resolution 2019-56**, approving the 2020 Proprietary Fund Budgets as presented. 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 Hasek made a motion to approve **Resolution 2019-57** accepting donations to the City. Council Member Hawkins seconded the motion. Council Member Lubenow thanked the Adventure Playground Committee and Kids Just Want to Have Fun Committee for their hard work and the donations. Council Member Peters also thanked everyone. On roll call: Council Members Hasek, Hawkins, Lubenow, Peters and Cyphers all voted aye. No one voted nay. Mayor Foster declared said motion passed. Betsy Tino representing Kids Just Want to Have Fun spoke regarding the donated miniature golf course. Tino thanked the City for the money and land for the project. She thanked Nemmers and his staff for designing the course, Hoyer for help with the funds and Lardy and the Park Department for all their work. Tino also thanked all in the community for their donations and for playing on the course. Tino stated that the High School created an app to use for a score card and that plans were in the works for creating another nine holes.

Members of the Community Center Committee, Brandon Edmundson, Laura Olson, Mike Edman; Dennis Dresser with the YMCA; School Superintendent Joe Brown; and Matt Husset of 3M all spoke. Council Member Lubenow made a motion to approve **Resolution 2019-58**,

committing \$14,000,000 for the construction of the Community Center when the Community Center Committee has raised an additional \$6,000,000 pledged to the construction of the Community Center and the YMCA has committed to operating the facility. Council Member Cyphers seconded the motion. On roll call: Council Members Hawkins, Lubenow and Cyphers all voted aye. Council Members Peters and Hasek voted nay. Mayor Foster declared said motion passed.

Council Member Peters made a motion to approve local option sales tax funding up to \$50,000 for the 2020 YMCA budget subject to compliance with Laws of Minnesota 2017, 1st Special Session, Chapter 1, Article 5, Section 19, and further subject to the City of Fairmont and the YMCA entering into a consultant services agreement in a form acceptable to the City. Council Member Cyphers seconded the motion. On roll call: Council Members Cyphers, Hawkins, Lubenow and Peters all voted aye. Council Member Hasek voted nay. Mayor Foster declared said motion passed.

Council Member Hawkins requested that the Council discuss video recording and broadcasting work sessions. Council Member Peters made a motion to postpone this discussion until the January 13, 2020 City Council meeting. Council Member Lubenow seconded the motion and the motion carried.

Mayor Foster spoke with Pamela Whitmore, a Collaboration and Mediation Manager at the League of Minnesota Cities, regarding services the League offers to cities. The Mayor is hopeful that the Council will participate in this training to start working collaboratively and help bridge divides in the Council. She has tentatively scheduled this for February 3, 2020. There is no cost for this program.

Council Member Peters made a motion to approve the employment agreement with Mark Sievert as the City's Interim City Administrator. Council Member Cyphers seconded the motion and the motion carried.

Council Member Cyphers thanked Nemmers for acting as City Administrator.

Council Member Hawkins thanked the Community Center Committee and the YMCA.

Mayor Foster announced that there would be no city council meeting on December 23, 2019 and that the next meeting would be on January 13, 2020. Mayor Foster wished everyone a Merry Christmas and a Happy New Year.

A motion was made by Council Member Peters, seconded by Council Member Hasek and carried to adjourn the meeting at 8:23 p.m.

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk