

# FAIRMONT CITY COUNCIL AGENDA

## 1. CALL TO ORDER -

- Special meeting of the Fairmont City Council held on

**TUESDAY, MAY 26, 2020**

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. NEW BUSINESS -

6.1 Emergency Ordinance for COVID-19 Declared Local Emergency (01)

6.1a Emergency Ordinance No. 2020-07 (02-03)

## 7. ADJOURNMENT -

**CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 6.1**

**MEETING DATE:** May 26, 2020

**SUBJECT:** Emergency Ordinance for COVID-19 Declared Local Emergency

**REVIEWED BY:** Cathleen M. Reynolds, 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:** Cathleen M. Reynolds, City Administrator

**INTRODUCED BY:** Cathleen M. Reynolds, 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 <sup>st</sup> Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 <sup>nd</sup> Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input checked="" type="checkbox"/>	Emergency Ordinance

**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:** Due to the ongoing local emergency surrounding the COVID-19 pandemic, an emergency ordinance will be considered to facilitate business licensing, permitting and coordination with the City of Fairmont related to the State of Minnesota Peacetime State of Emergency and the City of Fairmont Declaration of Local Emergency Resolution 2020-19.

**MOTION:** To approve Emergency Ordinance No. 2020-07

**VOTE REQUIRED:** Simple majority – roll call

**ATTACHMENTS:**

1. Emergency Ordinance No. 2020-07
2. \_\_\_\_\_
3. \_\_\_\_\_

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Council Action: \_\_\_\_\_ Date: \_\_\_\_\_

## Emergency Ordinance No. 2020-07

### Emergency Ordinance for COVID-19 Declared Local Emergency

**PREAMBLE:** Pursuant to Fairmont City Council Resolution (2020-19) a local emergency was declared on March 23, 2020 due to the Novel Coronavirus Disease 2019, commonly known as "COVID-19", health pandemic.

In furtherance of the federal, state and local government response, there is a need to provide multiple additional and alternative customer service areas on commercial sites in order to limit forward facing exchanges between customers and employees and to promote physical and social distancing between persons engaged in business activities in the City.

SECTION 1. Notwithstanding any city code provision to the contrary, any business located in the business or industrial zone may establish customer seating or service areas on its property to facilitate safe commercial activity conducted consistent with federal and state orders or guidelines and in accordance with the following:

- 1) The temporary outdoor use may occur in parking areas or green space without the need for a variance. However, if the business is not the fee owner of the property used by the business for the temporary outdoor use, any temporary outdoor use must have written approval from the fee owner of the premises.
- 2) No city permits are required prior to establishing these customer areas, but operators must prepare a traffic management plan and provide on-site traffic and operational management. Customer service areas must not impede sidewalk usage nor block disabled person parking spaces or ramps, nor shall any activity create nuisance conditions for abutting properties.
- 3) Temporary tables, tents and sun shelters may be erected, but any structure requiring state building and fire code permits must submit plans and permit applications for accelerated review by staff.
- 4) Any business using an outdoor space is responsible for providing waste receptacles and ensuring the area is litter free.
- 5) If liquor is to be dispensed or consumed in the proposed temporary customer areas, the licensee must obtain a modification to their defined premises area as set out in their liquor license agreement with the city. This modification may be administratively approved by the City Administrator or the City Administrator's designee.
- 6) City Staff will allow use of public parking spaces for use by restaurants after June 1<sup>st</sup>. These requests must be coordinated through the City of Fairmont Public Works Department.

This emergency ordinance will remain in effect until repealed by council action, or until the termination of the state of emergency.

**Emergency Ordinance No. 2020-07**

PASSED, APPROVED AND ADOPTED, this 26<sup>th</sup> day of May 2020.

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

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Deborah J. Foster, Mayor

ATTEST:

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Patricia J. Monsen, City Clerk