

The minutes of the Fairmont City Council meeting held on Monday, May 11, 2020 at the City Hall Council Chambers.

Due to the COVID-19 pandemic, and the peace time emergency declared by Governor Walz, the meeting was held by teleconferencing pursuant to Minn. Stat. § 13D.021.

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: Public Works Director/City Engineer Troy Nemmers, Finance Director Paul Hoye, City Clerk Patricia J. Monsen, Police Chief Mike Hunter, Rec & Youth Services Director Betsy Steuber and City Attorney Robert Scott.

Council Member Hawkins made a motion to approve the agenda with the addition of item 15.4 Appoint Troy Nemmers as Interim City Administrator and removing items 9.4 and 9.5 from the Consent Agenda and renumber them to items 15.5 and 15.6 under new business. Council Member Lubenow 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 approve the minutes of the April 27, 2020 City Council meeting. Council Member Hasek 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.

There was no open discussion.

Mayor Foster opened the public hearing on proposed **Ordinance 2020-06**, an ordinance amending Fairmont City Code, Chapter 2 – Administration, and Chapter 10 – Fire Prevention and Protection. No public comment was received. Council Member Hawkins made a motion to close the public hearing. Council Member Cyphers 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.

There were three items on the consent agenda: 2020/2021 Beverage License Renewals; On Sale Liquor License application for the Fairmont Opera House; and Wine License with Strong Beer for Jakes Pizza City of Lakes, Inc. Council Member Hasek made a motion to approve the Consent Agenda. Council Member Peters 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.

Discussion was held regarding the search for the new Civil City Attorney. Council Member Hawkins made a motion to have staff contact the two attorneys that we agreed to interview and try to schedule them for either the week after Memorial Day or the week after that, so we can prepare for the first meeting in June. 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. (NOTE: Please refer to Fairmont City Council Meeting Minutes, March 16, 2020, wherein it was agreed to interview three law firms.)

Discussion was held with the Council and Rec & Youth Services Director Betsy Steuber regarding the opening of the Fairmont Aquatic Park. Council Member Lubenow moved to delay this decision to the June 8<sup>th</sup> council meeting. 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 Peters made a motion to authorize the Mayor and City Clerk to sign the Employment Agreement with Cathleen Reynolds, the next City Administrator effective May 20, 2020. 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 adopt **Resolution 2020-26**, awarding the 2020-A, Lake Avenue Reconstruction Project to Crow River Construction of New London, Minnesota in the amount of \$4,090,241.25. 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.

Mayor Foster read Interim City Administrator Mark Sievert's letter of resignation, which is effective May 11, 2020. Council Member Hawkins made a motion to authorize Flaherty & Hood to work with Troy Nemmers, Public Works Director/City Engineer to create an agreement to act as Interim City Administrator from May 12 to May 19, 2020, with complete powers of the City Administrator during this time frame. Council Member Cyphers 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.

Nemmers advised that staff and the City's consultant for the Lake Avenue project have been working with Profinium Financial and Martin County for temporary construction easements, and for a quit claim deed for right-of-way.

Council Member Hasek made a motion to authorize the Mayor and City Clerk to sign the temporary construction easement with Profinium Financial for the Lake Avenue reconstruction project. Council Member Hawkins 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 Lubenow made a motion to approve the temporary construction easements with Martin County for the Lake Avenue reconstruction project and authorize the Mayor and City Clerk to sign said easements. 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 Lubenow made a motion to approve a quit claim deed acquiring right-of-way at Main Street and Lake Avenue for the Lake Avenue reconstruction project. 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 Lubenow welcomed Dominos Pizza to downtown Fairmont.

Council Member Cyphers thanked Mark Sievert and Troy Nemmers for their service and welcomed Cathleen Reynolds as the City's new City Administrator.

Council Member Hawkins thanked the Council for the time and work everyone put into the decision to hire Cathleen Reynolds.

Council Member Hasek commented that he thinks everyone in Fairmont will like Cathleen.

A motion was made by Council Member Hasek, seconded by Council Member Peters to adjourn the meeting at 6:40 p.m. On roll call: Council Members Hawkins, Lubenow, Peters, Cyphers and Hasek all voted aye. No one voted nay. Mayor Foster declared said motion passed.

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Deborah J. Foster, Mayor

ATTEST:

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Patricia J. Monsen, City Clerk