

FAIRMONT CITY COUNCIL AGENDA

Monday, November 9, 2020, 5:30 p.m.

1. Roll Call / Determination of Quorum
2. Pledge of Allegiance
3. Approval of Agenda
4. Recognition / Presentations
5. Public Discussion / Comment (03)
6. Consent Agenda (Items removed from consent will be placed at the end of the items under new business.)
 - A. Minutes
 - 6.A.1 Regular Meeting, October 26, 2020 (04-06)
 - B. Check Registers
 - C. Other
 - 6.C.1 Sale of Excess Property (07)
 - 6.C.2 Board & Commission Appointment – Debra L. Goerndt to the HRA (08)
7. Public Hearings
8. Old Business
9. New Business
 - 9.1 Sale of City Owned Properties (09)
 - 9.2 Permission to Sell City Owned Properties (12)

10. Staff/Liaison Reports

- A. Public Works**
- B. Finance**
- C. City Administrator**
- D. Mayor / Council**

Hasek – PUC
Hawkins – HRA, FEDA
Peters – CVB, FEDA

11. Adjournment

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 5.1

MEETING DATE: November 9, 2020

SUBJECT: Public Discussion/Comment

REVIEWED BY: Cathy 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:

INTRODUCED BY: Mayor Deborah J. Foster

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input 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 type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input checked="" type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Prior to regular business, is there any public discussion/comment?

MOTION: None

VOTE REQUIRED:

ATTACHMENTS:

1. _____
2. _____
3. _____

Council Action: _____ Date: _____

The minutes of the Fairmont City Council meeting held on Monday, October 26, 2020 at the City Hall Council Chambers.

Mayor Deborah J. Foster called the meeting to order at 5:34 p.m.

Council Members Ruth Cyphers, Wayne Hasek, Tom Hawkins and Randy Lubenow were present. Council Member Bruce Peters attended via telephone. Also, in attendance: City Administrator Cathy Reynolds, Public Works Director/City Engineer Troy Nemmers, Finance Director Paul Hoye, Police Chief Mike Hunter, City Clerk Patricia J. Monsen and Attorney Mark Rahrlick via telephone.

Council Member Lubenow made a motion to approve the agenda with moving item 6.C.4 Request for Demolition Assistance – Lee Beemer off of the Consent Agenda. Council Member Hawkins seconded the motion and the motion carried.

Mayor Foster proclaimed November 12, 2020 as Community Education and Recreation Day in the City of Fairmont. Roni Dauer, Director of CER was present and spoke. Dauer thanked Council Member Ruth Cyphers for being the Council Liaison for CER and thanked the City for all its support.

Kris Swanson with Bolton & Menk presented a Water and Wastewater Rate Study.

During public discussion, residents from North Grant Street addressed the council with their concerns of rusty water. Lori Schlomann of 1308 N. Grant Street, Mary Shumski 1307 N. Grant Street and Jason Hegdal of 1314 N, Grant all spoke.

Council Member Hawkins made a motion to approve the Consent Agenda. Council Member Hasek seconded the motion and the motion carried. Items on the consent agenda were: Minutes of the October 12, 2020 City Council meeting; October accounts payable; Event Permit for the Fairmont Glows parade; Waste Delivery Agreement with Prairieland Solid Waste Board; and the appointment of E. Hubble Werre to the Public Utilities Commission.

Council Member Cyphers made a motion to approve **Resolution 2020-43** approving the small business grant awards funded by funds received through the federal Coronavirus Relief Fund for State, Territorial, Local and Tribal Governments. Council Member Hawkins seconded the motion and the motion carried.

Council Member Hawkins made a motion to reduce the assessments to John and Marilyn Hovick on the Lake Avenue reconstruction project to \$5,680.00, half of the amount originally assessed. Council Member Lubenow seconded the motion and the motion carried.

Council Member Cyphers made a motion to approve the agreement with MEI for elevator repairs at city hall in an amount not to exceed \$83,000.00. Council Member Hasek seconded the motion and the motion carried.

Discussion was held regarding the rust issue on North Grant Street. Nemmers stated that the only way to remedy the problem was to replace the water main and water services which would include a replacement of the street, curb & gutter and sidewalk. There will be consideration to

include this with the 2021 street improvement program. Council expressed their desire to get this project completed for the residents of the street.

Council Member Hawkins made a motion to approve negotiating a contract with Kraus-Anderson Construction and authorize the Mayor and City Clerk to sign the contract after approval by the City Attorney. Council Member Cyphers seconded the motion. On roll call vote: Council Members Cyphers, Hasek, Hawkins and Peters all voted aye. Council Member Lubenow voted nay. Mayor Foster declared said motion passed.

Council Member Lubenow made a motion to approve demolition assistance at 50% of the actual cost up to \$5,000.00 per manufactured home for Lee Beemer at 1528 Albion Avenue. Council Member Hawkins seconded the motion and the motion carried.

Nemmers explained the construction costs for the Winnebago Avenue street project. Nemmers stated that Lake Avenue should be paved by this weekend. The leaf pickup is scheduled to begin Monday, November 2nd in Section 2, the middle of the City.

Hoye presented the Third Quarter Financial Report.

Reynolds reminded citizens that the 2040 Comprehensive Plan is posted on the City's website for citizen review and comment until October 30th. Martin County is doing a second round of grants and applications are due November 5th. November 19th from 11:30 a.m.-1:00 p.m. there will be a community brown bag luncheon held at the Opera House for community members to give input on the Downtown Revitalization. For reservations, please contact fairmontoperhouse.org.

Council Member Cyphers reported that the new hanger at the airport is complete and everything should be moved into it by November 1st. The hanger was 90% Federally funded, 5% State funded and 5% locally funded. The aprons are complete and were 100% funded by Federal Aviation Grant. The airport is in good shape and Airport Manager Lee Steinkamp continues to work on the CARES Act funding application.

Council Member Cyphers reported that there are a lot of important things going on at Region 9, including a \$1.1 million in CARES Act funding to lend at 0% to businesses in the region that have been affected by COVID-19.

Council Member Hawkins reported that the HRA will be closing on the sales of Burton Lane and Poetter's Circle this coming Friday. They approved a work order for repairs on Building 7 and approved new dead bolt and keyless entries for the shop, office and laundry. He also reported that HRA's resident member will be moving and will need to be replaced in the new future.

Council Member Lubenow reported on the Park Board stating that the parks are now closed for the season. He also reported on the library and stated that the library is now open on Saturdays again.

A motion was made by Council Member Hasek, seconded by Council Member Cyphers and carried to adjourn the meeting at 7:25 p.m.

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 6.C.1

MEETING DATE: November 9, 2020

SUBJECT: Excess Inventory

REVIEWED BY: Cathy 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: Cathy Reynolds, City Administrator

INTRODUCED BY: Cathy Reynolds, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<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: The City has had a couple contacts regarding the old outdoor warning sirens. There is not a significant re-sale market, however the old units may be used for spare parts. Staff is requesting them to be declared excess property so they can be offered to any interested parties.

MOTION: To declare the unused Whelen outdoor warning sirens as excess property.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. _____
2. _____
3. _____

Council Action: _____ Date: _____

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 6.C.2

MEETING DATE: November 9, 2020

SUBJECT: Board and Commission Appointment

REVIEWED BY: Cathy Reynolds, City Administrator

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input checked="" type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Cathy Reynolds, City Administrator

INTRODUCED BY: Cathy Reynolds, City Administrator

COUNCIL LIAISON: None

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input 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: Trina Krzywozycki resigned from the Housing and Redevelopment Authority because she moved. Mayor Foster is looking for approval to appoint Debra L. Goerndt to fill the vacancy. This seat on the HRA is a resident representative.

MOTION: To approve the appointment of Debra L. Goerndt to the Housing and Redevelopment Authority.

VOTE REQUIRED: Simple majority.

ATTACHMENTS:

1. _____

Council Action: _____ Date: _____

MEETING DATE: November 9, 2020

SUBJECT: Sale of City Owned Properties

REVIEWED BY: Cathy Reynolds, City Administrator

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Cathy Reynolds, City Administrator

INTRODUCED BY: Cathy Reynolds, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Discussion
<input checked="" type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

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: The City acquired 103 S. Orient Street, 850 South Park Street, 523 North Elm Street and 1030 North Elm Street as tax forfeiture properties. The City razed the blighted buildings on these lots and has been mowing and maintaining the sidewalks. In an effort to get these properties back on the tax rolls by transferring them into private ownership, the City solicited bids for the properties in accordance with the Housing Demolition Program Policy. Staff is asking for Council approval to sell the properties. Ordinance 2020-11 accomplishes this goal. This is the first reading of Ordinance 2020-11.

MOTION:

VOTE REQUIRED MOTION:

ATTACHMENTS:

- 1. Proposed Ordinance 2020-11

Council Action: _____ Date: _____

ORDINANCE NO. 2020-11

ORDINANCE TO SELL REAL PROPERTY

WHEREAS, the City of Fairmont is the owner of four parcels of real estate in the City of Fairmont, Martin County, Minnesota, more particularly described as follows:

103 South Orient Street, legally described as: #23.207.0020 – The west 98 feet of Lot One, and the North 12 feet of the West 98 feet of Lot Two, Block One in Schmidt’s Addition to the City of Fairmont, as per map or plat thereof on file and of record in the Office of the Register of Deeds in and for said County and State.

850 South Park Street, legally described as: #23.270.0410 – Commencing on the east line of Block 3 in Wollaston’s Addition to the Village (now City) of Fairmont, Minnesota, according to the recorded plat thereof on file and of record in the office of the Register of Deeds in and for said County of Martin and State of Minnesota at a point 135 feet south of the northeast corner of said Block 3; thence West parallel with the North line of said Block Three 150 feet; thence south parallel with the east line of said Block Three 45 feet; thence east parallel with the north line of said Block Three 150 feet; thence north along the east line of said Block Three 45 feet to place of beginning.

523 North Elm Street, legally described as: #23.281.0640 – The East 75 feet of Lot Six (6) in Block Five (5), Ward’s Addition to the Village (now City) of Fairmont, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said County and State.

1030 North Elm Street, legally described as: #23.246.0260 – Lot Nine (9), in Block Four (4), of Taylor and Johnson’s Third Addition to the Village (now City) of Fairmont according to the map or Plat thereof on file and of record in the office of the Register of Deeds in and for said County and State.

and;

WHEREAS, the City obtained title to the above described real properties so that it could demolish blighted buildings located thereon, and;

WHEREAS, the blighted buildings have been demolished and the City does not have any plans to develop the described real properties, and;

WHEREAS, it would be in the City’s best interest to have the real properties placed back on the tax rolls by transferring them into private ownership, and;

WHEREAS, the City has offered the properties for sale to neighboring property owners, and has received offers to purchase, and;

WHEREAS, the Fairmont City Council has determined that it is in the best interest of the City of Fairmont to transfer the above described real estate to the following people:

103 South Orient Street – Sara M. Pittman and Manuel & Olga Rojo for the amount of \$5,000.00.

850 South Park Street – Margo Zanke and Rebecca & Nicholas Weisbeck for the amount of \$5,000.00.

523 North Elm Street – Vincent C. Vaughn Jr. for the amount of \$5,000.00.

1030 North Elm Street – Andy Lucas for the amount of \$1,500.00.

NOW THEREFORE, it is hereby ordained by the Fairmont City Council as follows:

1. The real property described above will be transferred from the City of Fairmont to the respective parties in the amounts shown above.
2. The Purchasers will pay all costs associated with the transfer of the real estate.
3. The Mayor and the City Clerk are authorized to sign any and all documents necessary to transfer the real property described above.

PASSED, APPROVED AND ADOPTED, this 23rd day of November 2020.

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

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

1st Reading: November 9, 2020
2nd Reading: November 23, 2020

MEETING DATE: November 9, 2020

SUBJECT: Permission to Sell City Owned Properties

REVIEWED BY: Cathy Reynolds, City Administrator

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Cathy Reynolds, City Administrator

INTRODUCED BY: Cathy Reynolds, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Discussion
<input checked="" type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

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: The City has acquired several properties through tax forfeiture in an effort to clean up blighted properties. The City razed the blighted buildings on these lots and has been mowing and maintaining the sidewalks. In an effort to get these properties back on the tax rolls by transferring them into private ownership, Staff is asking permission to sell these properties, via public auction in accordance with the Housing Demolition Program Policy. Ordinance 2020-12 accomplishes this goal. This is the first reading of Ordinance 2020-12.

MOTION:

VOTE REQUIRED MOTION:

ATTACHMENTS:

1. Proposed Ordinance 2020-12

Council Action: _____ Date: _____

ORDINANCE NO. 2020-12

ORDINANCE FOR PERMISSION TO SELL REAL PROPERTY

WHEREAS, the City of Fairmont is the owner of seven parcels of real estate in the City of Fairmont, Martin County, Minnesota, more particularly described as follows:

406 North Elm Street, legally described as: #23.281.0320 – Lot Two (2), Block Three (3), Ward's Addition to the Village (now City) of Fairmont as per the map or plat thereof on file and of record in the office of the County Recorder in and for said County and State.

1206 North Elm Street, legally described as: #23.162.1010 – Lot Ten (10) of Block Ten (10), Lake George Addition to the Village (now City) of Fairmont per map or plat thereof on file and of record in the Office of the Register of Deeds in and for said County and State.

714 North North Avenue, legally described as: #23.041.0050 – Commencing at a point on the East side of North Avenue in the City of Fairmont, Martin County, Minnesota, on the Section line between Sections Five (5) and Eight (8), running thence South 92 feet to place of beginning; thence South 52 feet; thence East 150 feet; thence North 52 feet; thence West 150 feet to place of beginning, all being in township One Hundred Two (102), Range Thirty (30), West of the Fifth P.M., Martin County, Minnesota, save and except the following described premises; Commencing at the Northwest corner of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Eight (8), Township One Hundred Two (102), Range Thirty (30), thence East on the Section line 40 feet; thence South on the East line of North Avenue in the City of Fairmont, Martin County, Minnesota, 92 feet; thence East parallel with said Section line 10 feet to place of beginning of the land herein excepted; thence South 46 feet; thence East parallel with said Section line 40 feet; thence North 46 feet; thence West parallel with said section line 40 feet to place of beginning.

614 North Orient Street, legally described as: #23.119.0270 – Lot Four (4), of Block Nine (9), Extension of Gamble's Addition to the Village (now City) of Fairmont, as per map or plat thereof on file and of record in the office of the Register of Deeds in and for said County and State.

606 North Prairie Avenue & 610 North Prairie Avenue, legally described as: #23.119.0070 – The North Fifty-two (52) feet of the South One Hundred Four (104) feet of the West Half (W ½) of Block Seven (7) of the Extension to Gamble's Addition to the Village, now City of Fairmont, according to the map or plat thereof and of record in the office of the Register of Deeds in and for said County and State. And, A tract of land in the West One-half of Block Seven (7), of the Extension to Gamble's Addition to the Village, now City of Fairmont, Minnesota, beginning at a point on the west line of said Block Seven (7), 103.8 feet north of the southwest corner thereof; thence east 150 feet parallel to the south line of said Block to the west line of the south and north alley; thence north 47.1 feet on the west line of said alley; thence west 91.3 feet parallel to the south line of the Block; thence southwesterly 60.85 feet to a point on the west line of said Block

Seven (7), said point being 100 feet south of the northwest corner of the Block; thence south 32.2 feet on the west line of the Block to the point of beginning.

719 East Sixth Street, legally described as: #23.239.0120 – Lot Thirteen (13) of Block One (1) Stoke’s Addition to the City of Fairmont, Martin County, Minnesota.

and;

WHEREAS, the City obtained title to the above described real properties so that it could demolish blighted buildings located thereon, and;

WHEREAS, the blighted buildings have been demolished and the City does not have any plans to develop the described real properties, and;

WHEREAS, it would be in the City’s best interest to have the real properties placed back on the tax rolls by transferring them into private ownership.

NOW THEREFORE, it is hereby ordained by the Fairmont City Council as follows:

1. The real property described above is hereby approved to be sold at public auction.
2. The Purchasers will pay all costs associated with the transfer of the real estate.
3. The Mayor and the City Clerk are authorized to sign any and all documents necessary to transfer the real property described above.

PASSED, APPROVED AND ADOPTED, this 23rd day of November 2020.

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

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

1st Reading: November 9, 2020
2nd Reading: November 23, 2020