

The minutes of the Fairmont City Council meeting held on Monday, January 10, 2022, at the City Hall Council Chambers.

Mayor Deborah J. Foster called the meeting to order at 5:30 p.m.

Council Members Wayne Hasek, Britney Kawecki, Randy Lubenow and Michele Miller were present. Council Member Bruce Peters was absent. Also in attendance: City Administrator Cathy Reynolds, Public Works Director/City Engineer Troy Nemmers, Finance Director Paul Hoye, Police Captain Eric Tonder, City Clerk Patricia J. Monsen and City Attorney Mark Rahrlick via telephone.

Council Member Kawecki made a motion to remove the regular meeting minutes from December 13, 2021 from the Consent Agenda; Agenda item 9.5 - 2022 Official Designations, to separate this Resolution into five separate motions; and to permanently remove the Accounts Payable from the Consent Agenda. Council Member Lubenow seconded the motion. On roll call: Council Members Kawecki and Lubenow voted aye. Council Members Hasek and Miller voted nay. Mayor Foster voted nay and declared said motion failed. Council Member Hasek made a motion to approve the agenda as presented. Council Member Miller seconded the motion. On roll call: Council Members Miller and Hasek voted aye. Council Members Lubenow and Kawecki voted nay. Mayor Foster voted aye and declared said motion passed.

During Open Discussion, Council Member Lubenow read a statement regarding his concerns with the RFP process for the new public works building and concerns about a double standard he feels is happening with council members' involvement in helping constituents.

Council Member Miller made a motion to approve the items on the Consent Agenda. Council Member Hasek seconded the motion. Council Members Miller and Hasek voted aye, Council Member Lubenow voted nay and Council Member Kawecki abstained from the vote. Mayor Foster voted aye, and the motion carried. Items on the Consent Agenda were: minutes from the December 13, 2021 city council meeting, approval of the December 2021 accounts payable in the amount of \$1,484,999.73; and declaring excess inventory to be sold.

Council Member Miller made a motion to approve **Resolution 2022-01**, approving the Memorandum of Agreement (MOA) between the State of Minnesota and local governments and authorizing participation in National Opioid Settlements. Council Member Hasek seconded the motion and the motion carried.

Economic Development Coordinator Linsey Preuss presented to the council an expansion plan for Advanced Drainage Systems and requested the council to consider 9-year Tax Increment Financing for the expansion. Council Member Hasek made a motion to approve **Resolution 2022-03** calling for a public hearing on February 14, 2022, for the establishment of proposed Tax Increment Financing District 28. Council Member Lubenow seconded the motion and the motion carried.

Council Member Miller made a motion to approve the 2022 council liaison assignments. Council Member Hasek seconded the motion and the motion carried. The following assignments were made: Park Board – Council Member Randy Lubenow; Public Utilities Commission – Council Member Wayne Hasek; Board of Zoning Appeals – Council Members Bruce Peters and Wayne Hasek; Planning Commission – Council Member Britney Kawecki; Airport Board –

Council Member Wayne Hasek; FEDA – Council Members Michele Miller and Bruce Peters; HRA – Council Member Randy Lubenow; CER – Council Member Michele Miller; Martin County Library Board – Council Member Britney Kawecki; Visit Fairmont – Council Member Bruce Peters; Region Nine – Council Member Michele Miller; Board of Equalization – Mayor Deborah Foster, Council Members Bruce Peters and Michele Miller; Safety Council – Council Member Britney Kawecki; and Community Center Advisory Board – Council Members Randy Lubenow and Michele Miller.

Council Member Hasek made a motion to approve the 2022 Boards and Commissions appointments. Council Member Lubenow seconded the motion and the motion carried. The following citizens were appointed or reappointed: Police Civil Service Commission – John Korsmo; Park Board – Jane Kollofski and Craig Nelson; Public Utilities Commission – Hubble Werre; Planning Commission – Rin Porter; Board of Zoning Appeals – Mike Klujeske and Adam Smith; Safety Committee – Sandee Nelson and Jeffrey Culver; Airport Board – Ronald Lindberg and Housing Redevelopment Authority – Clare Mosloski.

Council Member Hasek made a motion to approve the COVID-19 Mandatory Vaccination and Testing Policy for the City of Fairmont in compliance with the requirements of the MNOSHA adoption of the OSHA ETS. Council Member Lubenow seconded the motion. During discussion, Council Member Miller read a statement opposing the COVID-19 Mandatory Vaccination and Testing Policy and feels it violates individual's freedoms and rights. Council Members Hasek and Kawecki voted aye. Council Members Miller and Lubenow voted nay. Mayor Foster voted aye and declared said motion passed.

Council Member Miller made a motion to approve **Resolution 2022-02**, adopting the official designations of the City of Fairmont as: Mayor Pro-tem-At Large Council Member Michele Miller; Newspaper-Sentinel; Council Secretary-Patricia J. Monsen, City Clerk; Civil City Attorney-Mark J. Rahrlick of Smith, Tollefson, Rahrlick & Cass; and Depository of City Funds-Bank Midwest. During discussion Council Member Lubenow questioned the bidding process for the official newspaper and also asked about a performance review on the City Attorney. Administrator Reynolds stated that the Sentinel was the lowest bidder and that the Photo Press had withdrawn their proposal. Reynolds also explained that the Civil City Attorney for the City of Fairmont is contracted and not an employee and as such an evaluation is not done. Council Member Lubenow expressed his concerns on Rahrlick's billings and on reviewing contracts for the City. Council Members Miller and Hasek voted aye. Council Members Lubenow and Kawecki voted nay. Mayor Foster voted aye and declared said motion passed.

A motion was made by Council Member Hasek, seconded by Council Member Miller and carried to adjourn the meeting at 6:27 p.m.

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk