

The minutes of the Fairmont City Council meeting held on Monday, March 28, 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, Michele Miller and Bruce Peters were present. 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 City Attorney Mark Rahrack via telephone.

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

Mayor Foster presented the City of Fairmont with a Certificate of Commendation, a Wastewater Treatment Facility Operational Award in recognition of exceptional compliance with its Minnesota Pollution Control Agency NPDES/SDS wastewater permit during the 2021 review period.

During Open Discussion, Dale Martens of 1610 Lucia spoke about the Charter Commission's proposed Ordinances. Roger Hendrickson of 3706 W. Amber Lake Drive voiced his concerns regarding the Community Center.

Council Member Peters made a motion to approve the items on the Consent Agenda. Council Member Hasek seconded the motion and the motion carried. Items on the Consent Agenda were: minutes from the March 14, 2022 city council meeting, approval of the March 2022 accounts payable; Temporary On-Sale Liquor License for Martin County Preservation Association to hold an event at the Red Rock Center for the Arts on April 22 and 23, 2022; Event Permit for Youth for Christ to hold a concert at Sylvania Park band shell on June 3, 2022; Event Permit for the Fairmont Lakes Foundation/Fox Lake Conservation League, "Chain of Lakes Open" Fishing Contest at Gomsrud Park on June 4, 2022; Event Permit for the Martin County Library to hold Summer Reading Program-Raptor Center of MN at the Sylvania Park band shell on June 29, 2022; Event Permit for the Martin County Library to hold Summer Reading Program-Brodini Magician at the Sylvania Park band shell on July 13, 2022; and **Resolution 2022-12** declaring Jonathan Auringer and Seth Reinke meet all of the Police and Fire Plan membership requirements.

Council Member Kawecki made a motion to approve proposed **Ordinance 2022-01** Amending the City Charter Ward System. Council Member Peters seconded the motion. On roll call: Council Member Kawecki voted aye. Council Members Hasek, Lubenow, Miller and Peters voted nay. Mayor Foster declared said motion failed.

Council Member Kawecki made a motion to approve proposed **Ordinance 2022-02** Amending the City Charter Section 2.01 Form of Government. Council Member Peters seconded the motion. On roll call: Council Members Kawecki and Lubenow voted aye. Council Members Miller, Peters and Hasek voted nay. Mayor Foster declared said motion failed.

Council Member Kawecki made a motion to approve proposed **Ordinance 2022-03** Amending the City Charter Section 2.06 The Mayor. Council Member Hasek seconded the motion. On roll

call: Council Members Lubenow and Kawecki voted aye. Council Members Miller, Peters and Hasek voted nay. Mayor Foster declared said motion failed.

Council Member Kawecki made a motion to approve proposed **Ordinance 2022-04** Amending the City Charter Section 2.08 Investigation of City Affairs. Council Member Hasek seconded the motion. On roll call: Council Members Kawecki and Lubenow voted aye. Council Members Miller, Peters and Hasek voted nay. Mayor Foster declared said motion failed.

Council Member Peters made a motion to approve proposed **Ordinance 2022-05** Amending the City Charter Section 2.10 City Administrator – Appointment and Qualifications. Council Member Kawecki seconded the motion. On roll call: Council Members Kawecki and Lubenow voted aye. Council Members Peters, Hasek and Miller voted nay. Mayor Foster declared said motion failed.

Council Member Peters made a motion to approve proposed **Ordinance 2022-06** Amending the City Charter Section 2.15 City Clerk. Council Member Hasek seconded the motion. On roll call: No one voted aye. Council Members Hasek, Kawecki, Lubenow, Miller and Peters voted nay. Mayor Foster declared said motion failed.

Amanda Strommer, Drinking Water Protection Planner with Minnesota Department of Health presented the 2022 Surface Water Intake Protection Plan for the City of Fairmont. Council Member Peters made a motion to approve the plan and authorize the submittal of the 2022 SWIPP to the Minnesota Department of Health for final review. Council Member Hasek seconded the motion. On roll call: Council Members Kawecki, Lubenow, Miller, Peters and Hasek all voted aye. No one voted nay. Mayor Foster declared said motion passed.

Council Member Miller made a motion to approve **Resolution 2022-11** authorizing a funding application submittal to the Minnesota Public Facilities Authority for Wastewater plant upgrades. Council Member Hasek seconded the motion and the motion carried.

Council Member Peters made a motion to approve an agreement with Erickson Engineering for professional services on the Memorial Park Drive bridge replacement. Council Member Miller seconded the motion and the motion carried.

Discussion was held on the Yard Waste Recycling Site. Council Member Lubenow made a motion to approve spending council's budgeted contingency up to \$20,000 on the yard waste recycling site. Council Member Kawecki seconded the motion and the motion carried.

Discussion was held regarding a Community Development Director. Council Member Kawecki made a motion to direct hiring of a Community Development Director in place of an Economic Development Coordinator. Council Member Lubenow seconded the motion. On roll call: Council Members Lubenow and Kawecki voted aye. Council Members Miller, Peters and Hasek voted nay. Mayor Foster declared said motion failed.

Council Member Hasek made a motion to approve the City of Fairmont City Council Rules of Procedure. Council Member Peters seconded the motion. On roll call: Council Members Miller, Peters and Hasek voted aye. Council Members Kawecki and Lubenow voted nay. Mayor Foster declared said motion passed.

Council Member Hasek made a motion to approve City of Fairmont Council Code of Conduct. Council Member Miller seconded the motion. On roll call: Council Members Peters, Hasek and Miller voted aye. Council Members Kawecki and Lubenow voted nay. Mayor Foster declared said motion passed.

Nemmers recognized and thanked city staff at the Wastewater Treatment Facility for all their hard work and dedication in receiving the Certificate of Commendation from the Minnesota Pollution Control Agency for 2021.

The Street Department has had two street sweepers out trying to get all the streets cleaned before any spring rain. They have also done one round of cold patching on potholes and will continue to cold patch for a couple of months until the hot mix plants are up and running.

Nemmers clarified misinformation which was disseminated through the city regarding the Fairmont Soccer Fields. He encourages all citizens with questions to contact the City before validating any social media posts that are generated to cause fear and negativity in our community.

Reynolds reminded the council of the Board of Appeals and Equalization Hearing scheduled for April 27, 2022 at 9:00 a.m. in the City Hall Council Chambers.

Council Member Lubenow reported that the Park Department is busy getting the parks ready to open. They also had a brief discussion regarding food trucks. This discussion will be continued when more board members are present.

A motion was made by Council Member Peters, seconded by Council Member Hasek and carried to adjourn the meeting at 7:27 p.m.

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk