

The minutes of the Fairmont City Council meeting held on Monday, May 9, 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.

Council Member Miller made a motion to approve the agenda with the removal of the Channel Inn from agenda item 7.1. Council Member Peters seconded the motion. During discussion, Council Member Lubenow expressed his concern that not all staff were provided the opportunity to evaluate the city administrator. Mayor Foster stated that his concerns were noted and that at the next review she will ask the council who they would like included in the evaluation process. The motion carried.

Chief Hunter introduced two new part time officers, Seth Reinke and Carolyn Jacobson. City Clerk Monsen administered the Oath of Office to the officers.

Mayor Foster proclaimed the week of May 15-21, 2022, as National Public Works Week in the City of Fairmont. Nemmers thanked all public works staff for their work and invited the council and public to an open house of the new public works facility at 801 Margaret Street on May 19, 2022, from 4:00 p.m. – 6:00 p.m. A ribbon cutting ceremony will take place at 4:30 p.m.

During Open Discussion, Woody Woodward of 803 Reiman Court, a member of DAV, Legion and VFW spoke about an upcoming veteran's picnic at Gomsrud Park on July 9 from 4:00 p.m. – 7:00 p.m. All Veterans and their families are invited. Woodward thanked the Mayor and the City for all their assistance.

Bill Cieslinski of 517 Independence Drive thanked Troy Nemmers for his presentation at the April 25th council meeting. Mr. Cieslinski voiced his concerns about the proposed Community Center.

Dr. Paul Carlson of 205 Lakeview and Eric Johnson of 923 Martin Street spoke about Marty's Youth Triathlon, Triathlon and Bacon Run 5K to be held on June 17th and 18th. The Committee thanked Nick Lardy, Park Department, Chief Hunter, Police Department and Betsy Steuber for all their assistance.

Council Member Miller 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 April 25, 2022 city council meeting; Event Permit for Red Rock Center to hold a community picnic on May 30, 2022; Event Permit for Grace Lutheran Church to hold Wednesday worship services at the Sylvania Park Band Shell in June, July and August; Event Permit for City of Lakes Garden Club to hold a Garden Party/Plant Swap at the Lincoln Park open shelter on June 11, 2022; Event Permit for the Fairmont Triathlon & Bacon Capital to hold Marty's Youth Triathlon on June 17, 2022 at the Fairmont Aquatic Park; Event Permit for Fairmont Triathlon & Bacon Capital to hold the Fairmont Triathlon and Bacon Run 5K on

June 18, 2022 at Gomsrud Park; Event Permit for Jamie Kueker to sponsor Extreme Tour 2022 to be held at the Sylvania Park Band Shell on July 1, 2022; Event Permit for the Veterans Serving Veterans to hold a picnic at Gomsrud Park on July 9, 2022; Renewal of the 2022/2023 Alcoholic Beverage Licenses; Approval of P.O. 14259 for purchase of switchgear for the Line Department; Approval of P.O. 14269 for purchase of lift station equipment for upgrades to Albion and Webster lift station; and approval of allowing the Blazer Bar & Grill to extend their premises to serve alcoholic beverages in a beer garden in the public right-of-way in front of their building located at 106 East First Street on May 27 and 28, 2022 for the Memorial Weekend Street Fest, a Community Festival.

A hearing for an alcohol compliance check failure by the Fairmont Municipal Liquor Store was held. No comment was received. Council Member Peters made a motion to adopt **Resolution 2022-21**, imposing a civil penalty upon the Fairmont Municipal Liquor Store. Council Member Hasek seconded the motion and the motion carried.

A hearing for an alcohol compliance check failure by El Agave was held. No comment was received. Council Member Peters made a motion to adopt **Resolution 2022-23**, imposing a civil penalty upon El Agave. Council Member Hasek seconded the motion and the motion carried.

A hearing for a tobacco compliance check failure by Walgreens was held. No comment was received. Council Member Hasek made a motion to adopt **Resolution 2022-24**, imposing a civil penalty upon Walgreens. Council Member Miller seconded the motion and the motion carried.

A hearing for a tobacco compliance check failure by Hy-Vee Grocery was held. No comment was received. Council Member Lubenow stated that since he is an employee of Hy-Vee, he would be abstaining from the vote. Council Member Peters made a motion to adopt **Resolution 2022-25**, imposing a civil penalty upon Hy-Vee Grocery. Council Member Miller seconded the motion and the motion carried.

A hearing for a tobacco compliance check failure by Hy-Vee Convenience Store was held. No comment was received. Council Member Lubenow stated that since he is an employee of Hy-Vee, he would be abstaining from the vote. Council Member Peters made a motion to adopt **Resolution 2022-26**, imposing a civil penalty upon Hy-Vee Convenience Store. Council Member Miller seconded the motion and the motion carried.

Council Member Miller made a motion to approve **Ordinance 2022-07**, rezoning 1800 State Hwy 15 South from R-1 Single Family Residential to R-3 Multiple Family Residential. Council Member Lubenow 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 Kawecki made a motion to approve an Event Permit for the Fairmont Opera House to hold a Star Wars Night, a 45th Anniversary Celebration on May 25, 2022. Council Member Lubenow seconded the motion and the motion carried.

Council Member Peters made a motion to approve an Event Permit for the Fairmont Opera House to host Memorial Weekend Fest on May 27 and 28, 2022. Council Member Miller seconded the motion and the motion carried.

Council Member Miller made a motion to approve **Resolution 2022-20**, authorizing the Mayor and City Clerk to execute the Master Partnership Agreement with MNDOT. Council Member Peters seconded the motion and the motion carried.

Council Member Miller made a motion to approve P.O. 14251 for the purchase of residential water meters. Council Member Peters seconded the motion and the motion carried.

Council Member Miller made a motion to approve the phone system proposal from Midco. Council Member Peters seconded the motion and the motion carried.

Council Member Miller made a motion to authorize the Mayor to sign an agreement with MSA Professional Services to complete a zoning ordinance and subdivision regulation update. Council Member Peters seconded the motion and the motion carried.

Council Member Peters made a motion to approve task order with KLJ for professional services at the airport for the Instrument Landing System replacement project. Council Member Miller seconded the motion and the motion carried.

Council Member Miller made a motion to approve the city administrator selling back up to 40 hours of vacation. Council Member Hasek seconded the motion. On roll call: Council Members Miller, Peters and Hasek voted aye. Council Members Lubenow and Kawecki voted nay. Mayor Foster declares said motion passed.

Discussion was held at the request of Council Member Kawecki on farmland lease information and requirements for bid for sale or lease for amounts totaling greater than \$10,000. Council was posed the question: Do we want staff to spend time on moving this forward? Council Members Miller, Peters and Hasek voted no. Council Member Kawecki voted yes. Council Member Lubenow voted yes for the farmland. The majority of the council did not wish for staff to spend time moving this suggestion forward.

Nemmers reported that sod has been replaced on Lake Avenue and that the parks are open and the docks are in. He also updated the council on the condition of the tree disposal site.

City Administrator Reynolds reported that four new houses in Fairmont have been permitted. She was also interviewed by KEYC news regarding the exciting revitalization of downtown Fairmont.

Council Member Miller made a motion to go into closed session pursuant to Minnesota Statute 13D.05, Subd. 3(a) to conduct the city administrator's annual performance evaluation. Council Member Peters seconded the motion and the motion carried at 7:03 p.m.

The closed session began at 7:13 p.m. Council Member Peters made a motion to end the closed session. Council Member Miller seconded the motion and the motion carried at 8:04 p.m.

A motion was made by Council Member Miller, seconded by Council Member Hasek and carried to adjourn the meeting at 8:05 p.m.

Deborah J. Foster, Mayor

ATTEST:

Patricia J. Monsen, City Clerk