

FAIRMONT CITY COUNCIL AGENDA

Monday, March 13, 2023, 5:30 p.m.

1. **Roll Call/Determination of Quorum**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
4. **Recognition/Presentations**
 - 4.1 Proclamation - Heaven's Table Food Shelf Month (03)
 - 4.2 2022 City Annual Report Presentation (05)
5. **Public Discussion/Comment** (Individual comments are limited to 3 minutes) (06)
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, February 27, 2023 (07)
 - B. **Check Registers**
 - C. **Other**
 - 6.C.1 Event Permit-Fairmont Triathlon & Bacon Capital, Marty's Youth Triathlon, June 16, 2023 (11)
 - 6.C.2 Event Permit-Grace Lutheran Church, Wednesday Community Worship in the Park (15)
 - 6.C.3 3.2 Off-Sale License for Kareem, Inc. (18)
 - 6.C.4 Tobacco License for Kareem, Inc. (19)
7. **Public Hearings**
8. **Old Business**

9.	New Business	
9.1	Accepting Resignation & Declaring Vacancy of Ward 3 City Council Seat	(20)
9.2	DNR Outdoor Recreation Grant	(22)
9.3	Community Center – Architect Contract Amendment	(25)
9.4	Minnesota GreenCorps Host Site Grant	(30)
9.5	Interfund Transfers	(32)
9.6	Year End Fund Balance Designations	(34)
10.	Council Discussion	
11.	Staff/Liaison Reports	
A.	Public Works	
B.	Finance	
C.	City Administrator	
D.	Mayor/Council	
	Hasek – PUC	
	Kawecki – Planning Commission	
	Maynard – FEDA	
	Miller – FEDA, CER	
12.	Adjournment	



Fairmont City Council
March 13, 2023

Agenda Item: 4.1

From: Mayor Lee Baarts
To: City Council

Subject: Proclamation – Heaven’s Table Food Shelf Month

Policy/Action Requested: Proclamation

Vote Required: _____ Simple Majority _____ Roll Call

Recommendation:

Overview: Mayor Lee C. Baarts will proclaim the month of March 2023 as Heaven’s Table Food Shelf Month in the City of Fairmont.

Budget Impact: N/A

Attachments: Proclamation

Council Action: _____ Date: _____

Proclamation

Whereas, Heaven's Table Food Shelf was established in 2012 to help feed hungry people in Fairmont and the surrounding communities in Martin County; and,

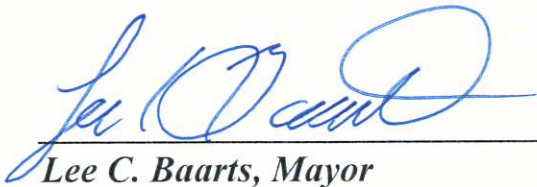
Whereas, March is Minnesota Food Share Month in Minnesota; and,

Whereas, Heaven's Table is helping senior citizens with NAPS (Nutrition Assistance Program for Seniors) and students with the Backpack Program; and,

Whereas, Heaven's Table has established partnerships with local transit, public schools, bilingual volunteers, employment assistance and foundations in order to address growing food insecurity in our community.

Therefore, as Mayor of the City of Fairmont, I proclaim March 2023, as Heaven's Table Food Shelf Month in the City of Fairmont.





Lee C. Baarts, Mayor



Fairmont City Council
March 13, 2023

Agenda Item: 4.2

From: Cathy Reynolds, City Administrator
To: Mayor and City Council

Subject: 2022 City Annual Report

Policy/Action Requested:

Vote Required: ____ Simple Majority ____ Roll Call

Recommendation:

Overview:

The city started preparing an annual report in 2021 to present to the Council and community. The 2022 Annual Report will be presented during the meeting.

Budget Impact:

Attachments:

Council Action: _____ Date: _____



Fairmont City Council
March 13, 2023

Agenda Item: 5

From: Cathy Reynolds, City Administrator

To: Mayor and City Council

Subject: Public Discussion/Comment

INDIVIDUAL COMMENTS ARE LIMITED TO 3 MINUTES

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

Budget Impact: N/A

Attachments: N/A

Council Action: _____ Date: _____



Fairmont City Council
March 13, 2023

Agenda Item: 6.A.1

From: Patricia J. Monsen, City Clerk
To: Mayor and City Council

Subject: Council Minutes from Regular Meeting on February 27, 2023

Policy/Action Requested: To Approve City Council Minutes from February 27, 2023

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview:

Budget Impact: N/A

Attachments: City Council Minutes Regular Meeting, February 27, 2023

Council Action: _____ Date: _____

The minutes of the Fairmont City Council meeting held on Monday, February 27, 2023, at the City Hall Council Chambers.

Mayor Lee Baarts called the meeting to order at 5:30 p.m.

Council Members Deb Foster, Wayne Hasek, Britney Kawecki and Jay Maynard were present. Council Member Michele Miller was absent. Also in attendance: City Administrator Cathy Reynolds, Finance Director Paul Hoye, Chief of Police Mike Hunter, City Clerk Patricia Monsen, Civil Engineer Tyler Cowing, City Engineer Wes Brown and City Attorney Cara Brown, via telephone.

Council Member Hasek made a motion to approve the agenda as presented. Council Member Foster seconded the motion and the motion carried.

Chief Hunter presented the 2022 Fairmont Police Annual Report.

During Public Comment, the following people from the Fairmont Hockey Association encouraged the Council to support the Hockey Association: Ernie Nuss, Abigail Anderson, James Draper, Lisa Kuhl, Benjamin Scholl, Ian Bents, Tom Chapman, Garrett Scholl and Dayton Draper.

Council Member Maynard 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 from the February 13, 2023 City Council meeting; Payment of the February 2023 Accounts Payable; Event Permit for the Fairmont Soccer Association to hold the Shakeout Soccer Tournament on May 6, 2023; Event Permit for Borderline Cruisers to hold the Downtown Car Show on June 10, 2023; Event Permit for the Martin County Library to hold a family event on August 9, 2023; Reappointment of Ron Kopischke to the HRA and reappointment of Jerry Brooks to the Airport Board; and authorization to purchase a new woodchipper for the Street and Electric Line Departments.

Mayor Baarts opened the public hearing on the 2023 Improvement Program. City Engineer Wes Brown and Civil Engineer Tyler Cowing reviewed the 2023 Improvement Program. Residents Ken Reiman and Pat Bulfer expressed their concerns with proposed assessments on bare farm land. Council Member Maynard made a motion to close the public hearing. Council Member Foster seconded the motion and the motion carried. Council Member Maynard made a motion to approve **Resolution 2023-11**, ordering improvement, preparation of plans and advertising of bids. Council Member Foster seconded the motion. On roll call: Council Members Foster, Hasek, Kawecki and Maynard voted aye. No one voted nay. Mayor Baarts declared said motion passed.

Discussion was held regarding the Community Center Architect Contract Amendment with JLG. Council Member Foster made a motion to reallocate a portion of the 14 million Local Option Sales Tax to be allocated to the ice mechanics and an ice arena through the design and development stage. Council Member Hasek seconded the motion. On roll call: Council Member Hasek voted aye. Council Members Kawecki, Maynard and Foster voted nay. Mayor Baarts declared said motion failed. Council Member Maynard made a motion for \$850,000 to be redirected from Gomsurd Park to the Ice Arena mechanicals and design, and that the remainder of funds for that purpose be taken from the 14 million Local Options Sales Tax fund. Council Member Foster seconded the motion and the motion carried by a majority vote of the council. Council Member Maynard made a motion to amend the contract with JLG

for architect and engineering services as proposed in JLG's amended compensation proposal, dated February 20, 2023. Council Member Foster seconded the motion and the motion passed.

Council Member Maynard made a motion to approve the task order with Bolton & Menk for the Gomsrud Park project. Council Member Foster seconded the motion and the motion carried.

Council Member Maynard made a motion to approve the proposal from Wold for architect and engineering services for the Sylvania Park Bandshell renovations. Council Member Hasek seconded the motion and the motion carried. Reynolds shared that the city band has raised \$4,468 and have received a grant from the Schmeckle Foundation in the amount of \$50,000 to be used for the project.

Council Member Foster made a motion to approve the proposal from Wold for architect and engineering services for the city hall security and accessibility updates. Council Member Hasek seconded the motion and the motion carried.

Chief Hunter presented the Biennial Body Camera Audit. Council Member Hasek made a motion to approve the Fairmont Police Department Biennial Body Camera Audit from August 1, 2020 through August 31, 2022. Council Member Maynard seconded the motion and the motion carried.

Council Member Foster made a motion to approve the separation of the City Engineer position from the Public Works/Utility Director position. Council Member Maynard seconded the motion and the motion carried with a majority vote of the council.

Council Member Maynard made a motion to approve and authorize the release of the Notice of Filing for Vacant Ward 3 City Council seat. Council Member Hasek seconded the motion and the motion carried.

Council Member Maynard made a motion to approve the amended task order with KLJ for the Airport ILS system. Council Member Foster seconded the motion and the motion carried.

Reynolds advised that the City Band has been conducting fundraising and has been busy writing grants to assist with the Sylvania Band Shell renovations. The City wants to thank them for all of their efforts.

Reynolds thanked the Streets and Parks Department for their continued great work with snow removal this Winter and especially with this last snow fall.

Reynolds stated that information has come from our Senators at the Federal level regarding congressional direct funding. The City is looking at a couple projects that would qualify for this direct funding. The projects that may qualify are the wastewater project, water ground storage tank project and the Community Center project. There is a March deadline to submit these requests.

Councilor Hasek stated that the PUC held elections and approved Miles Hiede as the new Superintendent of the Line Department.

Councilor Maynard stated that the Airport Board talked about the ILS system and that there are trees on the northwest end of the runway that need trimming.

A motion was made by Council Member Foster, seconded by Council Member Hasek and carried to adjourn the meeting at 7:24 p.m.

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk



Fairmont City Council
March 13, 2023

Agenda Item: 6.C.1

From: Patricia J. Monsen, City Clerk
To: Mayor and City Council

Subject: Event Permit – Fairmont Triathlon & Bacon Capital, Marty’s Youth Triathlon, June 16, 2023

Policy/Action Requested: Motion to approve the Event Permit for the Fairmont Triathlon & Bacon Capital to hold Marty’s Youth Triathlon on June 16, 2023.

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview: Fairmont Triathlon and Bacon Capital have made application for an Event Permit to hold Marty’s Youth Triathlon on June 16th. This event will include blocking a portion of Prairie Avenue from the Aquatic Park north to Johnson Street and blocking Johnson Street from Prairie Avenue east to Highway 15. The participants will only be using the southside of Johnson Street. The committee has coordinated this route with Mayo and will have volunteers at the intersection to direct and monitor traffic for any emergency needs. Please see more details on the attached Event Permit Application and map.

Budget Impact: N/A

Attachments: Event Permit Application

Council Action: _____ Date: _____



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: 3/19/23 Permit Fee: \$15.00

Event: Fairmont Triathlon Marty's Youth Triathlon

Sponsoring entity: Fairmont Triathlon Committee and Bacon Capital

Address: PO Box 631 Fairmont, MN 56031

Maximum estimated number of persons expected to attend at any one time: 125

Event coordinator(s): Paul Carlson
Contact Info: 507-236-3835 Phone #
trathlon2@fairmont.net E-mail

Primary contacts (during event):
Name: Brandon Nordstrom Name: Paul Carlson
Cell#: 507-236-6164 Cell#: 236-3835
E-mail: _____ E-mail: _____

Event Start: Day/Date Friday, June 16th Time: 4:30
Event End: Day/Date Friday, June 16th Time: 6:30
Setup: Day/Date Friday, June 16th Start time: 8:00am End Time: 4:30pm
Teardown: Day/Date Friday, June 16th Start time: 6:30pm End Time: 7:30pm

1. Type and description of the event and a list of all activities to take place at the event.
On Friday June 16th, we will hold a youth triathlon using the Fairmont Aquatic park as the event location. We partner with the Bacon Capital to help support and market the event. Participants will swim in the pool and then hike on the route along Johnson Street as indicated on the attached map, and then run on the hike/walk path.

2. Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.

We will be working with Aquatic Park management to hold the event. We request closing off South Prairie Avenue from the Aquatic Park to Johnson Street and Johnson Street to Highway 15. We plan to keep a single lane open for the Emergency Vehicles and Mayo Emergency room access. We will keep volunteers along Johnson Street to keep the kids on the north side of Johnson to accommodate this. We will also be working with Mayo to best accommodate. We would like barricades at the Aquatic Park/South Prairie and Johnson Street/South Prairie. We will coordinate with Nick Lardy as needed.

3. Will outside drinking water or waste collection systems be supplied? Yes; No
 If yes, supply public health plans, including the number of toilet facilities that will be available.

*We will provide bottled water for all participants.
 We will be using the Aquatic Park restrooms.*

4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. Yes; No
 If yes, provide the written plans.

5. Will organizers allow outside food wagon/vendors at the event? Yes; No
 If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment.

6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): Yes; No
 If yes, event coordinator must complete temporary overnight camping permit and submit payment.

7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? Yes; No
 If yes, please describe: *PA system for announcements*

8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns? Yes; No
 If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).

9. Will you be providing shuttle service? Yes; No
 If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

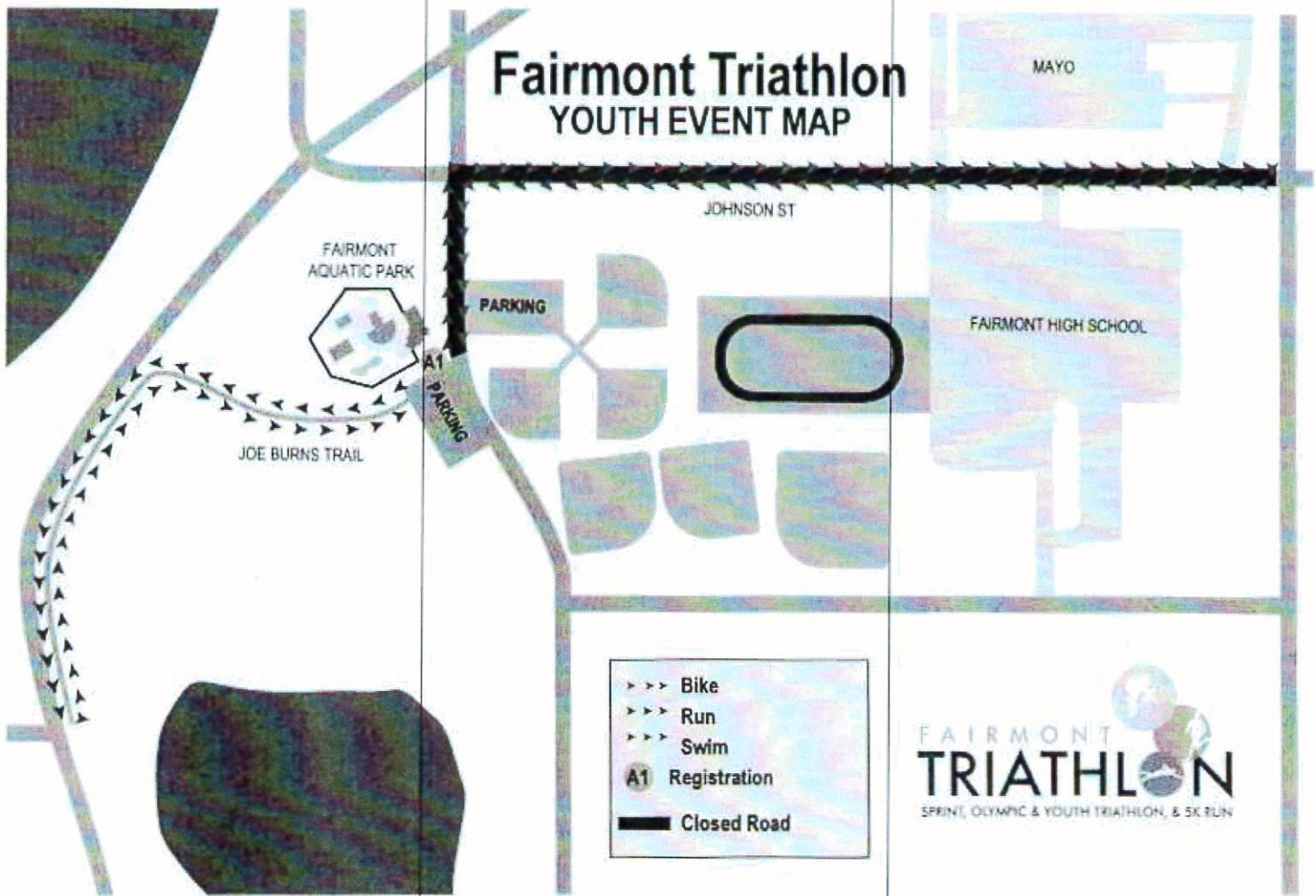
Signature: *Paul Carlson* Title: *Park Director* Date: *3-8-23*

If you would like your event published on the City's website/Community Calendar, please indicate: Yes; No

Office Use Only			
\$15.00 Fee Paid	Date:	Received by:	
Requires Council Approval	<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No	Council Meeting Date:	Action:
City Administrator Approval	<input checked="" type="checkbox"/> Yes	No	Date

- Permit distribution:
- City
 - Applicant
 - Police
 - Parks/Streets
 - Other

Fairmont Triathlon YOUTH EVENT MAP



>>>	Bike
>>>	Run
>>>	Swim
A1	Registration
—	Closed Road

FAIRMONT
TRIATHLON
SPRINT, OLYMPIC & YOUTH TRIATHLON, & 5K RUN



Fairmont City Council
March 13, 2023

Agenda Item: 6.C.2

From: Patricia J. Monsen, City Clerk
To: Mayor and City Council

Subject: Event Permit – Grace Lutheran Church – Wednesday Community Worship in the Park

Policy/Action Requested: Motion to approve the Event Permit for the Grace Lutheran Church to hold Wednesday Community Worship in the Park during the months of June, July and August 2023.

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview: Grace Lutheran Church has made application for an Event Permit to hold Wednesday Community Worship in the Park at the Sylvania Band Shell during the months of June, July and August 2023. The church has been holding these services for the last few years and they are well received.

Budget Impact: N/A

Attachments: Event Permit Application

Council Action: _____ Date: _____



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: 2/28/2023

Permit Fee: \$15.00

Event: Wednesday Community Worship at the Park

Sponsoring entity: Grace Lutheran Church

Address: 300 South Grant St. Fairmont

Maximum estimated number of persons expected to attend at any one time: 10 - 50

Event coordinator(s): Jen Kuhler

Contact Info: 507-399-4080 Phone #

starrynight24@gmail.com E-mail

Primary contacts (during event):

Name: Toad Mathews

Cell#: 235-5046

E-mail: _____

Name _____

Cell# _____

E-mail: _____

* Every Wednesday night from 5:15 - 7:30 *

Event Start: Day/Date Wednesday, June 7th Time: 6:30 pm

Event End: Day/Date Wednesday, August 30th Time: _____

Setup: Day/Date Wednesdays Start time: 5:15 End Time: 6:15

Teardown: Day/Date Wednesdays Start time: 7:15 End Time: 7:30

1. Type and description of the event and a list of all activities to take place at the event.

An ecumenical praise & worship service with a short message and music to take place at the bandshell at Sylvania Park each Wednesday night from 6:30-7:10, with set up beginning at 5:15 and wrapping up around 7:30. We will have a sound system in use. Possibility of a cook out or potluck on occasion.

2. Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.

Sylvania Park Bandshell. Will use benches for seating. No other major needs.

3. Will outside drinking water or waste collection systems be supplied? Yes; No
If yes, supply public health plans, including the number of toilet facilities that will be available.
4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. Yes; No
If yes, provide the written plans.
5. Will organizers allow outside food wagon/vendors at the event? Yes; No
If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment.
6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): Yes; No
If yes, event coordinator must complete temporary overnight camping permit and submit payment.
7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? Yes; No
If yes, please describe: Small band w/guitar, violins, cajon, singing, sound system with speakers
8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns? Yes; No
If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).
9. Will you be providing shuttle service? Yes; No
If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

Signature Jung Kohn Title Worship Leader Date 2/28/23

If you would like your event published on the City's website/Community Calendar, please indicate: Yes; No

Office Use Only			
\$15.00 Fee Paid	Date: <u>2/28/23</u>	Received by: <u>[Signature]</u>	
Requires Council Approval	<input checked="" type="checkbox"/> Yes; <input type="checkbox"/> No	Council Meeting Date: <u>3/12/23</u>	Action:
City Administrator Approval	Yes	No	Date

- Permit distribution:
- City
 - Applicant
 - Police
 - Parks/Streets
 - Other



Fairmont City Council
March 13, 2023

Agenda Item: 6.C.3

From: Patricia J. Monsen, City Clerk
To: Mayor and City Council

Subject: 3.2 Off Sale License for Kareem, Inc.

Policy/Action Requested: Motion to approve 3.2 Off Sale Liquor License for Kareem, Inc.

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview: IYS Ventures, LLC has been operating the gas and convenience store located at 407 E. Blue Earth Avenue. The company who owns IYS Ventures, LLC is doing some corporate restructuring and Kareem, Inc. will be taking over the operations. Kareem, Inc. has made application for a 3.2 Off Sale Liquor License. The required application, workers' compensation insurance, liquor liability insurance and fees have been received. A satisfactory police background investigation has also been completed.

Budget Impact: N/A

Attachments:

Council Action: _____ Date: _____



Fairmont City Council
March 13, 2023

Agenda Item: 6.C.4

From: Patricia J. Monsen, City Clerk
To: Mayor and City Council

Subject: Tobacco License for Kareem, Inc.

Policy/Action Requested: Motion to approve a Tobacco License for Kareem, Inc.

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview: IYS Ventures, LLC has been operating the gas and convenience store located at 407 E. Blue Earth Avenue. The company who owns IYS Ventures, LLC is doing some corporate restructuring and Kareem, Inc. will be taking over the operations. Kareem, Inc. has made application for a Tobacco License. The required application, workers' compensation insurance, and fees have been received. A satisfactory police background investigation has also been completed.

Budget Impact: N/A

Attachments:

Council Action: _____ Date: _____



Fairmont City Council
March 13, 2023

Agenda Item: 9.1

From: Cathy Reynolds, City Administrator
To: Mayor and City Council

Subject: Accepting Resignation and Declaring Vacancy in Ward 3 City Council Seat

Policy/Action Requested: To Approve Resolution 2023-13, accepting resignation and declaring vacancy in Ward 3 City Council Seat

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview: Pursuant to Charter, Section 2.05 (c), the City Council, by resolution, is required to declare the vacancy of Ward 3 City Council Member at the next regularly scheduled council meeting following the effective date of the vacancy. Resolution 2023-13 satisfies this requirement.

Budget Impact: N/A

Attachments: Resolution 2023-13

Council Action: _____ Date: _____

**CITY OF FAIRMONT, MN
RESOLUTION 2023-13
ACCEPTING RESIGNATION AND DECLARING A VACANCY**

WHEREAS, the Fairmont City Council has received the written resignation of Council Member Deb Foster effective on March 2, 2023.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. The council accepts Council Member Foster's resignation as described above.
2. The council declares that a vacancy exists on council effective on March 3, 2023.

PASSED by the City Council of the City of Fairmont on this 13th day of March 2023.

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk



Fairmont City Council
March 13, 2023

Agenda Item: 9.2

From: Cathy Reynolds, City Administrator
To: Mayor and City Council

Subject: DNR Outdoor Recreation Grant

Policy/Action Requested: Motion to approve Resolution 2023-15 DNR Outdoor Recreation Grant Application

Vote Required: Simple Majority Roll Call

Recommendation: Staff recommends approval.

Overview:

The City has been working on plans for work to occur in Gomsrud Park. In 2023 funds were budgeted for Phase 1 of the work. Phase 1 is focused on repairs in the channel, repairs for the boat ramp, the parking lot adjacent to the boat ramp, and the Hall Lake access. We are also looking to include some trails on the outer edges of the park which was well received in public input. With the recent reduction in funding for the Gomsrud project it is anticipated that these items will deplete the 2023 budget.

While working on the design development staff researched the DNR’s outdoor recreation grant and some of the work to be completed in later phases of the Gomsrud park updates could qualify for this grant. Staff has been working with our consultants, Bolton & Menk and SGA to prepare the grant application. The grant application will focus on the existing sports area on the eastern side of the park and the beach house. The grant application includes renovating the existing volleyball courts and maintaining 3 of the courts, the development of a new all season sports court area including basketball and pickleball courts and in the winter an ice rink, and the building of a park shelter beside the courts area. Also included with the grant application is a new ADA compliant restroom/beach house facility.

The final phase of work would include the parking lot by the existing shelter, street, and other improvements in the interior portion of the park.

A quote for soil borings has been approved to obtain data to further assist with the design development.

Budget Impact: The DNR grant requires a 50% match. The work being proposed in the grant is estimated at just under \$900,000. The grant maximum is \$350,000. This leaves \$550,000 that the city would need to fund. It is estimated that we may have some carry-over from the 2023 budget available and the remainder would need to be budgeted with the CIP budget in 2024.

Attachments: Resolution 2023-15

Council Action: _____ Date: _____

RESOLUTION 2023-15

DNR OUTDOOR RECREATION GRANT APPLICATION

WHEREAS, the City of Fairmont recognizes that one of its greatest assets are the five lakes within the city limits and Gomsrud Park which sits between Budd and Hall Lakes, and;

WHEREAS, the City of Fairmont sees the need to improve Gomsrud Park and has included such plans in its budget, and;

WHEREAS, The City of Fairmont wishes to apply for a Department of Natural Resources Outdoor Recreation Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Fairmont act as legal sponsor for the project contained in the Outdoor Recreation Grant application to be submitted on March 31, 2023, and that the Mayor and City Clerk are hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of the City of Fairmont.

BE IT FURTHER RESOLVED that the applicant maintains an adequate Conflict of Interest Policy and, throughout the term of the contract, will monitor and report any actual or potential conflicts of interest to the State, upon discovery.

BE IT FURTHER RESOLVED that the City of Fairmont has the legal authority to apply for financial assistance, and it has the financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance, and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Fairmont has not incurred any development costs.

BE IT FURTHER RESOLVED that the City of Fairmont has fee title or permanent easement over the land described in the boundary map or recreational site plan included in the application.

BE IT FURTHER RESOLVED that, upon approval of its application by the State, the City of Fairmont may enter into an agreement with the State for the above-referenced project, and that the City of Fairmont certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute such agreements as necessary to implement the project on behalf of the applicant.

Adopted by the City Council of the City of Fairmont on this 13th day of March 2023.

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk



Fairmont City Council
March 13, 2023

Agenda Item: 9.3

From: Cathy Reynolds
To: Mayor and City Council

Subject: Community Center – Architect Contract Amendment

Policy/Action Requested: Motion to approve the contract amendment with JLG for community center services.

Vote Required: Simple Majority Roll Call

Recommendation:

Overview:

At the February 27, 2023 the council approved JLG’s proposal to amend their contract to cover architect and engineering services for the YMCA portion of the community center through bidding, the new ice arena design work through design drawings, and the design for the ice mechanical work for the existing Martin County Arena.

JLG has prepared the AIA contract amendment to incorporate the changes approved in the proposal into our contract.

Budget Impact:

The funds for this work were discussed at the meeting on February 27 and allocations approved.

Attachments:

- 1. JLG AIA Contract Amendment

Council Action: _____ Date: _____



AIA® Document G802® – 2017

Amendment to the Professional Services Agreement

PROJECT: <i>(name and address)</i> 22949 - Firmont Community Center	AGREEMENT INFORMATION: Date: May 23, 2022	AMENDMENT INFORMATION: Amendment Number: 001 Date: March 6, 2023
OWNER: <i>(name and address)</i> City of Fairmont, MN 100 Downtown Plaza Fairmont, MN 56031	ARCHITECT: <i>(name and address)</i> JLG Architects 710 S. 2 nd St. 8 th Floor Minneapolis, MN 56401	

The Owner and Architect amend the Agreement as follows:

The Architects compensation will be amended as follows to align with how the project will be executed.

- YMCA: Provide professional architectural and engineering services for the YMCA through bidding. This includes schematic design, design development, construction documents, and bidding. The services will be provided as outlined in the signed AIA B133 Contract dated May 23, 2022.
- New Ice Arena: Provide professional architectural and engineering services for the ice arena through design development. This includes schematic design and design development services. The services will be provided as outlined in the signed AIA B133 Contract dated May 23, 2022.
- Existing Ice Arena: Provide professional architectural and engineering services for the replacement of the existing refrigeration plant at the existing ice arena located on the fairgrounds. This includes schematic design, design development, construction documents, bidding, and construction administration services. This is a new project and will be included as an additional service to the original contract.

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:

YMCA: Compensation for Schematic Design, Design Development, Construction Documents, and Bidding Phases is: \$1,071,840

New Ice Arena: Compensation for Schematic Design and Design Development is: \$505,260

Refrigeration Replacement: Compensation for Schematic Design, Design Development, Construction Documents, Bidding, and Construction Administration Phases is: \$130,000

Refer to Amended Contract Proposal dated February 20, 2023 for detailed breakout of fees. Attached to this document as Appendix A.

Schedule Adjustment:

Schedule for each project is to be determined and agreed upon with consultation with the City and Construction Manager.

SIGNATURES:

JLG Architacts

ARCHITECT (Firm name)

T. Betti

SIGNATURE

Thomas J. Betti, Principal

PRINTED NAME AND TITLE

3.8.2023

DATE

City of Fairmont

OWNER (Firm name)

SIGNATURE

Lee C. Baarts, Mayor

PRINTED NAME AND TITLE

DATE

Patricia J. Monsen
City Clerk

DATE

Appendix A



Fairmont Community Center
Amended Compensation Proposal (Contract Amendment)
February 20, 2023

Ms. Cathy Reynolds, City Administrator
City of Fairmont, MN
100 Downtown Plaza
Fairmont, MN 56031
Via Email: creynolds@fairmont.org

Dear Cathy,

JLG is pleased to submit this amendment to our contract based on how the project will be executed. The level of service for both the YMCA and the Ice Arena projects is as follows:

- YMCA: Provide professional architectural and engineering services for the YMCA through bidding. This includes schematic design, design development, construction documents, and bidding. The services will be provided as outlined in the signed AIA B133 Contract dated May 23, 2022.
- New Ice Arena: Provide professional architectural and engineering services for the ice arena through design development. This includes schematic design and design development services. The services will be provided as outlined in the signed AIA B133 Contract dated May 23, 2022.
- Existing Ice Arena: Provide professional architectural and engineering services for the replacement of the existing refrigeration plant at the existing ice arena located on the fairgrounds. This includes schematic design, design development, construction documents, bidding, and construction administration services. This is a new project and will be included as an additional service to the original contract.

Amended Compensation

The following compensation schedules outlines the fees for each project. The compensation for the YMCA and New Ice Arena are based on the percentages as set in the original contract.

YMCA

Construction Budget of \$20,300,000	6.60%	\$1,339,800
Schematic Design	20%	\$267,960
Design Development	20%	\$267,960
Construction Documents	35%	\$468,930
Bidding	5%	\$66,990
Total SD/DD/CD/B Architectural and Engineering Fee	80%	\$1,071,840*

*If the project moves to construction, the fee for professional architectural and engineering services to complete the project will be \$267,960.

New Ice Arena

Construction Budget of \$20,050,000	6.30%	\$1,263,150
Schematic Design	20%	\$252,630
Design Development	20%	\$252,630
Total SD/DD Architectural and Engineering Fee	40%	\$505,260*

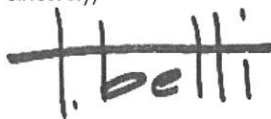
*If the project moves beyond the Design Development phase, the fee for professional architectural and engineering services to complete the project will be \$757,890.

Refrigeration Replacement

Construction Budget of \$1,300,000	10%	\$130,000
Schematic Design	20%	\$26,000
Design Development	20%	\$26,000
Construction Documents	35%	\$45,500
Bidding	5%	\$6,500
Construction Administration	20%	\$26,000
Total Architectural and Engineering Fee	100%	\$130,000

This amended fee proposal will be formally executed on AIA Document G802-2017 which amends the professional services agreement between the City and JLG Architects once approved by the city. JLG will provide the document for signature. Please review this amendment and let me know if you have any questions.

Sincerely,



Tom Betti, AIA, NCARB
 Senior Principal
 JLG Architects



Fairmont City Council
March 13, 2023

Agenda Item: 9.4

From: Tyler Cowing, Civil Engineer
To: Mayor and City Council

Subject: Minnesota GreenCorps Host Site Grant

Policy/Action Requested: Motion to approve Resolution 2023-12 authorizing the City of Fairmont to enter into a host site agreement with the MPCA

Vote Required: [X] Simple Majority [] Roll Call

Recommendation: Approval

Overview: The City has applied to host an AmeriCorps member from Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency (MPCA) for the 2023-2024 program year. The member would help the city conduct a tree inventory and GIS mapping of all public trees, develop an emerald ash bore management plan, and facilitate the equitable distribution of tree canopy by conducting research, planning, and coordination of proposed tree plantings. Research and quantify the stormwater management benefits from trees plantings in our community. And help develop a stormwater management plan to address phosphorus loading from tree canopy.

The city would be responsible for in-kind contributions involved with hosting a GreenCorps member. Expected contributions include supervision of member (4 hours per week), professional development (\$300), and operating costs (office space and equipment).

If the City is chosen for this grant, it must enter into a host site agreement with the MPCA. The attached resolution authorizes the Mayor and City Clerk to sign such agreement.

Budget Impact: Minimal Impact (\$300 for professional development)

Attachments: Resolution 2023-12

Council Action: _____ Date: _____

Resolution No. 2023-12

**AUTHORIZATION TO PARTICIPATE IN THE
MINNESOTA GREENCORPS AS A HOST SITE**

WHEREAS, the City of Fairmont has applied to host an AmeriCorps member from the Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency (MPCA), for the 2023-2024 program year; and,

WHEREAS, if the MPCA selects the City of Fairmont, the organization is committed to implementing the proposed project as described in the host site application, and in accordance with pre-scoped position description; and,

WHEREAS, the MPCA requires the City of Fairmont enter into a host site agreement with the MPCA that identifies the terms, conditions, roles and responsibilities.

NOW THEREFORE BE IT RESOLVED, that the City of Fairmont hereby agrees to enter into and sign a host site agreement with the MPCA to carry out the member activities specified therein and to comply with all of the terms, conditions and matching provisions of the host site agreement and authorizes and directs the Mayor and City Clerk to sign the grant agreement on its behalf.

Adopted by the City Council of the City of Fairmont on this 13th day of March 2023.

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk



Fairmont City Council
March 13, 2023

Agenda Item: 9.5

From: Paul Hoyer, Finance Director
To: Mayor and City Council

Subject: Interfund Transfers

Policy/Action Requested: Motion to approve the interfund transfers for 2022 as listed on the attached schedule.

Vote Required: ____ Simple Majority ____ Roll Call

Recommendation: Approve the 2022 interfund transfers.

Overview:

As part of the budget process, certain interfund transfers are planned and included in the budget. During the year, other transfers are required for the sound operation of the City. All transfers done throughout the year need to be approved by the City Council. Included in the 2022 Interfund Transfers are all budgeted and unbudgeted transfers done during the year.

Budget Impact: NA

Attachments: 2022 Interfund Transfers

Council Action: _____ Date: _____

**City Of Fairmont
Interfund Transfers
12/31/2022**

FROM				TO
101 General Fund	Fire Calls		80,000.00	410 Fire Truck Fund
101 General Fund	Fire Department Rescue Boat & Equipment		35,200.50	405 Capital Projects
101 General Fund	ARPA funds for AMI project		484,205.00	601 Water Fund
218 CARES Loan Fund	Administration Expense		21,046.26	101 General Fund
218 CARES Loan Fund	Administration Expense		21,360.51	210 Economic Dev
230 Airport	Hangar Maintenance		15,000.00	405 Capital Projects
240 Lake Restoration	George Lake Dam		25,000.00	405 Capital Projects
250 Local Option Sales Tax	Community Center		1,150,831.76	430 Community Center Fund
402 MSA	Debt Service		447,769.87	372 2012 GO Bonds
402 MSA	Memorial Drive Bridge		130,000.00	482 2022 Capital Improvements
440 Public Works Building	Debt Service		321,975.61	382 2021B GO Bonds
601 Water	Payment in Lieu of Taxes		138,335.80	101 General Fund
601 Water	Payment in Lieu of Taxes		19,283.20	210 Economic Dev
602 Sewer	Payment in Lieu of Taxes		88,682.31	101 General Fund
602 Sewer	Payment in Lieu of Taxes		12,361.69	210 Economic Development
604 Electric	Payment in Lieu of Taxes		597,981.89	101 General Fund
604 Electric	Payment in Lieu of Taxes		83,355.11	210 Economic Development
609 Liquor Store Fund	Playground Equipment		20,000.00	405 Capital Projects
609 Liquor Store Fund	Skate Park		10,000.00	405 Capital Projects
609 Liquor Store Fund	Aquatic Park Improvements		26,550.00	405 Capital Projects
609 Liquor Store Fund	Gomsrud Park		30,000.00	405 Capital Projects
609 Liquor Store Fund	Soccer Complex Gazebo		20,000.00	405 Capital Projects
609 Liquor Store Fund	Sports Complex Canopy		50,000.00	405 Capital Projects
609 Liquor Store Fund	Cedar Creek Park Trail Extension		150,000.00	405 Capital Projects
609 Liquor Store Fund	Airport Improvements		35,000.00	405 Capital Projects
609 Liquor Store Fund	To fund deficit		35,000.00	212 SMEC
			4,048,939.51	
File Name: PHCIF.xls				



Fairmont City Council
March 13, 2023

Agenda Item: 9.6

From: Paul Hoyer, Finance Director
To: Mayor and City Council

Subject: Year End Fund Balance Designations

Policy/Action Requested: Motion to adopt Resolution Number 2023-14 designating fund balances for specific purposes.

Vote Required: Simple Majority Roll Call

Recommendation: Adopt Resolution Number 2023-14

Overview:

For many years, the City has been designating the general fund balance at the end of the year. The December 31, 2022 unrestricted general fund balance of \$7,427,303 is 76% of the general fund operating expenditures for 2023, which exceeds the 55%-65% range established by the City’s fund balance policy. With the general fund balance at 76%, the City Council approved the use of \$640,000 of reserves in the 2023 budget. This will lower our general fund balance to around 69%.

Budget Impact: NA

Attachments: Resolution 2023-14

Council Action: _____ Date: _____

RESOLUTION FOR COMMITTING FUND BALANCE

RESOLUTION NO. 2023-14

COMMITTING FUND BALANCES FOR SPECIFIC PURPOSES

WHEREAS, the City Council of the City of Fairmont, Minnesota, does hereby find as follows:

WHEREAS, the Governmental Accounting Standards Board’s Statement No. 54 defines committed fund balance as amounts that can only be used for specific purposes pursuant to constraints imposed by formal action by Council, and;

WHEREAS, Council action is required before year end to formalize the commitment of fund balance to specified purposes, and;

WHEREAS, those committed amounts cannot be used for any other purpose unless the City removes or changes the specified use by taking the same type of action it employed to previously commit those amounts.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City, that the specific portions of fund balance in the identified funds are committed as follows:

City of Fairmont				
General Fund Balance				
12/31/2022				
	Balance 12-31-21	Additions	Deletions	Balance 12-31-22
<u>Restricted</u>				
Fire Dept Capital	194,775.23	100,000.00	35,200.50	259,574.73
Police Dept Capital	12,719.59	500.00		13,219.59
LaFrance Restoration	4,172.50			4,172.50
Dog Park	-	685.00		685.00
Band Shell	-	4,467.96		4,467.96
Bike Trails	2,897.00			2,897.00
	214,564.32			285,016.78
<u>Assigned</u>				
Police Equipment	46,223.03	4,420.00	4,265.91	46,377.12
Police - Drug Enforcement	48,572.56	6,420.90	615.00	54,378.46
Fire Equipment	61,000.00			61,000.00
Engineering Equipment	75,000.00			75,000.00
Parks and Trails	537,582.33			537,582.33
Aquatic Park	29,847.72			29,847.72
Cash Flow	3,000,000.00			3,000,000.00

ARPA	548,050.42		548,050.42	-
Housing Demolition	93,275.71	80,000.00	100,737.16	72,538.55
General Government Buildings	1,153,063.66	581,268.80		1,734,332.46
Street Equipment	120,880.02			120,880.02
IT	195,366.83			195,366.83
	5,908,862.28	672,109.70	653,668.49	5,927,303.49
Unassigned				
Unassigned	1,500,000.00			1,500,000.00
	7,623,426.60	672,109.70	653,668.49	7,712,320.27

The foregoing resolution was passed by the City Council of the City of Fairmont this 13th day of March 2023.

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk