

The minutes of the Fairmont City Council meeting held on Monday, June 12, 2023, at the City Hall Council Chambers.

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

Council Members Wayne Hasek, Britney Kawecki, Randy Lubenow, Jay Maynard and Michele Miller were present. Also in attendance: Finance Director Paul Hoye, Director of Public Works/Utilities Matthew York, City Clerk Patricia Monsen, Police Chief Mike Hunter, Civil Engineer Tyler Cowing and City Attorney Cara Brown.

Mayor Baarts advised council that item 6.C.3 Request for Demolition Assistance by Michael Munsterman would be pulled from the agenda for further review and clarification.

Council Member Lubenow made a motion to pull item 6.C.1 Tobacco License and Sale of Edible Products Infused with Tetrahydrocannabinol License for Fairmont Smoke Shop and place it under new business for discussion. Council Member Kawecki seconded the motion. On roll call: Council Members Hasek, Kawecki, Lubenow, Maynard and Miller voted aye. No one voted nay. Mayor Baarts declared said motion passed.

Council Member Kawecki made a motion to add a bi-weekly discussion item to the agenda for updates on the city administrator and interim search. Council Member Lubenow seconded the motion and the motion carried.

Council Member Kawecki made a motion to add discussion regarding the council's decision to restrict the ability for council members to add items to the agenda. Council Member Lubenow seconded the motion. On roll call: Council Members Kawecki and Lubenow voted aye. Council Members Maynard, Miller and Hasek voted nay. Mayor Baarts declared said motion failed.

Council Member Miller made a motion to table item 9.4 Proposed Financing Structure of the Community Center based on lack of city involvement designing the facility, lack of a concrete agreement that the Fairmont Area Community Center Association is responsible for maintenance and upkeep for building and property so property taxes are not increased to fund all due to rushed work sessions so the Fairmont Area Community Center Association can secure outside funding when the city hasn't done this for other non-profit organizations in the community and especially when the city should be spending more time focusing on replacing the city administrator position. Council Member Hasek seconded the motion. On roll call: Council Members Miller and Hasek voted aye. Council Members Lubenow, Maynard and Kawecki voted nay. Mayor Baarts declared said motion failed.

Council Member Lubenow made a motion to approve the agenda with the removal of Item 6.C.3 Request for Demolition Assistance by Michael Munsterman, moving Item 6.C.1 Tobacco License and Sale of Edible Products Infused with Tetrahydrocannabinol License for Fairmont Smoke Shop to new business number 9.6, the addition of Item 10.1 Update on Hiring of the City Administrator and Interim Administrator. Council Member Maynard seconded the motion. On roll call: Council Members Lubenow, Maynard, Hasek and Kawecki voted aye. Council Member Miller voted nay. Mayor Baarts declared said motion passed.

Mayor Baarts thanked the Interlaken Heritage Days committee for all their hard work. He thanked the Fire Department for their response to the library fire today. Mayor Baarts announced all the events happening in the city for the next two weeks.

Mayor Baarts recognized Representative Bjorn Olson and Senator Rich Draheim for helping the city receive authorization from the Legislature to bring a proposed Local Option Sales Tax to the voters.

Finance Director Paul Hoyer presented the 2022 Aquatic Park Annual Report. Hoyer thanked Betsy Steuber and the aquatic park staff for taking such good care of the park.

During Open Discussion, David Wing, representing Congressman Brad Finstad's office addressed the council and gave an update on affordable housing and the city's wastewater treatment facility project.

City resident Greg Zierke complained about the potholes in the city streets.

Council Member Miller 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 May 22, 2023 City Council meeting; Transient Merchant Permit for TNT Fireworks to sell fireworks in the Walmart parking lot; Request for Funding for the July 4<sup>th</sup> fireworks by Light, Noise and Smoke of Fairmont; Fireworks Display Permit for J & M Displays for July 1, 2023; Application for a Premises Gambling Permit for Charitable Gambling at the Bowlmor Lanes; Transient Merchant Permit for Jordan Carr to sell fireworks in the Loxley Coffee parking lot; and Purchase Order 14739 for the repair of storm sewer on Hall Street.

Council Member Kawecki made a motion to approve **Resolution 2023-20**, a resolution regarding the administration of the Minnesota Wetland Conservation Act. Council Member Maynard seconded the motion and the motion carried.

Council Member Maynard made a motion to approve the Maintenance and Operations Grant for SFY 24-25 and **Resolution 2023-23**. Council Member Miller seconded the motion and the motion carried.

Council Member Hasek made a motion to approve the Memorandum of Understanding with Fairmont Area Schools regarding a School Resource Officer Partnership. Council Member Miller seconded the motion and the motion passed.

Council Member Kawecki made a motion to adopt **Resolution 2023-21**, approving the proposed financing structure of the community center. Council Member Lubenow seconded the motion. On roll call: Council Members Kawecki, Lubenow and Maynard voted aye. Council Members Hasek and Miller voted nay. Mayor Baarts declared said motion passed.

Council Member Lubenow made a motion to temporarily amend the City Council Rules of Procedure adopted October 24, 2022 to designate Finance Director Paul Hoyer and City Clerk Patricia Monsen to forward questions and concerns to the City Attorney until an Interim City Administrator or City Administrator is hired. Council Member Kawecki seconded the motion and the motion carried.

Council Member Maynard made a motion to approve the license for the sale of edible products infused with tetrahydrocannabinol and tobacco by Sammy Sarameh, d/b/a Fairmont Smoke Shop. Council Member Miller seconded the motion and the motion carried.

Mayor Baarts and Councilor Miller gave the council an update on the hiring process of a new city administrator and interim city administrator. A community survey will be posted on the city's website in English and Spanish for community input.

Public Works/Utilities Director York thanked the city for allowing him to come. He reported that a dry shaft went down at the Water Department, but that it would be repaired by the end of the week. Tomorrow is city wide cleanup. There is a project on Lair Road which will close the road on Wednesday and Thursday from 9:00 a.m. – 2:00 p.m. The City has been working with SMMPA on a transformer project and are in the final stages. He will be bringing before the council some jurisdictional changes in the near future. The Electrical Department has been trying to get electricity to a campground at the corner of 230<sup>th</sup> Avenue and 120<sup>th</sup> Street. The city has now obtained a permit with MnDOT to go under I-90. The band shell is in the final phase of drawings for the project, and it is expected to go out for bids in July. He has been busy working on a state bond for the proposed community center and will have that paperwork into the state legislature by the end of the week. York also gave an update on the repair of potholes.

Councilor Hasek reported that the Board of Zoning Appeals approved two projects which came before them.

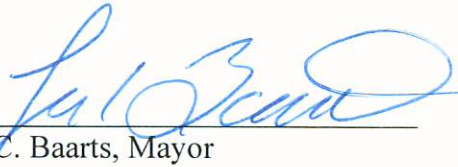
Councilor Kawecki reported that the Planning Commission heard plans for industrial storage sheds which are "purchase to own" and are proposed to be built on the south side of Lake Avenue.

Councilor Lubenow stated that the HRA did not have a quorum. He stated that he will be volunteering to help with the city clean up, so if citizens need help, they may contact him.

Councilor Maynard reported that FEDA approved five more façade forgivable loans. They reviewed deed restriction on some land by Center Creek for a proposed new business. He also stated that there is now a contractor committed to building the twin homes in Whitetail Ridge.

Councilor Miller stated that Visit Fairmont just reviewed and discussed visitor guides and some drone photography. She also shared CER classes beginning in June and July.

A motion was made by Council Member Maynard, seconded by Council Member Hasek and carried to adjourn the meeting at 6:34 p.m.

  
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Lee C. Baarts, Mayor

ATTEST:

  
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Patricia J. Mohnsen, City Clerk