

FAIRMONT CITY COUNCIL AGENDA

Monday, November 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 – American Education Week (03)
5. **Public Discussion/Comment** (Individual comments are limited to 3 minutes) (05)
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, October 23, 2023 (06)
 - B. **Check Registers**
 - C. **Other**
 - 6.C.1 3.2 Off Sale License for United Fuels Midwest, LLC (10)
 - 6.C.2 Tobacco License for United Fuels Midwest, LLC (11)
 - 6.C.3 2023 Double Frontage Assessment Agreements (12)
 - 6.C.4 2023 Assessment Deferral Agreements-Undeveloped Properties (15)
7. **Public Hearings**
8. **Old Business**
 - 8.1 Resolution to Deny Rezone Request at 800 East Margaret Street (17)
 - 8.2 Emergency Ordinance Establishing Study Period and Moratorium (22)

- 9. New Business**
 - 9.1** Task Order #4 with Bolton & Menk for the Design and Construction Proposal for the Ground Storage Reservoir (31)
 - 9.2** Lake Avenue Reconstruction Local Road Improvement Program (39)
 - 9.3** Community Center Design Approval (41)
- 10. Council Discussion**
- 11. Staff/Liaison Reports**
 - A. Public Works**
 - B. Finance**
 - C. City Administrator**
 - D. Mayor/Council**
 - Baarts
 - Hasek – PUC, BZA
 - Lubenow – HRA
 - Maynard – FEDA, BZA
 - Miller – Visit Fairmont, CER, FEDA
- 12. Adjournment**



Fairmont City Council
November 13, 2023

Agenda Item: 4.1

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

Subject: Proclamation – American Education Week

Policy/Action Requested: Proclamation
Vote Required: _____ Simple Majority _____ Roll Call

Recommendation:

Overview: Mayor Lee C. Baarts will proclaim the week of November 13-17, 2023 as American Education Week in the City of Fairmont.

Budget Impact: N/A

Attachments: Proclamation

Council Action: _____ Date: _____



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031
www.fairmont.org

Phone (507) 238-9461

Fax (507) 238-9469

PROCLAMATION

WHEREAS, American Education Week is an opportunity to recognize the accomplishments and the needs of our local public schools; and,

WHEREAS, our public schools have enabled generations of American families to build upon the lessons of the past to achieve the dreams of tomorrow; and,

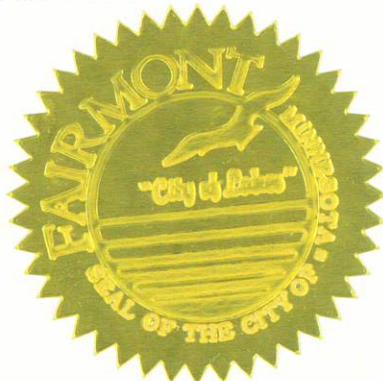
WHEREAS, American's system of public education relies not only on the skills and dedication of teachers, school administrators and educational support staff, but also on the encouragement and support of the entire community; and,

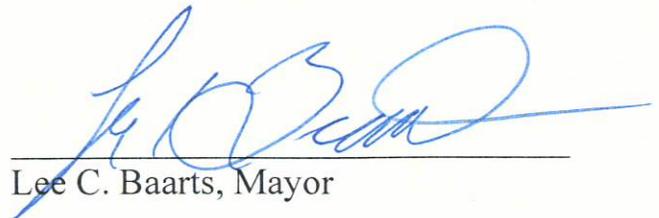
WHEREAS, teachers in the Fairmont area are joining teachers, students and educational organizations around the nation in special activities in honor of American Education Week.

NOW THEREFORE, I, Lee C. Baarts, Mayor of the City of Fairmont, along with Fairmont area teachers, am asking parents, students and civic leaders to join in the nation's annual salute to public education during the week of November 13–17, 2023 and do hereby proclaim this week to be

AMERICAN EDUCATION WEEK

in the City of Fairmont.





Lee C. Baarts, Mayor



Fairmont City Council
November 13, 2023

Agenda Item: 5

From: City Administration
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
November 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 October 23, 2023

Policy/Action Requested: To Approve City Council Minutes from October 23, 2023

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview:

Budget Impact: N/A

Attachments: City Council Minutes Regular Meeting, October 23, 2023

Council Action: _____ Date: _____

The minutes of the Fairmont City Council meeting held on Monday, October 23, 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: Interim City Administrator Jeff O'Neill, Finance Director Paul Hoye, Director of Public Works/Utilities Matthew York, City Clerk Patricia J. Monsen, Police Chief Mike Hunter, Civil Engineer Tyler Cowing, Planning and Zoning Official Peter Bode and City Attorney Cara Brown.

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

Mayor Baarts proclaimed November 9, 2023 as Community Education and Recreation Day in the City of Fairmont.

There were no comments during Open Discussion.

Council Member Hasek made a motion to approve the consent agenda. Council Member Maynard seconded the motion and the motion carried. Items on the consent agenda were: Minutes from the October 9, 2023 City Council meeting; Accounts Payable October 2023; and Event Permit for Fairmont Chamber of Commerce for the Glows Parade on November 17, 2023.

Mayor Baarts opened the public hearing on the request to rezone 800 E. Margaret Street to be entirely B-3 General Business. Comments opposing the rezoning were received from Ken Craig and Jill Manwarren. Dale Wedel, the landowner, asked the council to support the request. Council Member Maynard made a motion to close the public hearing. Council Member Miller seconded the motion and the motion carried. Council Member Kawecki made a motion to direct city staff to draft a resolution denying the request to rezone 800 E. Margaret Street to be entirely B-3 General Business. Council Member Hasek seconded the motion. On roll call: Council Members Hasek, Kawecki, Lubenow and Miller all voted aye. Council Member Maynard voted nay. Mayor Baarts declared said motion passed. Council Member Kawecki made a motion to instruct the Planning Commission to consider amending the 2040 Comprehensive Plan to purpose residential land use for the entire parcel located at 800 E. Margaret Street. Council Member Miller seconded the motion and the motion carried. Council Member Kawecki made a motion for the city council to schedule a public hearing at its next regularly scheduled meeting in accordance with Minnesota State Statute, Chapter 462, Section 355, Subdivision 4. Council Member Hasek seconded the motion and the motion carried.

Tyler Cowing reviewed the 2023 Improvement Program. Mayor Baarts opened the public hearing on the Special Assessments for the 2023 Improvement Program. During the public hearing, Council Member Hasek stated that he received a complaint from Steve Schmitz of the Ranch Restaurant for being assessed two years in a row for projects abutting the business. Mr. Schmitz was unable to attend the meeting. Marlene Johnson expressed her frustrations with the job the contractors did on the lawns with the Holland/Anna Street project. John Edman, attorney representing Dick Gerhardt and Ken Reiman requested a different rate for the seal coat on Lair Road for undeveloped property. Thad

Leiding also questioned his assessments stating that the city has an easement on his parcel of land. Ken Reiman also spoke concerning being assessed for undeveloped land. Written objections were received by the City Clerk for Project Number 7523006, parcel 23030650 Kenneth O. Reiman and parcel 230370727 Dick Gerhardt; and Project Number 7523003, parcel 230370280 Thad Leiding. Council Member Maynard made a motion to close the public hearing. Council Member Miller seconded the motion and the motion carried. Council Member Maynard made a motion to adopt **Resolution 2023-32** adopting the special assessments for the 2023 Improvement Program. Council Member Miller seconded the motion. After discussion, Council Member Maynard made a motion to postpone the vote on this resolution until the next council meeting. Council Member Hasek seconded the motion. On roll call: Council Members Maynard and Hasek voted aye. Council Members Kawecki, Lubenow and Miller voted nay. Mayor Baarts declared said motion failed. A vote was then taken on Council Member Maynard's motion to adopt **Resolution 2023-32** adopting the special assessments for the 2023 Improvement Program and second by Council Member Miller and the motion carried.

Representative Bjorn Olson was scheduled to speak during presentations but was delayed. He arrived at the council meeting and gave an update of the legislative session and advised the council that he is here to help the council and the citizens of Fairmont in any way he can.

Council Member Miller made a motion to adopt **Resolution 2023-38**, a conditional use permit for a retail tire store and tire installation service at 1760 N. State Street. Council Member Maynard seconded the motion and the motion carried.

Council Member Maynard made a motion to approve Task Order 2305-01532-1 with KLJ Engineering, LLC for the Airfield Pavement Maintenance Project in 2024. Council Member Miller seconded the motion and the motion carried.

Council Member Kawecki made a motion to accept the bid for the Gomsrud Channel Project with ICON Construction, LLC and authorize the Mayor and City Clerk to sign the contract documents contingent upon final attorney review. Council Member Miller seconded the motion and the motion carried.

Council Member Kawecki made a motion to approve Task Order #7 with Bolton & Menk in the amount of \$53,000 for the Gomsrud Channel Project. Council Member Maynard seconded the motion and the motion carried.

Interim City Administrator O'Neill stated that he has been busy learning about Fairmont and is developing a list of items to be done and will be scheduling a work session soon. He reminded everyone of the November 1, 2023, 5:30 p.m. work session for the community center design.

Mayor Baarts gave an update on events happening in Fairmont for the next two weeks. He stated that he attended a groundbreaking for the new shop condos today. He also reminded citizens that the leaf pickup will be starting on October 30th in Section 2.

Council Member Hasek reported on the Public Utilities Commission meeting and stated that staff is preparing information regarding an "opt out" program for the automatic metering infrastructure and this will be reviewed at the next meeting.

A motion was made by Council Member Maynard, seconded by Council Member Miller and carried to adjourn the meeting at 7:05 p.m.

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk



Fairmont City Council
November 13, 2023

Agenda Item: 6.C.1

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

Subject: 3.2 Off Sale Licenses for United Fuels Midwest, LLC

Policy/Action Requested: Motion to approve two 3.2 Off Sale Liquor License for United Fuels Midwest, LLC.

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview: United Fuels Midwest, LLC is purchasing the gas and convenience store located at 1552 Albion Avenue. United Fuels Midwest, LLC has made application for two 3.2 Off Sale Liquor Licenses. The required application, workers' compensation insurance, liquor liability insurance and fees have been received. A successful police background investigation has been completed.

Budget Impact: N/A

Attachments:

Council Action: _____ Date: _____



Fairmont City Council
November 13, 2023

Agenda Item: 6.C.2

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

Subject: Tobacco License for United Fuels Midwest, LLC

Policy/Action Requested: Motion to approve two Tobacco Licenses for United Fuels Midwest, LLC.

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview: United Fuels Midwest, LLC is purchasing the gas and convenience stores located at 1552 Albion Avenue. United Fuels Midwest, LLC has made application for Tobacco Licenses. The required application, workers' compensation insurance, and fees have been received. A successful police background investigation has been completed.

Budget Impact: N/A

Attachments:

Council Action: _____ Date: _____



Fairmont City Council
November 13, 2023

Agenda Item: 6.C.3

From: Matthew R. York, Public Works/Utilities Director
To: Mayor and City Council

Subject: 2023 Double Frontage Assessment Agreements

Policy/Action Requested: Motion to adopt Resolution No. 2023-33, approving the Double Frontage Assessment Agreements

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview:

Five property owners applied for a deferral of their 2023 special assessment due to owning a double frontage lot. While their property abuts such improvement, it does not have vehicle access to the improved street. The property owner(s) is/are agreeing not to develop or open vehicle access from their lot to the street improved. A resolution approving the Double Frontage Assessment Agreements must be adopted by the Council.

Budget Impact: N/A

Attachments: Resolution No. 2023-33

Council Action: _____ Date: _____

RESOLUTION NO. 2023-33

**STATE OF MINNESOTA
COUNTY OF MARTIN
CITY OF FAIRMONT**



**RESOLUTION APPROVING THE
2023 DOUBLE FRONTAGE ASSESSMENT AGREEMENTS**

WHEREAS, the Double Frontage Assessment Agreements and have been received by the following individuals for the properties listed below:

Peter & Laura Odgren

Property: 1312 Beach Place Parcel #: 23.177.0030
Project Number: 7523001 Amount: \$212.88
Street Improvement: Albion Avenue Sealcoat; State Street to Day Street

Virgil & Sandra Kopeschka

Property: 505 W. Margaret Street Parcel #: 23.037.0170
Project Number: 7523005 Amount: \$145.00
Street Improvement: Holland Street Sealcoat; Lucia Avenue to Anna Street

Michael Brau & Kristen Derner-Brau

Property: 1731 Knollwood Drive Parcel #: 23.065.0100
Project Number: 7523006 Amount: \$239.65
Street Improvement: Lair Road Sealcoat; CSAH 39 to Shoreacres Drive

Elaine Krueger & Jeanne Leiding

Property: 1711 Knollwood Drive Parcel #: 23.065.0080
Project Number: 7523006 Amount: \$250.00
Street Improvement: Lair Road Sealcoat; CSAH 39 to Shoreacres Drive

Randall & Starla Chubaty

Property: 1641 Ken’s Court Parcel #: 23.065.0050
Project Number: 7523006 Amount: \$287.50
Street Improvement: Lair Road Sealcoat; CSAH 39 to Shoreacres Drive

WHEREAS, the owners are requesting deferral of the assessment due to owning a double frontage lot, which they do not have nor intend to develop vehicle access to the improved street.

RESOLUTION NO. 2023-33, continued

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRMONT, MINNESOTA, that the Double Frontage Assessment Agreements for the owners and their property listed above is hereby approved.

Adopted by the Council this 13th day of November, 2023.

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk
(SEAL)



Fairmont City Council
November 13, 2023

Agenda Item: 6.C.4

From: Matthew R. York, Public Works/Utilities Director
To: Mayor and City Council

Subject: 2023 Assessment Deferral Agreements-Undeveloped Properties

Policy/Action Requested: Motion to adopt Resolution No. 2023-35, approving the 2023 Applications and Agreements for Special Assessment Deferrals.

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview:

Two property co-owners have applied for a deferral of their assessments on street improvements abutting two properties they own, which are undeveloped properties. A resolution approving the Applications and Agreements for Special Assessment Deferrals must be adopted by the Council.

Budget Impact: N/A

Attachments: Resolution No. 2023-35

Council Action: _____ Date: _____

RESOLUTION NO. 2023-35

STATE OF MINNESOTA
COUNTY OF MARTIN
CITY OF FAIRMONT



**RESOLUTION APPROVING THE
2023 APPLICATIONS & AGREEMENTS FOR SPECIAL ASSESSMENT DEFERRALS**

WHEREAS, Applications and Agreements for Special Assessment Deferrals have been received by the following individuals for the properties listed below:

Kent Barker & Stephen Barker

Property: 2040 Knollwood Drive Parcel #: 23.037.0730
Project Number: 8723004 Amount: \$5464.64
Street Improvement: Knollwood Drive Overlay; Deadend to Knollwood Intersection & Concrete Pavement to Lair Road

Kent Barker & Stephen Barker

Property: 1691 N State Street Parcel #: 23.098.0010
Project Number: 7523009 Amount: \$1703.63
Street Improvement: Margaret Street Sealcoat; Prairie Avenue to TH 15

WHEREAS, the property owners are requesting deferral of the assessment for the following reason: Kent Barker & Stephen Barker Undeveloped Property

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRMONT, MINNESOTA, that the Applications and Agreement for Special Assessment Deferrals for the owners and their property listed above is hereby approved.

Adopted by the Council this 13th day of November, 2023.

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk
(SEAL)



Fairmont City Council
November 23, 2023

Agenda Item: 8.1

From: Jeff O'Neill, Interim City Administrator; Peter Bode, Planner & Zoning Official
To: Mayor and City Council

Subject: Resolution to Deny Rezone Request at 800 E Margaret St

Policy/Action Requested: Approval of Resolution 2023-40.

Vote Required: __X__ Simple Majority _____ Roll Call

Recommendation:

Overview: Following City Council's public hearing October 23 and the motion directing staff, staff have prepared Resolution 2023-40 for denial of the rezone request at 800 E Margaret Street.

Budget Impact: None.

Attachments: (1) Resolution 2023-40

Council Action: _____ Date: _____

CITY OF FAIRMONT, MN
CITY COUNCIL RESOLUTION 2023-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRMONT,
MINNESOTA DENYING THE REQUEST FOR REZONING A PORTION OF
A PARCEL OF LAND AT 800 EAST MARGARET STREET IN THE CITY OF
FAIRMONT, MARTIN COUNTY, MINNESOTA FROM R-3 MULTIPLE
FAMILY RESIDENTIAL TO B-3 GENERAL BUSINESS

WHEREAS, Dale Wedel (the “Applicant”) submitted an application for the rezoning of real property located at 800 East Margaret Street (PID No. 23.038.0110), in the City of Fairmont, County of Martin, State of Minnesota (the “Property”), and;

WHEREAS, the subject Property is legally described in Finding 1 herein below, and;

WHEREAS, the Applicant requested that the Property be rezoned from R-3 Multiple Family Residential to B-3 General Business, and;

WHEREAS, pursuant to Fairmont City Code, Chapter 26, Section 26-38, the Fairmont City Planning Commission held a public hearing on October 3, 2023, after posting proper notice under the same authority, regarding the rezoning application. At said hearing, the Planning Commission recommended that the rezoning application be approved, and;

WHEREAS, pursuant to Fairmont City Code, Chapter 26, Section 26-40, the Fairmont City Council held a public hearing on October 23, 2023 after posting proper notice under the same authority, to consider the above-referenced rezoning application and the recommendation of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT the City Council, based upon its review of the rezoning application, record, evidence and testimony presented at said hearing and City Council deliberations thereon at the duly noticed City Council meetings, hereby makes and adopts the following Findings of Fact:

1. That the above recitals hereto are incorporated herein and made a part hereof by reference.
2. That the Property located at 800 Margaret Street (PID No. 23.038.0110), in the City of Fairmont, Martin County, Minnesota, is approximately 9.67 acres in area, and is legally described as follows:

See Exhibit A, which is attached hereto and incorporated herein by reference.

3. That the Property is owned by Dale Wedel and the southerly approximately one-third of the Property is currently zoned R-3 Multiple Family Residential.

4. That no error or oversight was made in the current zoning designations for the Property prior to the application for rezoning.
5. That the Fairmont Planning Commission, at its properly noticed public hearing, recommended that the rezoning application be approved.
6. That the proposed rezoning of the Property would not be consistent with the goals and objectives of the City as adopted in its 2040 Comprehensive Plan (the “Plan”) for the following reasons:
 - a. The southern approximately one-third of the Property is guided by the Comprehensive Land Use Guidance Map to be used for Mixed Use Employment Center (“MUE”) purposes. MUE guides for light and advanced manufacturing as a desired primary use. B-3 General Business, as proposed by the Applicant, does not allow for light or advanced manufacturing as MUE guides.
 - b. The southern approximately one-third of the Property is guided by the Comprehensive Land Use Guidance Map to be used for Mixed Use Employment Center (“MUE”) purposes. MUE guides for multiple family housing as a desired primary use. R-3 Multiple Family, as the southern approximately one-third of the Property is now zoned, already allows multiple family housing without the need to rezone.
7. That the proposed rezoning is not in the best interest of the physical development of the City, pursuant to Fairmont City Code, Chapter 26, Section 26-40(b) for the following reasons:
 - a. Zoning the southern approximately one-third of the Property to be B-3 General Business would represent an irregular extension of commercial zoning into an area predominantly developed as residential.
 - b. This irregular extension would conflict with the purpose of City Code to promote the orderly development of commercial, public, and residential areas.
8. That based upon the application, record, evidence, and testimony presented at the public hearing, the City Council deliberations thereon at the duly noticed City Council meetings, in addition to the Findings above, the City Council finds that the requested rezoning of the Property should be denied.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL THAT the City Council, based upon the above Findings of Fact and its review of the rezoning application, record, evidence and testimony presented at said hearing and City Council deliberations thereon at the duly noticed City Council meetings, hereby makes the following Conclusion(s):

1. That pursuant to Fairmont City Code, Chapter 26, Section 26-40 (b), the request to rezone the above-referenced and legally described Property is not in the best interest for physical development of the City of Fairmont and is hereby DENIED.

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

Lee C. Baarts, Mayor

ATTEST:

Patricia J. Monsen, City Clerk

EXHIBIT A

Legal Description of Property

9.67 Acre Parcel in City of Fairmont – Tract of land in South Half (½) of Northeast Quarter (NE ¼) of Section Five (5), Township One Hundred Two (102) North, Range Thirty (30) West of 5th P.M., bounded & described as follows, to-wit: Beg. at point on East & West 1/16th line of Northeast Quarter (NE 1/4) of said Sec. 5, 1156.4 ft. North 89°45' East a distance of 547.95 ft. on said 1/16th line to West right of way line of Chicago, St. Paul, Minneapolis & Omaha Railroad, thence South 0°18'20" East on West right of way line a distance of 801.1 ft.; thence South 89°58' West a distance of 549.7ft.; thence North 0°10' West to point of beginning. Excepting North 33 ft. thereof conveyed to City of Fairmont for street purposes by Deed recorded in Book 288 of Deeds, Page 351. Area of parcel 9.67 acres. Subject to easement for construction, maintenance & repair of storm & sanitary sewers dated 4/28/52, recorded 5/15/52, in Book 19 of MR, Page 510 in records of Co. Recorder, Martin Co., MN.



Fairmont City Council
November 23, 2023

Agenda Item: 8.2

From: Jeff O’Neill, Interim City Administrator; Peter Bode, Planner & Zoning Official
To: Mayor and City Council

Subject: Emergency Ordinance Establishing Study Period and Moratorium

Policy/Action Requested: Approval of Ordinance No. 2023-05
Vote Required: ___ Simple Majority ___X___ Roll Call

Recommendation:

Overview: Following City Council’s public hearing October 23 and the motion directing staff, staff have prepared Emergency Ordinance 2023-05 establishing a land use study in the area south of Margaret Street and north of Winnebago Avenue and placing a moratorium on development there. This moratorium as drafted allows time for the results of the study and potential changes to the 2040 Comprehensive Plan to occur.

Staff present two options:

1. Establishing the study and moratorium applicable to a smaller area of land as Council’s October 23 motion directs.
2. Establishing a larger area of study – encompassing all undeveloped commercial parcels between Margaret Street and Winnebago Avenue.

Maps of the two options appear at the end of the attached ordinance.

Budget Impact: *None.*

Attachments: (1) Emergency Ordinance 2023-05

Council Action: _____ Date: _____

ORDINANCE NO. 2023-05

AN EMERGENCY INTERIM ORDINANCE PURSUANT TO MINNESOTA STATUTES, SECTION 462.355, SUBD. 4, ESTABLISHING A STUDY PERIOD AND MORATORIUM FOR A PERIOD UP TO TWELVE MONTHS ON DEVELOPMENT WITHIN CERTAIN PROPERTY LOCATED IN THE CITY OF FAIRMONT

Preamble: That on October 23, 2023, the City Council considered and passed a motion to instruct the Planning Commission to consider amending the Comprehensive Plan and to authorize a study of the impacts and effects of existing, expanded or new commercial development within that certain property area depicted in Exhibit A in the City of Fairmont for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's comprehensive plan, are necessary or appropriate.

That City Charter, Section 3.05 requires that no ordinance shall be adopted at the same meeting in which it is introduced, except for an emergency ordinance. That Council has determined that any additional proposals for development within the above identified property area within the existing zoning districts brought forward during the period prior to final adoption and publication of this interim ordinance will be detrimental to the referenced study and may therefore negatively impact the City's ability to consider and modify regulations for such uses for the preservation of the public health, safety and welfare and the City's planning process.

To forestall additional development proposals for uses identified for the property area identified herein from being brought forward prior to the City adopting the above-referenced moratorium and thereby undermining or negatively impacting the City's study, regulatory and planning processes, immediate consideration and action by the City Council is necessary pursuant to City Charter, Section 3.06, Emergency Ordinances, to preserve and protect the public peace, health, morals, safety and welfare.

THE CITY COUNCIL OF THE CITY OF FAIRMONT DOES ORDAIN:

SECTION 1. Purpose and Intent. The purpose and intent of this Ordinance is to prohibit expanded or new development within the property area depicted in Exhibit A in the City of Fairmont (City) for the purpose of researching, studying, and considering the impacts and potential impacts on the City's official zoning controls relating to present and future land uses, and development or redevelopment within the property area identified herein in order to determine the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's comprehensive plan, are necessary or appropriate.

SECTION 2. Preliminary Findings. The City Council hereby makes the following preliminary findings to serve as the basis for the necessary study to be made during the moratorium period provided in this Ordinance. These preliminary findings serve as the reasons

why it is in the public interest for the City to conduct a study and so declare a moratorium by virtue of this Ordinance:

1. There are expressed concerns regarding the City's official zoning controls relating to present and future land uses, and development or redevelopment of the property area identified herein, including but are not limited to, compatibility of such development under current zoning with existing and future uses, and planned future land uses within and around the property area identified in Exhibit A.
2. The current regulations and official controls of the City may not adequately address the impacts and effects of existing, expanded or new development within the property area identified in Exhibit A.
3. The City needs to research, analyze and study the impacts of such uses in relationship to the comprehensive plan or to determine the adequacy and effectiveness of current regulations in protecting the public health, safety and welfare of the community.
4. The public interest and public health, safety and welfare requires that the City study, analyze and evaluate the impacts and effects of existing, expanded or new development within the property area identified in Exhibit A for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's comprehensive plan, are necessary or appropriate.
5. This moratorium will ensure that any ordinance changes or comprehensive plan amendments will be carefully considered and evaluated and that all the issues, including, but not limited to, density, traffic, parking, and land uses can be fully examined, while protecting the City's planning process and the public health safety and welfare during the moratorium period.

SECTION 3. Moratorium Declaration. In accordance with the findings set forth in Section 2, and pursuant to the authority of Minn. Stat. § 462.355, subd. 4, for the duration stated herein and until the City has studied and adopted any ordinances or amendments to its comprehensive plan deemed necessary or appropriate related to the aforementioned purpose, intent and findings of this Ordinance, the City shall not accept, issue or process any applications or permits for expanded or new development within the property area as depicted in Exhibit A within the City.

SECTION 4. Study. During the period of this moratorium, City staff will conduct a study; such study to help determine the regulatory controls that may need to be adopted or revised to protect the public's health, safety and welfare related to the aforementioned purpose, intent and findings. In addition, the City staff shall study the comprehensive plan to determine whether an amendment to the comprehensive plan is necessary or appropriate.

SECTION 5. Duration. Unless otherwise provided in this section, this Ordinance shall expire, without further City Council action, twelve months from the effective date of this

Ordinance 2023-05

Ordinance following its passage by the City Council pursuant to Minn. Stat. § 462.355, subd. 4; or it may be repealed earlier if the Council determines that no further study is necessary, that no further action is necessary, and/or any revisions of the City Code or Comprehensive Plan have been adopted by the City Council and are effective.

SECTION 6. Separability. Every section, provision, or part of this Ordinance is declared separable from every other section, provision or part; and if any section, provision, or part thereof or action taken hereunder shall be held invalid, it shall not affect any other section, provision, or part.

SECTION 7. Effective Date. That this ordinance shall take effect immediately upon its adoption and publication.

Passed by the City Council of the City of Fairmont this 13th day of November 2023.

Lee C. Baarts, Mayor

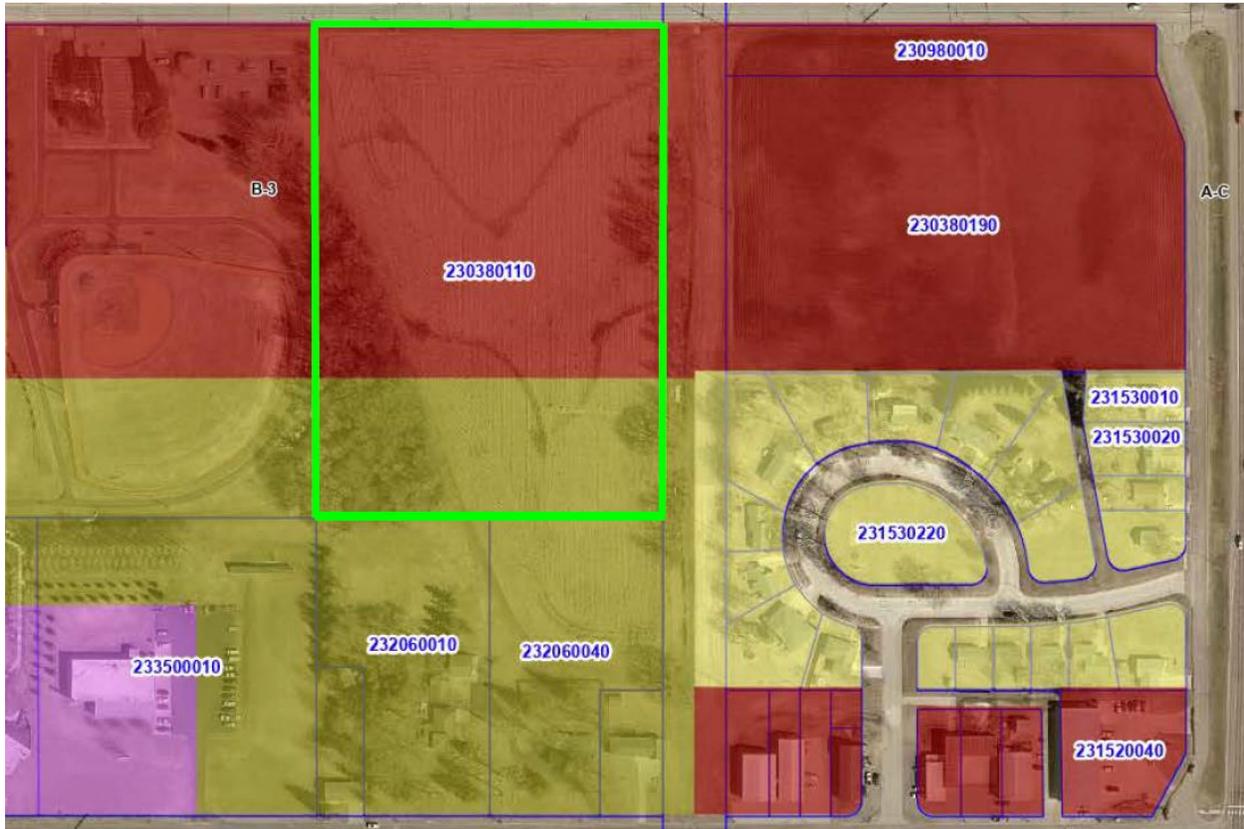
ATTEST:

Patricia J. Monsen, City Clerk

Motion by:
Seconded by:
All in Favor:
Opposed:
Abstained:
Absent:

EXHIBIT A

**DEPICTION OF PROPERTY AREA
WITHIN GREEN BORDER**



ORDINANCE NO. 2023-05

AN EMERGENCY INTERIM ORDINANCE PURSUANT TO MINNESOTA STATUTES, SECTION 462.355, SUBD. 4, ESTABLISHING A STUDY PERIOD AND MORATORIUM FOR A PERIOD UP TO TWELVE MONTHS ON DEVELOPMENT WITHIN CERTAIN PROPERTY LOCATED IN THE CITY OF FAIRMONT

Preamble: That on October 23, 2023, the City Council considered and passed a motion to instruct the Planning Commission to consider amending the Comprehensive Plan and to authorize a study of the impacts and effects of existing, expanded or new commercial development within that certain property area depicted in Exhibit A in the City of Fairmont for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's comprehensive plan, are necessary or appropriate.

That City Charter, Section 3.05 requires that no ordinance shall be adopted at the same meeting in which it is introduced, except for an emergency ordinance. That Council has determined that any additional proposals for development within the above identified property area within the existing zoning districts brought forward during the period prior to final adoption and publication of this interim ordinance will be detrimental to the referenced study and may therefore negatively impact the City's ability to consider and modify regulations for such uses for the preservation of the public health, safety and welfare and the City's planning process.

To forestall additional development proposals for uses identified for the property area identified herein from being brought forward prior to the City adopting the above-referenced moratorium and thereby undermining or negatively impacting the City's study, regulatory and planning processes, immediate consideration and action by the City Council is necessary pursuant to City Charter, Section 3.06, Emergency Ordinances, to preserve and protect the public peace, health, morals, safety and welfare.

THE CITY COUNCIL OF THE CITY OF FAIRMONT DOES ORDAIN:

SECTION 1. Purpose and Intent. The purpose and intent of this Ordinance is to prohibit expanded or new development within the property area depicted in Exhibit A in the City of Fairmont (City) for the purpose of researching, studying, and considering the impacts and potential impacts on the City's official zoning controls relating to present and future land uses, and development or redevelopment within the property area identified herein in order to determine the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's comprehensive plan, are necessary or appropriate.

SECTION 2. Preliminary Findings. The City Council hereby makes the following preliminary findings to serve as the basis for the necessary study to be made during the moratorium period provided in this Ordinance. These preliminary findings serve as the reasons

why it is in the public interest for the City to conduct a study and so declare a moratorium by virtue of this Ordinance:

1. There are expressed concerns regarding the City's official zoning controls relating to present and future land uses, and development or redevelopment of the property area identified herein, including but are not limited to, compatibility of such development under current zoning with existing and future uses, and planned future land uses within and around the property area identified in Exhibit A.
2. The current regulations and official controls of the City may not adequately address the impacts and effects of existing, expanded or new development within the property area identified in Exhibit A.
3. The City needs to research, analyze and study the impacts of such uses in relationship to the comprehensive plan or to determine the adequacy and effectiveness of current regulations in protecting the public health, safety and welfare of the community.
4. The public interest and public health, safety and welfare requires that the City study, analyze and evaluate the impacts and effects of existing, expanded or new development within the property area identified in Exhibit A for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's comprehensive plan, are necessary or appropriate.
5. This moratorium will ensure that any ordinance changes or comprehensive plan amendments will be carefully considered and evaluated and that all the issues, including, but not limited to, density, traffic, parking, and land uses can be fully examined, while protecting the City's planning process and the public health safety and welfare during the moratorium period.

SECTION 3. Moratorium Declaration. In accordance with the findings set forth in Section 2, and pursuant to the authority of Minn. Stat. § 462.355, subd. 4, for the duration stated herein and until the City has studied and adopted any ordinances or amendments to its comprehensive plan deemed necessary or appropriate related to the aforementioned purpose, intent and findings of this Ordinance, the City shall not accept, issue or process any applications or permits for expanded or new development within the property area as depicted in Exhibit A within the City.

SECTION 4. Study. During the period of this moratorium, City staff will conduct a study; such study to help determine the regulatory controls that may need to be adopted or revised to protect the public's health, safety and welfare related to the aforementioned purpose, intent and findings. In addition, the City staff shall study the comprehensive plan to determine whether an amendment to the comprehensive plan is necessary or appropriate.

SECTION 5. Duration. Unless otherwise provided in this section, this Ordinance shall expire, without further City Council action, twelve months from the effective date of this

Ordinance 2023-05

Ordinance following its passage by the City Council pursuant to Minn. Stat. § 462.355, subd. 4; or it may be repealed earlier if the Council determines that no further study is necessary, that no further action is necessary, and/or any revisions of the City Code or Comprehensive Plan have been adopted by the City Council and are effective.

SECTION 6. Separability. Every section, provision, or part of this Ordinance is declared separable from every other section, provision or part; and if any section, provision, or part thereof or action taken hereunder shall be held invalid, it shall not affect any other section, provision, or part.

SECTION 7. Effective Date. That this ordinance shall take effect immediately upon its adoption and publication.

Passed by the City Council of the City of Fairmont this 13th day of November 2023.

Lee C. Baarts, Mayor

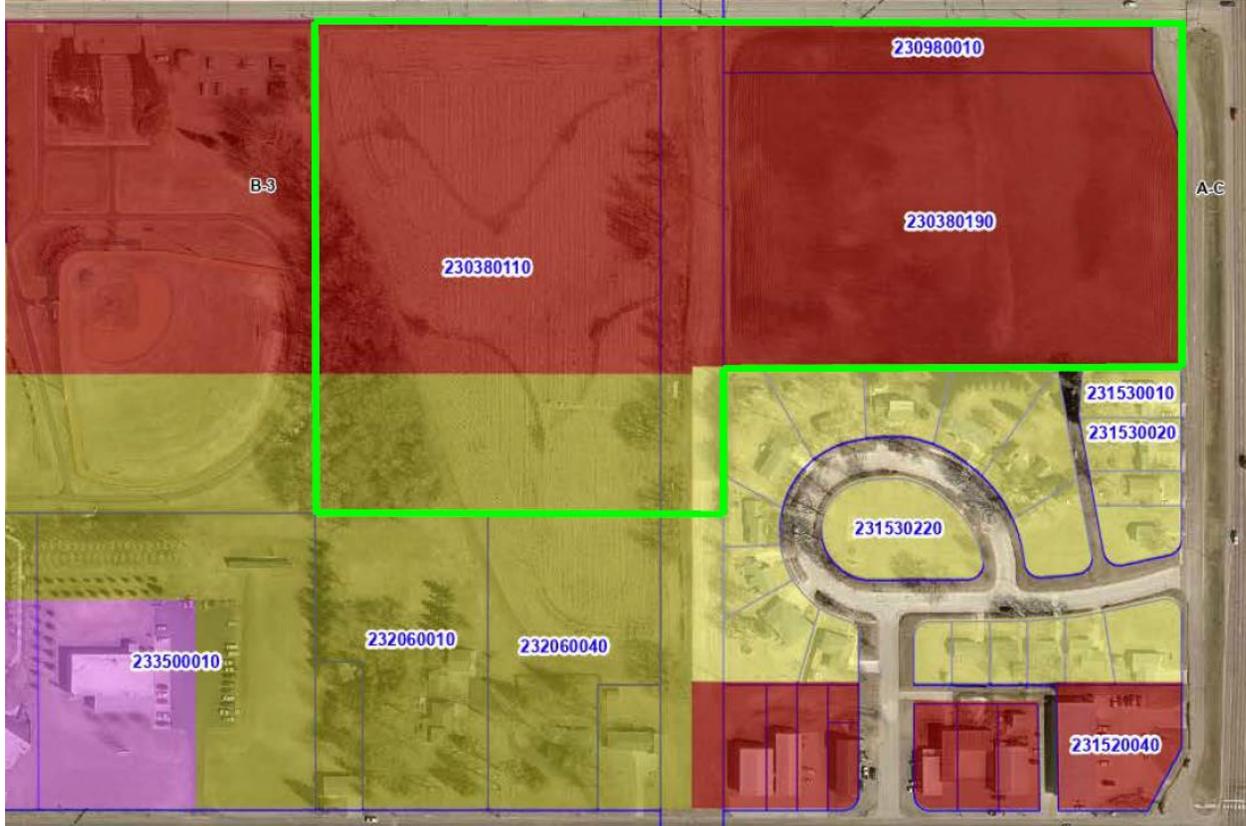
ATTEST:

Patricia J. Monsen, City Clerk

Motion by:
Seconded by:
All in Favor:
Opposed:
Abstained:
Absent:

EXHIBIT A

**DEPICTION OF PROPERTY AREA
WITHIN GREEN BORDER**





Fairmont City Council
November 13, 2023

Agenda Item: 9.1

From: Matthew R York, Director of Public Works and Utilities
To: Mayor and City Council

Subject: Task Order #4 with Bolton and Menk for the Design and Construction Proposal for the Ground Storage Reservoir.

Policy/Action Requested: Approval of Task Order #4 for the Design and Construction Proposal for the Ground Storage Tank

Vote Required: X Simple Majority Roll Call

Recommendation: Approval

Overview:

As stated during the Capital Improvement Plan Discussion, the Water Ground Storage Tanks that are located on the West Side of town are in dire need of replacement.

The current 2-1.4 million gallon tanks, that were originally used for industrial ammonia storage, will be replaced by a 2.0 Million gallon reservoir. By installing it was a Pre-Stressed Concrete Tank, there will be less future costs associated with steel tanks.

This task order is a combination of four-(4) stages of the project. They are as follow:

Table with 2 columns: Task Stage, Cost. Rows include Field Data Collection (\$25,000), Preliminary Design (\$50,000), Final Design (\$145,000), and Bidding (\$20,000).

We hope to have the bidding completed by Spring 2024.

Budget Impact: Cost of this project is in the Capital Improvement Plan and will be paid in part by State Revolving Loan Fund.

Attachments: Task Order #4 and Bolton and Menk Memo

***** separator line *****

Council Action: _____ Date: _____

**CITY OF FAIRMONT, MN AND BOLTON & MENK, INC.
TASK ORDER TO AGREEMENT FOR PROFESSIONAL SERVICES**

TASK ORDER NO: 4 – Ground Storage Reservoir Improvements Design and Bidding Services

CLIENT: City of Fairmont, MN

CONSULTANT: Bolton & Menk, Inc.

DATE OF THIS TASK ORDER: August 21, 2023

DATE OF MASTER AGREEMENT FOR PROFESSIONAL SERVICES: November 14, 2022

Whereas, CLIENT and CONSULTANT entered into a Master Agreement for Professional Services (“Master Agreement”) as dated above; and CONSULTANT agrees to perform and complete the following Services for CLIENT in accordance with this Task Order and the terms and conditions of the Master Agreement. CLIENT and CONSULTANT agree as follows:

1.0 Scope of Services:

CONSULTANT shall perform the Services listed below or in the attached Exhibit I. All terms and conditions of the Master Agreement are incorporated by reference in this Task Order, except as explicitly modified in writing herein.

2.0 Fees:

CLIENT shall pay CONSULTANT in accordance with Section III of the Master Agreement and as follows:

TASK	DESCRIPTION	Total Cost
1	Field Data Collection	\$25,000
2	Preliminary Design	\$50,000
3	Final Design	\$145,000
4	Bidding Services	\$20,000
TOTAL		\$240,000

All Tasks are Fixed Fee amounts and will be invoiced monthly on a percent complete basis.

3.0 Schedule:

Schedule for performance of Services will be as follows or as set forth in attached Exhibit I, such that all services will be completed by February 28, 2024.

August 2023	• Authorization of professional services
September 2023	• Survey and Geotechnical
September-November 2023	• Design and Specifications
December 2023	• Submit to MDH for Agency Review
January-February 2024	• Bidding

4.0 Deliverables

Deliverables will be as follows or as set forth in the attached Exhibit I.

5.0 Term

In the event that the Schedule for this Task Order extends beyond the term of the Master Agreement, either intentionally or unintentionally by Task Order Scope or by Task Order extension, then this Task Order shall operate to extend the Master Agreement through the completion of CONSULTANT’S obligations under this Task Order or until a new Master Agreement is executed incorporating this Task Order.

6.0 Other Matters

None

7.0 Project Managers

Project managers and contact information for the CLIENT and CONSULTANT for this Task Order, if different than the Master Agreement, are as follows:

CLIENT:
Matthew York, Public Works Director
100 Downtown Plaza
Fairmont, Minnesota 56013
Office Phone: 507-238-3942
Email: myork@fairmont.org

BOLTON & MENK, INC.
John Graupman, P.E.
1960 Premier Drive
Mankato, MN 56001
Office Phone: 507-625-4171
Email: john.graupman@bolton-menk.com

CLIENT: CITY OF FAIRMONT, MINNESOTA

CONSULTANT: BOLTON & MENK, INC.

By: _____

By: Wesley W. Brown

Printed Name: _____

Printed Name: Wesley W. Brown, P.E.

Title: _____

Title: Senior Principal Engineer

ATTACHMENTS TO THIS TASK ORDER: Exhibit I

EXHIBIT I – CONSULTANT’S SERVICES (TASK ORDER 4)

2.0 MG GROUND RESERVOIR IMPROVEMENTS DESIGN AND BIDDING SERVICES

DESCRIPTION OF PROJECT AND SCOPE OF IMPROVEMENTS

The CONSULTANT agrees to provide professional engineering and survey services required for completing Ground Reservoir Improvements in Fairmont, MN. The City wishes to replace the two existing 1.4 MG steel ground storage reservoirs located at 1001 Bixby Road, with one new 2.0 MG prestressed concrete tank. The location of the new tank would be adjacent to the existing tanks which would be demolished as part of this project. Based on our understanding of the project, we propose the following scope of work:

I.A. BASIC SERVICES

For purposes of this Project, Basic Services to be provided by the CONSULTANT are as follows:

Task 1: Field Data Collection

CONSULTANT will complete a topographic survey to provide base mapping, a digital terrain model, UAV drone imagery, and utility information within the project area. Utility coordination will be completed to include private utility information on the topographic survey.

CONSULTANT will coordinate with geotechnical subconsultant to obtain geotechnical information for the site. Geotechnical fees will be paid directly by the CLIENT.

Task 2: Preliminary Design

The CONSULTANT will facilitate a kick-off meeting to confirm project details, schedule and establish overall CLIENT expectations.

The CONSULTANT shall prepare preliminary layouts, tank style options and preliminary cost opinions for CLIENT review.

The CONSULTANT will meet with CLIENT to review the preliminary information and finalize the desired tank style, project scope and schedule.

The CONSULTANT shall coordinate the geotechnical testing and recommendations for foundation design with the geotechnical firm selected and procured by the CLIENT.

Task 3: Final Design

The CONSULTANT shall prepare detailed plans and specifications conforming to the requirements of the CLIENT, the Minnesota Department of Health, Ten States Standards, and other applicable standards for the construction of a new prestressed concrete storage tank, including related booster station and SCADA improvements and removal of the existing steel tank structures from the site.

The CONSULTANT shall perform the tower control design based on information provided by the CLIENT and in coordination with the water treatment facility controls.

The CONSULTANT shall submit a preliminary set of plans (approximately 60% complete) to the CLIENT for review.

The CONSULTANT shall submit a final set of plans and specifications to the CLIENT for review and approval.

The CONSULTANT shall incorporate comments from the CLIENT and resubmit plans and specifications for final review and approval.

The CONSULTANT shall prepare a Project Manual for bidding and construction including:

- General Information for Bidders: Advertisement for Bids, Instructions to Bidders, etc.
- General Conditions and Supplementary Conditions
- Information to be submitted with bid: Proposal, Bid Bond, etc.
- Agreement, Performance Bond and Payment Bond forms
- Technical Specifications

The CONSULTANT shall prepare and assist the CLIENT with submitting all required permit applications for the project including:

- Minnesota Department of Health:
 - Water Storage Tank Construction
- Minnesota Pollution Control Agency:
 - NPDES Storm Water Permit for Construction Activity (if necessary)

The CONSULTANT shall complete and submit applications for State Revolving Fund (SRF) financing on behalf of CLIENT.

Task 4: Bidding Services

CONSULTANT will prepare and publish the advertisement for bid and distribute the bid documents. CONSULTANT will provide responses to questions from contractors and issue addenda as required. CONSULTANT will attend the bid opening, prepare the resultant bid tabulation, and provide verification of submitted bids to CLIENT. CONSULTANT will prepare a contract award recommendation letter and attend the council meeting in which awarding of the contract is anticipated. CONSULTANT will distribute the contract to the selected contractor and secure the required contractor submittals necessary to commence construction.

Task 5: Construction Engineering Services

Due to the nature of construction and the possibility of unforeseen conditions and schedules, CONSULTANT proposes an estimated hourly fee for construction related services. CONSULTANT will provide a proposal with construction fee and summary of these services after bids are received in order to provide a well-defined scope and schedule. Construction services are not included within this agreement.

I.B. ADDITIONAL SERVICES

Consulting services performed other than those authorized under Section 1.A shall be considered not part of Basic Services and may be authorized by the CLIENT as Additional Services. Additional Services consist of those services that are not generally considered to be Basic Services; or exceed the requirements of the Basic Services; or are not definable prior to the bidding of the project; or vary depending on the technique, procedures or schedule of the project contractor.

Additional services may include:

1. Professional services associated with construction administration.



Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

Ph: (507) 625-4171
Fax: (507) 625-4177
Bolton-Menk.com

August 21, 2023

Mr. Matthew York
Director of Public Works
City of Fairmont
100 Downtown Plaza
Fairmont, MN 56031
myork@fairmont.org

RE: Ground Storage Reservoir – Design and Construction Proposal
City of Fairmont, Minnesota

Dear Mr. York:

We are pleased to present this scope and fee letter for design and construction services for the replacement of the Ground Storage Reservoir. Like you, Bolton & Menk, Inc. takes great pride in designing and managing projects that are safe, sustainable, and beautiful. We understand what needs to be accomplished for the successful completion of the ground storage reservoir project.

I. Improvement Needs and Recommendations

The city currently has two 1.4 million gallons (MG) steel ground storage reservoirs in the industrial park. These reservoirs were previously used for industrial ammonia storage and repurposed for water storage. The tanks are of unknown age. The tanks are structurally deteriorated and determined by previous structural reviews not to be cost-effective to repair. These reservoirs are larger than current water and future water needs require, such that the total of 2.8 MG can be more cost-effectively replaced with a 2.0 MG reservoir. This is proposed to be a pre-stressed concrete tank to reduce future costs associated with coating replacements common to steel tanks and for improved aesthetics.

The reservoirs have a dedicated booster station building with pumps constructed in 2002 to help serve the industrial site and, specifically, the Harvest States soybean processing facility. The booster station has performed well and is in very good condition. The control software and computer hardware are original, however, and should be upgraded as the existing components are no longer in production. A standby generator is also included to provide pressure and fire flows during power outages.

The reservoir replacement project has been in development with city staff for a number of years. A funding application with the Minnesota Department of Health (MDH) and the Public Facilities Authority (PFA) was submitted last May. The project as proposed includes:

- Demolition of the existing ground reservoirs
- Construction of a new 2.0 MG pre-stressed concrete ground reservoir
- Upgrading the existing booster pump control system
- Installation of a standby generator and transfer switch
- Miscellaneous site work and piping

II. Project Delivery and Schedule

The reservoir project design would be targeted for the fall of 2023, allowing the city to submit to MDH for review in advance of the March 2024 submittal deadline for funded projects. This would allow the bidding of the project in early winter 2024 during potentially more favorable bidding conditions.

The construction phase would be approximately 15 months. The project would be sequenced such that one of the existing tanks would always remain in service until the new tank is online.

III. Capital Costs

The opinion of probable capital costs for the improvements identified above is summarized in Table 1. Construction cost estimates are based on recent bidding of projects with similar scopes of work as of May 2023. The accuracy of these preliminary cost estimates should be considered within +/- 20% of the actual project costs; therefore, a cost range is provided to account for uncertainty. Once the preparation of final drawings and specifications is complete, the cost opinions can be refined. Proposed costs for engineering, administration, legal, and construction oversight are included in the capital costs. Further detail is provided in subsequent paragraphs.

Table 1 – Estimated Construction Costs	
Ground Storage Reservoir – Design and Construction	
City of Fairmont, Minnesota	
Item	Cost
Mobilization	\$300,000
New 2.0 MG Ground Storage Reservoir with Dome	\$2,500,000
Site Work and Utilities	\$200,000
Electrical and Generator	\$300,000
Demolition of Existing Tanks	\$165,000
Construction Subtotal	\$3,465,000
Contingencies (10%)	\$350,000
Engineering, Legal, and Administration (15%)	\$520,000
Total	\$4,300,000-\$4,600,000

IV. Engineering Services

This project design will involve numerous disciplines, including electrical engineering, mechanical engineering, structural engineering, and process engineering. Our project team includes engineers and professionals we have worked with for over 20 years, completing more than 250 water and reservoir projects during that period.

The scope of this proposal includes engineering services for preliminary engineering, final design, and project bidding. The project design scope includes:

- Detailed final layouts and design of the proposed ground storage tank as described in previous paragraphs.
- Final layout and design of the improvements, AutoCAD-based design of all major improvements.

Mr. Matthew York
City of Fairmont, Minnesota
August 21, 2023
Page 3

- Electrical, mechanical, and structural design improvements.
- Regular review meetings and modifications with city staff throughout the design.
- Modifications and preparation of final plans and specifications for contract bidding documents.
- Bidding services through the award of the project.

Based on the estimated hours for our design staff and our sub-consultants, we have calculated a fee of \$240,000 for the design work (this is approximately 6% of the estimated construction cost). Below is an approximate schedule of completion and fee payments.

Fee	Milestone	Schedule
25%	Design Review Meeting at 30% Layout	Approx. October 2023
25%	Design Review Meeting at 60%	Approx. November 2023
40%	Upon Submittal to the Minnesota Department of Health (MDH)	December 2023
10%	Upon Receiving Bids	Approx. February 2024

Due to the nature of construction and the possibility of unforeseen conditions and schedules, we would propose an estimated hourly fee for construction-related services. We propose to provide a proposal and summary of these services after the bids are received in order to provide a well-defined scope and schedule. We anticipate that this fee will be similar to the design fee. Overall, the total engineering fee (preliminary engineering, final design, and construction services) is estimated to be in the range of 12-15 percent of the anticipated project construction cost, which is a common range for a project of this size and scope.

Please feel free to call me at 507-380-0433 with any questions or comments regarding this proposal. If acceptable, we have included Task Order #4 to our Master Agreement for your review and approval.

We look forward to working with the City of Fairmont on this important project.

Respectfully Submitted,

Bolton & Menk, Inc.



John Graupman, P.E.

Principal Environmental Engineer

Encl.

cc: Wes Brown, Bolton & Menk, Inc.



Fairmont City Council
November 13, 2023

Agenda Item: 9.2

From: Matthew R. York, Public Works/Utilities Director
To: Mayor and City Council

Subject: Lake Avenue Reconstruction Local Road Improvement Program

Policy/Action Requested: Motion to adopt Resolution No. 2023-39, authorizing pursuit of 2023 Local Road Improvement Program Funding for the Lake Avenue Reconstruction Project

Vote Required: Simple Majority Roll Call

Recommendation: Approval

Overview:

City staff is requesting approval to pursue \$1,500,000 in funding from the Minnesota Department of Transportation’s Local Road Improvement Program funding for the reconstruction of Lake Avenue from County Road 39 to N. Fairlakes Avenue.

This project will improve the east-west industrial corridor of Lake Avenue into downtown Fairmont, providing new street surfacing curb and gutter, utilities, safety improvements, and contributions to economic development in this area. There is currently no estimate of the cost of the project.

Here are the steps that need to take place within this project:

- 1) Resolution stating our request to pursue LRIP Funds
- 2) Submit the scope and proposed project for review
- 3) Design of the Project
- 4) Award/Denial of LRIP Funds
- 5) Construction of the Project

The goal is to complete the construction of this project in the 2025 Construction Season.

Budget Impact: An award of \$1,500,000 will assist in paying for the project.

Attachments: Resolution No. 2023-39

Council Action: _____ Date: _____

**City of Fairmont
Martin County, Minnesota**

RESOLUTION 2023-39

**RESOLUTION AUTHORIZING THE PURSUIT OF 2023 LOCAL ROAD IMPROVEMENT
PROGRAM FUNDING FOR THE LAKE AVENUE RECONSTRUCTION PROJECT**

WHEREAS, the Lake Avenue Reconstruction Project will upgrade Lake Avenue from County Road 39 to N Fairlakes Avenue; and,

WHEREAS, the Lake Avenue Reconstruction Project will improve the functionality of the City of Fairmont’s main east-west industrial corridor into downtown; and,

WHEREAS, Lake Avenue is a regionally significant roadway as it connects to the site of the city’s largest industrial park and functions as a main thoroughfare for residents and visitors; and,

WHEREAS, the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$1,500,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development; and,

WHEREAS, the proposed year for project construction is 2025.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRMONT AS FOLLOWS; that

1. The City Council hereby supports the reconstruction of Lake Avenue from County Road 39 to N Fairlakes Avenue; and,
2. The City Council hereby supports Fairmont’s pursuit of LRIP funding and authorizes staff to prepare and submit such application; and,
3. The City Council hereby commits to funding project elements not eligible for LRIP funding, ensuring the project will comply with all LRIP funding requirements, and following the project schedule as presented in the application.

ADOPTED BY THE CITY COUNCIL OF FAIRMONT, MINNESOTA, THIS 13TH DAY OF NOVEMBER 2023.

ATTEST:

Patricia J. Monsen
City Clerk

Lee C. Baarts
Mayor



Fairmont City Council
November 13, 2023

Agenda Item: 9.3

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

Subject: Community Center Design Approval

Policy/Action Requested: Motion to approve the community center design

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

Recommendation: Approval

Overview:

The City Council held a work session on November 1, 2023 to review the latest community center design and cost estimates.

The Fairmont Area Community Center (FACC) Design Committee has been working with construction manager RJM, architect JLG and the YMCA to right size the community center design to fit our current budget, to plan for future growth opportunities and to ensure operational sustainability. They presented the revised design and cost estimates to the City Council at the November 1, 2023, work session. To help the FACC Foundation in their pursuit of New Market Tax Credit financing and fundraising activities, they are requesting that the City Council approve the revised community center design. Work is continuing on the operating agreements between the City, FACC Foundation and the YMCA and will be brought to the Council for approval at a future meeting.

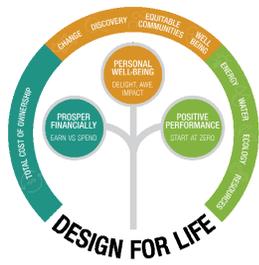
Budget Impact: N/S

Attachments: Community Center drawings

Council Action: _____ Date: _____





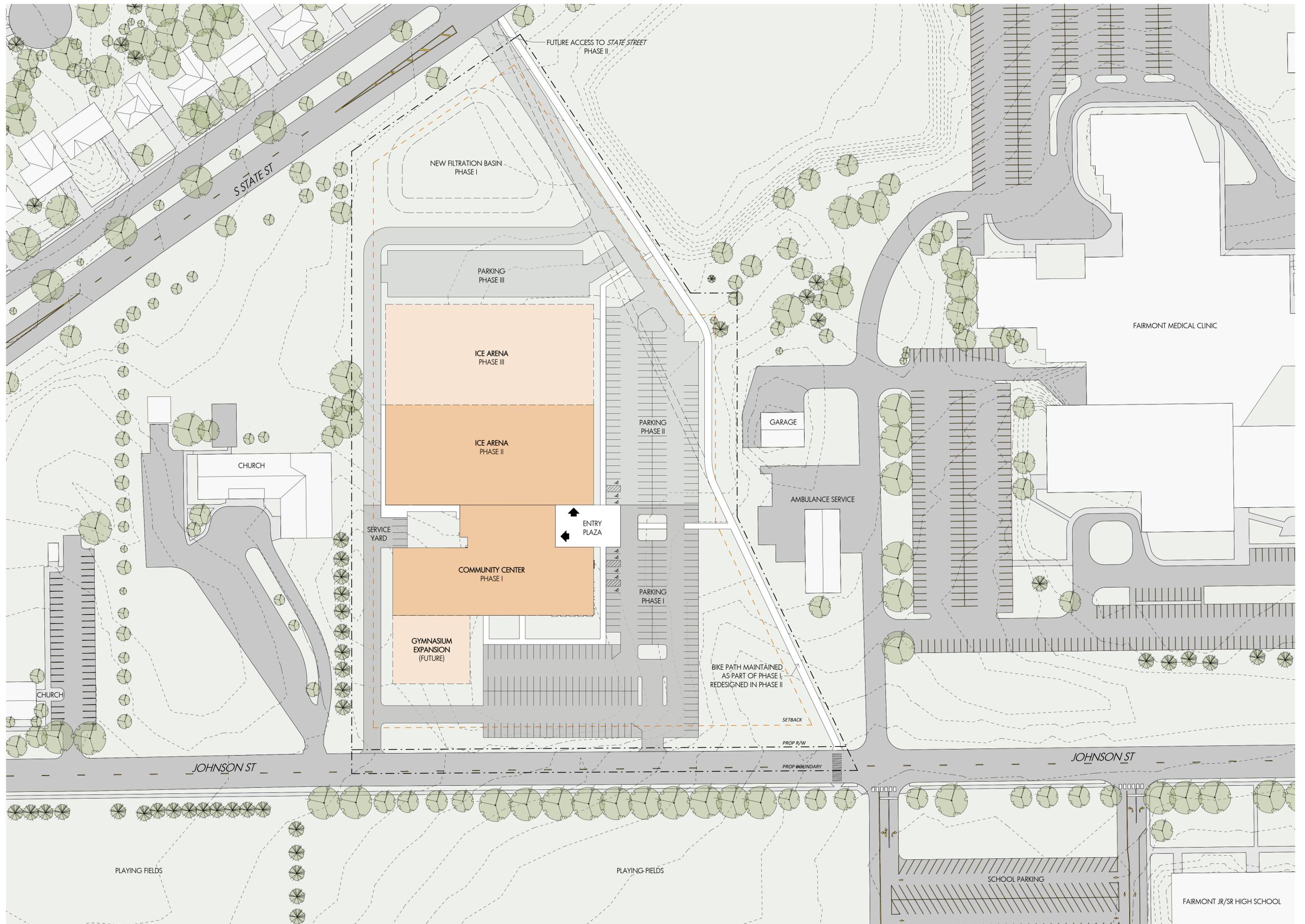


Sustainable Strategies and Integrated Design:

- Positive Performance
- Personal Well-Being
- Prosper Financially

Project Focus Strategies:

1. Low EUI (Energy Use Intensity) value target with a better than energy code (IECC) performance rating.
2. Use of energy modeling to inform data-based decisions.
3. High-performing building envelope design promoting a high level of resiliency, durability, thermal comfort, and energy efficiency.
4. Extensive use of daylighting throughout facility to positively enhance occupants' mental health, physical health, and general well-being.
5. Use of wellness features such as an "Irresistible Stair" to encourage physical activity, reduce energy use and improve health.
6. Specifying products and materials that are not categorized as "Red List" building materials as defined by the International Living Future Institute. These are building materials that contain chemicals that have been designated as harmful to living creatures, including humans, or the environment.
7. Heat recovery system capturing waste heat from the arenas ice plant.

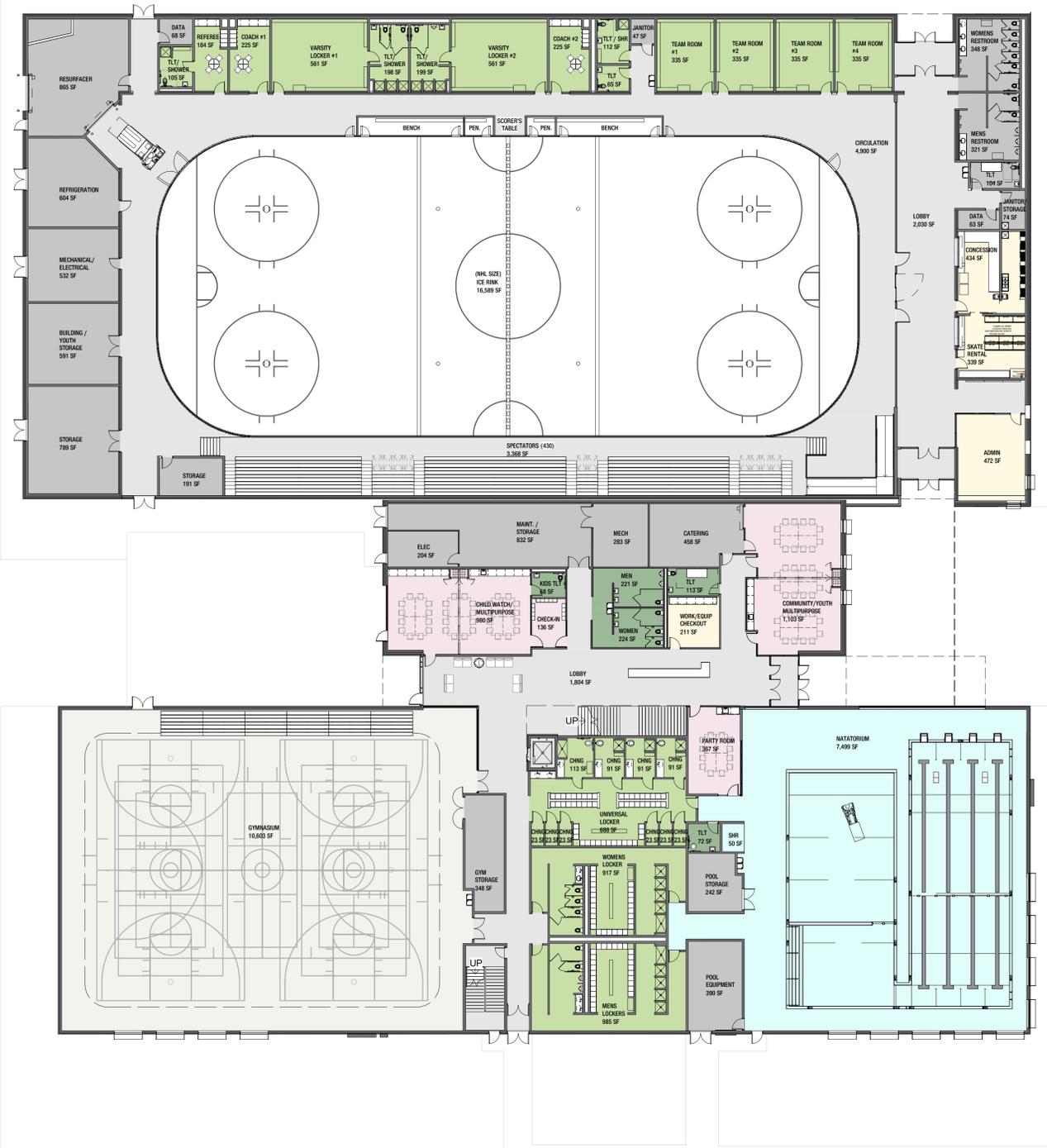


FAIRMONT COMMUNITY CENTER

SITE PLAN

11/01/23 | JLG 22949 | © 2023 JLG ARCHITECTS

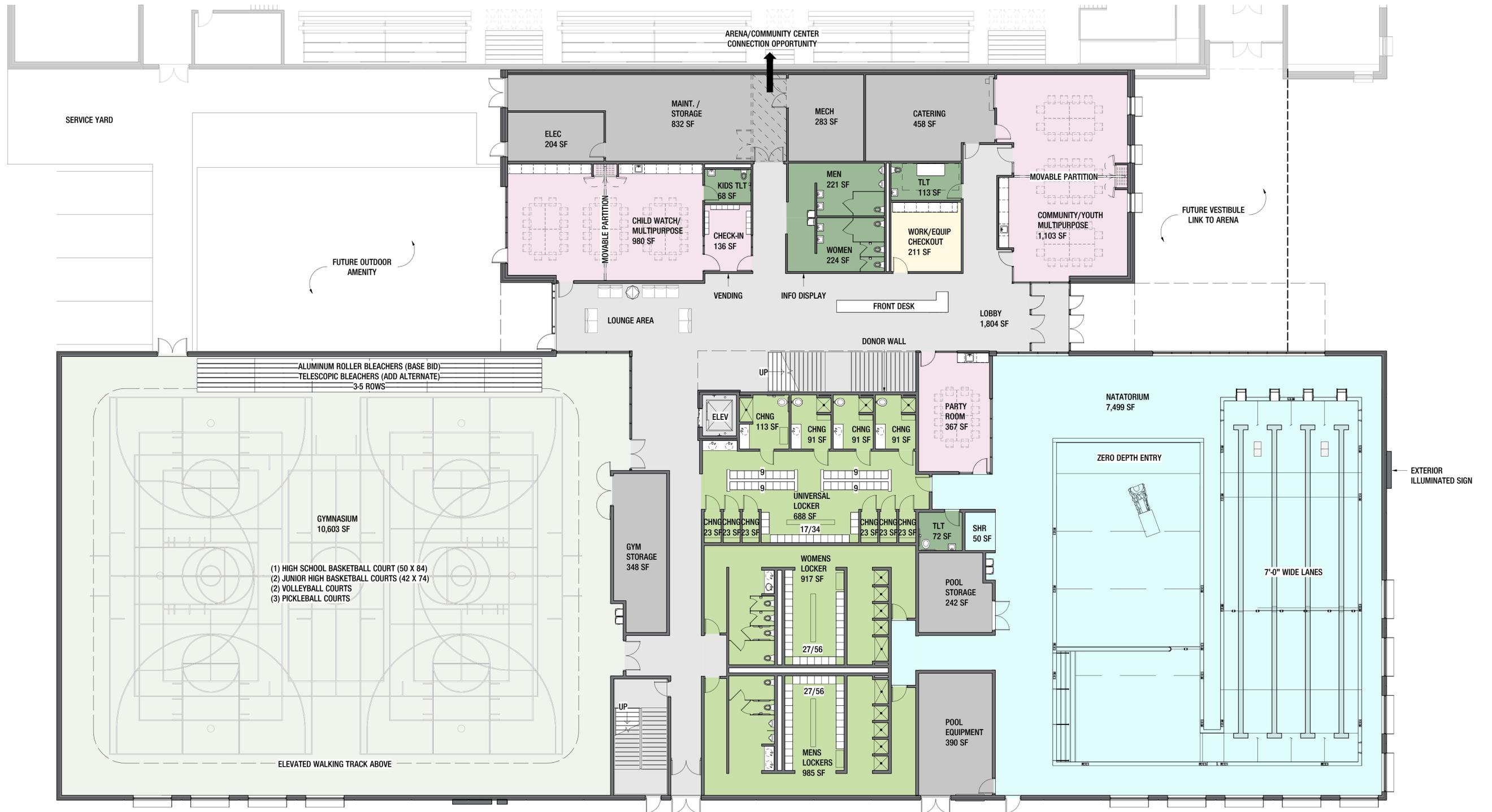


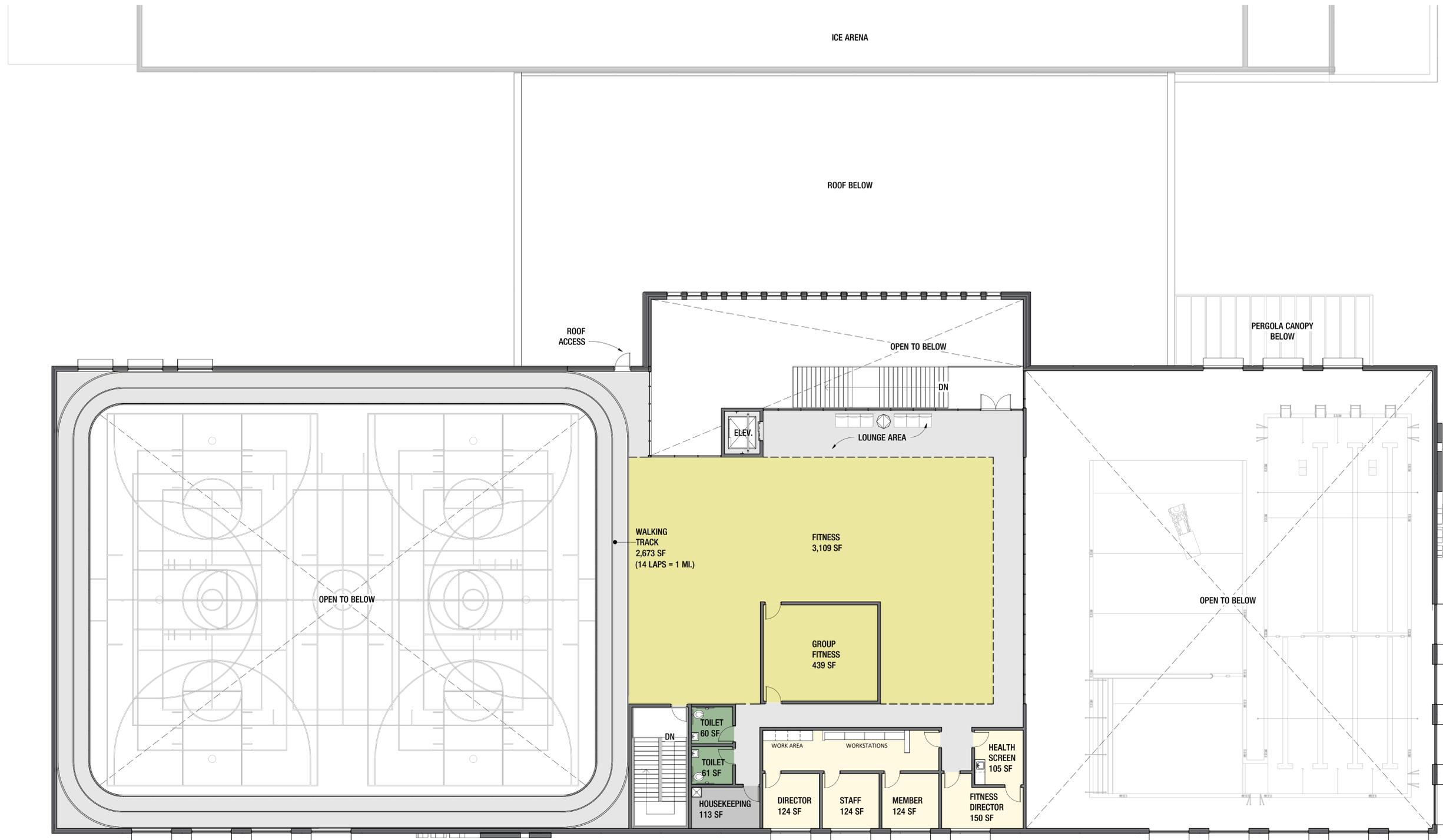


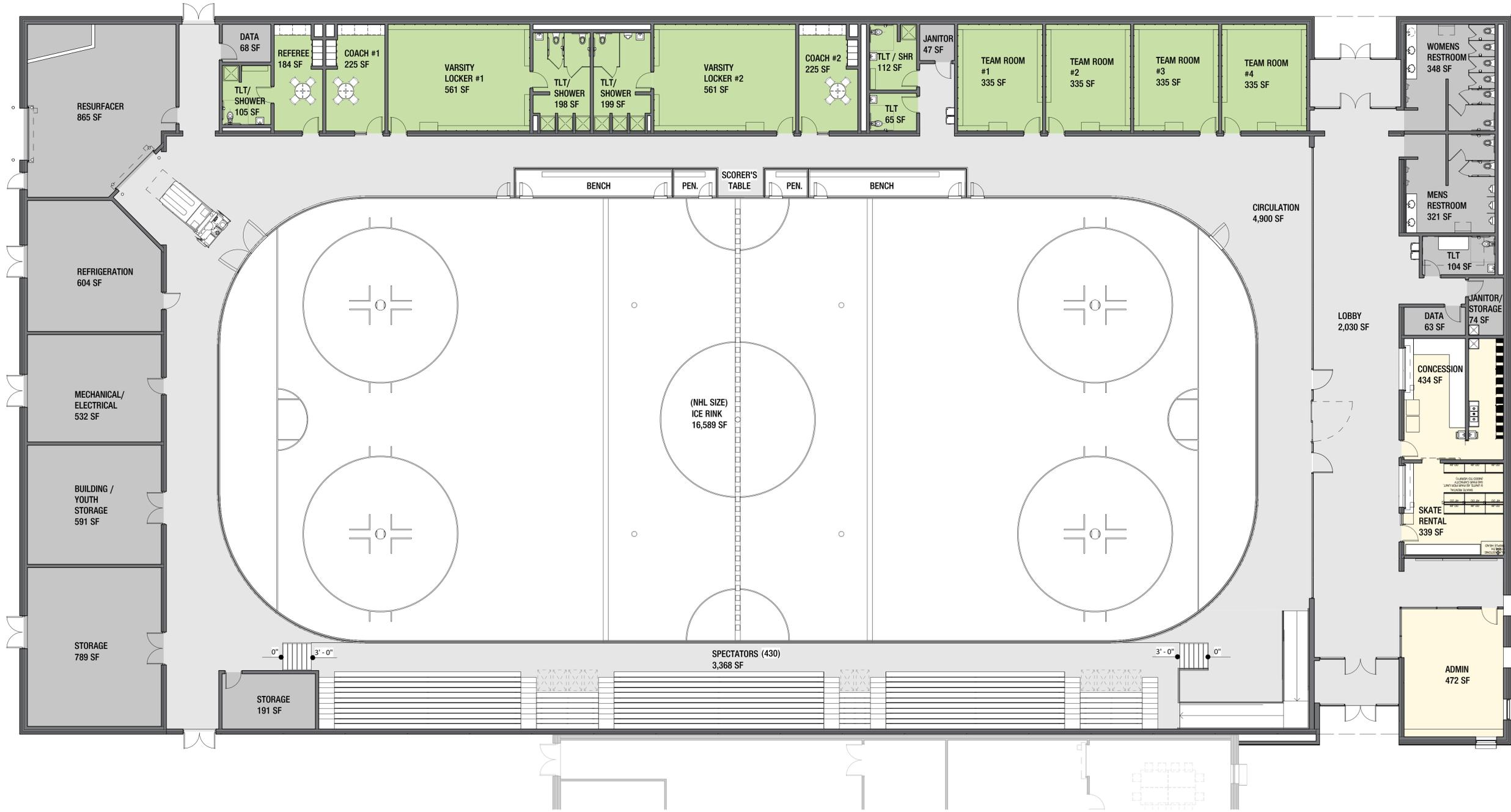
FAIRMONT COMMUNITY CENTER

FLOOR PLAN - OVERALL - MAIN LEVEL
 11/01/23 | JLG 22949 | © 2023 JLG ARCHITECTS









FAIRMONT COMMUNITY CENTER

FLOOR PLAN - ICE ARENA - MAIN LEVEL
 10/05/2023 | JLG 22949 | © 2023 JLG ARCHITECTS

