

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