

**City of Fairmont
100 Downtown Plaza
Fairmont, MN 56031**

City Council Minutes
Special Meeting: Closed Session

May 20, 2024
City Hall, 5:30 p.m

CALL TO ORDER

The Fairmont City Council met in special session at Fairmont City Hall in the Second Floor Conference Room. Mayor Baarts called the meeting to order at 5:30 p.m.

ROLL CALL

Council present: Lee Baarts, Mayor
Wayne Hasek, Councilmember
Britney Kawecky, Councilmember (Left at 6:40 pm)
Randy Lubenow, Councilmember
Michele Miller, Councilmember
Jay Maynard, Councilmember

Staff present: Matt Skaret, City Administrator
Paul Hoye, Finance Director
Matthew York, Director of Public Works/Utilities
Peter Bode, Planning & Zoning Technician
Betsy Steuber, City Clerk

Also present: Paul Merwin, League of Minnesota Cities Attorney
(remote: visual & audio)

EVENT PERMIT

Mayor Baarts introduced an Event Permit for a Community Picnic & Family Fun Day, sponsored by and to be held at the Red Rock Center for the Arts on Monday, May 27, 2024 from 11:00 a.m. to 1:00 p.m. Motion was made by Councilmember Maynard, seconded by Councilmember Miller, to approve the Event Permit for May 27, 2024. All present voted in favor. Motion carried.

CLOSED SESSION

Mayor Baarts stated the next item was to discuss a litigation matter involving the property identified as 23.037.0150. The legal basis to close the meeting is pursuant to Minnesota Statute § 13D.05, subdivision. 3(b), under the attorney/client privilege exception to the Minnesota Open Meeting Law. The City's needs for confidentiality outweighs the purposes served by the open meeting law. Motion made by Councilmember Maynard, seconded by Councilmember Hasek to close the meeting pursuant to Minn. Stat. § 13D.05, subd. 3(b), to conduct a closed session pursuant to the attorney-client privilege to engage in confidential

attorney-client communications and litigation strategy related to a litigation matter involving the property identified as 23.037.0150. All present voted in favor. Motion carried. The Council went into closed session at 5:33 p.m.

Mr. Paul Merwin, attorney with the League of Minnesota Cities, provided an overview to Council regarding the status of the pending and threatened litigation matters.

OPEN SESSION

Mayor Baarts declared the meeting open at 7:10 p.m.

ANNOUNCEMENTS

All Council present agreed to change the venue for the June 6, 2024 work session at 4:30 p.m. to Gomsrud Park Shelter House.

ADJOURNMENT

Motion was made by Councilmember Lubenow, seconded by Councilmember Maynard, to adjourn the meeting, as there was no further business to come before the Council. All present voted in favor. Motion carried. The Fairmont City Council adjourned at 7:12 p.m.



Lee C. Baarts, Mayor

ATTEST:



Betsy Steuber, City Clerk