

2) Councilmember Miller asked Councilmember Lubenow to consider tabling Agenda Item 10.2 until a work session could be held, after the Community Center lease agreements, operational agreements and additional information are compiled. Councilmember Lubenow agreed and believes contradictory information is circling in the community; he wants the citizens to have accurate information, especially involving the ownership of the Community Center. Mayor Baarts removed Agenda Item 10.2, noting a future work session date on said topic.

Motion was made by Councilmember Miller, seconded by Councilmember Maynard to approve the agenda as presented, with the removal of item 10.2 item. All present voted in favor. Motion carried.

ROTATING VOTES

Please note that votes taken by roll call are called by the City Clerk on a rotating basis; however, the written minutes list the Councilmembers in alphabetical order.

RECOGNITION/ PRESENTATIONS

Troy Nemmers, Engineer with Bolton and Menk, presented on the Cross Section Proposals for the 2025 Lake Avenue Improvements. Nemmers noted the Lake Avenue Improvement is from Bixby Road to Fairlakes Avenue, consisting of approximately 4,000 feet of road, and the project area is of mixed land use (the western third of the project area is currently undeveloped and ag land, whereas the remainder is light industrial/commercial use). Before reviewing the three proposals, Nemmers indicated the existing cross section is very basic and inefficient with:

- 100' of existing right of way throughout the corridor
- Street width of 52'
- Two-directional traffic with oversized drive lanes

Proposal #1

- Matches existing 52' street width
- Center turn lane running down the middle
- Two directional traffic with parking lanes on both sides of the roadway

Proposal #2

- Matches existing 52' street width
- Center turn lane running down the middle
- Two directional traffic with on-road bike lanes on both sides of the roadway

Proposal #3

- Street width reduced from 52' to 44'
- Center turn lane running down the middle
- Two directional traffic with a 10' wide off-road bike lane on one side of the roadway. The bike lane could potentially run the length of the project connecting to Heritage Acres, out to Bixby Road and towards the Fairgrounds.

Director York mentioned the off-street bike lane of proposal #3 was not included in the original cost of the project. However, since the roadway would be reduced from 52' to 44' some of the materials could be utilize for the bike path, as well as the bike lane could be built in the future when additional funds for such type of project are secured. Director York mentioned after Fairlakes Avenue, the roadway is reduced to 50' and asked Council to be cognizant of the aesthetics of the roadway and how the two roads intersect with each other. Director York agreed the current roadway is too wide and confusing and that a center turn lane is a very viable part of the project.

Nemmers stated all of the proposals are utilizing the existing property, the 100' right of way.

Councilmember Maynard didn't see a need for on-street parking or the demand for a bike path, at least at the present time. He said he was going to propose what Director York offered as an option: Proposal #3 and defer the bike path until further need and/or funding is available.

Councilmember Kawecky expressed concern with potential roadway overdesign and questioned the need for:

- 1) a bike path, as it leads nowhere;
- 2) a curb/gutter system, as there is no current purpose and is an unnecessary cost;
- 3) on-street parking, as the roadway was initially designed as a state highway and there are limited residences along the improvement, and;
- 4) turn lanes, as she has not witnessed or heard of any concerns amongst roadway drivers.

Mayor Baarts was in favor of a center turn lane to allow for safer easier turning movements and too believes on-street parking is not necessary.

Councilmember Lubenow expressed his favor of Proposal #3, as did Councilmember Miller and Councilmember Hasek.

Motion was made by Councilmember Lubenow, seconded by Councilmember Miller voting in favor of Lake Avenue Cross Section

Proposal #3, with an optional bike path. Further discussion was held amongst Council regarding the need for and costs associate with curb and gutter along the entire roadway section. Nemmers stated the proposal is to install curb and gutter through the whole section of Lake Avenue in order to maintain uniformity along the roadway and aid with stormwater runoff and future development. Councilmember Miller stated she believes it is more fiscally responsible to install curb and gutter now versus in the future, with Councilmember Maynard noting it as a potential means to attract developers and/or have the area ready for when the time comes. Councilmember Kawecki and Councilmember Lubenow disagreed, believing it to be a waste of funds and not having a significant impact on future growth and development.

The current motion on the table was modified and presented as follows. Motion was made by Councilmember Lubenow, seconded by Councilmember Miller voting in favor of Lake Avenue Cross Section Proposal #3, with the curb and gutter ending where businesses/residential properties end, but acquiring estimates on curb and gutter for the remaining portion of the street and for the proposed bike path. All present voted in favor. Motion carried.

**MOTION
Item 4.2**

Greater Plaza Area Council representatives (Sara Cyphers, D & S Trophies; Kim White, Fairmont Awards; DeeAnn Eversman, Dee's Floral; and Kandi Menne, Fairmont Chamber of Commerce) highlighted recent and upcoming events on Downtown Plaza. Cyphers noted the Greater Plaza Area Council held discussions with Minnesota Main Streets/Main Street America, managed by Rethos, on collaborative efforts to continue growth, development, and improvement in Downtown Fairmont. In conversation, Rethos stated the strongest cities have support from City Council. Cyphers asked for the Council's support of the Greater Plaza Area Council's work and of their future partnership with Minnesota Main Streets by authorizing Administrator Skaret to write a letter of support (on behalf of the City/Council) to submit with their application.

Motion was made by Councilmember Miller, seconded by Councilmember Lubenow to approve a letter of support for the Greater Plaza Area Council's application to the Minesota Main Streets program. All present voted in favor. Motion carried.

Item 4.3

Pat Oman, Community Development Director provided Council with an overview of his engagements with staff and current objectives the department is working on.

PUBLIC DISCUSSION/

Councilmember Lubenow reiterated a comment made at the

COMMENT

last Council meeting regarding the proposed “garage door” to accommodate large vehicles (ag equipment for shows, etc.) at the Community Center. Councilmember Lubenow stated part of the facility design and needs discussion considered the Martin County Arena outfitted with large doors, a concrete floor, and the ability to accommodate such (i.e. large equipment, ag shows).

CONSENT AGENDA

Mayor Baarts introduced the consent agenda items as listed for consideration to be enacted by one motion unless requested that an item be removed and included under new business. Mayor Baarts reviewed the consent items, as follows:

- City Council Minutes from the Special Meeting held September 19, 2024
- City Council Minutes from the Regular Meeting held September 23, 2024
- Event Permit for Halloween on Woodland Avenue, sponsored by Diane Luedtke, on October 31, 2024
- Event Permit for Prowling on the Plaza, sponsored by the Downtown Association, on October 31, 2024

Motion was made by Councilmember Maynard, seconded by Councilmember Hasek to approve the consent agenda. All present voted in favor. Motion carried.

**PUBLIC HEARING
RESOLUTION 2024-29
Item 7.1**

Due to a publication error, and for procedural purposes, Council had to re-hold a public hearing on the 5-year Street Reconstruction Plan and Issuance of General Obligation Street Reconstruction Bonds. Administrator Skaret provided a brief background on the agenda item as Jessica Green, Northland Securities Financial Advisor for the City of Fairmont addressed Council and answered questions at the last meeting.

Mayor Baarts opened the public hearing. No comments were heard.

Motion was made by Councilmember Maynard, seconded by Councilmember Miller to close the public hearing. All present voted in favor. Motion carried.

In discussion, Councilmember Kawecky inquired on the specific streets that will not meet the 20% threshold. Director York noted the combination of Lake Avenue and Blue Earth Avenue will not meet the requirement as stated currently and an updated assessment policy model will be presented to Council. Administrator Skaret stated a public hearing will be held on October 28, adopting the assessment rolls under the current policy. Council will be presented with an updated special

assessment policy, which can be adopted for street projects moving forward and Council could opt to reassess projects under the updated policy.

Director York stated the updated assessment policy considers water and sewer assessments. Under the current assessment policy, during a reconstruction project, the City pays for water and sewer improvements out of pocket. Administrator Skaret clarified under the updated policy, assessment for water and sewer would include the service line portion only, not the service main(s) that go under the street.

Motion was made by Councilmember Miller, seconded by Councilmember Maynard to adopt Resolution 2024-29: Adopting the Issuance of General Obligation Street Reconstruction Bonds. On roll call, Councilmembers Hasek, Kawecki, Lubenow, Maynard, and Miller voted in favor thereof. Motion passed.

NEW BUSINESS
RESOLUTION 2024-35
Item 9.A.1

Engineer Cowing provided background on agenda item 9.A.1. Cowing stated the City receives State Aid funds for State Aid routes within city limits. We are allotted \$648,000 per year in our account and have a current balance of \$311,000. The City is requesting an advance of \$2,264,262.24 of State Aid funds to be used for the upcoming Lake Avenue Project, rather than using taxpayer dollars. Director York pointed out that this is a request for aid; if the State does not have funds available, this request may not be honored; however if the City does not make the request, available funds will not be advanced.

Motion was made by Councilmember Maynard, seconded by Councilmember Miller to adopt Resolution 2024-35: Requesting a Municipal State Aid Fund Advance of \$2,264,262.24 for the Reconstruction of Lake Avenue between CSAH (County State Aid Highway) 39 and Fairlakes Avenue. All present voted in favor. Motion carried.

MOTION
Item 9.A.2

Several months ago, the City was awarded \$45,000 from the Minnesota Pollution Control Agency to update stormwater modeling throughout the City, as our current plan/modeling is from 1996. The updated modeling would allow for mitigation of localized flooding and shed light on vulnerabilities for improvements in our storm sewer system. The City sent out an RFP to eight consultants for stormwater modeling services, with only 4 RFP's being returned. The lowest quote was received from ISG in the amount of \$45,000.

Motion made by Councilmember Hasek, seconded by Councilmember Maynard to motion to authorize the City of Fairmont to enter into an

agreement with ISG for consulting services to complete stormwater modeling under an MPCA Grant Agreement. All present voted in favor. Motion carried.

MOTION
Item 9.A.3

Director York presented on agenda item 9.A.3, the purchase of a new turf sweeper and asked. York stated the sweeper is used in the parks and for leaf pick-up. While \$40,000 is in the CIP for the purchase, the State Bid came in at \$56,188.80. York noted the shortfall to be covered by funds remaining from the garbage truck purchase.

Motion was made by Councilmember Miller, seconded by Councilmember Maynard to approve the purchase of a Smithco Turf Sweeper and declare the old Smithco Turf Sweeper excess inventory to be sold at auction. All present voted in favor. Motion carried.

MOTION
Item 9.A.4

Director York introduced the next agenda item. An RFP for a complete site clean-up of the tree dump area was distributed to 6 companies, with bids received and quoted, from two companies, as listed below:

| | BLAC Construction | Shamrock |
|--------------------------------------|--------------------------|---|
| Tub Grinding and Removal | \$750,000 | \$5.40 LF |
| Compost Screening and Removal | \$165.00/ton | NO BID GIVEN |
| Removal of Large Logs | \$.50 LF | Option 1- 5.70 LF Option 2- lump sum of \$21,685 |
| Burning of Debris | \$1.25 CY | NO BID GIVEN |

In reviewing the bids, staff noted Shamrock did not bid for composting, screening, or burning of the debris and Blac Construction quoted \$750,000 for tub grinding, composting the screenings, and disposing of the material to a landfill. Overall, staff felt neither bid met the needs or accomplished the goals being sought for the tree dump site. Staff recommended rejecting the proposals and approving a three-phased approach consisting of:

Phase 1 - With authorization from the Council, directly negotiate with Erosion Control Plus of Winnebago, MN to remove compost from the site, costing roughly \$30,000 - \$40,000

Phase 2 - Approve a purchase order with BLAC Construction, not to exceed \$50,000, to conduct a burn (January/February 2025) and remove the large logs from the site. York stated some of the material is still being ground per a prior \$65,000 contract with Shamrock.

Phase 3 - Upon completion of services by Blac Construction, reengage with Shamrock on a tub grinding contract to continue site operations until another burn can be conducted (Winter 2025).

Councilmember Miller inquired about ongoing site maintenance. York confirmed that once most of the material is removed and modifications made (relocating materials and dumping locations, etc), the goal is to conduct ongoing maintenance.

Director York confirmed the tree dump site is open to residents from April – November, with permitted commercial users hauling to the site year-round. With that in mind, York stated “to have a real strong sense of what this is to cost us today..... is a shot in the dark” (alluding to the fact that material is always coming in and to pinpoint an exact charge is near impossible).

Councilmember Lubenow believes the \$1,500.00 yard waste permit fee for commercial users is too reasonable.

Councilmember Kawecki inquired if the site would need to be recontoured; Director York said that is unknown at this time.

Motion was made by Councilmember Maynard, seconded by Councilmember Miller to reject all proposals and approve a 3-phased approach for the tree dump site, as outlined in the agenda packet. All present voted in favor. Motion carried.

MOTION
Item 9.A.5

Director York’s final item of new business was the consideration of a topographic survey of Blue Earth Avenue. York conveyed that the next phase of the project is for a topographic survey of Blue Earth Avenue to determine roadway design.

Councilmember Kawecki voiced concern in continually working with Bolton & Menk and not seeking competitive bids. Councilmember Kawecki asked if anything was going to change with this project. York responded stating there is no change with the project, unless Council directs otherwise. York shared that Bolton & Menk helped secure approximately \$2 million in grants for the project and have already conducted a traffic study. York reiterated that once the Lake Avenue and Blue Earth Avenue projects are completed, Staff will begin working on RFP’s for road projects (staff is currently developing a base RFP process). York shared that upcoming projects that cannot be conducted in-house will be packaged together and an RFP will be developed. While York could not nail down specific future roadways projects that will go out for RFP, he noted within the next 4 years, there is almost \$10 million worth of

projects – noting “many projects for which we can seek outside engineering firms through an RFP process.”

York stated that the City goes out for bids (competitive bids) for all construction projects and seeks RFP’s for engineering design, noting the two are separate and very different.

Motion was made by Councilmember Miller, seconded by Councilmember Maynard to approve task order #7 with Bolton and Menk for a topographic survey of Blue Earth Avenue (Blue Earth Avenue Resurfacing – Survey Services). On roll call, Councilmembers Hasek, Kaweckj, Lubenow, Maynard, and Miller voted in favor thereof. Motion passed.

**MOTION
Item 9.B. 1**

Director Hoye mentioned this agenda item is an annual item in which the City renews their property and liability insurance policy with the League of Minnesota Cities. On the renewal form, the City must indicate whether they wish to waive the monetary limits on tort liability. As in prior years, along with the recommendation of our insurance agent, Staff recommends not waving these limits.

Motion was made by Councilmember Maynard, seconded by Councilmember Miller to not waive the monetary limits on municipal tort liability on the Leage of Minnesota Cities Liability Coverage Waiver Form. All present voted in favor. Motion carried.

**RESOLUTION 2024-36
RESOLUTION 2024-37
Item 9.B.2**

Director Hoye stated that 19 utility accounts are delinquent, and under the guidelines set forth by Minnesota Statutes; the City Charter; and City Code, the City would like to collect these unpaid charges by assessing the owner through property tax collection. Prior to certifying the delinquent unpaid charges to the County, a public hearing must be held.

Councilmember Lubenow inquired if the property(s) happened to be rentals if the charges incurred would be the responsibility of the property owner. Hoye confirmed that the 19 delinquent accounts are owner-occupied properties.

Motion was made by Councilmember Miller, seconded by Councilmember Maynard to adopt Resolution 2024-36: Resolution Declaring Unpaid and Delinquent Charges for City Services to be Assessed and Ordering Preparation of Proposed Assessment Roll. All present voted in favor. Motion carried.

Motion was made by Councilmember Maynard, seconded by Councilmember Miller to adopt Resolution 2024-37: Resolution Calling

for a Public Hearing Declaring Unpaid and Delinquent Charges for City Service to be Assessed on October 28, 2024 at 5:30 pm. All present voted in favor. Motion carried.

RESOLUTION 2024-38
Item 9.C.1

Official Bode provided Council with an overview on the consideration of a conditional use permit for St. Paul Lutheran Church, located at 211 Budd Street Fairmont to extend the hours of their after-school childcare program by 2 hours (from 7:00 am – 3:30 pm to 7:00 am – 5:30 pm).

Motion was made by Councilmember Maynard, seconded by Councilmember Lubenow to adopt Resolution 2024-38: Resolution Approving the Request for a Conditional Use Permit for a Childcare Center at 211 Budd Street. All present voted in favor. Motion carried.

MOTION
Item 9.C.2

As the General Election will be held on November 5, 2024 and the election results are not official until reviewed and certified by a canvassing board, Staff sought input from Council on the time to conduct a special meeting proposed for November 8, 2024 to canvass the municipal election returns.

Motion was made by Councilmember Miller, seconded by Councilmember Maynard to schedule a special meeting on November 8, 2024 at 12:00 pm (noon) to canvass municipal election returns. All present voted in favor. Motion carried.

COUNCIL DISCUSSION
Item 10.1

Councilmember Miller stated she had recent discussions with Fairmont Firefighters regarding health insurance benefits. While City employees and Council are given the option of said benefits, they are not available to firefighters. Councilmember Milled stated the current policy would need to be changed and reflective of the employment requirements for firefighters (as they do not work full-time, nor have set hours, but do have a minimum number of calls they need to respond to and/or a set number of hours they need to report over a specific time frame). Director Hoye stated the City covers 70% of the premium for a family health coverage plan and 10% of the premium of a single health coverage plan, noting there to be additional budgetary costs to consider prior to moving forward with offering this benefit.

Discussion centered around distributing a survey to firefighters to gauge their interest in health coverage benefits before Council hold further in-depth discussion on this topic.

Councilmember Kawecki voiced budgetary concerns with offering such a large costly benefit. Councilmember Lubenow expressed interest in the

firefighters response to the survey and being presented with more information on the costs associated with offering said coverage.

Staff will distribute a survey to firefighters, compile their responses and provide additional information on the associated costs to Council at a later date.

Item 10.3

As Administrator Skaret has been approaching 6 months of employment with the City, Councilmember Miller brought forth scheduling a date for conducting a performance evaluation as well as determining the procedures for executing the evaluation.

Councilmember Maynard suggested holding a special meeting to conduct Administrator Skaret's 6-month performance evaluation. Motion was made by Councilmember Maynard, seconded by Councilmember Miller to hold a special meeting on Thursday, November 7, 2024 at 5:00 pm. All present voted in favor. Motion carried.

Discussion centered around procedures to execute the performance evaluation, if feedback from department heads/key employee should be included and who should be present at the special meeting.

Councilmember Maynard expressed utilizing City HR Manager Viesselman in the evaluation process and for Council to have a refined evaluation scale with defined clear standards to ensure consistent evaluation measures across Council.

Motion was made by Councilmember Miller, seconded by Councilmember Lubenow to approve HR Manager Viesselman provide evaluation materials, including an evaluation based off the Administrator's job description to Council, and compile the feedback from Council for the meeting on November 7, 2024. All present voted in favor. Motion carried.

STAFF/LIAISON REPORTS

Director York provided an update on the current street improvement projects. Additionally, York reported staff are working on completing an RFP for City Engineer.

Administrator Skaret reported conversations with Region 9 on grant funds available for energy resilience/efficiencies. City owned ag-land lease agreements are under final review by the City Attorney and will go out for bid soon after. Skaret stated City Hall has put some temporary security changes in place until more permanent measures are established. As another communication tool, staff will be exploring community notification apps.

Councilmember Lubenow asked that law enforcement be contacted for an official record to be generated in the event of any security issues/etc. that should occur.

Councilmember Maynard reported the Airport Master Plan Steering Committee will be meeting this week and the daycare facility at Lakeview Methodist Home has received funding for completion.

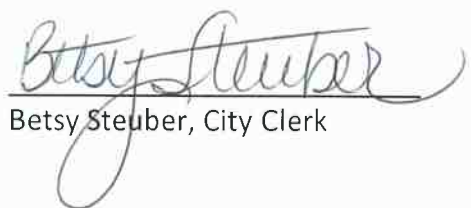
Councilmember Miller reported on new adult programming available through Fairmont CER and that Cardinal Prime is going well. Salvation Army Bell ringing will occur from November 25 – December 21 at Hy-Vee and Fareway with persons interested in volunteering to contact Fairmont CER.

Mayor Baarts reported on the recent youth football play-off and the numerous visitors they brought to the Fairmont area.

ADJOURNMENT

Motion was made by Councilmember Maynard, seconded by Councilmember Miller, 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 7:39 p.m.

ATTEST:


Betsy Steuber, City Clerk


Lee C. Baarts, Mayor