



**RECOGNITION/  
PRESENTATIONS**

Mayor Baarts proclaimed the week of November 18, 2024 – November 22, 2024 as American Education Week in the City of Fairmont. Andy Traetow, Superintendent of Fairmont Area Schools, accepted the proclamation after thanking Council for their acknowledgment of American Education Week and supporting Fairmont Area Schools.

**PUBLIC DISCUSSION/  
COMMENT**

Tim Maschoff, a 19-year tenant of City-owned agricultural land around the Municipal Airport, voiced challenges (farming practice on the irregular shaped parcel, access issues, etc.) with a non-abutting property farmer renting the City owned airport farmland .

**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 November 8, 2024
- City Council Minutes from the Special Meeting held November 7, 2024
- City Council Minutes from the Special Meeting held October 28, 2024
- An Updated Joint Powers Agreement with South Central MN Computer Consortium

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

**NEW BUSINESS  
MOTION  
Item 9.A.1**

Director York introduced the first order of business, item 9.A.1: Consideration to Reject Quotes Received for Sylvania Park Bandshell Improvements and Authorize Advertizing for Bids. York explained that Wold Engineering and Architects solicited quotes for bandshell repairs to be completed this fall. The City received one quote, in excess of \$175,000, from Brennan Construction. Since the quote received was outside of the State Law standards and Fairmont purchasing policy, York recommended Council reject all quotes and authorize staff to advertise for bids for repairs to begin Spring 2025. York noted staff would advertise for two bids; a formal bid for the bandshell repairs and a separate bid for hazardous material removal of asbestos.

Councilmember Lubenow expressed support of moving this project forward to ensure completion prior to the bandshell Anniversary Year.

Motion was made by Councilmember Hasek, seconded by Councilmember Miller to Reject Quotes Received for the Sylvania Park Bandshell Improvement Project. All present voted in favor. Motion carried.

A second motion was made by Councilmember Maynard, seconded by Councilmember Miller to Authorize Staff to Advertise for Bids for the Sylvania Park Bandshell Improvement Project, including Separate Bids for Hazardous Material Removal. All present voted in favor. Motion carried.

**MOTION**  
**Item 9.A.2**

The next item of new business was the Consideration of Advertising for Bids for the Gomsrud Park – North Parking Lot. Director York reviewed previous Council actions that led to this agenda item, with Council most recently rejecting all bids on July 22, 2024 and directing staff to rebid for the project this fall. Director York requested Council authorize staff to release bid documents on/around December 9, 2024 with bid opening set for January 21, 2025.

Motion was made by Councilmember Hasek, seconded by Councilmember Maynard to Authorize Staff to Advertise for Bids for the Gomsrud Park – North Parking Lot Project on or around December 9, 2024. Prior to a final vote, Councilmember Kawecki voiced her opposition based on citizen feedback, further expressing that the project design does not fit what the citizens want. Councilmembers Hasek, Lubenow, Maynard, and Miller voted in favor thereof; Councilmember Kawecki voted against. Motion carried.

**MOTION**  
**Item 9.A.3**

Director York introduced agenda item 9.A.3: Consideration of a Street Light Request – Cadillac Avenue. As Council approved a Street Light Policy (September 23, 2024) and a request for a street light was received that did not conform to policy standards, staff sought Council's direction. Director York reviewed the policy guidelines and noted non-compliance of the policy criteria based on "the streetlight should be no less than 200 feet and no more than 300 feet from a current pole". With Cadillac Avenue only 322' in length, any location proposed would not meet policy standards. Given the circumstances, York asked if Council wanted to deviate from the street light policy and place the light in a location outside of the policy, and if so, if Council would accommodate Mr. Robert Millette's verbal request for two street lights.

Robert Millette, resident of Cadillac Avenue and Street Light Requestor, addressed Council citing pedestrian, vehicle, and property safety as concerns on Cadillac due to limited lighting and voiced his opinion on the placement of a street light. Extensive discussion was held regarding light placement to ensure the most benefit for all properties along Cadillac

Avenue. Councilmember Maynard and Councilmember Kawecki agreed with the need of additional light on Cadillac Avenue.

Motion was made by Councilmember Maynard, seconded by Councilmember Miller to Install a New Street Light on Cadillac Avenue at the "pink or purple diamond location"\*\*\* Even though placement does not fall within the guidelines of the City of Fairmont Street Light Policy. Prior to a final vote: Councilmember Lubenow inquired on the cost of installation and operation of a streetlight. York stated the cost of installation is approximately \$1,000 plus 5 hours of labor for 2 staff and the cost of annual operation of the LED light is quite inexpensive. Further discussion centered around potential placement on the current service pole prior to Council circling back to the motion on the table, as that provided the most benefit for the entire area. Councilmembers Hasek, Kawecki, Maynard and Miller voted in favor thereof; Councilmember Lubenow voted against. Motion carried.

\*\*\* See agenda packet materials for visual depiction of pole placement; southeast corner of parcel number 23.131.0080 (1616 Cadillac Avenue)

**MOTION**  
**Item 9.C.1**

Fire Chief Kastning presented on agenda item 9.C.1 stating the mutual aid agreement the Fire Department currently operates under with 13 other local fire departments is outdated; dating back to 2011 or 2012; and does not provide guidelines for billing nor list a fee schedule to use when billing a requesting agency. Kastning stated the proposed updated agreement addresses those items, with a fee schedule based off current DNR rates.

Motion was made by Councilmember Miller, seconded by Councilmember Lubenow to Approve the Updated Minnesota Middle 9 Mutual Aid Agreement for Fire and Emergency Services. All present voted in favor. Motion carried.

**MOTION**  
**Item 9.C.2**

As the State of Minnesota legalized cannabis cultivation, manufacture, retail sale, and consumption; municipalities could choose to regulate the time, place and manner of said activities. Planner & Zoning Official Bode noted the Planning Commission recommends Council approve proposed Ordinance 2024-05, as attached in the agenda packet. Bode suggested Council consider extending retail operations to include B3 and B2 districts, allowing cannabis retailers to operate Downtown as well as along major commercial corridors.

Motion was made by Councilmember Maynard, seconded by Councilmember Miller to Approve the First Consideration of Proposed Ordinance 2024-05: An Ordinance Amending Fairmont City Code, Chapter 26 – Zoning. All present voted in favor. Motion carried.

**TABLED**  
**Item 9.C.3**

With the absence of Administrator Skaret and his direct involvement with agenda item 9.C.3, Mayor Baarts tabled this item to the November 25, 2024 with follow up from Director York and/or Director Oman.

**MOTION**  
**RESOLUTION 2024-32**  
**Item 9.C.4**

Staff has been working with Flaherty & Hood and Bolton and Menk, while utilizing information from the League of Minnesota Cities, on updating the City's outdated special assessment policy. Director York highlighted the changed to be:

- 1) how linear footage is calculated, with a maximum footage of 150' on residential properties
- 2) basing the cost of a street resurfacing project on the average cost of such type of project over a certain number of years
- 3) assessing for water and sewer lines to limit taxing our reserves

Councilmember Kawecki inquired if assessing for water and sewer lines would reduce or remove the monthly utility bill infrastructure charge for water and/or sewer. Director York responded stating there would be no removal or infrastructure charge reduction. Kawecki expressed concern that citizens would not be able to afford assessments under the new policy, council needs to think about where the money is being spent, and that the assessment policy is not getting us new roads and infrastructure.

Councilmember Miller, while cognizant of the rising costs and effects on taxpayers, voiced support of the policy noting improvements to roads and infrastructure to be an overall positive for the community. Councilmember Maynard and Hasek concurred.

After much continued discussion, Mayor Baarts called for a vote. Motion was made by Councilmember Maynard, seconded by Councilmember Miller to Approve Resolution 2024-32: Approving an Update to the City's Special Assessment Policy "Exhibit A". Councilmembers Hasek, Lubenow, Maynard, and Miller voted in favor thereof; Councilmember Kawecki voted against. Motion carried.

**COUNCIL DISCUSSION**  
**Item 10.1**

Councilmember Maynard brought item 10.1 forward to Council, highlighting the history of this agenda item. While Council voted to allow beekeeping in Fairmont, the ordinance pertaining to "Animals" was viewed, by staff and legal, as ambiguous and could be read to prohibit beekeeping. Attorney Brown commented that staff and legal mutually determined a short amendment would clear up the ambiguous terms and allow for beekeeping with minimal parameters and without amending the code the city remains exposed with some potential liability.

After much discussion on previous Council action and the code as it currently reads with regards to Animals/Beekeeping, Mayor Baarts stated

for Staff to bring back the previously proposed ordinance pertaining to Animals/beekeeping to Council on November 25, 2024.

**Item 10.2**

Councilmember Kawecky brought forth item 10.2 to Council questioning the \$1.2 million dollar project cost and the business owners involvement in the Downtown Beautification project.

Councilmember Miller stated in discussion with Director Oman, that this project does not affect the budget or the levy. Finance Director Hoye confirmed the \$1.2 million dollars for the project is coming out of capital reserve account with no impact to the levy.

Director York provided a project update with an RFP send out the beginning of November for a design firm to provide a conceptual design, and reiterated involvement with Downtown businesses and the groups as Councilmember Kawecky listed/voiced to be included as part of the conceptual design.

**Item 10.3**

Councilmember Lubenow provided images to Council of the materials at the yard waste site and questioned and suggested methods for material removal. Director York reviewed the current plan, which is following suit since prior discussion on said matter. Councilmember Lubenow suggested professional tree removers have their fee upped to \$10,000 as they provide the larger materials based on the quantity and size of material brought to site. York stated he has ideas on this item, citing other problems to address – such as there is it is coming from. York noted bringing forth to Council after the first of the year that is a large item and change and has ideas and other problem to address – such as where it is coming from.

**STAFF/LIAISON  
REPORTS**

Director York spoke on the recently mailed “lead service line letters” and encouraged those with questions to contact him directly. York stated he recently applied for grant funding for said project and recommended if residents wish to replace their line from the curb stop to their property to hold off until the state has a funding mechanism in place for reimbursement. York reported leaf pick-up is completed for the season and street sweeping is underway.

Director Hoye noted while 4 assessment objections were received for the Woodland Avenue Project, in discussion with staff, Council and Legal, the best overall consensus was to reassess all 2024 Woodland Avenue Project under the newly adopted Special Assessment Policy. Hoye brief Council on the procedures of the reassessment and received Council confirmation to move in that direction.

Councilmember Kawekci reported the Martin County Library is fully staffed with regular hours of operation and One Watershed will be meeting in January


Councilmember Maynard reported the on the Airport Projects (taxiway lighting design and Master Plan). Additionally, Councilmember Maynard reported the BZA approval of a variance along state Street and that FEDA discussed a potential sale of property along County Road 39.


Councilmember Miller shared CER facility hours are on pace to exceed last years hours and several new young adult/adult and youth programs are being offered and well received.

#### 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 7:37 p.m.

ATTEST:

  
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Betsy Steuber, City Clerk

  
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Lee C. Baarts, Mayor