

**City of Fairmont
100 Downtown Plaza
Fairmont, MN 56331**

City Council Minutes
Regular Meeting

April 14, 2025
City Hall, 5:30 p.m.

CALL TO ORDER

The Fairmont City Council met in regular session at the City Hall Council Chambers. Mayor Baarts called the meeting to order at 5:30 p.m.

ROLL CALL

Council present: Lee Baarts, Mayor
Wayne Hasek, Councilmember
Britney Kaweck, Councilmember
James Kotewa, Councilmember
Randy Lubenow, Councilmember
Jay Maynard, Councilmember

Absent: None

Staff present:

Jeff O'Neill, Interim City Administrator
Matthew York, Director of Public Works/Utilities
Paul Hoyer, Finance Director
Michael Hunter, Chief of Police
Pat Oman, Community Development Director
Tom Donnelly, Municipal Liquor Store Manager
Lee Steinkamp, Municipal Airport Manager
Tyler Cowing, Civil Engineer
Betsy Steuber, City Clerk
Troy Nemmers, Bolton & Menk (contracted services)
Cara Brown, City Attorney, via telephone
(Flaherty & Hood)

PLEDGE OF ALLEGIANCE

The City Council and all present stood for the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion was made by Councilmember Maynard, seconded by Councilmember Hasek to approve the agenda as presented. 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**
Item 4.1

Mayor Baarts proclaimed Friday, April 25, 2025 as Arbor Day in the City of Fairmont prior to inviting the community to the City of Fairmont Park Department's annual Arbor Day Celebration on April 25 at 1:30 pm at Bird Point Park (591 Woodland Avenue).

Item 4.2

For the next item of business, Director Oman presented a matrix of grants/funding mechanisms received and a listing of funding opportunities under consideration. The matrix outlined the funding mechanisms applied for, their purpose, strategic objectives and administration details. Oman noted most grants listed were successfully written and received, with a few exceptions that were not awarded.

Next, Director Oman highlighted some legislative items for which there is support, along with a number of grant programs being pursued. Oman stated the list was not exhaustive and reflects efforts made in the first quarter of 2025 with staff actively reviewing potential grants for funding and match requirements related to ongoing projects.

Discussion centered around the City's lobbyist involvement with acquiring funding for various projects. Director Oman stated they aid in obtaining information, connecting the City with important contacts and navigating the process of securing funding through important channels that the city cannot access on its own.

**PUBLIC DISCUSSION/
COMMENT**

Richard Bradley, resident of Fairmont, posed numerous questions to Council relating to the Fairmont Area Community Center draft agreement.

- Ownership: Who will own the proposed Community Center?
- Documentation: Who is the point person ensuring the FCC submits the necessary documentation to receive the promised \$12.6 million?
- Lease Exit: Why would the city cover debts incurred by FCC if it exits the lease early, as stated in the draft agreement?
- Reimbursement: Why is the city willing to reimburse FCC for investments if it exits the lease early?
- Redesign Costs: Who will pay for any redesign changes, considering the taxpayers have already spent a significant amount on architectural designs?

In concluding, Bradley urged these questions be addressed before the City Council allocates \$12.6 million of taxpayer funds to the FCC.

Darlene Lutz, resident of Fairmont commented and raised concern regarding who will be responsible for the soft costs (i.e. tables, chairs, exercise equipment) of the community center. Ms. Lutz stressed the need for clarity and transparency before sales tax money is distributed.

The majority of councilmembers voiced concerns over the lingering Community Center project while emphasizing the need to establish a timeline for concrete actions and decisions to be made regarding the project.

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 Meeting Minutes from the Regular Meeting held March 24, 2025
- City Council Meeting Minutes from the Special Meeting held March 24, 2025
- An Event Permit for the Fairmont Lakes Foundation Spring Fishing Tournament on May 17, 2025
- An Event Permit for the Early Childhood Initiative Storybook Walk from July 1, 2025 to August 31, 2025
- An Event Permit for the City of Fairmont Live Art Installation on Jun 14, 2025
- An Application/Permit for the Large Outdoor Public Fireworks Display by J & M Designs for July 4, 2025
- A Tobacco License and a License to Sell Edible Tetrahydrocannabinol Infused Products for CAPL Retail, LLC., dba Express Lane at 407 E. Blue Earth Avenue
- A 3.2% Off Sale License for CAPL Retail, LLC., dba Express Lane at 407 E. Blue Earth Avenue
- The MNDOT State Airports Fund Equipment Grant Agreement/Resolution 2025-15 for Contract No 1059706 to Purchase a John Deere Zero Turn Mower and Declare the Current Unit as Surplus

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

NEW BUSINESS MOTION Item 9.A.1

Chief Hunter introduced agenda item 9.A.1: Consideration of the Fairmont Police Department Body Worn Camera (BWC) Audit, dated March 27, 2025. Chief reported that every two years, state law requires an audit of the body camera program with the findings presented to Council.

The Fairmont Police Department BWC Program has been in place since 2018, making the Fairmont PD one of the first departments to use body cameras in southern Minnesota. Chief Hunter provided a brief

background on body camera usage, noting they provide an objective view of events, help clarify situations when perception may differ from reality and are synced with the newer squad cameras in patrol vehicles to allow for comprehensive coverage, capturing both exterior and interior audio.

Motion was made by Councilmember Kotewa, seconded by Councilmember Kawecki to Approve the Body Worn Camera Audit, as Presented, and Direct Staff to Submit the Audit Report to the State of Minnesota Legislative Commission on Data Practices and Personal Data Privacy All present voted in favor. Motion carried.

MOTION
Item 9.A.2

Interim O'Neill provided background information on agenda item 9.A.2: Consideration to Adopt a Policy for Processing Multiple Retail Cannabis Registration Applications with a Single License Available. As the city has one retail cannabis license available and multiple candidates who have expressed interest, O'Neill outlined the proposed policy, as approved by the City Attorney. The proposed approach focuses on a first-come, first-served basis to manage applications, eliminate favoritism and ensure transparency for applicants.

Motion was made by Councilmember Kawecki, seconded by Councilmember Maynard to Adopt the Cannabis Local Retail Registration Process, as Presented. All present voted in favor. Motion carried.

MOTION
Item 9.A.3

Agenda item 9.A.3: Consideration to Authorize an Amendment to an Agreement with MSA Professional Services, Inc., dated 05/09/2022 regarding Updates to the Zoning Ordinance and Subdivision Regulation Updates was introduced to Council by Director Oman. Oman noted the proposed amendment will allow the city to manage the review process with MSA's support, leading to public review events where citizens can provide input prior to a formal public hearing process with an anticipated completion date of August 2025.

Motion was made by Councilmember Kawecki, seconded by Councilmember Kotewa to Authorize Amendment Contract No: 1 with MSA Professional Services, Inc. to Complete Chapter 26 Zoning Ordinance and Chapter 24 Subdivision Regulation Updates. All present voted in favor. Motion carried.

MOTION
Item 9.A.4

Director Oman introduced item 9.A.4: Consideration of an On-Call Planning Services Contract with MSA Professional Services, Inc. Oman stated the proposed agreement with MSA incurs no costs unless their services are used, providing for immediate support for any planning or zoning questions, with costs outlined in the agreement.

Motion was made by Councilmember Kaweck, seconded by Councilmember Kotewa to Approve a Professional Services Agreement with MSA Professional Services, Inc. for On-call Planning Services. All present voted in favor. Motion carried.

MOTION
Item 9.A.5

Interim O'Neill shared his background working with city engineers, primarily noting, regardless of how a city is set-up (with an engineer on staff or with public works people) the overall goal is to create a productive and efficient partnership between city staff, council and the city engineer for the benefit of the community.

A Request for Proposal was sent out on November 1, 2024 with proposals received from SEH, ISG and Bolton & Menk. The proposals were reviewed and interviews held by Councilmember Kaweck, Councilmember Kotewa, Interim O'Neill, Director York and Tyler Cowing. While each firm was qualified and capable, having a wealth of resources and the ability to offer various services beneficial to the city, ISG and Bolton & Menk were viewed as the top two firms for consideration.

While the majority in the work group recommended ISG, Councilmembers within the work group were split on their individual recommendations - Councilmember Kaweck voiced support for ISG noting it to be time for a change as Bolton & Menk has become complacent and Councilmember Kotewa voiced continued support for Bolton & Menk noting a strong sentiment in the community, given their long-standing presence and local workforce. Councilmembers Maynard and Hasek concurred with Councilmember Kotewa.

Prior to calling for a vote, Councilmember Kaweck voiced her frustration as a committee member who spent hours reviewing proposals, debating candidates and providing Council with a recommendation that fellow councilors appear not willing to consider.

Motion was made by Councilmember Hasek, seconded by Councilmember Maynard to Appoint Bolton & Menk as the Consulting Engineer for the City of Fairmont, as determined by City Council. On roll call, Councilmembers Hasek, Kotewa and Maynard voted in favor; Councilmembers Kaweck and Lubenow voted against. Motion carried.

MOTION
Item 9.B.1

While staff initially thought they could manage construction administration of the Gomsrud Park project, due to the size and complexity of another project Director York brought forth Task Order #11 with Bolton & Menk for Gomsrud Park Project Construction Administration for Council consideration.

Several councilmembers expressed concerns with the \$70,000 expense, raising questions on how the cost was determined and if there is the opportunity for negotiation with Bolton & Menk.

Motion was made by Councilmember Kotewa, seconded by Councilmember Maynard to table item 9.B.1 to a future meeting, directing staff to re-negotiate the dollar amount of Task Order #11. Councilmembers Hasek, Kotewa, Lubenow, and Maynard voted in favor; Councilmember Kawecki voted against. Motion carried.

MOTION
Item 9.B.2

Director York introduced item 9.B.2: Consideration to Approve the Purchase of a New Dump/Plow Truck and Snow Removal Equipment to replace a 1990 L8000 in excess of 152,000 miles for the Public Works Department.

Councilmember Kawecki inquired about the total number of dump trucks owned by the City and questioned why said truck had not been replaced despite historical replacement practices while appreciating the detailed information included in the packet for this agenda item. Councilmember Maynard reemphasized the need to replace aging equipment along with maintenance challenges of older equipment.

Motion was made by Councilmember Maynard, seconded by Councilmember Kotewa to Approve the Purchase of a Chassis from Truck Center Companies, Dump/Snow Removal Equipment from TBEI and Towmaster Truck Equipment and Declare a Truck as Excess Inventory to be sold at Auction. All present voted in favor. Motion carried.

COUNCIL DISCUSSION
Item 10.1

Councilmember Lubenow brought up designating revenues from from THC infused products to be sold at the Municipal Liquor Store be designated for specific projects – such as road repairs . Director Hoye reported the sale of those products will be accounted for in a specific fund and can be used as Council directs.

STAFF/LIAISON
REPORT

Director York reported the following:

- Adopt a Park program participants were recognized and those interested in adopting a park were encouraged to contact City Hall.
- The City will be performing maintenance (mowing and spraying) of City detention ponds, while being mindful of the timing to allow for pollinator growth.
- An email will be sent to Council on the courts at Veterans Park regarding prior conversations on resurfacing and/or reconstruction

Director Hoye reported that preparatory operations are underway for the upcoming season at the Fairmont Aquatic Park.

Director Oman reported the Region 9 Community Resiliency Planning Committee will be meeting on Thursday, April 24, at 5:00 pm.

Interim O'Neill listed preliminary dates for Council to hold strategic planning sessions to identify long term City goals. An email with more definite information will be sent.

Councilmember Kawecky reported on her recent attendance at the Library Board meeting and that One Watershed One Plan is moving forward with different capital projects for the City of Fairmont to focus on.

Councilmember Lubenow shared that Fairmont CER's summer on-line registration is LIVE and that local legislators will be in Fairmont on April 15, 2025 at 5:00 pm to hear from citizens on local concerns.

Councilmember Maynard reported the Airport Board did not meeting due to lack of a quorum and FEDA approved a façade loan.

Councilor Kotewa attended the Region 9 meeting with MNDOT presenting. MnDOT will be redoing Highway 15 from the railroad tracks to Goemann Road Summer 2025.

Mayor Baarts stated that the Bravo Zulu House is seeking volunteers

ADJOURNMENT

Motion was made by Councilmember Maynard, seconded by Councilmember Hasek 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 7:34 p.m.

ATTEST:



Betsy Steuber, City Clerk



Lee C. Baarts, Mayor