

In response to a Council inquiry regarding gun-related crimes, Chief Beletti stated that such incidents are not a significant concern locally, noting that while issues do arise from time to time, they are addressed appropriately by the Department.

Councilmembers expressed appreciation for the professionalism, dedication, and service of the Fairmont Police Department.

**PUBLIC DISCUSSION/
COMMENT**

Tom Donnelly, resident of Fairmont and manager of the Fairmont Municipal Liquor Store, expressed appreciation of the “old” Minnesota flag being displayed at City facilities and requested Council consider a resolution regarding its continued display.

Jon Balcom and Lynda Stauer, owners of property along Lake Avenue, requested verification regarding the placement and connection of the newly installed water and sewer lines, including whether the utilities were extended to the shop building on his property, and requested follow-up.

Betty Wiederhoeft, owner of Richard’s Auto Repair & Towing located at 410 E Blue Earth Avenue, voiced concerns regarding proposed tree plantings along Blue Earth Avenue, citing maintenance issues (including debris from berries/seeds), limited City staffing for upkeep, and the potential loss of additional parking spaces, as well as the impact on nearby residential areas.

Kandi Menne, owner of residential and commercial property at the corner of Prairie Avenue and Blue Earth Avenue, concurred with comments made by Ms. Wiederhoeft regarding tree plantings, reiterating concerns about maintenance (including debris from berries/pods) and impacts from birds. Ms. Menne also raised concerns about potential obstruction of Prairie Avenue driveways, loss of parking, and requested clarification on the proposed easement and the extent of green space and maintenance responsibilities.

Rich Bradley, resident of Fairmont and member of community group Citizens 4 a Strong Fairmont, expressed appreciation to City staff for the presentation outlining potential uses of remaining local option sales tax (LOST) funds. Mr. Bradley noted support for smaller projects, citing benefits such as lower cost, quicker implementation, reduced maintenance, and enhanced community appeal.

Cory Meyer, resident of Fairmont, inquired about potential penalties to be incurred by Contractor related to the Lake Avenue project not being completed on time, referencing estimated costs, penalty fees and a

cancelled wall project. Mr. Meyer asked whether any recovered funds would result in a reduction in property taxes.

**APPROVAL OF
AGENDA**

Motion was made by Councilmember Maynard, seconded by Councilmember Kotewa 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.

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 9, 2026
- March 2026 Accounts Payable List
- Proposed Updates, as Outlined, to the Military-Related Family Leave Personnel Policy
- Proposed Updates, as Outlined, to the Military Leave Personnel Policy
- Adoption of Resolution 2026-13, a Resolution Governing Write-In Votes for City Offices in Municipal Elections
- Proposed Updates, as Outlined, to the Recruitment Policy Personnel Policy
- Purchase Order 15798 Authorizing the Purchase of New Radios for the Fairmont Fire Department
- Transient Merchant Permit for TNT Fireworks to sell Minnesota Approved Fireworks in the Walmart Parking Lot from approximately June 20 – July 5, 2026
- Adoption of Resolution 2026-15 Submitting a Name to the Chief Judge of the Fifth Judicial District Court for Consideration in Making an Appointment to the City of Fairmont Charter Commission (James Utermarck)

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

PUBLIC HEARING
RESOLUTION 2026-14
Item 7.1

Prior to opening the Public Hearing, City Engineer Cowing provided an overview of the 2025 Improvement Program. Cowing noted that concrete contractors are tentatively planning to begin work on Lake Avenue in mid-to-late April, weather permitting. He further explained that the public hearing provides an opportunity for affected property owners to address the Council regarding their assessments.

In response to a question raised during the public comment portion of the meeting regarding project delays/penalties, Cowing stated that the construction contract may include a daily penalty (approximately \$1,500 per day), though such provisions are subject to contract requirements and weather-related allowances.

Councilmember Lubenow inquired whether construction-related inconvenience, such as extended gravel conditions, could be considered in assessment calculations. Staff indicated assessments are determined in accordance with the City's adopted policy, are not adjusted based on individual inconvenience but rather on three-year historical averages of project costs.

Mayor Baarts declared the public hearing open.

Tom Dougherty, representative of DFP Limited Partnership, entity owning approximately 74 acres located at 1300 Lake Avenue (Senne Farm), addressed the Council to formally object to the property's proposed assessment of \$274,705.38. He noted that a written objection had been submitted to the City Clerk and was included in the agenda packet.

Mr. Dougherty stated that the proposed assessment is unlawful, asserting that the project provides no special benefit to the property as required under Minnesota law. He indicated that the property is agricultural in use, has no access, utilities, or drainage connections to Lake Avenue, and would not experience an increase in market value because of the improvements.

He further stated that the assessment methodology, based on prior project averages and a front-foot formula, is not appropriate for agricultural land and referenced prior case law involving the City of Fairmont (*Bisbee v. City of Fairmont*). Mr. Dougherty also raised concerns regarding the economic impact of the assessment, stating it would create a financial burden disproportionate to any benefit received. In closing, Mr. Dougherty requested that the Council recognize the lack of special

benefit and set the assessment at \$0. He indicated that a licensed appraiser has been engaged to evaluate the property and expects no increase in value attributable to the improvements.

Colin Dougherty, representative of DFP Limited Partnership, entity owning approximately 74 acres located at 1300 Lake Avenue (Senne Farm), voiced objection to the special assessment for the property. He expanded on Tom Dougherty's presentation and referenced prior Councilmember Lubenow and Councilmember Maynard's comments regarding the likelihood of development and the appropriateness of assessing costs to the agricultural property, respectively. Mr. Dougherty reiterated that the assessment should be set at \$0.

Cory Meyer, owner of 931 Lake Avenue, addressed the Council regarding concerns with sewer odor at his property following completion of the project. He stated that his property sits higher than surrounding areas and that he has experienced recurring sewer gas odors inside his home. Mr. Meyer inquired whether any corrective measures, such as installation of a backflow or one-way device, could be considered to address the issue.

Richard Bradley, resident of Fairmont, stated that based on his review of the assessment materials and what he has heard, he is concerned with the assessment process and its impact on agriculture properties. He urges Council to consider a more equitable approach that distributes costs broadly across the town/community.

Mayor Baarts expressed appreciation to Lake Avenue residents and businesses for their patience during the construction project. He voiced concern with proceeding with assessments while the project remains incomplete and acknowledged and agreed with the feedback received regarding paying for improvements that cannot yet be fully utilized, while also being used by the broader community.

Paul Hargan, owner of 1031 Lake Avenue, voiced concern regarding the lack of signage directing customers to businesses during construction, noting a significant loss of revenue as a result. Mr. Hargan also questioned recent property tax increases, how assessments would be applied, and whether consideration would be given to businesses impacted by the ongoing construction project.

Jon Balcom, owner of 1029 Lake Avenue, noted the assessment amount appeared higher than originally anticipated. He also expressed concern

with the project delays beyond the expected completion timeframe and suggested consideration be given for the impacts experienced to those along Lake Avenue during the project.

Attorney Assaf provided clarification on the assessment hearing process under Minnesota Statutes Chapter 429, noting the Council must consider and act upon any objections presented. Mayor Baarts noted that written objections had been received for properties at 1300 Lake Avenue and 903 Lake Avenue, included in the agenda, for Council consideration. The City Attorney explained that objections must be presented prior to adoption of the assessment roll, and that while verbal objections may be heard and acted upon, written objections are required to preserve appeal rights.

Clerk Steuber was asked whether the hearing notice included information on the objection process. She confirmed that the notices mailed to property owners outlined the process and the necessary steps for submitting objections. Mayor Baarts indicated that individuals who had not yet submitted a written objection would be allowed a few moments to submit their written objection to Clerk Steuber.

Discussion followed regarding options to either close the hearing and adopt the assessment roll excluding objected properties or continue the hearing to allow for further review. Attorney Assaf advised Council could either address objection at the current meeting or continue the hearing to a future meeting to allow staff and legal counsel additional time for review and analysis on the objections received.

Motion was made by Councilmember Maynard, seconded by Councilmember Lubenow to Continue the Public Hearing on the following properties located within the City of Fairmont: 1031 Lake Avenue, 1029 Lake Avenue, 931 Lake Avenue, 1300 Lake Avenue, 903 Lake Avenue and 1026 Lake Avenue, until the regular Fairmont City Council meeting on April 13, 2026. All present voted in favor. Motion carried.

Motion was made by Councilmember Maynard, seconded by Councilmember Lubenow to Close the Hearing for all other Properties for which the City Has Not Received Objections. All present voted in favor. Motion carried.

Motion was made by Councilmember Maynard, seconded by Councilmember Kotewa to Adopt the Assessment Roll Subject to Modifications made for any of the Six Properties that have Objected. In

discussion, Councilmember Lubenow voiced concern with approving assessments prior to full project completion, noting not all property owners have received the full benefit of the improvements while inquiring about the timing of assessments and alternatives, including delaying interest accrual. Staff noted that while the project has experienced delays, it is common practice to certify assessments prior to full completion, with final work often extending into the following year. The project is approximately 85% complete, with remaining work anticipated to be finished in the coming weeks once concrete production resumes. Engineer Cowing noted that the final completion date on the project for all restoration services is anticipated to be around June 14. Attorney Assaf confirmed Council has the authority to establish/modify the interest accrual date within the adopting resolution. Council considered potential interest accrual dates, noting anticipated project completion timelines and weather-related uncertainties.

Council reached consensus to set the interest accrual date to August 1, 2026.

Motion was made by Councilmember Lubenow, seconded by Councilmember Kotewa to Adopt Resolution No. 2026-14 Adopting the Special Assessments for the 2025 Improvement Program, subject to the modifications made for the 6 properties that have objected, with an interest accrual start date of August 1, 2026. All present voted in favor. Motion carried.

NEW BUSINESS
MOTION
Item 9.A.1

Finance Director/Acting Administrator Hoye introduced the first agenda item of new business, Item 9.A.1: Consideration of the Local Option Sales Tax (LOST) Funding Project List and Determine Next Steps. Hoye referenced prior Council discussion from November 24, 2025, where direction was given to gather community input on potential uses of remaining LOST funds. He noted staff had considered scheduling a special meeting to review submitted ideas but, due to differing Council viewpoints, brought the discussion forward at this meeting.

Finance Director/Acting Administrator Hoye stated the purpose of the discussion was to determine how Council would like to proceed with project prioritization, including whether to seek additional public input and whether to fund one large project or multiple smaller projects.

Director York presented the compiled project list, agenda packet materials, and the methodology used to develop cost estimates. He explained that

project ideas were collected through submissions to the City Clerk, social media outreach, and community input (Councilmember Kawecki's submission input and information gathered by the survey conducted by the Citizens for a Stronger Fairmont community group), and were grouped into general project categories. He noted artificial intelligence was utilized to assist with generating preliminary cost estimates, which are intended for planning purposes only and do not include land acquisition, utility relocation, environmental considerations, or ongoing operational costs.

Mr. York reviewed the general findings, including:

- Small projects (under \$2,000,000), consisting primarily of park amenities, trails, shelters, playground equipment, and similar improvements;
- Mid-sized projects (\$2,000,000 to \$5,000,000), including concepts such as the Opera House;
- Large projects (over \$5,000,000), including indoor recreation facilities, ice arenas, and campground developments; and
- Projects that were either too vague to define or may not be eligible for LOST funding, such as general park improvements, street projects, or business incentives.

Director York emphasized the project list is not final and may be modified, and that eligibility of certain projects for LOST funding will require further legal review. He also noted several submissions lacked sufficient detail to develop specific project scopes or cost estimates. He concluded by requesting Council direction on how to proceed with prioritization of projects and the overall approach to allocation of remaining LOST funds, including whether to focus on a single large project or multiple smaller projects.

Council discussion followed. Councilmember Maynard expressed interest in determining whether LOST funds could be used for the Opera House and requested a definitive legal determination with Councilmember Kotewa concurring. Councilmember Lubenow discussed the importance of identifying potential project partners, available resources (including the Fairmont School District, Hockey Association, and prior Community Center Stakeholder) and to determine if the former Mayo property, previously pledged donations, and potential grant funding are available.

Council continued discussion on the need to understand total available funding, project eligibility, and long-term operational considerations prior to making project decisions. It was noted that additional stakeholder

coordination and information gathering would be necessary before holding a broader work session.

Motion was made by Councilmember Lubenow, seconded by Councilmember Maynard to Direct Staff to Contact TAFT to Determine Whether LOST Funds May be Used for the Opera House and to Request Clarification from Taft Regarding the Use of LOST Funds for a Project Located on School Property, including a Potential Joint Agreement; to Direct Staff to Contact the Fairmont Area Community Center (FACC) group Regarding the Status of Previously Pledged Donations and Ownership of the Mayo Property (located at 725 Johnson Street).

After discussion regarding potentially setting a date for a special meeting, stakeholders to involve based on the project, and what projects the school had in mind, the motion was amended to read as follows: To Direct Staff to Contact TAFT to Determine Whether LOST Funds May be Used for the Opera House and to Request Clarification from Taft Regarding the Use of LOST Funds for a Project Located on School Property, including a Potential Joint Agreement; to Direct Staff to Contact the Fairmont Area Community Center (FACC) group Regarding the Status of Previously Pledged Donations and Ownership of the Mayo Property (located at 725 Johnson Street) and to Direct Staff to Hold Discussion with Fairmont Schools to Clarify the Project Scope and Location with Regard to Placement on School Property or the Mayo Property (located at 725 Johnson Street). All present voted in favor. Motion carried.

Council discussed timing for returning LOST project information and directed staff to bring the information back as soon as available, rather than setting a specific meeting date.

RECESS

Council took a brief recess

DISCUSSION Item 9.A.2

Human Resources Manager Viesselman presented a proposed template for conducting a City Attorney performance evaluation, outlining evaluation categories and a proposed biennial review process when introducing agenda item 9.A.2: Consideration of a Template for City Attorney Performance Evaluation.

Council expressed concerns that the proposed template may be overly formal and not reflective of the limited direct interaction Council has with the City Attorney. Council indicated a preference for a simplified

approach focused on qualitative feedback from staff who regularly interact with the City Attorney, such as department heads.

Discussion included the possibility of utilizing a short list of questions or requesting general feedback, including strengths and areas for improvement, rather than a scored evaluation form. Council emphasized the importance of evaluating responsiveness, communication, legal guidance, and fiscal accountability.

Council also discussed and requested obtaining input from all Councilmembers and identifying appropriate staff participants based on their level of interaction with the City Attorney.

Council consensus was to direct staff to revise the evaluation approach to include a simplified format, solicit input from relevant staff, and incorporate additional feedback from Councilmembers. Staff will bring a revised evaluation framework back to Council for further review at a future meeting.

MOTION
Item 9.A.3

During the presentation of agenda item 9.A.3: Consideration of an Amendment to the Cooperative Agreement for the Use of the Martin County Multi-Use Recreational Facility, Finance Director/Acting City Administrator Hoyer presented a proposed amendment to the cooperative agreement with the Martin County Fair Board regarding use of the Martin County Multi-Use Recreational Facility. Hoyer noted the amendment is to specifically address the process for transferring facility use from the Fairmont Hockey Association to the Fair Board prior to April 15.

Council discussed the existing agreement, noting that while the Hockey Association has use of the facility from September 15 through April 15, there have been instances where the facility has been turned over earlier based on need. It was noted that this process has not been formally documented, leading to recurring confusion and questions from the public regarding facility use, particularly in relation to events such as the annual home show.

Council expressed interest in developing a comprehensive long-term agreement involving the City, the Fair Board, and the Hockey Association, rather than continuing informal or short-term arrangements, should the City continue to be an active partner. Discussion included the importance of clearly defining roles, responsibilities, and timelines, as well as

ensuring input from all parties. Council also discussed flexibility in determining the transition date each year based on the Hockey Association's needs.

Additional discussion was held regarding recent public confusion and misinformation surrounding facility use and upcoming events. Council acknowledged the need to address immediate concerns while also working toward a long-term solution prior to the next hockey season.

Motion was made by Councilmember Kotewa, seconded by Councilmember Maynard, to Approve the Amendment as Presented to the Cooperative Agreement with the Martin County Fair Board for the use of the Martin County Multi-Use Recreational Facility, Formalizing the Process for Transferring Facility Use Prior to April 15 when the Fairmont Hockey Association No Longer Requires the Facility, with the Additional Direction that a New Agreement between the City, the Fair Board, and the Hockey Association be Completed by September 15, 2026. All present voted in favor. Motion carried.

MOTION
Item 9.B.1

The next item of business was agenda item 9.B.1: Consideration of landscaping Design Options for the Blue Earth Avenue Project, introduced by Director York. York referenced the presented landscaping design options for the Blue Earth Avenue project, including boulevard tree and turf options and ornamental plantings, each with associated costs. He noted a proposed rain garden at the southwest corner of Blue Earth Avenue and Park Street, with an estimated cost of approximately \$26,000, is also an option.

Troy Nemmers, City Engineer with Bolton & Menk, provided additional information regarding the designs (as outlined within the agenda packet), noting the corridor limits, proposed boulevard and intersection improvements.

Council discussed the proposed landscaping options, including maintenance requirements, long-term costs, and safety considerations related to visibility at intersections. Council also discussed feedback received from residents and the overall intent of the project, including balancing aesthetic improvements with functionality and maintenance. Additional discussion was held regarding responsibility for maintenance of boulevard areas and the need to finalize design plans to maintain the project schedule. York reiterated that all design options require ongoing maintenance and recommended that the City assume responsibility for

boulevard maintenance within the project area to ensure consistency and appearance. Council supported City maintenance of the boulevard areas, if improvements are installed.

Motion was made by Councilmember Lubenow, seconded by Councilmember Maynard, to Approve the Landscape Design Plan for the Blue Earth Avenue Project, consisting of Turf within the Boulevard Areas and a Rain Garden (Storm Water Quality Feature) located at the Southwest corner of Blue Earth Avenue and Park Street. All present voted in favor. Motion carried.

MOTION
Item 9.D.1

Economic Development Coordinator Koppen presented the final item of new business: Consideration of a Contractor Service Contract with Premier Lake Harvesting LLC for the Mechanical Harvesting of Curly Leaf Pondweed (CLP). Koppen reviewed the revised contract terms, with Premier Lake Harvesting LLC, for mechanical harvesting services, noting that the original proposal included both Phase 1 and Phase 2 for a total cost of \$174,000 (\$60,000 for Phase 1 and \$114,000 for Phase 2). Staff explained that, per Council direction, the contract was revised to allow completion of Phase 1 with Council review prior to proceeding with Phase 2.

Koppen further confirmed that Premier Lake Harvesting LLC agreed to the revised structure; noting that if Phase 1 is completed and Council elects not to proceed with Phase 2, the cost for Phase 1 would increase to \$78,000. If both Phase 1 and Phase 2 are completed, the original total cost of both Phases would remain unchanged at \$174,000.

Council discussed the revised pricing structure and confirmed understanding of the cost implications depending on whether Phase 2 is approved following completion of Phase 1.

Motion was made by Councilmember Lubenow, seconded by Councilmember Maynard, to Approve the Contractor Services Agreement with Premier Lake Harvesting LLC for Phase 1 Mechanical Harvesting Services and Authorize the Mayor and City Clerk to Execute the Agreement on Behalf of the City. All present voted in favor. Motion carried.

STAFF/LIAISON REPORTS

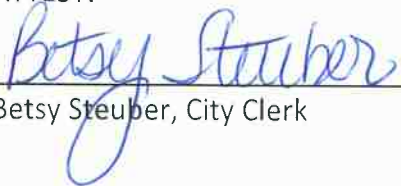
Councilmember Maynard relayed an airport update, noting trees along County Road 26 may need to be removed; however, the FAA will not fund removal unless the City owns the property and staff will evaluate options.

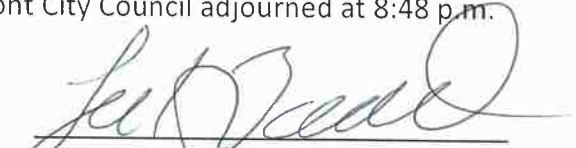
He stated that a multi-jurisdictional airport zoning board is not feasible and the airport consulting engineer selection process will likely occur later this fall and that a new tenant is expected to occupy an existing hangar soon, and a new building project remains pending receipt of architectural plans prior to finalizing agreements.

ADJOURNMENT

Motion was made by Councilmember Maynard, seconded by Councilmember Lubenow 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 8:48 p.m.

ATTEST:


Betsy Steuber, City Clerk


Lee C. Baarts, Mayor