



CITY COUNCIL AGENDA

Monday, July 13, 2026, 5:30 p.m.

1. **Roll Call/Determination of Quorum**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
4. **Recognition/Presentations**
 - 4.1 Introduction and Swearing In of Fairmont Police Officer Nain Cruz (4)
5. **Public Discussion/Comment** (Individual comments are limited to 3 minutes) (5)
6. **Consent Agenda** (Items removed from consent will be placed at the end of the items under new business)
 - A. **Minutes**
 - 6.A.1 Consideration of the City Council Minutes from the Regular Meeting held June 22, 2026 (6)
 - B. **Check Registers**
 - C. **Other**
 - 6.C.1 Consideration of an Event Permit for Scrimmagefest Sponsored By the Fairmont Soccer Association (16)
 - 6.C.2 Consideration of an Event Permit for Galaxy Band Sponsored by the Red Rock Center for the Arts (19)
 - 6.C.3 Consideration of a Temporary On-Sale Liquor License for FBC Operations LLC dba Fairmont Brewing Company for August 22, 2026 (22)
 - 6.C.4 Consideration of an Event Permit for the Cedar Creek Open (Disc Golf Tournament) Sponsored by the Cedar Creek Disc Golf Association (24)
 - 6.C.5 Consideration of a Permanent Easement for the Blue Earth Avenue Reconstruction Project (27)
 - 6.C.6 Consideration of a Temporary Easement for the Blue Earth Avenue Reconstruction Project (36)
 - 6.C.7 Consideration of Temporary On-Sale Liquor Licenses for the Truman Fire Department Relief Association (45)
 - 6.C.8 Consideration of an Event Permit for King Korn Day Sponsored by Hauschild Holdings LLC dba Silo '67 (48)
 - 6.C.9 Consideration of a Temporary On-Sale Liquor License for Hauschild Holdings, LLC dba Silo '67 for August 29, 2026 (52)
 - 6.C.10 Consideration of Updates to the "Performance Evaluations" Personnel Policy (54)
 - 6.C.11 Consideration of Updates to the City of Fairmont Data Practices Policies (58)

	6.C.12	Consideration of an Event Permit for Fund 85 Run Sponsored by American Legion Post 36	(75)
	6.C.13	Consideration of an Event Permit for Disabled Army Veterans (DAV) Fundraiser and Community Meal Sponsored by DAV	(81)
7.	Public Hearing		
	7.1	Consideration of Lake Avenue Street Improvement Objection – 1300 Lake Avenue, Fairmont (continuation)	(87)
8.	Old Business		
	8.1	Consideration of a Proposed Charter Amendment Related to Charter Section 2.01: Form of Government (Second Consideration)	(252)
	8.2	Consideration of Proposed Charter Amendment and Submission of Ballot Language	(256)
9.	New Business		
	A. Other		
	9.A.1	Consideration of Ordinance 2026-03: An Ordinance Amending Ordinance 2025-03 Establishing a Rural and Urban Service District and Calling for a Public Hearing	(262)
	9.A.2	Consideration of the City of Fairmont Strategic Policy Priorities and Goals	(269)
	B. Public Works/Utilities		
	9.B.1	Consideration of Plans and Bidding Services for the Raw Water Wall Project	(273)
	C. Finance		
	9.C.1	Consideration of a Request for Proposal (RFP) for Redesign of the Municipal Website	(287)
	D. Community Development		
10.	Council Discussion		
11.	Staff/Liaison Reports		
	A.	City Administrator	
	B.	Public Works	
	C.	Finance	
	D.	Community Development	
	E.	Mayor/Council	
		Hasek	
		Kawecki – FEDA	
		Kotewa – BZA	
		Lubenow – HRA	
		Maynard – FEDA	
		Baarts	
12.	Adjournment		

Dates to Note

Candidate Filing Period	City Hall: Clerks Office	July 14 – July 28, 2026	8:00 am - 4:30 pm
Workshop – LOST Funds	City Hall Council Chambers	July 16, 2026	11:00 am - 1:00 pm
Workshop LMC Roles/Responsibilities	City Hall Council Chambers	July 27, 2026	3:00 pm – 5:00 pm
City Council Meeting	City Hall Council Chambers	July 27, 2026	5:30 pm
Workshop	City Hall Council Chambers	July 29, 2026	4:00 pm – 6:00 pm
Workshop	City Hall Council Chambers	July 30, 2026	5:00 pm – 7:00 pm



STAFF MEMO

Prepared by: Michael Beletti, Police Chief	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☒ Regular Agenda Item ☐ Public Hearing	Agenda Item # 4.1
Reviewed by: Jason Baker, City Administrator	Item: Introduction and Swearing In of Fairmont Police Officer Nain Cruz		
Presented by: Michael Beletti, Police Chief	Action Requested:		
Vote Required: ☐ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

REFERENCE AND BACKGROUND

The Fairmont Police Department is proud to welcome and introduce Officer Nain Cruz, who joined the department on June 1, 2026.

Officer Cruz is originally from California and is a graduate of Minnesota West Community and Technical College in Worthington, MN. He brings experience as a correctional officer with the Ramsey County Sheriffs Office and most recently, the Blue Earth County Sheriff's Office. Officer Cruz was spoken highly of during the background phase of the hiring process by current and past employers.

Officer Cruz is bilingual, which is an extraordinary asset to the department and community. Throughout the hiring process, Officer Cruz shared his desire to serve the community with compassion as he strives to build positive relationships. Officer Cruz is currently assigned to a Field Training Officer where he will continue to train for the next two months.

BUDGET IMPACT

This position was budgeted for in 2026 and was vacant from January 1, 2026, through May 31, 2026.

SUPPORTING DATA/ATTACHMENTS



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☒ Regular Agenda Item ☐ Public Hearing	Agenda Item # 5
Reviewed by: Jason Baker, City Administrator	Item: Public Discussion/Comment		
Presented by: Betsy Steuber, City Clerk	Action Requested:		
Vote Required: ☐ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

Prior to regular business, is there any public discussion/comment?

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.A.1
Reviewed by: Jason Baker, City Administrator	Item: Consideration of the City Council Minutes from the Regular Meeting held June 22, 2026		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve the City Council Meeting Minutes from the Regular Meeting held June 22, 2026		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

City Council Meeting Minutes: Regular Meeting, June 22, 2026

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

City Council Minutes
Regular Meeting

June 22, 2026
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: Jason Baker, City Administrator
 Matthew York, Director of Public Works/Utilities
 Michael Beletti, Chief of Police
 Betsy Steuber, City Clerk
 Troy Nemmers, City Engineer (Bolton & Menk)
 David Assaf, City Attorney, via telephone
 (Flaherty & Hood)

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.

**PLEDGE OF
ALLEGIANCE**

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

**APPROVAL OF
AGENDA**

Prior to approval of the agenda, Councilmember Maynard requested agenda item 6.C.3, Consideration of Submitting a Name to the Chief Judge for a Charter Commission Appointment be removed from the consent agenda to allow for separate consideration. Mayor Baarts declared said item to be removed and considered under New Business as agenda item 9.B.6.

Councilmember Hasek requested agenda item 10.1, Burning of Yard Waste/Tree Dump Site, be removed from the agenda. Mayor Baarts declined the request and stated the item would remain on the agenda for discussion.

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

**PUBLIC DISCUSSION/
COMMENT
COMMENT**

Councilmember Lubenow read a statement from Jon Walters, Partner with CWG/owner of 500 W. Anna Street, Fairmont. Mr. Walter stated that the owners no longer plan to develop the property as a campground and intend to sell it. He asserted that City actions made the campground project no longer financially feasible and resulted in a financial lost to the owners, and the loss of a campground for the community.

Councilmember Lubenow read a statement from Todd Smith, requesting his application for appointment to the Charter Commission be removed from the agenda. Mr. Smith citing concerns about overall compliance with the City Charter by the Mayor, Council and City staff.

Councilmember Lubenow stated that, following a Park Board meeting, he inquired about the resurfacing of the Fairmont High School tennis courts. He noted they were last resurfaced in 2010 after the asphalt began separating, with the repairs extending the life of the courts. Based on this information, he stated he believed Veterans Park courts were likely older and have remained in good condition overall.

CONSENT AGENDA

Mayor Baarts introduced the consent agenda items as listed for consideration to be enacted by one motion unless an item was requested to be removed and placed under New Business. Mayor Baarts reviewed the consent items, as follows:

- City Council Meeting Minutes from the Regular Meeting held June 8, 2026
- June 2026 Accounts Payable List
- 2026 – 2029 School Resource Officer Agreement between the City of Fairmont and Southern Plains Education Cooperative
- Peddler Permit for Marleen Must, representing Southwestern Advantage, to Peddle within the City of Fairmont for a One Month Period, approximately June 23, 2026 – July 23, 2026
- Appointment of Brandon Hollingsworth to the Fairmont Economic Development Authority (FEDA) and Tyler Utesch to the Planning Commission
- Temporary On-Sale Liquor License for St. John Vianney Church for September 27, 2026
- Transient Merchant Permit for Homestead Steaks, LLC to Sell Prepackaged Frozen USDA-Approved Meat Products within the City of

Fairmont, with anticipated sales activities occurring in the Tractor Supply parking lot from approximately July 3–5, 2026

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

PUBLIC HEARING
ORDINANCE 2026-02
Item 7.1

Mayor Baarts opened the public hearing and called for comments on the Consideration of a Proposed Amendment to the Fairmont City Charter, agenda item 7.1. No public comments were received.

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

Motion was made by Councilmember Maynard, seconded by Councilmember Kotewa to Approve the First Reading of Ordinance No. 2026-02, Charter Amendment regarding Section 2.01 of the Fairmont City Charter. On roll call, Councilmembers Hasek, Kaweck, Kotewa, Lubenow, Maynard, and Mayor Baarts voted in favor. Motion carried.

MOTION
Item 9.A.1

Clerk Steuber introduced agenda item 9.A.1, Consideration of Proposed Charter Amendment and Ordering Preparation of Ballot Language. Steuber explained the proposed amendment was submitted by the Charter Commission and met the threshold for submission at least 17 weeks before the November General Election. She noted that unlike previous proposed amendments, a resolution was not necessary per legal as the proposal was straightforward, and that the City Attorney would prepare proposed ballot language for Council consideration at a future meeting.

Motion was made by Councilmember Maynard, seconded by Councilmember Kaweck to Receive the Proposed Charter Amendment from the Fairmont Charter Commission, Finding it Meets the Threshold of Being Approved by the Commission and Submitted at least 17 weeks before the November General Election and to Refer the Proposed Charter Amendment to the City Attorney for legal Review and Preparation of Proposed Ballot Language. All present voted in favor. Motion carried.

MOTION
Item 9.B.1

Director York introduced the next item of business, agenda item 9.B.1, Consideration of Selection of an Engineering and Planning Service Consultant for the Fairmont Municipal Airport. York reported the Airport Advisory Board reviewed the Statement of Qualifications (SOQ) submitted

by KLJ and Bolton & Menk, noting the FAA requires the consultant selection process every five (5) years and recommended selection of KLJ based on the firm's institutional knowledge and recent work for the City.

Councilmember Maynard, liaison to the Airport Advisory Board, noted they (the Board) reviewed both proposals noting little difference between the firms and reaffirmed selection of KLJ due to familiarity with the airport and past performance.

Motion was made by Councilmember Maynard, seconded by Councilmember Kotewa to Approve KLJ Engineering as the Consultant for Engineering and Planning Service at the Fairmont Municipal Airport. All present voted in favor. Motion carried.

MOTION
Item 9.B.2

Director York and Airport Manager Steinkamp introduced Consideration of Awarding the Bid for the Hanger Door Replacement and Repair Project at the Fairmont Municipal Airport. It was explained the project was the result from tornado damage and that the insurance claim process delayed the project – as additional evaluations determined replacement rather than repairs resulting in time delays and a revised settlement.

Manager Steinkamp answered a question regarding the doors noting the damaged doors to be from around 1975 and that the doors to be installed would be designed to current building and wind load standards.

Motion was made by Councilmember Kotewa, seconded by Councilmember Maynard to Accept the Bid from The Joseph Company, of Austin, Minnesota for the Hanger Door Replacement and Repair Project at the Fairmont Municipal Airport. All present voted in favor. Motion carried.

MOTION
Item 9.B.3

During presentation of Agenda Item 9.B.3, Director York explained two proposals were received from American Engineering Testing (AET) and Braun Intertec. Staff recommended Braun Intertec due to experience with federally funded projects and the ability to provide detailed testing and documentation as required for federal reimbursement.

Councilmember Kawecky questioned the difference between the proposals, primarily the \$50,000 cost, whether both firms met the project requirements, contract provisions and overall justification for selecting the higher cost proposal by Braun Intertec while asking if additional details should be received from AET before making a recommendation.

It was noted that both firms were qualified, however Braun’s proposal addressed better testing, documentation and reporting requirements which are especially important for federally funded projects with AET’s proposal containing assumptions and exclusions that could result in additional higher cost overall.

Administrator Baker and Attorney Assaf advised that if approved, the agreement would be reviewed and modified as necessary to address language and liability provisions consistent with the City’s standard agreement.

Councilmember Lubenow acknowledged the cost difference however he supported relying on staff’s recommendation and experiences given it a federally funded project and the importance of meeting such requirements for reimbursement.

Motion was made by Councilmember Kaweck, seconded by Councilmember Maynard to Approve the Proposal Submitted by Braun Intertex for Construction Materials Testing Services for the Blue Earth Avenue Project. Councilmembers Kaweck, Kotewa, Lubenow, and Maynard voted in favor; Councilmember Hasek voted against. Motion carried.

RESOLUTION 2026-25
Item 9.B.4

The next item of business was the Consideration of Resolution 2026-25 Awarding S.P. 123-111-011, Blue Earth Avenue Improvements, to M.R. Paving & Excavating, Inc, agenda item 9.B.4. York reported that six bids were received, as outlined in the agenda packet and recommended awarding the project to M.R. Paving & Excavating.

<u>Bidders</u>	<u>Total Amount Bid</u>
M.R. Paving & Excavating, Inc.	\$3,287,239.38
Duininck, Inc.	\$3,407,349.04
Ulland Brothers, Inc.	\$3,425,061.05
Dirt Merchant, Inc.	\$3,622,354.65
ICON, LLC	\$3,649,347.90
Hulstein Excavating, LLC	\$4,000,411.25

Motion was made by Councilmember Maynard, seconded by Councilmember Kotewa to Approve Resolution 2026-25 Awarding State Project 123-111-011, Blue Earth Avenue Improvements, to M.R. Paving & Excavating, Inc. of New Ulm, Minnesota Contingent upon Concurrence from the Minnesota Department of transitions Office of Civil Rights. In discussion, Council discussed the project cost, with staff noting the bid did not include materials testing or construction oversight. Staff explained the project

would be completed in phases and with the start date and anticipated completion date dependent upon the federal approval process and construction schedule, which could push the project into 2027. Additional discussion included coordination with the Park Street Project and transitioning future street projects to a two-year design and construction schedule to allow projects to be bid earlier in the year. All present voted in favor. Motion carried.

NO ACTION
Item 9.B.5

Director York presented on the Consideration of Pickleball Court Site Selection and Project Scope, agenda item 9.B.5. York reviewed the Park Board's recommendation to locate eight (8) outdoor pickleball courts at the Jeffrey Kot Soccer Complex. It was noted that Council previously directed staff to evaluate an alternate location and that the item before Council was to provide direction on the proposed location and project scope. York explained that staff was not requesting approval of funding or construction at this time.

Councilmember Kawecky questioning the proposed project scope, estimated costs, funding sources (including potentially utilizing the LOST funds), the amount budgeted in the Capital Improvement Plan, the need for additional public input, and the availability of tennis courts. Council discussed the proposed location options, the recommended number of courts, estimated project costs, and potential funding sources. Discussion also included the amount budgeted in the Capital Improvement Plan, the possible use of Local Option Sales Tax funds, the need for additional public input, noise concerns, the future availability of public tennis courts, and whether the project should include tennis courts in addition to pickleball courts. Director York explained additional project details and cost estimates would be developed after Council provided direction on a proposed location and project scope.

Mayor Baarts stated that additional discussion was needed before Council was prepared to provide direction. By consensus, the Mayor removed item 9.B.5 from the agenda to be brought back for further discussion at a future time.

NO ACTION
Item 9.B.6

The last item of new business to come before the Council was agenda item 9.B.6, which had been removed from the Consent Agenda to New Business. Mayor Baarts noted the individual who submitted an application to serve on the Charter Commission had withdrawn his application, as indicated in comments submitted to and read by Councilmember Lubenow during public comment. No Council action was taken.

COUNCIL DISCUSSION

Item 10.1

Councilmember Lubenow opened discussion on agenda item 10.1 regarding the City's Yard/Tree Waste Site, stating he asked staff to determine whether the Council had previously approved annual burning of the site. Discussion centered on staff evaluating the costs of burning the site, either utilizing City staff or through contracted services, and comparing those costs with the City's current chipping operations. Council also held discussion on operational and burning practices in neighboring communities, potential costs associated with implementing other practices for operations and management, environmental considerations and concerns (pollution from burning), staffing requirements, and long-term management of the tree waste site.

Director York recapped previous Council discussions and staff recommendations presented to Council regarding the yard waste site, - including staffing the site, installing cameras, restricting access to only City residents, and modifying disposal operations. York explained that current costs are significantly impacted by material originating outside the City and stated that several operational alternatives had previously been presented but not pursued.

City Administrator Baker shared concerns expressed by the Fire Chief regarding staffing and monitoring an open burn. Councilmember Kawecky requested staff develop and present an operational plan to Council for future consideration. Mayor Baarts concluded the discussion by directing staff to bring additional information and potential alternatives back to the Council for further discussion.

STAFF/LIAISON REPORTS

City Administrator Baker reported on ongoing City projects and activities, noting staff is working on preparations for the 2027 budget and capital Improvement Plan with Council workshops to be held in August. Baker thanked Council for their recent participation in two goal-setting workshops and advised on coordination for future upcoming workshop dates. Administrator Baker stated he would be attending the League of Minnesota Cities Annual Conference and encouraged future participation by Council and staff.

Councilmember Lubenow inquired about the City's budget development process, with Baker explaining that staff prepared the proposed budgeted based on operational needs with presentation to Council for review, discussion and consideration. lobbyists regarding legislative priorities, and outreach efforts with local community organizations.

Director York provided an update on the traffic signal at Prairie Avenue and State Street, noting an additional camera detection system has been ordered and repairs are expected within the next few weeks.

Councilmember Hasek reported on the recent Public Utilities Commission meeting, noting discussion regarding utility deposits for services.

Councilmember Kawecky reported the Library has several improvement projects planned to include entryway door improvements, a new accessible circulation desk, and interior LED lighting updates.

Councilmember Kotewa reported the Park Board had its first meeting with a quorum since appointment of the two newest members and meeting discussion centered around pickleball.

Councilmember Lubenow shared citizen concerns regarding parking citations issued at Gomsrud Park during a Let's Go Fishing event. Chief Beletti explained the citations were issued to vehicles parked in designated trailer spaces following received complaints and noted parking restriction signage is posted. Discussion followed regarding communication of parking restrictions and the size of the currently installed signage, with staff indicating larger signs will be installed.

Councilmember Maynard reported the Airport Advisory Board received updates that the FAA is continuing to review the Airport Master Plan and the new airport maintenance operation is expected to be operational by August 1, 2026.

Mayor Baarts reminded the public of current vacancies on City Boards and Commission and encouraged interested persons to contact the City Clerk. Baarts also informed the public that the candidate filing period for municipal offices opens July 14 and closes July 28, 2026 with offices on the November 3, 2026 Election Ballot to include, Mayor, Ward 1 Councilmember, and Ward 3 Councilmember.

ADJOURNMENT

Motion was made by Councilmember Maynard, seconded by Councilmember Kotewa 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 7:16 p.m.

ATTEST:

Lee C. Baarts, Mayor

Betsy Steuber, City Clerk



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.1
Reviewed by: Jason Baker, City Administrator	Item: Consideration of an Event Permit for Scrimmagefest Sponsored by the Fairmont Soccer Association		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve an Event Permit for Scrimmagefest Sponsored by the Fairmont Soccer Association on August 22, 2026 at Jeffrey Kot Fields (Fairmont Soccer Complex)		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

The Fairmont Soccer Association has submitted an application for an Event Permit to hold Scrimmagefest on August 22, 2026, at Jeffrey Kot Fields (Fairmont Soccer Complex - 1801 S. Prairie Avenue, Fairmont).

Scrimmagefest is an annual youth soccer event that has been held for the past several years, with this year marking its 20th anniversary. The event includes a series of scrimmages among youth teams from Fairmont and the surrounding region.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Event Permit



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: Sat. August 22nd, 2026

Permit Fee: \$15.00

Event: Scrimmage fest

Sponsoring entity: Fairmont Soccer Association

Address: Jeff Kot Fields 1801 S. Prairie Ave

Maximum estimated number of persons expected to attend at any one time: 1000

Event coordinator(s): Brandi Deuel

Contact Info: 702-234-9930 Phone #

fntfsaweb@gmail.com E-mail

- submitted by Julie Z.

Primary contacts (during event):

Name: Brandi Deuel

Name: Travis Luetgers

Cell#: 702-234-9930

Cell#: 507-848-4680

E-mail: fntfsaweb@gmail.com

E-mail: luetgerstravis@gmail.com

Event Start: Day/Date Sat., Aug 22nd

Time: 7am

Event End: Day/Date Sat. Aug 22nd

Time: 9pm

Setup: Day/Date Fri. Aug 21st

Start time: 1pm

End Time: 8pm

Teardown: Day/Date Sat. Aug 22nd

Start time: 6pm

End Time: 9pm

1. Type and description of the event and a list of all activities to take place at the event.

There will be approximately 34 Boys + girls soccer teams coming to play each other. This is for fall teams to work on their rosters, before fall games start.

2. Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.

We will be using the Jeff Kot Soccer Complex to host this event.
There will be added toilets on the South end of complex.

We will need extra trash containers + picnic tables from the City.
(10-15 cans)

Dumpster by shed? Call Julie Zarling 507-236-1992

3. Will outside drinking water or waste collection systems be supplied? ☒ Yes; ☐ No
If yes, supply public health plans, including the number of toilet facilities that will be available.
We will have a concession stand & there is a water fountain by bathrooms. In addition to the bathrooms we will have 1-2 biffy stations on South side of fields.
4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. ☒ Yes; ☐ No
If yes, provide the written plans.
We will have medical staff on duty for injuries.
5. Will organizers allow outside food wagon/vendors at the event? ☐ Yes; ☒ No
If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment. *We will provide concession stand.*
6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): ☐ Yes; ☒ No
If yes, event coordinator must complete temporary overnight camping permit and submit payment.
7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? ☐ Yes; ☒ No
If yes, please describe: _____
8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns? ☒ Yes; ☐ No
If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).
With 34 Teams & possibly 1000 people, we will have more traffic on S. Prairie & the parking lot.
9. Will you be providing shuttle service? ☐ Yes; ☒ No
If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

Signature *John G. Gentry* Title Treasurer Date 6/22/20

Office Use Only			
\$15.00 Fee Paid	Date: ☒ 6/23/20	Received by: <i>BS</i>	
Requires Council Approval	☐ Yes; ☒ No	Council Meeting Date:	Action:
City Administrator Approval	Yes	No	Date

Permit distribution:

- ☐ City
☐ Applicant
☐ Police
☐ Parks/Streets
☐ Other

*ck# 6438
6/23/20*



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.2
Reviewed by: Jason Baker, City Administrator	Item: Consideration of an Event Permit for Galaxy Band Sponsored by the Red Rock Center for the Arts		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve an Event Permit for Galaxy Band Sponsored by the Red Rock Center for the Arts on July 16, 2026 at Sylvania Park		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

The Red Rock Center has submitted an application for an Event Permit to hold the Galaxy Band on July 16, 2026 at the Sylvania Park Bandshell.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Event Application



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: 7/16/20

Permit Fee: \$15.00

Event: GALAXY BAND @ SYLVANIA PARK

Sponsoring entity: RED ROCK CENTER

Address: 222 E. BLUE EARTH AVE. FAIRMONT

Maximum estimated number of persons expected to attend at any one time: 200

Event coordinator(s): BLAKE POTTHOFF
Contact Info: (507) 235-9262 Phone #
director@redrockcenter.org E-mail

Primary contacts (during event):
Name: LISA HAGEN Name: BLAKE POTTHOFF
Cell#: (507) 236-6822 Cell#: (507) 848-1013
E-mail: rentals@redrockcenter.org E-mail: director@redrockcenter.org

Event Start:	Day/Date	<u>JULY 16</u>	Time:	<u>6:00 PM</u>
Event End:	Day/Date	<u>JULY 16</u>	Time:	<u>8:30 PM</u>
Setup:	Day/Date	<u>JULY 16</u>	Start time:	<u>5:00 PM</u>
Teardown:	Day/Date	<u>JULY 16</u>	Start time:	<u>8:30 PM</u>
			End Time:	<u>6:00 PM</u>
			End Time:	<u>10:00</u>

1. Type and description of the event and a list of all activities to take place at the event.
Concert in the Bandshell, Food truck - separate permit

2. Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.

EXCLUSIVELY BANDSHELL + SEATING IN FRONT,
RESTROOMS @ SYLVANIA.

3. Will outside drinking water or waste collection systems be supplied? Yes; X No
If yes, supply public health plans, including the number of toilet facilities that will be available.
4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. Yes; X No
If yes, provide the written plans.
5. Will organizers allow outside food wagon/vendors at the event? X Yes; No
If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment.
6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): Yes; X No
If yes, event coordinator must complete temporary overnight camping permit and submit payment.
7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? X Yes; No
If yes, please describe: CONCERT ON BANDSHELL STAGE
8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns? Yes; X No
If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).
9. Will you be providing shuttle service? Yes; X No
If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

Signature [Signature] Title ACTING EXECUTIVE DIRECTOR Date 6/23/26

Office Use Only			
\$15.00 Fee Paid <u> </u>	Date: <u>6/24/26</u>	Received by: <u>BH</u>	
Requires Council Approval	<u> </u> Yes; <u> </u> No	Council Meeting Date:	Action:
City Administrator Approval	Yes	No	Date

Permit distribution:

- City
 Applicant
 Police
 Parks/Streets
 Other



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.3
Reviewed by: Jason Baker, City Administrator	Item: Consideration of a Temporary On-Sale Liquor License for FBC Operations LLC dba Fairmont Brewing Company for August 22, 2026		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve a Temporary On-Sale Liquor License for FBC Operations LLC dba Fairmont Brewing Company for August 22, 2026		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

FBC Operations LLC dba Fairmont Brewing Company has submitted an application for a Temporary On-Sale Liquor License in conjunction with the Lakeside Vendors Market/Vintage Boat Show event scheduled for August 22, 2026 at Sylvania Park (401 Lake Avenue, Fairmont). The associated event permit was approved by the City Council on November 24, 2025.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Temporary On-Sale Liquor License Application



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 1600, St. Paul, MN 55101
651-201-7507 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization FBC Operations LLC dba Fairmont Brewing Company		Date of organization 01 December 2023	Tax exempt number 93-4689295
Organization Address (No PO Boxes) 414 Downtown PLZ	City Fairmont	State Minnesota	Zip Code 56031
Name of person making application Robert Luedtke		Business phone 612.756.0714	Home phone
Date(s) of event Saturday 22 August 2026	Type of organization ☐ Microdistillery ☒ Small Brewer ☐ Club ☐ Charitable ☐ Religious ☐ Other non-profit		
Organization officer's name Robert Luedtke	City Fairmont	State Minnesota	Zip Code 56031
Organization officer's name Joshua Tesdahl	City Fairmont	State Minnesota	Zip Code 56031
Organization officer's name 	City 	State Minnesota	Zip Code

Location where permit will be used. If an outdoor area, describe.

Vintage Boat Show
Sylvania Park
401 Lake Avenue, Fairmont

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

Auto-Owners Insurance Company, Policy Number 264606-08720062-26, \$1,000,000 Coverage

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

Fairmont
City or County approving the license
\$50.00 ck#1725 6/23/2026
Fee Amount
Event in conjunction with a community festival ☐ Yes ☐ No
10,487
Current population of city

August 22, 2026
Date Approved
Permit Date
bsteuber@fairmont.org
City or County E-mail Address

Betsy Steuber
Please Print Name of City Clerk or County Official

Signature City Clerk or County Official

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event
No Temp Applications faxed or mailed. Only emailed.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

**PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY
PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY
CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US**



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.4
Reviewed by: Jason Baker, City Administrator	Item: Consideration of an Event Permit for the Cedar Creek Open (Disc Golf Tournament) Sponsored by the Cedar Creek Disc Golf Association		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve an Event Permit for the Cedar Creek Open (Disc Golf Tournament) Sponsored by the Cedar Creek Disc Golf Association on August 20 through August 23, 2026, at Cedar Creek Park		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

The Cedar Creek Disc Golf Association has submitted an application for an Event Permit to hold the Cedar Creek Open (Disc Golf Tournament) on August 20 – August 23, 2026, at Cedar Creek Park.

This is a recurring event that has been held in Fairmont in previous years and is popular among disc golf enthusiasts.

Please note: As the event spans multiple days, temporary overnight camping will be available to participants. The necessary application and associated fees have been received from the Event Coordinator. Upon approval of the event permit, special unit/vehicle permits will be issued to the Event Coordinator for distribution to camping participants.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Event Permit



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: August 20-23, 2026

Permit Fee: \$15.00

Event: Cedar Creek Open (Disc Golf Tournament)

Sponsoring entity: Cedar Creek Disc Golf Association

Address: Cedar Creek Park

Maximum estimated number of persons expected to attend at any one time: 216

Event coordinator(s): Trevor Boehne

Contact Info: 612-850-8795 Phone #
trevorboehne@gmail.com E-mail

Primary contacts (during event):

Name: Trevor Boehne

Cell#: 612-850-8795

E-mail: trevorboehne@gmail.com

Name Brady Laue

Cell# 605-553-4496

E-mail: _____

Event Start: Day/Date Thursday, August 20

Time: 12:00pm

Event End: Day/Date Sunday, August 23

Time: 6:00pm

Setup: Day/Date Thursday, August 20

Start time: 8:00am

End Time: 12:00pm

Teardown: Day/Date Sunday, August 23

Start time: 6:00pm

End Time: 8:00pm

1. **Type and description of the event and a list of all activities to take place at the event.**

Disc Golf Tournament. Thursday and Friday activities include player check-in and an opportunity for participants to practice. Saturday and Sunday is the tournament itself, with two rounds on Saturday and one on Sunday.

2. **Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.**

Event will be held at Cedar Creek Park and use the three Cedar Creek disc golf courses. No extra barricades, fencing, stages, etc will need to be set up. The courses are already installed, and all player check in will be done in the garage at Cedar Creek Park, with markings to help with social distancing. Three portable toilets will be set up (near hole 1 on Cedar Creek West, hole 8 on Cedar Creek West and hole 11 on Cedar Creek East).

3. Will outside drinking water or waste collection systems be supplied? X Yes; No
If yes, supply public health plans, including the number of toilet facilities that will be available.
Three portable toilets will be put in place, one on each disc golf course.
4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. Yes; X No
If yes, provide the written plans.
5. Will organizers allow outside food wagon/vendors at the event? X Yes; No
If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment.
6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): X Yes; No
If yes, event coordinator must complete temporary overnight camping permit and submit payment.
7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? X Yes; No
If yes, please describe: Handheld megaphone for player meeting and awards - 10 minutes total.
8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns?
 Yes; X No
If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).
9. Will you be providing shuttle service? Yes; X No
If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

Signature Trevor Boehne via email Title Tournament Director Date July 6, 2026

If you would like your event published on the City's website/Community Calendar, please indicate: Yes; No

Office Use Only			
\$15.00 Fee Paid <u>✓</u>	Date: <u>7/6/26</u>	Received by: <u>38</u>	
Requires Council Approval	<u> </u> Yes; <u> </u> No	Council Meeting Date:	Action:
City Administrator Approval	<u> </u> Yes	No	Date

Permit distribution:
 City
 Applicant
 Police
 Parks/Streets
 Other

*pd via cc
 curb # 101908
 7/6/26*



STAFF MEMO

Prepared by: Matthew R. York, Public Works and Utilities Director	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.5
Reviewed by: Jason Baker, City Administrator	Item: Consideration of a Permanent Easement for the Blue Earth Avenue Reconstruction Project		
Presented by: Matthew R. York, Public Works and Utilities Director	Action Requested: Motion to Approve a Permanent Easement for the Property Located at 202 E. Blue Earth Avenue as Part of the Blue Earth Avenue Reconstruction Project		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

The City Council previously approved multiple temporary easements for the Blue Earth Avenue Reconstruction Project.

REFERENCE AND BACKGROUND

As part of the design portion of the Blue Earth Avenue Project, there is a need for the City to acquire a permanent easement on a portion of the property located at 202 E. Blue Earth Avenue. This easement is needed to ensure proper pedestrian sidewalks along this portion of the project.

Staff is requesting approval of a permanent easement. The address is as follows:

- 202 E. Blue Earth Avenue

BUDGET IMPACT

There is no budget impact.

SUPPORTING DATA/ATTACHMENTS

Permanent Public Utility Easement for 202 E. Blue Earth Avenue

(Do not write in the space above. Reserved for recording/transfer data)

PERMANENT PUBLIC UTILITY EASEMENT

This Agreement is made this ____ day of _____, 20____, by and between Casey's Retail Company, an Iowa corporation, for the property at 202 East Blue Earth Ave, Fairmont, MN, 56031, referred to hereinafter as "Grantor," and the City of Fairmont, Minnesota, a municipal corporation organized under the laws of the State of Minnesota, 100 Downtown Plaza, Fairmont, Minnesota 56031, referred to hereinafter as "Grantee"; (collectively referred to herein as the "parties").

AGREEMENT

That for and in consideration of the sum of One Dollars (\$1.00) and other good and valuable consideration, paid this date by Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, the Grantor and Grantee do hereby agree as follows:

1. The undersigned Grantor hereby grants and conveys to the Grantee a Permanent Easement, 114.02 sq feet, for public Pedestrian Sidewalk purposes (the "Permanent Easement"), over, under and across that part of the tract of land legally described in Exhibit A, which is attached hereto and incorporated herein by reference, in the City of Fairmont, Martin County, Minnesota; which Permanent Easement is legally described on Exhibit B, which is attached hereto and incorporated by reference (the "Permanent Easement Area").
2. The Permanent Easement Area described above is depicted on the Easement Exhibit, Exhibit C, which is attached hereto and incorporated herein by reference.

3. The Grantor states and hereby covenants that the Grantor is the lawful owner of the above-described real property, is lawfully seized and possessed of said real property, and that the Grantor has good and lawful right to grant the Permanent Easement described herein.
4. The Grantee shall have the right to construct, excavate, grade, inspect, install, remove, demolish, operate, maintain, place, replace, reconstruct, improve, enlarge and repair, as it may find reasonably necessary Right-of-Way facilities and improvements, and such other improvements appurtenant thereto, in the Permanent Easement Area described herein.
5. The Grantee and its employees, agents, permittees and licensees shall have the right of ingress and egress to and from the Permanent Easement Area at all times and without notice to Grantor by such route, in the judgment of the Grantee, as shall occasion the least practical damage and inconvenience to the Grantor.
6. The Grantee shall have the right to trim, remove and keep the Permanent Easement Area clear of all buildings, structures, roots, shrubbery, trees, bushes, undergrowth and all other obstructions that may interfere with or endanger the Grantee's exercise of any of the rights pursuant to this Permanent Easement.
7. The Grantor shall not erect, construct or locate in the Permanent Easement area any new structure or object that was not in existence on the date of this Permanent Easement, which would prevent the Grantee's reasonable access to the Permanent Easement Area or prevent the public's full enjoyment of the rights granted hereunder, without the written consent of the Grantee.
8. The Grantee shall restore any and all disturbed areas caused by Grantee's exercise of this Permanent Easement, within the Permanent Area and Grantor's property, back to as close to original condition as is reasonably practicable given the rights granted hereunder.
9. The Grantee shall defend, indemnify and hold harmless Grantor from and against claims and demands for, or litigation with respect to, all damages which may arise out of or be caused by the Grantee's use of this Permanent Easement. The indemnification provision herein shall not apply to the negligence or intentional misconduct of Grantor.
10. The provisions hereof shall insure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.
11. This Permanent Easement shall be recorded as soon as practicable following its execution with the understanding that the Grantee has complete and absolute sole ownership, use and control of the public right-of-way facilities and improvements constructed in the Permanent Easement Area, and such other improvements appurtenant thereto, in accordance with the grant of rights conveyed herein.
12. Grantor and Grantee agree to correct any legal descriptions contained herein if there is a mistake discovered, including any mistakes or discrepancies revealed by an accurate survey

of the property identified herein, and to accordingly replace the corresponding corrected exhibit herein, as applicable.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the parties have hereunto executed this document the day and year first above written.

GRANTOR:

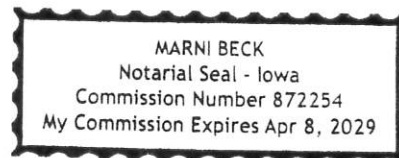
Kendra Meyer

Casey's Retail Company

STATE OF Iowa)
) ss.
COUNTY OF Polk)

The foregoing instrument was acknowledged before me this 30th day of June, 2026, by Kendra Meyer and , Casey's Retail Company, Grantor.

Marni Beck
Notary Public



CITY OF FAIRMONT, MINNESOTA

By: _____
_____, Its City Clerk

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____ as Mayor and _____ as City Clerk on behalf of the City of Fairmont, a municipal corporation under the laws of the State of Minnesota, Grantee.

Matthew R York
CITY OF FAIRMONT
100 Downtown Plaza
Fairmont, Minnesota 56031
(507)238-3942

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTY

The real property referenced in this Permanent Easement is legally described as follows:

LEGAL DESCRIPTION:

The East 50 Feet of Lot Two, Block Four, Webster and Johnson's Addition to the Village (now City) of Fairmont, according to the map or Plat thereof on file and of record in the office of the County Recorder in and for said County and State

Lot Five, Block Four, Webster and Johnson's Addition to the Village (now City) or Fairmont, according to the map or plat thereof on file and of record in the office of the County Recorder, Martin County, Minnesota

The West Fifty Feet of Lot One, Block Four, Webster and Johnson's Addition to the Village (now City) of Fairmont, as platted from Lot Three of Section Eight, Township One Hundred Two, Range Thirty, AND ALSO: The East Twenty-five feet of Lot One and the West Twenty-Five feet of Lot Two in Block Four of Webster and Johnson Addition the Village (now City) of Fairmont, as per map or plat thereof on file and of record in the office of the County Recorder in and for said County and State

All situated in Martin County, Minnesota

EXHIBIT B

LEGAL DESCRIPTION OF PERMANENT EASEMENT

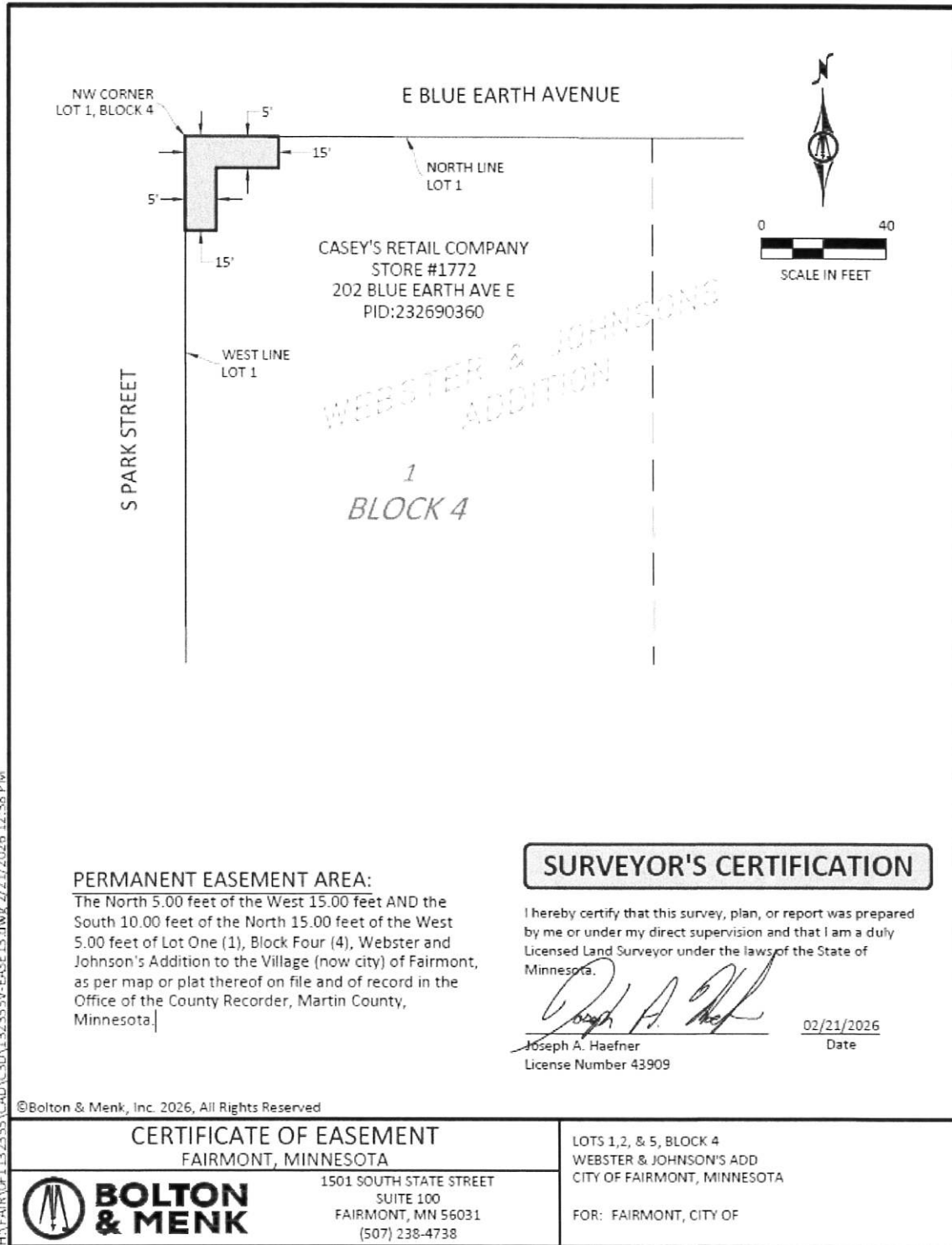
LEGAL DESCRIPTION:

EASEMENT AREA:

The North 5.00 feet of the West 15.00 feet AND the South 10.00 feet of the North 15.00 feet of the West 5.00 feet of Lot One (1), Block Four (4), Webster and Johnson's Addition to the Village (now city) of Fairmont, as per map or plat thereof on file and of record in the Office of the County Recorder, Martin County, Minnesota.

EXHIBIT C

DEPICTION OF PERMANENT EASEMENT





STAFF MEMO

Prepared by: Matthew R. York, Public Works and Utilities Director	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.6
Reviewed by: Jason Baker, City Administrator	Item: Consideration of a Temporary Easement for the Blue Earth Avenue Reconstruction Project		
Presented by: Matthew R. York, Public Works and Utilities Director	Action Requested: Motion to Approve a Temporary Easement for the Property Located at 202 E. Blue Earth Avenue as Part of the Blue Earth Avenue Reconstruction Project		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

The City Council previously approved multiple temporary easements for the Blue Earth Avenue Reconstruction Project.

REFERENCE AND BACKGROUND

As part of the design portion of the Blue Earth Avenue Project, it was determined that several locations within the project area needed temporary easements. This is quite common when reconstructing areas, especially sidewalks, as the City does not have much space behind the sidewalk to conduct construction, modifications, and restoration.

Staff is requesting approval of a temporary easement. The address is as follows:

- 202 E. Blue Earth Avenue

BUDGET IMPACT

There is no budget impact.

SUPPORTING DATA/ATTACHMENTS

Temporary Public Utility Easement for 202 E. Blue Earth Avenue

TEMPORARY CONSTRUCTION EASEMENT

This Temporary Construction Easement Agreement is made this _____ day of _____, 20____ (the “Effective Date”), by and Casey’s Retail Company, an Iowa corporation, referred to hereinafter as “Grantor,” and the City of Fairmont, Minnesota, a municipal corporation organized under the laws of the State of Minnesota, 100 Downtown Plaza Fairmont, Minnesota 56031, referred to hereinafter as “Grantee”; (collectively referred to herein as the “parties”).

AGREEMENT

That for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor and Grantee do hereby agree as follows:

1. Grantor owns the real property located in the City of Fairmont, Martin County, Minnesota, legally described on Exhibit A (“Grantor’s Property”), which is attached hereto and incorporated herein by reference. The Grantor hereby grants and conveys to the Grantee a Temporary Easement for construction purposes (the “Temporary Easement”) over, under and across that portion of the Grantor’s Property legally described on Exhibit B, which is attached hereto and incorporated by reference (the “Temporary Easement Area”). The purpose of this Temporary Easement is to allow Grantee, or its employees, agents, permittees and licensees, to use the Temporary Easement Area in connection with Blue Earth Avenue Improvement Project, which will include the construction of public roadway and right-of-way (the “Grantee’s Work”).

The Temporary Easement shall expire no later than the earlier of: (a) one (1) year following the date on which the contractor hired by the City to complete the Grantee’s Work first

conducts Grantee's Work within the Temporary Easement Area; or (b) two (2) years from the date of this Agreement.

2. The Temporary Easement Area described above is depicted on the Certificate of Temporary Easement, Exhibit C, which is attached hereto and incorporated herein by reference.
3. The Grantor states and hereby covenants that the Grantor is the lawful owner of the above-described real property, is lawfully seized and possessed of said real property, and that the Grantor has good and lawful right to grant the Temporary Easement described herein.
4. The Grantee shall have the right, at its sole cost and expense, to conduct such activities in the Temporary Easement Area, as are reasonably necessary to complete Grantee's Work.
5. The Grantee and its employees, agents, permittees and licensees shall have the right of ingress and egress to and from the Temporary Easement Area, including but not limited to ingress and egress for equipment, materials, supplies and vehicles, at all times and without notice to Grantor, provided that such ingress and egress is not over, under, upon or across any portion of Grantor's Property that is not within the Temporary Easement Area.
6. The Grantee shall have the right to trim, remove and keep the Temporary Easement Area clear of all buildings, structures, roots, shrubbery, trees, bushes, undergrowth and all other obstructions that may interfere with or endanger the Grantee's exercise of any of the rights granted to Grantee pursuant to this Temporary Easement.
7. The Grantor shall not erect, construct or locate in the Temporary Easement Area any new structure or object that was not in existence on the Effective Date of this Temporary Easement, which would prevent the Grantee's reasonable access to the Temporary Easement Area, without the written consent of the Grantee.
8. The Grantee shall restore, at Grantee's expense, any and all disturbed areas caused by the exercise of this Temporary Easement, within the Temporary Easement Area and Grantor's Property back to as close to its original condition. No construction materials may remain in, on or under the Temporary Easement Area or on Grantor's Property at the end of the term of this Temporary Easement.
9. The provisions hereof shall inure to the benefit of and bind the parties hereto and the successors and assigns of the respective parties hereto.
10. The Grantor shall disclose to the Grantor's successors in title the existence of this Temporary Easement if the real property described herein, or any part thereof, is conveyed prior to the expiration of the Temporary Easement.
11. Grantor and Grantee agree to correct any legal descriptions or depictions contained herein if there is a mistake discovered, including any mistakes or discrepancies revealed by an accurate survey of the property identified herein, and to accordingly replace the corresponding corrected exhibit herein, as applicable.

12. The Grantee shall defend, indemnify and hold harmless Grantor from and against claims and demands for, or litigation with respect to, all damages which may arise out of or be caused by the Grantee's Work. The indemnification provision herein shall not apply to the negligence or intentional misconduct of Grantor.
13. This Agreement shall be governed by and construed under the laws of the State of Minnesota without reference to its conflict of laws principles.
14. Any notice or other communication required or permitted under this Temporary Easement must be in writing and may be given by personal delivery, by being deposited with any nationally recognized overnight carrier that routinely issues receipts, or by being deposited with the United States Postal Service, postage prepaid, certified mail, addressed to the party for whom it is intended at its address set forth above. Any such notice shall be deemed delivered upon (but not until) receipt or refusal of receipt. Either party may change its address for notices by giving 10 days prior written notice of such change to the other party in a manner set forth above.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the parties have hereunto executed this document the day and year first above written.

GRANTOR:

CASEY'S RETAIL COMPANY,
an Iowa corporation

By: Kendra Meyer

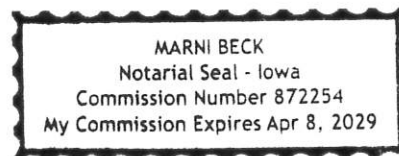
Name: Kendra Meyer

Its: Authorized Signor

STATE OF Iowa)
) ss.
COUNTY OF Polk)

The foregoing instrument was acknowledged before me this 30th day of June, 2026, by Kendra Meyer as Authorized Signor of Casey's Retail Company, an Iowa corporation, Grantor.

Marni Beck
Notary Public



GRANTEE:

CITY OF FAIRMONT, MINNESOTA

By: _____,
_____, Its Mayor

ATTEST:

By: _____,
_____, Its City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF MARTIN)

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by _____ as Mayor and _____ as City Clerk on behalf of the
City of Fairmont, a municipal corporation under the laws of the State of Minnesota, Grantee.

Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

CITY OF FAIRMONT
100 Downtown Plaza
Fairmont, Minnesota 56031
(507)-238-3942

EXHIBIT A

LEGAL DESCRIPTION OF GRANTOR'S PROPERTY

LEGAL DESCRIPTION:

The East 50 Feet of Lot Two, Block Four, Webster and Johnson's Addition to the Village (now City) of Fairmont, according to the map or Plat thereof on file and of record in the office of the County Recorder in and for said County and State

Lot Five, Block Four, Webster and Johnson's Addition to the Village (now City) or Fairmont, according to the map or plat thereof on file and of record in the office of the County Recorder, Martin County, Minnesota

The West Fifty Feet of Lot One, Block Four, Webster and Johnson's Addition to the Village (now City) of Fairmont, as platted from Lot Three of Section Eight, Township One Hundred Two, Range Thirty, AND ALSO: The East Twenty-five feet of Lot One and the West Twenty-Five feet of Lot Two in Block Four of Webster and Johnson Addition the Village (now City) of Fairmont, as per map or plat thereof on file and of record in the office of the County Recorder in and for said County and State

All situated in Martin County, Minnesota

EXHIBIT B

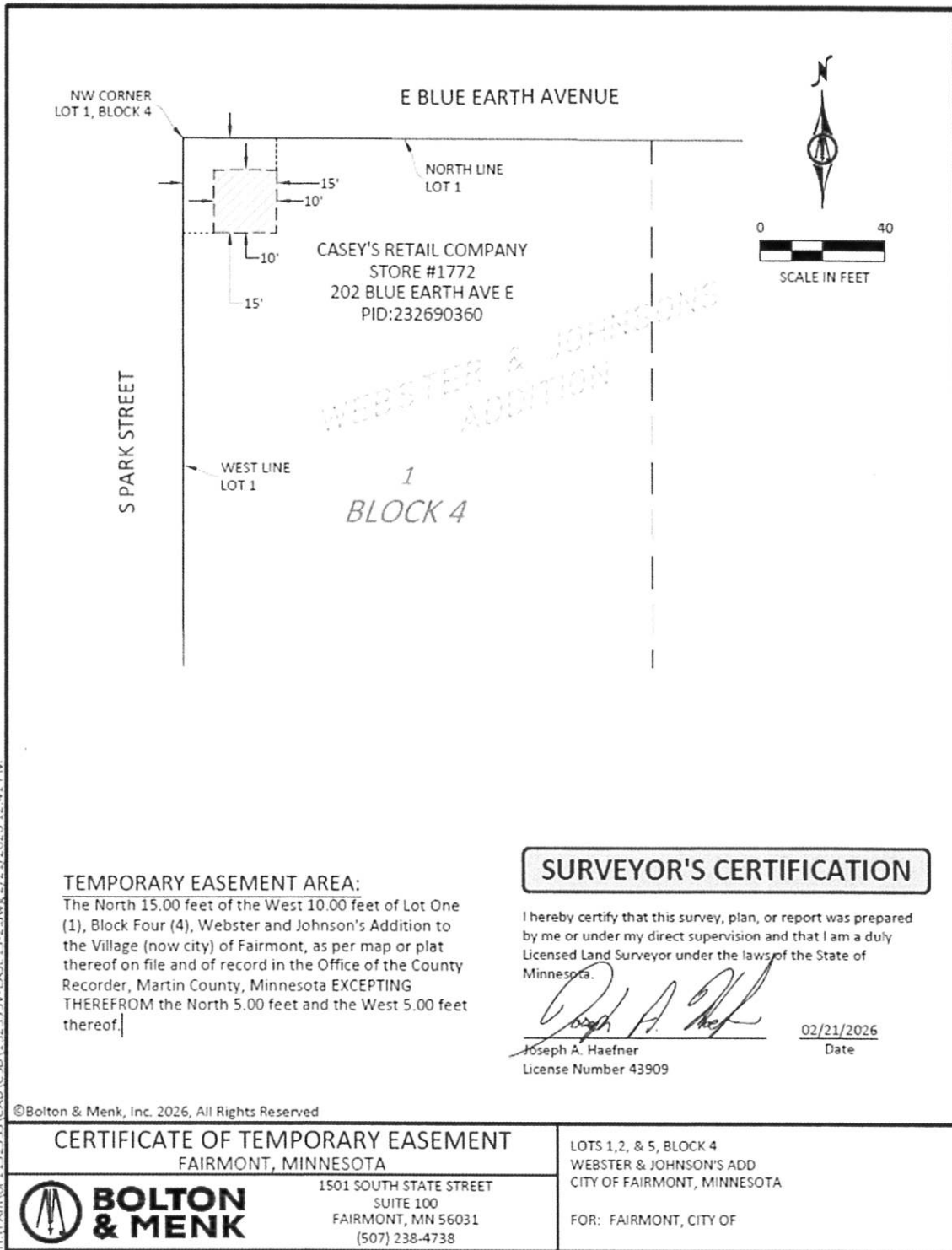
LEGAL DESCRIPTION OF TEMPORARY EASEMENT

LEGAL DESCRIPTION:

The North 15.00 feet of the West 10.00 feet of Lot One (1), Block Four (4), Webster and Johnson's Addition to the Village (now city) of Fairmont, as per map or plat thereof on file and of record in the Office of the County Recorder, Martin County, Minnesota EXCEPTING THEREFROM the North 5.00 feet and the West 5.00 feet thereof.

EXHIBIT C

DEPICTION OF TEMPORARY EASEMENT AREA





STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.7
Reviewed by: Jason Baker, City Administrator	Item: Consideration of Temporary On-Sale Liquor Licenses for the Truman Fire Department Relief Association		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve Temporary On-Sale Liquor Licenses for the Truman Fire Department Relief Association at the Martin County Fair for August 17 – August 23, 2026		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

The Truman Fire Department Relief Association has applied for Temporary On-Sale Liquor Licenses to operate the beer garden during the Martin County Fair, to be held August 17 through August 23, 2026, at the Martin County Fairgrounds, 1300 N. Bixby Road, Fairmont.

The Truman Fire Department Relief Association has operated the beer garden at the Martin County Fair for several years, with no problems or complaints received.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Temporary On-Sale Liquor License Applications



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 1600, St. Paul, MN 55101
651-201-7507 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date of organization		Tax exempt number	
Truman Fire Department Relief Association		Pre 1950		3811121	
Organization Address (No PO Boxes)		City	State	Zip Code	
101 E Ciro Street/PO Box 389		Truman	MN	56088	
Name of person making application		Business phone		Home phone	
Nathan Rolling		507-236-7884		507-236-7884	
Date(s) of event		Type of organization ☐ Microdistillery ☐ Small Brewer			
August 17 - 20, 2026		☐ Club ☐ Charitable ☐ Religious ☒ Other non-profit			
Organization officer's name		City	State	Zip Code	
Ron Kelley, President		Truman	MN	56088	
Organization officer's name		City	State	Zip Code	
Nathan Rolling, Treasurer		Truman	MN	56088	
Organization officer's name		City	State	Zip Code	
Dan Grunig, Secretary		Truman	MN	56088	

Location where permit will be used. If an outdoor area, describe.

Martin County Fairgrounds: Beer Garden, located at 1300 Bixby Road, Fairmont, MN. The Beer Garden is located in an area that is entirely fenced off with a monitored entrance.

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

\$1,000,000 in coverage will be in effect during the dates of the event. Applicant is currently working with insurance agent: Peterson Anthony of Fairmont, MN, at the time this application was submitted (07/06/2026)

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

Fairmont		Date Approved	
City or County approving the license		August 17 - August 20, 2026	
\$50.00	Fee Amount	Permit Date	
Event in conjunction with a community festival ☐ Yes ☒ No		bsteuber@fairmont.org	
10,487	Current population of city	City or County E-mail Address	
Please Print Name of City Clerk or County Official		Signature City Clerk or County Official	

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event
No Temp Applications faxed or mailed. Only emailed.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 1600, St. Paul, MN 55101
651-201-7507 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization Truman Fire Department Relief Association		Date of organization Pre 1950	Tax exempt number 3811121
Organization Address (No PO Boxes) 101 E Ciro Street/PO Box 389	City Truman	State MN	Zip Code 56088
Name of person making application Nathan Rolling	Business phone 507-236-7884	Home phone 507-236-7884	
Date(s) of event August 21 - August 23, 2026	Type of organization ☐ Microdistillery ☐ Small Brewer ☐ Club ☐ Charitable ☐ Religious ☒ Other non-profit		
Organization officer's name Ron Kelley, President	City Truman	State MN	Zip Code 56088
Organization officer's name Nathan Rolling, Treasurer	City Truman	State MN	Zip Code 56088
Organization officer's name Dan Grunig, Secretary	City Truman	State MN	Zip Code 56088

Location where permit will be used. If an outdoor area, describe.

Martin County Fairgrounds: Beer Garden, located at 1300 Bixby Road, Fairmont, MN. The Beer Garden is located in an area that is entirely fenced off with a monitored entrance.

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

\$1,000,000 in coverage will be in effect during the dates of the event. Applicant is currently working with insurance agent: Peterson Anthony of Fairmont, MN, at the time this application was submitted (07/06/2026)

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

Fairmont	City or County approving the license	Date Approved
\$50.00	Fee Amount	August 21 - August 23, 2026
Event in conjunction with a community festival ☐ Yes ☒ No		Permit Date
10,487	Current population of city	bsteuber@fairmont.org
		City or County E-mail Address
Please Print Name of City Clerk or County Official		Signature City Clerk or County Official

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event

No Temp Applications faxed or mailed. Only emailed.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.8
Reviewed by: Jason Baker, City Administrator	Item: Consideration of an Event Permit for King Korn Day Sponsored by Hauschild Holdings LLC dba Silo '67		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve an Event Permit for King Korn Day Sponsored by Hauschild Holdings LLC dba Silo '67 on August 29, 2026, on a Portion of Third Street		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

Hauschild Holdings LLC dba Silo '67 has submitted an application for an Event Permit to hold King Korn Day on August 29, 2026, on East Third Street between the alley adjacent to Silo '67 and N. Park Street.

This will be the third annual King Korn Day, featuring entertainment, food, and fun!

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Event Permit



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: 8/29/26

Permit Fee: \$15.00 CK#2071

Event: King Korn Day

Sponsoring entity: Silo'67

Address: 115 E 3rd St, Fairmont, MN 56031

Maximum estimated number of persons expected to attend at any one time: 100

Event coordinator(s): Ryan Hauschild

Contact Info: 651-226-6286 Phone #

haus223@gmail.com E-mail

Primary contacts (during event):

Name: Ryan Hauschild

Name: _____

Cell#: 651-226-6286

Cell#: _____

E-mail: haus223@gmail.com

E-mail: _____

Event Start:	Day/Date	<u>8/29/26</u>	Time:	<u>11:00 AM</u>
Event End:	Day/Date	<u>8/29/26</u>	Time:	<u>9:00 PM</u>
Setup:	Day/Date	<u>8/29/26</u>	Start time:	<u>9:00 AM</u>
Teardown:	Day/Date	<u>8/29/26</u>	Start time:	<u>9:00 PM</u>
			End Time:	<u>10:00 PM</u>

1. Type and description of the event and a list of all activities to take place at the event.

Outdoor community festival with kids activities, music, entertainment, food, bag stovencant

2. Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.

the street in front of Silo'67 on 3rd St from N Park St to the alley
(6 picnic tables)

3. Will outside drinking water or waste collection systems be supplied? Yes; X No
If yes, supply public health plans, including the number of toilet facilities that will be available.
4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. Yes; X No
If yes, provide the written plans.
5. Will organizers allow outside food wagon/vendors at the event? Yes; X No
If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment.
6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): Yes; X No
If yes, event coordinator must complete temporary overnight camping permit and submit payment.
7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? X Yes; No
If yes, please describe: Swing dancing and a band will use speakers until 7pm
8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns? X Yes; No
If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).
9. Will you be providing shuttle service? Yes; X No
If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

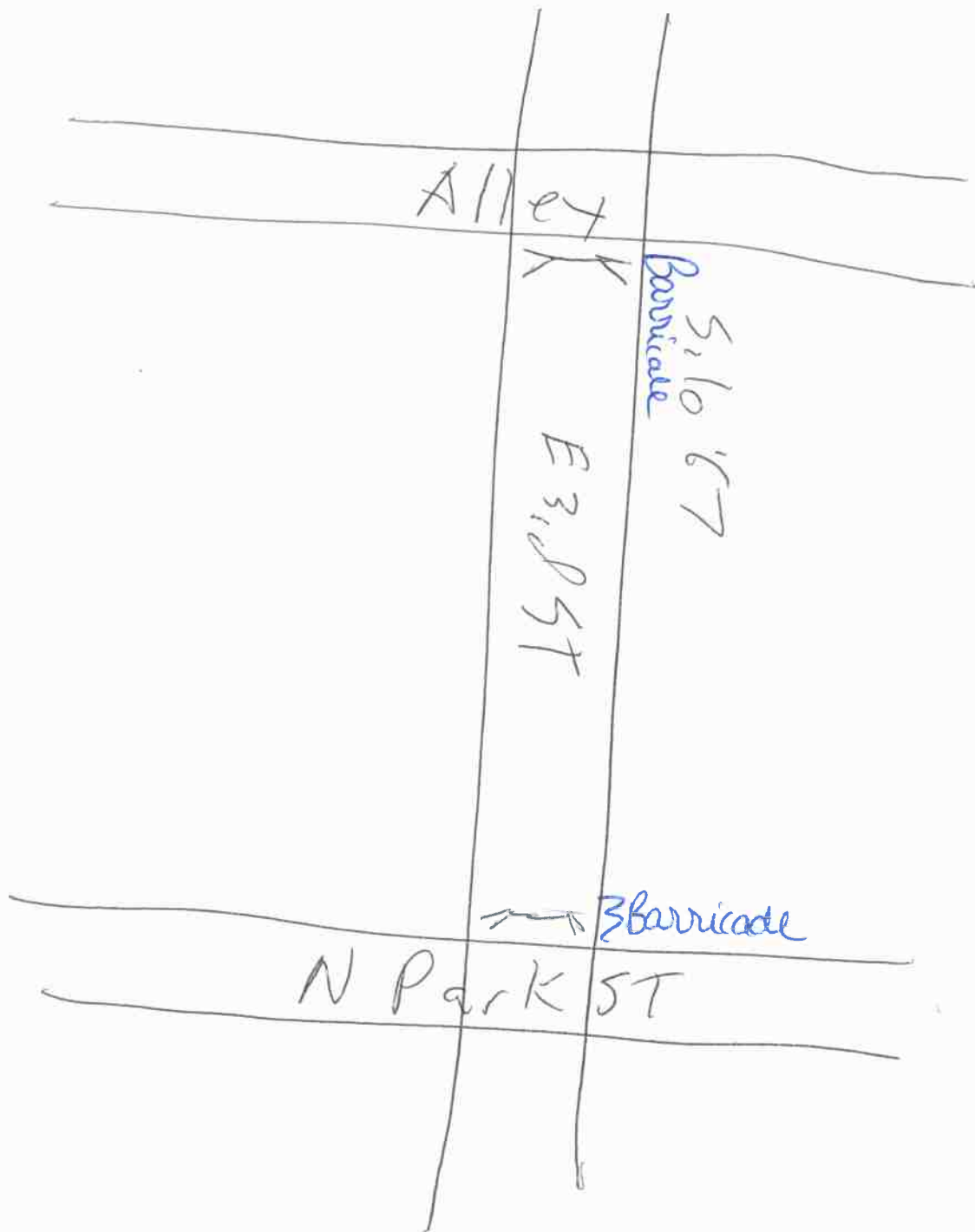
Signature Ron Henschel Title Owner Date Pat

Office Use Only			
\$15.00 Fee Paid <u>✓</u>	Date: <u>7/7/2016</u>	Received by: <u>[Signature]</u>	
Requires Council Approval	<u> </u> Yes; <u> </u> No	Council Meeting Date:	Action:
City Administrator Approval	Yes	No	Date

clk# 2071

Permit distribution:

- City
- Applicant
- Police
- Parks/Streets
- Other





STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.9
Reviewed by: Jason Baker, City Administrator	Item: Consideration of a Temporary On-Sale Liquor License for Hauschild Holdings, LLC dba Silo '67 for August 29, 2026		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve a Temporary On-Sale Liquor License for Hauschild Holdings, LLC dba Silo '67 for August 29, 2026		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

Hauschild Holdings, LLC dba Silo '67 has submitted an application for a Temporary On-Sale Liquor License in conjunction with the King Korn Day event they are sponsoring on August 29, 2026 (event permit submitted to Council for consideration on July 13, 2026).

Hauschild Holdings, LLC dba Silo '67 will not need authorization from the Alcohol & Gambling Enforcement Division, unlike other temporary on-sale liquor license applicants, as they hold a Caterer's Permit with Alcohol License.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Application for Temporary On-Sale Liquor

CITY OF FAIRMONT
MISCELLANEOUS LICENSE & PERMIT APPLICATION

Applicant's Name Silo '67
Applicant's Address 115 E 3rd ST
Fairmont, MN 56031
Applicant's Telephone 651-226-6286
Applicant's Signature R. Harsch
Date of application 7/7/26

Type of application: (Include dates, time, location, requests from City, etc.)

Date of event: 8/29/26 Time: 11 AM - 7 PM

Location (if outdoor describe) on E 3rd ST from N Park
ST to the alley

Fee (if applicable) \$50.00 CK#2071

CITY USE ONLY

Application approved by _____ Date _____

Instructions/Comments Applicant will be issuing on-sale liquor at event, under their

Ceterer's permit along with serving food, as required by State. State was contacted and
confirmed acceptable and process.

Application Distribution: City _____ Applicant _____ Police _____ Other _____

*** Please include the following with this document:

- a copy of your valid on-sale liquor license ✓
- a copy of your restaurant license issued by the local Health Department ✓
- a copy of your catering license ✓
- a certificate of liquor liability insurance that states " Off Premises coverage included" ✓
- a \$50.00 check payment, payable to the City of Fairmont ✓

STAFF MEMO

Prepared by: Rachel Viesselman, Human Resources Manager	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.10
Reviewed by: Jason Baker, City Administrator	Item: Consideration of Updates to the “Performance Evaluations” Personnel Policy		
Presented by: Rachel Viesselman, Human Resources Manager	Action Requested: Motion to Approve the Proposed Updates to the “Performance Evaluations” Personnel Policy, as Outlined		
Vote Required: ☒ Simple Majority ☐ Two-Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

A “Performance Evaluations” policy was established on 12/09/1985. It underwent revisions on 2/11/2017 and is currently contained within the *Personnel Policy Handbook*.

REFERENCE AND BACKGROUND

Below is the current policy:

The performance evaluation process is a vital link to ensure communication between an employee and their supervisor with the goal of professional growth and development, leading to improved individual and City performance. Performance evaluations can objectively rate, motivate, and develop an employee’s effectiveness along with benefiting the leadership ability of the supervisor.

New Employee

Within the first six months during a new employee’s probation period, the supervisor may discuss job performance with the employee and may assist with any questions, problems, or concerns that he/she might have.

The new employee may have an opportunity to self-evaluate the progress made toward completing performance standards along with other duties and responsibilities, generally within the first six months of employment.

Current Employee

The performance evaluation for an employee may generally take place on an annual basis. Evaluation documentation will be placed in the employee’s personnel file.

The quality of an employee’s past performance will be considered in personnel decisions such as promotions, transfers, demotions, and terminations.

Performance evaluations shall be prepared by the employee’s immediate supervisor and submitted to the department head for review and approval prior to meeting with the employee.

While the policy itself was not incorrect, it was improved in the following ways:

- The addition of more headings throughout the policy to provide clarity as well as to keep the format consistent with the handbook's other new/updated policies.
- The utilization of verbiage that aligns with the "Classification of Employees" policy, making it clearer to whom the policy applies and how.
- The incorporation of greater detail to better outline the evaluation process and its components.
- The addition of an "Expectations for Supervisors" section to emphasize the importance of consistent communication between supervisors and their employees as well as the need for the documentation of thorough, accurate performance feedback.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

The revised policy is attached.

Performance Evaluations

Purpose

The City of Fairmont has established an objective review system to periodically evaluate the performance of City employees. The evaluation process is a vital link to ensure communication between an employee and their supervisor with the goal of professional growth and development, which leads to improved individual and City performance. Performance evaluations have the potential to motivate and develop an employee's effectiveness as well as enhance the leadership ability of the supervisor.

Scope

This policy applies to all regular full-time, regular part-time, and probationary employees.

General Policy

A minimum of one written performance evaluation shall be conducted annually on each employee. The evaluation will include a review of the employee's major responsibilities, an appraisal of the employee's job performance, the identification of any problem areas along with an action plan for correction/improvement, and the establishment of future performance objectives.

The evaluation form will be prepared by the employee's immediate supervisor and submitted to the employee for preliminary review and, if warranted, feedback prior to the supervisor conducting the formal evaluation with the employee in an in-person format. After the evaluation has been conducted with the employee, the evaluation form will progress through the appropriate chain of command for review/approval with the city administrator being the ultimate authority.

The quality of the employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations, and, where applicable, salary adjustments.

Written performance evaluations, including self-evaluation forms, will be retained in the employee's personnel file.

Probationary Employee

Near the end of a new employee's six-month probationary period, the supervisor will discuss job performance with the employee and may assist with any questions, problems, or concerns that the employee might have.

At this time, the employee will also have an opportunity to self-evaluate their progress toward meeting performance standards and accomplishing goals as well as highlighting any areas they feel may need improvement or require additional support.

Regular Employee

The performance evaluation will generally take place on an annual basis. The timing of the evaluation will, in most cases, coincide with the employee's start date in their current job position.

The employee will complete a self-evaluation form at this time.

Expectations for Supervisors

Supervisors should communicate with their employees about performance throughout the year. This ongoing feedback is essential for encouraging two-way communication, building trust, and ensuring continuous improvement. Regular check-ins, frequent feedback, and informal conversations provide employees with timely guidance, recognition, and opportunities for course correction rather than waiting until the annual evaluation. This proactive approach helps eliminate surprises during the formal evaluation and reinforces expectations and goals consistently. It also demonstrates a supervisor's commitment to employee development and creates a productive, motivated workplace. Annual evaluations are to serve as a summary of discussions that have occurred all year—not the starting point.

Further, a supervisor's failure to document their employees' significant and/or longstanding performance concerns on the performance evaluation form will subject the supervisor to disciplinary action.

Adopted: 12/09/1985

Revised: 12/11/2017, 07/13/2026



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.11
Reviewed by: Jason Baker, City Administrator	Item: Consideration of Updates to the City of Fairmont Data Practices Policies		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve the Proposed Updates to the City of Fairmont Data Practices Policies		
Vote Required: ☒ Simple Majority ☐ Two-Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

The City of Fairmont adopted its current Data Practices Policies for Members of the Public and Data Subjects on July 22, 2024, pursuant to Minnesota Statutes §13.025 and §13.03. Annual approval, as required by State Statute, was conducted on July 14, 2025.

REFERENCE AND BACKGROUND

Minnesota Statutes Chapter 13, known as the Minnesota Government Data Practices Act (MGDPA), requires government entities to adopt and maintain policies regarding public access to government data. Cities must review these policies at least annually and update them as necessary. Annual approval is required no later than August 1.

Staff reviewed the policies against the most recent guidance provided by the Minnesota Department of Administration's Data Practices Office. Minor revisions have been made to clarify administrative procedures related to processing government data requests.

The proposed revisions include the following updates to the currently adopted policies:

- Clarification that the City may suspend processing of a request until sufficient clarification is provided when a request is unclear, incomplete or overly broad.
- Language noting that multiple requests submitted within a short period of time may impact response times.
- Clarification in the Members of the Public policy describing that a request will be considered closed if requested data copies are not retrieved or paid for within fifteen (15) business days after notification that the data are ready.
- Clarification in the Data Subjects policy that if copies are not retrieved or paid for within five (5) business days after notification that the data are ready, the City may suspend further response until the request is completed.
- Updating the Police Department Data Practices designee to reflect current staffing.

These revisions are administrative in nature and do not change the City's obligations under the Minnesota Government Data Practices Act. The updates are intended to improve clarity and align the policy with current recommended practices from the Minnesota Department of Administration's Data Practices Office.

Approval of this agenda item will update the City's Data Practices Policies for use until the next annual review or until additional updates are necessary.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Updated Data Practices Policies



DATA PRACTICES POLICY FOR MEMBERS OF THE PUBLIC

Data Practices Policy for Members of the Public and the Data Practices Policy for Data Subjects
Adopted July 22, 2024 (Resolution 2024-26)
Updated: July 14, 2025, July 13, 2026

Your Right to See/Access Public Data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The Government Data Practices Act also provides that this government entity must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Request Public Data

You can ask to look at (inspect) data at our offices, or ask for copies of public data that we keep. Data requests must be in writing on the City's Data Request Form and must be mailed or emailed to the City's Data Practices Compliance Official ("DPCO") or another appropriate designee listed in the Data Practices Contacts on page 4. If you have any questions about making a data request, contact our DPCO.

Your request should:

- Say that you are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- Include whether you would like to inspect the data, have copies of the data, or both.
- Provide a clear description of the data you would like to inspect or have copied.

You are not required to identify yourself or explain the reason for your data request. However, you may need to provide us with some personal information for practical reasons (for example: if you want us to mail copies to you, you need to provide us with an address or P.O Box). If we do not understand your request and have no way to contact you, we cannot respond to your request.

How Will We Respond to Your Data Request

Upon receiving your data request, we will review it and work to process it.

- We may ask you to clarify what data you are requesting.
 - If clarification is necessary, the City may suspend process until sufficient clarification is provided.
- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but we are not allowed under the governing law to give it to you, we will notify you in writing as soon as reasonably possible and identify the specific law that prevents us from providing you with the data.
- Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - Arrange a date, time, and place for you to inspect data at our offices, without charge, if your request is to look at/inspect the data, or

- Tell you the amount you owe for copy costs, and then provide you with copies of the data as soon as reasonably possible after you pay for them. You may choose to pick up your copies, or we will mail or email them to you. We will provide electronic copies (such as email or CD-ROM) upon request, if we keep the data in that format and we can reasonably make a copy.

Information about copy charges is on page 5.

We also will arrange for you to prepay for the copies.

- Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.
- If you do not arrange to inspect the data or pay for the copies within 15 business days after we notify you that the data are ready, we will conclude that you no longer want the data and will consider your request closed.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the person who provided the data to you. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

We are also not required to respond to questions that are not about your data requests, or requests for government data.

Requests for Summary Data

Summary data are statistical records or reports created by removing identifying information about individuals from entirely private or confidential data. We will create summary data if you request it in writing and pre-pay for the cost of creating the data.

You may use the City's Data Request Form to request summary data. We will respond to your request within ten business days with the data or details of when the data will be ready and how much we will charge you.

Data Practices Contacts

Responsible Authority

Betsy Steuber, City Clerk
Fairmont City Hall
100 Downtown Plaza
Fairmont, MN 56031-1709
Tel: 507-238-9461
Fax: 507-238-9469
Email: bsteuber@fairmont.org

Data Practices Compliance Official

Betsy Steuber, City Clerk
Fairmont City Hall
100 Downtown Plaza
Fairmont, MN 56031-1709
Tel: 507-238-9461
Fax: 507-238-9469
Email: bsteuber@fairmont.org

Data Practices Designee(s)

For questions or data requests relating to data maintained by a specific Department within the City.

- **General City and Public Utilities Data Requests**

Betsy Steuber, City Clerk
Fairmont City Hall
100 Downtown Plaza
Fairmont, MN 56031-1709
Tel: 507-238-9461
Fax: 507-238-9469
Email: bsteuber@fairmont.org

- **Police Department - Law Enforcement Data Requests**

Michael Beletti
Fairmont Police Department
201 Lake Avenue, Suite 199
Fairmont, MN 56031
Tel: (507) 238-4481
Fax: (507) 238-1093
Email: mbeletti@fairmont.org

Copy Costs – When You Request Public Data

This government entity charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

You must pay for the copies before we will give them to you.

If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies.

- **For 100 or Fewer Paper Copies – 25 cents per page**

100 or fewer pages of black and white, letter or legal-size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

- **Most Other Types of Copies – Actual cost**

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we will include in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot copy or reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time (hourly rate) to search for data, retrieve data, and make copies will be calculated based on the wages/salary (may include benefits) of the lowest-paid entity employee who could complete the task.

Notwithstanding the foregoing, if, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.



Data Request Form

A. To be Completed by Requester (optional for the sole purpose of facilitating access to data)

Requester Name (Last, First, M.):	Phone Number:
Street Address:	Fax Number:
City, State, Zip Code:	Email Address:
Signature:	Date of Request:
<i>Note: According to Minn. Stat. § 13.05, subd. 12, persons are not required to identify themselves, or state a reason for, or justify a request for public data.</i>	
I am requesting access to data in the following way: ☐ Inspection ☐ Copies ☐ Both inspection and copies <i>Note: Minn. Stat. § 13.03 and 13.04 authorize the City to charge fees to recover costs to provide copies of data. Prepayment is required. There is no charge for inspection or for separating not public data from public data. The City may charge the actual cost for searching and retrieving data, except for requests made by data subjects.</i> <i>Note: The City will respond within a reasonable time for all requests, except for requests by data subjects, which shall be responded to within 10 days of the date of the request.</i>	
Description of the Data Requested (attach additional pages if needed):	

B. To be Completed by City Department

Department Name:	Handled by:
Information Classified as: ☐ Public ☐ Private ☐ Confidential ☐ Non-Public ☐ Protected Non-Public	Action: ☐ Approved ☐ Approved in Part (Explain below) ☐ Denied (Explain below)
Remarks or basis for denial including statute section:	
Copying Charges (Minn. Stat. §§ 13.03 and 13.04): ☐ None ☐ Members of the Public (100 or fewer copies): _____ Pages x \$.25 per Black/White Page = _____ ☐ Members of the Public (more than 100 copies) and Data subjects: Employee time: \$_____/hr x _____ Hours = _____ _____ Pages x \$____ per Black/White Page = _____ ☐ Other Charges (e.g. CDs, postage): _____ = _____ Total Charges = _____	Proof of Identity Verified of Requester of Private Data as the Data Subject: ☐ Valid Identification: Driver's License, State ID, Military ID, Passport, Etc. ☐ Comparison with Signature on File ☐ Personal Knowledge ☐ Informed Consent form signed by data subject ☐ Other: _____
Authorized Signature: _____ Date: _____	



DATA PRACTICES POLICY FOR DATA SUBJECTS

What is a “Data Subject”?

When government has information recorded in any form (paper, harddrive, voicemail, video, email, etc.), that information is called “government data” under the Government Data Practices Act (Minnesota Statutes, Chapter 13). When we can identify you in government data, you are the “data subject” of that data. The Data Practices Act gives you, as a data subject, certain rights. This policy explains your rights as a data subject, and tells you how to request data about you, your minor child, or someone for whom you are the legal guardian.

When the City Has Data about You – Classification of Data

The City has data on many people, such as employees, job applicants, vendors, among many others. We can collect and keep data about you only when we have a legal purpose to have the data. The City must also keep all government data in a way that makes it easy for you to access data about you.

Government data about an individual have one of three “classifications.” These classifications determine who is legally allowed to see the data. Data about you are classified by state law as public, private, or confidential. Here are some examples:

1. **Public data:** The Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. We must give public data to anyone who asks. It does not matter who is asking for the data or why the person wants the data.

The following are examples of public data about you that we might have:

*The names of City government employees.
Your name on an application for a license from the City.*

2. **Private data:** We cannot give private data to the general public, but you have access when the data are about you. We can share your private data with you, with someone who has your permission, with our government entity staff whose job requires or permits them to see the data, and with others as permitted by law or court order.

The following is an example of private data about you that we might have:

Social Security numbers.

3. **Confidential data:** Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you. We can share confidential data about you with our government entity staff who have a work assignment to see the data, and to others as permitted by law or court order.

The following is an example of confidential data about you:

The identity of the subject of an active criminal investigation.

Your Rights Under the Government Data Practices Act

As a data subject, you have the following rights.

- **Access to Your Data**

You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

- **Access to Data on Minor Children**

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

Minors have the right to ask us not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We will ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We will make the final decision about your request based on your best interests.

- **When We Collect Data from You**

When we ask you to provide data about yourself that are not public, we must give you a notice called a Tennessean warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you must use the informed consent form we provide.

- **Protecting your Data**

The Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe.

In the unfortunate event that we determine a security breach has occurred and an unauthorized person has gained access to your data, we will notify you as required by law.

- **When your Data are Inaccurate and/or Incomplete**

You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

How to Make a Request for Your Data

You can ask to look at (inspect) data at our offices, or ask for copies of data the City keeps about you, your minor children, or an individual for whom you have been appointed legal guardian.

Data requests must be in writing on the City's Data Request Form and must be mailed or emailed to the City's Data Practices Compliance Official ("DPCO") or another appropriate designee listed in the Data Practices Contacts on page 6. If you have any questions about making a data request, contact our DPCO.

Your request should:

- Say that you are making a request as a data subject, for data about you (or your child, or person for whom you are the legal guardian), under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- Include whether you would like to inspect the data, have copies of the data, or both.
- Provide a clear description of the data you would like to inspect or have copied.
- Provide proof that you are the data subject or data subject's parent/legal guardian.

We require proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a legal guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity on page 9. If you do not provide proof that you are the data subject, we cannot respond to your request.

How We Respond to a Data Request

Upon receiving your data request, we will review it and work to process it.

- We may ask you to clarify what data you are requesting.
- We will ask you to confirm your identity as the data subject.
- If we do not have the data, we will notify you in writing within 10 business days of your request.
- If we have the data, but the data are confidential or not public data that are not about you, we will notify you within 10 business days and identify the law that prevents us from providing you with the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:
 - Arrange a date, time, and place for you to inspect data at our offices, without charge, if your request is to look at/inspect the data, or
 - Provide you with copies of the data within 10 business days. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.

Information about copy charges is on page 7.

We also will arrange for you to prepay for the copies.

- Following our response, if you do not arrange to inspect the data or pay for copies within 5 business days after we tell you the data are ready, we will suspend any further response until you inspect the data or collect and pay for the data that have been produced.
- After we have provided you with your requested data, we do not have to show you the same data again for 6 months unless there is a dispute about the data or we collect or create new data about you.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the person who provided the data to you. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, we are not required to respond to questions that are not about your data requests, or that are not requests for government data.

Data Practices Contacts

Responsible Authority

Betsy Steuber, City Clerk
Fairmont City Hall
100 Downtown Plaza
Fairmont, MN 56031-1709
Tel: 507-238-9461
Fax: 507-238-9469
Email: bsteuber@fairmont.org

Data Practices Compliance Official

Betsy Steuber, City Clerk
Fairmont City Hall
100 Downtown Plaza
Fairmont, MN 56031-1709
Tel: 507-238-9461
Fax: 507-238-9469
Email: bsteuber@fairmont.org

Data Practices Designee(s)

For questions or data requests relating to data maintained by a specific Department within the City.

- **General City and Public Utility Data Requests**

Betsy Steuber, City Clerk
Fairmont City Hall
100 Downtown Plaza
Fairmont, MN 56031-1709
Tel: 507-238-9461
Fax: 507-238-9469
Email: bsteuber@fairmont.org

- **Police Department - Law Enforcement Data Requests**

Michael Beletti, Chief
Fairmont Police Department
201 Lake Avenue, Suite 199
Fairmont, MN 56031
Tel: (507) 238-4481
Fax: (507) 238-1093
Email: mbeletti@fairmont.org

Copy Costs – Data Subjects

This government entity charges data subjects for copies of government data. These charges are authorized under Minnesota Statutes, section 13.04, subdivision 3.

You must pay for the copies before we will give them to you.

If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies.

Actual Cost of Making the Copies

We will charge the actual cost of making copies for data about you. In determining the actual cost of making copies, we include the employee time to create and send the copies, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs such as postage (if any). If your request is for copies of data that we cannot copy or reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time (hourly rate) to search for data, retrieve data, and make copies will be calculated based on the wages/salary (may include benefits) of the lowest-paid entity employee who could complete the task.

Notwithstanding the foregoing, if, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.



Data Request Form

A. To be Completed by Requester (optional for the sole purpose of facilitating access to data)

Requester Name (Last, First, M.):	Phone Number:
Street Address:	Fax Number:
City, State, Zip Code:	Email Address:
Signature:	Date of Request:
<i>Note: According to Minn. Stat. § 13.05, subd. 12, persons are not required to identify themselves, or state a reason for, or justify a request for public data.</i>	
I am requesting access to data in the following way: ☐ Inspection ☐ Copies ☐ Both inspection and copies <i>Note: Minn. Stat. § 13.03 and 13.04 authorize the City to charge fees to recover costs to provide copies of data. Prepayment is required. There is no charge for inspection or for separating not public data from public data. The City may charge the actual cost for searching and retrieving data, except for requests made by data subjects.</i> <i>Note: The City will respond within a reasonable time for all requests, except for requests by data subjects, which shall be responded to within 10 days of the date of the request.</i>	
Description of the Data Requested (attach additional pages if needed):	

B. To be Completed by City Department

Department Name:	Handled by:
Information Classified as: ☐ Public ☐ Private ☐ Confidential ☐ Non-Public ☐ Protected Non-Public	Action: ☐ Approved ☐ Approved in Part (Explain below) ☐ Denied (Explain below)
Remarks or basis for denial including statute section:	
Copying Charges (Minn. Stat. §§ 13.03 and 13.04): ☐ None ☐ Members of the Public (100 or fewer copies): _____ Pages x \$.25 per Black/White Page = _____ ☐ Members of the Public (more than 100 copies) and Data subjects: Employee time: \$_____/hr x _____ Hours = _____ _____ Pages x \$____ per Black/White Page = _____ ☐ Other Charges (e.g. CDs, postage): _____ = _____ Total Charges = _____	Proof of Identity Verified of Requester of Private Data as the Data Subject: ☐ Valid Identification: Driver's License, State ID, Military ID, Passport, Etc. ☐ Comparison with Signature on File ☐ Personal Knowledge ☐ Informed Consent form signed by data subject ☐ Other: _____
Authorized Signature: _____ Date: _____	

Standards for Verifying Identity

The following constitute proof of identity:

- An adult individual must provide a valid photo ID, such as
 - a driver's license
 - a state-issued ID
 - a tribal ID
 - a military ID
 - a passport
 - the foreign equivalent of any of the above
- A minor individual must provide a valid photo ID, such as
 - a driver's license
 - a state-issued ID (including a school/student ID)
 - a tribal ID
 - a military ID
 - a passport
 - the foreign equivalent of any of the above
- The parent or guardian of a minor must provide a valid photo ID and either
 - a certified copy of the minor's birth certificate or
 - a certified copy of documents that establish the parent or guardian's relationship to the child, such as
 - a court order relating to divorce, separation, custody, foster care
 - a foster care contract
 - an affidavit of parentage
- The legal guardian for an individual must provide a valid photo ID and a certified copy of appropriate documentation of formal or informal appointment as guardian, such as
 - court order(s)
 - valid power of attorney

Note: Individuals who do not inspect data or pick up copies of data in person may be required to provide either notarized or certified copies of the documents that are required or an affidavit of ID.



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.12
Reviewed by: Jason Baker, City Administrator	Item: Consideration of an Event Permit for Fund 85 Run Sponsored by American Legion Post 36		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve an Event Permit for Fund 85 Run Sponsored by American Legion Post 36 on July 24, 2026, on a Portion of Downtown Plaza, the Parking Lot at the Corner of Fourth Street and N. Park Street, and the Adjacent Alley		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

American Legion Post 36 has submitted an application for an Event Permit to hold Fund 85 Run (afternoon stop) on July 24, 2026. The event will utilize Downtown Plaza from Third Street to Fourth Street. The event will utilize a portion of Downtown Plaza from Third Street to Fourth Street, the parking lot at the corner of Fourth and N. Park Street and the north entrance to the alley/one-way between Downtown Plaza and N. Park Street.

This is the 5th Annual Minnesota Fund 85 Run, which benefits Minnesota Veterans Assistance Fund. This will be the run first-ever afternoon stop in Fairmont to visit American Legion Post 36 and the Martin County Veterans Memorial.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Event Permit



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: ~~7-24-26~~ 6-23-26

Permit Fee: \$15.00

Event: FUND 85 RUN

Sponsoring entity: AMERICAN LEGION POST 36

Address: 300 DOWNTOWN PLAZA FAIRMONT, MN

Maximum estimated number of persons expected to attend at any one time: UNKNOWN

Event coordinator(s): FAIRMONT AMERICAN LEGION RIDERS

Contact Info: 507-236-6794 Phone #

DLJOHNSONDAV@GMAIL.COM E-mail

Primary contacts (during event):

Name: TRENT JOHNSON

Name: DONNA JOHNSON

Cell#: 507-848-8852

Cell#: 507-236-6794

E-mail: TRENTJOHNSON@OUTLOOK.COM E-mail: DLJOHNSONDAV@GMAIL.COM

Event Start: Day/Date 7-24-26

Time: 1:00pm

Event End: Day/Date 7-24-26

Time: 3:00pm

Setup: Day/Date 7-24-26

Start time: 12:00pm

End Time: 4:00pm

Teardown: Day/Date 7-24-26

Start time: 4:00pm

End Time:

1. Type and description of the event and a list of all activities to take place at the event.

FUND 85 FUNDRAISER STOP ALONG ROUTE FOR REFRESHMENTS
AND SHORT PRESENTATION ABOUT FUND 85

2-2:30

2. Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.

CLOSING OFF THE 300 BLOCK OF DOWNTOWN PLAZA FOR MOTORCYCLE
AND CAR PARKING AND PARKING LOT BEHIND SILO 67 FOR OVERFLOW
WILL NEED BARRICADES AT CORNER OF 3RD ST & DOWNTOWN PLAZA ALSO
FOR PARKING LOT

Closure requested from 3rd to 4th on Downtown Plaza
Barricade for 3rd 4th, Silo parking lot, alley parking
see map w/ X = barricade

3. Will outside drinking water or waste collection systems be supplied? ☒ Yes; ☒ No
If yes, supply public health plans, including the number of toilet facilities that will be available.
LEGION FACILITIES WILL BE OPEN
4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. ☒ Yes; ☐ No
If yes, provide the written plans. LEGION FACILITY WILL BE OPEN
5. Will organizers allow outside food wagon/vendors at the event? ☐ Yes; ☒ No
If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment.
6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): ☐ Yes; ☒ No
If yes, event coordinator must complete temporary overnight camping permit and submit payment.
7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? ☐ Yes; ☒ No
If yes, please describe: _____
8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns?
☒ Yes; ☐ No
If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).
CORNER OF 3RD ST & DOWNTOWN PLAZA AND PARKING LOT BEHIND SILO 67
9. Will you be providing shuttle service? ☐ Yes; ☒ No
If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

Signature [Signature] Title LEGION RIDERS DIRECTOR Date 6-23-26

Office Use Only			
\$15.00 Fee Paid ☒	Date: <u>7/8/20</u>	Received by: <u>BS</u>	
Requires Council Approval	☐ Yes; ☐ No	Council Meeting Date:	Action:
City Administrator Approval	Yes	No	Date

Permit distribution:

- ☐ City
- ☐ Applicant
- ☐ Police
- ☐ Parks/Streets
- ☐ Other

Pd cash
#15
7/8/20
BS



5TH ANNUAL
MINNESOTA FUND 85 RUN
to benefit MN VETERANS
ASSISTANCE FUND

KICK OFF PARTY
JULY 22
NEW ULM
AMERICAN LEGION

ENDING PARTY
JULY 25
WASECA
AMERICAN LEGION

ROUTE THROUGH
SOUTHERN MN
JULY 23

NEW ULM TO MONTEVIDEO
JULY 24
MONTEVIDEO TO ST. PETER
JULY 25

ST. PETER TO WASECA

RIDE AND SUPPORT
VETERANS IN NEED

Donations can be made out to
MN American Legion
Foundation
In the memo line add
Fund 85 Veteran Assistance
Fund



For More
Information
www.fund85run.org
612-217-1021
info@fund85run.org



American Legion Riders
Department of Minnesota
20 W 12th Street Rm 300A
St. Paul, MN 55155-2000
<https://mnalr.org>
<https://fund85run.org>



Lee C. Prentice American Legion Riders Chapter 36
Att: Riders Director
300 Downtown Plaza
Fairmont, MN 56031

Dear Riders Director,

The Minnesota American Legion Riders (MNALR) has announced their Annual Minnesota Fund 85 Run to support the charity, The Minnesota Veterans' Assistance Fund also known as Fund 85. The annual Minnesota Fund 85 Run will be held July 23 – July 26, 2026. A Kickoff Party will be held the evening of Wednesday July 22nd in New Ulm. We will depart New Ulm on Thursday morning. We have overnights planned in Montevideo, St. Peter, and Waseca. The ending of the Fund 85 Run will be in Waseca at the Waseca American Legion the afternoon of Saturday July 25th.

We will be stopping at your post on: **Fri. July 24, 2026** and we are scheduled to be at your post for: **afternoon stop**

If you have questions, please contact: ALR Department Director Duane Mabon duane.mabon@state.mn.us or cell phone: 507-215-1565 or Ride Captain: Ted Berg at tattotheo.tb@gmail.com or cell phone: 507-766-1143 or Jody Hassing at jodyhassing@gmail.com or cell phone: 651-329-7197

This is an opportunity for your Post to emphasize recruitment and community involvement. Try to get the word out to the community through community announcements, banners & flyers. Share it with local government officials (including police/sheriff & fire). We are trying to give you the opportunity to get the American Legion Family brand out into the public eye. If you would like an electronic copy of the press release or flier, please contact Shawn Davis at salshawndavis@gmail.com. This information can also be found on the website site: <https://fund85run.org>

The MN ALR is not asking for a formal program, we will leave that up to you and your post. A thought would be to do a welcome, introduce any Post, Civic & any business leaders that may attend our arrival. We can introduce any officers that are riding with us and talk about our fundraiser - The Minnesota Veterans' Assistant Fund (Fund 85). We will also accept any donations and provide a photo/video opportunity during those presentations.

For insurance and safety sake, unless your Post is the final stop for the day, we DO NOT allow alcohol to be consumed by those on the ride. Drinks such as water, coffee and pop are appreciated along with snacks. If we arrive during a mealtime, the same rules covering alcohol will be in effect, unless we are at the last stop for the day.

Donations must be made out to **MN American Legion Foundation** and write **Fund 85** in the memo line of the check. A separate donation letter is available on the MN Fund 85 run website. If there are any questions about donations, please contact Jill Davis at alajilldavis@gmail.com or 612-968-1172 and leave a message.

On the day of our arrival, we will try to give all posts a heads up on our tentative arrival times. Please provide a contact to Ted Berg at tattotheo.tb@gmail.com or 507-766-1143 so that a call can be made to update the Post on tentative arrival times.

MN Fund 85 Run Planning Committee



W 4TH ST

N MAIN ST

DOWNTOWN PLZ

N PARK ST

W 3RD ST

232810020

232810140

230400645

230400565

230400640

230400630

230400620

230400610

230400600

230400570

230400780

230400770

230400710

230400730

230400700

230400690

230400684

230401160

230401180

230401170

230401200

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230401240

230401270

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230401290

230401440

230401430

230401420

230401410

230401400

230401390

230401380

230401360

230401370

230401310

1080

100 ft

STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☒ Consent Agenda Item ☐ Regular Agenda Item ☐ Public Hearing	Agenda Item # 6.C.13
Reviewed by: Jason Baker, City Administrator	Item: Consideration of an Event Permit for Disabled Army Veterans (DAV) Fundraiser and Community Meal Sponsored by Disabled Army Veterans		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve an Event Permit for DAV Fundraiser and Community Meal Sponsored by DAV on August 29, 2026, on a Portion of Downtown Plaza, the Parking Lot at the Corner of Fourth Street and N. Park Street, and the Adjacent Alley		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

REFERENCE AND BACKGROUND

Disabled Army Veterans (DAV) has submitted an application for an Event Permit to hold a DAV Fundraiser and Community Meal on August 29, 2026. The event will utilize a portion of Downtown Plaza from Third Street to Fourth Street, the parking lot at the corner of Fourth and N. Park Street and the north entrance to the alley/one-way between Downtown Plaza and N. Park Street.

The event will include a motorcycle run, community meal, silent auction, and door prizes with proceeds benefiting DAV programs and local Veterans.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Event Permit



EVENT APPLICATION/PERMIT

This form must be filed with the City at least thirty (30) days in advance of the event. The City will review the application in accordance with the permitting process outlined in the City Code, Chapter 18. Attach additional sheets, maps, etc. if necessary. For events which include overnight camping a separate addendum must be included with the event application.

Date: 6-23-26

Permit Fee: \$15.00

Event: DAV FUNDRAISER & COMMUNITY MEAL

Sponsoring entity: DAV

Address: 300 DOWNTOWN PLAZA

Maximum estimated number of persons expected to attend at any one time: UNKNOWN

Event coordinator(s): DAV

Contact Info: 507-236-6794 Phone #

DLJOHNSON DAV@GMAIL E-mail

Primary contacts (during event):

Name: TRENT JOHNSON

Name: DANNA JOHNSON

Cell#: 507-848-8852

Cell#: 507-236-6794

E-mail: TRENT.JOHNS@GMAIL.COM

E-mail: DLJOHNSON DAV@GMAIL.COM

Event Start: Day/Date 8-29-26 Time: 7:00 AM

Event End: Day/Date 8-29-26 Time: 8:00 PM

Setup: Day/Date 8-29-26 Start time: 6:00 AM End Time: 9:00 PM

Teardown: Day/Date 8-29-26 Start time: 9:00 PM End Time:

1. Type and description of the event and a list of all activities to take place at the event.

DAV FUNDRAISER ~~AND~~ MOTORCYCLE RUN & COMMUNITY MEAL

2. Proposed location of event, including a site plan or diagram of the proposed area to be used showing the location of any barricades, perimeter/security fencing, fire extinguishers, safety or first aid stations, entertainment, stages, restrooms or portable toilets, parking areas, ingress and egress routes, signs, special lighting, trash containers and any other items related to the event.

300 DOWNTOWN PLAZA & PARKING LOT BEHIND SILV LOT

See X for barricade for 3rd-4th Downtown Plaza
Silo parking lot, alley parking

3. Will outside drinking water or waste collection systems be supplied? ____ Yes; X No
If yes, supply public health plans, including the number of toilet facilities that will be available.
4. Will the event be providing: fire prevention, emergency medical service, security and severe weather shelter. X Yes; ____ No
If yes, provide the written plans.
AMERICAN LEGION WILL BE OPEN
5. Will organizers allow outside food wagon/vendors at the event? ____ Yes; X No
If yes, all food wagons/vendors must complete a Food Wagon/Vendor Permit and submit payment.
6. Will camping or temporary overnight lodging be included for the event? (allowed only at Cedar Creek Park and Winnebago Sports Complex): ____ Yes; X No
If yes, event coordinator must complete temporary overnight camping permit and submit payment.
7. Will the event be using any sound amplification, public address system or will there be any live performances of any music or musical instruments? ____ Yes; X No
If yes, please describe: _____
8. Will the event restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns?
X Yes; ____ No
If yes, provide a detailed description of all public rights of way and private streets for which the applicant requests the city to restrict or alter traffic flow. (Please attach a detailed map).
CORNER OF 3RD ST & DOWNTOWN PLAZA ALSO PARKING LOT BEHIND S.I.C. 67
9. Will you be providing shuttle service? ____ Yes; X No
If yes, provide offsite parking locations, shuttle routes, types of vehicles that will be used for shuttling passengers, hours of operation and frequency of shuttle service.

I affirm that I am authorized to execute this application on behalf of the applicant and that the statements contained therein are true and correct to the best of my knowledge. If the special event requires special services provided by the City of Fairmont, the applicant agrees to indemnify, defend and hold the City of Fairmont, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the special event, except any claims arising solely out of the negligent acts or omissions of the City of Fairmont, its officials, employees and agents. The applicant agrees to pay all fees and meet all City Code requirements.

Signature *[Signature]* Title LEGION RIDERS DIRECTOR Date 6-23-26

Office Use Only			
\$15.00 Fee Paid <u>✓</u>	Date: <u>7/8/26</u>	Received by: <u>B8</u>	
Requires Council Approval	____ Yes; ____ No	Council Meeting Date:	Action:
City Administrator Approval	Yes	No	Date

Permit distribution:

- ____ City
- ____ Applicant
- ____ Police
- ____ Parks/Streets
- ____ Other

cash #15

Second district DAV 2026 Benefit

So far stops, more locations to be determined later

Start at Fairmont Legion

Round lake legion

(lunch?)

Brewster memorial (Legion?)

Buckshot's in Butterfield

End at Fairmont Legion to eat at 6PM

Date August 29, 2026 This would be an all day ride.

Need donations from different locations and people

Having a **meal at the end when we return to Fairmont.**

Possibly getting donations for food for after ride

silent auction & door prizes (need donations)

\$20 per driver \$10 per passenger (or meal)

Profits to go to local DAV & for helping Veterans

Open to bikes and cars and trikes. Anything with wheels

ALL HELP IS WELCOME.

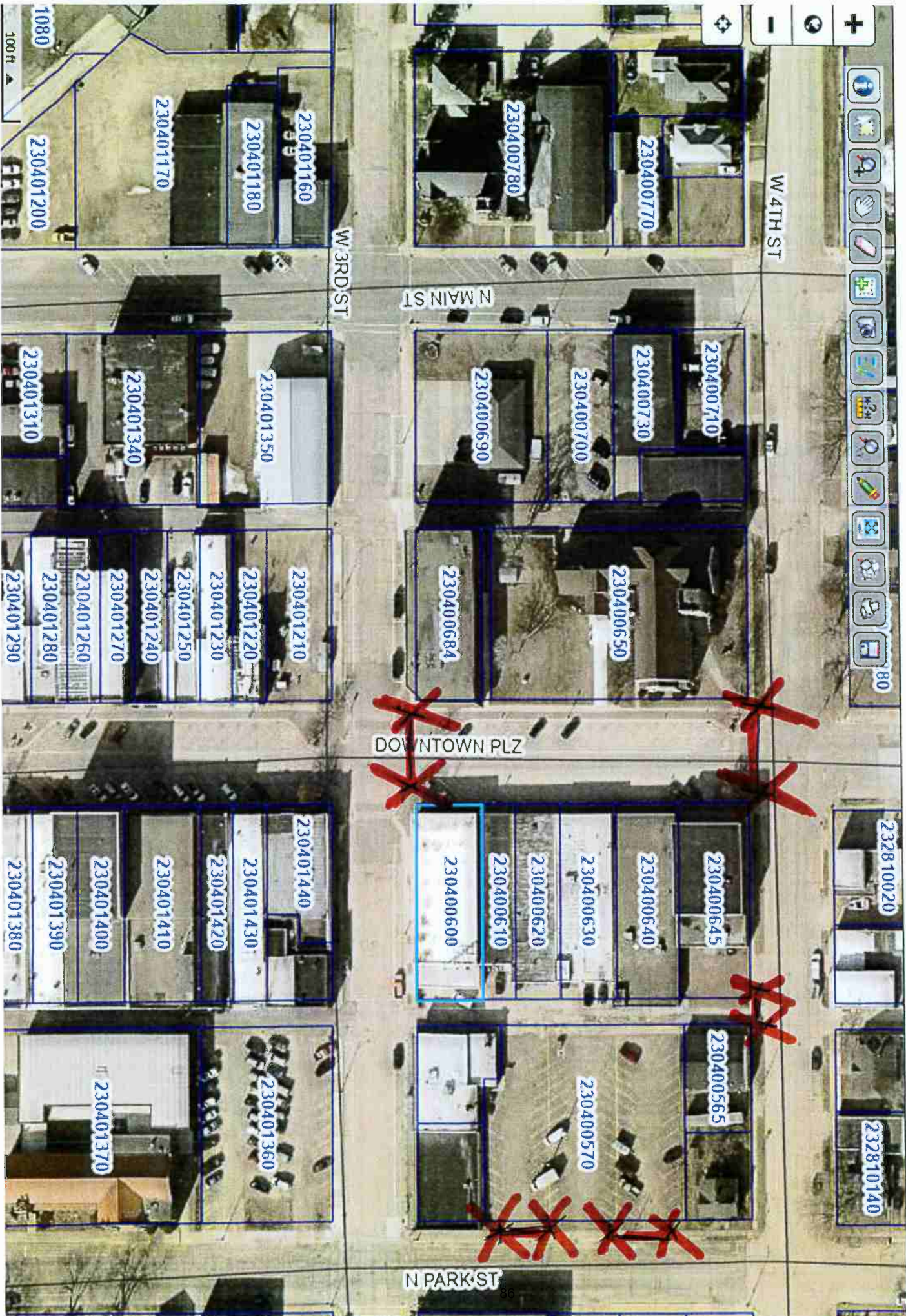
IF EVERYONE TALKS TO ONE PERSON WE WILL HAVE AMAZING RESULTS!!

Just trying to get exposure and awareness and support for DAV and our local Vets.

Donna Johnson (Trent Johnson-TJ'S wife) 507-236-6794 (call or text) or

Email djohnsondav@gmail.com

RSVP by Saturday July 18,2026





STAFF MEMO

Prepared by: Paul Hoyer, Finance Director	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☐ Regular Agenda Item ☒ Public Hearing	Agenda Item # 7.1
Reviewed by: Jason Baker, City Administrator	Item: Consideration of Lake Avenue Street Improvement Objection - 1300 Lake Avenue, Fairmont (continuation)		
Presented by: Paul Hoyer, Finance Director	Action Requested: Motion to Adopt Resolution 2026-28 Amending the Assessment Roll for the Lake Avenue Improvement Project for Parcel 23.037.0270 (1300 Lake Avenue)		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

The City Council adopted Resolution 2026-07 and 2026-08 at the February 23, 2026 council meeting declaring the costs for the 2025 Improvement Program, ordering the assessment roll to be prepared, and calling for a public hearing on the proposed assessment for March 23, 2026.

The City Council conducted a public hearing on March 23, 2026 and received six written objections related to the 2025 Improvement Program. The City Council continued the public hearing for these six objections to April 13, 2026.

The City Council continued the public hearing on April 13, 2026 and addressed five of the six objections. They continued the public hearing for 1300 Lake Avenue for April 27, 2026.

The City Council continued the public hearing on April 27, 2026 and directed staff to complete an appraisal for 1300 Lake Avenue and continue discussions with the property owners regarding the assessment amount. They continued the public hearing for 1300 Lake Avenue for June 8, 2026.

At the June 22, 2026 meeting, the City Council further continued the public hearing to July 13, 2026, to allow the appraisal to be completed and additional information to be obtained and presented to Council at the July 13, 2026 meeting.

REFERENCE AND BACKGROUND

The City retained Richard Johnson of Aurora Valuation and Consulting to conduct an appraisal of the property located at 1300 Lake Avenue. Mr. Johnson is a Minnesota Certified General Real Estate Appraiser and holds the Accredited Rural Appraiser (ARA) designation from the American Society of Farm Managers and Rural Appraisers (ASFMRA). He is also a past President of the Minnesota Chapter of ASFMRA and has served on its Ethics Committee and as Chairman of its Education Committee.

The appraisal was prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) and the Uniform Appraisal Standards for Federal Land Acquisitions. Based on

Mr. Johnson's analysis, the increase in the property's market value attributable to the improvement project was determined to be \$39,100.

Under Minnesota Statutes, Chapter 429, a special assessment may not exceed the special benefit created by the improvement. The special benefit is measured by the increase in the property's market value resulting from the public improvement.

Because the appraisal concluded that the improvement increased the property's market value by \$39,100, the proposed assessment of \$274,705.38 exceeds the amount of special benefit supported by the appraisal. Accordingly, staff recommend reducing the special assessment for 1300 Lake Avenue from \$274,705.38 to \$39,100.

BUDGET IMPACT

In 2024, the City issued \$8,445,000 in General Obligation (GO) bonds to finance the 2025–2029 Street Reconstruction Plan. As a result, reducing the amount of special assessments collected for this project will not affect the City's ability to complete the planned street improvements, as the project has already been funded.

The reduction in assessments could, however, affect the amount of assessment revenue available to help pay debt service on the GO bonds. At this time, it is too early to determine the actual financial impact, as it will depend on the final assessments, how bids come in and other revenues received for the project.

Based on current estimates, the worst-case scenario would require the City to use approximately \$235,605.38 from the Street Improvement Fund to meet debt service obligations. The Street Improvement Fund currently has a balance of more than \$5 million, which is sufficient to absorb this potential shortfall if necessary.

SUPPORTING DATA/ATTACHMENTS

Resolution 2026-28

Information received from 1300 Lake Avenue Property Owners, DFP Limited Partnership

- Formal Letter & Supplement No. 3 to Written Objection – DFP Limited Partnership (June 29, 2026)
- “Before and After” Appraisal Report – Jonathan R. Barclay, MAI (June 29, 2026)
- Correspondence from Attorney Barry A. O’Neil, Lommen & Abdo (June 24, 2026)
- Appraisal Comparison Chart (June 29, 2026)

CITY OF FAIRMONT, MINNESOTA
CITY COUNCIL RESOLUTION 2026-28

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRMONT
AMENDING THE ASSESSMENT ROLL FOR THE LAKE AVENUE IMPROVEMENT
PROJECT

WHEREAS, the Fairmont City Council conducted a duly noticed special assessment public hearing for the 2025 Lake Ave Improvements on March 23, 2026; and

WHEREAS, the City received six (6) objections to the special assessments pertaining specifically to the Lake Avenue improvement project (the “Project”) and thereafter adopted Resolution 2026-14, adopting the assessment roll subject to resolution of the 6 objections received; and

WHEREAS, at the continued special assessment public hearing on April 13, 2026 at 5:30 PM, Council adopted Resolution 2026-16, resolving five (5) of the 6 objections received and continuing the special assessment public hearing only as to the assessment for the property located at PID 230370270 (1300 Lake Ave.) (the “Farm property”) to April 27, 2026; and

WHEREAS, on April 27, 2026, the special assessment public hearing for the Farm property was continued to June 8, 2026, and then July 13, 2026, so that the City could complete an appraisal addressing the benefit received by the Farm property as a result of the Project; and

WHEREAS, City staff received an appraisal report from Richard H. Johnson of Aurora Valuation & Consulting, LLC determining that the Farm property received a benefit of \$39,100.00 following the Project; and

WHEREAS, the duly noticed continued special assessment hearing was held on July 13, 2026 by the Fairmont City Council to consider and pass upon the above-reference objection as submitted by the Farm property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRMONT THAT, based upon the record, testimony and evidence presented at said hearing, the City Council makes the following:

FINDINGS

1. The above recitals hereto are incorporated herein by reference as findings.
2. The property owners for the property located at PID 230370270 (1300 Lake Ave.) (the “Farm property”) have submitted a written objections with regard to the benefit received by the Project.
3. The Farm property is unimproved and unplatted agricultural property located on both sides of Lake Avenue.

4. Minn. Stat. 429.051 and the Special Assessment Policy both require that the amount assessed not exceed the market value to the benefited property attributable to the improvements.
5. The appraisal conducted by Aurora Valuation & Consulting, LLC determined that the Farm property received a benefit from the Project in the amount of \$39,100.00.

BE IT FURTHER RESOLVED THAT, based upon the record, testimony and evidence presented at said public hearing and the above findings, the City Council hereby:

- 1) receives and acknowledges the objection to the proposed special assessment for the property located at PID 230370270 (1300 Lake Ave.);
- 2) has reviewed the basis for the proposed assessment;
- 3) has reviewed the appraisal conducted by Aurora Valuation & Consulting, LLC;
- 4) finds the Farm property to be benefited by the improvement in the amount of \$39,100.00, as set forth in the appraisal conducted by Aurora Valuation & Consulting, LLC;
- 5) finds the proposed assessments to be supported by the evidence and in compliance with established city Special Assessment Policy, and Chapter 429 of Minnesota Statutes, and therefore hereby denies the objection to the reassessed amount of \$39,100.00;
- 6) amends the assessment roll adopted by Resolution 2026-14, dated March 23, 2026, and amended in Resolution 2026-16 for the 2025 Lake Avenue Improvement Project so as to reduce the assessment against PID 230370270 (1300 Lake Ave.) to \$39,100.00, which shall constitute the special assessment against the Farm property; and
- 7) hereby directs the City Clerk to transmit a certified duplicate copy of the amended assessment roll to the County Auditor to be extended on the tax list of the County.

PASSED by the City Council of the City of Fairmont on this 13th day of July, 2026.

ATTEST

Betsy Steuber, City Clerk

Lee C. Baarts, Mayor

June 29, 2026

D F P Limited Partnership
P. O. Box 24247
Edina, Minnesota 55424-0247

City of Fairmont
Fairmont City Council
100 Downtown Plaza
Fairmont, Minnesota 56031-1709

To: The Honorable Lee C. Baarts, Mayor
Council Members Wayne Hasek, Britney Kawecki, James Kotewa, Randy Lubenow, and
Jay Maynard (“City Council”)

cc: Jason Baker, City Administrator
Betsy Steuber, City Clerk
Paul Hoyer, Director of Finance
Barry A. O’Neil, Lommen Abdo

Re: Supplement No. 3 to Written Objection - 2025 Lake Avenue Reconstruction – Senne
Farm Proposed Special Assessment – 1300 Lake Avenue, Fairmont, PID: 230370270

Filed Pursuant to Minn. Stat. §§ 429.061 and 429.081

Attached please find three (3) documents:

1. **“Before and After” Appraisal Report**, Jonathan R. Barclay, MAI, President, Hosch Appraisal & Consulting, Inc., dated June 29, 2026, (“Barclay/Hosch Appraisal”)
2. **Correspondence**, Barry A. O’Neil, Attorney, Certified Trial Specialist, Lommen & Abdo, dated June 24, 2026
3. **Appraisal Comparison Chart**, Barclay/Hosch (DFP) Appraisal vs. Johnson/Aurora Appraisal (City of Fairmont), dated June 29, 2026

Conclusion

Under Minnesota Statute § 429.051 and governing state case law, a special assessment is legally valid only if the assessed property receives a special benefit from the improvement, and the cost levied against that property does not exceed the increase in its market value resulting from the project. As we have maintained and communicated to you on no fewer than five separate occasions in well-researched and well-founded Written Objections, beginning in February 2025, the Senne Farm receives no special benefit or increase in market value from the 2025 Lake Avenue Reconstruction project. The attached materials present clear and convincing evidence supporting our position. Therefore, **no special assessment may lawfully be levied against this property.**

We respectfully ask the City Council to adopt these findings, reduce the proposed assessment to \$0 (zero dollars), and close this matter.

Respectfully,

D F P Limited Partnership

By Thomas F. Dougherty
Thomas F. Dougherty
General Partner

And By Colin E. Dougherty
Colin E. Dougherty, General Partner

**BEFORE AND AFTER
APPRAISAL REPORT**

Vacant Agricultural Land
1300 Lake Avenue
Fairmont, Minnesota

PID# 23.037.0270

City of Fairmont - Lake Avenue Reconstruction Project
(City Project #5725001)

April 1, 2026

HAC25021-00

Performed By:

Jonathan R. Barclay, MAI
Hosch Appraisal & Consulting, Inc.
11172 Zealand Avenue North
Minneapolis, MN 55316
Tax ID #27-1918732



June 29, 2026

Mr. Barry A. O'Neil
Lommen Abdo, P.A.
920 Second Avenue South, Suite 1000
Minneapolis, MN 55402

RE: APPRAISAL REPORT OF THE FEE SIMPLE INTEREST IN THE PROPERTY LOCATED AT 1300 LAKE AVENUE IN FAIRMONT, MINNESOTA, BEFORE AND AFTER ROADWAY IMPROVEMENTS MADE AS PART OF THE LAKE AVENUE RECONSTRUCTION PROJECT (BIXBY ROAD/CSAH #39 TO FAIRLAKES AVENUE) (CITY PROJECT #5725001)

Dear Mr. O'Neil:

As requested, we are providing you with an appraisal of the above-referenced property to arrive at a reliable estimate of the market value of the fee simple interest in the subject both before and after the Lake Avenue Reconstruction Project (Bixby Road/CSAH #39 to Fairlakes Avenue) to determine the special benefit, if any, resulting from the project.

The following **Appraisal Report** is intended to comply with the reporting requirements set forth within the Uniform Standards of Professional Appraisal Practice. As such, it presents discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Some supporting documentation concerning the data, reasoning, and analyses is included herein, with other resource information retained in the appraiser's file. This appraisal report has been written for the intended use of Mr. Barry A. O'Neil with Lommen Abdo, P.A. (our client) as legal counsel to DFP Limited Partnership with Lommen Abdo, P.A. and DFP Limited Partnership, its successors and assigns as intended users, for purposes of special assessment appeal litigation. Hosch Appraisal & Consulting, Inc. has not provided any services, appraisal or otherwise, on the subject property within the three years prior to the acceptance of this assignment.

Minnesota Statutes Chapter 429 authorizes the levy of special assessments only where a public improvement results in a measurable special benefit to the subject property. The amount of any such assessment must bear a direct relationship to the benefit received and, under established Minnesota law, may not exceed the increase in the market value of the property attributable to the improvement.

Accordingly, the scope of this appraisal is specifically limited to the identification and measurement of any demonstrable change in market value resulting from the project. Consistent with statutory requirements and applicable case law, the analysis focuses on market-supported evidence, including sales data, market participant behavior, and recognized appraisal methodology, to determine whether a measurable special benefit exists.

In the absence of credible market evidence demonstrating a value increase attributable to the improvement, no special benefit can be concluded within the meaning of Minnesota Statutes Chapter 429.

After careful consideration of the many factors influencing value, it is our opinion that the fee simple interest in the subject real estate had an estimated market value, as of April 1, 2026, of:

Market Value Before the Project:	\$845,000
Market Value After the Project:	<u>\$845,000</u>
Indicated Special Benefit:	\$0

Our appraisal "before the project" assumes that the Lake Avenue Reconstruction Project has not yet commenced, as we have been instructed that the intended use of this appraisal is to measure any impacts to value resulting from the public improvement project. Furthermore, our appraisal "after the project" assumes that the Lake Avenue Reconstruction Project is complete as of the April 1, 2026 effective date of the appraisal. In order to measure the impact on value, if any, of the improvement project, the same valuation date has been used both before and after the project to eliminate any increase or decrease in market value related to other market factors. As a result, our appraisal is subject to these hypothetical conditions.

The depth of discussion contained in this report is specific to the needs of this client and for the intended use only. The value opinions reported herein are subject to the definitions, assumptions, limiting conditions, and certifications contained in this report. Hosch Appraisal & Consulting, Inc. is not responsible for the unauthorized or improper use of this report. We have made a complete inspection of the subject property and have fully identified the real estate in our written report.

This appraisal does not include any personal property, fixtures, or intangible items that are not real property, nor does this appraisal take into consideration any going concern value.

It is our opinion that a reasonable exposure time of up to 12 months is appropriate for the subject real estate at our estimated market value before and after the project. Please refer to the Reasonable Exposure Time sections of this appraisal for details.

This report is written with the intent of meeting the reporting requirements of the Uniform Standards of Professional Appraisal Practice 2024 Edition (effective January 1, 2024). This appraisal has also been prepared in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.

Barry A. O'Neil
June 29, 2026
Page Three

The undersigned appraisers certifies that they have investigated information believed to be pertinent to the valuation of the property, and to the best of their knowledge and belief the statements and opinions expressed herein are correct and reasonable, subject to the limiting conditions set forth herein.

Very truly yours,

HOSCH APPRAISAL & CONSULTING, INC.

A handwritten signature in blue ink, appearing to read "N. Brooberg".

Nathan J. Brooberg
Senior Appraiser
Certified General Real Property Appraiser
Minnesota License #20249946

A handwritten signature in blue ink, appearing to read "Jonathan Barclay".

Jonathan R. Barclay, MAI
President
Certified General Real Property Appraiser
Minnesota License #40022330

CERTIFICATION

We certify that, to the best of my knowledge and belief:

1. We have taken into consideration the factors that have an impact on value in our development of the estimate of market value in the appraisal report. We have not knowingly withheld any significant information from the appraisal report and we believe, to the best of our knowledge, that all statements and information in the appraisal report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, unbiased professional analyses, opinions, and conclusions.
3. We have not provided any services regarding the subject property within the prior three years.
4. We have no current or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.
5. Our compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
6. We performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were approved and published by the Appraisal Standards Board of The Appraisal Foundation in 2024 effective January 1, 2024. We acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate we have developed is consistent with the market.
7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
8. We have made a personal inspection of the real estate that is the subject of this report.
9. No one provided professional assistance to the person(s) signing this report.
10. As of the date of this report, Jonathan R. Barclay has completed the requirements under the continuing education program of the Appraisal Institute.
11. This appraisal assignment was not based on a requested minimum valuation or specific valuation for approval of a loan. Appraisal fees are in no way contingent upon values concluded by the appraisal firm.
12. Hosch Appraisal & Consulting, Inc. and/or the appraisers of the subject property have previously prepared appraisal reports of real estate impacted by public improvement projects throughout Minnesota, including projects adjacent to agricultural land. Therefore, I have the knowledge and experience to meet the competency provision of the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.
13. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.



Nathan J. Brooberg
Certified General Real Property Appraiser
MN License #20249946
Expires: August 31, 2026



Jonathan R. Barclay, MAI
Certified General Real Property Appraiser
MN License #40022330
Expires: August 31, 2026

CONTINGENT AND LIMITING CONDITIONS

The value estimates and conclusions in the appraisal are made subject to these assumptions and conditions:

1. **This appraisal report has been written for the intended use of Mr. Barry A. O'Neil with Lommen Abdo, P.A. (our client) as legal counsel to DFP Limited Partnership with Lommen Abdo, P.A. and DFP Limited Partnership, its successors and assigns as intended users, for purposes of special assessment appeal litigation.** Possession of this report, or a copy thereof, does not carry with it the right of publication (either in whole or in part), nor may it be used for any purpose other than the one stated in the Letter of Transmittal and the Purpose of the Report, without the express, written consent of the appraiser and client. Authorized copies of this report will be signed in blue ink by the appraiser(s). Unsigned copies or copies not signed in blue ink should be considered incomplete. All unauthorized or incomplete copies of this report should also be considered confidential, and as such, must be returned, in their entirety, to Hosch Appraisal & Consulting, Inc.
2. This property is appraised in fee simple, assuming responsible ownership and management, unless otherwise indicated. This appraisal recognizes that available financing is a major consideration by typical purchasers of income-producing real estate in the market, and the appraisal assumes availability of financing to responsible and sufficiently substantial purchasers of the property in amounts similar to those indicated or implied in this report.
3. Hosch Appraisal & Consulting, Inc. and/or its employees are not qualified to render expert opinions regarding structural issues, water damage, environmental assessments (such as mold), engineering/mechanical issues, ADA and/or building code compliance, land planning, architectural expertise or soil conditions. If requested, Hosch Appraisal & Consulting, Inc. will recommend qualified experts in these fields to assist the client and/or the appraisal process.
4. The property has been appraised as free and clear of all indebtedness, under responsible ownership and good management unless otherwise set forth in the appraisal.
5. No title search has been made, and the reader should consult an appropriate attorney or title insurance company for accurate ownership data. Unless title problems are specifically brought to our attention, Hosch Appraisal & Consulting, Inc. assumes that the title is good and marketable and therefore, will not render any opinions about the title.
6. The information contained in this report is not guaranteed, but it has been gathered from reliable sources. The appraiser certifies that, to the best of his/her knowledge and belief, the statements, information, and materials contained in the appraisal are correct.
7. No responsibility is assumed for matters which are legal in nature. It is assumed (without survey) that the improvements are located within the legally described property and that the buildings comply with all ordinances except as noted. The furnished legal description is assumed to be correct. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
8. No analysis of soil conditions was required and none has been made. Unless specifically brought to our attention, all value estimates in this report assume stable soil, and that any necessary soil corrections are to be made at the seller's expense.

Contingent and Limiting Conditions - Continued

9. Estimates herein are based on the present status of the national business economy and the current purchasing power of the dollar. The forecasts, projections, or operating estimates contained herein are based upon current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes in future conditions.
10. A plat map or site survey may have been provided in this report to assist the reader in visualizing the general location and boundaries of the property. We have made no survey of the property and assume no responsibility for its accuracy. We may have provided a sketch in the appraisal report to show approximate dimensions of any improvements to assist the reader of the report in visualizing them and understanding our determination of their size. Surveys, plans and sketches provided may not be complete or drawn exactly to scale.
11. The market value herein assigned is based on conditions which were applicable at the time the property was inspected and may vary at a later date.
12. Hosch Appraisal & Consulting, Inc. employees shall not be required to prepare for or appear in court or before any board or governmental body by reason of the completion of this assignment without pre-determined arrangements and agreements.
13. Information in the appraisal relating to comparable market data is more fully documented in the confidential file in the office of the appraiser. All studies and field notes will be secured in our files for future reference.
14. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
15. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
16. We are assuming that the property has not been the site for the dumping of hazardous substances nor is subject to radon gas. If any or all of the above conditions exist, this could have a bearing on the market value of the property.
17. We have noted in the appraisal report any adverse conditions (such as, but not limited to, hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property (or learned of) during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, we have no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and have assumed that there are no such conditions. We make no guarantees or warranties, express or implied, regarding the condition of the property. (Hosch Appraisal & Consulting, Inc. will not be responsible for any engineering or testing that might be required to discover whether such conditions exist.) Because we are not experts in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.

Contingent and Limiting Conditions - Continued

18. The value indication provided in this appraisal report is not contingent upon any building improvements on the subject site complying with the Americans with Disabilities Act (ADA) which became effective January 26, 1992. A handicap analysis has not been completed and has not been considered in the overall value conclusion. The market value of the property could change substantially if alterations are required to comply with ADA regulations.
19. The client agrees that Hosch Appraisal & Consulting, Inc. does not by performing the services rendered, assume, abridge, abrogate, or undertake to discharge any duty of client to any other entity.
20. Any use of the appraisal report, by the client, is conditioned upon payment of all fees in accordance with the agreed terms.
21. In consideration for performing the services rendered at the fee charged, Hosch Appraisal & Consulting, Inc. expressly limits its liability to five (5) times the amount of the fee paid or \$50,000, whichever is less. Hosch Appraisal & Consulting, Inc. expressly disclaims liability as an insurer or guarantor. Any persons seeking greater protection from loss or damage than is provided for herein, should obtain appropriate insurance. The client shall indemnify and hold harmless the appraisal firm and its employees, against all claims by any third party or any judgement for loss or damage relating to the performance or non-performance of any services by Hosch Appraisal & Consulting, Inc.
22. Unless specifically brought to the appraiser's attention, we will assume that there are no hidden or unexpected conditions of the asset to be appraised that would adversely affect or enhance the value.
23. In the future, if Hosch Appraisal & Consulting, Inc. is compelled to produce documents or testify with regard to work performed, the client shall reimburse us for all costs and expenses incurred.
24. In the event of a dispute involving interpretation or application of this agreement, the parties agree that this agreement shall be governed under the laws of the State of Minnesota.
25. The conclusion of value reached by Hosch Appraisal & Consulting, Inc. is based upon the assumption that there are no hidden or unapparent conditions of the property that might have an impact upon buildability. It is recommended that due diligence be conducted through the local building department or municipality to investigate buildability and whether the property is suitable for development into its highest and best use. Hosch Appraisal & Consulting, Inc. makes no representations, guarantees or warranties.

SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS



Highest and Best Use of Property:

Before the Project:	Agricultural Land in Row Crop Production (Continued Use)
After the Project:	Agricultural Land in Row Crop Production (Continued Use)

Location: 1300 Lake Avenue
Fairmont, Minnesota

Zoning: I-2, Heavy Industrial
B-3, General Business
R-3, Multiple-Family Residential
A - Agricultural

Date of Inspection: May 22, 2025

Effective Date of Appraisal: April 1, 2026

Date of the Report: June 29, 2026

Property Rights Appraised: Fee simple interest, subject to known easements and/or encumbrances

Summary of Important Facts and Conclusions - Continued

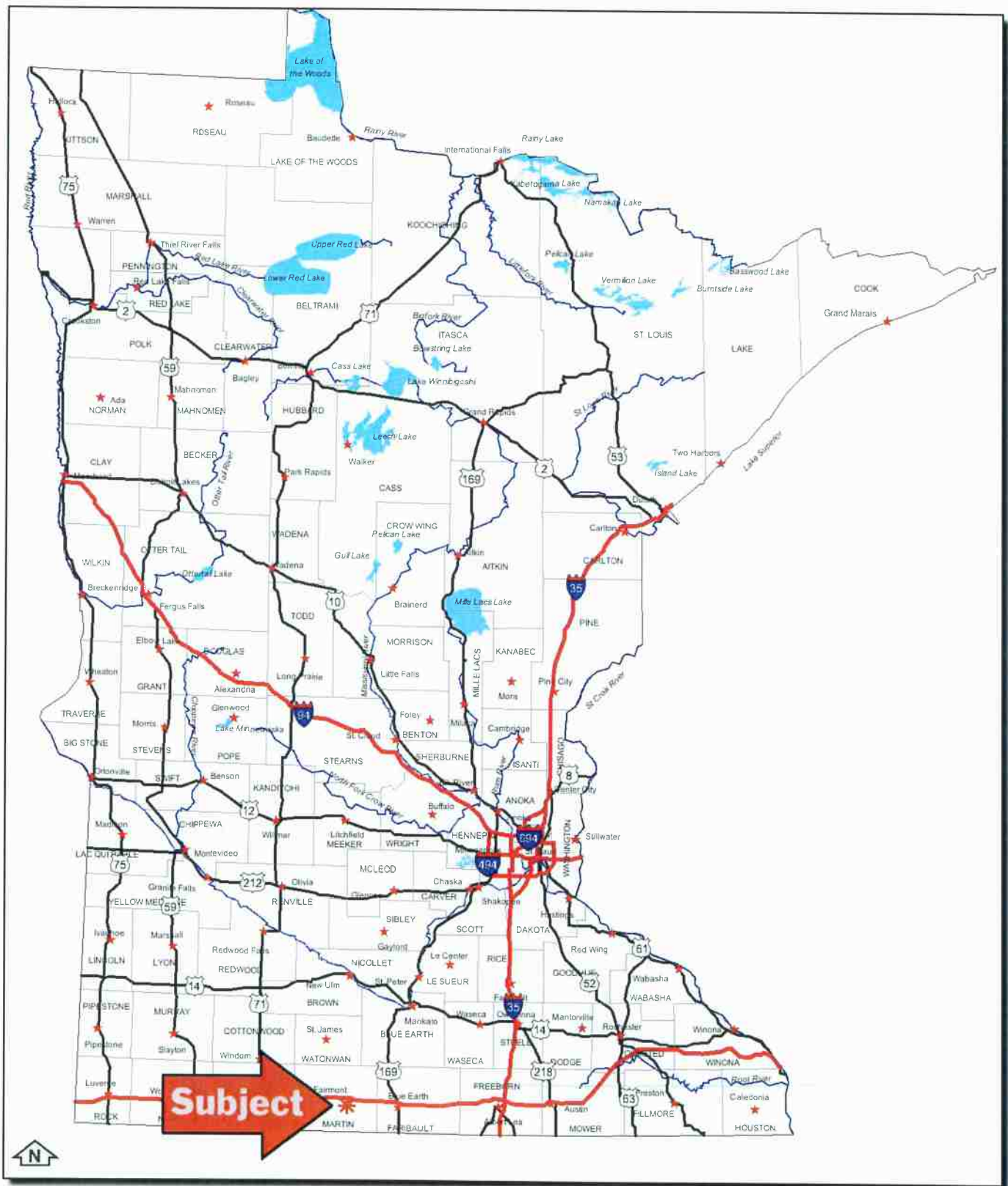
Gross Land Size:	73.63 acres, per Bolton & Menk
Tillable Land Size:	66.64 acres, per lease agreement
Total 2026 Property Taxes:	\$6,582.00
Brief Description of Project:	The project improvements consist of reconstructing Lake Avenue with concrete pavement, curb and gutter, upgraded aggregate base materials, and drain tile. Existing sanitary sewer and watermain will be replaced. New water and sewer services will be installed to the property line. New storm sewer will be installed.
Assessed Improvements:	Newly constructed roadway, curb/gutter, and storm sewer
Non-Assessed Improvements:	Sewer and water service replacement and installation of new storm sewer improvements
Market Value Estimate Before the Project:	\$845,000
Market Value Estimate After the Project:	\$845,000
Estimated Special Benefit Resulting From the Project:	\$0

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GENERAL LOCATION MAP

PURPOSE OF THE APPRAISAL

The purpose of this report is to arrive at a reliable estimate of the fee simple market value of the subject real estate both before and after the Lake Avenue Reconstruction Project (Bixby Road/CSAH #39 to Fairlakes Avenue) to determine the special benefit, if any, resulting from the project as of April 1, 2026.

INTENDED USE OF THE APPRAISAL

The intended use of this appraisal is for purposes of special assessment appeal litigation.

INTENDED USER(S) OF THE APPRAISAL

The intended user(s) of this appraisal report are Mr. Barry A. O'Neil with Lommen Abdo, P.A. (our client) as legal counsel to DFP Limited Partnership with Lommen Abdo, P.A. and DFP Limited Partnership, its successors and assigns as intended users. There are no other intended users of this report. We also understand that this appraisal may be shared with the City of Fairmont and/or its legal counsel in direct connection with the special assessment appeal and related litigation.

SCOPE OF THE APPRAISAL

This appraisal analysis has not been limited in scope, and was based upon the generally accepted appraisal practices in order to comply with current USPAP Standards. Within this valuation analysis, we have completed the following functions and procedures. (Additional details of our research are included throughout the following pages of this report.)

- Inspected the subject property and reviewed various physical background information;
- Familiarized ourselves with the neighborhood and analyzed the surrounding property trends;
- Reviewed the City of Fairmont Zoning Ordinance and 2040 Comprehensive Plan and examined their impact on the subject property both before and after the project;
- Reviewed the survey completed by Bolton & Menk;
- Considered and reviewed the historical market, taking into account stability and/or changes;
- Reviewed the 2025 Improvement Program Preliminary Report prepared by the City of Fairmont which includes information pertaining to the Lake Avenue Reconstruction Project dated January 13, 2025;

Scope of the Appraisal – Continued

- Our appraisal "before the project" assumes that the Lake Avenue Reconstruction Project (Bixby Road/CSAH #39 to Fairlakes Avenue) has not yet commenced, as we have been instructed that the intended use of this appraisal is to measure any potential impacts to value resulting from the public improvement project. Furthermore, our appraisal "after the project" assumes that the Lake Avenue Reconstruction Project is complete as of the April 1, 2026 effective date of the appraisal. In order to measure the impact on value, if any, of the improvement project, the same valuation date has been used both before and after the project to eliminate any increase or decrease in market value related to other market factors. As a result, our appraisal is subject to these hypothetical conditions;
- Based upon our market research and analysis, we have completed the highest and best use analysis for the subject property before and after the public improvement project;
- Researched comparable vacant land sales and analyzed their applicability to the subject before the project, as a means of estimating the market value via the sales comparison approach to value before and after the project;
- The cost approach was not applicable to our valuation as it was not needed to obtain credible results;
- Although considered, the income capitalization approach was not completed as credible results could be obtained by applying the sales comparison approach, which also the preferred valuation method in the subject's market;
- Considered the completed approach to value before and the project, and its applicability in the analysis of the subject property, and have reconciled to our final value conclusion for the fee simple interest in the subject property before the project;
- Analyzed the changes to the subject property resulting from the project and researched impacts to value resulting from the project to determine the special benefit, if any, resulting from the project. Research was conducted through three main channels; literature review and industry research, market interviews, and sales research/market data analysis;
- Considered the applied approach to value and analysis of specific project-related impacts to value, and the applicability of data and reasoning obtained through our research, and reconciled to our final value conclusions as of April 1, 2026.
- Developed an opinion of reasonable exposure time for the fee simple interest in the subject property before and after the improvement project to effect a sale at our estimated market values.

Sources utilized to obtain this information include information provided by our client, public records, Bolton & Menk, City of Fairmont, Martin County, Regional Multiple Listing Service of Minnesota, Inc., Appraisal Data Network, Inc., market information contained in our office files and discussions with other real estate experts, including brokers, buyers, sellers, assessors, and other appraisers.

PROPERTY RIGHTS APPRAISED

The subject real estate is appraised by estimating the market value of the fee simple interest of the real estate. For use in this report, the market value of the fee simple interest in the real estate is subject to the following definition contained on Page 65 of The Dictionary of Real Estate Appraisal, Eighth Edition:

A fee simple estate implies absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

DEFINITION OF MARKET VALUE

Market value as utilized in this appraisal report conforms to the following definitions obtained from Page 105 of The Dictionary of Real Estate Appraisal, Eighth Edition, published by the Appraisal Institute.

The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.

The corresponding definition, as provided on Page 60 in the Uniform Standards of Professional Appraisal Practice – USPAP Guidance: Advisory Opinions, 2024 Edition, has been agreed upon by agencies that regulate federal financial institutions in the United States and is provided below.

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

DATES OF IMPORTANCE

The market value for the subject real estate is estimated as of April 1, 2026 both before and after the project. The date of the inspection was May 22, 2025. The market value for the subject real estate is estimated as of April 1, 2026, assuming the project has not begun **before the project** and assuming that the project is complete **after the project** (hypothetical condition). The date of the report is June 29, 2026.

BRIEF COUNTY ANALYSIS

The subject property is located in Martin County, a predominantly agricultural county in southern Minnesota along the Iowa border. The landscape is characterized by gently rolling terrain, with numerous lakes and ponds throughout the area. The East Fork of the Des Moines River flows southeasterly through the southwestern portion of the county. The area also includes several protected wildlife management areas and designated natural areas.

The county benefits from access to several major transportation corridors. Interstate Highway #90 traverses the central portion of the county, providing regional access west into South Dakota and east into Wisconsin. U.S. Highway #169 runs north-south just east of the county and offers a direct connection to the Minneapolis–St. Paul metropolitan area. Additional access is provided by State Highways #4, #15, and #263, which support north-south circulation and provide connections to Interstate Highway #90. A network of county and local roads further supports internal access throughout the area.

Martin County has experienced modest population decline in recent years. Between 2010 and 2020, the population decreased by approximately 5.3% to 19,737 residents, with a slight increase to an estimated 19,780 residents by 2024. The median age is reported at 43.9 years. Household trends generally mirrored population patterns, declining by 2.3% from 9,035 households in 2010 to 8,824 households in 2020, with a slight increase to an estimated 8,839 households by 2024. Median household income increased by 22.5% between 2010 and 2020 to \$53,851 and is projected to reach \$59,507 in 2024, though it remains below the state median of \$89,062.

Consistent with its agricultural base, Martin County also benefits from proximity to a broader regional employment network. Major employers in the area include Fairmont Foods of Minnesota, Weigh-Tronix Scale Manufacturing, and Fairmont Mayo Health Systems, along with additional employment opportunities in health care, retail, and hospitality sectors. The county also benefits from access to larger regional employment centers such as Albert Lea and Mankato, which broaden employment opportunities for area residents.

A summary of Martin County's demographic indicators is provided in the accompanying chart.

MARTIN COUNTY DEMOGRAPHIC STATISTICS 2000 - 2024					
	2000	2010	Estimated 2020	% Change 2010 - 2020	Estimated 2024
Population	21,802	20,840	19,737	-5.3%	19,780
Households	9,067	9,035	8,824	-2.3%	8,839
Median Household Income	\$34,810	\$43,960	\$53,851	22.5%	\$59,507
Source: U.S. Census, 2000, 2010, 2020 and 2024 American Community Surveys					

CITY ANALYSIS

The subject property is located in the city of Fairmont, a regional hub in Martin County approximately 10 miles north of the Iowa border in south central Minnesota. Fairmont is a rural community of more than 10,000 residents situated among a series of lakes and creeks just south of Interstate Highway #90.

Interstate Highway #90 serves as a major east/west transportation corridor through southern Minnesota, extending west into South Dakota and east into Wisconsin. Fairmont is readily accessible from the interstate via the interchange at State Highway #15, which provides convenient access to the downtown area, as well as an interchange at County Road #39, which serves the western portion of the city. Numerous county and local roads provide additional circulation throughout Fairmont and its surrounding area.

Population Characteristics

Fairmont's population declined by 5.9% between 2010 and 2020, falling to 10,042 residents, with a slight increase estimated through 2024. The median age of residents is reported at 46.6 years. Most surrounding communities also experienced population declines during the same period. Among the more notable losses, Fraser Township declined by 32.2%, from 304 residents in 2010 to 206 in 2020, though it is estimated to have rebounded to 264 by 2024. Rolling Green Township declined by 25.2%, from 266 to 199 residents, with a further decrease to an estimated 175 by 2024. Granada declined by 24.8%, while Northrop and Winnebago posted losses of 15.0% and 12.2%, respectively. In contrast, the City of Welcome, Fairmont Township, and Rutland Township recorded population gains through 2020 of 23.6%, 6.9%, and 1.1%, respectively. Welcome is estimated to have grown further by 2024, while Fairmont Township and Rutland Township are projected to have declined modestly from their 2020 levels. Overall, Martin County's population decreased by 5.3% between 2010 and 2020, with a slight increase estimated through 2024. Population trends for Fairmont, surrounding communities, and Martin County are summarized in the accompanying table.

POPULATION TRENDS - 2000 TO 2024					
	2000	2010	Estimated 2020	% Change 2010 - 2020	Estimated 2024
Fairmont	10,889	10,666	10,042	-5.9%	10,296
Blue Earth	3,621	3,353	3,128	-6.7%	3,165
Fairmont Township	298	318	340	6.9%	311
Fraser Township	316	304	206	-32.2%	264
Granada	317	303	228	-24.8%	243
Northrop	262	227	193	-15.0%	240
Rolling Green Township	309	266	199	-25.2%	175
Rutland Township	472	437	442	1.1%	292
Welcome	721	686	848	23.6%	978
Winnebago	1,487	1,437	1,261	-12.2%	1,280
Martin County	21,802	20,840	19,737	-5.3%	19,780
Minnesota	4,919,479	5,303,925	5,600,166	5.6%	5,739,445
Source: U.S. Census, 2000, 2010, 2020 and 2024 American Community Surveys					

City Analysis - Continued

Household Characteristics

Household trends generally mirrored population patterns, with most communities reporting declines between 2010 and 2020. In Fairmont, the number of households decreased by 2.4% during this period, with a modest increase estimated through 2024. Welcome recorded the largest household gain, increasing by 12.9%, while slight gains were also noted in Blue Earth and Fairmont Township. Fraser Township posted the largest decline in households at 31.3%, followed by Granada at 22.5% and Rolling Green Township at 20.6%. Projections for 2024 indicate modest household growth in most of Fairmont's surrounding communities. Martin County experienced a 2.7% decline in households between 2010 and 2020, with a slight increase projected through 2024.

HOUSEHOLD TRENDS - 2000 TO 2024					
	2000	2010	Estimated 2020	% Change 2010 - 2020	Estimated 2024
Fairmont	4,702	4,812	4,695	-2.4%	4,884
Blue Earth	1,535	1,453	1,482	2.0%	1,294
Fairmont Township	107	118	121	2.5%	135
Fraser Township	118	115	79	-31.3%	90
Granada	131	129	100	-22.5%	102
Northrop	104	104	99	-4.8%	101
Rolling Green Township	113	107	85	-20.6%	73
Rutland Township	162	160	158	-1.3%	125
Welcome	310	310	350	12.9%	376
Winnebago	641	609	545	-10.5%	568
Martin County	9,067	9,035	8,824	-2.7%	8,839
Minnesota	1,895,127	2,087,227	2,207,988	16.5%	2,307,955
Source: U.S. Census, 2000, 2010, 2020 and 2024 American Community Surveys					

City Analysis - Continued

Household Income

Median household income in Fairmont was reported at \$40,007 in 2010 and is estimated to have increased 23.5% by 2020, with additional growth projected through 2024. Income growth patterns among surrounding communities were mixed, with growth rates ranging from -7.3% to 43.8% between 2010 and 2020. Based on 2024 estimates, household incomes in most area communities are expected to continue trending upward, although relatively few exceed the state median level of \$89,062. Comparative median household income data for Fairmont and surrounding communities are presented in the accompanying table.

MEDIAN HOUSEHOLD INCOME - 2000 TO 2024					
	2000	2010	Estimated 2020	% Change 2010 - 2020	Estimated 2024
Fairmont	\$33,709	\$40,007	\$49,402	23.5%	\$53,084
Blue Earth	\$34,940	\$34,773	\$50,000	43.8%	\$66,771
Fairmont Township	\$51,250	\$76,250	\$78,594	3.1%	\$99,375
Fraser Township	\$44,219	\$61,250	\$80,625	31.6%	\$86,250
Granada	\$31,042	\$36,250	\$46,429	28.1%	\$70,000
Northrop	\$38,333	\$39,063	\$47,917	22.7%	\$67,083
Rolling Green Township	\$42,813	\$65,000	\$60,250	-7.3%	\$88,750
Rutland Township	\$41,786	\$51,477	\$73,750	43.3%	\$97,750
Welcome	\$32,125	\$35,781	\$50,000	39.7%	\$49,167
Winnebago	\$32,321	\$36,976	\$49,604	34.2%	\$59,643
Martin County	\$34,810	\$43,960	\$53,851	22.5%	\$59,507
Minnesota	\$47,111	\$57,243	\$73,382	28.2%	\$89,062
Source: U.S. Census, 2000, 2010, 2020 and 2024 American Community Surveys					

City Analysis - Continued

Economic Base

Fairmont serves as an employment center for the surrounding region and is supported by a diverse economic base. Major employers within the city include Fairmont Foods of Minnesota, the largest employer with 357 employees, and Weigh-Tronix, with 307 employees in the manufacturing sector. Additional employment is provided by regional service sectors, including government, education, nursing care, and senior services. Agriculture also remains an important component of the broader regional economy. The city's ten largest employers are summarized in the accompanying chart.

MAJOR EMPLOYERS IN FAIRMONT		
Employer	Products/Services	Employees
Fairmont Foods of Minnesota	Food Manufacturing	357
Weigh-Tronix Scale Manufacturing	Weighing Equipment Manufacturing	307
REM Heartland	Social Services	295
Fairmont Mayo Health Systems	Health Care Services	260
Independent School District #2752	Public School District	244
Preferred Capital Management	Swine Management Company	200
Wal-Mart	Retail and Groceries	191
Lakeview Health Care Facility	Health Care Services	160
Hy-Vee	Grocery Retail	142
Torgerson Properties	Hospitality Industry	137
Source: City of Fairmont Comprehensive Annual Financial Report, December 31, 2024		

City Analysis - Continued

Economic Base

Martin County experienced a modest 1.1% increase in private-sector covered employment between 2022 and 2024, according to data from the Minnesota Department of Employment and Economic Development. The Construction sector posted the strongest growth at 13.7%, followed by Education and Health Services at 6.9% and Professional and Business Services at 3.6%. The county's largest sector, Trade, Transportation & Utilities, increased by just 0.1%. Declines were reported in several sectors, including Information at 19.7%, Financial Activities at 3.0%, and Other services at 2.9%.

Covered employment includes workers whose employers contribute to the state unemployment insurance fund and is estimated to represent approximately 98% of all workers. Employment changes by private-sector industry classification for Martin County are summarized in the accompanying table.

MARTIN COUNTY PRIVATE SECTOR COVERED EMPLOYMENT 2020 TO 2024				
	2020	2022	2024	% Change 2022 - 2024
Natural Resources and Mining	427	440	438	-0.5%
Construction	257	234	266	13.7%
Manufacturing	881	925	918	-0.8%
Trade, Transportation & Utilities	2,059	2,094	2,096	0.1%
Information	70	71	57	-19.7%
Financial Activities	445	462	448	-3.0%
Professional and Business Services	281	281	291	3.6%
Education and Health Services	1,391	1,271	1,359	6.9%
Leisure and Hospitality	712	859	849	-1.2%
Other Services	186	240	233	-2.9%
Total	6,709	6,877	6,955	1.1%
Source: Minnesota Department of Employment and Economic Development				

Summary

Fairmont is a rural community located along Interstate #90 near the Iowa border in southern Minnesota. The city functions as a regional hub for employment, health care, and education and is heavily influenced by the agriculture industry. However, the area has experienced population and household declines in recent years. Household income levels in Fairmont remain below the state average, and broader economic growth appears limited. Overall, the city is expected to remain a stable but relatively small regional center, with limited near-term residential or commercial growth anticipated.



CITY MAP

NEIGHBORHOOD ANALYSIS

The subject property is located on the western edge of the city of Fairmont in an area that is used primarily as agricultural land with varying commercial and residential uses concentrated in the north and southeast portions of the neighborhood. The neighborhood is bounded by the Union Pacific Railway to the north, a paved hiking trail along the western side of Lake Sisseton/Kings Road to the east, Woodland Avenue to the south, and Bixby Road/190th Avenue/CSAH #39 (Fairmont municipal border) to the west.

Access to the neighborhood is provided by Lake Avenue/120th Street from the east and west as well as Bixby Road/190th Avenue from the north and south along the western border. Additional access is provided by North Fairlakes Avenue from the north and Woodland Avenue/110th Street along the southern border of the neighborhood. Recent data from MnDOT indicates average daily traffic volumes of approximately 4,314 vehicles per day (2023 data) on Lake Avenue, approximately 2,389 vehicles per day (2023 data) on Bixby Road and 913 vehicles per day (2022 data) along Woodland Avenue.

The majority of the neighborhood is undeveloped and consists of vacant agricultural land in row crop production.

The developed portions of the subject neighborhood consist of a mix of commercial, retail, industrial, institutional, office and residential uses. Commercial/retail/industrial/institutional/office uses generally include local operators and tenants such as Boat House Marine Supply, Fairmont National Agency (insurance), Hargan's Exhaust Specialties, David Hill Agricultural Industrial, Rosens Diversified, Inc., CleanRite ChemDry, Mph Automotive, an Eagles club, Highland Court Motel, with the Fairmont National Guard Training and Community Center located in the northeastern portion of the neighborhood, a mobile home park in the northern portion of the neighborhood and a single-family residential area in the southeastern portion of the neighborhood. High density multi-family uses include Pheasant Run Apartments in the southeastern portion of the neighborhood. The single-family residential properties were slowly developed from the late 1960s through early 2000s with some homes existing prior to this time. The majority of the commercial properties are located along Lake Avenue and were developed in the 1950s to early 1980s with the most recent development observed in 2001 of an infill parcel.

Commercial and industrial development in the neighborhood is located primarily along Lake Avenue and has been stagnant for over 20 years.

Overall, the subject neighborhood is in the stability stage of its life cycle, with significant remaining vacant land in the neighborhood to be developed. We expect this stage of the neighborhood's life cycle to continue for the foreseeable future. Such conditions should allow for stable property values, which should have a neutral to positive effect on the subject's value over time.

A map of the subject neighborhood is provided on the following page.



NEIGHBORHOOD MAP

LEGAL DESCRIPTION

The following legal description was provided by a Certificate of Survey prepared by Bolton & Menk.

Government Lot 7 in Section 7 and all that part of Government Lot 12 in Section 6 lying South of the right of way of the Chicago, Milwaukee and St. Paul Railroad Company, all in Township 102 North, Range 30 West of the 5th Principal Meridian, Martin County, Minnesota.

OWNER OF RECORD

Based on public records, the subject property was owned by DFP Limited Partnership as of the date of valuation.

REAL ESTATE TAXES AND SPECIAL ASSESSMENTS ANALYSIS

Real estate taxes in Minnesota are payable either in one lump-sum payment or can be paid in two installments which are due on May 15 and October 15. The annual real estate tax charge is based on the assessor's estimated market value as of January 2 of the prior year. The following sections will provide current real estate taxes and assessor's estimated market value(s) for the subject property which we have identified by property identification number (PID).

Real Estate Tax Data

Real Estate Tax Data (Payable 2026)			
PID	Base Tax	Special Assmts.	Total Tax
23.037.0270	\$5,919.76	\$662.24	\$6,582.00

It is our opinion that the subject's real estate taxes are consistent with agricultural properties before and after the project based on the county assessor's methodology and our review of other similar properties in the marketplace.

Special Assessment Information

The amount listed under special assessments is a one-year ditch assessment with a zero balance after 2026 real estate taxes have been paid.

As of the date of this report, special assessments for the proposed road reconstruction project have not been levied. Based on information provided by the City of Fairmont dated February 24, 2026, the total estimated assessment allocated to the subject for the Lake Avenue Reconstruction Project is \$274,705.38. The assessment is for only the street reconstruction portion of the project and is calculated based on a cost per linear foot of \$100.68 multiplied by 2,728.50 feet. We are also aware that additional improvements were originally proposed for assessment that included \$23,444.72 to provide a service stub for the new water main and \$7,644.68 to provide a service stub for the new sewer main. It is our understanding that the water and sewer service stub assessments are to be excluded from the final assessment.

We are not aware of any other pending or levied assessments as of the date of valuation.

Assessor's Estimated Market Value

Assessor's Estimated Market Value (Payable 2026)			
PID	Land Value	Building Value	Total Value
23.037.0270	\$740,100	\$0	\$740,100

It is our opinion that the subject's assessor's total estimated market value for payable 2026 (January 2, 2025 assessed value) is below market levels for the subject property before and after the project based on our review of other similar properties in the marketplace. It is not atypical for assessor's estimated market values to fall below actual market values for agricultural properties in Martin County based on recent sales ratio studies published by the Minnesota Department of Revenue.

ZONING

The subject property is located within four different zoning districts within the city of Fairmont with portions of the subject property located in the following districts: I-2, Heavy Industrial; B-3, General Business; R-3, Multiple Family Residential; and A, Agricultural Transition Districts.

Permitted uses in the I-2, Heavy Industrial District include: Automobile and motor vehicle repair, bottling and cold storage plants, building materials storage yard and shop, commercial laundry, commercial printing, essential services, food processing and packaging, machine shops, manufacturing, plumbing, heating/cooling and electrical contractor shops and storage yards, trucking and freight terminals, grain processing and concrete mixing facilities among others.

Permitted uses in the B-3, General Business District include: bakeries, banks, bus terminals, florists, liquor stores, religious institutions, restaurants, retail service stores and shops, theaters, auto accessory stores, automobile, truck, snowmobile, motorcycle, boat and marine sales, farm implements and accessory services, building material and lumber yards, commercial greenhouses and garden stores, food lockers, hotels, motels, newspaper printing, radio and television broadcasting stations and towers and mini-storage among other uses.

Permitted uses in the R-3, Multiple Family Residential District include: single-family detached dwellings, noncommercial gardening, daycare, manufactured homes, twinhomes, multiple-family dwellings with eight units or less and boarding houses among other uses.

Permitted uses in the A, Agricultural Transition District include: agriculture, including residential dwellings, crop farming, raising and training domestic animals for noncommercial purposes, public parks, nurseries and tree farms and essential services.

A full list of all permitted, conditional and accessory uses can be found in the addenda of this report along with district performance requirements which vary depending on use.

The subject property is a legal use (either as a legally conforming use or legally non-conforming "grandfathered" use) within the various zoning districts on the date of valuation as vacant agricultural land in row crop production.

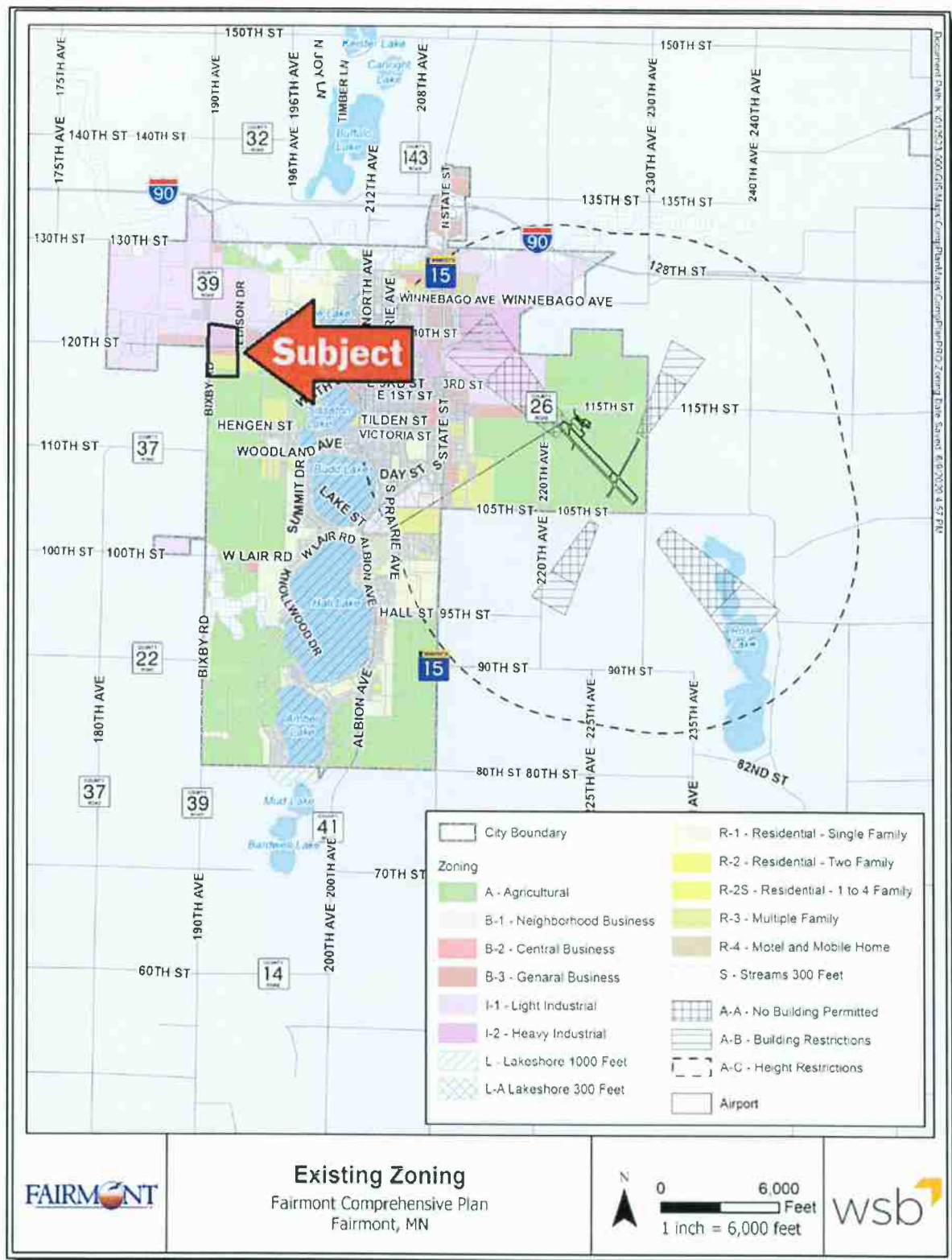
Zoning – Continued

Guiding and Future Land Use

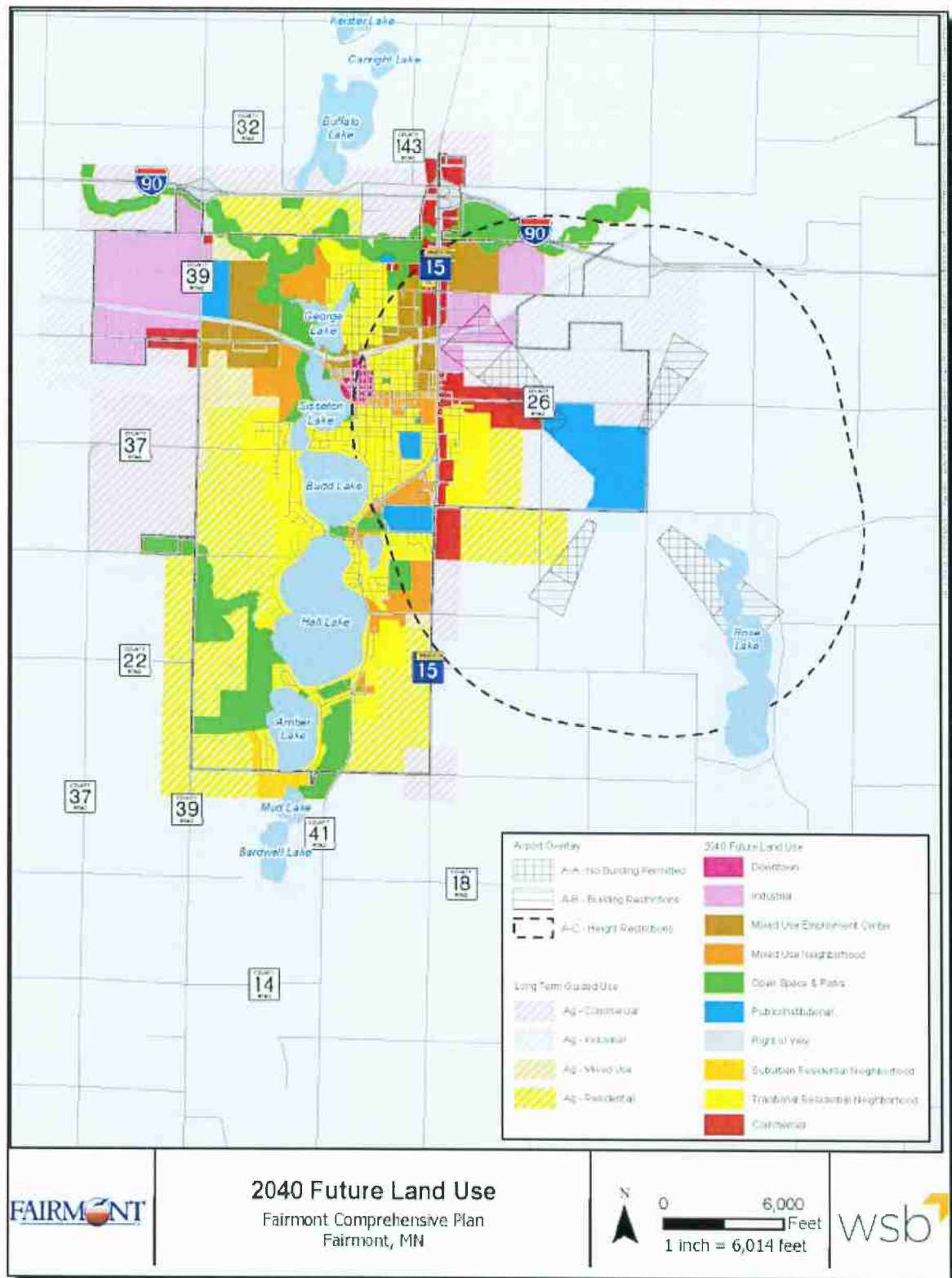
According to the Future Land Use Map in the City of Fairmont Comprehensive Plan 2040 the subject property is guided as Mixed Use Employment Center and Agricultural Mixed Use (Long Term Guided Use) which is generally consistent with current zoning.

Primary uses in the Mixed Use Employment Center guiding designation include light and advanced manufacturing, agribusiness, office, retail, entertainment and restaurant/brewery, multi-family residential and makerspaces and art studios. Secondary uses include warehouses and distribution, public and quasi-public gathering spaces, parking, railroad right of way and outdoor storage.

The Existing Zoning Map, Existing Land Use Map, and 2040 Future Land Use Map are provided on the following pages.



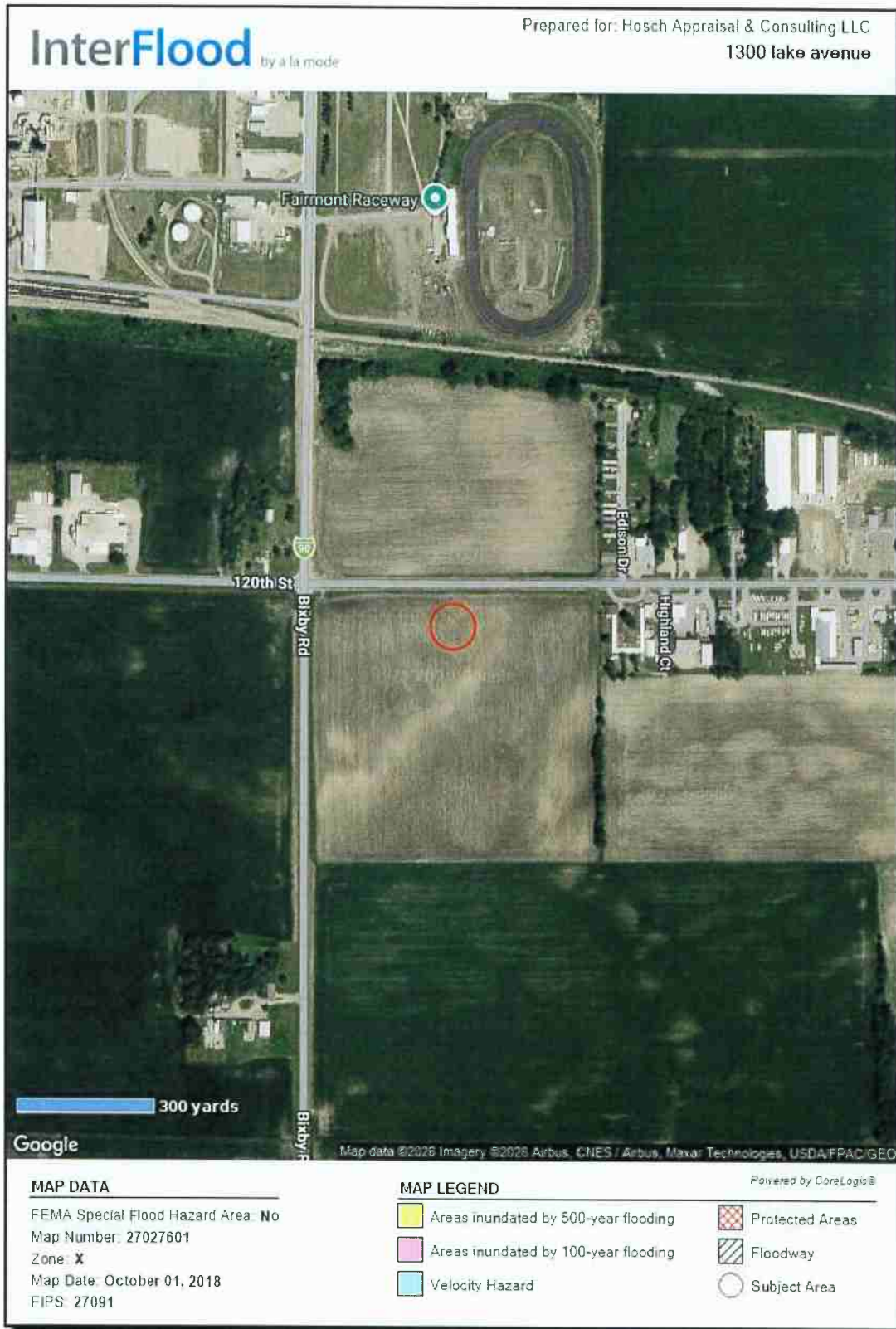
EXISTING ZONING MAP



2040 FUTURE LAND USE MAP

FLOOD HAZARD INFORMATION

According to the Flood Insurance Rate Map (FIRM), the subject property is located in Zone X, which is an area of minimal flooding. This information is found on Community-Panel Number 27027601, dated October 1, 2018, as shown on the flood map below.



PROPERTY HISTORY

The subject property is currently under the ownership of DFP Limited Partnership.

The tillable portion (66.64 acres) of the subject property is leased to a local Martin County farmer.

We are not aware of any transactions or listings involving the subject property which have occurred in the 10 years preceding the date of valuation.

SUBJECT PROPERTY DESCRIPTION

The subject property consists of approximately 73.63 acres of land that is located in northwestern Fairmont in Martin County, Minnesota.

The subject property is composed of two parcels of land separated by Lake Avenue, and both are accessible via field access points from Bixby Road along the western borders of the parcels. Both roadways are improved bituminous roadways. The subject consists primarily of tillable farmland. Based on the current lease information and measurements from FSA and soil mapping applications, the subject property contains 66.64 acres of tillable land (90.5% tillable) and has a Crop Productivity Index (CPI) of 93.

The subject property has slightly rolling topography, with the highest portions generally toward the northwestern portion of the southern parcel and toward the southwestern portion of the northern parcel with both parcels decreasing in elevation progressing toward the east. The southern parcel begins to rise again toward the southeastern portion. During our inspection the subject was used for agricultural purposes with the tillable portion in row crop production. Approximately 1.39 acres of woods located at the northwest portion of the property was cleared in 2025 and converted to tillable land. The parcel has ample private drain tile installed on both the north and south portions of the property. Additionally, County Ditch #56, a subsurface drain tile maintained by the county, runs diagonally from southwest to northeast through the south portion of the property. According to the U.S. Fish & Wildlife Service's Wetland Inventory, the subject does not contain any wetland. We were not provided with any soil tests, but the soils appear to be stable. We are not aware of any mineral deposits that affect value. We did not visualize any contamination on the site.

An aerial photograph, FSA property map, soils map, wetlands map and topography map are provided following this section.

Subject Property Description - Continued

Land features are noted as follows:

Northern Parcel Bounded By:

North:	Railroad Tracks
South:	Lake Avenue
East:	Mobile Home Park
West:	Bixby Road

Southern Parcel Bounded By:

North:	Lake Avenue
South:	Agricultural land
East:	Agricultural land/motel
West:	Bixby Road

Accessibility:	Good via two field access points along Bixby Road
Number of Lanes Each Direction:	One
Street Surface:	Bituminous
Water:	Available but not connected
Sanitary Sewer:	Available but not connected
Storm Sewer:	None
Gas:	Service available
Electricity:	Service available
Telephone:	Service available
Approximate Shape:	Two rectangular parcels bisected by Lake Avenue
Topography:	Slightly rolling
Soils:	90.5% tillable with CPI of 93. Appear stable and free of contamination.
Landscaping/Vegetation:	Primarily tilled agricultural land in row crop production with other natural vegetation, grasses and trees

Subject Property Description - Continued

Observed Easements or Restrictions:

Overhead electrical lines (local utility lines) are located along Lake Avenue of the southern parcel. A subsurface county drainage pipe traverses the south portion of the subject property. Underground natural gas lines and telephone cable run along the west side of the northern parcel along Bixby Road and along the northern side of the southern parcel along Lake Avenue. Please refer to the legal description of record for specific details of any other possible easements or restrictions.

Gross Land Size:

73.63 acres, per Bolton & Menk

Tillable Land Size:

66.64 acres, per lease agreement



AERIAL PHOTOGRAPH

Aerial Map



Boundary Center: 43° 39' 31.88, -94° 29' 23.78

0ft 424ft 847ft

7-102N-30W
Martin County
Minnesota



Maps Provided By
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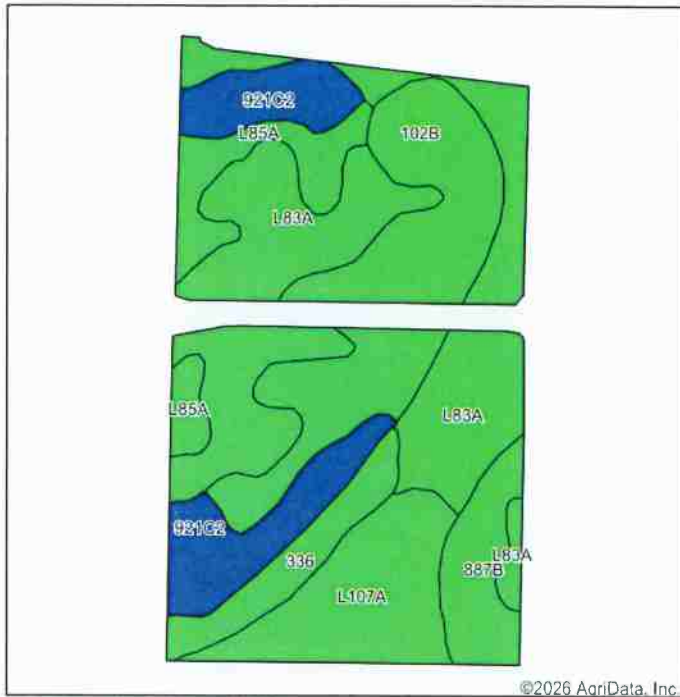
Field borders provided by Farm Service Agency as of 5/21/2005

7/10/2025

FSA PROPERTY MAP

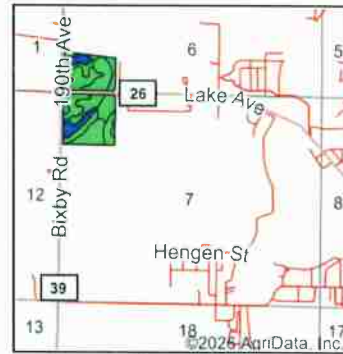
(site boundaries are approximate)

Soils Map



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Soils data provided by USDA and NRCS.



State: Minnesota
County: Martin
Location: 7-102N-30W
Township: Fairmont
Acres: 66.72
Date: 4/10/2026

Maps Provided By:
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Area Symbol: MN091, Soil Area Version: 22							
Code	Soil Description	Acres	Percent of field	PI Legend	Non-Irr Class *c	Productivity Index	*n NCCPI Soybeans
L83A	Webster clay loam, 0 to 2 percent slopes	23.02	34.6%		IIw	93	82
102B	Clarion loam, 2 to 6 percent slopes	14.32	21.5%		IIe	95	83
921C2	Clarion-Storden complex, 6 to 10 percent slopes, moderately eroded	8.42	12.6%		IIIe	87	71
L107A	Canisteo-Glencoe complex, 0 to 2 percent slopes	8.23	12.3%		IIw	91	81
L85A	Nicollet clay loam, 1 to 3 percent slopes	4.90	7.3%		Iw	99	81
887B	Clarion-Swanlake complex, 2 to 6 percent slopes	4.14	6.2%		IIe	92	82
336	Delft clay loam, 0 to 2 percent slopes	3.69	5.5%		Iw	94	79
Weighted Average					2.05	92.9	*n 80.5

*n: The aggregation method is "Weighted Average using all components"

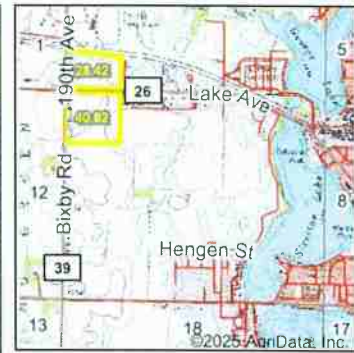
*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS

SOILS MAP

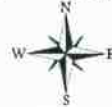
(site boundaries are approximate)

Wetlands Map



State: Minnesota
 Location: 7-102N-30W
 County: Martin
 Township: Fairmont
 Date: 7/10/2025

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0ft 598ft 1197ft

Classification Code	Type	Acres
	Total Acres	0.00

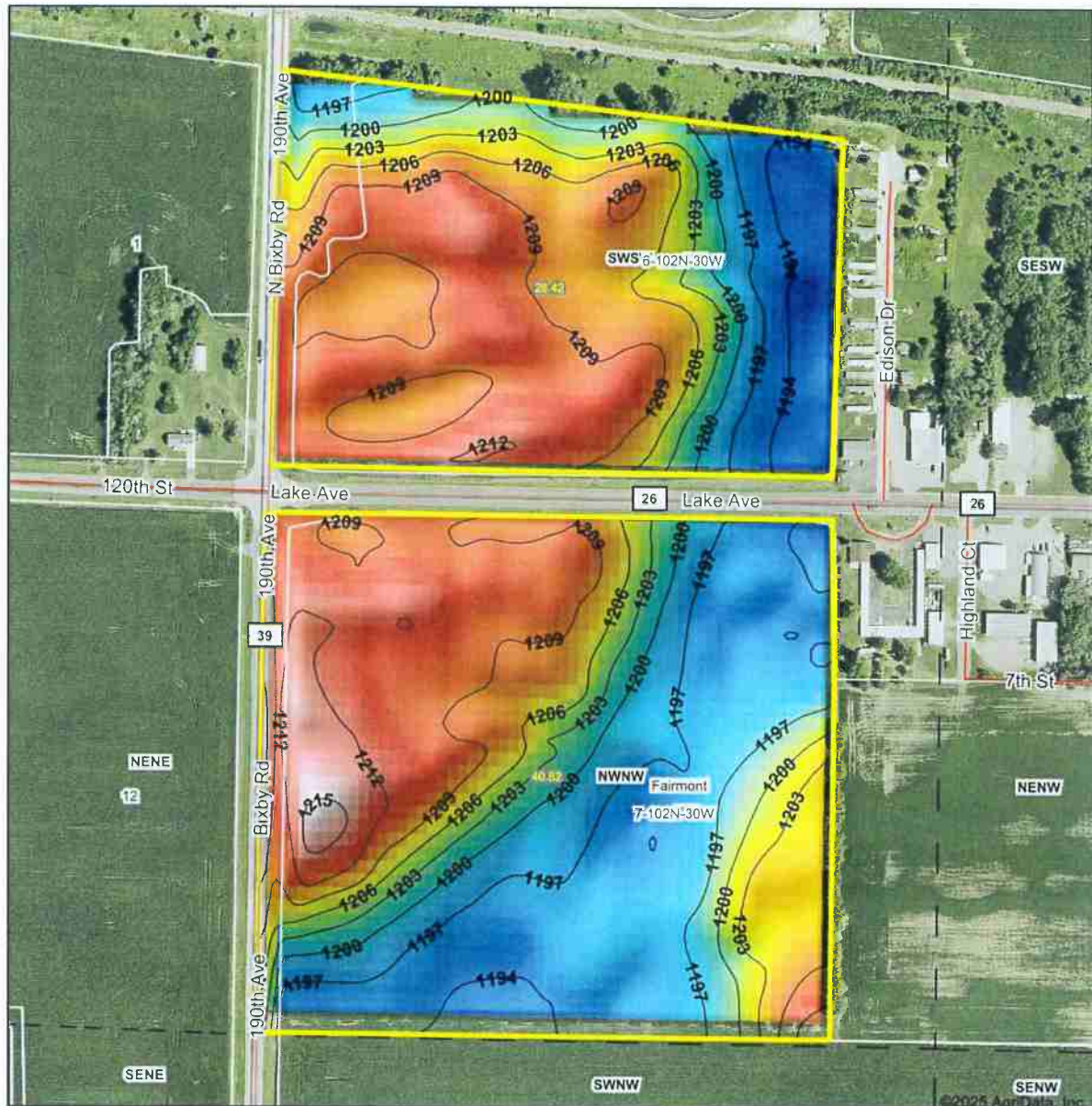
Data Source: National Wetlands Inventory website. U.S. DoI, Fish and Wildlife Service, Washington, D.C. <http://www.fws.gov/wetlands/>

Field borders provided by Farm Service Agency as of 5/21/2008.

WETLANDS MAP

(site boundaries are approximate)

Topography Hillshade



Source: USGS 10 meter dem
Interval(ft): 3

Min: 1,191.2

Max: 1,216.9

Range: 25.7

Average: 1,203.3

Standard Deviation: 6.46 ft

0ft 381ft 763ft



7/10/2025

7-102N-30W
Martin County
Minnesota

Boundary Center: 43° 39' 31.88, -94° 29' 23.78

Maps Provided By
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Field borders provided by Farm Service Agency as of 5/21/2008

TOPOGRAPHY MAP

(site boundaries are approximate)

SUBJECT PROPERTY PHOTOGRAPHS



Photo #1 – View of the northern parcel facing northerly from the corner of Lake Avenue/Bixby Road.



Photo #2 – View of northern parcel, facing easterly, from the corner of Lake Avenue/Bixby Road.

Subject Property Photographs – Continued



Photo #3 – View of the northern parcel facing northeasterly from the western portion of the parcel along Lake Avenue.



Photo #4 – View of northern parcel facing northerly from southeastern corner.

Subject Property Photographs – Continued



Photo #5 – View of northern parcel facing westerly from southeastern corner.



Photo #6 – View of southern parcel facing easterly from corner of Lake Avenue/Bixby Road.

Subject Property Photographs – Continued

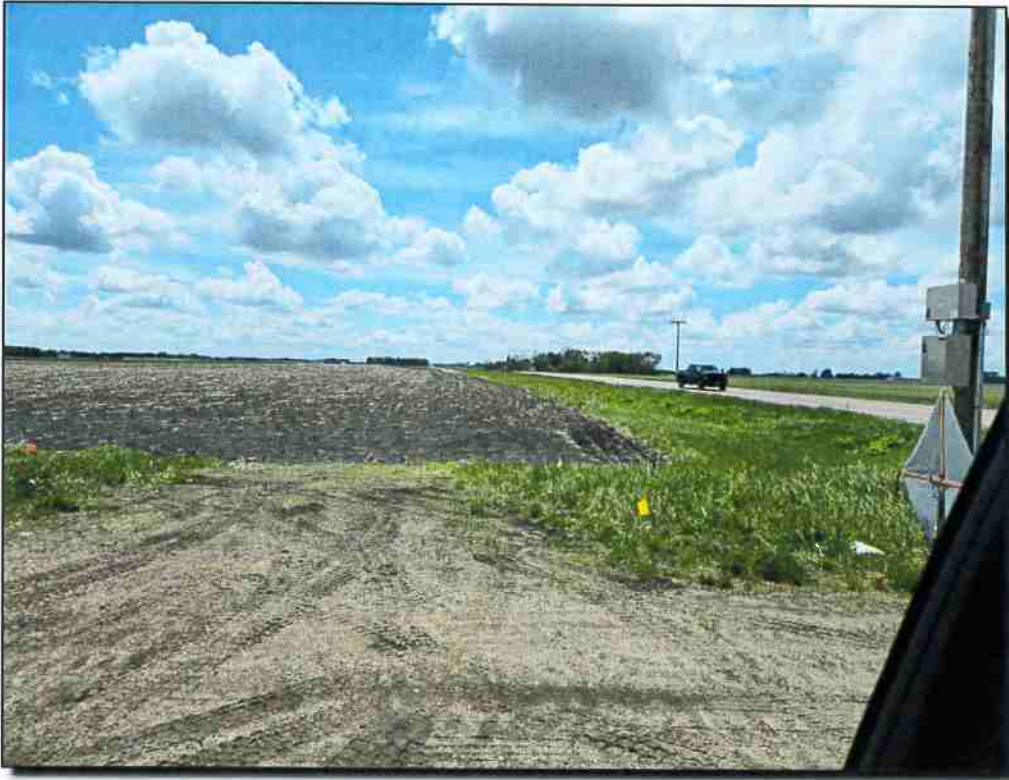


Photo #7 – View of southern parcel facing southerly from corner of Lake Avenue/Bixby Road.



Photo #8 – View of southern parcel facing southerly from northeastern corner.

Subject Property Photographs – Continued



Photo #9 – View of southern parcel facing easterly from southwestern corner.

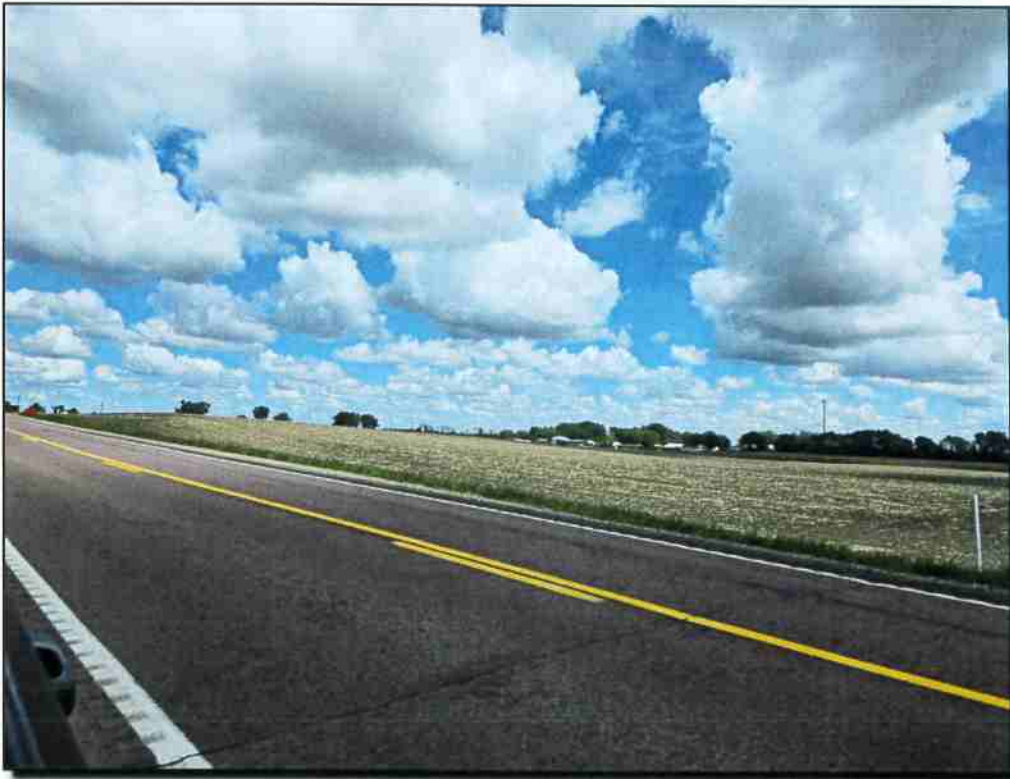


Photo #10 – View of southern parcel facing northeasterly from southwestern portion of parcel.

MARKET CONDITIONS AND TRENDS

Agricultural Market

The following information was published in an article by Farmers National Company titled “U.S. Farmland Values Enter New Phase Shaped by Localized Market Signals,” on January 12, 2026, and provides summaries of current market conditions and trends at the national and regional levels and insight into recent shifts in the agricultural market.

National Market

The U.S. agricultural land market is shifting after years of steady growth. Although land values are still high historically, current signs indicate a more complex situation driven by local and regional factors rather than nationwide trends.

“After years of steady growth, we’re seeing the farmland market stabilize,” said Colton Lacina, senior vice president of real estate operations at Farmers National Company. “This isn’t a sign of collapse but a recalibration that reflects current commodity prices, input costs and regional production conditions.”

Farmland demand now varies widely by location. Areas with high crop yields, diversified farms, and dependable groundwater continue to attract buyers and maintain steady values. Regions facing commodity price pressure, lower yields, or limited alternative income sources are seeing lower demand.

“Farmland values are increasingly determined locally, sometimes down to the township,” Lacina said. “Buyers are carefully assessing soil quality, the percentage of tillable acres, water access, and how a parcel fits into their current operations. Those details matter more than ever.”

Despite mixed signals, market conditions remain favorable for many sellers. Farmland remains a resilient, long-term asset, and well-priced properties are attracting strong interest.

“This is still a workable window for sellers,” Lacina noted. “The key is understanding current local demand and choosing the right approach to bring land to market. Sellers who partner with experienced local land professionals often see better results because they’re aligned with how buyers think today.”

The makeup of buyers remains steady, but their strategies are changing. Active farmers remain the largest group of buyers, yet many are more cautious, weighing profitability concerns against long-term ownership goals. They focus on high-quality land within their established areas.

Investor interest from both local and institutional buyers remains steady. Many view the moderation in land values as an opportunity to enter the market at more disciplined prices.

“Investor buyers are focused on fundamentals,” Lacina said. “They’re targeting land with strong lease potential and reliable income that can support long-term returns.”

Market Conditions and Trends - Continued

Agricultural Market – Continued

National Market - Continued

Farmers National Company anticipates stable U.S. farmland values overall, with ongoing divergence driven by local conditions. Opportunities may emerge in regions with weaker demand, and sellers' success will depend on accurate market insights and timing.

“The farmland market isn’t weakening; it’s becoming more selective,” Lacina added. “Whether buying or selling, the advantage will go to those who understand their local market and work with professionals who live and breathe those nuances daily.”

Central Region: Iowa and Southern Minnesota

The second half of 2025 was volatile for land values in southern Minnesota, according to Thomas Schutter, area sales manager at Farmers National Company.

“A strong early crop was followed by a record-wet July and heavy disease pressure, leaving corn yields disappointing, while soybeans finished above average in many areas. Despite crop challenges, low supply heading into harvest supported an optimistic short-term outlook and kept prices stable to higher pre-harvest levels. As fall progressed, increased market supply and shifting sentiment exerted downward pressure on prices,” Schutter said.

The biggest shift occurred in November as the market adjusted quickly. Buyers and sellers navigated the changing conditions, with each sale telling its own story—high-quality farms continued to attract strong interest and sold well, while lower-quality farms often failed to find buyers, Schutter noted.

“Headlines highlighted the \$32,000-per-acre sale in northwest Iowa, while little attention was given to the numerous no-sales and expired listings. This reflects a widening gap between buyer and seller expectations,” Schutter said. “Sellers continue to rely on appraisals and comparable sales from the past year, while buyers are increasingly concerned about future risks. Although the \$12 billion farm relief package provides temporary help, it doesn't address the long-term challenges ahead.”

As 2026 approaches, low commodity prices have drained working capital for another year, heightening pressure on profitability and income expectations.

Market Conditions and Trends - Continued

Agricultural Market - Continued

Martin County

We have also researched local market statistics to provide better indications of recent market conditions and trends affecting the subject property. We have utilized information from the University of Minnesota for average sale prices of farmland in Martin County from 2020 through 2024. 2025 data was not available as of the date of valuation.

MARTIN COUNTY FARMLAND SALE PRICES		
Year	Average Sale Price Per Acre	% Change (YoY)
2020	\$7,517	
2021	\$8,361	11%
2022	\$9,364	12%
2023	\$10,328	10%
2024	\$10,739	4%
Source: University of Minnesota, Dept. of Applied Economics		

The average sale price per acre has generally been increasing in Martin County over the past four years. According to the Department of Applied Economics at the University of Minnesota, average per-acre land prices in Martin County increased by 11% from 2020 to 2021, 12% from 2021 to 2022, 10% from 2022 to 2023 and slowed to 4% from 2023 to 2024.

MARTIN COUNTY CROPLAND RENTAL RATES		
Year	Average Rental Rate Per Acre	% Change (YoY)
2022	\$269	
2023	\$294	9%
2024	\$285	-3%
2025	\$285	0%
Source: Minnesota Dept. of Agriculture, USDA/NASS		

Average cropland rental rates for Martin County have been up and down over the past three years according to information compiled by the Minnesota Department of Agriculture. Rates for 2026 are unknown as of the writing of this report but are expected to slightly increase.

In the course of our analysis of the agricultural market for this appraisal, as well as research conducted for other assignments completed in the area, we have found the majority opinion to be that agricultural land prices have generally been increasing in Minnesota as a whole in recent years but have recently slowed or stagnated. Prices are expected to remain level to slightly increasing in Minnesota and Martin County in the near future. Therefore, we project that agricultural land values will be generally level to slightly increasing over the next two to three years in Martin County.

HIGHEST AND BEST USE – BEFORE THE PROJECT

The highest and best use of the subject real estate as it will be regarded in this appraisal report will conform to the following definition found on Page 79 of The Dictionary of Real Estate Appraisal, Eighth Edition:

Highest and best use is the reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.

In order to determine the highest and best use of the subject property, a three-step process is followed, which we have defined as follows:

1. The highest and best use of the site as though vacant is determined. Three options are available to owners of vacant sites: (1) leaving the property vacant; (2) holding the site for a future use, or; (3) developing the site. The recommended option must be legally permissible, physically possible, financially feasible, and maximally productive.
2. If development is concluded as the highest and best use of the site as though vacant, the second step would be to determine the ideal improvement. The ideal improvement would reflect state-of-the-art design techniques, legal conformance, and provide the highest value.
3. If the property is currently improved, the final step would be to determine the highest and best use of the property as improved. A comparison is made between the existing improvement and the ideal improvement in order to identify differences. To modify the existing improvements for any differences from the ideal, one of the following five options should be recommended to the owner:
 - A. Leave the property in its current state
 - B. Remodel
 - C. Renovate
 - D. Convert
 - E. Demolish to clear the site for redevelopment

The recommended option must be legally permissible, physically possible, financially feasible, and maximally productive.

Highest and Best Use Analysis – Before the Project - Continued

Step 1: Highest and Best Use of the Site as Though Vacant

Legal Permissibility

The subject property is located within four different zoning districts within the city of Fairmont with portions of the subject property located in the following districts: I-2, Heavy Industrial; B-3, General Business; R-3, Multiple Family Residential; and A, Agricultural Transition Districts.

Permitted uses in the I-2, Heavy Industrial District include: Automobile and motor vehicle repair, bottling and cold storage plants, building materials storage yard and shop, commercial laundry, commercial printing, essential services, food processing and packaging, machine shops, manufacturing, plumbing, heating/cooling and electrical contractor shops and storage yards, trucking and freight terminals, grain processing and concrete mixing facilities among others.

Permitted uses in the B-3, General Business District include: bakeries, banks, bus terminals, florists, liquor stores, religious institutions, restaurants, retail service stores and shops, theaters, auto accessory stores, automobile, truck, snowmobile, motorcycle, boat and marine sales, farm implements and accessory services, building material and lumber yards, commercial greenhouses and garden stores, food lockers, hotels, motels, newspaper printing, radio and television broadcasting stations and towers and mini-storage among other uses.

Permitted uses in the R-3, Multiple Family Residential District include: single-family detached dwellings, noncommercial gardening, daycare, manufactured homes, twinhomes, multiple-family dwellings with eight units or less and boarding houses among other uses.

Permitted uses in the A, Agricultural Transition District include: agriculture, including residential dwellings, crop farming, raising and training domestic animals for noncommercial purposes, public parks, nurseries and tree farms and essential services.

The subject property is a legal use (either as a legally conforming use or legally non-conforming “grandfathered” use) within the various zoning districts on the date of valuation as vacant agricultural land in row crop production.

Due to the subject’s varying zoning designations a wide variety of uses are permissible on the subject property.

Highest and Best Use Analysis – Before the Project - Continued

Step 1: Highest and Best Use of the Site as Though Vacant – Continued

Physical Possibility

The subject property consists of approximately 73.63 acres of land that is located in northwestern Fairmont in Martin County, Minnesota.

The subject property is composed of two parcels of land separated by Lake Avenue, and both are accessible via field access points from Bixby Road along the western borders of the parcels. Both roadways are improved bituminous roadways. The subject consists primarily of tillable farmland. Based on the current lease information and measurements from FSA and soil mapping applications, the subject property contains 66.64 acres of tillable land (90.5% tillable) and has a Crop Productivity Index (CPI) of 93.

The subject property has slightly rolling topography, with the highest portions generally toward the northwestern portion of the southern parcel and toward the southwestern portion of the northern parcel with both parcels decreasing in elevation progressing toward the east. The southern parcel begins to rise again toward the southeastern portion. During our inspection the subject was used for agricultural purposes with the tillable portion in row crop production. Approximately 1.39 acres of woods located at the northwest portion of the property was cleared in 2025 and converted to tillable land. The parcel has ample private drain tile installed on both the north and south portions of the property. Additionally, County Ditch #56, a subsurface drain tile maintained by the county, runs diagonally from southwest to northeast through the south portion of the property. According to the U.S. Fish & Wildlife Service's Wetland Inventory, the subject does not contain any wetland. We were not provided with any soil tests, but the soils appear to be stable. We are not aware of any mineral deposits that affect value. We did not visualize any contamination on the site.

While the subject is large enough to accommodate a wide variety of legally permissible uses it is well suited for continued use as agricultural land in row crop production and has historically been used for this purpose.

Highest and Best Use Analysis – Before the Project - Continued

Step 1: Highest and Best Use of the Site as Though Vacant – Continued

Financial Feasibility

Overall, the subject neighborhood is in the stable stage of its life cycle, with very little new development occurring in the past 20 years. While surrounding land uses would suggest that the subject property may be suited for a variety of industrial, commercial, or residential uses, there has been no recent development activity in the subject neighborhood and very little recent new development in Fairmont as whole.

Given the stagnant population growth, low household formation and generally level employment in Fairmont, new residential development is not a likely use for the subject property.

Of the few recent commercial developments in Fairmont, including some regional and national-credit tenants, most have occurred along State Street/State Highway #15 which runs north/south through eastern Fairmont. This roadway is the major commercial corridor in Fairmont and has higher volumes and more businesses which draw traffic to the area. This area is also in closer proximity to higher population densities compared to the subject neighborhood.

Industrial uses are prevalent in the city, and the north portion of the subject property is zoned for such uses. However, industrial development has been minimal in the city over the last decade, with most instances consisting of either local businesses relocating or expanding onto adjacent properties. Given the subject's location, industrial or commercial/industrial development would be more likely than general commercial, retail or residential development.

It also noteworthy that the City of Fairmont recently purchased 37.61 acres of land that is slated for industrial use, either to a single buyer or through subdivision and sell-off similar to the existing industrial park lying west of the subject property. The newly acquired city-owned site is located at the southwest quadrant of Interstate Highway #90 and Bixby Road which is a significantly superior location compared to the subject for commercial/industrial development.

We studied supply and demand for industrial development in the city of Fairmont and made the following conclusions:

- Over the last 10.5 years total absorption of industrial land (sales of industrial sites) in the city of Fairmont was 52.33 acres (36.22 acres of industrial park land and 16.11 acres located outside of the industrial park (infill and/or one-off development sites).
- Average annual demand for industrial land over the 10.5-year period is 4.98 acre per year (52.33 acres / 10.5 years)
- Excluding wetland area, there are approximately 88.43 acres of industrial land being actively marketed by the Fairmont Economic Development Authority (FEDA) comprised of approximately 26.54 acres of remaining land in the industrial park, 37.61 acres for the newly acquired site north of the subject property along Interstate #90, and 24.28 acres of other commercial/industrial land ranging in size from 2.61 acres to 15.36 acres.

Highest and Best Use Analysis – Before the Project - Continued

Step 1: Highest and Best Use of the Site as Though Vacant – Continued

Financial Feasibility - Continued

- 3M will be closing its production plant on the east side of Fairmont in 2027 and vacating 150,000 square feet of industrial space that is situated on approximately 80 acres, adding additional a large vacant building and approximately 60 additional acres of vacant land to local supply.
- Between the FEDA-marketed sites and the 60 acres of industrial land to be added to the local available industrial land supply in 2027, there is a total of approximately 148.43 acres of industrial land that is being actively marketed or readily available.
- Based on average demand trends over the past 10.5 years, equivalent to an annual absorption rate of 4.98 acres per year, the existing 148.43 acres of available industrial land represents approximately 30 years of supply.
- It should also be noted that a portion of the sales of industrial land over the last 10.5 years were never developed and remain vacant, effectively creating ghost supply that is not included in our calculations.

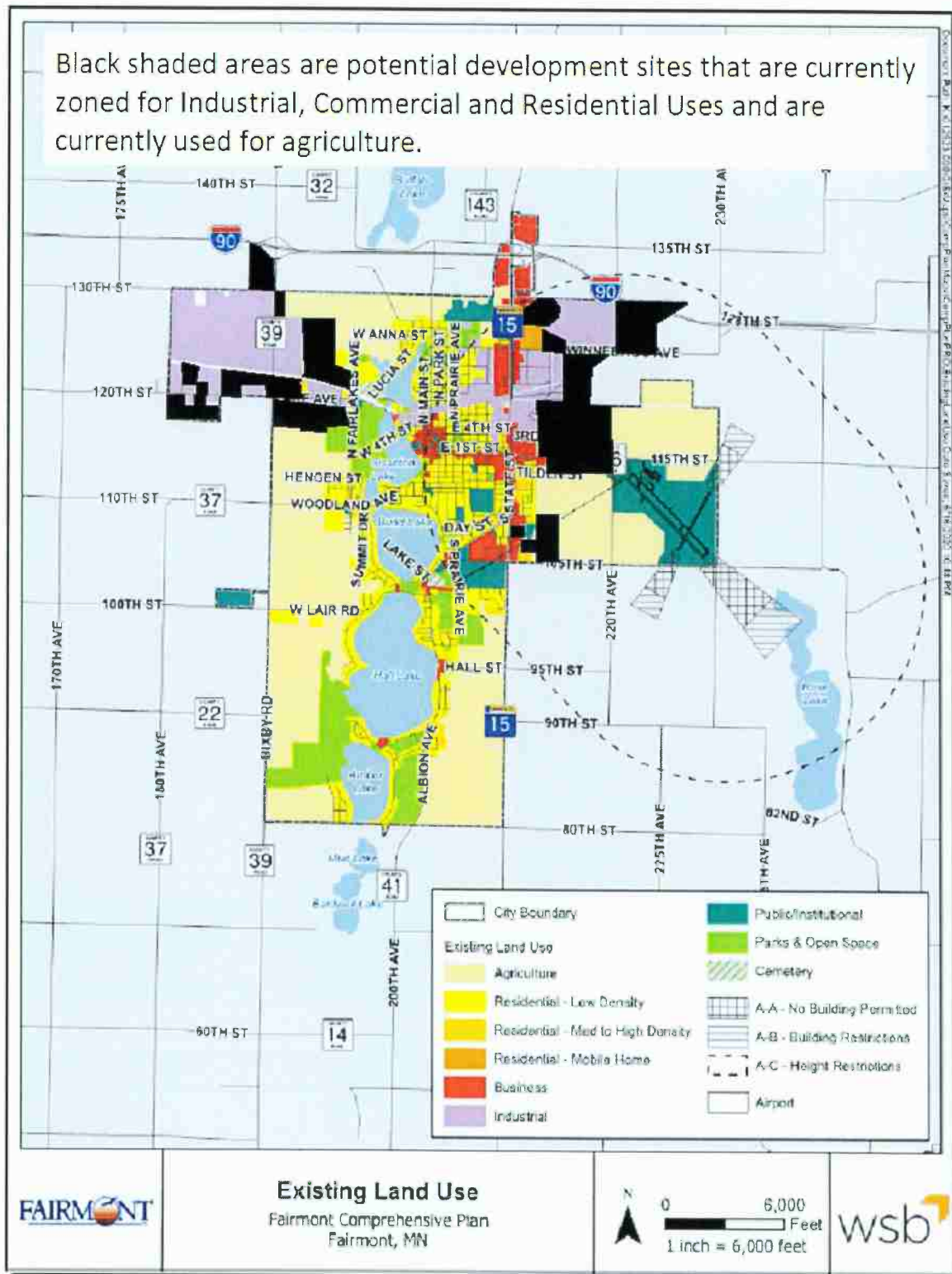
Furthermore, it should also be noted that there are significant landholdings within the city of Fairmont that are zoned for industrial, commercial and residential uses that are currently being used for agricultural production. This can be seen by comparing the Existing Land Use Map and the Existing Zoning Map. The exhibit on the following page shows these areas shaded in black.

Based on historic land sales activity and development trends, the areas shaded in black on the following page represent decades worth of additional supply for industrial, commercial and residential development within the city of Fairmont, with many of the sites located in closer proximity to existing developed housing stock and commercial nodes than the subject property.

Highest and Best Use Analysis – Before the Project - Continued

Step 1: Highest and Best Use of the Site as Though Vacant – Continued

Financial Feasibility



Highest and Best Use Analysis – Before the Project - Continued

Step 1: Highest and Best Use of the Site as Though Vacant – Continued

Financial Feasibility

We have also analyzed recent sales of larger industrial sites in Fairmont to determine how industrial land values compare to agricultural land values.

We first researched recent sales in the industrial park located less than one mile west of the subject property. The three most recent sales of larger industrial sites occurred between August 2022 and July 2024, ranged in size from 9.09 to 14.16 acres and had sales prices from \$1,501 to \$13,065 per acre. Ignoring the low value of \$1,501 per acre, the remaining two sales range from \$6,284 per acre for a 11.16-acre site to \$13,065 per acre for a 14.16-acre site, with an average of \$9,674 per acre. Both of these sales are of industrial-zoned land served by municipal sewer and water. The high end of the range was the sale of property to an adjacent landowner for expansion of their business. Agricultural land sales in the subject market area occurring at the same time as these sales had prices ranging from approximately \$9,500 to \$12,500 per gross acre (for much larger sites), indicating that industrial users are not paying a measurable premium above agricultural value for industrial-zoned land in the city limits that is served with municipal utilities.

We also researched sales of other larger acreage sites with industrial zoning within the city of Fairmont that are located outside of the industrial park. We found two sales that transacted in 2021.

Sale A (PID# 230370080) sold in October 2021 for \$100,000. This parcel is 15.36 acres in size, 72.3% tillable, zoned I-1 and R-4, and is served by municipal utilities. The property sold for \$6,510 per gross acre and \$9,001 per tillable acre.

Sale B (PID# 230370030) sold in September 2021 for \$217,756. This parcel is 25.12 acres in size, 89.7% tillable, zoned I-1, and is not served by municipal utilities. The property sold to an adjacent landowner for \$7,777 per gross acre and \$8,669 per tillable acre.

Sales of agricultural-zoned land within the city of Fairmont ranged from approximately \$6,247 to \$11,417 per gross acre and \$8,217 to \$11,831 per tillable acre between 2019 and 2021 as shown in the chart below.

AGRICULTURAL-ZONED LAND SALES IN FAIRMONT									
Sale No.	PID #	Sale Date	Zoning	Gross Acres	Tillable Acres	Percent Tillable	Sale Price	Sale Price Per Gross Acre	Sale Price Per Tillable Acre
1	230370365	7/15/2021	A	31.49	30.75	97.7%	\$359,530	\$11,417	\$11,692
2	230370370	7/15/2021	A	31.49	31.07	98.7%	\$359,530	\$11,417	\$11,572
3	230370360	7/15/2021	A	62.98	61.78	98.1%	\$719,060	\$11,417	\$11,639
4	230370835 230370780 230370830	1/28/2021	A	36.82	19.44	52.8%	\$230,000	\$6,247	\$11,831
5	230370400	11/1/2019	A	43.33	39.20	90.5%	\$322,125	\$7,434	\$8,217

In both instances above (Sale A and Sale B), the sale prices were near or lower than per-acre pricing for tillable land, showing that no measurable premium was paid for the properties having industrial and/or residential zoning or utilities.

Highest and Best Use Analysis – Before the Project - Continued

Step 1: Highest and Best Use of the Site as Though Vacant – Continued

Financial Feasibility - Continued

In addition to the sales cited above, there was also a recent sale of a much smaller industrial-zoned land parcel located just north of the subject property at 1605 Bixby Road North, as outlined below.

Sale C (PID#s 230392345 & 230392347) sold in February 2026 for \$50,000. The two PID #s included in this transaction total 4.59 acres in size and the site is served by municipal utilities. The property sold for \$10,893 per gross acre. The property was purchased for development of an office/warehouse facility for Cress Refrigeration and received a development incentive of tax abatement for a total of \$73,685 over five years. While this sale is significantly smaller than the subject property (upward influence on price per acre), the per-acre pricing is consistent with other market data confirming that industrial land pricing does not command a significant premium over agricultural land values within this area of the city of Fairmont.

Our analysis indicates that recent development demand in the subject neighborhood, and in Fairmont as whole, has been low over the years preceding the date of valuation. This is consistent with demographic statistics that show relatively low area incomes, low population growth, low household formation and an aging population.

From a competitive supply standpoint, the location of the subject parcel on the western edge of the Fairmont city limits, in an area with older surrounding development and lower traffic counts, is inferior compared to other areas of Fairmont that are located along or near Interstate #90 or State Highway #15/State Street in eastern Fairmont. Furthermore, our analysis indicates that there is a high supply of available land that is superior for development when compared to the subject property.

By contrast, demand for agricultural land is good in the subject market, as evidenced by the number of recent agricultural land sales and recent price appreciation. As a result, the most probable buyer of the subject parcel would be an agricultural user or investor that will continue to utilize the land as productive agricultural land taking advantage of the subject property's high tillable percentage and quality soils.

Highest and Best Use Analysis – Before the Project - Continued

Step 1: Highest and Best Use of the Site as Though Vacant – Continued

Maximum Productivity

Based on our research within the local market, it is our opinion that continued use of the subject as productive, tillable agricultural land creates the highest value while meeting the test of being legally permissible, physically possible, and financially feasible. The reasons for our opinion are as follows:

1. Compatibility of the existing use with the current zoning and surrounding land uses.
2. Suitability of the shape, size, topography, and soil characteristics.
3. Existing access to the parcel is via two field access points from Bixby Road.
4. Location within a city with stagnant population and household growth.
5. Low demand for non-agricultural uses in Fairmont and oversupply of land available for development.
6. Good demand for agricultural land.
7. Agricultural use results in the highest return to the land.

Step 2: Description of the Ideal Improvement

Based on the highest and best use of the subject property as agricultural land there is no ideal improvement for the subject property.

THE VALUATION PROCESS – BEFORE THE PROJECT

The valuation process contains many facets. A wide variety of data, including the previously discussed County and City Analyses, Neighborhood Analysis, Market Conditions and Trends section and Highest and Best Use Analysis, is compiled and utilized to value the property based upon three methods of valuation which are referred to as "approaches". These approaches to value are briefly described as follows:

Cost Approach

In the cost approach, an estimated reproduction or replacement cost of the building and land improvements as of the date of valuation is developed together with an estimate of the losses in value that have taken place due to wear and tear, design and plan, or neighborhood influences. To the depreciated building cost estimate, the estimated value of the land is added. The total represents the value indicated by the cost approach.

Sales Comparison Approach

In the sales comparison approach, the subject property is compared to similar properties that have been sold or for which listing prices or offering figures are known. Data for generally comparable properties is used, and comparisons are made to demonstrate a probable price at which the subject property would be sold if offered on the market.

Income Capitalization Approach

In the income capitalization approach, the rental income to the property is shown with deductions for vacancy and collection loss and expenses. The net operating income of the property is estimated. To support this estimate, operating statements for previous years and comparable properties may be reviewed, along with available operating cost estimates. An applicable capitalization method and appropriate capitalization rates are developed and used in computations that lead to an indication of value.

Other methods may also be applied, such as a gross rent multiplier, which reveals the relationship between gross rental income and the sale price of a given income-producing property. Gross rent multipliers are extracted from comparable sales and analyzed, with a reconciled gross rent multiplier applied to the subject's gross rent to render an indication of market value.

The Valuation Process – Before the Project - Continued

Inherent within the previous three approaches to value are some basic appraisal principles, which include anticipation, balance, change, externalities, substitution, and also supply and demand. These principles are briefly described below. (These definitions are derived from The Appraisal of Real Estate, 16th Edition, pages 21-26.)

- Anticipation: The perception that value is created by the expectation of benefits to be derived in the future.
- Balance: The principle that real property value is created and sustained when contrasting, opposing, or interacting elements are in a state of equilibrium.
- Change: The result of the cause and effect relationship among the forces that influence real property value.
- Externalities: The principle of externalities states that factors external to a property can have either a positive or negative effect on its value.
- Substitution: The appraisal principle that states that when several similar or commensurate commodities, goods, or services are available, the one with the lowest price will attract the greatest demand and widest distribution. This is the primary principle upon which the cost and sales comparison approaches are based.
- Supply and Demand: In economic theory, the principle that states that the price of a commodity, good, or service varies directly, but not necessarily proportionately, with demand, and inversely, but not necessarily proportionately, with supply. In a real estate appraisal context, the principle of supply and demand states that the price of real property varies directly, but not necessarily proportionately, with demand and inversely, but not necessarily proportionately, with supply.

Explanation of the Reconciliation Process

An appraisal is composed of a number of integrated, interrelated, and inseparable procedures that have a common objective -- a condensed, reliable estimate of value. Although the three approaches are seldom completely independent, it is important to note that in certain cases, greater emphasis is placed on a particular approach. The reasons for this are as varied as the properties themselves, and each appraisal must be addressed individually. The appraiser discusses the strengths and weaknesses of each of the approaches to value, and concludes to a final value which reflects the most applicable approaches.

The Valuation Process – Before the Project - Continued

Summary

In this case, the subject property consists of vacant agricultural land in Fairmont, Minnesota. As discussed in the previous sections of the report, the area surrounding the subject property is stable and exhibits a stable economic base. After reviewing the pertinent information within our office, and having various discussions with other real estate experts, we have completed the sales comparison approach to value in the analysis of the fee simple interest in the subject property before the Lake Avenue Reconstruction Project. The comparable information and our findings are further detailed and reconciled in the following section.

Our analysis begins with the appraisal of the fee simple interest in the subject property before the project and concludes with the appraisal of the fee simple interest in the subject property after the project following consideration of changes to the subject property resulting from the project, including considering the highest and best use of the subject property after the project. The difference between the valuations of the subject property before and after the project indicates the amount of the special benefit attributable to the subject property resulting from the Lake Avenue Reconstruction Project.

Following is our analysis of the fee simple interest in the subject property before the project.

SALES COMPARISON APPROACH TO VALUE – BEFORE THE PROJECT

The sales comparison approach to value is defined as:

The process of deriving a value indication for the subject property by comparing sales of similar properties to the property being appraised, identifying appropriate units of comparison, and making adjustments to the sale prices (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison. (The Dictionary of Real Estate Appraisal, Eighth Edition, Page 152.)

The major premise within this approach is that the market value of the subject property is directly related to the prices of comparable, competitive properties. Furthermore, this valuation method not only assumes that both buyer and seller are fully informed about the property, but also that both have general knowledge of the market for that type of property and that the property has been exposed in the open market for a reasonable time.

Based upon the previously discussed highest and best use analysis of the subject property, comparable property sales with similar highest and best uses were gathered and analyzed from the surrounding area. We believe these comparable sales best represent the subject property with respect to location, age, size, and other major characteristics.

The comparable market data which is submitted in this report, in our opinion, suggests that the best unit of comparison for the subject property should be sale price per tillable acre.

The application of this unit of comparison produces an estimate of value for a property by comparing it with similar properties of the same type and class which have sold recently in the same or competing areas. The analytical processes utilized in determining the degree of comparability between two properties involves judgment as to their similarity with respect to many value factors such as location, date of sale, physical characteristics, and terms of sale. The sale price of those properties deemed most comparable tends to set the value range for the subject property. Further consideration of the comparative data indicates a figure representing the value of the subject property, that is, the probable price at which it could be sold by a willing seller to a willing buyer as of the date of the appraisal. The data involved in the application of this process concerns these comparable properties as well as the subject property, and this data will vary with the type of property. Four categories of data, however, are basic and apply regardless of the type of property. They are:

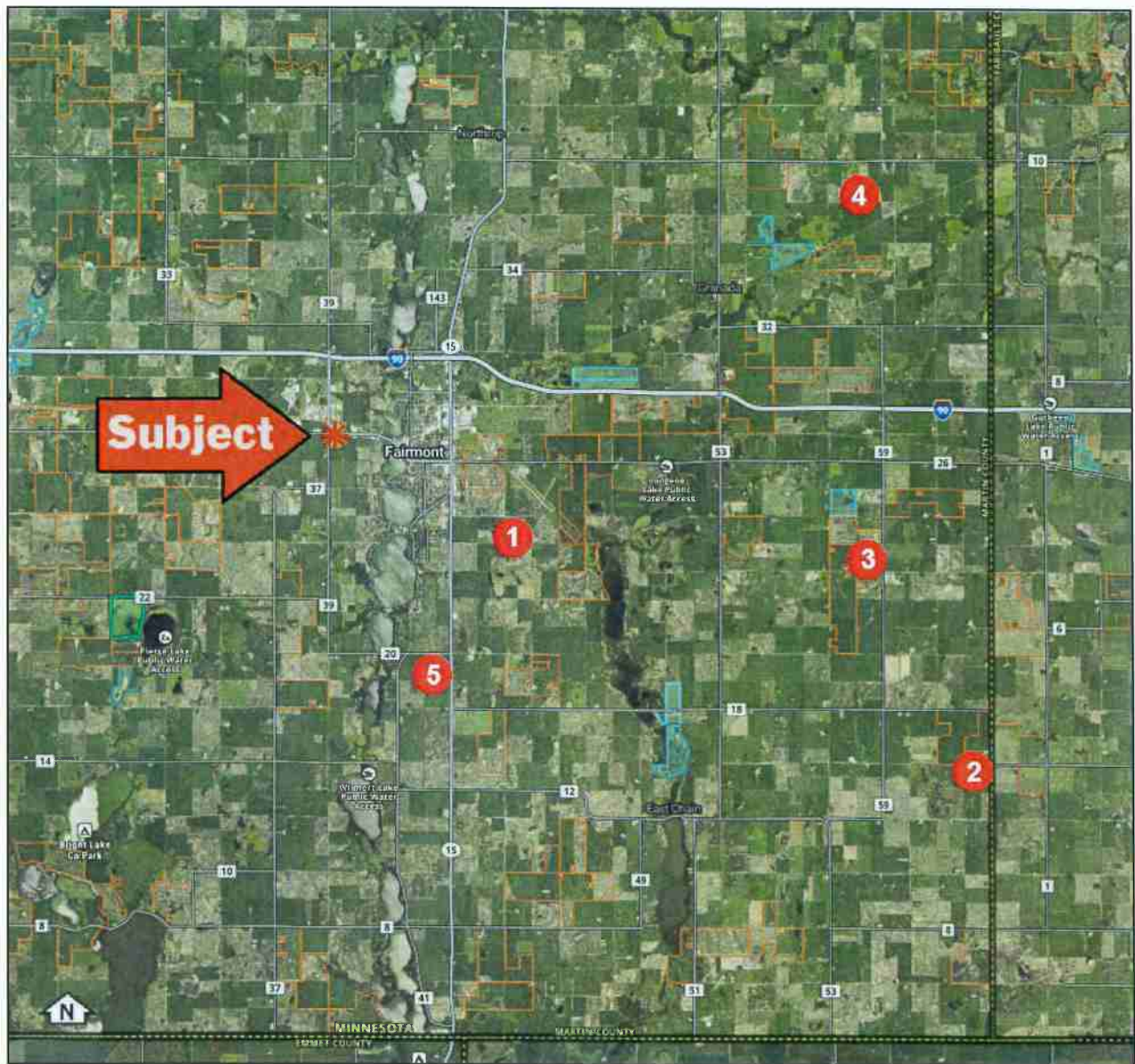
1. Sales prices of comparable properties.
2. Conditions influencing each sale.
3. Location of each property.
4. Description of land and improvements of each comparable property.

Sales Comparison Approach to Value - Before the Project - Continued

We have conducted a survey of sales which are comparable to the subject parcel and, as a result, have formed an opinion of market value for the subject. Comparable real estate transactions which were useful in estimating this land value are individually described in the table below. Details on these sales are located in the Addenda of this report.

COMPARABLE LAND SALES FACT CHART										
Sale No.	Location	Sale Date	Zoning	Gross Acres	Tillable Acres	Percent Tillable	Crop Productivity Index	Sale Price	Sale Price Per Gross Acre	Sale Price Per Tillable Acre
1	NW 1/4 Section 22 Fairmont Twp., MN	3/10/2026	A	142.17	138.54	97.4%	91	\$1,549,653	\$10,900	\$11,186
2	NE 1/4 Section 12 East Chain Twp., MN	12/15/2025	A	80.00	77.97	97.5%	91	\$920,000	\$11,500	\$11,799
3	NE 1/4 Section 22 Pleasant Prairie Twp., MN	12/1/2025	A	80.00	76.30	95.4%	91	\$757,920	\$9,474	\$9,933
4	NE 1/4 Section 15 Center Creek Twp., MN	1/17/2025	A	62.62	57.19	91.3%	93	\$726,392	\$11,600	\$12,701
5	NE 1/4 Section 32 Fairmont Twp., MN	10/25/2024	A	55.00	51.26	93.2%	90	\$632,500	\$11,500	\$12,339
Sub- ject	1300 Lake Ave. Fairmont, MN	4/1/2026 (date of value)	I-2, B-3 R-3, A	73.63	66.64	90.5%	93	???	??	???

Characteristic differences between a given comparable sale and the subject might require adjustments to increase the reliability of that sale as an indicator of value for the subject. Elements of comparison which may warrant adjustments include real property rights, financing, conditions of sale, buyer expenditures immediately after purchase, market conditions (time), and various physical characteristics, such as location, zoning, development stage, size, shape, topography/soils, drain tile inclusion, and others. A comparable sales location map, an explanation of adjustments, and a chart demonstrating our adjustment analysis are provided on the following pages.



COMPARABLE VACANT LAND SALES MAP

Sales Comparison Approach to Value - Before the Project - Continued

Adjustments

1. Property Rights Conveyed - This adjustment compensates for differences between the property rights conveyed within each of the sales and the subject's property rights being appraised. Because fee simple property rights were conveyed within all of the sales, and the subject land is to be appraised in fee simple, no adjustments were required for property rights conveyed.
2. Financing - The financing adjustment considers any favorable or unfavorable financing present within the sales that may have affected the purchase price paid. There is a general tendency for buyers to pay higher prices for below-market financing and lower prices for above-market financing. All sales involving financing at above- or below-market terms are adjusted to reflect a cash-equivalent price. Each of the comparable land sales cited is an arm's length transaction involving either cash payment or cash-equivalent financing. No adjustments were made for financing.
3. Conditions of Sale - Considers various types of extenuating circumstances such as buyer or seller motivations and opinions at the time of sale, which may have impacted the sale price. The buyer of Sale #3 indicated he received a good deal. While the parcel sold for \$757,920, it was appraised for \$960,000, a 21% discount on market value. According to the buyer, the seller only wanted to sell the property to one of two neighboring owners, and the buyer was in position to purchase the property at the discounted sale price. We have applied a 26.66% upward adjustment to Sale #3 to reflect the conditions of sale. No unusual motivations or conditions are known to have impacted any of the remaining comparable sales analyzed; hence, no adjustments were made to the remaining sales for conditions of sale.
4. Buyer Expenditures Immediately After Purchase - This adjustment compensates for any expenditures required by the buyer to clear the site for development. Such expenses may be related to environmental, legal, demolition, and other issues associated with a purchased property. An informed buyer would discount the asking price by the amount of the anticipated expenditure if an equally desirable property without additional expenses was available at the same asking price. No unusual expenses were known to be incurred by any of the buyers immediately after sale, resulting in no adjustments.
5. Market Conditions (Time) - This is included within the adjustment process for purposes of considering any changes within the market (either positive, negative or stable) due to the passage of time and differences in buyers'/sellers' attitudes toward the real estate market in general between the dates of the comparable sales and the date of valuation. Based on this analysis, demand for agricultural land is stable, as evidenced by recent sales activity. According to Minnesota Land Economics published by the University of Minnesota, farmland sale prices in Martin County increased by 4% in 2024 with data yet to be released for 2025 as of the date of publication. Average cash rental rates went down 3% in 2024 and remained flat in 2025. Based on discussions with real estate professionals as well as buyers and sellers active in the local market, prices of good agricultural land in the Martin County area have remained flat to slightly increasing over the past year to year-and-a-half. As a result of this information and our analysis of area sales over several years preceding the date of valuation, market conditions have been generally flat from October 2024 through the date of value and no adjustments were required.

Sales Comparison Approach to Value - Before the Project - Continued

Adjustments - Continued

6. Physical Characteristics

- ▶ Location - A location adjustment considers differences in surrounding land uses between a comparable and the subject, and their positions relative to paths of development, access, traffic counts, views, area amenities, and other situate characteristics. The subject is located in Fairmont, bisected by Lake Avenue (bituminous) and along the east side of Bixby Road (bituminous). The subject does have direct access to these roadways and average visibility for similar parcels in the area.

Sales #1 and #5 are located in Fairmont Township, adjacent to or very close to the city limits of Fairmont. Sales #2, #3 and #4 are located in more rural areas of eastern Martin County, but relatively close to the subject.

As referenced in the Highest and Best Use Analysis – Before the Project, we researched historical sales of agricultural land in the city Fairmont and outside the city limits in Martin County and we found that there is no measurable premium paid for agricultural land located within the city limits. We also conducted interviews with buyers and sellers of agricultural land in the area to determine how market participants view the differences in locations of the comparable sales in contrast to the location of the subject property. Based on these interviews, the buyers and sellers did not believe the market would support a location adjustment for agricultural land in crop production unless the land was immediately developable or had development potential in the very near term. As a result, we have not made adjustments for locational characteristics to the comparable sales.

Sales Comparison Approach to Value - Before the Project - Continued

Adjustments - Continued

6. Physical Characteristics - Continued

- ▶ Zoning - Potential land uses and performance requirements are often dictated by local zoning codes and are legal limitations on development opportunities. The subject parcel is located in a number of zoning districts in Fairmont (I-2, Heavy Industrial, B-3, General Business, R-3, Multiple Family Residential and A, Agricultural) with the future land uses including the possibility of industrial, commercial and residential. All five sales are zoned Agricultural in Martin County. As referenced in the Highest and Best Use Analysis – Before the Project, we researched historical sales of land in the city Fairmont that have non-agricultural zoning and compared those sales to land with agricultural zoning both within the city of Fairmont and outside the city of Fairmont in Martin County. Our research indicates that there is no measurable premium paid for agricultural land with non-agricultural zoning within the city limits due to the oversupply of available development land and low demand for development sites in the subject's neighborhood.
- ▶ Development Stage - There is a continuum in the development of land, which begins at the raw stage and ends at the finished retail stage at which the site is ready for construction of an improvement. The majority of sales occurring in the marketplace are either large raw acreage sales or sales of finished sites. In the early stages of development, the owner/developer spends time planning and engineering the property to obtain concept plan, preliminary plat and then final plat approvals prior to even breaking ground. As the property moves closer to its finished retail stage, the level of risk and cost associated with developing such a property decrease and a potential buyer is therefore willing to pay more. This adjustment also compares the availability and status of utilities between the comparable sales as of their dates of sale and the subject site as of the date of valuation. Availability of common utilities such as water, sewer, electricity, natural gas, and communications cable may impact the price a buyer will pay for land if market conditions warrant. In active development markets, parcels lacking one of these services will typically be discounted to compensate for attaining the service or a suitable replacement.

Before the project the subject has improved roadways as well as municipal water and sewer available along Lake Avenue and its highest and best use is continued use as productive tillable farmland.

As referenced in the Highest and Best Use Analysis – Before the Project, we researched historical sales of agricultural land in the city Fairmont that have municipal utilities and compared them to sales of agricultural land without municipal utilities. Our research indicates that there is no measurable premium paid for agricultural land with municipal utilities. In the process of analyzing impacts to the subject property we also held discussions with local buyers and sellers to determine whether the status of available municipal utilities affects the price paid for tillable agricultural land. All of the buyers and sellers we spoke with indicated the presence of utilities would not result in the payment of a premium over the value of typical agricultural land without utilities available. As a result, we have not made adjustments for differences in development stage.

Sales Comparison Approach to Value - Before the Project - Continued

Adjustments - Continued

6. Physical Characteristics

- ▶ Size - This adjustment is important particularly when significant differences arise in size between the subject and a comparable sale. The general tendency of the market is to pay lower prices per acre for larger parcels than for smaller ones. Based on the analysis of other sales in the market as well as conversations with local real estate experts and buyers, there is a relationship between the size of the parcel and price. The subject is 73.63 acres. Sales #2, #3, #4 and #5 are generally similar in size and were not adjusted. Sale #1 is larger than the subject and was given an upward adjustment for size.
- ▶ Shape/Farmability - Considers the suitability of a parcel's shape compared with the subject. The market tends to pay more for rectangular-shaped parcels than irregular-shaped parcels of similar size. This is because irregular-shaped parcels are often more difficult and costlier to develop and are also less efficient to farm.

Agricultural producers prefer tillable fields to be generally rectangular, with large open fields capable of being farmed in long rows versus irregular-shaped fields or smaller fields caused by farming obstructions such as ditches, creeks, or other features that limit farming efficiency. The accelerating trends toward larger farming equipment with GPS guidance and more prevalent aerial chemical application has resulted in operators placing increased consideration on field shape and farmability as large, open fields allow for reduced equipment turning, consistent spacing for crops, better chemical application, and more flexibility.

The subject consists of two generally rectangular parcels bisected by Lake Avenue. Both parcels have a single, large field that is capable of farming in uninterrupted rows. Sale #1 has fields with some slight irregularities and is deemed generally similar to the subject, resulting in no adjustment. Sales #2 and #3 have superior shape/farmability and were given slight downward adjustments. Sales #4 and #5 have inferior shape/farmability and were given slight upward adjustments.

- ▶ Topography/Soils - Adjusts for differences between the topography/soils of the comparable sales in comparison to the subject as well as differences in crop productivity index (CPI). Severe slopes and poor soils can produce lower yields compared to level or gently rolling parcels with stable soils. All five sales are slightly rolling and were deemed similar enough not to require an adjustment. Sales #1, #2, #3 and #5 have lower CPI ratings when compared to the subject and were given slight upward adjustments. Sale #4 has a similar CPI when compared to the subject and was not adjusted.
- ▶ Drain Tile - Considers the presence or lack of drain tile installed on the subject and the comparable sales. We have found that land that is upgraded with drain tile installed consistently sells for higher prices than land without drain tile installed. The subject has ample drain tile installed which is similar to Sales #1, #2, #4 and #5. These sales were not adjusted. Sale #3 does not have drain tile installed and is considered inferior to the subject resulting in an upward adjustment.
- ▶ Other - Considers any other differences between a comparable sale and the subject that the appraiser believes would influence value that are not applicable to a previous category. No other adjustments are deemed necessary within this analysis.

Sales Comparison Approach to Value - Before the Project - Continued

Adjustments - Continued

COMPARABLE LAND SALES ADJUSTMENT CHART					
	Sale #1	Sale #2	Sale #3	Sale #4	Sale #5
Sale Price Per Acre (Tillable)	\$11,186	\$11,799	\$9,933	\$12,701	\$12,339
1. Property Rights Conveyed					
Adjustment	0.0%	0.0%	0.0%	0.0%	0.0%
Adjusted Price Per Acre	\$11,186	\$11,799	\$9,933	\$12,701	\$12,339
2. Financing					
Adjustment	0.0%	0.0%	0.0%	0.0%	0.0%
Adjusted Price Per Acre	\$11,186	\$11,799	\$9,933	\$12,701	\$12,339
3. Conditions of Sale					
Adjustment	0.0%	0.0%	26.66%	0.0%	0.0%
Adjusted Price Per Acre	\$11,186	\$11,799	\$12,582	\$12,701	\$12,339
4. Buyer Expenditures Immediately After Purchase					
Adjustment	0.0%	0.0%	0.0%	0.0%	0.0%
Adjusted Price Per Acre	\$11,186	\$11,799	\$12,582	\$12,701	\$12,339
5. Market Conditions (Time)					
Adjustment	0.00%	0.00%	0.0%	0.0%	0.0%
Adjusted Price Per Acre	\$11,186	\$11,799	\$12,582	\$12,701	\$12,339
6. Physical Characteristics					
Location	0.0%	0.0%	0.0%	0.0%	0.0%
Zoning/Density	0.0%	0.0%	0.0%	0.0%	0.0%
Development Stage	0.0%	0.0%	0.0%	0.0%	0.0%
Size	5.0%	0.0%	0.0%	0.0%	0.0%
Shape/Farmability	0.0%	-2.5%	-2.5%	2.5%	2.5%
Topography/Soils	2.0%	2.0%	2.0%	0.0%	3.0%
Drain Tile	0.0%	0.0%	2.5%	0.0%	0.0%
Other	0.0%	0.0%	0.0%	0.0%	0.0%
Net Adjustment	7.0%	-0.5%	2.0%	2.5%	5.5%
Adjusted Price Per Acre	\$11,969	\$11,740	\$12,833	\$13,019	\$13,018
Indicated Subject Value/Acre	\$11,969	\$11,740	\$12,833	\$13,019	\$13,018
Indicated Value Range/Acre	\$11,740 to \$13,019				
Indicated Mean Value/Acre	\$12,516				

Sales Comparison Approach to Value - Before the Project - Continued

Adjustments - Continued

Reconciliation

Before adjustments for differences, the aforementioned sales indicate a range of \$9,933 to \$12,701 per tillable acre for the subject land. Following the adjustment process the comparable sales indicate a market value for the subject land in a narrower range of \$11,740 to \$13,019 per tillable acre, with a mean value of \$12,516 per tillable acre. It is our opinion that all of the sales are indicators of value, each sharing varying traits with the subject. The subject is a 73.63 acre parcel (66.64 acres tillable) of land located in Fairmont with quality soils for continued use as agricultural land in row crop production. We sought comparable sales with similar traits and locations to bracket the subject parcel.

After our analysis and going through the adjustment process, it is our opinion all five sales carry weight in our analysis with Sale #4 considered the most similar to the subject as it shares a similar size, CPI and tillable percentage based on the gross land size. Sale #4 was given the most weight in this analysis. As a result, it is our opinion that the market value of the subject land lies below the adjusted unit price of Sale #4 and above the mean of the adjusted price of all five sales, or \$12,650 per tillable acre.

66.64 tillable acres @ \$12,650 per tillable acre	\$842,996
	Rounded to:
	\$845,000

REASONABLE EXPOSURE TIME – BEFORE THE PROJECT

Exposure time can be defined as the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market. Reasonable exposure time can differ from actual exposure time. For example, a property may have been exposed at \$1,000,000 for two years, which informed market participants considered unreasonable. Then the owner lowered the price to \$900,000 and began receiving offers, resulting in a transaction at \$800,000 six months later. Although the actual exposure time was 2.5 years, the reasonable exposure time at a value range of \$800,000 to \$900,000 would be six months.

We have researched exposure time for properties similar to the subject property by reviewing information gathered through sales verification and having discussions with various market participants (such as brokers, buyers, sellers, etc.).

Summary

After reviewing the national and local data, and having discussions with brokers in the marketplace, it is our opinion that a reasonable exposure time for the subject property at our estimated market value would be up to 12 months.

DESCRIPTION OF THE PROJECT

The following information is outlined in the Fairmont 2025 Improvement Program Preliminary Report, dated January 13, 2025, for the Lake Avenue Reconstruction Project (City Project # 5725001).

Project Location

The roadway to be improved includes Lake Avenue from Bixby Road/CSAH #39 to Fairlakes Avenue.

Summary of Proposed Improvements

This project will involve the reconstruction of Lake Avenue and the intersection of Fairlakes Avenue.

The existing Lake Avenue asphalt surface will be replaced with concrete pavement, curb and gutter, upgraded aggregate base materials, and drain tile. The existing street width of 52' will be decreased to 44'. The new street will be striped with a 2-way center turn lane. The street will be open to local traffic during construction. City staff will work with the affected property owners to maintain access during the project. A detour route will be provided for through traffic during construction.

The 1966 9" VCP sanitary sewer will be replaced with new 10" PVC and new 12" PVC watermain will be installed to replace the existing 1966 10" CI watermain. New water and sewer services will be installed to the property line on both streets.

New storm sewer will be installed with this project to follow the City Storm Sewer Master Plan, stormwater management ordinance, and MS4 Permit. Stormwater quality treatment will be included in this project to meet permit requirements.

The city is working with Martin County to evaluate the existing County Ditch (CD) 56 and how it might connect to city storm sewer.

Assessed Improvements

The preliminary assessment for the subject property was \$305,794.98, calculated as follows:

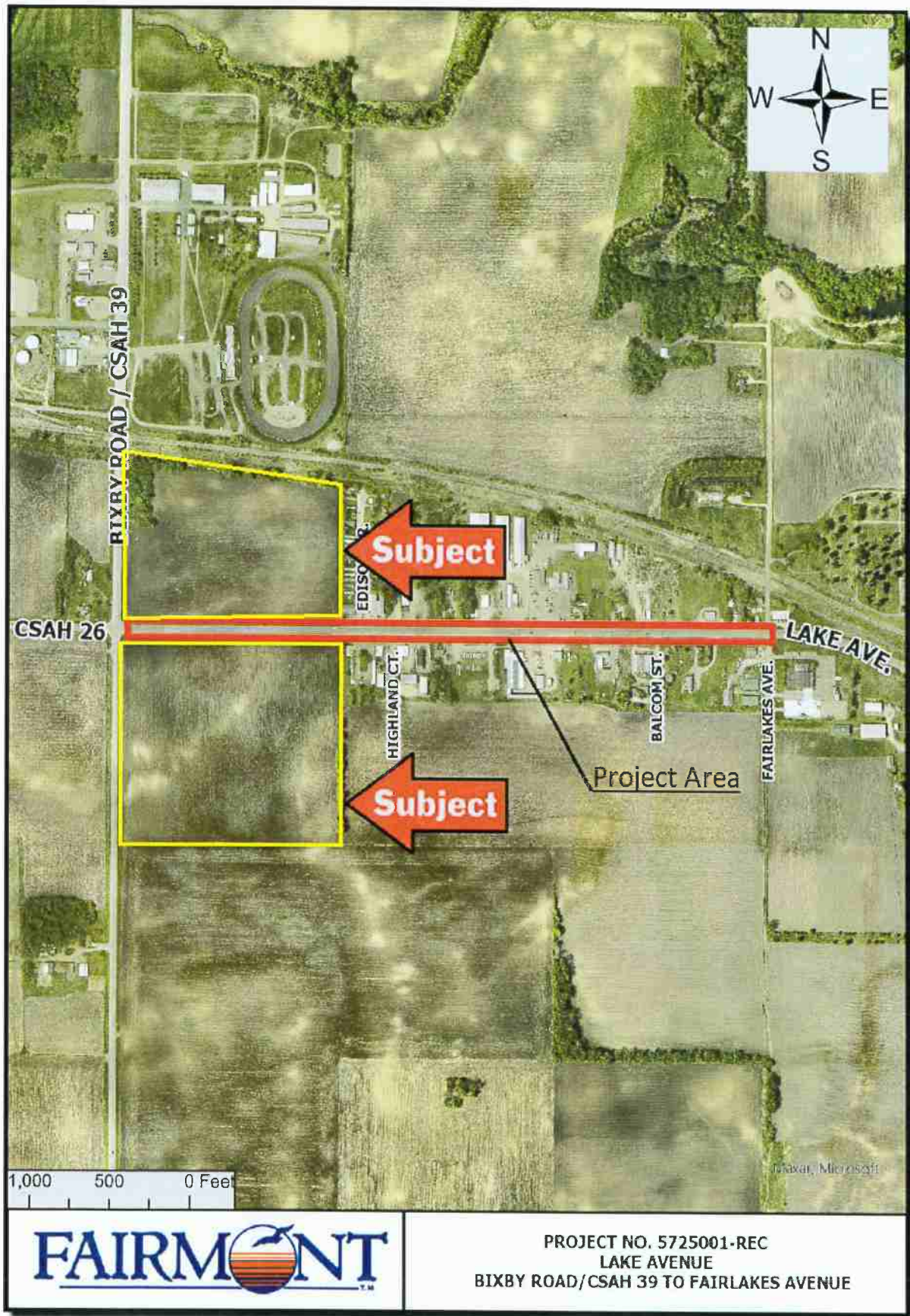
Street Assessment

Assessed Frontage:	2,728.50 feet
Cost Per Foot:	x \$100.68
Street Assessment:	\$274,705.38

Water Service:	\$23,444.72
Sewer Service:	\$7,644.88
Total Assessment:	\$305,794.98

As of the date of this report, the assessment has been reduced by excluding assessments for water and sewer services (extension of service stubs to the subject property line was not included as part of the project) and includes only the portion allocated to the street assessment of \$274,705.38.

A project map showing the general project area and subject property location is included on the following page.



MAP OF PROJECT AREA

Description of the Project - Continued

During our inspection of the subject property on May 22, 2025, we documented the condition of Lake Avenue before the project. As can be seen in the photographs provided below, the pavement was aging and showing signs of deterioration. The segment of roadway abutting the subject property varied in condition from average to poor and had an overall fair condition rating. During our inspection we noted that the existing roadway had some sections where there were no visible issues (average condition) while other areas showed alligator cracking and perpendicular cracking, areas of patching, and some signs of more significant degradation such as potholes. It is noted that the existing street along the subject property is considered a minimal amenity roadway with no curb and gutter, no existing storm sewer (along the subject property), and no sidewalk or pedestrian safety features. Street images documenting the condition of the street before the project are provided below and on the following pages.



Photograph showing the intersection of Lake Avenue and Bixby Road, taken from the southwest corner of the north parcel of the subject property, facing south

Description of the Project – Continued



Photograph showing Lake Avenue, taken from the southwest corner of the north parcel of the subject property, facing east



Photograph showing Lake Avenue, taken from the east portion of the south boundary of the north parcel of the subject property, facing east.

Description of the Project – Continued



Photograph showing Lake Avenue, taken near the center of south boundary of the north parcel of the subject property, facing east.



Photograph showing Lake Avenue, taken near the center of south boundary of the north parcel of the subject property, facing east.

Description of the Project – Continued



Photograph showing Lake Avenue, taken near the southeast corner of the north parcel of the subject property, facing west.

HIGHEST AND BEST USE - AFTER THE PROJECT

The highest and best use of the subject real estate as it will be regarded in this appraisal report will conform to the following definition found on Page 79 of The Dictionary of Real Estate Appraisal, Eighth Edition:

Highest and best use is the reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.

In order to determine the highest and best use of the subject property, a three-step process is followed, which we have defined as follows:

1. The highest and best use of the site as though vacant is determined. Three options are available to owners of vacant sites: (1) leaving the property vacant; (2) holding the site for a future use, or; (3) developing the site. The recommended option must be legally permissible, physically possible, financially feasible, and maximally productive.
2. If development is concluded as the highest and best use of the site as though vacant, the second step would be to determine the ideal improvement. The ideal improvement would reflect state-of-the-art design techniques, legal conformance, and provide the highest value.
3. If the property is currently improved, the final step would be to determine the highest and best use of the property as improved. A comparison is made between the existing improvement and the ideal improvement in order to identify differences. To modify the existing improvements for any differences from the ideal, one of the following five options should be recommended to the owner:
 - A. Leave the property in its current state
 - B. Remodel
 - C. Renovate
 - D. Convert
 - E. Demolish to clear the site for redevelopment

The recommended option must be legally permissible, physically possible, financially feasible, and maximally productive.

Highest and Best Use - After the Project – Continued

The Lake Avenue Reconstruction Project consists of a street reconstruction and storm sewer project that includes full reconstruction of driving surfaces, installation concrete curb and gutter, and installation of a storm sewer system. The project also included other improvements, such as replacement/improvements to the sanitary and water systems and installation of new storm sewer improvements, however, it is our understanding that these improvements will not be assessed, and we have specifically excluded any benefits associated with these improvements from our analysis.

Based on the type of project and highest and best use of the subject property, we have conducted broad market research into the impacts on market value of agricultural land adjacent to comparable street reconstruction projects. The research provides a guide to potential general ranges of market value impacts which can be applied to various specific projects and can be used to analyze the project impacts and reconcile to a credible and supportable special benefit for the subject property. Our conclusions assume that all project construction is complete as of the date of valuation after the project.

In order to determine the broad effects of street reconstruction projects on the market values of similar real estate, we conducted research through three main channels; literature review and industry research, market interviews, and sales research/market data analysis. The broad market research indicates that most property classifications that are adjacent to street reconstruction improvement projects that provide newly constructed streets generally realize increased property values resulting from the project. However, some property classifications, such as agricultural land, are not referenced in the literature we researched and reviewed. A summary of our research findings and general conclusions is provided below.

Literature Review and Industry Research

We have reviewed numerous journal articles, presentations, studies and news articles as well as online information about the relationship between street reconstruction projects and other improvements in public areas, sometimes referred to as investment in the public realm, and real estate market values for various property types. Most of the research and literature we reviewed relates to public improvement projects in general while some of the research involved investment in only pedestrian-oriented improvements. As a result, we focused on further research and analysis of literature pertaining to the most similar types of public realm improvement projects; those which addressed street improvement projects. All of the literature we reviewed pointed to a net positive contribution to property value and increased economic development in areas that received investment in the public realm. However, all of the sources we reviewed focused on urban street reconstruction projects and focused on impacts to more typical property classifications found along these project areas, such as commercial, office, retail, multi-family and single-family uses. None of the sources we reviewed discussed impacts on agricultural land uses or values. Examples of some of the conclusions drawn from our review of literature are outlined below:

Paved with Gold: The Real Value of Good Street Design, published by the Commission for Architecture and the Built Environment in 2007 indicates that better streets result in higher market prices. The research shows that an achievable improvement in street design quality can add an average of 5.2% to residential prices and an average of 4.9% to retail rents.

Highest and Best Use - After the Project - Continued

Literature Review and Industry Research - Continued

Grant Avenue in Odessa, Texas: A Downtown Streetscape Success, published by William E. Frawley, AICP and William L. Eisele, P.E., PhD for the 2nd Urban Street Symposium (Anaheim, California) in 2003 included the study of a street reconstruction/modification project in Downtown Odessa, Texas. Adjacent land uses consisted of commercial, office, retail and government buildings. Impacts included increased redevelopment of business activity, upward pressure on property values, increasing occupancy rates of adjacent buildings, increased retail sales along the corridor, as well as property owner (and tenant) and public acceptance.

Safer Streets, Stronger Economies, published by Smart Growth America in 2015 included the study of 37 "Complete Streets" street reconstruction projects throughout the United States. In terms of economic returns, the limited data available suggests the projects were related to broader economic gains like increased employment and higher property values. Of the 37 projects included in the survey, the study was able to examine changes in employment in 11 places, and changes in business impacts, property values, and/or total private investment in 14 places. It was found that employment levels rose after Complete Streets projects - in some cases, significantly. Communities reported increased net new businesses after Complete Streets improvements, suggesting that Complete Streets projects made the street more desirable for businesses. In eight of the ten communities with available data, property values increased after the Complete Streets improvements.

Cities Alive: Towards a Walking World, published by Arup Group in June 2016 included analysis of 80 case studies from around the world and outlines 50 drivers of change, 50 benefits and proposes 40 actions cities can take to create more livable environments and boost economic activity. The report cites economic benefits resulting in increased real estate values that are tied to higher levels of safety, accessibility and livability. Other benefits outlined in the report include reduced vacancies and increased foot traffic in areas that have undergone recent transportation projects with improved pedestrian amenities.

In addition to the sources cited above we also reviewed the following literature for consideration in our analysis. However, it is noted again that none of these sources discussed or analyzed impacts to agricultural land uses or values.

- *Impact of Pedestrianization and Traffic Calming on Retailing*, published by Transport Policy, Volume 1, Number 1 (1993), authored by Carmen Hass-Klau
- *Smoothing Wrinkles in the Spread: Special Assessment Issues*, published by The Appraisal Journal (2000), authored by Marcus T. Allen, PhD, and Harry C. Newstreet
- *Economic Benefits of Good Walking Environments*, published by the Central London Partnership (2003), authored by Llewelyn-Davies
- *Curbing Cars: Shopping, Parking and Pedestrian Space in SoHo*, Prepared for Transportation Alternatives (2006), authored by Schaller Consulting
- *Economic Impact of the Public Realm*, published and authored by ECOTEC Research and Consulting (2007)
- *The Economic Value of Good Design*, published and authored by PlacesMatter! (2009)
- *Urban Infrastructure and Economic Development: Experimental Evidence from Street Pavement*, authored by Marco Gonzalez-Navarro and Climent Quintana-Domeque (2010)

Highest and Best Use - After the Project - Continued

Literature Review and Industry Research – Continued

- *Shared Space, Shared Surfaces and Home Zones from a Universal Design Approach for the Urban Environment in Ireland*, published and authored by TrinityHaus (Trinity College Dublin) (2011)
- *Hedonic Price Effects of Pedestrian- and Transit-Designed Development*, published by the Journal of Planning Literature (2011), authored by Keith Bartholomew and Reid Ewing
- *An Economic Analysis of the Value of Local Street Improvements In Springfield, Oregon*, presented to the Department of Economics, University of Oregon (2012), authored by Ethan Rasmussen and Famery Yang
- *The Economic Benefits of Sustainable Streets*, published by New York City DOT (2013), authored by New York City DOT and Bennett Midland, LLC
- *Retail Streetscape Redevelopment*, published by Development Magazine (2016), authored by Sam Black

Research and analysis of literature points to a number of economic benefits of better designed public streets and spaces and their interaction within local economies. Economic benefit streams that were identified as recurring throughout multiple sources include:

- Attracting business
- Increasing land / property values
- Attracting visitors / customers / employees
- Increasing tourism
- Improving productivity
- Enhancing image
- Improving safety
- Maintenance cost savings

Streets and their adjacent pedestrian improvements are just a small part of the public realm that works in concert with parks, plazas, bicycle routes and other public areas. By improving the design and condition of a street the public realm is also improved. While much of the literature reviewed doesn't specifically reflect a dollar amount or percentage range of benefit to overall property values attributable to a recently improved street, almost all of the literature and industry research does reflect that there is upward pressure on property values (for the property classifications included in the studies) resulting from such projects. The results of the literature review indicate that many property types likely receive an incremental benefit to property value as a result of street reconstruction projects, though none of the information we reviewed analyzed or discussed agricultural land use. As a result, the literature and industry research does not provide any direction as to the impact of street reconstruction projects on properties with a highest and best use of agricultural land like the subject property.

Highest and Best Use - After the Project - Continued

Market Interviews

To provide better indications of the potential effects on market value of the street reconstruction project on agricultural land properties in the subject's market we interviewed local and regional real estate brokers, investors, buyers, sellers, and other real estate experts and market participants about the anticipated impacts a property owner or potential buyer would anticipate when purchasing or selling a property like the subject and how those impacts relate to market value. We explained the existing condition of the street and the assessable portion of Lake Avenue Reconstruction Project in order to develop general market perceptions and potential value impacts resulting from the project for the subject property. The consensus of our market interviews indicates that the street improvement project has no influence on property value as street type and condition is not a consideration of agricultural land buyers or users when deciding to purchase or rent land or in comparing one tract of agricultural land to another. Summaries of the commentary and conclusions of the most pertinent market interviews as they relate to the subject property are provided below.

Market Interview #1 (Seller/Investor)

This interviewee recently sold agricultural land in Martin County and has other landholdings in the area.

The interviewee stated that they do not believe there would not be an increase in market value as a result of replacing an existing paved road in poor condition with a new paved road. When asked if they preferred land located on gravel or paved roads, they stated that it "does not matter." They also stated that they owned "a bunch of ag land" and had parcels near each other sell located on gravel and paved roads and it didn't impact the sale price. The interviewee stated that they would not pay a premium for land located along a new paved road versus an older paved road.

It was this interviewee's opinion that there is no pricing premium for agricultural land in the city of Fairmont when compared to land outside of the city in Martin County, all else being equal.

Market Interview #2 (Buyer)

This interviewee recently purchased several agricultural land parcels in Martin County.

The interviewee stated that they do not believe there would be an increase in market value as a result of replacing an existing paved road in poor condition with a new paved road. When asked if they preferred land located on gravel or paved roads, they responded "no." The interviewee stated that they would not pay a premium for land located along a new paved road versus an older paved road.

It was this interviewee's opinion that there is no pricing premium for agricultural land in the city of Fairmont when compared to land outside of the city in Martin County, all else being equal.

Highest and Best Use - After the Project - Continued

Market Interviews – continued

Market Interview #3 (Buyer)

This interviewee recently purchased an agricultural land parcel in Martin County.

The interviewee stated that they do not believe there would be an increase in market value as a result of replacing an existing paved road in poor condition with a new paved road. When asked if they preferred land located on gravel or paved roads, they responded “no.” The interviewee stated that they would not pay a premium for land located along a new paved road versus an older paved road.

It was this interviewee’s opinion that there is no pricing premium for agricultural land in the city of Fairmont when compared to land outside of the city in Martin County, all else being equal.

Market Interview #4 (Seller)

This interviewee recently sold an agricultural land parcel in Martin County.

The interviewee stated that they do not believe there would be an increase in market value as a result of replacing an existing paved road in poor condition with a new paved road. When asked if they preferred land located on gravel or paved roads, they responded, “Either one is fine,” and that they “wouldn’t pay a premium for one over the other.” The interviewee stated that they would not pay a premium for land located along a new paved road versus an older paved road.

It was this interviewee’s opinion that there is no pricing premium for agricultural land in the city of Fairmont when compared to land outside of the city in Martin County, all else being equal.

Market Interview #5 (Local Real Estate Agent)

This agent has knowledge of recent property sales within the city of Fairmont that included outstanding special assessments. They mentioned several instances where the city assessed property for new roads or for road reconstruction projects and the market did not support the levied assessments. Additional details regarding these properties are outlined in the following section regarding sales research and market data analysis.

This interviewee explained that an approximately 15-acre site in Fairmont with I-1 and R-4 zoning and municipal utilities recently sold based on agricultural value, even though it was too small to be desirable for farming. The property actually sold below agricultural value due to the small size and lack of demand for other uses.

Based on this agent’s experience in the local market they do not believe there is a special benefit to the value of the subject property and that if the subject property is eventually assessed, it would actually create a significant drag on value equal to the amount of the assessment.

Highest and Best Use - After the Project – Continued

Market Interviews – Continued

Market Interview #6 (Local Real Estate Agent)

This agent is very active in the Martin County area.

They stated that in the current market environment land located within the city limits of Fairmont drives no premium in comparison to other agricultural land. They stated that if the highest and best of the property is continued agricultural use it would be tough to argue that there is a premium for new road pavement or other infrastructure. Upon explanation of the location of the subject property, they stated that they do not believe there is any benefit to this property resulting from the road reconstruction project.

Speaking further to the current supply/demand for development land in Fairmont, they brought up the land listing along Interstate Highway #90 near McDonalds (near I-90 and MN-15). They said that the site is probably one of the most desirable development sites in Fairmont (best frontage) and has been on the market for maybe 5 years. They stated, “this shows you that commercial development isn’t likely a good use if the best frontage isn’t selling.” The agent recently sold agricultural land along a paved road not far from the subject. There was no difference in value or pricing compared to recent agricultural land sales along gravel roads.

Market Interview #7 (Local Real Estate Agent)

This agent is very active in the Martin County area and across southern Minnesota.

After explaining the subject property and the Lake Avenue Reconstruction Project, the agent provided the following response.

From an agricultural position, I see no additional value that can be derived from the road improvement, curb and gutter, sewer and water, etc. that is being proposed. The proposed improvements will not increase the farmability, productivity, access, etc. [of the subject property]. In fact, I see the opposite.

The agent went on to explain that if the property is assessed for this project it could actually lower the value of the property due to increased expenses (real estate taxes/special assessments) which would lower net income to the property, creating a competitive disadvantage when compared to agricultural land with lower taxes and no special assessments.

Highest and Best Use - After the Project – Continued

Market Interviews - Continued

The consensus of our market interviews indicates that street reconstruction projects generally have no positive influence on agricultural property values. All of the market participants viewed such improvement projects as a non-factor when considering or determining value for agricultural land. While other types of properties might experience a net benefit from this type of project, due to improved curb appeal, marketability, safety, or other factors that could increase value or rents, the project impacts do not influence agricultural land values as the market has no preference for properties located on paved road versus gravel roads, let alone properties located on an aging paved road versus a newly reconstructed roadway.

Sales Research and Market Data Analysis

We have also completed research into sales information and other market data for similar property types in order to find and analyze sales that occurred immediately before and after similar types of public improvement projects. In completing our sales research and market data analysis we reviewed numerous recent and similar projects that were completed throughout southern Minnesota and reviewed sales that occurred along the project areas that occurred between the year immediately before and the year immediately after completion of each project. We also reviewed similar street reconstruction projects in other communities and researched sales along those project areas in order to identify and analyze any sales or other market data that could be related to the subject project. In our research we found several examples of sales that proved useful for further analysis.

1401 Winnebago Ave, Fairmont (PID# 230370080)

This property sold in October 2021 for \$100,000. This parcel is 15.36 acres in size, 72.3% tillable, zoned I-1 and R-4, and is served by municipal utilities. The property sold for \$6,510 per gross acre and \$9,001 per tillable acre. The property was actively marketed with a list price of \$125,000.

According to a local real estate agent familiar with this transaction, the property had \$76,269 in outstanding special assessments for a recent road reconstruction project that included a new street, sidewalk, and curb and gutter. The seller paid for the outstanding balance out of sale proceeds, netting just \$23,731 from the sale of the property.

The individual we interviewed stated that the property sold based on agricultural value, even though it was too small to be desirable for farming. It was their opinion that the property actually sold below agricultural value due to the small size and lack of demand for other uses.

This sale demonstrates the realities of the local real estate market and shows the lack of demand for industrial and commercial uses and that how land with no other immediate development potential is priced based on agricultural values.

Furthermore, this sale demonstrates that there was no benefit to value resulting from the recent road reconstruction project that occurred before the sale, and that the outstanding special assessment balance actually negatively influenced value from the seller's perspective.

Highest and Best Use - After the Project - Continued

Sales Research and Market Data Analysis – Continued

1720-1760 Center Creek Drive, Fairmont (Multiple PID#s)

These properties were developed into commercial lots around 2008 from a portion of agricultural land that fronted State Street/ Highway #15 in eastern Fairmont. The developed portion of the property was subdivided into eight commercial lots, four with frontage along State Highway #15 and four backage lots. Following development of the lots, special assessments were levied against the properties for the newly installed roadway and infrastructure. Shortly after development, several of the parcels were tax forfeited as the market would not support land values or absorption rates to justify owning the properties.

18 years after subdivision of the land, there are currently four of the eight properties remaining to be developed ranging in size from 1.37 acres to 2.61 acres. According to the Fairmont Economic Development Authority, the properties have outstanding special assessments ranging from approximately \$80,000 on the smaller lots to approximately \$100,000 on the largest lot. The special assessments must be paid by the buyer at the time of sale.

The adjacent 40 acres from which this development was originally split from is still being used as agricultural land.

The history of this development demonstrates the slow absorption period for development land in the city of Fairmont and how the economics for such multi-lot developments can be difficult to profit from even the more active areas of Fairmont along State Highway #15.

As outlined in the sales research and market data analysis above, as well as in data presented in the Highest and Best Use – Before the Project section of this report, the land market in the city of Fairmont is largely based on agricultural use. When considering that the highest and best use of the subject property is continued use as agricultural land, the sales research and market data show that there is no benefit to property value and that in instances where special assessments are levied, they can have commensurate negative impact on value.

Highest and Best Use Conclusion – After the Project

After considering the impacts to property value resulting from the Lake Avenue Reconstruction Project, it is our opinion that the highest and best use of the subject property after the project is the same as before the project. As a result, it is our opinion that the highest and best use of the subject property after the project is continued use as agricultural land.

VALUATION OF THE SUBJECT PROPERTY - AFTER THE PROJECT

The scope of this special benefit analysis is limited to the impact of specific assessed improvements associated with the road reconstruction project adjacent to the subject agricultural property. The appraisal is governed by the requirements of Minnesota Statutes Chapter 429, which stipulate that a special assessment must not exceed the increase in market value attributable to the improvement.

A thorough search and analysis of available market data did not identify sufficient paired sales to isolate and measure the contributory value of similar roadway improvements to agricultural land. As such, a traditional matched-pair sales analysis is not applicable in this instance. In lieu of paired sales, this analysis relies on a synthesis of literature review, market participant interviews, and sales research and market data analysis to determine whether the assessed improvements result in a measurable change in market value.

Based on our research and analysis, we have determined the following:

- Relevant appraisal literature and guidance consistently indicate that roadway reconstruction and similar public infrastructure improvements do not typically produce measurable value increases for agricultural properties, where value is driven primarily by productive capacity and agricultural utility.
- Interviews with local agricultural brokers, buyers, sellers, and other market participants uniformly indicate that buyers do not assign contributory value to reconstructed roadways, curb and gutter or storm sewer improvements. These features are not considered price-influencing factors in the agricultural land market.
- The subject property's highest and best use remains agricultural both before and after the project. The property had adequate access (with field access from Bixby Road which is not along the project area) and utility prior to the improvement, and the project does not cure a functional deficiency or create a new utility that would be recognized by the market.
- Analysis of the local economy and real estate market along with analysis of regional sales data reveals no consistent or measurable price variation attributable to roadway condition or reconstruction. Transactional evidence continues to reflect pricing based on soil quality, location, parcel configuration, and overall agricultural productivity.

Based on the above, there is no market-supported evidence that the assessed improvements result in any measurable increase in the market value of the subject property. Accordingly, the estimated special benefit attributable to the project is zero.

Our conclusion is supported by the convergence of all three analytical frameworks employed (literature review, market interviews, and sales research and market data analysis) and reflects a consistent lack of market recognition of value attributable to the improvements. The conclusion is further consistent with the requirements of Minnesota Chapter 429, which necessitate demonstrable market value increase to support a special assessment.

Valuation of the Subject Property - After the Project

This estimate excludes general community benefits and non-assessed project components and represents the appraiser's reasoned judgment based on the available data and market evidence. The analysis and conclusions are considered credible and appropriate for the intended use and are consistent with USPAP standards.

As a result of this appraisal, it is our opinion that the estimated market value of the fee simple interest in the subject real estate after the project, as of April 1, 2026, is unchanged from the "before" value, and remains at \$845,000.

REASONABLE EXPOSURE TIME – AFTER THE PROJECT

Exposure time can be defined as the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market. Reasonable exposure time can differ from actual exposure time. For example, a property may have been exposed at \$1,000,000 for two years, which informed market participants considered unreasonable. Then the owner lowered the price to \$900,000 and began receiving offers, resulting in a transaction at \$800,000 six months later. Although the actual exposure time was 2.5 years, the reasonable exposure time at a value range of \$800,000 to \$900,000 would be six months.

We have researched exposure time for properties similar to the subject property by reviewing information gathered through sales verification and having discussions with various market participants (such as brokers, buyers, sellers, etc.).

Summary

After reviewing the national and local data, and having discussions with participants in the marketplace, it is our opinion that a reasonable exposure time for the subject property at our estimated market value would be up to 12 months.

VALUATION SUMMARY

Market Value Estimate	
Before the Project:	\$845,000
Market Value Estimate	
After the Project:	\$845,000
Estimated Special Benefit	
Resulting From the Project:	\$0

QUALIFICATIONS OF NATHAN J. BROOBERG

Biographical Data and Education

Raised in Fergus Falls, Minnesota. Graduated from Fergus Falls Senior High School. Bachelor of Arts degree, Gustavus Adolphus College, St. Peter, Minnesota, in Biology and Geography.

Successfully completed the following real estate courses and seminars:

Eminent Domain and Condemnation	20th Annual Real Estate Trends Seminar
Business Practices and Ethics	Residential Construction
Real Estate Principles	Case Studies in Highest and Best Use
Real Estate Practices	Income Capitalization
Standards of Professional Practice	Advanced Sales Comparison & Cost Approaches
General Applications	2026-2027 National USPAP Update Course
National Valuation Bias & Fair Housing Laws & Regulations	

Professional Qualifications or Associations

Certified General Real Property Appraiser
Licensed Appraiser – State of Minnesota, License #20249946, Expires August 31, 2026

Professional Experience

Hosch Appraisal & Consulting, Inc., Minneapolis, Minnesota
Real Estate Appraiser March 2005 – present

Shenehon Company, Minneapolis, Minnesota
Real Estate Appraiser February 2001 – March 2005

Duties and Responsibilities: Prepare professional valuations and market analysis of real estate, business enterprises, and intangible property rights. Appraisal assignments have involved numerous types of commercial, multiple family, industrial, and special purpose properties. These assignments have included mortgage financing, condemnation, tax abatement proceedings, investment counseling, potential sales and purchases, lease and rental analyses, charitable donations, internal management decisions, allocation of purchase price, and insurance indemnification.

QUALIFICATIONS OF NATHAN J. BROOBERG - CONTINUED

Partial Client List

Accent Homes	Metropolitan Council
Allina Hospitals and Clinics	Minnesota Dept of Natural Resources (DNR)
Ames Construction	Minnesota Dept. of Transportation (Mn/DOT)
Anchor Bank	Minnwest Bank
Babcock Neilson Mannella & Klint	Moss & Barnett
Bankwest	MPCA
Black, Moore Magnussen, Ltd.	North Haven Church
BNSF Railway	Oppenheimer Donnelly & Wolff LLP
Boundary Waters Bank	Osceola Medical Center
BPK&Z	Peterson, Peterson & Associates, PLC
Bremer Bank	Pheasants Forever
Briggs and Morgan	Pipestone County
Builders Development & Finance	Rosemount National Bank
Capmark Finance, Inc.	Roseville Area Schools
Cinnabar Southwest, LLC	Sioux Steel Company
City of Chaska	Southwest Transit
City of Maplewood	Sovereign Bank
City of New Hope	Swift County
City of Shoreview	The Business Bank
Ducks Unlimited	Three Rivers Park District
Garith Anderson Trucking	URS Corporation
Gregerson, Rosow, Johnson & Nilan, Ltd.	U.S. Bank
Hajek & Beauclaire, LLC	U.S. Department of the Interior
Henson & Efron	U.S. Small Business Association
Lindquist & Venum	Vic's Crane & Heavy Haul
Malkerson Gunn Martin LLP	Wells Fargo/RETECHS
Messerli & Kramer P.A.	Wiley Enterprises
Metropolitan Airports Commission (MAC)	Xcel Energy

QUALIFICATIONS OF JONATHAN R. BARCLAY, MAI

Biographical Data and Education

Raised in Inver Grove Heights, Minnesota. Graduated from Simley Senior High School. Bachelor of Science, University of Wisconsin - River Falls, in Business Management.

Successfully completed the following real estate courses and seminars:

Construction Principles	General Appraiser Market Analysis and Highest and Best Use
Real Estate Appraisal Principles	General Appraiser Site Valuation and Cost Approach
Real Estate Appraisal Practices	General Appraiser Sales Comparison Approach
Standards of Professional Practice	General Appraiser Income Approach (Parts 1 and 2)
Residential Market Analysis Highest and Best Use	General Appraiser Report Writing and Case Studies
Residential Site Valuation and Cost Approach	Quantitative Analysis
Real Estate Finance Statistics and Valuation Modeling	Advanced Market Analysis and Highest and Best Use
Business Practices & Ethics - May 2017	Advanced Income Capitalization
The Valuation of Conservation Easements	Advanced Concepts and Case Studies

Professional Qualifications or Associations

Certified General Real Property Appraiser

Licensed Appraiser - State of Minnesota, License #40022330, Expires August 31, 2026

Member - Appraisal Institute (MAI) Holding MAI Designation

The MAI membership designation is held by appraisers who are experienced in the valuation and evaluation of commercial, industrial, residential and other types of properties, and who advise clients on real estate investment decisions. MAI members are the preferred choice among lawyers to serve as expert witnesses in trials, hearings, and other litigation matters.

The Appraisal Institute conducts a mandatory program of continuing education for its designated members and also requires that they comply with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute. MAI's and RM's who meet the minimum standards of this program are awarded periodic educational certification. I am currently certified under the Appraisal Institute education program through December 31, 2026.

Professional Experience

Hosch Appraisal & Consulting, Inc., Minneapolis, Minnesota

President/Shareholder: July 2024 – Present

Vice President/Shareholder: January 2022 – June 2024

Vice President: March 2018 – December 2021

Real Estate Appraiser: October 2007 – February 2018

Duties and Responsibilities: Manage and prepare professional valuations and market analyses of real estate and intangible property rights. Real estate assignments involve numerous types of commercial, multiple family, industrial, and special purpose properties as well as land subdivisions, bulk acreage and proposed developments. The specific purposes of these assignments have included highest and best use studies, mortgage financing, condemnation, feasibility analysis, investment counseling, potential sales and purchases, lease and rental analyses, internal management decisions, real estate tax appeals, special assessment appeals, allocation of purchase price and providing litigation support and expert witness testimony.

NETCO, Inc., Minneapolis, Minnesota

Title Abstractor and Closing/Escrow Officer: May 2005 – July 2007

QUALIFICATIONS OF JONATHAN R. BARCLAY, MAI - CONTINUED

Partial Client List

3M

Afton Law Office, P.A.

Aitkin County

ALL, Inc.

Alston & Bird, LLP

Ames Construction

Anchor Bank

Ann Kennedy Law

Arthur Chapman Kettering Smetak & Pikala

BANKWEST

Babcock, Neilson, Mannella & Klint

Best & Flanagan, LLP

BFI Waste Systems/Republic Services

Boulay Group

Boundary Waters Bank

Bremer Bank

Bridgeview Legal Advisors

Bridgewater Bank

Briggs and Morgan, P.A.

Capitol Region Watershed District

Capstone Law, LLC

Cherrywood Mortgage, LLC

Chestnut Realty

Chippewa Valley Bank

Choice Bank

City of Hastings

City of Lake Elmo

City of Lino Lakes

City of Mankato

City of Maplewood

City of Minneapolis

City of Osseo

City of Rochester

City of Roseville

City of Sioux Falls Public Works

City of Saint Paul

City of Victoria

Cloverfields Capital Group, LP

Comfort Lake-Forest Lake Watershed Dist.

Courey, Kosanda & Zimmer, P.A.

Cozen O'Connor

Crossroads Properties

Currie State Bank

Dakota County

Dorsey & Whitney, LLP

Ducks Unlimited

Dunlap & Seeger, P.A.

Fabyanske, Westra, Hart & Thomson, P.A.

Faegre Baker Daniels, LLP

Faegre Drinker Biddle & Reath, LLP

Falcon National Bank

Farrish Johnson Law Office, Chtd.

First National Bank of Elk River

Fisher Bren & Sheridan, LLP

Frandsen Bank & Trust

Fredrikson & Byron, P.A.

Gregerson, Rosow, Johnson & Nilan, Ltd.

Hajek & Beauchaire, LLC

H.A. Kantrud, P.A.

Halleland Habicht, P.A.

Hessian & McKasy, P.A.

Howse and Thompson, P.A.

Image Trend, Inc.

James M. Neilson, Attorney at Law

Jeffery J. McNaught, Attorney at Law

Kennedy & Graven, Chartered

Kraus-Andersen Realty Company

Larkin Hoffman

Lawder Law, PLLC

LeVander, Gillen & Miller, P.A.

Liberty Mutual Insurance Company

LifeLink III

Lindquist & Vennum, PLLP

Malkerson Gunn Martin, LLP

Marathon Petroleum Company

Meagher & Geer, PLLP

Menards

Messerli & Kramer, P.A.

Metes & Bounds

Minnesota Dept of Natural Resources

Minnesota Valley Transit Authority

Molex Copper Flex

Moss & Barnett

Morphew Law Office, PLLC

Morrison Sund, PLLC

National Loon Center

Northern Waters Land Trust

North Central International

Nilsson Brandt, P.A.

Oppenheimer Wolff & Donnelly, LLP

Oslund Law

Otto Law, P.A.

Peterson, Fram & Bergman, P.A.

Pheasants Forever

Polstein Law Offices, P.C.

Public Storage

Pro-Tech Security Systems

RE/MAX Results

Royal Credit Union

Rutziek Law Office, P.A.

Safe-Way Bus Company

Security Bank & Trust Co.

Servion Commercial Loan Resources

Shell Rock River Watershed District

Siegel Brill, P.A.

Smith Schafer

Spire Federal Credit Union

St. Cloud State University

St. Louis County

Susee Law Office, LTD

The Askman Law Firm

The Conservation Fund

Torborg Builders

Touchmark National Bank

Trinity Lutheran of Lake Johanna

Trust for Public Land

Union Pacific Railroad

United Products Corporation

Vermillion Bank

Veit & Company

Village Bank

Washburn McReavy Funeral Chapels

Washington County

Weinstock Manion

West Bank

Wiley Enterprises

Winthrop & Weinstine, P.A.

Wohletz Law Office, P.A.

ADDENDA

ZONING

Sec. 26-151. - A Agriculture-transition district.

- (a) *Scope.* This section applies to the A agricultural-transition district.
- (b) *Permitted uses.* Permitted uses are as follows:
 - (1) Agriculture, including residential dwellings, crop farming, raising and training domestic animals for noncommercial purposes. All uses subject to state pollution control standards. Maximum numbers of livestock permitted:
 - a. On five (5) acre plots but less than ten (10) acres: Number of large and small domestic livestock permitted are two (2) large animals and four (4) small animals.
 - b. On ten (10) or more acre plots: Number of large and small domestic livestock permitted are one (1) large, adult animal per acre and two (2) small animals or animals under one (1) year of age per acre.
 - (2) Public parks, recreational areas, wildlife areas and game refuges.
 - (3) Nurseries and tree farms.
 - (4) Essential services.
- (c) *Permitted accessory uses.* Permitted accessory uses are as follows:
 - (1) Home occupations.
 - (2) Living quarters of persons employed on the premises.
 - (3) Operation and storage of such vehicles, equipment and machinery which are incidental to permitted or conditional uses allowed in this district.
 - (4) Signs.
- (d) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are as follows:
 - (1) Government and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:
 - a. When abutting a residential use in a residential district, the property is screened and landscaped in compliance with article VII.
 - b. The provisions of article II, division 4 are considered and satisfactorily met.
 - (2) Commercial outdoor recreational areas including golf courses and clubhouse country clubs, swimming pools and similar facilities provided that:
 - a. The principal use, function or activity is open, outdoor in character.
 - b. Not more than five (5) percent of the land area of the site be covered by buildings or structures.
 - c. When abutting a residential use in a residential district, the property is screened and landscaped in compliance with article VII.

- (3) Commercial riding stables, dog kennels and similar uses provided that:
- Animal building, holding, grazing and exercise areas are located a minimum of one thousand (1,000) feet from any commercial, industrial, or residential district.
 - The land area of the property containing such use meets the minimum established for the district.
 - The provisions of article II, division 4 are considered and satisfactorily met.
- (4) Recreational, travel vehicle camp sites (not including mobile homes) and resorts provided that:
- The land area of the property containing such use meets the minimum established for the district.
 - The site to be served by a major street or highway capable of accommodating generated traffic.
 - All driveways and parking areas be hard surfaced.
 - The site is served by municipal sewer and water.
 - Not more than five (5) percent of the land area of the site be covered by permanent buildings or structures.
 - The location of such use be at minimum one hundred (100) feet from any existing abutting residential district.
 - All signing, or visual communication devices be in compliance with article VIII.
 - The provisions of article II, division 4 are considered and satisfactorily met.
- (5) Machine shops shall be a conditional use with restrictions, in the A agriculture-transition district provided that:
- The machine shop shall be constructed in a manner to provide off-street parking in compliance with article VIII.
 - Any machine shops located less than three hundred (300) feet from any R zone shall be screened in compliance with article VII.
 - All materials and equipment shall be stored in a manner to prevent their being visible from the street.
 - The use of signs shall be in compliance with article X, and the machine shop shall be limited to the use of one (1) sign only visible from the street. Said sign shall not exceed thirty-two (32) square feet in area.
 - Any machine shop located less than three hundred (300) feet from any R zone shall comply with all the performance standards of article VII.
- (6) Agricultural related buildings and structures. Provided that:

- a. When abutting a residential use or a residential district, the property shall be screened and landscaped in compliance with article VII.
- b. The same yard requirements shall be maintained as are required for the primary structure.
- (e) *Lot area, height, lot width and yard requirements.*
 - (1) No parcel of land shall be created which is less than five (5) acres in size.
 - (2) No height limitation shall be imposed for any agricultural building except where hazardous conditions may result. All other buildings shall not exceed thirty-five (35) feet in height.
 - (3) Lot width, three hundred (300) feet minimum.
 - (4) Yard requirements:
 - a. Front yard, one hundred (100) feet minimum.
 - b. Side yards, thirty (30) feet minimum.
 - c. Rear yard, fifty (50) feet minimum.

(Ord. No. 89-6, §§ 1, 2, 4-24-89; Ord. No. 96-7, 9-23-96)

Sec. 26-152. - R-1 Single-family residential district.

- (a) *Scope.* This section applies to the R-1 single-family residential district.
- (b) *Permitted uses.* Permitted uses are as follows:
 - (1) Single-family detached dwellings.
 - (2) Noncommercial gardening.
 - (3) Day-care (home).
 - (4) Public parks and playgrounds.
 - (5) Essential services.
 - (6) Manufactured single-family dwellings, as regulated in article V.
 - (7) State licensed group home serving six (6) or fewer mentally retarded or physically handicapped persons.
 - (8) Twinhomes.
- (c) *Permitted accessory uses.* Permitted accessory uses are as follows:
 - (1) Accessory buildings and structures as defined and regulated in article IV.
 - (2) Home occupations as defined and regulated by article IX.
 - (3) Private swimming pool, tennis courts and other recreational facilities which are operated by and for the principal residents and their guests.
 - (4) Signs, as regulated in article IX.

- (d) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are as follows:
- (1) Government and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:
 - a. Conformity with the surrounding neighborhood is maintained and yard requirements are met.
 - b. Equipment is completely enclosed in a permanent structure with no outside storage.
 - c. Adequate screening from neighboring uses and landscaping is provided in compliance with article VII.
 - d. The provisions of article II, division 4 are considered and satisfactorily met.
 - (2) Residential single-family planned unit developments as regulated by article V and provided there is no increase density as allowed in the shoreland section herein.
 - (3) Public or semi-public recreational buildings, hospitals, nursing home facilities and medical clinics, neighborhood or community centers; public and private educational institutions, religious institutions, cemeteries, and buildings provided that:
 - a. Side yards shall be a minimum of thirty (30) feet.
 - b. Adequate screening for abutting residential areas and landscaping is provided in compliance with article VII.
 - c. Adequate off-street parking and access is provided on site in accordance with article VIII. Such parking should be adequately screened and landscaped in compliance with article VIII.
 - d. Adequate off-street loading and service entrances are provided and regulated where applicable by article VIII.
 - e. The site of the principal use and related parking is served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated.
 - f. All signing, information, or visual communication devices are in compliance with article X.
 - g. The provisions of article II, division 4 are considered and satisfactorily met.
 - (4) Resorts provided that they meet conditions listed in articles IV and VII.
 - (5) Bed and breakfast inn, subject to the following conditions:
 - a. The owner/operator shall reside on the property.
 - b. The inn shall comply with all applicable laws, rules and regulations governing its existence and operation, including but not limited to the state building code, the state fire code, and the state health code.
 - c.

There shall be no more than five (5) guest rooms in the inn with occupancy limited to two (2) persons per guest room for a total occupancy rate of ten (10) persons per inn.

- d. The dining facilities of a bed and breakfast inn shall not be open to the public, but shall be used exclusively by the registered guests and shall only provide a breakfast meal. There will be no cooking permitted in the guest rooms. There will be no liquor sold on the premises.
 - e. There shall be a minimum of one (1) off-street parking space for each guest room and one (1) off-street parking space for the owner or manager.
 - f. Any and all signs relating to the bed and breakfast establishment shall comply with the Fairmont Zoning Code requirements in R districts and match architectural features.
 - g. Exterior lighting and parking shall be screened so as not to disturb or offend the neighboring residents.
 - h. A bed and breakfast inn shall have a minimum of two thousand (2,000) square feet of floor area.
 - i. Guests shall not stay for more than twenty (20) days within any ninety-day period. The owner or manager shall maintain a guest register showing the names, addresses and dates of occupation of the guests.
 - j. Receptions, business meetings or any other home occupation shall not be permitted in a bed and breakfast inn.
 - k. The owner or manager shall provide proof of all inspections, licenses, insurance and certificates, as well as proof of a \$1 million liability insurance policy to the zoning administrator upon the initial application for a conditional use permit and upon the approval renewal thereof.
- (6) Single-family attached dwelling units, in which each dwelling unit is to be under separate ownership providing the total structure does not contain more than four (4) dwelling units and is in compliance with article V.
- (7) Day care (group nursery), provided that:
- a. Only the rear yard is used as a play area. The play area is to be fenced.
 - b. The site is a minimum of ten thousand (10,000) square feet.
 - c. Adequate off street parking exists.
 - d. The provisions of article II, division 4 are satisfactorily met.
- (8) Nameplate signs or identification signs exceeding six (6) square feet provided that:
- a. The sign shall in no way change the residential character of the neighborhood.
 - b. The sign shall not exceed thirty-two (32) square feet in size.
 - c.

Lighting shall be shielded to prevent such light from being detectable at the lot line of the site on which the sign is located.

- d. The sign shall be located at least ten (10) feet from any lot line.
 - e. No lighting shall be allowed that gives off an intermittent, sequential or rotating beam of light.
- (e) *Lot area, floor area, height, lot width and yard requirements.*
- (1) Lot size, eight thousand five hundred (8,500) feet.
 - (2) Except exempted use, no structure shall exceed thirty (30) feet in building height.
 - (3) Lot width, eighty-five (85) feet minimum.
 - (4) Yard requirements:
 - a. Front yard, thirty (30) feet minimum. On lots of record where adjacent structures have less than the required setback, the front yard minimum setback shall be the average of adjacent structures. In no case shall the minimum front yard setback be less than twenty (20) feet.
 - b. Interior side yards shall equal ten (10) percent of lot width, with not more than ten (10) feet required.
 - c. Corner yard, twenty-five (25) feet minimum. On lots of record corner yard requirements shall not reduce buildable width of the lot to less than twenty-five (25) feet. In no case shall the minimum corner yard setback be less than fifteen (15) feet.
 - d. A rear yard with a depth of not less than twenty-five (25) percent of the lot depth is required.
 - e. Porch, open on three (3) sides, roofed or unroofed described as open air/non-screened above thirty-six (36) inches above the finished floor may extend into the required front/corner yards a distance not to exceed eight (8) feet; shall not in any case be closer than fifteen (15) feet from the front/corner property lines and cannot extend into the required interior side yards.
 - (5) Floor area, eight hundred sixty (860) square feet minimum.

(Ord. No. 89-13, § II, 9-25-89; Ord. No. 90-10, 8-27-90; Ord. No. 92-13, 12-14-92; Ord. No. 93-7, 6-28-93; Ord. No. 99-10, 7-12-99; Ord. No. 2002-04, 6-10-02; Ord. No. 2006-02, 1-9-06; Ord. No. 2012-08, 10-22-12; Ord. No. 2017-07, 7-31-17; Ord. No. 2019-08, 2-25-19)

Sec. 26-153. - R-2 One-and two-family district.

- (a) *Scope.* This section applies to the R-2 one-and two-family district.
- (b) *Permitted uses.* Permitted uses are as follows:

- (1) Any use permitted in the R-1 district.
 - (2) Two-family dwellings.
 - (3) Twin homes, as regulated in article V.
 - (4) Single-family attached dwelling units, in which each dwelling unit is to be under separate ownership providing the total structure does not contain more than four (4) dwelling units and is in compliance with article V.
- (c) *Permitted accessory uses.* Permitted accessory uses are as follows:
- (1) All permitted accessory uses as allowed in the R-1 district.
- (d) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are as follows:
- (1) All conditional uses, subject to the same conditions as allowed in the R-1 district.
 - (2) Townhouses as regulated in article V.
- (e) *Lot area, floor area, height, lot width and yard requirements:*
- (1) Lot size:
 - a. Eight thousand five hundred (8,500) square feet (single-family).
 - b. Nine thousand five hundred (9,500) square feet, (two-family).
 - (2) Except exempted use, no structure shall exceed thirty (30) feet in building height.
 - (3) Lot width, eighty-five (85) feet minimum.
 - (4) Yard requirements:
 - a. Front yard, thirty (30) feet minimum. For single-family homes on lots of record where adjacent structures have less than the required setback, the front yard minimum setback shall be the average of adjacent structures. In no case shall the minimum front yard setback be less than twenty (20) feet.
 - b. Interior sideyards shall equal ten (10) percent of lot width, with not more than ten (10) feet required.
 - c. Corner yard, twenty-five (25) feet minimum. On lots of record corner yard requirements shall not reduce buildable width of the lot to less than twenty-five (25) feet. In no case shall the minimum corner yard setback be less than fifteen (15) feet.
 - d. A rear yard with a depth of not less than twenty-five (25) percent of the lot depth is required.
 - e. Porch, open on three (3) sides, roofed or unroofed described as open air/non-screened above thirty-six (36) inches above the finished floor may extend into the required front/corner yards a distance not to exceed eight (8) feet; shall not in any case be closer

than fifteen (15) feet from the front/corner property lines and cannot extend into the required interior side yards.

(5) Floor Area:

- a. Eight hundred sixty (860) square feet per unit (single-family).
- b. Six hundred (600) square feet per unit (two-family).

(Ord. No. 86-4, § 7.04, 6-30-86; Ord. No. 90-10, 8-27-90; Ord. No. 99-10, 7-12-99; Ord. No. 2012-08, 10-22-12; Ord. No. 2017-07, 7-31-17)

Sec. 26-154. - R-3 Multiple-family residential district.

- (a) *Scope.* This section applies to the R-3 multiple-family residential district.
- (b) *Permitted uses.* Permitted uses are as follows:
 - (1) Any use permitted in the R-2 district.
 - (2) Multiple-family dwellings with eight (8) units or less.
 - (3) Boarding houses.
 - (4) State licensed residential facility serving from seven (7) to sixteen (16) mentally retarded or physically handicapped persons.
- (c) *Permitted accessory uses.* Permitted accessory uses are as follows:
 - (1) Any use permitted in the R-2 district.
 - (2) Off-street parking and loading as regulated by article VIII.
 - (3) Offices used to administrate multi-family complexes.
- (d) *Conditional uses.* Conditional uses require a conditional use permit based on procedures set forth in this chapter and are as follows:
 - (1) All conditional uses, subject to the same conditions, as allowed in an R-2 district.
 - (2) Condominiums, as defined and regulated in article V.
 - (3) Multiple-family dwellings with eight (8) or more units as defined and regulated by article V.
 - (4) Day-care (group nursery) provided that:
 - a. Only the rear yard is used as a play area, the play area is to be fenced, screened, and landscaped in compliance with article VII.
 - b. The site is a minimum of ten thousand (10,000) square feet.
 - c. Adequate off-street parking is provided.
 - d. The provisions of article II, division 4 are considered and satisfactorily met.
- (e) *Lot area, floor area, height, lot width and yard requirements.*
 - (1) Lot size:

- a. Two-bedroom units, two thousand two hundred fifty (2,250) square feet.
- b. Three-bedroom units, three thousand (3,000) square feet.
- (2) Floor area per dwelling unit:
 - a. One-family structure, eight hundred sixty (860) square feet.
 - b. Two-family structure, six hundred (600) square feet.
 - c. Three (3) or more dwelling units:
 - 1. Efficiency units, five hundred (500) square feet.
 - 2. One-bedroom units, six hundred (600) square feet.
 - 3. Two-bedroom units, seven hundred fifty (750) square feet.
 - 4. Three (3) or more bedroom units, eight hundred fifty (850) square feet.
- (3) All structures shall not exceed three (3) stories or forty-five (45) feet in height.
- (4) Lot width, eighty-five (85) feet minimum.
- (5) Yard requirements:
 - a. Front yard, thirty (30) feet minimum.
 - b. Interior side yards shall have a width equal to ten (10) percent of the lot width with not less than ten (10) feet permitted and not more than thirty (30) feet required.
 - c. Side yard adjacent to R-1 and R-2 districts, minimum thirty-foot setback.
 - d. Corner yard, twenty-five (25) feet.
 - e. A rear yard with a depth of not less than thirty (30) percent of lot depth is required.

(Ord. No. 90-10, 8-27-90; Ord. No. 92-13, 12-14-92; Ord. No. 2019-02, 1-28-19)

Sec. 26-156. - B-1 Neighborhood business district.

- (a) *Scope.* This section applies to the B-1 neighborhood business district.
- (b) *Permitted uses.* Permitted uses are as follows:
 - (1) Barbershops.
 - (2) Beauty parlors.
 - (3) Clinics for human care.
 - (4) Clubs and lodges.
 - (5) Commercial and professional offices.
 - (6) Essential services.
 - (7) Government buildings and offices.
 - (8) Libraries, museums or other cultural institutions.
 - (9) Private and public colleges, universities, and vocational institutions.

- (10) Multi-family residential structures.
 - (11) Hospitals and human care facilities.
 - (12) Religious institutions.
 - (13) Funeral homes, mortuaries and crematoriums.
 - (14) Municipal and private swimming pools.
 - (15) Single-family residences and twin homes.
- (c) *Permitted accessory uses.* Permitted accessory uses are as follows:
- (1) Commercial buildings and structures for a customary accessory use to the principal use.
 - (2) Off-street loading and parking (except semi-trailer truck parking) as regulated by article VIII.
 - (3) Signage, informational, or visual communication devices as regulated by article X.
- (d) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are as follows:
- (1) Motor fuel station, auto repair-minor and tire and battery service provided that the provisions of article II, division 4 and article V are considered and satisfactorily met.
 - (2) Boat and marine sales and service including small personal recreational vehicle sales and service provided that:
 - a. A drainage system subject to the approval of appropriate city staff shall be installed.
 - b. Off-street parking, outdoor sales and storage areas are fenced or screened from view of neighboring residential uses or an abutting "R" district in compliance with article VII.
 - c. That sales or storage does not take up on-site parking space, as required for conformity to this chapter.
 - d. The provisions of article II, division 4 are considered and satisfactorily met.
 - (3) Drive-in and convenience food establishments, laundromat, self-service washing and drying, provided that:
 - a. At the boundaries of a residential district or use, the property (including parking areas and driveways) is screened in compliance with article VII.
 - b. Each light standard island and all islands in the parking lot are landscaped or covered.
 - c. Parking areas and driveways shall be curbed with continuous curbs not less than six (6) inches high above the parking lot or driveway grade.
 - d. A drainage system subject to the approval of the city engineer shall be installed.
 - e. The provisions of article II, division 4 are considered and satisfactorily met.
 - (4) Commercial planned unit developments as regulated by article V.
 - (5) Day care (group nursery), provided that:
 - a.

Only the rear yard is used as a play area. The play area is to be fenced.

- b. The site is a minimum of ten thousand (10,000) square feet.
- c. Adequate off street parking exists.
- d. The provisions of article II, division 4 are satisfactorily met.
- (e) *Lot area, floor area, height, lot width and yard requirements.*
 - (1) Lot area, ten thousand (10,000) square feet.
 - (2) No structure shall exceed three (3) stories or forty-five (45) feet in height.
 - (3) Lot width, eighty (80) feet.
 - (4) Yard requirements:
 - a. Front yard, thirty (30) feet minimum.
 - b. Interior side yards equal to ten (10) percent of lot width are required with not less than ten (10) feet permitted, with not more than thirty (30) feet required.
 - c. Corner yard, thirty (30) feet minimum.
 - d. Side yard adjacent to R district, twenty-five (25) feet minimum.
 - e. Rear yard, thirty (30) feet minimum.
 - (5) Yard requirements for single-family residences and twin homes:
 - a. Front yard, thirty (30) feet minimum. On lots of record where adjacent structures have less than the required setback, the front yard minimum setback shall be the average of adjacent structures. In no case shall the minimum front yard setback be less than twenty (20) feet.
 - b. Interior side yards shall equal ten (10) percent of lot width, with no more than ten (10) feet required.
 - c. Corner yard, twenty-five (25) feet minimum. On lots of record corner yard requirements shall not reduce buildable width of the lot to less than twenty-five (25) feet. In no case shall the minimum corner yard setback be less than fifteen (15) feet.
 - d. Rear yard with a depth of not less than twenty-five (25) percent of the lot depth is required.

(Ord. No. 86-4, § 7.04, 6-30-86; Ord. No. 90-5, 5-31-90; Ord. No. 94-8, 8-1-94; Ord. No. 97-7, § 1, 10-27-97; Ord. No. 98-6, 7-27-98; Ord. No. 99-11, 9-27-99; Ord. No. 2002-04, 6-10-02; Ord. No. 2005-03, 2-28-05; Ord. No. 2010-03, 2-22-10; Ord. No. 2011-08, 8-22-11)

Sec. 26-157. - B-2 Central business district.

- (a) *Scope.* This section applies to the B-2 central business district.
- (b) *Permitted uses.* Permitted uses are as follows:

- (1) Bakeries, delicatessen, grocery stores and supermarkets.
 - (2) Banks and financial institutions, office buildings and related structures and uses.
 - (3) Bus terminals.
 - (4) Custom manufacturing restricted production or repair limited to the following: art, needlework, jewelry, watches, dentures, optical lenses, dressmaking, tailors, footwear and leathercraft, small appliances.
 - (5) Florists.
 - (6) Governmental and public utility buildings and structures.
 - (7) Liquor stores.
 - (8) Permitted uses as allowed in the B-1 neighborhood business district.
 - (9) Religious institutions.
 - (10) Restaurants, taverns, and coffee shops.
 - (11) Retail service stores and shops.
 - (12) Theaters and auditoriums.
- (c) *Permitted accessory uses.* Permitted accessory uses are permitted accessory uses as allowed in a B-1 neighborhood business district.
- (d) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are as follows:
- (1) Open and outdoor rental, sales or storage as an accessory use provided that:
 - a. Outside service, sales and equipment rental connected with the principal use is limited to thirty (30) percent of the floor area of the principal use.
 - b. The area is fenced and screened from view of any public right-of-way or residential district and use in compliance with article VII.
 - c. Storage area is grassed or surfaced to control dust.
 - d. The provisions of article II, division 4 are considered and satisfactorily met.
 - (2) Plumbing shops, provided, that:
 - a. They do not employ more than six (6) persons in repair or processing.
 - b. There is no exterior storage of appliances, materials or parts.
 - c. At the boundaries of a residential district or use, the property is screened in compliance with section 22-554.
 - (3) Laundromats.
 - (4) Day care-group nurseries.
 - (5) One and two family apartments, provided that:

- a. They comply with all building and fire code requirements.
- b. The main level remain business or mercantile.
- c. An early warning smoke detection system is required.
- d. The primary use of the building shall remain business or mercantile.
- e. This conditional use be allowed only in the B-2 central business zone.

(e) *Lot area, floor area, height, lot width and yard requirements.* All uses located in the B-2 district are exempted from lot area, height, lot width and yard requirements.

(Ord. No. 86-4, § 7.04, 6-30-86; Ord. No. 87-2, 3-23-87; Ord. No. 87-5, 4-27-87; Ord. No. 88-1, 1-25-88; Ord. No. 88-2, 1-25-88; Ord. No. 96-1, 2-26-96; Ord. No. 97-7, § 1, 10-27-97)

Sec. 26-158. - B-3 General business district.

(a) *Scope.* This section applies to the B-3 general business district.

(b) *Permitted uses.* Permitted uses are as follows:

- (1) Any use permitted in the B-2 districts as regulated herein.
- (2) Auto accessory stores.
- (3) Automobile, truck, snowmobile, motorcycle, boat and marine sales, farm implements and accessory service.
- (4) Building material and lumber yards.
- (5) Commercial greenhouse and garden supply stores.
- (6) Commercial recreational uses.
- (7) Food lockers.
- (8) Hotels, motels, and motor motels.
- (9) Newspaper printing and publishing.
- (10) Radio and television broadcasting stations and towers.
- (11) Equipment rental stores.
- (12) Stone and monument sales.
- (13) Mini-storage or self-storage facilities.

(c) *Permitted accessory uses.* Permitted accessory uses are as follows:

- (1) All permitted accessory uses as allowed in the B-2 central business district.
- (2) Off-street parking for semi-trailer trucks as regulated by article VII.

(d) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are as follows:

- (1)

Any use permitted as conditional in the B-1 neighborhood business district, B-2 central business district and I-1 light industrial district as regulated in this chapter.

(2) Animal hospital or clinic, kennels provided that:

- a. Provisions are made to control and reduce noise and odor.
- b. Open structures housing animals outdoor are fenced and screened from view of neighboring commercial and residential uses in compliance with article VII.
- c. At the boundaries of a residential district or use, the property is screened in compliance with article VII.
- d. The provisions of article II, division 4 are considered and satisfactorily met.

(3) Car washes (drive-through, mechanical and self-service) provided that:

- a. Magazine or stacking space is constructed to accommodate that number of vehicles which can be washed during a maximum thirty-minute period.
- b. At the boundaries of a residential district or use, the property is screened in compliance with article VII.
- c. Provisions are made to control and reduce noise in compliance with article VII.
- d. Each light standard island and all islands in the parking area are landscaped or covered.
- e. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with article VII.
- f. The entire area shall have a drainage system which is subject to approval by appropriate city staff.
- g. The provisions of article II, division 4 are considered and satisfactorily met.

(4) Air conditioning, electrical service, heating, plumbing, and major appliance service shop provided that:

- a. They do not employ more than six (6) persons in repair or processing.
- b. There is no exterior storage of appliances, materials or parts.
- c. At the boundaries of a residential district or use, the property is screened in compliance with article VII.
- d. The provisions of article II, division 4 are considered and satisfactorily met.

(5) Signs exceeding forty (40) feet in height provided that:

- a. The site of the sign would be within one thousand (1,000) feet of the edge of the Interstate highway right-of-way.
- b. The maximum height of eighty (80) feet.
- c. Engineering will be required for the zoning or building permit.

(e) *Lot area, floor area, height, lot width, and yard requirements.*

- (1) Lot area, twelve thousand (12,000) square feet.
- (2) No structure shall exceed forty-five (45) feet in height.
- (3) Lot width, one hundred (100) feet.
- (4) Yard requirements:
 - a. Front yard, thirty (30) feet minimum.
 - b. Interior side yards equal to ten (10) percent of lot width are required with not less than ten (10) feet permitted, with not more than thirty (30) feet required.
 - c. Corner yard, thirty (30) feet minimum.
 - d. Side yard adjacent to R district, twenty-five (25) feet minimum.
 - e. Rear yard, fifteen (15) percent of the lot depth but not more than thirty (30) feet required.

(Ord. No. 86-4, § 7.04, 6-30-86; Ord. No. 89-7, § 1, 4-24-89; Ord. No. 2005-03, 2-28-05; Ord. No. 2006-02, 1-9-06; Ord. No. 2007-02, 2-26-07; Ord. No. 2008-02, 3-24-08; Ord. No. 2018-14, 6-25-18)

Sec. 26-160. - I-1 Light industrial district.

- (a) *Scope.* This section applies to the I-1 light industrial district.
- (b) *Permitted uses.* Permitted uses are activities, and warehousing including the following uses which meet performance standards applicable to the district:
 - (1) Automobile and motor vehicle repair—Major.
 - (2) Bottling and cold storage plants.
 - (3) Building materials-storage yard and shop.
 - (4) Building contractor-storage yard and shop.
 - (5) Commercial laundry and dry-cleaning services.
 - (6) Commercial printing, engraving and reproduction firms.
 - (7) Essential services.
 - (8) Food processing and packaging, except alcohol or alcoholic beverages, fish, meat products, pickles, sauerkraut, vinegar, yeast or any other resulting in emission of strong odors.
 - (9) Government and public utility buildings and structures.
 - (10) Machine shops.
 - (11) Manufacturing, assembly of previously prepared products (cloth, leather, paper, plastics, metals, stone, wood, etc.).
 - (12) Manufacture of electrical appliances, instruments, signs, electronic assembly and testing.
 - (13) Manufacture of pottery and ceramic products using previously processed clay and electric or gas kilns.

- (14) Manufacture of light sheet metal products.
 - (15) Plumbing, heating/cooling and electrical contractor shops and storage yards.
 - (16) Radio and television towers.
 - (17) Wind energy conversion systems.
 - (18) Grain processing and agricultural related manufacturing.
 - (19) Crematoriums.
 - (20) Concrete mixing facilities.
 - (21) Mini-storage or self-storage facilities.
- (c) *Permitted accessory uses.* Permitted accessory uses are open storage yards, fenced and screened in accordance with article VII.
- (d) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are as follows:
- (1) Industrial planned unit developments are regulated by article V.
 - (2) Trucking and freight terminals provided that:
 - a. Such terminals have direct access to a designated truck route. This route must be constructed minimum ten-ton state highway (MnDOT) standards.
 - b. At the boundaries of a residential district or use, the property is screened in compliance with article VII.
 - c. Provision is made to control and reduce noise in compliance with this chapter.
 - d. The provisions of article II, division 4 are considered and satisfactorily met.
 - (3) Grain storage.
 - (4) Correctional or rehabilitation centers such as detention centers, jails, chemical dependency treatment facilities, and similar uses, but not including state-licensed group homes.
 - (5) Food processing and packaging of alcohol or alcoholic beverages, fish, meat products, pickles, vinegar, yeast or other products that may or may not omit odors not consistent with the normal community environment.
 - a. Such meat processing cannot include the slaughter of live animals of more than twenty (20) units per day or five thousand (5,000) pounds per day averaged over a one (1) week period or whichever is greater.
 - b. Such establishments must have a waste stream that is compatible with the existing wastewater facility. Provide wastewater characteristics and treatment loading requirements to the director of public works for a special permit and determination of pretreatment requirements. A determination of proposed waste stream compatibility and pretreatment requirements will be forwarded to the planning commission.

- c. Have direct access to designated truck route. This route must be constructed to minimum nine (9) ton state highway (MnDOT) standards.
- (6) Auto, truck, farm implement and salvage yards of more than ten (10) units.
 - a. Provide eight-foot screening.
 - b. Provisions made to control and reduce the number of units stored outside the screening.
 - c. Provide for adequate access to all parts of yard for firefighting equipment.
- (7) The practice and establishment of commercial recycling of such products as oil, oil product containers, filters, chemical drums, drums that have stored petroleum products, products that may have a negative impact on the environment when placed in a concentrated area.
 - a. Products or materials containing any hazardous materials must be declared and registered with the Fairmont fire department as regulated by the Minnesota Right to Know Laws.
 - b. Approval of the Fairmont fire marshal or the authority having jurisdiction at time of permit process.
 - c. Provide for adequate screening to eliminate noise and or the visual presence of large amounts of stored material.
 - d. Provide for adequate access of firefighting and rescue equipment.
 - e. Provide a storm water management plan at time of permit process.

All practices covered in the conditional use shall conform to article VII, article II and other height and yard requirements as outlined in this section.
- (8) Any use permitted in a B-3 general business district that is compatible with I-1 light industrial uses.
- (9) Kennels provided that:
 - a. Provisions are made to control and reduce noise and odor.
 - b. Open structures housing animals outdoors are fenced and screened from view of neighboring commercial and residential uses in compliance with article VII.
 - c. At the boundaries of a residential district or use, the property is screened in compliance with article VII.
 - d. The provisions of article II, division 4 are considered and satisfactorily met.
- (e) *Lot area, floor area, height, lot width and yard requirements.*
 - (1) Lot area, twenty-four thousand (24,000) square feet.
 - (2) There is no height requirement, except that for every foot that a building exceeds thirty (30) feet, an additional foot of setback shall be provided from the nearest property line.
 - (3) Lot width, one hundred (100) feet minimum.

(4) Yard requirements:

- a. Front yard, forty (40) feet minimum.
- b. Interior side yards equal to ten (10) percent of lot width are required with not less than ten (10) feet permitted nor more than thirty (30) feet required.
- c. Corner yard, forty (40) feet minimum.
- d. Side yard adjacent to R district, forty (40) feet minimum.
- e. Rear yard, thirty (30) feet.

(Ord. No. 92-12, 11-23-92; Ord. No. 95-7, 2-6-95; Ord. No. 95-10, 6-26-95; Ord. No. 96-4, 4-22-96; Ord. No. 2011-04, 1-10-11; Ord. No. 2013-04, 2-25-13; Ord. No. 2017-02, 5-22-17; Ord. No. 2018-14, 6-25-18; Ord. No. 2020-10, § 1, 10-12-20)

Sec. 26-161. - I-2 Heavy industrial district.

- (a) *Scope.* This section applies to the I-2 heavy industrial district.
- (b) *Permitted uses.* Permitted uses are as follows:
 - (1) Uses permitted in the I-1 light industrial district.
 - (2) Trucking and freight terminals provided that they comply with provisions listed in article VIII.
- (c) *Conditional uses.* Conditional uses require a conditional use permit based upon procedures set forth in this chapter and are any other industrial use not otherwise prohibited by law, yet subject to article II, division 4 and article VII.
- (d) *Permitted accessory uses.* Permitted accessory uses are any use permitted as allowed in the I-1 light industrial district.
- (e) *Lot area, floor area, height, lot width, and yard requirements.*
 - (1) Lot area, one (1) acre minimum.
 - (2) There is no height requirement.
 - (3) Lot width, one hundred and fifty (150) feet minimum.
 - (4) Yard requirements:
 - a. Front yard, forty (40) feet minimum.
 - b. Interior side yards equal to ten (10) percent of lot width are required, with not less than fifteen (15) feet permitted nor more than thirty (30) feet required.
 - c. Corner yard, forty (40) feet minimum.
 - d. Rear yard, thirty (30) feet minimum.
 - e. Side yard setbacks abutting railroad right-of-way five (5) feet, and other setbacks will be fifteen (15) feet for power plants owned by a municipal corporation or political subdivision.

(Ord. No. 86-4, § 7.04, 6-30-86; Ord. No. 92-12, 11-23-92; Ord. No. 2011-05, 2-28-11)

**FAIRMONT 2025 IMPROVEMENT PROGRAM
PRELIMINARY REPORT**

FAIRMONT T.M.

2025 IMPROVEMENT PROGRAM





Phone (507)238-9461

CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031
www.fairmont.org ♦ citygov@fairmont.org

Fax (507)238-9469

January 13, 2025

FAIRMONT CITY COUNCIL
Fairmont, Minnesota

RE: Preliminary Report
2025 Improvement Program
Fairmont, Minnesota

Honorable Mayor and Members of the Council:

Attached hereto is the Preliminary Report detailing those projects which comprise the 2025 Improvement Program. The report includes details of the proposed improvements together with estimated construction costs.

The following is the status of the projects which were scheduled for 2024.

- 1) Project #. 5724001 Park Street Reconstruction -The final lift of asphalt will be paved, and sodding will be completed in the spring of 2025. Final Completion Date: June 20, 2025.
- 2) Project # 6724001 Woodland Avenue Resurfacing – Completed October 2024, Erosion control devices to be removed following establishment of dormant seeding in the spring.
- 3) Project # 7524001-7524001 Sealcoat Projects – Completed September 2024.

After review of the attached 2025 Preliminary Report, a public hearing will be held to receive comments from the individual property owners who will be assessed for these improvements, as well as any other interested taxpayers within the City.

Sincerely,
CITY OF FAIRMONT

Wesley W. Brown P.E.
Consulting City Engineer

PRELIMINARY REPORT

2025 IMPROVEMENT PROGRAM

FAIRMONT, MINNESOTA

Lee C. Baarts, Mayor
Jeff O'Neill, Interim City Administrator
Betsy Steuber, City Clerk

Council Members –

Britney Kawecki
Jay Maynard
James Kotewa
Randy Lubenow
Wayne Hasek

I hereby certify that this Report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.



Wesley W. Brown, P.E.
Reg. No. 41930
January 13, 2025

PRELIMINARY REPORT 2025 IMPROVEMENT PROGRAM FAIRMONT, MINNESOTA

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APPENDIX - PROJECT MAPS

1 GENERAL

1.1 Intent of Report

This report was prepared to determine the feasibility, cost-effectiveness, and need for various projects proposed to become part of the 2025 IMPROVEMENT PROGRAM. The projects that have been included are based on evaluation of demonstrated need. Projects have been proposed based upon consideration of surface condition inspection and analysis; inspection of the sanitary sewer system; condition and size of existing watermain; sizing of storm sewer interceptors or localized flooding problems caused by an inadequate drainage system; storm water quality needs relative to City's Storm Water Pollution Prevention Plan (SWPPP); and other criteria such as susceptibility to erosion, maintenance, traffic hazards, water quality problems, etc.

To help review the surface condition of the streets. The City utilizes a pavement management system (ICON) to rate all of the paved municipal streets, parking lots, and recreational trails within the City. The system includes a database of each segment that contains current and historical information relative to the segment. The inventory is updated by physically inspecting (surveying) the City's segments every other year. The survey identifies the type of distress present on all pavement sections and determines the severity and quantity of each distress. When the survey information is entered into the program, the pavement management system assigns each segment a Pavement Condition Index (PCI) rating on a scale of 0 to 100 with 0 being the worst and 100 the best. The PCI rating helps determine whether the section is considered for reconstruction, resurfacing, overlay, or normal surface treatment maintenance such as seal coating and crack sealing.

The system review has identified various needs and includes projects that:

1. Have severe underground utility problems that require an extensive amount of excavation within the road bed, or;
2. Have underground utility problems that require only moderate excavation within the road bed, or;
3. Have underground utilities that require only spot repairs within the road bed to extend their useful life.

Projects included in this year's IMPROVEMENT PROGRAM with varying degrees of pavement surfacing/infrastructure needs are proposed to be addressed utilizing one of the following methods:

1. **Reconstruction:** This method is required to address severe or moderate underground utility problems requiring extensive excavation within the

road bed. All major underground utilities will be repaired, upgraded or replaced and the street surfacing, including appurtenant curb and adjoining sidewalk will usually be replaced. In most instances, the entire street and utility infrastructure system on such segments has completely outlived its original intended service life and has or is becoming unsuitable for its intended use.

2. **Resurfacing:** This method is used when underground utility problems can be corrected by spot repairs but the street surface and underlying aggregate base have failed to the extent that further overlays, patching or surface repairs are economically unpractical. These streets have generally long outlived their original intended service life and have or will shortly become unsuitable for their intended use. Streets will be reconstructed by replacement of existing aggregate base and asphalt surface. Curb repairs or replacement will be performed depending upon condition of curb. Underdrains for control of sub-grade moisture to extend the life of the surface will be added where appropriate.
3. **Overlays:** This method is proposed when underground utility problems can be corrected by minor repairs and the existing surface has been subject to cracking, is irregular due to prior patching, is aesthetically unacceptable and is in need of additional surface structure strength to meet its intended use and ultimate service life. The aggregate base appears to be sound and is in fair to good condition, but needs surface protection by additional overlay to avoid pre-mature failure.
4. **Seal Coating:** This method is used when no significant short-term (5-10 years) utility needs have been identified and the pavement structure has sufficient integrity to serve its intended purpose but needs top surface aggregate and asphalt material to attain its expected ultimate service life, improve surface aesthetics and uniformity and maintain suitable traffic handling characteristics.

These different project types come as a direct response to the citizens of Fairmont requesting “better riding streets”, preservation of the community’s valuable infrastructure, and regulatory requirements such as surface water quality permitting. Each of these project types addresses the degree of deterioration of the underground utilities while optimizing the amount of street surface to be rehabilitated, repaired, or sealed during the short construction season.

1.2 Location of Improvement

The proposed improvements are shown on the attached City map contained in the **Appendix**. Individual project maps are also included for each specific project.

1.3 2025 IMPROVEMENT PROGRAM PROJECTS

The following projects make up the proposed Improvement Program:

<u>Project No.</u>	<u>Description</u>
--------------------	--------------------

RECONSTRUCTION

5725001	Lake Avenue; from Bixby Road/CSAH 39 to Fairlakes Avenue.
---------	---

2 PROPOSED RECONSTRUCTION PROJECTS

2.1 General:

Improvements proposed within the individual reconstruction projects provide for the needs of the citizens of the City of Fairmont. Proposed reconstruction projects have significant deficiencies or needs in one or more of the following areas: street surface infrastructure, sanitary sewer, storm sewer, and water distribution systems.

2.2 Project No. 5725001 – Lake Avenue; Bixby Road/CSAH 39 to Fairlakes Avenue

This project will involve the reconstruction of Lake Avenue and the intersection of Fairlakes Avenue.

The existing Lake Avenue asphalt surface will be replaced with concrete pavement, curb and gutter, upgraded aggregate base materials, and drain tile. The existing street width of 52' will be decreased to 44'. The new street will be striped with a 2-way center turn lane. The street will be open to local traffic during construction. City staff will work with the affected property owners to maintain access during the project. A detour route will be provided for through traffic during construction.

The 1966 9" VCP sanitary sewer will be replaced with new 10" PVC and new 12" PVC watermain will be installed to replace the existing 1966 10" CI watermain. New water and sewer services will be installed to the property line on both streets.

New storm sewer will be installed with this project to follow the City Storm Sewer Master Plan, stormwater management ordinance, and MS4 Permit. Stormwater quality treatment will be included in this project to meet permit requirements.

3 ESTIMATED COSTS

The cost of each proposed project has been itemized separately in this Program Report. The following is a summary of the individual project costs.

2025 Estimated Improvement Costs					
	Length (LF)	Cost/LF	Construction Cost	Engineering & Admin Cost	Total Estimated Cost
RECONSTRUCTION PROJECTS					
Lake Avenue	4060	\$1540	\$5,374,675.00	\$879,000.00	\$6,253,675.00
2025 Street Improvements			\$5,374,675.00	\$879,000.00	\$6,253,675.00

4 RECOMMENDATIONS

After review of the needs and estimated costs of the proposed construction, it has been determined that these projects are necessary, cost-effective and feasible and it is the recommendation of the City Engineer that all projects proposed be constructed as part of the 2025 IMPROVEMENT PROGRAM. Construction of these improvements provides for the transportation, utility, and infrastructure needs of the City of Fairmont in a manner that is generally consistent with proven past practice and financially prudent construction procedures. It is recommended that the necessary public hearings and additional public informational meetings be held to advise the public of the findings of this report.

5 FINANCING

5.1 Construction:

The total cost of the various improvements may be financed through several existing dedicated funds, State Aid Allocations, grant funds, and the issuance of general obligation improvement bonds.

When general obligation bonds are issued under Minnesota Statutes Chapter 429, the law requires that at least 20% of the total cost of the improvements be recovered by special assessments to the benefiting property owners. That portion of project costs funded from general obligation bonds which are not recovered by special assessments become obligations of the general fund whereby the full faith and credit of the City are pledged toward their payment.

5.2 Assessments:

Reconstruction: The actual cost of street construction per assessable foot of frontage for projects included in the 2025 reconstruction program is estimated at \$511.64 for Lake Avenue. The assessment rate for the 2025 Improvement

Program is proposed to be \$100.68 per assessable front footage plus the actual cost for utility services. This rate has been determined to be fair and equitable in relation to the improvements provided and is considered to be equal to or less than the benefit to the property owner. The remaining costs of each project are distributed between various infrastructure replacement funds, utility funds, or general property taxes.

5.3 Distribution of Financing Requirements:

Funding for the 2025 IMPROVEMENT PROGRAM will be from the following sources in these approximate amounts:

Local Road Improvement Program Grant	\$1,500,000.00
Municipal State Aid Street Funds	\$2,575,455.00
Direct Assessment	\$934,273.11
Bonding Improvement Funds	\$1,243,946.89
TOTAL FUNDS:	\$6,253,675.00
	(Including, Legal, Administration, and Engineering Costs)

APPENDIX

**Section
No.**

Description

RECONSTRUCTION

A

Project No. 5725001; Lake Ave; from Bixby Rd/CSAH 39 to Fairlakes Ave.

CITY OF FAIRMONT

2025 IMPROVEMENT REPORT

LOCATION: Lake Avenue; from Bixby Road to Fairlakes Avenue

INITIATION: City Council

OWNERS ABUTTING: 37

RIGHT-OF-WAY: 100'

EASEMENTS: None

PROPOSED STREET SECTION:

Width Curb to Curb: Proposed 44'

Section: 8" Concrete

Sidewalks: None, Trail Alternate Bid

Tree Removal: None

FEASIBILITY: This project is feasible as outlined in this report.

CONSTRUCTION

<u>Description</u>	<u>Year Built</u>	<u>Existing Structure</u>	<u>Proposed Construction</u>
Watermain	1967	10" DIP	12" PVC
Sanitary Sewer	1966	9" VCP	10" PVC
Street	1970	3" BIT/7-9" CON	8" Concrete -10 Ton Design
Storm Sewer	1970	12-36" RCP	12"-36" RCP/HDPE

SPECIAL CONDITIONS

This project is a reconstruction project that will be completed in 2025. Stormwater treatment will be added as part of this project to meet MS4 permit requirements and improve the water quality in the City's Chain of Lakes. The city is working with Martin County to evaluate the existing County Ditch (CD) 56 and how it might connect to city storm sewer.



PROJECT NO. 5725001-REC
LAKE AVENUE
BIXBY ROAD/CSAH 39 TO FAIRLAKES AVENUE

COMPARABLE LAND SALES

Comparable Land Sale #1



Information Source:	Public Records, Assessor, Seller
Location:	Part of Northwest Quarter, Section 22, Fairmont Township, MN
Legal Description:	Lengthy; In appraiser's file.
Parcel Identification Numbers:	050220700 and 050150500
Date of Sale:	March 10, 2026
Buyer:	Timothy and Kerry Wegener
Seller:	Clay Family Farms, LLLP
Zoning:	A – Agricultural
Utilities:	None
Topography and Soil:	Undulating and soils are assumed stable
Visibility and Access:	Average, located along 220 th Avenue (gravel)
Trackage:	No
Gross Size:	142.17 acres
Tillable Acres:	138.54 acres
Sale Price:	\$1,549,653
Unpaid Specials:	\$0
Total Price:	\$1,549,653
Price per Gross Acre:	\$10,900
Price per Tillable Acre:	\$11,186
Remarks:	This is the sale of agricultural land adjacent to the city of Fairmont city limits. The parcel sold for a fair price at auction according to the seller. This parcel has drain tile, is approximately 97.4% tillable and has a crop productivity index of 91. According to the U.S. Fish & Wildlife wetland inventory, this parcel does not have any wetland.

Comparable Land Sale #2



Information Source:	Public Records, Assessor, Buyer
Location:	Part of Northeast Quarter, Section 12, East Chain Township, MN
Legal Description:	North ½ of NE ¼ Section 12, Township 101, Range 29
Parcel Identification Number:	030120100
Date of Sale:	December 15, 2025
Buyer:	Hugoson Family Farms, LLLP
Seller:	Stuart Sybesma
Zoning:	A – Agricultural
Utilities:	None
Topography and Soil:	Undulating and soils are assumed stable
Visibility and Access:	Average, located at southwest corner of 60 th Street and 310 th Avenue (gravel roadways)
Trackage:	No
Gross Size:	80 acres
Tillable Acres:	77.97 acres
Sale Price:	\$920,000
Unpaid Specials:	\$0
Total Price:	\$920,000
Price per Gross Acre:	\$11,500
Price per Tillable Acre:	\$11,799
Remarks:	This is the sale of agricultural land with a 97.5% tillable percentage and a CPI of 91. The parcel sold for a fair price according to the buyer. This parcel has minimal drain tile and no wetland according to the U.S. Fish & Wildlife wetland inventory.

Comparable Land Sale #3



Information Source:

Public Records, Assessor, Buyer

Location:

Part of Northeast Quarter, Section 22, Pleasant Prairie Township, MN

Legal Description:

West ½ of the NE ¼ Section 22, Township 102, Range 29

Parcel Identification Number:

140220650

Date of Sale:

December 1, 2025

Buyer:

Derek and Danielle Green

Seller:

Bridgit Thieriot et al

Zoning:

A – Agricultural

Utilities:

None

Topography and Soil:

Undulating and soils are assumed stable

Visibility and Access:

Average, located along 95th Street (gravel)

Trackage:

No

Gross Size:

80 acres

Tillable Acres:

76.3 acres

Sale Price:

\$757,920

Unpaid Specials:

\$0

Total Price:

\$757,920

Price per Gross Acre:

\$9,474

Price per Tillable Acre:

\$9,933

Remarks:

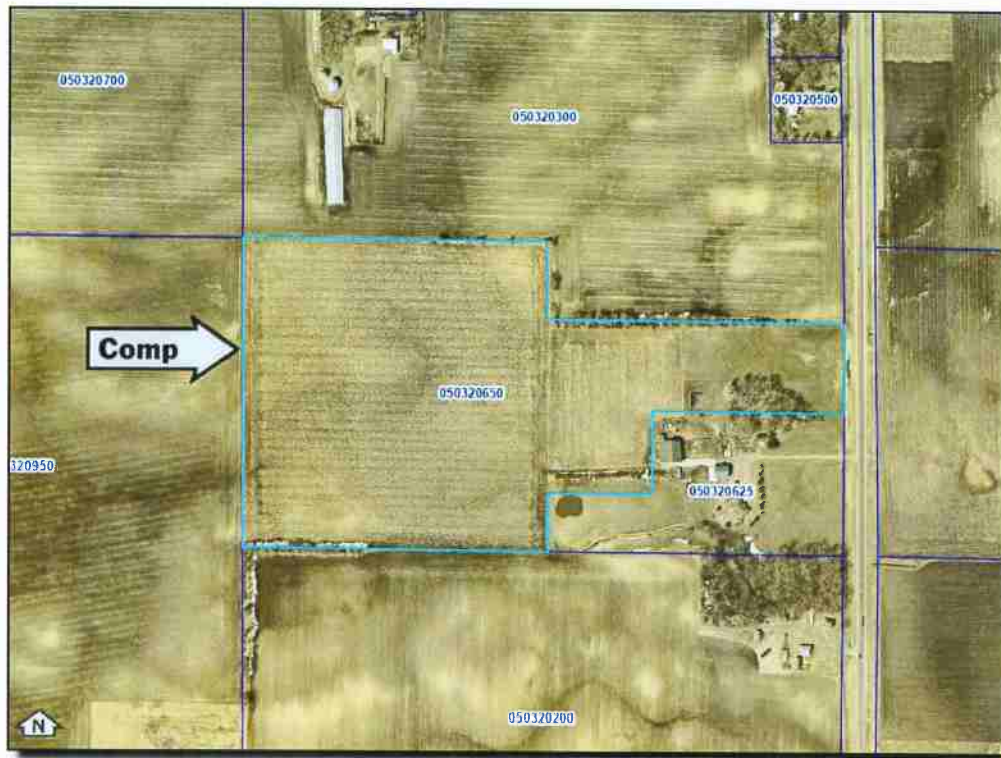
This is the sale of agricultural land that was purchased by an adjacent landowner. Discussions with the buyer indicated the parcel was appraised prior to purchase for \$960,000 (\$12,582 per tillable acre). The seller was only interested in selling to one of two adjacent landowners. The buyer indicated he believed the parcel was worth \$960,000 at the time of the sale but was not able to meet that purchase price. The seller agreed and sold it for \$757,920, a 21% discount on market value. This parcel does not have drain tile, is approximately 95.4% tillable and has a crop productivity index of 91. According to the U.S. Fish & Wildlife wetland inventory, this parcel does not have any wetland.

Comparable Land Sale #4



Information Source:	Public Records, Assessor, Seller
Location:	Part of Northeast Quarter, Section 15, Center Creek Township, MN
Legal Description:	Lengthy; In appraiser's file.
Parcel Identification Number:	020150300
Date of Sale:	January 17, 2025
Buyer:	Todd and Betsy Steuber
Seller:	Laurence and Kathie Shoemaker
Zoning:	A – Agricultural
Utilities:	None
Topography and Soil:	Undulating and soils are assumed stable
Visibility and Access:	Average, located at northwest corner of 163 rd Street and 288 th Avenue (gravel)
Trackage:	No
Gross Size:	62.62 acres
Tillable Acres:	57.19 acres
Sale Price:	\$726,392
Unpaid Specials:	\$0
Total Price:	\$726,392
Price per Gross Acre:	\$11,600
Price per Tillable Acre:	\$12,701
Remarks:	This is the sale of agricultural land. The parcel sold for a fair price at auction according to the seller as there were multiple bids. This parcel has drain tile, is approximately 91.3% tillable and has a crop productivity index of 93. According to the U.S. Fish & Wildlife wetland inventory, this parcel does not have any wetland. A large, overhead powerline traverses the middle of the parcel but the seller didn't think it affected the price paid.

Comparable Land Sale #5



Information Source:	Public Records, Assessor, Buyer
Location:	Part of Northeast Quarter, Section 32, Fairmont Township, MN
Legal Description:	Lengthy; In appraiser's file.
Parcel Identification Numbers:	050320650
Date of Sale:	October 25, 2024
Buyer:	Kevin and Mary Hugoson
Seller:	Clark and Laura Huinker
Zoning:	A – Agricultural
Utilities:	None
Topography and Soil:	Undulating and soils are assumed stable
Visibility and Access:	Average, located along 210 th Avenue (gravel)
Trackage:	No
Gross Size:	55 acres
Tillable Acres:	51.26 acres
Sale Price:	\$632,500
Unpaid Specials:	\$0
Total Price:	\$632,500
Price per Gross Acre:	\$11,500
Price per Tillable Acre:	\$12,339
Remarks:	This is the sale of agricultural land just south of the city of Fairmont city limits. The parcel sold for a fair price according to the buyer. This parcel has minimal drain tile, is approximately 93.2% tillable and has a crop productivity index of 90. According to the U.S. Fish & Wildlife wetland inventory, this parcel does not have any wetland.

[Sent by Barry O'Neil to David A. Assaf, Flaherty & Hood]

June 24, 2026

Jason Baker, City Administrator
Paul Hoye, Finance Director
City of Fairmont
100 Downtown Plaza
Fairmont, MN 56031

Re: DFP Limited Partnership/ Appraisal

Dear Mr. Baker and Mr. Hoye:

On behalf of DFP Limited Partnership, I write to outline several significant concerns regarding the appraisal prepared by Richard H. Johnson, ARA, dated June 17, 2026, which concludes that the Lake Avenue Reconstruction Project increased the value of DFP's agricultural property by \$39,100.

Based on my review of the appraisal and my experience with Minnesota special-assessment law, the methodology employed in the Johnson report does not satisfy the requirements of Minn. Stat. § 429.051 to support a special benefit and assessment for the Senne Farm resulting from the Lake Avenue Reconstruction project, nor does it meet the appraisal standards Mr. Johnson states he followed (i.e., Uniform Standards of Professional Appraisal Practice ("USPAP") and Uniform Appraisal Standards for Federal Land Acquisitions ("UASFLA")). As a result, the conclusion that the property increased in value by \$39,100 is unsupported and cannot serve as competent evidence of special benefit.

Below is a general summary of the methodological issues that undermine the reliability of the appraisal and its compliance with Minnesota law.

1. Minn. Stat. § 429.051 Requires a Measurable, Parcel-Specific Increase in Market Value

Minn. Stat. § 429.051 provides that the cost of an improvement may be assessed "upon property benefited by the improvement, based upon the benefits received. . ."

Minnesota courts interpret this to mean:



Jason Baker, City Administrator
Paul Hoyer, Finance Director
June 24, 2026
Page 2

- The improvement must result in a real, measurable increase in the market value of the specific parcel.
- The assessment may not exceed that increase.
- The City bears the burden of producing competent evidence of the increase.

The Johnson appraisal does not identify any market evidence demonstrating that the Lake Avenue project increased the market value of this agricultural parcel. Without such evidence, § 429.051 prohibits the imposition of a special assessment.

2. Lack of Market-Supported Evidence for the \$39,100 Increase

Minnesota law requires that a special assessment be supported by competent evidence of an actual, measurable increase in market value attributable to the improvement.

The appraisal does not identify:

- Any comparable sale supporting a conclusion that resurfacing a road increases agricultural land value
- Any paired-sales analysis
- Any contributory-value analysis for sewer/water replacement
- Any market data showing that curb and gutter increase the value of farmland
- Any evidence that a buyer would pay more for this parcel because of the reconstruction project

Without market-supported adjustments or analysis, the \$39,100 figure appears to be both imaginary and conclusory, not the product of recognized appraisal methodology.

3. Failure to Isolate the Effect of the Project

Mr. Johnson states that his appraisal was prepared in conformity with the UASFLA. UASFLA requires the appraiser to isolate the effect of the project from:

- General market appreciation
- Broader economic trends
- Speculative expectations
- Competing supply conditions

Jason Baker, City Administrator
Paul Hoyer, Finance Director
June 24, 2026
Page 3

The appraisal does not perform this analysis in any way. There is no attempt to separate the effect of the Lake Avenue project from general farmland value trends in Martin County. Without isolating project influence, the appraisal cannot credibly attribute any portion of the alleged increase to the project itself as required by § 429.051.

4. Unsupported and Internally Inconsistent Highest and Best Use Conclusion

The appraisal concludes:

- Before: Highest and best use is row-crop agriculture
- After: Highest and best use is "row-crop agriculture and investment/speculation"

However:

- The report later states the project did not change the highest and best use
- The property remains 2a Agricultural Land
- The property lies in a city with a surfeit of developable property
- The property is located in a Rural Service District
- No market demand for speculative development is identified

Minnesota law requires that special benefit be tied to the actual highest and best use of the property – not hypothetical or speculative uses. The appraisal does not provide evidence that the project changed the property's use or value under § 429.051.

5. No Analysis of Competing Supply

A fundamental requirement of highest and best use analysis is evaluating competitive supply.

The appraisal acknowledges:

- A nearby industrial park remains largely unabsorbed
- Most recent building permits were for maintenance, not new construction, with a significant portion related to public projects
- Vacant commercial/industrial land sales in Fairmont often sell at or below agricultural land values on a price acre basis

Jason Baker, City Administrator

Paul Hoyer, Finance Director

June 24, 2026

Page 4

Despite this, the appraisal does not analyze:

- The substantial inventory of fully-serviced development land available in Fairmont
- How the Senne Farm compares to the existing competitive supply
- Whether the project changed the property's competitive position

Without this analysis, the conclusion that the project "*slightly enhances appeal*" is unsupported and cannot demonstrate a change in market value attributable to the project, as required by § 429.051.

6. No Quantification of Special Benefit

Minn. Stat. § 429.051 requires that the assessment be based on actual benefits received. UASFLA requires the appraiser to quantify the difference in value attributable to the project. USPAP requires support for adjustments and transparent reasoning.

The appraisal does not provide support for quantifying:

- The value of the new concrete surface
- The value of curb and gutter
- The value of sewer/water replacement
- Any change in access (there is none)
- Any change in utility capacity (there is none)
- Any change in agricultural productivity (there is none)
- Any change in competitive advantage or development timing resulting from the Lake Avenue Reconstruction project

Instead, the report uses speculative qualifiers such as:

- "*may be some buyers*"
- "*possibly enhance its appeal*"
- "*would not pay much more than agricultural value*"

These statements do not satisfy § 429.051's requirement that the City demonstrate a measurable, parcel-specific benefit.

7. No Demonstrated Change in Market Conditions or Demand

Jason Baker, City Administrator
Paul Hoyer, Finance Director
June 24, 2026
Page 5

The appraisal acknowledges:

- Supply of commercial/industrial land exceeds demand
- No change in zoning
- No change in access
- No change in utilities
- A deterioration in economic conditions rather than an improvement in local economic conditions (Green Plains closure and 3M scheduled 2027 closure). These deteriorating conditions result in a further increase in the supply of development land, exacerbating the supply and demand imbalance

If supply and demand remain unchanged, with local conditions potentially worsening, and the highest and best use remains agricultural, the project cannot create a measurable increase in market value under § 429.051.

Conclusion

Minn. Stat. § 429.051 requires that a special assessment be based on actual, measurable benefit to the specific property. The Johnson appraisal does not provide competent evidence of such benefit. In my professional opinion, the conclusion that the property increased in value by \$39,100 is unsupported, methodologically deficient, and legally insufficient to justify a special assessment.

To support my clients' position, we have retained Jonathan R. Barclay, MAI, President of Hosch Appraisal & Consulting. Mr. Barclay is conducting a 'Before and After' market value appraisal and has determined the special benefits accruing to the Senne Farm as a result of the Lake Avenue reconstruction project to be \$0 (Zero Dollars). We will provide a copy of this appraisal report to you next week.

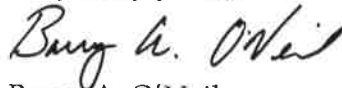
Despite the absence of legally sufficient support for the City's position, Tom and Colin Dougherty are willing to continue the dialogue toward settlement to avoid the time and expense of litigation, provided the terms of the deferral agreement that they discussed with you on Monday, June 22, 2026, at your office, are part of a negotiated resolution.

LOMMEN ABDO, P.A.

Jason Baker, City Administrator
Paul Hoyer, Finance Director
June 24, 2026
Page 6

Please see the attached "Appendix" which covers these objections in additional detail.

Very truly yours,

A handwritten signature in black ink that reads "Barry A. O'Neil". The signature is written in a cursive style with a large, stylized "B" and "O".

Barry A. O'Neil

BAO/bhs

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
1	Internally Contradictory Highest & Best Use Analysis	"Highest and Best Use: Before — Row crop agriculture. After — Row crop agriculture and Investment/Speculation." Johnson Appraisal, Summary of Salient Facts, p. 8 "The question becomes 'Did the new road improvements change the highest and best use of the subject?' It is my opinion it did not, other than possibly enhance its appeal slightly for an investor buyer." Johnson Appraisal, Reconciliation of Values, p. 93	Highest and best use analysis is the foundational step of any before-and-after appraisal. Every subsequent adjustment and value conclusion flows from the appraiser's HBU determination. Johnson's appraisal contains two irreconcilable HBU conclusions that cannot both be true. The Summary of Salient Facts (p. 8) states that the After HBU is 'row crop agriculture and Investment/Speculation' — a different, expanded category that implies market demand for the property as a speculative investment has increased. This is the premise that drives the After value above the Before value. But the Reconciliation section (p. 93) expressly contradicts this: 'It is my opinion it did not [change the HBU]. If the HBU did not change, then by definition the improvement created no change in the property's highest and most productive use — and the before- and-after values should be identical. Johnson himself concedes this point while simultaneously claiming \$39,100 in additional value. That is not an appraisal — it is a contradiction. USPAP Standard Rule 1-3(b) requires the appraiser to develop a credible HBU as the foundation of value. UASFLA §1.4.3 defines HBU as 'the highest and most profitable use for which the property is adaptable and needed or likely to be needed in the reasonably near future.' An internally inconsistent HBU cannot satisfy either standard. It cannot serve as the basis for any reliable value conclusion.	USPAP SR 1- 3(b); UASFLA §1.4.3; Minn. Stat. § 429.051; Bisbee v. City of Fairmont, 593 N.W.2d 714 (Minn. App. 1999)	FATAL — Invalidates the Entire \$39,100 Differential An appraisal cannot rest on internally inconsistent premises. Where the appraiser himself states the HBU did not change, no rational basis exists for assigning a higher After value. The difference between Before (\$782,400) and After (\$821,500) is predicated on a speculative investment/speculation HBU that Johnson simultaneously disclaims. A court applying Bisbee and Carlson-Lang will ask whether the improvement measurably benefited this parcel. An appraisal that cannot even state a consistent HBU provides no answer to that question.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
2	Location Adjustment Manufactured Without Any Market Evidence	"The sales are located about two miles to four and a half miles from the subject. No adjustment is made to the sales but will be considered in the conclusion of value." Johnson Appraisal, Before Scenario, Location section, p. 81 "Sales #1 and #4, while located near Fairmont, are still a few miles from the city limits. These two sales are rated inferior to the Before scenario and qualitatively adjusted upward for location." Johnson Appraisal, After Scenario, Location section, p. 87	The entire \$39,100 difference in this appraisal is not the product of market analysis. It is the mathematical result of a single methodological move: Johnson rated the location of Sales #1 and #4 as 'inferior' to the After scenario, triggering upward qualitative adjustments that did not exist in the Before analysis. In the Before scenario, the same two sales received no location adjustment whatsoever. This is not a subtle difference in professional judgment — it is the mechanism by which the entire differential is generated. Before: zero location adjustment to Sales #1 and #4. After: upward location adjustment to Sales #1 and #4. The Before value: \$12,000/tillable acre. The After value: \$12,600/tillable acre. The \$600/tillable acre increase is the location adjustment premium. No market data or rationale or reasoning was cited to support it. USPAP Standard Rule 1-4(a) requires that adjustments be market-extracted. An appraiser must identify comparable sale pairs or other market evidence (cost considerations, market interviews, market fundamentals, market risks, etc.) that demonstrate the value of the element being compared or adjusted — in this case, a new concrete road with curb and gutter versus an existing asphalt road. Johnson cited no such paired sales. No market interview in the report addresses this question. Johnson's conclusion that the road improvement made the subject's location superior to Sales #1 and #4 (enough to adjust two sales upward) is an assertion, not a market finding. Without market data, it violates the fundamental requirement of USPAP SR 1-4 and	USPAP SR 1-4(a); UASFLA §4.2.1.1; Carlson-Lang Realty Co. v. City of Windom, 240 N.W.2d 517 (Minn. 1976); Buzick v. City of Blaine, 505 N.W.2d 51 (Minn. 1993)	Eliminates the Entire \$39,100 Differential Remove the unsupported location adjustment and Johnson's own comparable sales produce a Before and After value of approximately \$12,000/tillable acre — identical in both scenarios. The \$39,100 differential disappears entirely when the adjustment is tested against the standard it must satisfy: market evidence. This is not a matter of disagreement about how to weigh evidence. There is simply no evidence. The Johnson appraisal was commissioned to provide the evidentiary predicate the City lacked. An appraisal whose central \$39,100 differential rests on a location adjustment with zero market support cannot discharge that burden.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
			renders the \$39,100 differential unsupported.		
3	No Paired Sales Analysis; No Market Evidence That Road Improvement Creates Agricultural Premium	"In my opinion, the subject property benefits slightly from the Lake Avenue road improvement project." Johnson Appraisal, Reconciliation of Values, p. 93	A conclusion that a road improvement 'benefits' agricultural land requires market evidence. The preferred method for quantifying the effect of a single physical characteristic on value is paired sales analysis; finding two otherwise comparable properties that differ only in the characteristic being measured, and comparing their sale prices. Johnson conducted no paired sales analysis. Johnson used four agricultural comparable sales for both the Before and After scenarios. Not one of these four sales involved a property where a road was reconstructed from asphalt to concrete, providing a before-and-after observation of what such a project does to market value. Without this, there is no empirical basis for any location or utility premium. There is also no discussion of whether adjustments are warranted for differences in road type (gravel vs paved), while it is implied in the Before condition that there are no market preferences as all sales were deemed similar to the Senne Farm with respect to the location. UASFLA §4.2.1.1 requires the appraiser to support adjustments with paired sales data when such data is available. USPAP SR 1-4(a) independently requires that comparable sale adjustments be market-supported. Johnson's appraisal satisfies neither standard. Minnesota's requirement is explicit: Buzick v. City of Blaine, 505 N.W.2d 51 (Minn. 1993) affirmed an assessment against undeveloped property only because the City produced a before-and-after appraisal supported by actual	USPAP SR 1-4(a); UASFLA §4.2.1.1; Buzick v. City of Blaine, 505 N.W.2d 51 (Minn. 1993); Minn. Stat. § 429.051	Conclusion Is Not Market-Supported Without paired sales or other market support, the \$39,100 conclusion cannot be called a market-supported finding. It is the appraiser's untested assertion. Minnesota law requires the City to produce competent evidence of special benefit — not the appraiser's belief that 'some buyers may pay more.'

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
			evidence of benefit. Here, the City's appraiser cannot point to a single market transaction supporting his conclusion.		
4	Conclusion Rests Entirely on Speculative, Hedged, Non-Market Language	"there still may be some buyers or investors that would pay slightly more than the Before value for new public utilities." Johnson Appraisal, p. 93 "possibly enhance its appeal slightly for an investor buyer." Johnson Appraisal, p. 93 "a buyer investor would not pay much more than agricultural value at this point." Johnson Appraisal, p. 93 "The issue is how much." Johnson Appraisal, p. 93 (acknowledging uncertainty about any premium)	The language of an appraisal's conclusion reveals the quality of its analysis. Johnson's conclusion on p. 93 uses four speculative hedges in three sentences: 'may,' 'still may,' 'possibly,' and 'would not pay much more.' These are not findings — they are concessions that Johnson cannot identify a buyer who would actually pay \$39,100 more for this property because of the road improvement. USPAP Standard Rule 2-1(b) requires an appraisal report to contain sufficient information to enable the intended user to understand the analysis. USPAP SR 1-1(c) prohibits conclusions that commit a substantial error of omission that significantly affects the result. A conclusion that acknowledges 'the issue is how much' without answering that question with market data satisfies neither standard. The Minnesota Supreme Court's requirement under Minn. Stat. § 429.051 is not satisfied by possibility or possibility — it requires proof of an actual, measurable increase in market value. Continental Sales & Equipment v. Town of Stuntz, 257 N.W.2d 546, 549 (Minn. 1977) held that an assessment is 'void on its face' where the City's evidence fails to approximate a market value analysis. Johnson's 'may' and 'possibly' language does not approximate anything — it disclaims certainty while nonetheless asserting \$39,100 in value. Most tellingly, Johnson himself wrote: 'a buyer investor would not pay much more than agricultural value.' Read literally, Johnson has confirmed that the After	USPAP SR 1-1(c); SR 2-1(b); Continental Sales & Equip. v. Town of Stuntz, 257 N.W.2d 546 (Minn. 1977); Minn. Stat. § 429.051	Conclusion Is Legally Insufficient An appraisal built on 'may,' 'possibly,' and 'would not pay much more' cannot discharge the City's burden to prove special benefit by competent evidence. Under Continental Sales, this is the kind of analysis that renders an assessment 'void on its face.' Johnson's own hedging language is DFP's strongest argument.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
			value approaches but does not exceed agricultural value. Johnson attributes a \$39,100 premium to an entity he acknowledges would 'not pay much more than agricultural value.'		
5	Supply/Demand Analysis Proves No Investment Value Exists — Yet a \$39,100 Premium Is Claimed Anyway	"supply appears to outweigh demand for several years into the future. In my opinion, commercial and industrial use is not a maximally productive use of the Before scenario." Johnson Appraisal, p. 49 "supply appears to outweigh demand for several years into the future. In my opinion, commercial and industrial use is not a maximally productive use of the After scenario." Johnson Appraisal, p. 51 "To the west about one half mile is the Fairmont Industrial Park 11th Addition which is about 25% occupied." Johnson Appraisal, p. 25 (a park that has existed since approximately the 1970s)	Johnson's supply and demand analysis is thorough and accurate in its data — but its conclusions contradict his HBU and value determination. He correctly identifies that commercial and industrial land supply in Fairmont significantly exceeds demand, that the Industrial Park 11th Addition is only 25% occupied after roughly 50 years of operation, and that supply will continue to outweigh demand for 'several years into the future.' He then correctly concludes that commercial and industrial use is not the maximally productive use of the subject — in either the Before or After scenario. But having concluded that commercial/industrial use is not the HBU and that supply vastly exceeds demand, Johnson then concludes there is \$39,100 in speculative investment value — because 'some buyers' might pay slightly more for the prospect of eventual development. This is circular. If the market cannot absorb existing supply for years, there is no rational basis for concluding that the road improvement increased the subject's speculative value. A buyer who would wait years for a saturated market to recover would not pay a premium today for a new concrete road. Hansen v. County of Hennepin, 527 N.W.2d 89 (Minn. 1995) holds that HBU must be 'reasonably probable, not merely possible or speculative.' An investment/speculation use premised on eventual development in a market where supply already exceeds demand for years is speculative, not reasonably	Hansen v. Cty. of Hennepin, 527 N.W.2d 89 (Minn. 1995); UASFLA §1.4.3; Minn. Stat. § 429.051	Johnson's Own Analysis Disproves His Conclusion If supply outweighs demand for years, no rational investor would pay a premium today based on future speculative use. Johnson's data shows the market; his conclusion ignores it. Under Hansen, the speculative investment use is not 'reasonably probable' and cannot support any value differential.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
			probable. And the closing of 3M's Fairmont plant in 2027 — adding 77 acres and a 145,000 sq. ft. building to an already oversupplied market — will worsen the supply/demand imbalance further. In short, Johnson's own market analysis refutes his own conclusion. A court asked to evaluate this appraisal will see an appraiser who correctly diagnosed an oversupplied market and then assigned a speculative premium anyway — without a single market data point to support it.		
6	Wrong Metric Used for Demand Analysis — Maintenance Permits Mischaracterized as Development Activity	"Most new permits issued by the city in the past three years were for additions, alterations or maintenance." Johnson Appraisal, p. 48 "Number of Permits reported by the City of Fairmont: 2024 — 4 total (0 industrial, 1 public, 3 non-residential); 2025 — 4 total (1 industrial, 1 public, 2 non-residential); 2026 to April — 1 total (0 industrial, 1 public, 0 non-residential)." Johnson Appraisal, Building Permit Table, p. 48	Johnson used the City of Fairmont's total building permit count as his demand indicator for commercial and industrial land. This is the wrong metric. Additions, alterations, and maintenance permits measure improvements to existing buildings — they have no bearing on demand for raw, undeveloped land. The relevant demand indicator for undeveloped land is new construction permits — permits for new buildings on vacant lots. Johnson's own data shows that in three years, a maximum of one industrial permit and one public-entity permit were issued per year, with non-residential permits primarily representing additions or maintenance to existing structures. These numbers confirm near-zero demand for new construction on raw land in Fairmont. The mischaracterization matters because Johnson used the building permit data to support a 'steady but slow' demand finding — which he then used to justify retaining investment/speculation as a possible use in the After scenario. Had he correctly identified these as maintenance-type permits rather than	USPAP SR 1-3; UASFLA §2.2.1; Minn. Stat. § 429.051	Demand Is Actually Near Zero for Raw Land Corrected for the permit error, demand for new construction on raw commercial/industrial land in Fairmont is essentially zero. This eliminates any basis for the speculative investment/speculation HBU in the After scenario — and with it, any justification for the \$600/tillable acre location adjustment premium.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
			new construction permits, his demand finding would have been 'essentially zero for new construction on raw land,' which would have eliminated any basis for the speculative investment premium. USPAP SR 1-3 requires the appraiser to be competent to perform the assignment. UASFLA §2.2.1 requires credible analysis of supply and demand. Using the wrong permit category as the demand metric is not a minor error of professional judgment — it is an analytical failure that distorts the demand conclusion on which Johnson's speculative HBU rests.		
7	Utility Replacement Benefit Not Quantified; Pre-Existing 'Adequate' Utilities Undermine Claimed Upgrade Value	"Public sewer and water have been in the subject's neighbor since the mid 1960's," Johnson Appraisal, p. 22 "The sanitary sewer and water lines were reportedly installed in the mid-1960's," Johnson Appraisal, Property Data — Before Scenario, p. 23 "Before the Lake Avenue road improvement project, the subject has bituminous road frontage and adequate public utilities." Johnson Appraisal, Reconciliation, p. 93 (emphasis added)	Johnson claims that new sanitary sewer and water lines are among the improvements that justify the After value premium. But he acknowledges — twice, and in the Reconciliation section — that public sewer and water already existed along Lake Avenue since the 1960s and were 'adequate.' The project replaced aging utility lines with new ones. It did not extend service to a previously unserved parcel. The legal question under Minn. Stat. § 429.051 is not whether the City replaced its infrastructure — it is whether the replacement increased DFP's market value. An owner whose land already had 'adequate' utility access does not receive a special benefit when the utility lines serving that access are replaced. The utility benefit, if any, flows to the City's infrastructure system — not to DFP's land value. USPAP SR 1-4 requires the appraiser to analyze each element of comparison that has a bearing on value. UASFLA §4.2.2 requires quantification of the contribution of each project element. Johnson does not attempt to isolate or	USPAP SR 1-4; UASFLA §4.2.2; Minn. Stat. § 429.051; Buettner v. City of St. Cloud, 277 N.W.2d 199 (Minn. 1979)	No Incremental Utility Value Demonstrated Where utilities pre-existed and were 'adequate,' their replacement as part of the Lake Avenue Reconstruction project was pre-mature and performed out of convenience to take advantage of utility access during road reconstruction — not a new special benefit to the adjacent Senne Farm. Johnson cannot claim credit for a utility upgrade that he himself described as replacing something that was already adequate. No court will permit an assessment for replacing infrastructure the owner already had access to.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
			quantify the contribution of the new utility lines separately from the new road surface or curb and gutter. He presents the \$39,100 as an undifferentiated total, making it impossible to assess whether any specific component of the project created any specific value. Johnson's appraisal contains no market support (e.g., interviews, sales analysis, etc.) on this question of whether a new concrete road surface or the replacement of utility lines creates a measurable premium for agricultural land.		
8	Failure to Isolate the Effect of the Project from General Market Forces (UASFLA Violation)	"The report has been developed and the appraisal report was prepared in conformity of the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA, 2016) and the Uniform Standards of Professional Appraisal Practice (USPAP)." Johnson Appraisal, Appraiser's Certification, p. 5–6 "[No isolation analysis appears anywhere in the 93-page report. The same four agricultural comparable sales are used for both Before and After scenarios without any effort to disaggregate project-attributable effects from general farmland market trends, regional economic conditions, or speculative expectations.]" Observation from review of the complete Johnson Appraisal	Johnson certified compliance with UASFLA. UASFLA §2.2.1 imposes a specific obligation on appraisers in before-and-after assignments: the appraiser must isolate the effect of the project from general market appreciation, broader economic trends, speculative expectations, and competing supply conditions. This is not an optional analytical step — it is a mandatory requirement under the standard Johnson invoked. The report contains no isolation analysis. Johnson selected four agricultural comparable sales and applied them to both scenarios. There is no attempt to separate: (1) any value change attributable to the road improvement; (2) general farmland price appreciation or depreciation between the effective date and the comparable sale dates; (3) speculative expectations unrelated to the project; or (4) the effect of negative economic events such as the Green Plains ethanol plant closure and the anticipated 3M plant closure. Without isolation, Johnson cannot credibly attribute any portion of the alleged \$39,100 to the Lake Avenue	UASFLA §2.2.1; USPAP SR 1-1(b); Bisbee v. City of Fairmont, 593 N.W.2d 714, 717 (Minn. App. 1999)	Project-Attributable Value Cannot Be Established The \$39,100 special benefit could only be due to the appraiser's opinion that there is a benefit to location. This conclusion is unsupported by market data and rationale. Without isolating the project's effect, there is no analytical basis for attributing any portion of the alleged differential to the Lake Avenue improvement to the Senne Farm. Under UASFLA §2.2.1 and Minn. Stat. § 429.051, this renders the conclusion legally insufficient.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
			project. The \$39,100 could just as easily reflect measurement error, differences in the comparable selection process, or the appraiser's personal judgment about speculative upside — none of which constitutes a 'special benefit' under Minnesota law. This is particularly significant because Johnson did not even use sales of agricultural properties that had experienced road improvements as comparable data. He used entirely agricultural sales with no road improvement element, then manufactured a road improvement premium by adjusting the location rating between scenarios. That is the opposite of isolation — it is attribution by assertion. Furthermore, the appraisal does not include a discussion, analysis, or adjustment in the Before condition that considers differences in road type or road condition between the Senne Farm and the comparable sales.		
9	UASFLA Inapplicable to Municipal Special Assessment Proceeding	"This appraisal is intended to comply with requirements of the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA or 'yellow book')." Johnson Appraisal, Scope of Appraisal, p. 13 "This report is performed under USPAP Standard Rules 1 and 2...The intended use of the appraisal is to determine any difference in value caused by the city provided street improvements."	UASFLA — the Yellow Book — was developed for federal eminent domain proceedings and federally funded acquisitions. Its framework, including hypothetical condition analysis, larger parcel determinations, and project influence standards, was designed for just compensation determinations when the federal government acquires private property involuntarily. It was not designed for, and has not been adopted as the standard for, Minnesota municipal special assessment proceedings under Minn. Stat. Chapter 429. The applicable legal standard for DFP's assessment is Minn. Stat. § 429.051, as interpreted by the Minnesota Supreme Court and Court of Appeals. That standard requires a demonstrable increase in market value of the specific	Minn. Stat. § 429.051; Bisbee v. City of Fairmont, 593 N.W.2d 714 (Minn. App. 1999); Carlson-Lang, 240 N.W.2d at 519	Wrong Standard Applied; Minnesota Law Controls Whether or not Johnson's appraisal satisfies UASFLA is irrelevant. The question before the City Council and any reviewing court is whether the appraisal satisfies Minn. Stat. § 429.051 and Bisbee. It does not. Invoking an inapplicable federal standard does not relieve the City of its obligation under Minnesota law to demonstrate actual, measurable benefit.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
		Johnson Appraisal, Scope of Appraisal, p. 13	parcel attributable to the specific improvement. Bisbee v. City of Fairmont is the binding precedent on the methodology required — and Bisbee does not reference UASFLA. Most critically, UASFLA's invocation is strategic rather than substantive: it lends the appearance of a rigorous federal appraisal standard to a report that satisfies neither UASFLA nor USPAP. The correct standard — Minn. Stat. § 429.051 and Bisbee — demands market evidence of a measurable benefit. Johnson provides none.		
10	No New Access Benefit — Farm Access Unchanged Before and After	"Field access is from Bixby Road. Overall, access to the subject is rated good for agriculture, rural residential and commercial uses." Johnson Appraisal, Property Data — Before Scenario, p. 22 (Before condition) "Field access is from Bixby Road. Overall, access to the subject is rated good for agriculture, rural residential and commercial uses." Johnson Appraisal, Property Data — After Scenario, p. 30 (After condition — identical language)	Johnson's Before and After property descriptions use identical language regarding access: 'Field access is from Bixby Road. Overall, access...is rated good.' The road improvement did not create new access to the Farm. DFP's property has no curb cuts on Lake Avenue, no buildings, and no agricultural operations that rely on Lake Avenue. All access to the Farm's 66+ tillable acres is from Bixby Road. Lake Avenue bisects the property into a northern parcel (north of Lake Ave, ±32.2 acres) and a southern parcel (south of Lake Ave, ±41.32 acres). The road is a right-of-way that runs through the farm — it does not serve the farm. Farmers access both parcels from Bixby Road. The improvement from asphalt to concrete on Lake Avenue provides no new access point, no new entry, and no new functional connection to the agricultural operation. USPAP SR 1-4 requires the appraiser to address each element of comparison bearing on value. Where the appraiser uses identical access descriptions in both scenarios — word for word — access cannot be a basis for any	USPAP SR 1-4; Minn. Stat. § 429.051 (benefit must accrue to the specific parcel); Buettner v. City of St. Cloud, 277 N.W.2d 199 (Minn. 1979)	Lake Avenue Improvement Provides No New Access A road improvement that does not change a property's access cannot create a special access benefit. Johnson's identical Before and After access descriptions confirm no change. This is one more independent ground on which the \$39,100 differential is unsupported.

APPENDIX – Rick Johnson Appraisal Issues

#	Error Category	Johnson's Direct Statements (Quoted from Appraisal)	Methodological Error Explained / Required Standard	Legal & Appraisal Citation	Effect on the \$39,100 Differential
			Before/After differential. Yet Johnson's location adjustments in the After scenario implicitly assume that the road improvement changed something about the subject's access or locational appeal. His own property data sections contradict this. DFP's Written Objection (March 2026) documented that all Farm access is via Bixby Road and that the Farm has no functional connection to Lake Avenue. Johnson confirmed this in his own appraisal — and then assigned \$39,100 in value to improvements on a road that does not serve the Farm.		

COMPARISON OF DFP APPRAISAL TO CITY OF FAIRMONT APPRAISAL

DFP LIMITED PARTNERSHIP

1300 Lake Avenue, 2025 Lake Avenue Reconstruction

BARCLAY/HOSCH (DFP) vs. JOHNSON/AURORA (City of Fairmont)

Lake Avenue Reconstruction Project (City Project #5725001) | June 29, 2026

This chart compares, issue by issue, the appraisal prepared by Richard H. Johnson, ARA, of Aurora Valuation (the "Johnson Appraisal"), which concludes a special benefit of \$39,100, against the appraisal prepared by Jonathan R. Barclay, MAI, and Nathan J. Brooberg of Hosch Appraisal & Consulting, Inc. (the "Barclay/Hosch Appraisal"), which concludes a special benefit of \$0. The City of Fairmont commissioned the Johnson Appraisal after DFP objected that the original per-linear-foot assessment formula was prima facie invalid under *Bisbee v. City of Fairmont*, 593 N.W.2d 714 (Minn. App. 1999). DFP commissioned the Barclay/Hosch Appraisal independently.

OVERALL CONCLUSION: Johnson's \$39,100 is not the product of reliable methodology. It rests on (1) a dual-effective-date framework that contaminates the benefit analysis with market movements; (2) an internally contradictory HBU; (3) a location adjustment with zero market support; (4) no market interviews; (5) no literature review; and (6) a fatally inadequate supply/demand analysis that ignores FEDA's newly acquired 37.61-acre site and the ghost supply of never-developed industrial lots. Barclay's \$0 conclusion is supported by three convergent, market-based analytical frameworks and is the correct and legally defensible answer. The Johnson Appraisal cannot be used to sustain any special assessment against DFP.

► Barclay/Hosch	Barclay/Hosch's approach is correct on this issue. Johnson's approach is flawed or unsupported.
► Barclay/Hosch (DECISIVE)	Barclay/Hosch is decisively correct. Johnson's error on this issue independently defeats his \$39,100 conclusion.

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
1	Appraiser Credentials	Appraiser: Richard H. Johnson, ARA (Accredited Rural Appraiser). Aurora Valuation. ARA is awarded by the American Society of Farm Managers and Rural Appraisers (ASFMRA). No mandatory peer	Appraisers: Jonathan R. Barclay, MAI (MN License #40022330) and Nathan J. Brooberg (MN License #20249946). Hosch Appraisal & Consulting, Inc.	► Barclay/Hosch The MAI designation is the gold standard in real property appraisal. Barclay's disclosed special assessment experience is directly relevant. The Appraisal Institute's mandatory peer review process, continuing education, and code of	HIGH: At an assessment hearing, the trier of fact will weigh appraiser credibility. Barclay's superior credentials, mandatory peer review, continuing education, code of professional ethics, and direct relevant special assessment

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
		review requirement; no reciprocal standard with state licensing board. Johnson did not disclose prior services or special assessment appraisal experience in the report.	MAI is the highest designation from the Appraisal Institute, requiring demonstrated competence across all property types, peer-reviewed demonstration reports, and ongoing education. Barclay discloses prior special assessment appraisal experience specifically relevant to this assignment.	professional ethics, provides an additional quality safeguard that ARA does not require.	experience make his testimony more authoritative.
2	Applicable Standards	Standards invoked: USPAP 2024 AND Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA), 6th Edition. UASFLA applies to federal land acquisitions and federally funded projects. It is NOT the appropriate standard for a Minnesota special assessment dispute between a private landowner and a municipality. <i>Application of UASFLA was not requested by the client (City of Fairmont) and is inapplicable to this assignment.</i>	Standards invoked: USPAP 2024 and the Appraisal Institute's Code of Professional Ethics & Standards of Professional Appraisal Practice. Correctly limited to the controlling professional standard for this type of assignment, including a higher level of standard demanded by the Appraisal Institute due to Mr. Barclay's MAI designation. No inapplicable federal standards invoked. Scope properly defined as special benefit analysis under Minn. Stat. § 429.051.	► Barclay/Hosch UASFLA governs federal land acquisitions and federally funded projects. Applying it to a municipal special assessment matter is a methodological error. It introduces standards developed for a different legal context (e.g., federal acquisitions and federally funded projects) and creates analytical confusion. Barclay's approach — USPAP 2024 and the Appraisal Institute's Code of Professional Ethics & Standards of Professional Appraisal Practice — is the correct and appropriate standard.	MEDIUM: Invoking UASFLA is not only inapplicable but opens the door to DFP arguing that Johnson applied the wrong professional standard throughout, which calls into question every methodology choice in his report.
3	Effective Date Methodology	Effective date: May 28, 2026 — same for Both Before and After scenarios. Before: hypothetical condition that improvements have not yet been completed. After: actual post-project condition.	Effective date: April 1, 2026 — same for Both Before and After scenarios. Before: hypothetical condition that project is complete. After: same hypothetical condition applied.	Both Correct (same methodology) Both appraisers correctly used a single effective date for Before and After. The dates differ (Johnson: May 28, 2026; Barclay: April 1, 2026) but both approaches are sound. The \$39,100 vs. \$0 difference does not stem from effective date methodology.	LOW — Both Correct: No methodological distinction here. The source of Johnson's \$39,100 must be found in his adjustments and HBU analysis, not in his effective date approach.

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
		Same-date methodology is correct: a single valuation date eliminates risk that any Before/After difference reflects general market movement rather than the project.	Same-date methodology is correct for the same reason.		
4	HBU — Before Scenario	Conclusion: "Row crop agriculture." HBU analysis is brief. Johnson does not provide a rigorous four-part analysis (legally permissible / physically possible / financially feasible / maximally productive). Discussion of financial feasibility is conclusory. Did not analyze supply/demand for industrial development in sufficient depth at the before scenario stage.	Conclusion: "Agricultural Land in Row Crop Production (Continued Use)." Full four-part HBU analysis: legally permissible (I-2 Heavy Industrial / B-3 General Business / R-3 Multi-Family / A Agricultural Transition zoning — wide range of uses permitted); physically possible (accessible, municipal utilities available, quality soils); financially feasible — analyzed and found NOT feasible due to ~30-year industrial land supply; maximally productive — row crop farming. Supply/demand analysis in depth (see Row 7). Hansen standard satisfied.	► Barclay/Hosch Both appraisers reach the same Before HBU — agricultural. However, Barclay's path to that conclusion is rigorously supported by supply/demand data, while Johnson's is conclusory. The difference matters because Barclay's thorough analysis forecloses any argument that development was financially feasible before the project.	HIGH: Barclay's thorough Before HBU analysis is an independent basis to defeat Johnson's \$39,100 conclusion. Johnson's After HBU (partially 'investment/speculation') is impossible to sustain if the Before HBU already demonstrates industrial development is financially infeasible — and nothing about a road improvement changes the 30-year oversupply.
5	HBU — After Scenario	Summary table: Row crop agriculture AND Investment/Speculation. HBU conclusion (p. 51): "highest and best of the After scenario is row crop agriculture use with some investment/speculation potential." Reconciliation (p. 93): "Did the new road improvements change	Conclusion: Agricultural Land in Row Crop Production (Continued Use). No change from Before. Supported by three convergent frameworks: (1) literature — no studies document a road-improvement premium for ag land; (2) all 7 market interviews confirm no premium; (3) sales research — 1401 Winnebago	► Barclay/Hosch (DECISIVE) Johnson's After HBU rests entirely on the assertion that new road and utilities 'slightly enhance' investor appeal — with no market data. His own reconciliation says the HBU 'did not change' while his Summary says it did. Barclay's unchanged HBU is confirmed by 7 market participants, a literature review, and direct sales research. Under <i>Hansen v. County of Hennepin</i>, 527 N.W.2d 89, speculative value requires	CRITICAL: If the After HBU is unchanged — agricultural — there is no mathematical basis for any benefit. Johnson's \$39,100 is predicated on a speculative investment premium his own supply/demand analysis does not support.

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
		the highest and best use of the subject? It is my opinion it did not, other than possibly enhance its appeal slightly for an investor buyer.” Internal tension: Summary shows changed HBU (adds investment/speculation); Reconciliation says it did not change. Unresolved. No market evidence cited to support even a slight investment premium. No buyer/seller interviews. Johnson himself concludes demand is 3-5 years out.	Ave. sold at ag value despite identical infrastructure improvements and outstanding assessments. 30-year supply horizon makes any near-term development premium unsupportable under Hansen.	'reasonably probable' near-term demand. Johnson himself concludes development is 3-5 years out — that is not the Hansen standard.	
6	Number & Selection of Comparable Sales	4 comparable sales: All in Martin County. Transaction dates: March 2025 – March 2026. Johnson uses the same 4 comparable sales for BOTH the Before and the After scenario without conducting any additional research specific to the After scenario. This means his After value is derived entirely from sales that occurred before the project and before the effective date of the After value.	5 comparable sales: All in Martin County. Transaction dates: October 2024 – March 2026. More recent sales, including Sale 1 transacted only 22 days before the April 1, 2026 effective date. Barclay's sales better bracket the effective date for the Before scenario. For the After scenario, Barclay conducted separate research (literature, interviews, sales research) rather than simply reusing the same sales with an unsupported premium.	► Barclay/Hosch Barclay's 5 sales are more current and better bracket the single April 1, 2026 effective date. Johnson's use of the same 4 sales for both before and after — while artificially inserting a premium in the After scenario — is methodologically circular and unsupported.	HIGH: Johnson's After-scenario methodology is essentially: (Before sales) + (unsupported location premium) = After value. That is not a separate After analysis — it is reverse-engineering a predetermined conclusion. Barclay's independent After research through literature, interviews, and sales is methodologically superior.
7	Supply / Demand Analysis —	Demand methodology: Building permit counts (2024-2026). Finding: only 4-5 total permits/year; most were additions, alterations or	Demand methodology: Actual industrial land sales over 10.5 years.	► Barclay/Hosch (DECISIVE) Both appraisers agree qualitatively: supply exceeds demand. But Johnson stops at a vague '3-5 years'	CRITICAL — JOHNSON DEFEATS HIMSELF: Johnson's own supply/demand conclusion ('3-5 years out') refutes his speculative premium. Barclay's 30-year

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
	Absorption Rate & FEDA	maintenance — not new construction on raw land. Supply identified: Johnson correctly identifies the new FEDA 37-acre I-90/Bixby site, the 19- and 22-acre Fairmont Growth Opportunity Corp. lots, and the 3M site (77 acres) as available supply. Conclusion: Supply outweighs demand “for several years into the future”; development “still out 3 to 5 years.” Critical gaps: No per-year absorption rate calculated. No supply horizon stated. Building permits capture maintenance, not raw-land development. Ghost supply (lots sold but never built) not analyzed.	Quantified: 52.33 acres absorbed = 4.98 acres/year. Supply: 88.43 FEDA-marketed acres + ~60 acres (3M closure) = 148.43 total. $148.43 \div 4.98 = \sim 30$ years. Ghost supply disclosed: Some lots counted as absorbed were never developed and remain vacant — true effective demand rate is lower; supply horizon exceeds 30 years. Sales research: 1720-1760 Center Creek Drive (best commercial corridor in Fairmont) — 4 of 8 lots unsold after 18 years; some buyers tax-forfeited. Confirms weak real-world absorption.	estimate: Barclay quantifies it at 30+ years. That difference is dispositive. Johnson correctly identifies the FEDA 37-acre site as supply but does not quantify its impact. Barclay includes it in the 148-acre total that drives the 30-year calculation. Johnson's own conclusion ('3 to 5 years out') is inconsistent with his finding of speculative investment value. Under Hansen, a value increment for speculative development requires 'reasonably probable' near-term demand. A 3-to-5-year wait in a market with 30 years of supply does not meet that standard.	quantification makes it definitive. Neither supports the investment/speculation HBU premium that generates the \$39,100.
8	Market Interviews	Market interviews conducted: NONE. Johnson conducted no market interviews with buyers, sellers, or brokers active in the Fairmont agricultural or industrial land market. This means Johnson has no direct market evidence that any buyer would pay a premium for agricultural land adjacent to a newly reconstructed road. His 'location premium' is entirely theoretical — an inference from general principles, not supported by a single market participant.	Market interviews conducted: SEVEN. Interviewed buyers, sellers, and active real estate agents in the Fairmont agricultural/industrial market. All seven participants confirmed: no measurable market premium for agricultural land attributable to road improvement from gravel/aging pavement to new concrete. Market Interview #5 (Local Real Estate Agent): Discussed 1401 Winnebago (I-1/R-4, ~15 acres, municipal utilities) as an example of a Fairmont property	► Barclay/Hosch (DECISIVE) Market value, by definition, is what a knowledgeable buyer and seller agree to in an arm's-length transaction. When you want to know whether buyers pay a premium for improved road access on agricultural land, you ask buyers and sellers. Johnson skipped this step entirely. His 'premium' is an assumption, not a market observation. Barclay asked seven market participants and got seven consistent answers: no premium.	CRITICAL: USPAP SR 1-4(a) requires analysis of 'such comparable sales data as are available' and broader 'market data.' Market interviews are a standard tool for isolating the value impact of a specific property characteristic when paired sales are unavailable. Johnson's omission of market interviews is not a minor gap — it is the absence of any market evidence for his central value claim. Assessment Drag: Market Interview 5's finding that assessments for Lake Avenue improvements created negative value drag is direct evidence that the assessment itself impairs

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
			that sold BELOW agricultural value despite industrial zoning and a completed road. Interview 5 stated directly: if the subject property is assessed, 'it would actually create a significant drag on value equal to the amount of the assessment.' This is the mirror image of Johnson's \$39,100 benefit: a market expert says the \$274,705 assessment itself creates a dollar-for-dollar VALUE DRAG.		marketability — directly contradicting the City's premise that the road improvement benefits the property.
9	Location / Access Adjustment	Before: No location adjustment applied. After: Upward location adjustment applied to Sales 1 and 4 in the After scenario. Johnson attributes a premium to the completed road improvement on the theory that the subject now has 'improved access and infrastructure.' NO MARKET SUPPORT cited for this adjustment. No paired sales analysis. No market interviews. No literature cited. The adjustment is an assertion, not a market-extracted conclusion. This unsupported adjustment is the SOLE source of Johnson's \$39,100 'benefit.'	Before: No location adjustment applied. After: No location adjustment applied. Research shows: (1) Literature: no studies found benefit for agricultural land from road improvements. (2) Market Interviews: all seven participants confirm no premium. (3) Industrial land sales A, B, C in Fairmont at or below agricultural value. Absence of adjustment is rigorously supported by multi-source market evidence.	► Barclay/Hosch (DECISIVE) Johnson's location adjustment is the heart of the problem: he assumed a market premium and then built an appraisal around it. Barclay researched whether the market actually pays such a premium and found it does not. Under USPAP SR 1-4, adjustments must be market-extracted — they cannot be assumed. <i>Continental Sales & Equip. v. Town of Stuntz</i>, 257 N.W.2d 546 (Minn. 1977) voids an assessment when it is not grounded in true market value analysis.	CRITICAL — UNSUPPORTED ADJUSTMENT IS FATAL: Without the location adjustment, Johnson's Before and After values are identical (both use the same 4 sales with no other changes), and the special benefit is \$0. The entire \$39,100 rests on one adjustment that has no market support. Barclay proved the market does not pay this premium. The adjustment fails on its own terms.
10	Literature Review	Literature reviewed: NONE cited. Johnson does not cite or discuss any published studies on the	Literature reviewed: Extensive. Reviewed published studies on road improvements and property	► Barclay/Hosch The absence of any literature supporting an agricultural benefit from road improvements is itself	MEDIUM: Literature review corroborates the market interview and sales research conclusions. It provides the appraisal with a

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
		effect of road improvements on adjacent property values. Johnson does not acknowledge the absence of literature supporting a premium for agricultural land from road improvements.	values. Findings: multiple studies confirm a premium for commercial and residential properties; no studies found a premium for agricultural land. Disclosed that no literature addresses agricultural land specifically — this disclosure converts a limitation into a finding supporting \$0. Sources include peer-reviewed academic journals and transportation research publications.	evidence, Barclay's disclosure that studies consistently find benefits for commercial/residential but not for agricultural is a substantive finding. Johnson's failure to conduct or cite any literature review means his premium claim is unsupported by the broader appraisal community's research.	broader evidentiary base that Johnson's report entirely lacks. Collectively, this means Johnson's \$39,100 has no support from any source (literature, interviews, sales research, or quantified absorption analysis) — while Barclay's \$0 has support from all four.
11	Sales Research — After Scenario	After-scenario sales research: NONE . Johnson does not conduct any research specifically designed to test whether the Lake Avenue improvement (or comparable improvements elsewhere) produced measurable increases in agricultural land values. He uses the same 4 pre-project comparable sales for both Before and After, with only an unsupported adjustment to produce his After value.	After-scenario sales research: Conducted . 1401 Winnebago Avenue (PID# 230370080): 15.36-acre Fairmont property — I-1/R-4 zoning, served by municipal utilities. Listed at \$125,000; sold October 2021 for \$100,000 (\$9,001/tillable acre). Had \$76,269 in outstanding special assessments for a recent road reconstruction (new street, sidewalk, curb & gutter). Seller paid the assessment from proceeds, netting only \$23,731. The interviewed market participant stated the property sold at or below agricultural value despite industrial zoning, utilities, and a completed road reconstruction — directly testing and rejecting Johnson's thesis. 1720-1760 Center Creek Drive: 8 commercial lots on	► Barclay/Hosch (DECISIVE) 1401 Winnebago is essentially a test of Johnson's thesis: if road improvements and assessments create value for Fairmont properties with industrial zoning and utilities, this property should have sold at a premium. It didn't — it sold at agricultural value, and the assessment was confirmed to be a drag. This is real-world evidence that directly defeats Johnson's theoretical premium.	CRITICAL: 1401 Winnebago directly tests and rejects Johnson's hypothesis in the Fairmont market. Center Creek Drive shows that Fairmont's best commercial corridor cannot absorb industrial lots in 18 years — further proof that the subject, a less desirable agricultural parcel on the edge of town, has no near-term development value that a road improvement could enhance.

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
			prime Highway 15 corridor, developed 2008. 18 years later: 4 of 8 still unsold. Some buyers tax-forfeited. \$80,000–\$100,000 in outstanding assessments per lot. Demonstrates even the best commercial location in Fairmont cannot absorb industrial lots over two decades.		
12	Acreage Used	Acreage: 65.2 FSA cropland acres. Uses FSA-reported cropland figure from aerial/NRCS records. FSA acreage typically reflects only the acres eligible for federal crop program payments and may exclude farmable areas near roads, waterways, or field edges.	Acreage: 66.64 tillable acres (per current farm lease agreement). The lease agreement is the operative document governing actual agricultural use. The tenant farmer identifies 66.64 acres as the farmable area actually under cultivation. This is the most direct evidence of the property's productive agricultural capacity.	► Barclay/Hosch The actual farm lease is more probative of productive agricultural acreage than FSA administrative records. The 1.44-acre difference slightly increases Barclay's before value, which is not material to the \$0 benefit conclusion — but it does demonstrate that Barclay's methodology is more grounded in property-specific facts.	LOW: The difference (65.2 vs. 66.64 acres) is minor in isolation, but it illustrates that Barclay's approach is consistently more rigorous and property-specific. The before value difference is –\$17,000 — not material to the benefit calculation, but it shows Johnson's appraisal used less precise inputs throughout.
13	Before Value Conclusion	Before value: \$782,400 (\$12,000/tillable acre × 65.2 FSA acres). Three emphasized sales (adjusted): Sale 3: \$11,957 / Sale 4: \$12,421 / Sale 1: \$12,696. Sale 2 receives little weight (inferior soils, conditions of sale). Effective range: \$11,957–\$12,696/till. acre. Johnson states a value 'near Sale #3 is reasonable as it is the most recent sale and has similar soils.' Sale 3 adjusted = \$11,957; his selection of \$12,000 is near the low end of his own three-sale	Before value: \$845,000 (\$12,650/tillable acre × 66.64 acres). Adjusted range: \$11,740–\$13,019/till. acre (mean \$12,516). Unadjusted range: \$9,933–\$12,701. Barclay selects \$12,650 — consistent with Sale 4's adjusted \$12,701 (CPI 93, closest match to subject's 93). Explicit reasoning: Sale 4 is the most similar to the subject and anchors the conclusion toward the upper end of the range. Properly documented.	► Barclay/Hosch Barclay's higher before value (\$845,000 vs. \$782,400) is better supported. The CPI-based weighting toward Sale 4 (CPI 93, nearest to subject's 92.9) is a logical, market-based selection. Johnson's rationale for selecting \$12,000 is conclusory. If the before value is \$845,000, then an After value of \$845,000 (unchanged) still produces \$0 benefit.	MEDIUM: Even accepting Johnson's before value of \$782,400, the City still cannot support a \$274,705 assessment if the special benefit is zero. The before/after value differential under Johnson (\$39,100) is the issue — not the absolute before value. But Barclay's higher before value reinforces that the agricultural value is substantial and fully attributable to farming, not road access.

#	Issue	JOHNSON / AURORA VALUATION	BARCLAY / HOSCH APPRAISAL	Correct Approach & Opinion	Significance to Assessment
		range. No additional reasoning provided.			
14	After Value & Special Benefit Conclusion	After value: \$821,500 (\$12,600/till. acre × 65.2 acres). Per-acre increase: \$12,000 → \$12,600 = \$600/till. acre. Sources of After premium: Unsupported upward location adjustment applied to Sales 1 and 4, attributed to 'improved access and infrastructure.' No market data supports this adjustment. Special Benefit: \$39,100 (\$821,500 - \$782,400).	After value: \$845,000 (unchanged from Before). Three-pillar analysis supports no change: literature review (no ag benefit from road improvements), market interviews (all seven confirm no premium), and sales research (1401 Winnebago; Center Creek Drive). Special Benefit: \$0 (\$845,000 - \$845,000).	► Barclay/Hosch (DECISIVE) The \$39,100 Johnson conclusion is unsupported at every analytical level: (1) the HBU is internally contradicted between Summary and Reconciliation; (2) the absorption/supply analysis lacks a quantified supply horizon; (3) no market interviews were conducted; (4) no literature review; (5) no sales research specific to the After scenario; (6) the only active analytical element — the location adjustment — has zero market support; and (7) Johnson's own Final Reconciliation contains what may be a \$90,000 mathematical error in the Before value on page 85. This error reflects Richard Johnson's lack of due diligence and care throughout his Before & After appraisal on behalf of the City of Fairmont. Barclay's \$0 conclusion is supported by three independent, convergent analytical frameworks all reaching the same result. It is the credible and legally defensible conclusion.	CONTROLLING: Under Minn. Stat. § 429.051 and Buettner v. City of St. Cloud, 277 N.W.2d 199 (Minn. 1979), assessment may not exceed special benefit. Special benefit = market value increase. Barclay demonstrates market value increase = \$0. The City cannot impose any assessment — let alone \$274,705 — without proving benefit, and its own commissioned appraisal cannot withstand scrutiny. DFP's independent appraisal proves benefit is \$0. Bisbee Controls: In Bisbee v. City of Fairmont, 593 N.W.2d 714 (Minn. App. 1999), this exact City used this exact per-LF formula on Lake Avenue and the court declared it prima facie invalid. Johnson was commissioned to cure this deficiency. He failed. Without a credible appraisal showing benefit, the assessment is void.



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☒ Regular Agenda Item ☐ Public Hearing	Agenda Item # 8.1
Reviewed by: Jason Baker, City Administrator	Item: Consideration of a Proposed Charter Amendment Related to Charter Section 2.01: Form of Government (Second Consideration)		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve the Second and Final Reading of Ordinance No. 2026-02, Charter Amendment Regarding Section 2.01 of the Fairmont City Charter		
Vote Required: ☐ Simple Majority ☐ Two-Thirds Vote ☒ Roll Call, unanimous with Mayor	Staff Recommended Action: Approval Board/Commission/Committee Recommendation: Approval		

PREVIOUS COUNCIL ACTION

On May 26, 2026, Council moved to receive the proposed Charter Amendment regarding Section 2.01 of the Fairmont City Charter and called for a public hearing to be held on June 22, 2026 at 5:30 p.m.

At the June 22, 2026 City Council meeting, a public hearing was held, and no comments were received regarding the proposed Charter Amendment. Council unanimously, including the Mayor, approved the First Reading of Ordinance No. 2026-02, Charter Amendment Regarding Section 2.01 of the Fairmont City Charter.

REFERENCE AND BACKGROUND

On May 19, 2026, the Fairmont Charter Commission met in regular session. A motion was made and carried to amend the language of Charter Section 2.01, Form of Government. A separate motion was then made and carried to forward the proposed amendment to the City Council for consideration by ordinance pursuant to applicable Minnesota Statutes, Chapter 410.

Council followed the procedure outlined above under Previous Council Action and is now asked to consider the Second and Final Reading of Ordinance No. 2026-02.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Minutes from the May 19, 2026 Fairmont Charter Commission
Proposed Ordinance 2026-02

Charter Minutes

May 19, 2026

Members present: Mike Katzenmeyer, Nicky Simpson, Richard Bradley, Jay Maynard, Conrad Anderson, Myles Hahnderford, Jim Utermarck and Jon Omvig

Members Absent: Bill Cieslinski

Others Present: Jason Baker and Wayne Hasek

1. Motion by Jay, 2nd by Richard to add a Charter Review committee discussion to the agenda, motion carried
2. Motion by Jay, 2nd by Richard to approve minutes from March 2026 meeting, motion carried
3. Motion by Richard, 2nd by Jay to amend the Charter Section 2.01 Form of Government to:

The form of government established by this charter is the Weak Mayor-Council Plan. Legislative and administrative authority shall reside with the City Council. The Mayor shall serve as the presiding officer of the Council but shall not possess a regular vote on matters before the Council. The Mayor may vote only in the event of a tie vote among the elected council members present and voting.

No individual council member, including the Mayor, shall possess independent administrative authority except as expressly authorized by this Charter. The Council shall determine matters of policy and may delegate administrative duties to the City Administrator by resolution.

In the event of any conflict between this section and other provisions of the Charter, this section shall control solely with respect to the allocation of legislative and administrative authority.

Motion carried

4. Motion by Jim, 2nd by Richard to proceed with the City Administrator and Charter commissions evaluation of items identified by American Legal that were in conflict with the Charter and discontinue participation with the Charter review committee, motion carried.
5. Motion by Richard, 2nd by Conrad to bring amendment 2.01 *Form of Government* to Council, motion carried
6. Motion by Jay, 2nd by Conrad to move the next meeting of the Charter commission to June 16th at 6pm SMEC building, motion carried
7. Motion to adjourn the meeting by Jay, 2nd by Jim, motion carried.

Respectfully Submitted Nicky Simpson

ORDINANCE 2026-02

AN ORDINANCE AMENDING THE CITY CHARTER, CHAPTER 2, FORM OF GOVERNMENT, BY REPEALING AND REPLACING SECTION 2.01, FORM OF GOVERNMENT

THE CITY OF FAIRMONT DOES ORDAIN THAT: (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted; sections which are only proposed to be renumbered are only set forth below as to their number and title);

WHEREAS, on May 19, 2026, the City of Fairmont Charter Commission met and reviewed the City Charter and recommended an amendment to the Fairmont City Charter, Chapter 2, Section 2.01, Form of Government; and

WHEREAS, the City of Fairmont City Council heard public comment during a public hearing held on June 22, 2026 regarding the recommended amendment; and

WHEREAS, pursuant to Minn. Stat. § 410.12, subd. 7, this ordinance shall be effective 90 days after its adoption and publication.

NOW, THEREFORE, THE CITY OF FAIRMONT ORDAINS THAT: Section 2.01 of the Fairmont City Charter is hereby repealed and replaced in its entirety to read as follows:

Sec. 2.01. Form of government.

The form of government established by this charter is the "Weak Mayor-Council Plan."
~~The council shall exercise the legislative power of the city and determine all matters of policy.~~
Legislative and administrative authority shall reside with the City Council. The Mayor shall serve as the presiding officer of the Council but shall not possess a regular vote on matters before the Council. The Mayor may vote only in the event of a tie vote among the elected council members present and voting.

No individual council member, including the Mayor, shall possess independent administrative authority except as expressly authorized by this Charter. The Council shall determine matters of policy and may delegate administrative duties to the City Administrator by resolution.

In the event of any conflict between this section and other provisions of the Charter, this section shall control solely with respect to the allocation of legislative and administrative authority.

PASSED, APPROVED AND ADOPTED, this _____ day of _____ 2026.

Lee C. Baarts, Mayor

ATTEST:

Betsy Steuber, City Clerk

Received Amendment & Called for Hearing: May 26, 2026

Public Hearing & First Reading: June 22, 2026

Motion by: Councilmember Maynard

Seconded by: Councilmember Kotewa

All in favor: Councilmembers Hasek, Kawecki, Kotewa, Lubenow, Maynard, and Mayor Baarts

Opposed: None

Abstained: None

Absent: None

Second Reading: July 13, 2026

Motion by:

Seconded by:

All in favor:

Opposed:

Abstained:

Absent:

STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☒ Regular Agenda Item ☐ Public Hearing	Agenda Item # 8.2
Reviewed by: Jason Baker, City Administrator	Item: Consideration of Proposed Charter Amendment and Submission of Ballot Language		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Adopt Resolution No. 2026-26 Adopting Title and Ballot Question Pertaining to a Proposed Amendment to the City of Fairmont City Charter and Ordering Special Election and Directing Submission to the Martin County Auditor-Treasurer for Placement on the November 3, 2026 General Election Ballot		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation: Approval		

PREVIOUS COUNCIL ACTION

On June 22, 2026, Council received the proposed Charter Amendment from the Fairmont Charter Commission, finding it met the threshold of being approved by the Commission and submitted at least 17 weeks before the November General Election. Council also referred the proposed Charter Amendment to the City Attorney for legal review and preparation of proposed ballot language as Minnesota Statutes § 410.12, subd. 1 requires charter amendment proposals be submitted at least 17 weeks before the general election (to City Council).

REFERENCE AND BACKGROUND

The Fairmont Charter Commission met on June 16, 2026, and approved a proposed amendment to Charter Section 11.02 Department of administration [Public Utilities Commission]. The Commission directed that the proposed amendment be submitted to the City Council for consideration at their June 22, 2026 meeting and placed on the November 3, 2026 General Election ballot.

Council shall now consider a resolution to adopt the title and ballot language pertaining to the proposed amendment. Upon approval, the language will be submitted to the Martin County Auditor-Treasurer for inclusion on the November 3, 2026 General Election ballot.

Proposed Charter Language

(6) Recommend to the council for approval all invoices, purchases, agreements and contracts.
Council may delegate purchasing authority according to rules determined by the council.

BUDGET IMPACT

Minimal additional cost is anticipated, as the charter amendment question would be placed on the November 3, 2026 General Election ballot

SUPPORTING DATA/ATTACHMENTS

Draft Minutes of the Fairmont Charter Commission Meeting: June 16, 2026
 Resolution 2026-26

Charter Minutes

June 16, 2026

Members present: Mike Katzenmeyer, Nicky Simpson, Jay Maynard, Conrad Anderson, and Jon Omvig

Members Absent: Bill Cieslinski, Richard Bradley, Myles Hanhnderford, and Jim Utermarck

Others Present: Jason Baker

1. Motion by Jay, 2nd by Jim to approve agenda with flexibility, motion carried
2. Motion by Jon, 2nd by Jay to approve minutes from May 19, 2026 meeting, motion carried
3. Motion by Jon, 2nd by Conrad to amend the Charter Section 11.02 Department of administration (Public Utilities Commission) and send the request to Council on June 22, 2026 for ballot language:

(6) Recommend to the council for approval all invoices, purchases, agreements and contracts. Council may delegate purchasing authority according to rules determined by the council.

Motion approved by Jon, Conrad, Nicky and Mike. Jay abstained.

4. Motion to adjourn the meeting by Jon, 2nd by Conrad, motion carried.

Respectfully Submitted Nicky Simpson

RESOLUTION NO. 2026-26

**RESOLUTION ADOPTING TITLE AND BALLOT QUESTION LANGUAGE
PERTAINING TO A PROPOSED AMENDMENT TO THE CITY OF FAIRMONT CITY
CHARTER AND ORDERING SPECIAL ELECTION**

WHEREAS, on June 16, 2026, the Charter Commission approved the submission of a proposed Charter Amendment to the City’s voters at the City’s next general election in accordance with Minnesota Statutes, section 410.12, subds. 1 and 4 and; and

WHEREAS, the proposed Charter Amendment is attached hereto as Exhibit A, and incorporated herein by reference; and

WHEREAS, Minnesota Statutes, section 410.12, subd. 1 requires that charter amendment proposals be submitted at least 17 weeks before the general election; and

WHEREAS, in accordance with Minnesota Statutes, section 410.12, subd. 4, the City Council is required to fix the form of the ballot, and the City Clerk must provide notice of the ballot question to the County Auditor at least 84 days before the election is to be held pursuant to Minnesota Statutes, section 205.16, subd. 4; and

WHEREAS, the Fairmont City Council has reviewed the proposed ballot question; and

WHEREAS, the City Council hereby finds and determines as follows:

1. The Charter Commission has duly submitted a proposed amendment to the City Charter in accordance with Minnesota Statutes, section 410.12, subds. 1 and 4;
2. The proposed Charter Amendment will be submitted to the voters of the City at the special election to be held at the same time as the general election on Tuesday, November 3, 2026, and the election will be held and conducted in accordance with the laws of the State of Minnesota relating to municipal elections and the City’s Charter;
3. The proposed Charter Amendment is not unlawful and does not violate the Constitution of the United States of America, the Constitution of the State of Minnesota, or any other federal or state laws, rules or regulations; and
4. The form of the ballot, and the language of the title and the question to be posed to the City’s voters in the ballot, is sufficient to identify the proposed Charter Amendment clearly and has been approved by the City Attorney pursuant to Minn. R. 8250.1810, subp. 10.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Fairmont as follows:

1. The City Council hereby received the proposed Charter Amendment from the Fairmont Charter Commission on June 22, 2026, finding that the amendment met the threshold of being approved by the Commission and submitted at least 17 weeks before the general election.
2. The City Council hereby adopts the title and the language of the ballot questions and authorizes and directs the City Clerk to prepare the ballot substantially in the form contained as set forth in Exhibit B, which is attached hereto and incorporated herein by reference.
3. The City Clerk is hereby authorized and directed to provide written notice of the election to the Martin County Auditor at least 84 days before the November 3, 2026 election, including the date of the election and titles and language for the ballot questions.
4. The City Clerk is hereby authorized and directed to cause a notice of the election or sample ballot, or both, in substantially the form attached hereto as Exhibit B to be posted and published as required by law, together with two ballot questions previously approved by the City Council on May 11, 2026.

PASSED by the City Council of the City of Fairmont on this 13th day of July, 2026.

Motion by:
Seconded by:
All in favor:
Opposed:
Abstained:
Absent:

ATTEST

City Clerk

Mayor

EXHIBIT A – PROPOSED CHARTER AMENDMENT

**CHAPTER 11
PUBLIC OWNERSHIP AND OPERATION OF UTILITIES**

Sec. 11.02. Department of administration [Public Utilities Commission].

* * *

(c) The public utilities commission shall:

* * * *

- (6) Recommend to the council for approval all invoices, purchases, agreements and contracts. Council may delegate purchasing authority according to rules determined by the council.

EXHIBIT B – FORM OF BALLOT - PROPOSED CITY QUESTIONS

FORM OF BALLOT

CITY QUESTION BALLOT
CITY OF FAIRMONT
SPECIAL ELECTION

Tuesday, November 3, 2026

CITY QUESTIONS

INSTRUCTIONS TO VOTERS: To vote for a question, completely fill in the oval next to the word “YES” for that question. To vote against a question, completely fill in the oval next to the word “NO” for that question.

CITY QUESTION NO. 3:

Proposed Charter Amendment Requiring Council Approval of Utility Commission Purchases

Shall Fairmont City Charter, Section 11.02, be amended to require that all invoices and purchases by the Fairmont Public Utilities Commission be approved by the Fairmont City Council and to provide the Fairmont City Council with the ability to delegate the purchasing authority according to rules determined by the Fairmont City Council?

☐ YES

☐ NO



STAFF MEMO

Prepared by: Betsy Steuber, City Clerk	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☒ Regular Agenda Item ☐ Public Hearing	Agenda Item # 9.A.1
Reviewed by: Jason Baker, City Administrator	Item: Consideration of Ordinance 2026-03: An Ordinance Amending Ordinance 2025-03 Establishing a Rural and Urban Service District and Calling for a Public Hearing		
Presented by: Betsy Steuber, City Clerk	Action Requested: Motion to Approve the First Consideration of Ordinance 2026-03: An Ordinance Amending Ordinance 2025-03 Establishing a Rural and Urban Service District Within the Municipal Limits of the City Of Fairmont and Calling for a Public Hearing to be Held on July 27, 2026 at 5:30 p.m. in the Fairmont City Hall Council Chambers		
Vote Required: ☐ Simple Majority ☐ Two Thirds Vote ☒ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

In 2025, Council established criteria used to classify properties within the Rural and Urban Service Districts. On July 28, 2025, the City Council adopted Ordinance 2025-03, Establishing a Rural and Urban Service District Within the Municipal Limits of the City of Fairmont. Properties were classified based on the criteria adopted by the City Council.

REFERENCE AND BACKGROUND

As part of the annual review of Rural and Urban Service District classifications, and prior to the August 1, 2026 submission deadline to the Martin County Auditor-Treasurer Office, staff reviewed the parcel classifications to ensure consistent application based on the criteria established by the City Council, as listed below. During the review, it was determined that Parcel 23.037.0145 was inadvertently classified as Rural during the 2025 review.

Based on the criteria adopted by Council and to correct the classification, Parcel 23.037.0145, owned by the Fairmont Cemetery Association, will be reclassified from the Rural Service District to the Urban Service District pursuant to criteria #5.

Criteria for placement of parcels in the urban district

1. Platted parcels adjacent to sewer, water, and a public right-of-way, 20 acres or less.
2. Parcels adjacent to a paved road, sewer, and water, 20 acres or less. (Availability of sewer stub not required.)
3. Parcels of any size with a residence/household present and access from a city street.
4. Parcels with sewer and water adjacent, served by a paved road with curb, gutter, and driveway curb cut on at least one side, 20 acres or less.
5. Properties currently designated as rural that are completely surrounded by urban district properties.
6. Properties adjacent to a public right-of-way with sewer and water service, 25 acres or less, and surrounded on three sides by urban-designated properties.

BUDGET IMPACT

SUPPORTING DATA/ATTACHMENTS

Ordinance 2026-03

ORDINANCE 2026-03

AN ORDINANCE AMENDING ORDINANCE 2025-03 ESTABLISHING A RURAL AND URBAN SERVICE DISTRICT WITHIN THE MUNICIPAL LIMITS OF THE CITY OF FAIRMONT

WHEREAS, the Martin County Treasurer/Auditor maintains a tax roll of properties in the City of Fairmont, consisting of two separate taxing districts: one classified as Rural Service District and the other classified as Urban Service District; and,

WHEREAS, these properties are taxed at different rates due to the varying demands on municipal services generated by the parcels in each district; and

WHEREAS, parcel ownership changes, acreage changes, and parcel classifications require review and correction to ensure consistency with the criteria established by the City Council; and

WHEREAS, the City of Fairmont seeks to apply objective, consistent and equitable standards to determine the property classification of parcels as either Rural or Urban Service District Properties; and

WHEREAS, the Fairmont City Council recognizes the importance of reviewing the district classification to ensure fairness in taxation; and

WHEREAS, certain parcel classifications requirement amendment to be reclassified based on updated criteria to ensure accurate tax designations; and

WHEREAS, any property struck from the Rural Service District list shall be reclassified as Urban Service District and any property added to the Rural Service District list shall be reclassified from Urban Service District to Rural Service District; and,

NOW THEREFORE, the City of Fairmont does ordain that Ordinance 2025-03 shall be amended as follows (strikeouts indicate changes and underlines indicate additions):

Section 1. Purpose.

Pursuant to Minnesota Statute, Section 272.67, the City of Fairmont divides the area within the City of Fairmont's municipal limits into an Urban Service District and a Rural Service District, creating separate taxing districts for levying municipal property taxes, except those levied for the payment of principal and interest on bonds and judgments.

Section 2. Definitions.

Rural Service District. Parcels of land that, in the judgment of the City Council, are rural in character because they are unplatted, not developed for commercial, industrial, or urban residential purposes and are not benefited to the same degree as other lands by municipal services financed by general taxation. These lands need not be contiguous to one another.

Urban Service District. All the parcels of land within the City of Fairmont municipal boundaries that do not meet the definition of Rural Service District, as determined by the criteria established by the City Council.

Benefit Ratio. The ratio, as determined by the City Council, reflecting the comparative benefits received by parcels in the Rural Service District versus those in the Urban Service District based on tax-supported municipal services.

Section 3. Rural Service District Established.

The City Council hereby establishes the Rural Service District to include those parcels that do not meet the Urban Service District criteria, as outlined below.

RURAL SERVICE DISTRICT LIST

<u>Tax Identification Number</u>	<u>Acreage</u>	<u>Name of Owner</u>
239990415		Federated Rural Electric Assn
230370010	159.68	Stoneback, Kevin
230370030	28	Fairmont Foods, Inc.
230370040	15.56	Franklin Properties LLC.
230370050	47.45	Fairmont Foods, Inc.
230370085	40.32	FTF Partnership
230370090	73.07	Fairmont Foods, Inc.
230370100	157.02	Fairmont Foods, Inc.
230370120	15.48	John W. & Jane M. Thate
230370145	24	Fairmont Cemetery Assoc.
230370150	92.84	Carlson Walters Group, LLC.
230370180	79.6	Miller, Randy
230370185	11.87	Miller, Randy
230370188	11.86	Miller, Randy
230370270	73.52	DFP Limited Partnership
230370290	11.84	John W. & Jane M. Thate
230370320	75	City of Fairmont
230370340	51.15	Dale and Debra Moeller Trust
230370360	62.98	Marlo Maschoff
230370365	31.49	Francis W. Crowley
230370370	31.49	Robert G. & Susan K. Lenort
230370380	35.62	Three Sheep to the Wind LLC. & Janette Fickbohm Rev Liv Trust
230370390	79.5	Francis W. Crowley
230370400	43.33	Robert G. & Susan K. Lenort
230370410	387.81	A L & C E Ward Inc.
230370420	40	Minnesota Mining & Manufacturing
230370450	56.69	Marjorie L. Pfiffner Resid Trust
230370455	7.51	Davison, Benjamin
230370460	153.48	Lowell Spee (LE) Etal
230370470	69.18	A L & C E Ward Inc.

230370490	243.02	City of Fairmont
230370500	66.05	Marjorie L. Pfiffner Resid Tst
230370510	77.22	James L. Heminover
230370520	230.07	Tenhassen Farms, Inc.
230370650	39.96	Kenneth Reiman Test Trust
230370660	40	Fern F. Bulfer Trust Agreement
230370670	159.29	Fern F. Bulfer Trust Agreement
230370680	4.02	Bulfer Farms, LLC
230370690	1.29	James G. & Carol A. Bulfer
230370700	1	William J. Bulfer
230370710	80	Kenneth C. & Ruby L. Bents
230370720	19.26	Patrick J. & Joyce A. Bulfer
230370723	5.48	Patrick J. & Joyce A. Bulfer
230370725	5	Patrick J & Joyce A Bulfer
230370727	134.84	Dick Gerhardt
230370770	80	City of Fairmont
230370780	84.91	Dick Gerhardt
230370782	5	Dick Gerhardt
230370790	7.62	Joanne E. Bettin Revoc Liv Trust
230370820	5	Joanne E. Bettin Revoc Liv Trust
230370830	44.69	Dick Gerhardt
230370835	18.13	Dick Gerhardt
230370840	82.14	Stephen & Kent Barker
230370880	35.99	Lael M. Luedtke
230370882	21.7	City of Fairmont
230370885	40.06	Kenneth E. Scott ETAL <u>Susan A Rae ETAL</u>
230370890	14.67	Krueger Realty, Inc.
230370910	29.43	Lael M. Luedtke
230370930	64.11	Sylvia Poetter Trust Under Agreement
230370950	59.53	Lylas J. Scheff LE ETAL
230370960	13.5	Leonard & Lylas Scheff ETAL Life Estate
230370965	5.6	Thate, Andrew Scott
230370970	80	Trust Agmt of Robert D. Neusch UAD 5-10-20 & Trust Agmt of Diane K Neusch UAD 5-10-20
230370980	3.02	Sylvia Poetter Trust Under Agreement
230370990	38.43	John M. Poetter Trust Agmt & Sylvia Poetter Tst Agmt
230370995	36.1	Jeffrey J. & Denise C. Poetter
230371005	23.3	Jeffrey J. & Denise C. Poetter
230371010	48.55	John M. Poetter Trust Under Agreement
230371015	30.83	Jeffrey J. & Denise C. Poetter
230371020	39.74	John M. Poetter Trust Agmt & Sylvia Poetter Tst Agmt
230371025	39.77	Jeffrey J. & Denise C. Poetter
230371060	85.11	Maria C. Langford Trust & Amy M. Bacon Trust

230371070	70.85	Stephen & Kent Barker
230371100	42	Krahmer, Inc.
230371120	42	Wendt, Elmer B & Lois L. Rev Tr
230371310	5.235	Grupe of Fairmont, Inc.
230371320	36.82	City of Fairmont
230371330	5.83	Dick Gerhardt
230380140	31.26	John W & Jane M Thate
230380180	6.89	Daniel F & Anna Harris
230380150	2.07	William A & Diann K Diekmann
230380200	12.5	John Bisbee
230390035	18.95	Weigh-Tronix Acquisition Corp
230390040	36.77	Lucille Fausch
230390080	22.35	Fairmont Growth Oppty Co
230390085	19.09	City of Fairmont
230392300	13.09	John W. & Jane M. Thate
230392315	4.13	Heather D. & Jason G. Embry
230392330	37.61	Fairmont Economic Develop Auth

Section 4. Urban Service District Criteria.

The following criteria shall be used to classify parcels as Urban Service District properties:

1. Platted parcels adjacent to sewer, water, and a public right-of-way, 20 acres or less.
2. Parcels adjacent to a paved road, sewer, and water, 20 acres or less. (Availability of sewer stub not required.)
3. Parcels of any size with a residence/household present and access from a city street.
4. Parcels with sewer and water adjacent, served by a paved road with curb, gutter, and driveway curb cut on at least one side, 20 acres or less.
5. Properties currently designated as rural that are completely surrounded by urban district properties.
6. Properties adjacent to a public right-of-way with sewer and water service, 25 acres or less, and surrounded on three sides by urban-designated properties.

Section 5. Urban Service District Established.

Parcels that meet any one of the Urban Service District Criteria shall be classified as part of the Urban Service District.

Section 6. Parcels Added or Removed.

The City Council may, by ordinance amendment, add or remove parcels from the Rural Service District in accordance with the established criteria.

Section 7. Benefit Ratio Established.

It is the judgment of the City Council that the benefit ratio for the Rural Service District parcels compared to the Urban Service District parcels is 20%.

Section 8. Benefit Ratio Change.

The City Council may amend this ordinance to adjust the benefit ratio as appropriate.

Section 9. Effective Date.

This ordinance shall take effect after its passage and publication.

PASSED, APPROVED AND ADOPTED, this 27th day of July 2026.

Lee C. Baarts, Mayor

Attest:

Betsy Steuber, City Clerk

1st Reading: July 13, 2026

Motion by:

Seconded by:

All in Favor:

Opposed:

Abstained:

Absent:

Public Hearing: July 27, 2026

2nd Reading: July 27, 2026

Motion by:

Seconded by:

All in Favor:

Opposed:

Abstained:

Absent:

STAFF MEMO

Prepared by: Jason Baker, City Administrator	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☒ Regular Agenda Item ☐ Public Hearing	Agenda Item # 9.A.2
Reviewed by: Jason Baker, City Administrator	Item: Consideration of the City of Fairmont Strategic Policy Priorities and Goals		
Presented by: Jason Baker, City Administrator	Action Requested: Motion to Adopt Resolution 2026-27 Adopting the City of Fairmont Strategic Policy Priorities and Policy Goals		
Vote Required: ☐ Simple Majority ☐ Two Thirds Vote ☒ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

- June 3, 2026: City Council strategic goal-setting workshop conducted to identify long-term priorities and desired outcomes.
- June 17, 2026: City Council continued strategic planning workshop and refined policy priorities and associated goals.

REFERENCE AND BACKGROUND

During strategic planning workshops held on June 3 and June 17, 2026, the City Council identified its long-term priorities for the City of Fairmont and developed policy goals intended to guide the City's future direction. Following the workshops, administration organized the Council's discussion into six strategic policy priorities that reflect the Council's desired outcomes while maintaining the appropriate distinction between the Council's policy-making responsibilities and the administrative responsibilities of City staff.

Approval of this resolution formally establishes the Council's Strategic Policy Priorities and Policy Goals as the City's long-term policy direction. These priorities are intended to guide future strategic planning, annual budget development, capital improvement planning, and organizational initiatives. They are not intended to prescribe day-to-day administrative operations but instead establish the outcomes the Council expects the organization to achieve.

Following adoption of this resolution, administration will utilize these priorities as the framework for future strategic planning efforts, including the development of measurable objectives, performance indicators, and implementation strategies.

BUDGET IMPACT

There is no immediate fiscal impact associated with adoption of this resolution.

The Strategic Policy Priorities will serve as a framework for evaluating future budget requests, Capital Improvement Program projects, and organizational initiatives. Any future financial impacts resulting from implementation of these priorities will be presented to the City Council through the normal budget and capital planning processes.

SUPPORTING DATA/ATTACHMENTS

Resolution 2026-27 – Adopting the City of Fairmont Strategic Policy Priorities and Policy Goals

CITY OF FAIRMONT, MN
CITY COUNCIL RESOLUTION 2026-27

A RESOLUTION ADOPTING THE CITY OF FAIRMONT STRATEGIC POLICY
PRIORITIES AND POLICY GOALS

WHEREAS, the Fairmont City Council recognizes the importance of establishing clear, long-term priorities and goals to guide the future of the City and ensure responsible stewardship of public resources; and

WHEREAS, the City Council participated in strategic goal setting processes on June 3 and June 17 2026 to identify the policy priorities and associated goals that will guide future decision-making, budgeting, capital planning, and organizational initiatives; and

WHEREAS, the City Council recognizes that its role is to establish policy direction and desired community outcomes while authorizing the City Administrator to develop implementation strategies that support those priorities; and

WHEREAS, the City Council desires to formally adopt the Strategic Policy Priorities and Policy Goals that will serve as the foundation for the City's future strategic plans and provide long-term direction for the organization;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL THAT THE FOLLOWING STRATEGIC POLICY PRIORITIES AND POLICY GOALS ARE HEREBY ADOPTED:

1. Policy Priority – Economic Growth & Housing
Policy Goal
 - Promote sustainable population growth, expand housing opportunities, strengthen the local economy, and encourage private investment that enhances the City's tax base and long-term prosperity.
2. Policy Priority – Infrastructure & Asset Management
Policy Goal
 - Maintain, preserve, and strategically invest in the City's infrastructure and public assets through responsible planning, sustainable funding, and long-term asset management practices.
3. Policy Priority – Financial Sustainability
Policy Goal
 - Maintain the City's long-term financial stability through responsible fiscal management, transparent budgeting, strategic investments, and prudent stewardship of public resources.

4. Policy Priority – Organizational Excellence

Policy Goal

- Foster a professional, collaborative, and innovative organization that delivers high-quality public services through effective leadership, employee development, and continuous organizational improvement.

5. Policy Priority – Community Engagement & Quality of Life

Policy Goal

- Promote open communication, transparency, community engagement, and quality-of-life amenities that strengthen civic pride and make Fairmont a desirable place to live, work, visit, and invest.

6. Policy Priority – Public Safety & Community Appearance

Policy Goal

- Support safe neighborhoods, attractive public spaces, and well-maintained properties through effective public safety services, proactive community standards, and responsible stewardship of the City's built environment.

BE IT FURTHER RESOLVED, that these Strategic Policy Priorities and Policy Goals are intended to provide long-term policy direction for the City of Fairmont. They are not intended to prescribe day-to-day administrative or operational activities, but rather to establish the desired outcomes that guide organizational planning and decision-making.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon its adoption.

PASSED by the City Council of the City of Fairmont on this 13th day of July, 2026.

Motion by:

Seconded by:

All in Favor:

Opposed:

Abstained:

Absent:

ATTEST:

Betsy Steuber, City Clerk

Lee C. Baarts, Mayor



STAFF MEMO

Prepared by: Matthew R. York, Public Works and Utilities Director	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☒ Regular Agenda Item ☐ Public Hearing	Agenda Item # 9.B.1
Reviewed by: Jason Baker, City Administrator	Item: Consideration of Plans and Bidding Services for the Raw Water Wall Project		
Presented by: Matthew R. York, Public Works and Utilities Director	Action Requested: Motion to Approve the Plans and Authorize Bolton & Menk to Proceed with Bidding Services for the Raw Water Wall Project		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

The project was approved in the 2025 and 2026 Capital Improvement Program (CIP).

REFERENCE AND BACKGROUND

In the City of Fairmont's 2025 CIP, the City identified the wall near the Raw Water Plant intakes as an issue. At that time, the project was estimated to cost approximately \$200,000. During preliminary discussions with Bolton and Menk, it was noted the price would well exceed the \$200,000 estimate, and the City decided to delay the project.

In December 2025, during the 2026 CIP discussion, the City Council approved \$400,000 for the project. On January 26, 2026, the City Council approved Task Order #4 with Bolton and Menk to provide field survey and site investigations, final design and construction plans, and bidding services.

The project will consist of a sheet pile wall that will extend approximately 120 feet across the shoreline. This is a similar product that was used on the west side of the Gomsrud Channel. The difference is that this project will have a wider cap, which will need to be custom welded due to the height of the wall and to allow for a safer fishing experience.

Staff is requesting approval of the plans and authorization for Bolton and Menk to continue with the bidding services portion of the task order.

BUDGET IMPACT

No cost at this time. Once bids are received, project funds will then need to be approved.

SUPPORTING DATA/ATTACHMENTS

Plan Documents
2026 CIP Page – Raw Water Wall

CITY OF FAIRMONT

CONSTRUCTION PLANS FOR

RAW WATER RETAINING WALL IMPROVEMENTS

RETAINING WALL INSTALLATION, GRADING, BITUMINOUS SURFACING

JULY 2026

RESOURCE LIST

CITY OF FAIRMONT

City Hall
100 Downtown Plaza
Fairmont, MN 56031
Ph: 507-238-9461

City Clerk: Patty Monsen

Mayor: Lee Bartz

City Council Members:
Michelle Miller
Jay Manard
Britney Kaweck
Randy Lubenow
Wayne Hasek

Director of Public Works/Utilities:
Matt York
Ph: 507-238-3942

Public Works Superintendent:
Nick Lardy
Ph: 507-235-9330

City Engineer:
(Consultant)
Troy G. Nemmers, P.E.
Bolton & Menk, Inc.
1501 S State St - Suite 100
Fairmont, MN 56031
Ph: 507-238-4738

NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY GOPHER STATE ONE CALL, 1-800-252-1166 OR 651-454-0002.

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL "D". THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-22, ENTITLED "STANDARD GUIDELINES FOR INVESTIGATING AND DOCUMENTING EXISTING UTILITIES."

UTILITIES

GAS
Minnesota Energy Resources
Phil Armstrong
Ph: 507-235-6667

TELEPHONE
Frontier Communications
Jeremiah Mathews
Ph: 218-393-6208

CABLE
Midcontinent Communications
Derrick Abraham
Ph: 320-980-3523

ELECTRIC
City of Fairmont
Miles Heide
507-235-6811



MAP LEGEND

PROJECT LIMITS



⊕ BM=1159.20 TOP OF HYDRANT OFF NORTHEAST CORNER OF WATER INTAKE BUILDING	PROJECT DATUM: MARTIN COUNTY COORDINATES HORIZONTAL: NAD 88 (2011 ADJ) VERTICAL: NAVD 88	RECORD DRAWING INFORMATION	
		OBSERVER:	
		CONTRACTOR:	
		DATE:	
CITY OF FAIRMONT, MINNESOTA		SHEET	
RAW WATER RETAINING WALL IMPROVEMENT		G0.01	
TITLE			

SHEET NUMBER	SHEET TITLE
GENERAL	
G0.01 - G0.02	TITLE SHEET, LEGEND, GENERAL NOTES
G1.01	STATEMENT OF ESTIMATED QUANTITIES
CIVIL	
C0.01	EXISTING CONDITIONS AND REMOVALS PLAN
C1.01	DETAILS, TYPICAL SECTIONS
C2.01	EROSION CONTROL PLAN
C3.01	GRADING PLAN
C6.01	SHEET PILE PLAN & PROFILE
C6.02	SURFACING PLAN
C7.01	SIGNAGE & STRIPING PLAN
STRUCTURAL	
S1.01	STRUCTURAL PLANS AND DETAILS
S1.02	GENERAL NOTES
THIS PLAN SET CONTAINS <u>12</u> SHEETS.	

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A:\PLANS\26X142544\G001.dwg 7/12/2026 10:51:36 AM Plotted by Derek Bahrens

EXISTING TOPOGRAPHIC SYMBOLS

	ACCESS GRATE		REGULATION STATION GAS
	AIR CONDITION UNIT		SATELLITE DISH
	ANTENNA		SIGN TRAFFIC
	AUTO SPRINKLER CONNECTION		SIGNAL CONTROL CABINET
	BARRICADE PERMANENT		SOIL BORING
	BASKETBALL POST		SIREN
	BENCH		TELEPHONE BOOTH
	BIRD FEEDER		TILE INLET
	BOLLARD		TILE OUTLET
	BUSH		TILE RISER
	CATCH BASIN RECTANGULAR CASTING		TRANSFORMER-ELECTRIC
	CATCH BASIN CIRCULAR CASTING		TREE-CONIFEROUS
	CURB STOP		TREE-DEAD
	CLEAN OUT		TREE-DECIDUOUS
	CULVERT END		TREE STUMP
	DRINKING FOUNTAIN		TRAFFIC ARM BARRIER
	DOWN SPOUT		TRAFFIC SIGNAL
	ELECTRIC CAR CHARGE STATION		TRASH CAN
	FILL PIPE		UTILITY MARKER
	FIRE HYDRANT		VALVE
	FLAG POLE		VALVE POST INDICATOR
	FLARED END / APRON		VALVE VAULT
	FUEL PUMP		VAULT
	GRILL		VENT PIPE
	GUY WIRE ANCHOR		WATER SPIGOT
	HANDHOLE		WELL
	HANDICAP SPACE		WETLAND DELINEATED MARKER
	IRRIGATION SPRINKLER HEAD		WETLAND
	IRRIGATION VALVE BOX		WET WELL
	LIFT STATION CONTROL PANEL		YARD HYDRANT
	LIFT STATION		
	LIGHT POLE		
	MAILBOX		

PROPOSED TOPOGRAPHIC SYMBOLS

	CLEANOUT
	MANHOLE
	LIFT STATION
	STORM SEWER CIRCULAR CASTING
	STORM SEWER RECTANGULAR CASTING
	STORM SEWER FLARED END / APRON
	STORM SEWER OUTLET STRUCTURE
	STORM SEWER OVERFLOW STRUCTURE
	CURB BOX
	FIRE HYDRANT
	WATER VALVE
	WATER REDUCER
	WATER BEND
	WATER TEE
	WATER CROSS
	WATER SLEEVE
	WATER CAP / PLUG
	RIP RAP
	DRAINAGE FLOW
	TRAFFIC SIGNS

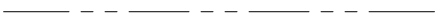
SURVEY SYMBOLS

	BENCHMARK LOCATION		CAST IRON MONUMENT
	CONTROL POINT		STONE MONUMENT
	MONUMENT FOUND		

EXISTING TOPOGRAPHIC LINES

	RETAINING WALL
	FENCE
	FENCE-DECORATIVE
	GUARD RAIL
	TREE LINE
	BUSH LINE

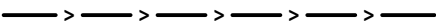
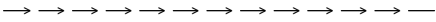
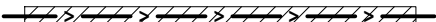
SURVEY LINES

	CONTROLLED ACCESS
	BOUNDARY
	CENTERLINE
	EXISTING EASEMENT LINE
	PROPOSED EASEMENT LINE
	EXISTING LOT LINE
	PROPOSED LOT LINE
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	SETBACK LINE
	SECTION LINE
	QUARTER LINE
	SIXTEENTH LINE
	TEMPORARY EASEMENT

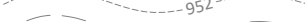
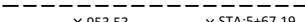
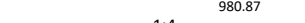
EXISTING UTILITY LINES

	FORCEMAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER
	STORM SEWER DRAIN TILE
	WATERMAIN
	WATER SERVICE
	RECLAIMED WATER

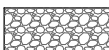
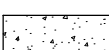
PROPOSED UTILITY LINES

	FORCEMAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER
	STORM SEWER DRAIN TILE
	WATERMAIN
	WATER SERVICE
	PIPE CASING
	TRENCHLESS PIPE (PLAN VIEW)
	TRENCHLESS PIPE (PROFILE VIEW)

GRADING INFORMATION

	EXISTING CONTOUR MINOR
	EXISTING CONTOUR MAJOR
	PROPOSED CONTOUR MINOR
	PROPOSED CONTOUR MAJOR
	PROPOSED GRADING LIMITS / SLOPE LIMITS
	PROJECT LIMITS
	PROPOSED SPOT ELEVATION
	RISE:RUN (SLOPE)

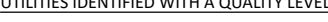
HATCH PATTERNS

	BITUMINOUS		GRAVEL
	CONCRETE		

EXISTING PRIVATE UTILITY LINES

NOTE:
EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY GOPHER STATE ONE CALL, 1-800-252-1166 OR 651-454-0002.

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D UNLESS OTHERWISE NOTED. THIS UTILITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-22, ENTITLED "STANDARD GUIDELINE FOR INVESTIGATING AND DOCUMENTING EXISTING UTILITIES".

	UNDERGROUND FIBER OPTIC
	UNDERGROUND ELECTRIC
	UNDERGROUND GAS
	UNDERGROUND COMMUNICATION
	OVERHEAD ELECTRIC
	OVERHEAD COMMUNICATION
	OVERHEAD UTILITY

UTILITIES IDENTIFIED WITH A QUALITY LEVEL :

LINE TYPES FOLLOW THE FORMAT: UTILITY TYPE - QUALITY LEVEL
EXAMPLE:  G-A  G-A UNDERGROUND GAS, QUALITY LEVEL A
UTILITY QUALITY LEVEL (A,B,C,D) DEFINITIONS CAN BE FOUND IN CI/ASCE 38-22.

UTILITY QUALITY LEVELS:

QUALITY LEVEL D: PROVIDES THE MOST BASIC LEVEL OF INFORMATION. IT INVOLVES COLLECTING DATA FROM EXISTING UTILITY RECORDS. RECORDS MAY INCLUDE AS-BUILT DRAWINGS, DISTRIBUTION AND SERVICES MAPS, EXISTING GEOGRAPHIC INFORMATION SYSTEM DATABASES, CONSTRUCTION PLANS, ETC.

QUALITY LEVEL C: INVOLVES SURVEYING VISIBLE SUBSURFACE UTILITY STRUCTURES SUCH AS MANHOLES, HAND-HOLES, UTILITY VALVES AND METERS, FIRE HYDRANTS, PEDESTALS AND UTILITY MARKERS, AND THEN CORRELATING THE INFORMATION WITH EXISTING UTILITY RECORDS TO CREATE COMPOSITE DRAWINGS. INCLUDES QUALITY LEVEL D ACTIVITIES.

QUALITY LEVEL B: INVOLVES DESIGNATING THE HORIZONTAL POSITION OF SUBSURFACE UTILITIES THROUGH SURFACE DETECTION METHODS AND COLLECTING THE INFORMATION THROUGH A SURVEY METHOD. INCLUDES QUALITY LEVEL C AND D TASKS.

QUALITY LEVEL A: PROVIDES THE HIGHEST LEVEL OF ACCURACY. IT INVOLVES LOCATING OR POTHOLING UTILITIES AS WELL AS ACTIVITIES IN QUALITY LEVELS B, C, AND D. THE LOCATED FACILITY INFORMATION IS SURVEYED AND MAPPED AND THE DATA PROVIDES PRECISE PLAN AND PROFILE INFORMATION.

ABBREVIATIONS

A	ALGEBRAIC DIFFERENCE	GRAV	GRAVEL	RSC	RIGID STEEL CONDUIT
ADJ	ADJUST	GU	GUTTER	RT	RIGHT
ALT	ALTERNATE	GV	GATE VALVE	SAN	SANITARY SEWER
B-B	BACK TO BACK	HDPE	HIGH DENSITY POLYETHYLENE	SCH	SCHEDULE
BIT	BITUMINOUS	HH	HANDHOLE	SERV	SERVICE
BLDG	BUILDING	HP	HIGH POINT	SHLD	SHOULDER
BMP	BEST MANAGEMENT PRACTICE	HWL	HIGH WATER LEVEL	STA	STATION
BR	BEGIN RADIUS	HYD	HYDRANT	STD	STANDARD
BV	BUTTERFLY VALVE	I	INVERT	STM	STORM SEWER
CB	CATCH BASIN	K	CURVE COEFFICIENT	TC	TOP OF CURB
C&G	CURB AND GUTTER	L	LENGTH	TE	TEMPORARY EASEMENT
CIP	CAST IRON PIPE	LO	LOWEST OPENING	TEMP	TEMPORARY
CIPP	CURED-IN-PLACE PIPE	LP	LOW POINT	TNH	TOP NUT HYDRANT
CL	CENTER LINE	LT	LEFT	TP	TOP OF PIPE
CL	CLASS	MAX	MAXIMUM	TYP	TYPICAL
CLVT	CULVERT	MH	MANHOLE	VCP	VITRIFIED CLAY PIPE
CMP	CORRUGATED METAL PIPE	MIN	MINIMUM	VERT	VERTICAL
C.O.	CHANGE ORDER	MR	MID RADIUS	VPC	VERTICAL POINT OF CURVE
COMM	COMMUNICATION	NIC	NOT IN CONTRACT	VPI	VERTICAL POINT OF INTERSECTION
CON	CONCRETE	NMC	NON-METALLIC CONDUIT	VPT	VERTICAL POINT OF TANGENT
CSP	CORRUGATED STEEL PIPE	NTS	NOT TO SCALE	WM	WATERMAIN
DIA	DIAMETER	NWL	NORMAL WATER LEVEL		
DIP	DUCTILE IRON PIPE	OHW	ORDINARY HIGH WATER LEVEL		
DWY	DRIVEWAY	PC	POINT OF CURVE	AC	ACRES
E	EXTERNAL CURVE DISTANCE	PCC	POINT OF COMPOUND CURVE	CF	CUBIC FEET
ELEC	ELECTRIC	PE	PERMANENT EASEMENT	CV	COMPACTED VOLUME
ELEV	ELEVATION	PED	PEDESTRIAN, PEDESTAL	CY	CUBIC YARD
EOF	EMERGENCY OVERFLOW	PERF	PERFORATED PIPE	EA	EACH
ER	END RADIUS	PERM	PERMANENT	EV	EXCAVATED VOLUME
ESMT	EASEMENT	PI	POINT OF INTERSECTION	LB	POUND
EX	EXISTING	PL	PROPERTY LINE	LF	LINEAR FEET
FES	FLARED END SECTION	PRC	POINT OF REVERSE CURVE	LS	LUMP SUM
F-F	FACE TO FACE	PT	POINT OF TANGENT	LV	LOOSE VOLUME
FF	FINISHED FLOOR	PVC	POLYVINYL CHLORIDE PIPE	SF	SQUARE FEET
F&I	FURNISH AND INSTALL	PVMT	PAVEMENT	SV	STOCKPILE VOLUME
FM	FORCEMAIN	R	RADIUS	SY	SQUARE YARD
FO	FIBER OPTIC	R/W	RIGHT-OF-WAY		
F.O.	FIELD ORDER	RCP	REINFORCED CONCRETE PIPE		
GRAN	GRANULAR	RET	RETAINING		

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TROY G. NEMMERS
LIC. NO. 43612 DATE 07/13/2026



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CITY OF FAIRMONT, MINNESOTA

RAW WATER RETAINING WALL IMPROVEMENT

LEGEND

SHEET

G0.02

STATEMENT OF ESTIMATED QUANTITIES				
ITEM NO.	ITEM	NOTES	UNIT	TOTAL QUANTITY
BASE BID				
1	MOBILIZATION		LS	1
2	TRAFFIC CONTROL		LS	1
3	SALVAGE AND REINSTALL SIGN		EACH	2
4	SALVAGE AND RESET LANDSCAPING BOULDERS		EACH	9
5	ABANDON EXISTING GEOWEB RETAINING WALL	(1)	LS	1
6	EXPLORATORY EXCAVATION		HR	6
7	DEWATERING		LS	1
8	EXCAVATION - COMMON (EV) (P)	(2)	CU YD	80
9	COMMON EMBANKMENT (LV) (P)	(3)	CU YD	20
10	SELECT GRANULAR EMBANKMENT		CU YD	25
11	INSTALL GALVANIZED STEEL SHEET PILING		SF	3590
12	INSTALL GALVANIZED STEEL PILE CAP		LF	130
13	CUT SHEET PILING TILE OUTLETS		EACH	2
14	5" BITUMINOUS PAVEMENT PATCH	(4)	SY	90
15	5" BITUMINOUS PAVEMENT RESURFACING	(5)	SY	250
16	AGGREGATE SURFACING, 1.5" ROCK		SY	180
17	INSTALL STRUCTURAL FILL, CL 5 (P)		CU YD	25
18	PAVEMENT MARKING PAINT, 4" YELLOW		LF	36
19	PAVEMENT MARKING PAINT MESSAGE		EACH	1
20	STREET SWEEPER WITH PICKUP BROOM		HR	10
21	RAPID STABILIZATION, METHOD 4		SY	30
22	SEED, FERTILIZE, & CAT 15 BLANKET		SY	30
23	FLOATING SILT CURTAIN		LF	210
24	SEDIMENT CONTROL LOG - STRAW		LF	150
25	STABILIZED CONSTRUCTION EXIT		EACH	1
26	VIBRATION MONITORING		LS	1
27	CONSTRUCTION ALLOWANCE		UNIT	5000

- NOTES:
- (P) DENOTES PLAN QUANTITY
 - (1) INCLUDES REMOVING LOOSE GEOWEB CELLS AND TILE OUTLETS ON FRONT FACE OF RETAINING WALL, AND EXCAVATING TOP OF RETAINING WALL TO 18" BELOW FINISHED GRADE
 - (2) INCLUDES REMOVAL OF BITUMINOUS PAVEMENT AND GEOWEB RETAINING WALL FILL MATERIAL
 - (3) INCLUDES TOPSOIL AT A 6" MINIMUM DEPTH
 - (4) INCLUDES 13" CLASS 5 AGGREGATE BASE
 - (5) INCLUDES PREPARATION OF EXISTING AGGREGATE BASE

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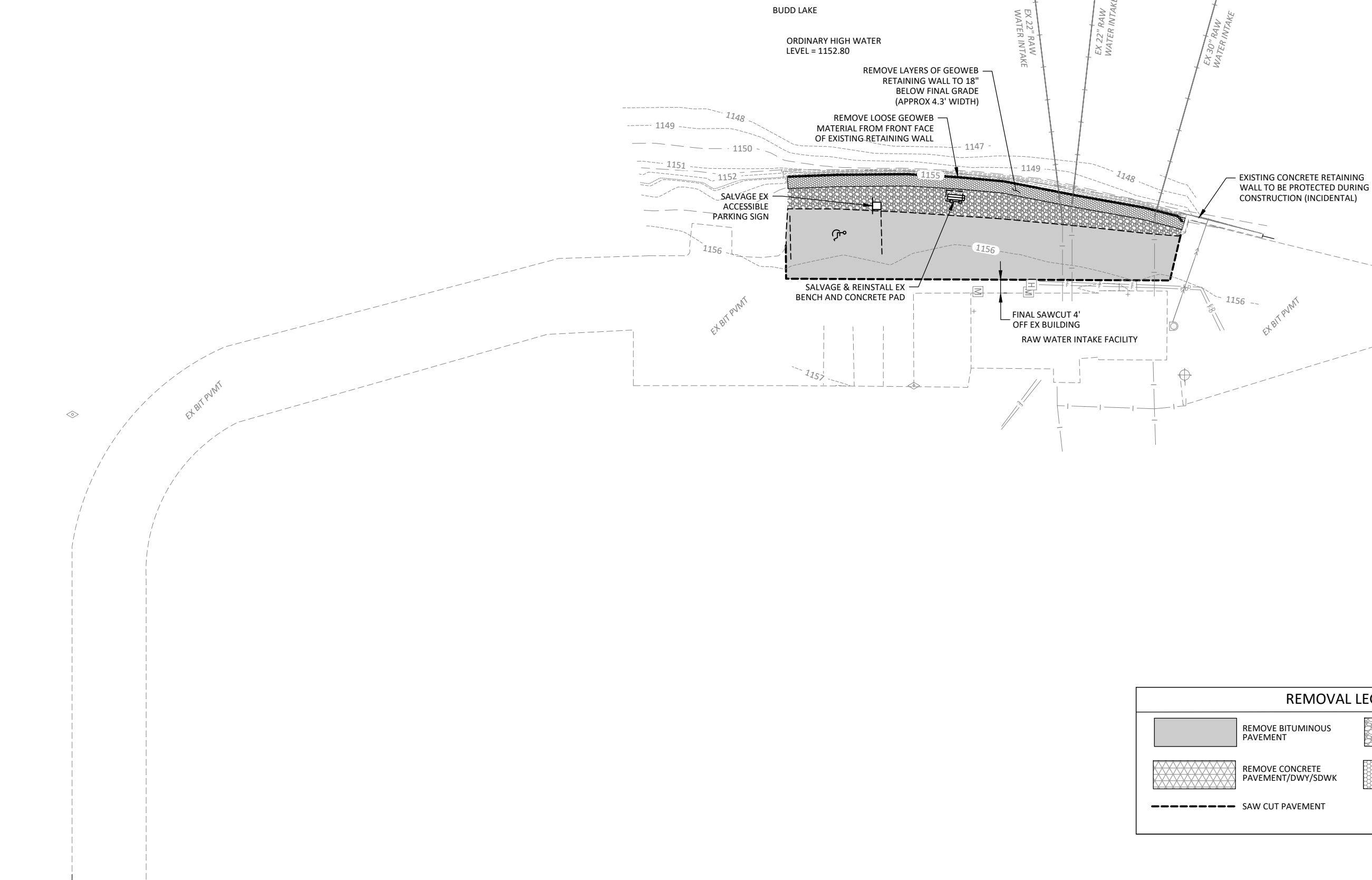


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CITY OF FAIRMONT, MINNESOTA
RAW WATER RETAINING WALL IMPROVEMENT
STATEMENT OF ESTIMATED QUANTITIES

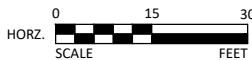
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REMOVAL LEGEND			
	REMOVE BITUMINOUS PAVEMENT		REMOVE ROCK/GRAVEL AGGREGATE SURFACING
	REMOVE CONCRETE PAVEMENT/DWY/SDWK		ABANDON GEOWEB RETAINING WALL
	SAW CUT PAVEMENT		SALVAGE SIGN

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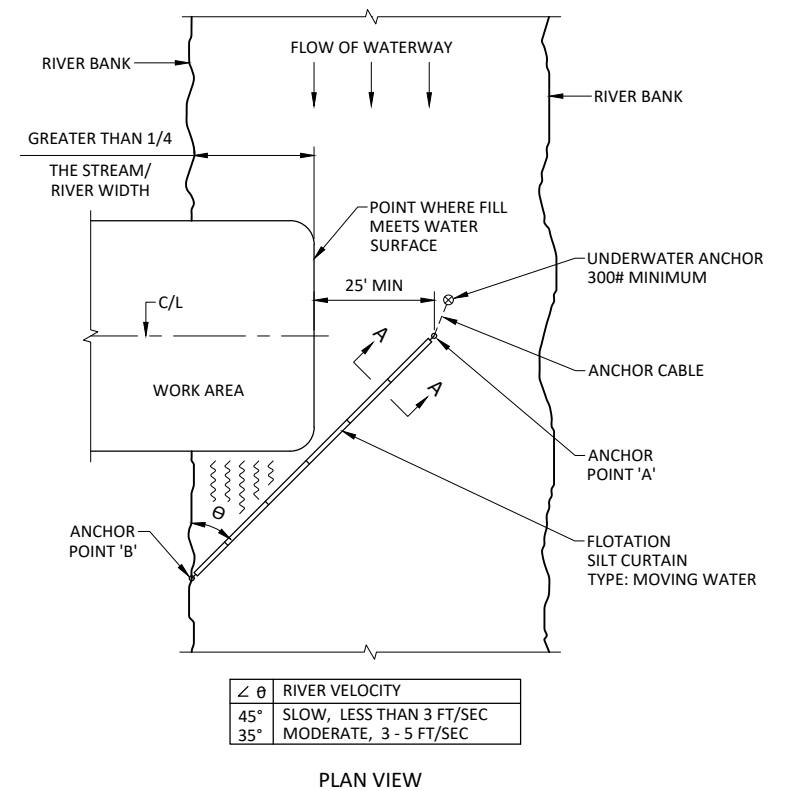
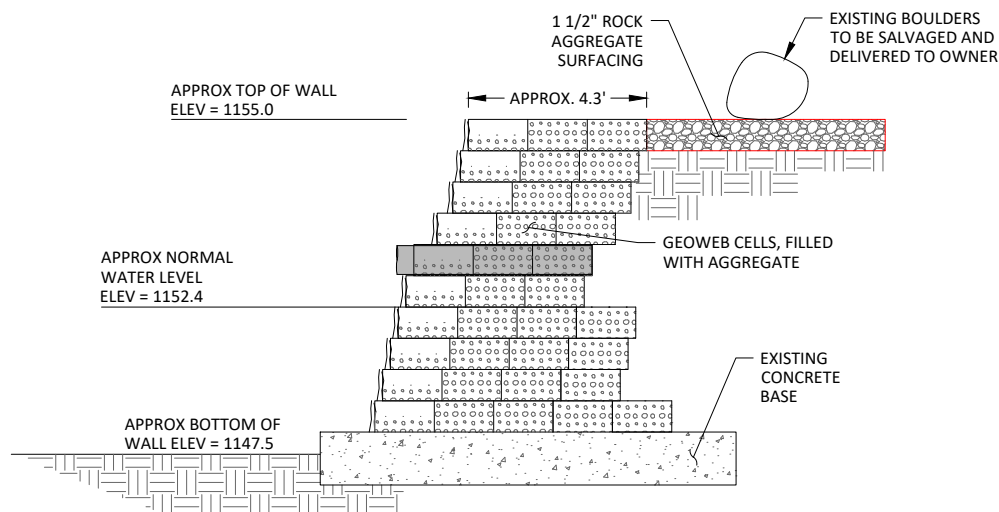
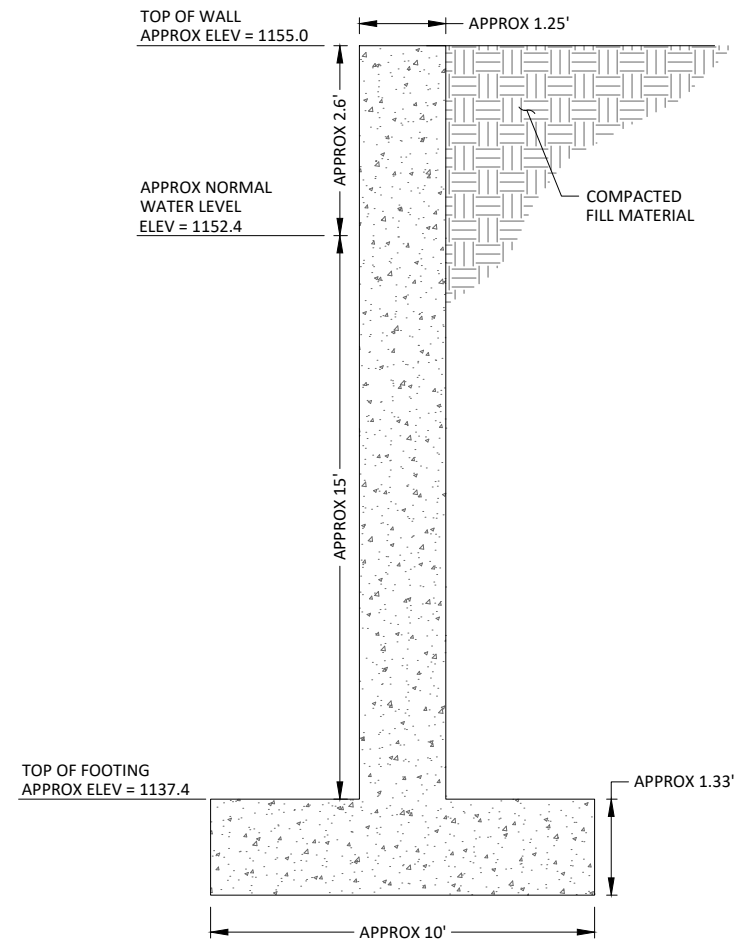
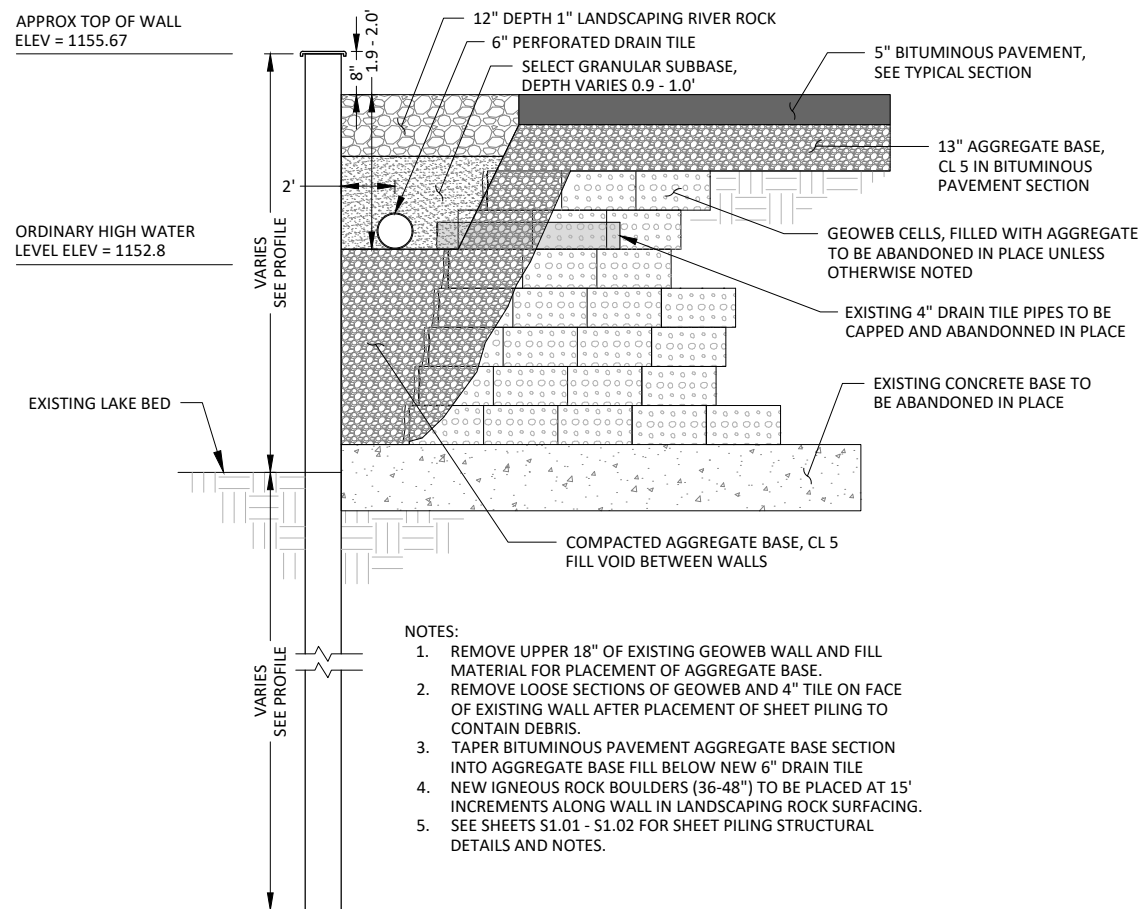
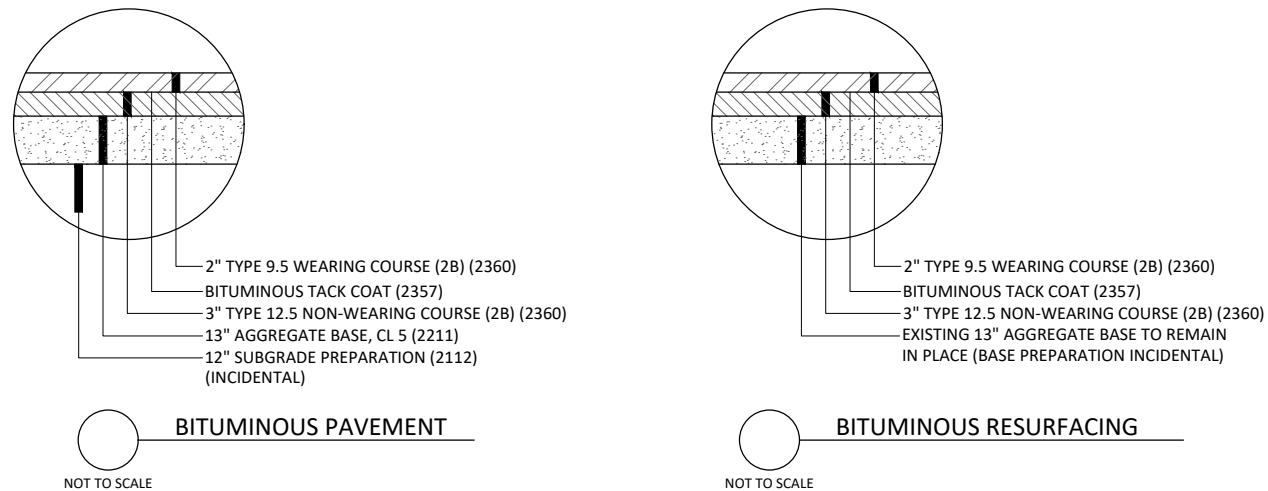


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CITY OF FAIRMONT, MINNESOTA
RAW WATER RETAINING WALL IMPROVEMENT
EXISTING CONDITIONS & REMOVALS

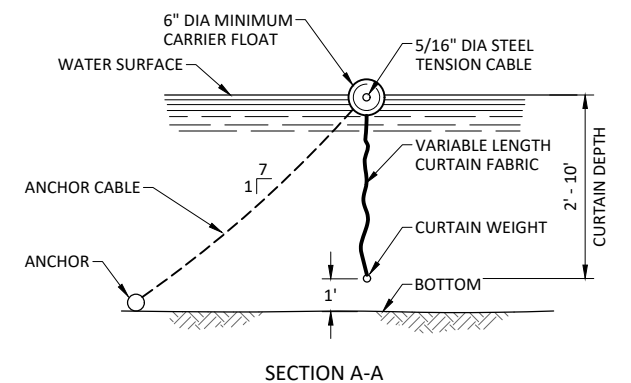
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DESIGN GUIDELINES:
WHEN TEMPORARY FILL ENCLOSES MORE THAN 1/4 BUT LESS THAN 1/3 THE WIDTH OF THE STREAM

MAXIMUM WATER DEPTH: 11 FT
MINIMUM WATER DEPTH: 3 FT
MAXIMUM WATER VELOCITY: 5 FT/SEC



SILT FENCE FLOTATION SILT CURTAIN
NOT TO SCALE

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CITY OF FAIRMONT, MINNESOTA
RAW WATER RETAINING WALL IMPROVEMENT
DETAILS

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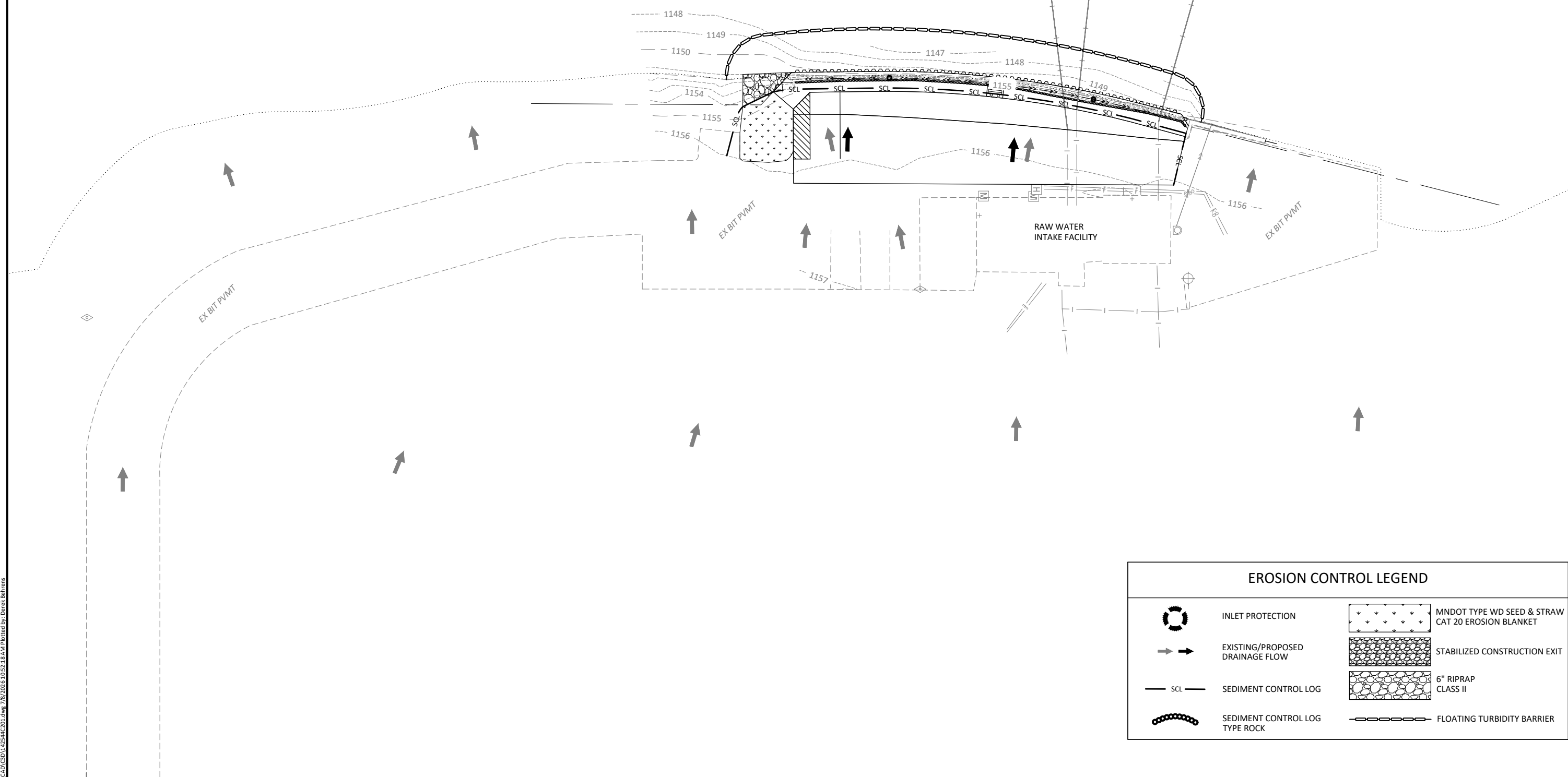
BUDD LAKE

ORDINARY HIGH WATER
LEVEL = 1152.80

EX 22" RAW
WATER INTAKE

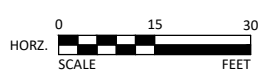
EX 22" RAW
WATER INTAKE

EX 30" RAW
WATER INTAKE



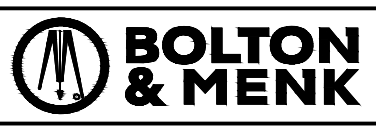
EROSION CONTROL LEGEND

- | | | | |
|--|------------------------------------|--|--|
| | INLET PROTECTION | | MNDOT TYPE WD SEED & STRAW
CAT 20 EROSION BLANKET |
| | EXISTING/PROPOSED
DRAINAGE FLOW | | STABILIZED CONSTRUCTION EXIT |
| | SCL | | 6" RIPRAP
CLASS II |
| | SEDIMENT CONTROL LOG
TYPE ROCK | | FLOATING TURBIDITY BARRIER |



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CITY OF FAIRMONT, MINNESOTA

RAW WATER RETAINING WALL IMPROVEMENT

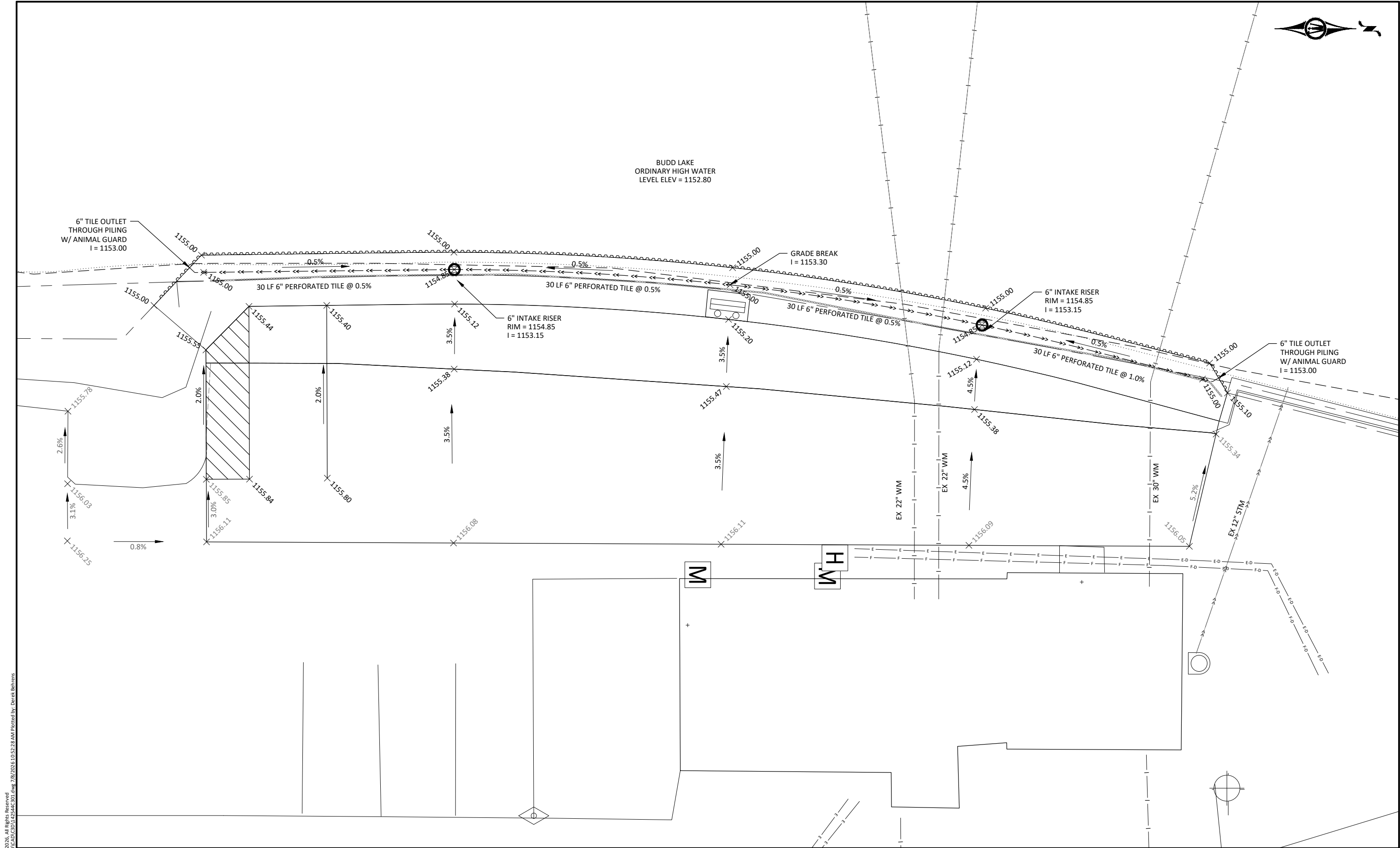
STORMWATER POLLUTION PREVENTION PLAN

EROSION CONTROL PLAN

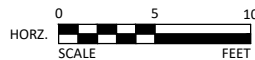
SHEET

C2.01

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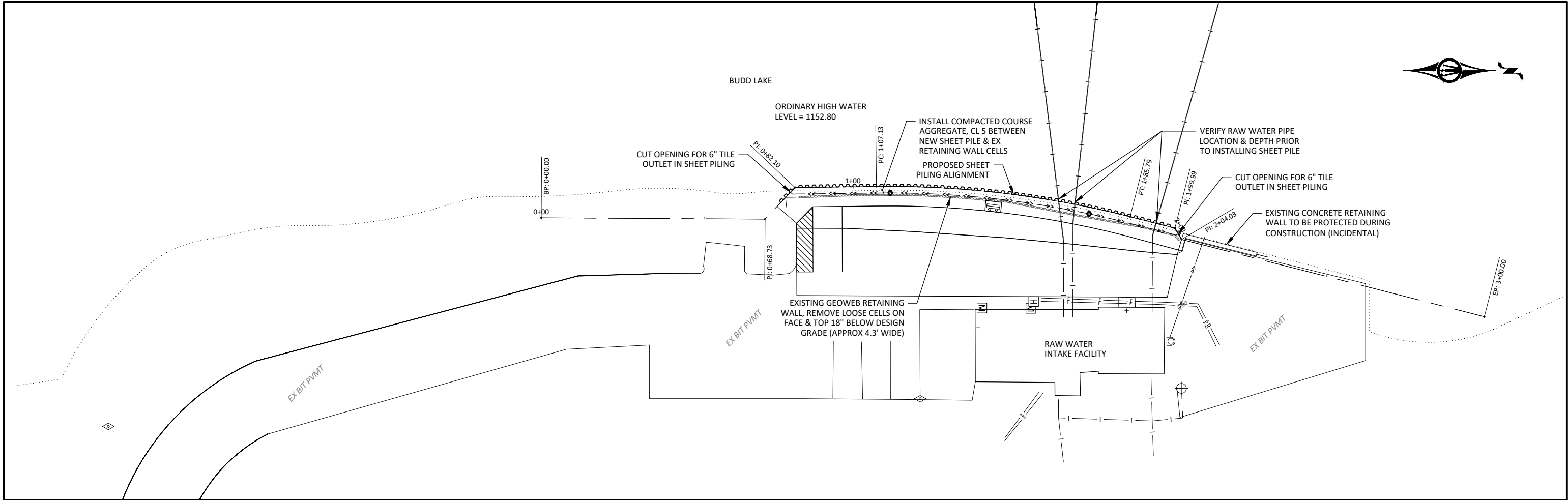
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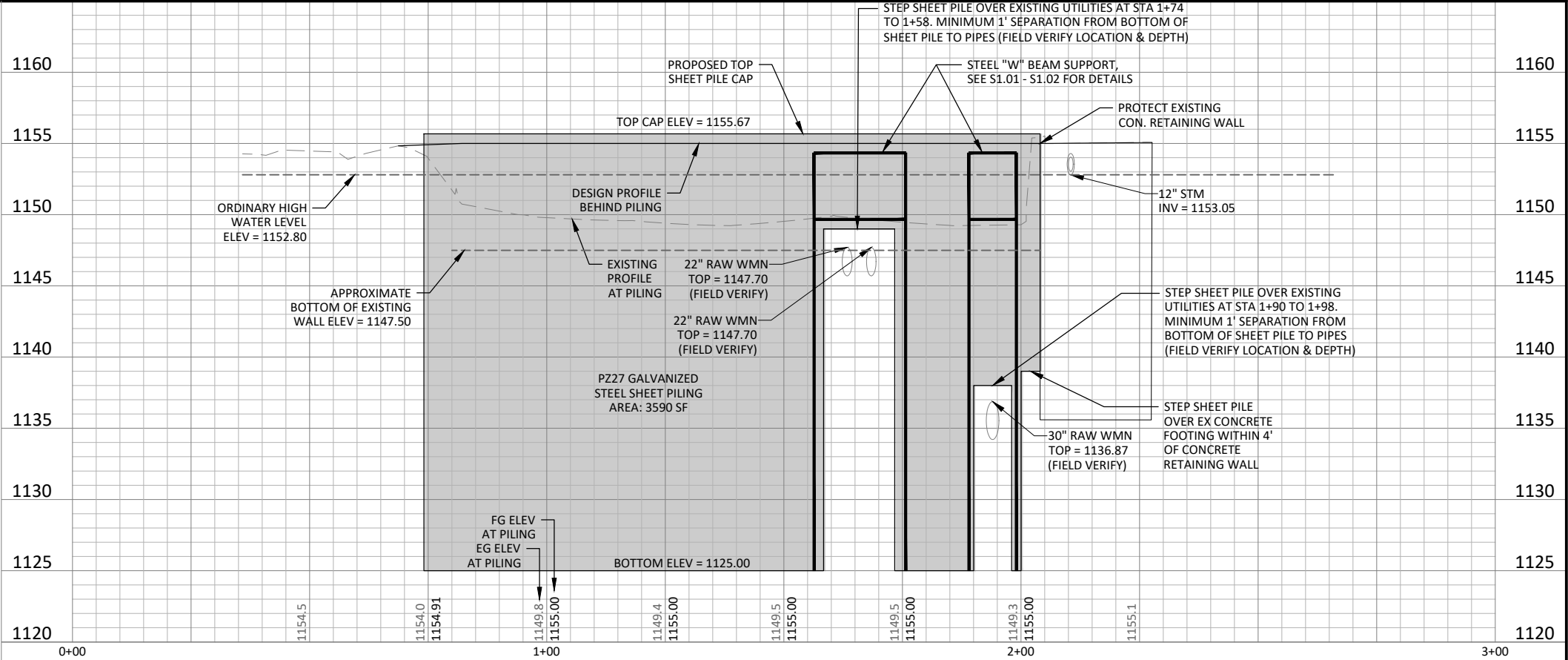
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CITY OF FAIRMONT, MINNESOTA
RAW WATER RETAINING WALL IMPROVEMENT
GRADING PLAN

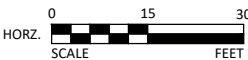
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C3.01



- NOTES:
1. NO WORK TO BE PERFORMED BELOW ORDINARY HIGH WATER LEVEL BEYOND FACE OF PROPOSED SHEET PILING WALL.
 2. ALL THREE EXISTING RAW WATER INTAKE PIPES MUST BE LOCATED AND VERIFIED FOR LOCATION AND DEPTH PRIOR TO START OF SHEET PILING INSTALLATION (INCIDENTAL). MUST BE COORDINATED WITH ENGINEER.



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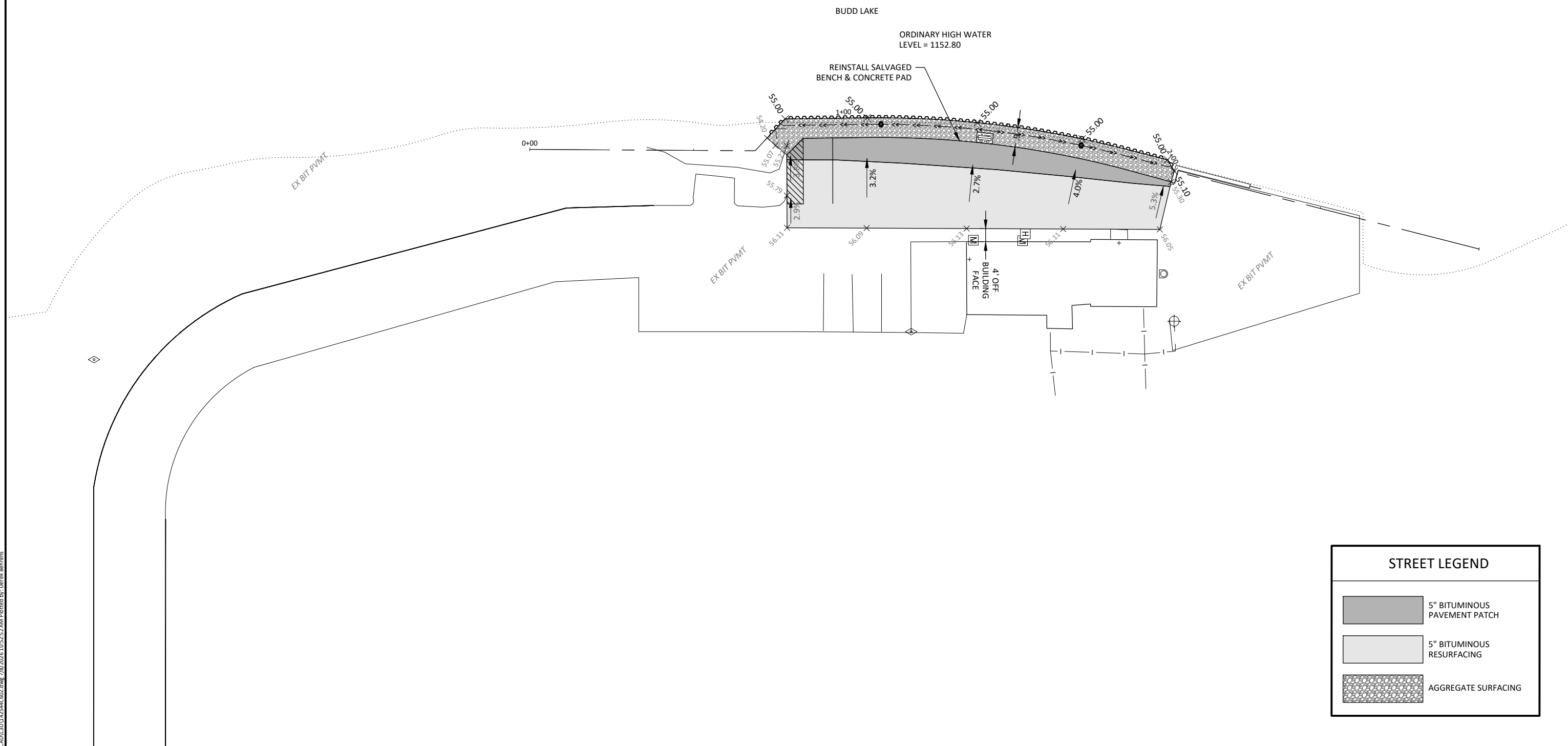
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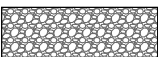
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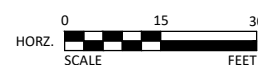
CITY OF FAIRMONT, MINNESOTA
RAW WATER RETAINING WALL IMPROVEMENT
RETAINING WALL CONSTRUCTION

SHEET
C6.01



STREET LEGEND

	5" BITUMINOUS PAVEMENT PATCH
	5" BITUMINOUS RESURFACING
	AGGREGATE SURFACING



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TROY G. NEMMERS
LIC. NO. 43612 DATE 07/13/2026



1501 SOUTH STATE ST, SUITE 100
FAIRMONT, MN 56031
Phone: (507) 238-4738
Email: Fairmont@bolton-menk.com
www.bolton-menk.com



DESIGNED	NO.	ISSUED FOR	DATE
DDB	-	BID	07/13/2020
DRAWN			
DDB			
CHECKED			
TGN			
CLIENT PROJ. NO.			
26X 142544			

CITY OF FAIRMONT, MINNESOTA
RAW WATER RETAINING WALL IMPROVEMENT

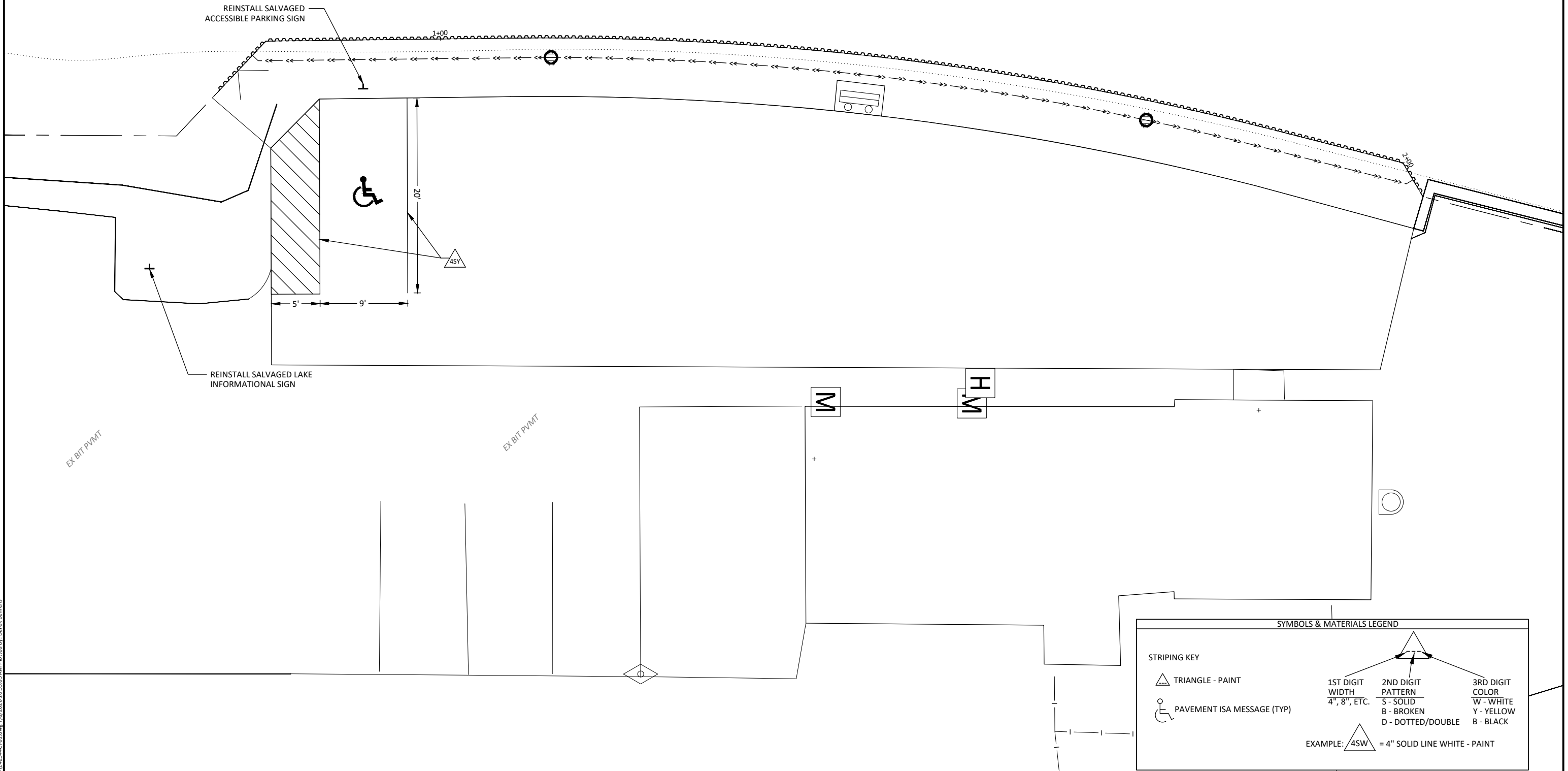
SURFACING PLAN

SHEET

C6.02



BUDD LAKE



SYMBOLS & MATERIALS LEGEND

STRIPING KEY

△ TRIANGLE - PAINT

♿ PAVEMENT ISA MESSAGE (TYP)

1ST DIGIT WIDTH
4", 8", ETC.

2ND DIGIT PATTERN
S - SOLID
B - BROKEN
D - DOTTED/DOUBLE

3RD DIGIT COLOR
W - WHITE
Y - YELLOW
B - BLACK

EXAMPLE: 4SW = 4" SOLID LINE WHITE - PAINT

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A:\V\26X142544\DWG\26X142544-01.dwg 7/8/2026 10:53:05 AM Plotted by Derek Behrens



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DESIGNED	DDB	NO.	BID	DATE	07/13/2026
DRAWN	DDB				
CHECKED	TGN				
CLIENT PROJ. NO.	26X.142544				

CITY OF FAIRMONT, MINNESOTA
RAW WATER RETAINING WALL IMPROVEMENT
SIGNAGE AND PAVEMENT MARKING PLAN

SHEET
C7.02

GENERAL NOTES:

- 1. TYPICAL STRUCTURAL DETAILS AND NOTES SHALL APPLY UNLESS NOTED OTHERWISE ON THE DRAWINGS.
- 2. EXAMINE SITE AND DRAWINGS TO DETERMINE LOCATIONS AND DIMENSIONS OF UTILITIES, AND SITE IMPROVEMENTS.
- 3. BEFORE CONSTRUCTION FABRICATION AND ERECTION OF ANY MATERIALS, CONTRACTOR SHALL FIELD VERIFY ALL EXISTING ELEVATIONS, DIMENSIONS AND CONDITIONS AS SHOWN ON THE DRAWINGS AND REPORT DISCREPANCIES TO THE ENGINEER AT ONCE FOR RESOLUTION.
- 4. ALL DIMENSIONS, LOCATIONS, ELEVATIONS AND CONDITIONS OF EXISTING STRUCTURES SHOWN ON THE CONTRACT DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR.
- 5. THE STRUCTURAL DESIGN IS BASED ONLY ON THE STRUCTURE IN ITS COMPLETED STATE. CONTRACTORS AND THEIR SUBCONTRACTORS SHALL TAKE WHATEVER PRECAUTIONS ARE NECESSARY TO WITHSTAND ALL HORIZONTAL AND VERTICAL LOADING THAT MAY BE ENCOUNTERED DURING THE CONSTRUCTION PROCESS PRIOR TO THE COMPLETION OF THE STRUCTURE.
- 6. WRITTEN DISTANCES & ELEVATIONS SHALL GOVERN OVER SCALED DISTANCES & ELEVATIONS.
- 7. ELEVATIONS ARE BASED ON THE BENCH MARKS NOTED ON THE DRAWINGS.

DESIGN CRITERIA & LOADING NOTES:

- 1. CODE: 2018 INTERNATIONAL BUILDING CODE (IBC), AS AMENDED BY THE 2020 MINNESOTA STATE BUILDING CODE (MSBC).
- 2. DESIGN LOADING
 - DEAD LOADS (D)
 - MATERIALS
 - CALCULATED
 - LIVE LOADS (L)
 - SURCHARGE
 - 100 PSF
 - LATERAL EARTH PRESSURE LOADS (H)
 - DESIGN WATER LEVEL
 - 1152.8 FEET
 - BACKFILL FRICTION ANGLE
 - 30 DEGREES
 - SOIL UNIT WEIGHT, DRY
 - 120 PCF
 - SOIL UNIT WEIGHT, MOIST
 - 130 PCF
 - SOIL UNIT WEIGHT, SUBMERGED
 - 57.6 PCF

STEEL NOTES:

- 1. STRUCTURAL STEEL SUPPLIER SHALL SUBMIT SHOP DRAWINGS FOR APPROVAL PRIOR TO FABRICATION.
- 2. ALL STRUCTURAL STEEL SHALL BE FABRICATED AND ERECTED IN CONFORMANCE WITH THE LATEST AISC SPECIFICATION PARTS 1 THRU 4 AND THE "SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS".
- 3. ALL WELDING SHALL BE DONE BY AWS CERTIFIED WELDERS. ALL WELDING SHALL BE PERFORMED WITH FILLER METAL HAVING A MINIMUM TENSILE STRENGTH OF 70 KSI. WELDING SHALL CONFORM TO THE PROVISIONS OF THE LATEST STRUCTURAL WELDING CODE (AWS D1.1).
- 4. ALL WELDING SHALL BE BY WELDERS HOLDING CURRENT VALID CERTIFICATES IN THE TYPE OF WELDING REQUIRED.
- 5. REPAIR ALL DAMAGED GALVANIZED SURFACES IN ACCORDANCE WITH ASTM A780.
- 6. ALL STRUCTURAL STEEL TO BE HOT-DIPPED GALVANIZED IN ACCORDANCE WITH ASTM A123.
- 7. STRUCTURAL STEEL DESIGN AND CONSTRUCTION SHALL CONFORM TO AISC "SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS, ALLOWABLE STRESS DESIGN AND PLASTIC DESIGN" AND AISC "CODE OF STANDARD PRACTICE" LATEST EDITIONS.
- 8. BOLTED CONNECTIONS SHALL BE 3/4", A325 BEARING TYPE WITH THREADS INCLUDED IN THE SHEAR PLANE AND AS SUCH NEED TO BE TIGHTENED IN PROPERLY ALIGNED HOLES TO A SNUG TIGHT CONDITION AS DEFINED BY THE LATEST EDITION OF AISC "SPECIFICATION FOR STRUCTURAL JOINTS USING ASTM A325 OR A490 BOLTS" UNO.
- 9. CONNECTIONS SHALL BE AS SHOWN ON THE DRAWINGS. WHERE REACTIONS ARE SHOWN, BUT CONNECTIONS ARE NOT DETAILED THE FABRICATOR SHALL SIZE AND DETAIL ON THE FIRST SUBMITTAL OF SHOP DRAWINGS.
- 10. WHERE CONNECTIONS OR REACTIONS ARE NOT SHOWN ON THE DRAWINGS THE FABRICATOR SHALL PROVIDE CONNECTION TO SUPPORT 1/2 OF THE TOTAL UNIFORM LOAD CAPACITY SHOWN IN THE TABLES OF THE UNIFORM LOAD CONSTANTS, PART 2 FOR THE GIVEN BEAM, SPAN AND GRADE OF STEEL SPECIFIED.
- 11. SLOTTED HOLES INDICATED IN THE DRAWINGS ARE INTENDED TO ALLOW MOVEMENT AND SHOULD BE INSTALLED AS INDICATED. WHERE SLOTTED HOLES WERE NOT DETAILED, BUT CHOSEN BY THE FABRICATOR FOR ERECTION TOLERANCE OR OTHERWISE. ASTM A325-SC BOLTS SHALL BE INSTALLED IN ACCORDANCE WITH AISC "SPECIFICATION FOR STRUCTURAL JOINTS USING ASTM A325 OR A490 BOLTS".
- 12. THE STEEL ERECTOR SHALL PROVIDE TEMPORARY SUPPORTS UNTIL FINAL STABILITY IS ESTABLISHED. AS A MINIMUM, TEMPORARY SUPPORTS SHALL BE PROVIDED AT EACH GRID IN BOTH DIRECTIONS.

ANCHOR BOLTS NOTES:

- 1. ALL ANCHOR RODS SHALL BE SUPPLIED AND INSTALLED BY THE CONCRETE CONTRACTOR, UNLESS NOTED OTHERWISE.
- 2. ALL ANCHOR BOLTS SHALL BE 300-SERIES STAINLESS HEX-HEAD, UNLESS NOTED OTHERWISE. NUTS SHALL BE 300 SERIES STAINLESS HEAVY HEX.

EXCAVATION NOTES:

- 1. TEMPORARY GROUND CONTROL IS BY CONTRACTOR DESIGN.
- 2. CONTRACTOR SHALL PROVIDE AND MAINTAIN ALL TEMPORARY SHEETING AND BRACING NECESSARY TO PROTECT PERSONNEL AND ADJACENT PROPERTY FROM INJURY OR DAMAGE DURING CONSTRUCTION OPERATION.
- 3. EXCAVATIONS OR TRENCHING WITHIN CLOSE PROXIMITY TO UNDERGROUND STRUCTURES, UTILITIES, OR UTILITY POLES WILL REQUIRE PROTECTION AND SUPPORT TO PREVENT DAMAGE OR INTERRUPTION TO SERVICE. THE COST TO PROVIDE THIS PROTECTION SHALL BE INCLUDED IN THE CONTRACTOR'S TOTAL BASE BID PRICE.

EXISTING CONSTRUCTION NOTES:

- 1. BEFORE FABRICATION AND ERECTION OF ANY MATERIALS, FIELD VERIFY ALL EXISTING ELEVATIONS, DIMENSIONS, AND CONDITIONS AS SHOWN ON THE DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
- 2. CONTRACTOR IS SOLELY RESPONSIBLE FOR PROTECTION OF EXISTING STRUCTURES AND BUILDINGS DURING ALL PHASES OF CONSTRUCTION.
- 3. PROVIDE ALL SHORING, BRACING, ETC., AS REQUIRED TO TEMPORARILY SUPPORT THE EXISTING STRUCTURE DURING REMOVAL OF EXISTING STRUCTURAL ELEMENTS.

INTERPRETATION OF CONFLICT NOTES:

- 1. SHOULD CONFLICT OCCUR IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL REQUEST INTERPRETATION BEFORE PROCEEDING WITH THE ASSOCIATED WORK. ALL SUCH REQUESTS SHALL FIRST BE PRECEDED BY A DILIGENT INVESTIGATION INTO THE CONTRACT DOCUMENTS. EVIDENCE OF SUCH INVESTIGATION SHALL BE COMBINED IN ALL REQUESTS FOR INTERPRETATIONS SUBMITTED.
- 2. IF THE CONTRACTOR FAILS TO MAKE SUCH A REQUEST, NO EXCUSE WILL THEREAFTER BE ENTERTAINED FOR FAILURE TO CARRY OUT THE WORK IN A SATISFACTORY MANNER. SHOULD CONFLICTS OCCUR IN OR BETWEEN DRAWINGS AND SPECIFICATIONS, THE CONTRACTOR IS DEEMED TO HAVE ESTIMATES ON THE MORE EXPENSIVE WAY OF DOING THE WORK UNLESS HAVING ASKED FOR, AND OBTAINED, WRITTEN DECISION BEFORE SUBMISSION OF PROPOSAL AS TO WHICH METHOD OF MATERIALS WILL BE REQUIRED.

NEW WORK IN CONJUNCTION WITH EXISTING CONSTRUCTION NOTES:

- 1. THE CONTRACTOR SHALL VERIFY BY FIELD VERIFYING, ALL SIZES, DIMENSIONS, ELEVATIONS, LOCATIONS, ETC. OF ELEMENTS OF THE EXISTING CONSTRUCTION WHICH ARE RELATIVE TO THE NEW CONSTRUCTION PRIOR TO COMMENCING RELATED TO NEW WORK.
- 2. ALL DIMENSIONS INVOLVING NEW WORK TYING INTO OR GOVERNED BY EXISTING CONSTRUCTION SHALL BE FIELD VERIFIED BY THE CONTRACTOR AND FURNISHED TO THE SUBCONTRACTOR PRIOR TO FABRICATION OF ANY WORK. THE VERIFIED DIMENSIONS SHALL APPEAR AND BE NOTED AS SUCH ON THE FIRST SHOP DRAWING SUBMITTED.
- 3. THE ENGINEER HAS MADE ASSUMPTIONS CONCERNING THE SOUNDNESS OF THE EXISTING BUILDING AND THESE ASSUMPTIONS ARE THAT THIS BUILDING WAS DESIGNED AND CONSTRUCTED IN CONFORMITY WITH GOOD DESIGN AND CONSTRUCTION PRACTICES. THE CONTRACTOR SHALL TAKE PRECAUTIONS CONCERNING PRESERVATION OF THE BUILDING DURING DEMOLITION AND NEW CONSTRUCTION WORK. FURTHER THEY SHALL AGREE TO ASSUME ALL RESPONSIBILITY FOR THE PRESERVATION OF THIS PROPERTY.
- 4. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES BETWEEN CONSTRUCTION DOCUMENTS AND ACTUAL FIELD CONDITIONS.
- 5. ALL HOLES THROUGH EXISTING CONCRETE OR MASONRY CONSTRUCTION SHALL BE CORED DRILLED OR SAW CUT. NEW OPENINGS MUST BE MADE WITH ENGINEER'S APPROVAL.
- 6. CUTTING OF EXISTING STRUCTURAL STEEL IS PROHIBITED WITHOUT APPROVAL FROM THE ENGINEER OF RECORD.



Project Name: Raw Water Lake Wall Repair or Replacement

Project #: 1

Category: Repairs and Maintenance

Useful Life: 20 Years

Priority: High

Contact: Brady Powers

Department: Water

Description

This project would be the repair and or replacement of the lake wall at the raw water building. The wall has deteriorated over the years

Justification

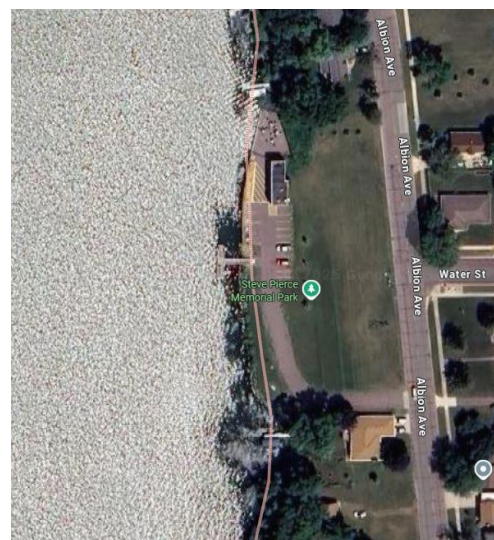
The eroded structure is a safety concern and could lead to lake bank erosion. The wall is a safety hazard to the public.

Operational Impact/Other

This project was included in the 2025 CIP. However, after further review it was determined that the long-term best option was the removal of the gabion baskets, and a more solid steel or concrete option was best suited. Moving forward with this project will allow a safer option to what is currently in place.

Expenditures	Prior Yrs.	2026	2027	2028	2029	2030	Total
Raw Water Wall Repair		\$ 400,000.00					\$ 400,000.00
							\$ 0.00
							\$ 0.00
Total	\$ 0.00	\$ 400,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 400,000.00

Funding Sources	Prior Yrs.	2026	2027	2028	2029	2030	Total
Water Fund		\$ 400,000.00					\$ 400,000.00
							\$ 0.00
							\$ 0.00
Total	\$ 0.00	\$ 400,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 400,000.00





STAFF MEMO

Prepared by: Paul Hoyer, Finance Director	Meeting Date: 07/13/2026	☐ Consent Agenda Item ☒ Regular Agenda Item ☐ Public Hearing	Agenda Item # 9.C.1
Reviewed by: Jason Baker, City Administrator	Item: Consideration of a Request for Proposal (RFP) for Redesign of the Municipal Website		
Presented by: Paul Hoyer, Finance Director	Action Requested: Motion to Approve the Plans and Authorize Bolton & Menk to Proceed with Bidding Services for the Raw Water Wall Project		
Vote Required: ☒ Simple Majority ☐ Two Thirds Vote ☐ Roll Call	Staff Recommended Action: Approval Board/Commission/Committee Recommendation:		

PREVIOUS COUNCIL ACTION

On December 8, 2025, the City Council approved the 2026 Capital Improvement Plan, which included a project to update the city's existing website. This project continues to be a goal of the Council and was identified as a priority during the City Council's goal setting workshop held on June 3, 2026.

REFERENCE AND BACKGROUND

The City's existing website was last redesigned in 2013, is no longer ADA compliant, and lacks many of the current features being offered in other communities. The City needs to be ADA compliant by April 26, 2027. Updating our website will help enhance public trust and transparency by making it easier for our residents to find the information they are looking for and improve our communication capabilities with new mass notification systems. We are also looking at updating our existing customer service portal with a more user-friendly and up-to-date system.

BUDGET IMPACT

The 2026 budget included \$50,000 to complete this project. We will get a better idea as to the cost when we receive the RFP's.

SUPPORTING DATA/ATTACHMENTS

Website Redesign RFP



CITY OF FAIRMONT, MINNESOTA - REQUEST FOR PROPOSALS (RFP)

WEBSITE REDESIGN, CONTENT MANAGEMENT SYSTEM, HOSTING, IMPLEMENTATION, AND SUPPORT SERVICES

RFP Issue Date

July 14, 2026

Proposal Due Date

August 14, 2026

Vendor Demos

August 17, 2026 – August 31, 2026

Anticipated Award Date

September 14, 2026

Target Website Launch Date

April 1, 2027

I. PURPOSE

The City of Fairmont is soliciting proposals from qualified firms to redesign, develop, implement, host, and support the City's official website.

The City's goal is to provide a modern, accessible, secure, mobile and user friendly website that serves residents, businesses, visitors, developers, elected officials, and City staff.

The new website should function as:

- The City's primary customer service portal
- A communications and engagement platform
- A destination for economic development and tourism information
- A secure digital service delivery platform
- A content management system that empowers staff throughout the organization

The City desires a long-term partnership with a vendor experienced in municipal government websites and public sector digital services.

II. CITY BACKGROUND

Fairmont is a regional center located in southern Minnesota with a population of approximately 10,226 residents. Fairmont is known for its chain of lakes, strong business community, high quality of life, recreational opportunities, and commitment to responsive local government.

The City's website serves as the primary source of information and online services for residents, businesses, visitors, and stakeholders. As digital expectations continue to evolve, Fairmont seeks a modern website that reflects the community while providing efficient access to services and information.

Current Websites: <https://fairmont.org>, <https://liquor.fairmont.org>, <https://fairmontpolice.org>

III. PROJECT OBJECTIVES

The City seeks a website that is:

Resident Focused

- Prioritizes customer experience and ease of use
- Organizes information based on user needs rather than City departments
- Provides self-service options whenever possible

Mobile First

- Functions seamlessly across desktop, tablet, and mobile devices
- Optimizes navigation and content for mobile users

Accessible

- Meets or exceeds WCAG 2.2 Level AA standards
- Supports ADA compliance requirements
- Provides accessible forms, documents, videos, and media

Secure

- Follows current cybersecurity best practices
- Protects City data and user information

- Supports secure cloud hosting environments

Searchable

- Provides advanced website search capabilities
- Includes AI-assisted search and content discovery
- Surfaces documents, forms, meetings, and services efficiently

Sustainable

- Easy for City staff to maintain
- Reduces reliance on technical staff
- Supports decentralized content ownership

Engaging

- Highlights community stories, events, and initiatives
 - Integrates social media and communications tools
 - Supports economic development and tourism promotion
-

IV. PROJECT SCOPE

The selected vendor shall provide all services necessary to complete the project, including:

1. Discovery and stakeholder engagement
 2. Information architecture and navigation design
 3. User experience (UX) design
 4. Visual design
 5. CMS implementation
 6. Content migration
 7. Integration of third-party systems where applicable
 8. Accessibility review and remediation
 9. Search engine optimization
 10. Staff training
 11. Website launch
 12. Hosting and maintenance
 13. Ongoing support
-

V. REQUIRED WEBSITE FEATURES

At a minimum, the proposed solution shall include the following capabilities.

1. Artificial Intelligence (AI) Capabilities

Vendors should list and describe AI features available within their system such as:

- AI-assisted website search
- Citizen-facing chatbot options
- Automated content recommendations
- Content summarization
- Multilingual translation assistance
- Knowledge base functionality

The City may elect to implement AI capabilities during implementation or in future phases.

2. Online Forms and Workflow Automation

The website should include:

- Form builder
- Electronic workflows
- Automated notifications
- File uploads
- Routing and approvals
- Integration capabilities with City software

3. News and Communications

- News publishing
- Press releases
- Alert banners
- Emergency notifications
- Media library

4. Social Media Integration

The CMS should:

- Display social feeds
- Support content sharing
- Integrate with major social platforms
- Support emergency communications

5. Employee Intranet

Provide options and pricing for:

- Secure employee portal
- Internal documents
- Employee announcements
- Policy access
- Department collaboration

6. Online Employment Applications

Provide options for:

- Online job postings
- Employment applications
- Resume submission
- HR software integration

7. GIS and Mapping Integration

The website should support:

- GIS map integrations
 - Property information access
 - Parks and trail mapping
 - Development and zoning information
-

VI. ACCESSIBILITY REQUIREMENTS

Accessibility is a critical project objective. The website must meet WCAG 2.2 level AA standards and applicable ADA requirements, and also:

- Support keyboard navigation
- Support screen readers
- Include accessibility monitoring tools
- Provide accessibility reporting

Vendor shall identify:

- Accessibility testing process
- Accessibility certifications
- Ongoing compliance support

VII. CYBERSECURITY REQUIREMENTS

The City requires a secure platform and hosting environment.

Vendor shall describe:

Hosting Security

- Cloud hosting environment
- Security certifications
- Data center locations
- Physical security controls

Application Security

- Multi-factor authentication
- Role-based permissions
- Encryption at rest and in transit
- Audit logging
- Vulnerability management

Business Continuity

- Backup procedures
- Disaster recovery plan
- Recovery time objectives
- Incident response procedures

Monitoring

- Security monitoring
 - Threat detection
 - Penetration testing practices
-

VIII. CONTENT MIGRATION

The selected vendor shall assist the City with:

- Content inventory, audit and cleanup
- Migration of existing content
- Migration of documents and media

- Redirect strategy
- Preservation of search rankings

The City expects the vendor to provide tools and recommendations that reduce outdated or redundant content.

IX. TRAINING AND SUPPORT

Vendor shall provide:

Training

- CMS administrator training
- Department editor training
- Written training materials
- Recorded training materials if available

Ongoing Support

- Help desk services
 - Technical support
 - Emergency support procedures
 - Service level commitments
-

X. PROPOSAL REQUIREMENTS

Proposals should include:

1. Executive Summary
2. Company Background
3. Municipal Website Experience
4. Proposed CMS Platform
5. Project Methodology
6. Accessibility Approach
7. Cybersecurity Approach
8. AI Capabilities
9. Hosting Solution
10. Content Migration Plan
11. Project Timeline
12. Training Plan

- 13. Support Plan
- 14. References
- 15. Cost Proposal

XI. REFERENCES

Provide a minimum of three municipal references, including:

- Organization name
- Website URL
- Project description
- Contact name
- Email
- Phone number

Preference will be given to vendors with demonstrated experience serving cities comparable in size and complexity to Fairmont.

XII. COST PROPOSAL

Provide Year 1 and Five-Year Total Cost of Ownership.

Project Component	Year 1 Cost	Five-Year Cost	Comments
Discovery & Planning			
Design & UX			
CMS Licensing			
Development			
Content Migration			
Accessibility Services			
AI Search/Chat Features			
Integrations			
Hosting			
Training			
Maintenance & Support			

Optional Intranet			
Optional Features			

XIII. RESERVATION OF RIGHTS

The City of Fairmont reserves the right to reject any or all proposals, waive minor irregularities or informalities, request additional information or clarification from vendors, conduct interviews or product demonstrations, negotiate the scope of services and pricing with the selected vendor, and modify or cancel this Request for Proposal (RFP) at any time if it is determined to be in the best interest of the City.

XIV. PROPOSAL SUBMISSION

Proposals shall be submitted electronically in PDF format to the project contact by 4:30 PM on August 14, 2026.

Project Contact:

Paul Hoyer
City of Fairmont
100 Downtown Plaza
Fairmont, MN 56031
Email: phoyer@fairmont.org
Phone: 507-238-3934

Late submissions may not be considered.