Charter Meeting
August 18, 2026
SMEC Building

Mike Katzenmeyer
Nicky Simpson
Richard Bradley
Jay Maynard
Jon Omvig
Myles Hanhnderford
Bill Cieslinski
Conrad Anderson
Jim Utermarck

Agenda:

1. Review minutes from July 21, 2026 meeting
2. Review of proposed educational piece for upcoming ballot questions
3. Next meeting date:

Charter Minutes

July 21, 2026

Members present: Mike Katzenmeyer, Nicky Simpson, Jay Maynard, Conrad Anderson, Jim Utermarck, Richard Bradley and Jon Omvig

Members Absent: Bill Cieslinski and Myles Hanhnderford

Others Present: Jason Baker

1. Motion by Jon, 2nd by Jay to approve agenda, motion carried.
2. Motion by Jon, 2nd by Jay to approve minutes from June 16, 2026, meeting, motion carried.
3. Motion by Jon, 2nd by Jim to approve Resolution No 2026-26 Exhibit B ballot language for proposed amendment to section 11.02 of the Charter, motion carried.
4. Motion by Jon, 2nd by Jim to construct an educational ad to explain 3 Charter ballot items. Motion approved by Nicky, Richard, Jon, Conrad, Jim and Mike. Opposed – Jay
5. Motion by Jon, 2nd by Conrad for Richard to create draft education print language to be presented at the August meeting, motion carried
6. Motion to adjourn the meeting by Jay, 2nd by Richard, motion carried.

Next meeting: August 18, 2026

Respectfully Submitted

Nicky Simpson

Understanding the 2026 Fairmont City Charter Amendments

A Voter's Guide

At the November 2026 General Election, Fairmont voters will be asked to vote on three proposed amendments to the Fairmont City Charter.

The City Charter is the governing document of the City of Fairmont. It establishes the structure of city government and defines the powers, responsibilities, and procedures under which the City operates.

Under Minnesota law, the Fairmont Charter Commission is responsible for periodically reviewing the Charter and recommending proposed amendments for consideration by the voters.

The following summaries have been prepared by the Fairmont Charter Commission to compare the current Charter provisions with the proposed amendments that will appear on the November 2026 General Election ballot. They are intended to help voters understand what each amendment would change if approved and are provided for informational purposes only.

Question No. 1: Eligibility to Serve on the Charter Commission

Current Charter

Section 2.04 of the Charter prohibits members of the City Council from holding another municipal office or becoming employees of the City while serving on the Council. The Charter does not specifically address whether a member of the City Council may serve simultaneously on the Charter Commission.

If Approved

The Charter would provide that qualified voters of the City are eligible to serve on the Charter Commission, except that elected or appointed members of the City Council would not be eligible to serve on the Charter Commission during their term on the Council.

Question No. 2: Charter Commission Application Process

Current Charter

The Charter does not currently establish a documented process for advertising Charter Commission vacancies, receiving applications, reviewing applicant eligibility, or forwarding eligible nominees to the District Court Judge for appointment.

If Approved

The Charter would establish a documented process for filling Charter Commission vacancies. Vacancies would be advertised for thirty (30) days in the City's newspaper of record. Interested individuals would submit an application to the City Clerk, who would review applicants for eligibility. The Chairperson of the Charter Commission would oversee forwarding all eligible nominees to the District Court Judge of the Fifth Judicial District for appointment in accordance with Minnesota law.

Question No. 3: Public Utilities Commission Purchasing Procedures

Current Charter

Section 11.02(c)(6) authorizes the Public Utilities Commission to approve purchases of materials, supplies, services, and equipment used in the operation and maintenance of the public utilities division after those expenditures have received prior approval through the budget process. Such purchases must comply with applicable purchasing laws and City procedures.

If Approved

Section 11.02(c)(6) would be amended to provide that the Public Utilities Commission would recommend all invoices, purchases, agreements, and contracts to the City Council for approval. The amendment would also provide that the City Council may delegate purchasing authority according to rules established by the City Council.

Prepared by the Fairmont Charter Commission

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Prepared by the Fairmont Charter Commission

RESOLUTION NO. 2026-20

RESOLUTION RECEIVING PROPOSED CHARTER AMENDMENTS, ADOPTING TITLE AND BALLOT QUESTION LANGUAGE PERTAINING TO PROPOSED AMENDMENTS TO THE CITY OF FAIRMONT CITY CHARTER AND ORDERING SPECIAL ELECTION

WHEREAS, on March 17, 2026, the Charter Commission approved the submission of the proposed Charter Amendments 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 Amendments are attached hereto as Exhibit A and Exhibit B, 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 Statues, 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, and the Fairmont City Council has reviewed the proposed ballot questions; and

WHEREAS, the City Council hereby finds and determines as follows:

1. The Charter Commission has duly submitted two proposed amendments to the City Charter in accordance with Minnesota Statutes, section 410.12, subds. 1 and 4;

2. The proposed Charter Amendments 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 Amendments are not unlawful and do 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 titles and the questions to be posed to the City's voters in the ballot, are sufficient to identify the proposed Charter Amendments clearly and have 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 receives the proposed Charter Amendments from the Fairmont Charter Commission, finding that both amendments meet 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 C, 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 C to be posted and published as required by law.

PASSED by the City Council of the City of Fairmont on this 11th day of May, 2026.

Motion by: Councilmember Maynard
Seconded by: Councilmember Kawecki
All in favor: Councilmembers Kawecki, Kotewa, Lubenow and Maynard
Opposed: Councilmember Hasek
Abstained: None

ATTEST

Betsy Steuber, City Clerk

Lee C. Baarts, Mayor

EXHIBIT A – PROPOSED CHARTER AMENDMENT

CHAPTER 1
NAME, BOUNDARIES, POWERS, AND GENERAL PROVISIONS

Eligible Nominees.

Qualified voters of the city are eligible to serve on the charter commission, except that elected or appointed members of the city council are not eligible to serve on the charter commission concurrent with their term on the city council.

EXHIBIT B – PROPOSED CHARTER AMENDMENT

CHAPTER 1
NAME, BOUNDARIES, POWERS, AND GENERAL PROVISIONS

Charter commission vacancies.

Subject to Minn. Stat. § 410.05, ninety (90) days prior to expiration of the term of any member of the charter commission or upon the occurrence of a vacancy in the membership of the charter commission in any other manner, the city shall advertise for nominations in the newspaper of record to fill the pending or existing vacancy for thirty (30) days. Applicants for nomination to the charter commission must submit an application to the city clerk on the form provided by the city. Eligible nominees must be qualified voters of the city. Following review of the applicants by the city clerk for eligibility, the chairperson of the charter commission shall oversee the process of forwarding all eligible nominees to the chief judge of the fifth judicial district who will make the appointment(s).

EXHIBIT C – 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. 1:

Proposed Charter Amendment Deeming City Council Ineligible for Charter Commission

Shall the Fairmont City Charter be amended to add a new section making elected or appointed members of the Fairmont City Council ineligible to serve on the Charter Commission concurrent with their term on the Fairmont City Council?

◯ YES

◯ NO

CITY QUESTION NO. 2:

Proposed Charter Amendment Adding Charter Commission Application Process

Shall the Fairmont City Charter be amended to add a new section providing an advertisement and application procedure for vacancies on the charter commission and providing that the chairperson for the charter commission shall oversee the process for submitting eligible nominees to the chief judge, who will make the appointment(s)?

◯ YES

◯ NO