

A regular meeting of the City Council for the City of Fairfax, Minnesota was held on October 13th, 2020 at 7:00pm in the Community Center at 300 Park Street South.

Members: Brad Augustin, John Schaefer, Steve Schmidt, Josh Bunkers

Absent: Brad Bastian

Visitors: Nicholas Johnson, City Administrator
Joel Grejtak, Utilities Superintendent
Aaron Walton, City Attorney
Karen Olofson, Missouri River Energy Resources
Justin Winch
Dorothy Prax
Greg Kiecker
Arlene Cowles

The meeting was called to order.

The Pledge of Allegiance was recited.

The agenda was reviewed. Staff requested the addition of an item for the sale of 25 1st Street Northeast. A motion was made by Schaefer and seconded by Schmidt to approve the agenda with the amendments. All voted in favor. None voted against. The motion was carried.

The consent agenda was reviewed. A motion was made by Bunkers and seconded by Schaefer to approve the consent agenda. All voted in favor. None voted against. The motion was carried.

Consent Agenda:

1. Approval of Consent Agenda
2. Consider Approval of Minutes
 - a. August 12th, 2020 Council Meeting Minutes
3. Consider Approval of Claims for Payment
4. Consider Approval of Updated Policy on Police Use of Force

A motion was made by Schaefer and seconded by Bunkers to open the public hearing on the proposed vacation of an alley. All voted in favor. None voted against. The motion was carried.

Members: Brad Augustin, John Schaefer, Steve Schmidt, Josh Bunkers

Absent: Brad Bastian

Visitors: Nicholas Johnson, City Administrator
Joel Grejtak, Utilities Superintendent
Aaron Walton, City Attorney
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Arlene Cowles

Nicholas Johnson discussed the alley to be vacated. There were no questions regarding the vacation.

Greg Kiecker, property owner abutting a portion of the proposed vacated alley, thanked the City Council for considering the vacation.

A motion was made by Schmidt and seconded by Schaefer to close the public hearing. All voted in favor. None voted against. The motion was carried.

A motion was made by Bunkers and seconded by Schaefer to adopt Resolution 2020-19, a resolution vacating an alley. All voted in favor. None voted against. The motion was carried.

**City of Fairfax
Resolution 2020-19**

Resolution Vacating an Alley

WHEREAS, the City Council previously passed Resolution 2020-15 noting its interest in vacating pursuant to Minnesota Statute 412.851 an alley legally described as:

That portion of the platted alley existing between Lots 11 and 12, Block 1, of Carver & Rieke's First Addition to the City of Fairfax; and

That portion of the platted alley abutting the western line of Lots 1 through 13, Block 1, of Carver and Rieke's First Addition to the City of Fairfax;

and setting a public hearing to consider the vacation of such alley; and

WHEREAS, a public hearing to consider the vacation of such alley was held on the 13th day of October, 2020, before the City Council in the Community Center located at 300 Park Street South at 7:00pm after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Administrator and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation, or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will not impinge the public interest for the following reasons:

1. The alley is not improved to a traversable state nor is there anticipated future need to improve the alley in the foreseeable future.
2. There are no utilities in the alley right-of-way nor is there anticipated future need to install utilities in the alley right-of-way.

And WHEREAS, four-fifths of all members of the City Council concur in this resolution;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fairfax, Minnesota as follows:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated:

That portion of the platted alley existing between Lots 11 and 12, Block 1, of Carver & Rieke's First Addition to the City of Fairfax; and

That portion of the platted alley abutting the western line of Lots 1 through 13, Block 1, of Carver and Rieke's First Addition to the City of Fairfax

BE IT FURTHER RESOLVED, that the Mayor and City Administrator are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Adopted by the City Council of Fairfax, Minnesota this 13th day of October, 2020.

Attest:

Mayor

City Administrator

A motion was made by Schaefer and seconded by Bunkers to open the public hearing on the proposed rezoning of property. All voted in favor. None voted against. The motion was carried.

Members: Brad Augustin, John Schaefer, Steve Schmidt, Josh Bunkers

Absent: Brad Bastian

Visitors: Nicholas Johnson, City Administrator
Joel Grejtak, Utilities Superintendent
Aaron Walton, City Attorney
Karen Olofson, Missouri River Energy Resources
Justin Winch
Dorothy Prax
Arlene Cowles

Justin Winch discussed his request to rezone in order for him to construct a commercial storage building for his business. The existing area is zoned residential with commercial zoning on the north side of the same block. The rezone would make the west half of the block residential and commercial mixed use to accommodate his construction as well as potential future uses for the remaining property to the north.

Dorothy Prax voiced both concerns about the project as well as support. She expressed a desire to have the building be aesthetically appealing as her property lies across the alley to the east. She also had concerns about property value and salability in the future. She also wanted to ensure Justin Winch kept his property in good order.

A motion was made by Schaefer and seconded by Bunkers to close the public hearing. All voted in favor. None voted against. The motion was carried.

A motion was made by Schmidt and seconded by Bunkers to approve introducing Ordinance 426, an ordinance amending the zoning code of the City of Fairfax. All voted in favor. None voted against. The motion was carried.

Karen Olofson of Missouri River Energy Resources presented the Electric Rate Study for the City of Fairfax Electric Utility. The full study is on file at the City Hall offices for public inspection.

Nicholas Johnson discussed the potential refinancing of the 2015 RS Fiber joint debt held by the City of Fairfax as well as the several other participating cities. The City of Winthrop, principal bond holder, has requested approval by all participating cities to engaged in a refinancing of the bonds in order to achieve a lower interest rate thereby saving money. A motion was made by Schaefer and seconded by Bunkers to adopt Resolution 2020-20, a resolution authorizing the sale of a taxable general obligation refunding note series 2020. All voted in favor. None voted against. The motion was carried.

Due to the length of the Resolution a copy of it may be obtained at the City Hall offices for inspection.

The Council discussed the current sidewalk repair and maintenance ordinance. City staff presented the areas where deficient sidewalk were identified. The ordinance specifies that property owners and the City split the cost of repairs and maintenance 50/50. After discussion the City Council requested City staff to draft new policy for the City to cover 100% of the cost.

The Council discussed enforcement of sidewalk snow and ice clearing for winter. The direction of the Council was to enforce the ordinance.

Nicholas Johnson requested the November Council meeting to be moved from the 10th to the 12th to accommodate adjustments in General Election canvassing deadlines. A motion was made by Bunkers and seconded by Schaefer to schedule the November 2020 Council meeting to the 12th at 7:00pm. All voted in favor. None voted against. The motion was carried.

Nicholas Johnson discussed a proposal from Ini Augustine to purchase 25 1st Street Northeast from the City of Fairfax. The City of Fairfax acquired and demolished the property in 2017 into a blank lot. The lot was listed at \$2,500. A motion was made by Schaefer and second by Schmidt to approve the purchase agreement and supplemental purchase agreement. All voted in favor. None voted against. The motion was carried.

Staff reports and financial information was received.

Joel Grejtak discussed the need to purchase additional snow removal equipment. The current contracted snow removal help informed the City they would no longer be doing it after the coming winter. This necessitates a need to purchase City equipment to make up for it. Staff will look into various options for Council to consider.

A motion was made by Schaefer and seconded by Bunkers to adjourn the meeting. All voted in favor. None voted against. The motion was carried.

Attest:

Mayor

City Administrator