

A regular meeting of the City Council for the City of Fairfax, Minnesota was held on June 8th, 2021 at 7:00pm in the City Council Chambers.

Members: Steve Schmidt, Josh Bunkers, Jared Firle
Absent: Brad Augustin, Brad Bastian
Visitors: Nicholas Johnson, City Administrator
Joel Grejtak, Superintendent of Streets and Utilities
Scott Froehlich, Chief of Police
Aaron Walton, City Attorney
Denise Bonsack, Standard Gazette & Messenger
Denny Adamski, Police Officer
Jim Cuff
Jill Pelzel
Christina Clobes

The meeting was called to order.

The Pledge of Allegiance was recited.

The agenda was reviewed. Staff requested the addition of three items: approval for a temporary liquor license for the Baseball Association for their remaining home games, authorization to surplus an impounded totaled vehicle to Steve Clobes for scrapping, and adoption of a resolution approving the renewal of the Wolf Wind energy supply contract. A motion was made by Firle and seconded by Schmidt to approve the agenda with the additions. All voted in favor. None voted against. The motion was carried.

The consent agenda was reviewed. A motion was made by Schmidt and seconded by Firle 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. May 11th, 2021 Council Meeting Minutes
3. Consider Approval of Claims for Payment
4. Consider Adoption of Resolution Accepting the Coronavirus Local Fiscal Recovery Fund Established Under the American Rescue Plan Act
5. Consider Approval of a Temporary Liquor License for the Baseball Association for the Fairfax Cardinals Home Games at Memorial Park Ballfield

City of Fairfax

Resolution 2021-7

A Resolution to Accept the Coronavirus Local Fiscal Recovery Fund Established Under the American Rescue Plan Act

WHEREAS, since the first case of coronavirus disease 2019 (COVID-19) was discovered in the United States in January 2020, the disease has infected over 32 million and killed over 575,000 Americans (“Pandemic”). The disease has impacted every part of life: as social distancing became a necessity, businesses closed, schools transitioned to remote education, travel was sharply reduced, and millions of Americans lost their jobs;

WHEREAS, as a result of the Pandemic cities have been called on to respond to the needs of their communities through the prevention, treatment, and vaccination of COVID-19.

WHEREAS, city revenues, businesses, and nonprofits in the city have faced economic impacts due to the Pandemic.

WHEREAS, Congress adopted the American Rescue Plan Act in March 2021 (“ARPA”) which included \$65 billion in recovery funds for cities across the country.

WHEREAS, ARPA funds are intended to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses.

WHEREAS, \$118,755 has been allocated to the City of Fairfax (“City”) pursuant to the ARPA (“Allocation”).

WHEREAS, the United States Department of Treasury has adopted guidance regarding the use of ARPA funds.

WHEREAS, the City, in response to the Pandemic, has had expenditures and anticipates future expenditures consistent with the Department of Treasury’s ARPA guidance.

WHEREAS, the State of Minnesota will distribute ARPA funds to the City because its population is less than 50,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRFAX, MINNESOTA AS FOLLOWS:

1. The City intends to collect its share of ARPA funds from the State of Minnesota to use in a manner consistent with the Department of Treasury’s guidance.
2. City staff, together with the Mayor and the City Attorney are hereby authorized to take any actions necessary to receive the City’s share of ARPA funds from the State of Minnesota for expenses incurred because of the Pandemic.
3. City staff, together with the Mayor and the City Attorney are hereby authorized to make recommendations to the City Council for future expenditures that may be reimbursed with ARPA funds.

Adopted by the City Council of the City of Fairfax, Minnesota this 8th day of June, 2021.

Attest:

Mayor

City Administrator

The Council reviewed Resolution 2021-8, a resolution setting a public hearing for the proposed vacation of a street and alley. The street and alley are platted right of way existing in the former GFW Middle School property. A motion was made by Firlle and seconded by Schmidt to adopt the resolution. All voted in favor. None voted against. The motion was carried.

City of Fairfax

Resolution 2021-8

A Resolution Setting a Public Hearing on the Proposed Vacation of a Street and Portion of an Alley

WHEREAS, the City Council has interest in vacating a street and portion of an alley pursuant to Minnesota Statute § 412.851 legally described as:

ALLEY TO BE VACATED IN BLOCK 7, ORIGINAL TOWNSITE OF FAIRFAX

The Alley in Block 7, ORIGINAL TOWNSITE OF FAIRFAX, according to the record plat thereof, Renville County, Minnesota.

PART OF ALLEY TO BE VACATED LYING ADJACENT TO LOTS 11 – 14, M. WELSH’S ADDITION TO FAIRFAX

The West Half of the alley lying northerly of the easterly extension of the north line of the South 6 feet of Lot 14, M. WELSH’S ADDITION TO FAIRFAX, according to the record plat thereof, Renville County, Minnesota. Said Alley lies easterly of and adjacent to Lots 11, 12, 13 and part of Lot 14 of said M. WELSH’S ADDITION TO FAIRFAX.

PART OF ALLEY TO BE VACATED LYING ADJACENT TO LOTS 20 – 23, WELSH’S ADDITION TO FAIRFAX

The East Half of the alley lying northerly of the westerly extension of north line of the South 6 feet of Lot 23, WELSH’S ADDITION TO FAIRFAX, according to the record plat thereof, Renville County, Minnesota. Said alley lies westerly of and adjacent to Lots 20, 21, 22 and part of Lot 23 of said WELSH’S ADDITION TO FAIRFAX.

PART OF 5TH AVENUE SE (F.K.A. JOHN STREET) TO BE VACATED

All of 5th Avenue SE (Formerly Known As John Street, WELSH'S ADDITION TO FAIRFAX, according to the record plat thereof) lying east of the southerly extension of the west line of Lot 28, WELSH'S ADDITION TO FAIRFAX, according to the record plat thereof and lying westerly of the east line of Fourth Street as shown on said plat WELSH'S ADDITION TO FAIRFAX. Said 5th Avenue SE (F.K.A. John Street) lies southerly of and adjacent to said Lot 28 and northerly of and adjacent to part of Remnants of Lot A, J. WELSH'S 2ND ADDITION TO FAIRFAX, according to the record plat thereof, Renville County, Minnesota.

PART OF FOURTH STREET TO BE VACATED

All of Fourth Street lying southerly of south line of Third Avenue and lying northerly of the south line of 5th Avenue SE (Formerly Known As John Street, WELSH'S ADDITION TO FAIRFAX, according to the record plat thereof). Said Fourth Street lies westerly of and adjacent to part of Remnants of Lot A, J. WELSH'S 2ND ADDITION TO FAIRFAX, according to the record plat thereof, westerly of and adjacent to Lots 1, 2 and 3, Block 10, WELSH'S ADDITION TO FAIRFAX, according to the record plat thereof, westerly of and adjacent to Outlot 1, FAIRFAX COUNCIL REPLAT, according to the record plat thereof, lies easterly of and adjacent to Lots 1, 2, 3, 4, and 5, Block 7, ORIGINAL TOWNSITE OF FAIRFAX, according to the record plat thereof, easterly of and adjacent to Lots 20 through 28, WELSH'S ADDITION TO FAIRFAX, according to the record plat thereof, Renville County, Minnesota.

WHEREAS, said interest in vacating the above described areas constitute properties already developed with principal structures and uses (the former GFW Middle School).

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fairfax, Minnesota will consider the vacation of such street and alley and a public hearing shall be held on such proposed vacation on the 13th day of July, 2021 in City Hall at 7:00pm.

BE IT FURTHER RESOLVED that the City Administrator is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Adopted by the City Council of the City of Fairfax, Minnesota this 8th day of June, 2021.

Attest:

Mayor

City Administrator

Nicholas Johnson presented a quote and project proposal from Bolton and Menk to perform engineering and bid work for dredging the storm sewer pond east of Highway 4. The estimated total project cost for 4,500 cubic yards of dredging is \$87,500 of which \$5,000 would be for

engineering. A motion was made by Schmidt and seconded by Firle to approve the project. All voted in favor. None voted against. The motion was carried.

The Council discussed potentially waiving admission fees at the swimming pool. There were mixed responses to the idea. No action taken.

Nicholas Johnson discussed a potential tax abatement program at the county level for new home development. The Renville County HRA/EDA is working on details and part of it would like to see cities participate as well. Johnson would report back when more details are finalized.

The Council reviewed Resolution 2021-9, a resolution authorizing the execution of a wholesale power agreement. The City of Fairfax's original contract with Wolf Wind began in 2006 and expires in 2021. Wolf Wind supplies renewal wind supply as part of the City's total energy supply package. A motion was made by Firle and seconded by Schmidt to adopt the resolution. All voted in favor. None voted against. The motion was carried.

City of Fairfax

Resolution 2021-9

Resolution Authorizing the Execution of a Wholesale Power Agreement

BE IT RESOLVED by the City Council of the City of Fairfax, Minnesota (hereinafter referred to as "Council" as follows:

Section 1. The Council owns and operates an electric utility system under Minnesota law and through such utility distributes and sells electric power and energy at retail;

Section 2. The Council is a member of the Central Minnesota Municipal Power Agency, a joint electric power agency formed under Minnesota Statutes Section 453.51 through 453.62 ("CMMPA");

Section 3. The Council has determined that it is in the best interests of its electric ratepayers for the Commission to enter into a power sales agreement with CMMPA for the purchase of an entitlement share of a long-term wind energy product agreed in April 2021 between CMMPA and Midwest Power Partners. Said contract began on April 8, 2021 and will continue through April 7, 2041. This agreement would supersede the existing contractual treatment of the project as done through CMMPA's Additional Service Agreements. A volume of renewable attributes – and if accredited capacity credits - commensurate with the energy share will be included in this price.

WHEREAS, the Council has examined all other matters it deems relevant:

NOW, THEREFORE, be it resolved that the "Power Sales Agreement Between Central Minnesota Municipal Power Agency and Midwest Power Partners for Purchase of Wind Energy" be hereby approved in substantially the form presented to the Council for this meeting and that

the Mayor and City Administrator are authorized to execute and deliver the Agreement to the counterparties on behalf of the Council, with such changes therein as shall be approved by the Council Attorney and/or other designative representatives of the Council, the execution thereof to constitute conclusive evidence of the President's approval of any and all changes or revisions therein from the form of the Agreement hereby approved.

Adopted by the City Council of the City of Fairfax, Minnesota this 8th day of June, 2021.

Attest:

Mayor

City Administrator

Staff reports and financial information was received.

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

Attest:

Mayor

City Administrator