

A regular meeting of the City Council for the City of Fairfax, Minnesota was held on July 13th, 2021 at 7:00pm in the City Council Chambers.

Members: Brad Augustin, Brad Bastian, Steve Schmidt, Josh Bunkers, Jared Firle

Absent: None

Visitors: Nicholas Johnson, City Administrator
Joel Grejtak, Superintendent of Streets and Utilities
Scott Froehlich, Chief of Police
Aaron Walton, City Attorney
Paul Zaid, Standard Gazette & Messenger
Jim Cuff
Derek Carlson

The meeting was called to order.

The Pledge of Allegiance was recited.

The agenda was reviewed. Staff requested the addition of an item to approve the quit claim deed transferring property between the City of Fairfax and Retro Holdings, LLC. A motion was made by Firle and seconded by Bunkers 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. June 8th, 2021 Council Meeting Minutes
3. Consider Approval of Claims for Payment
4. Consider Approval of Temporary Intoxicating Liquor License for St. Andrew's Fun Fest Event on August 22

The public hearing regarding the proposed vacation of a street and alley located in the property owned by Retro Holdings, LLC, formerly known as the GFW Middle School, was opened. There were no attendees for the public hearing. A motion was made by Bastian and seconded by Bunkers to close the public hearing. All voted in favor. None voted against. The motion was carried.

Resolution 2021-10, a resolution vacating portions of a street and alley was reviewed. A motion was made by Bunkers and seconded by Schmidt to adopt the resolution. All voted in favor. None voted against. The motion was carried.

City of Fairfax

Resolution 2021-10

A Resolution Vacation Portions of a Street and Alley

WHEREAS, the City Council previously passed Resolution 2021-8 noting its interest in vacating pursuant to Minnesota Statute § 412.851 a street and alley 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

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

WHEREAS, a public hearing to consider the vacation of such street and alley was held on the 13th day of July, 2021, before the City Council in the City Hall located at 18 1st Street Southeast, Fairfax, Minnesota 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 benefit the public interest because it is vital to economic development to increase the tax base, number of jobs offered in the community, and use of city owned utilities.

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 street and alley previous described is hereby vacated.

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 the City of Fairfax, Minnesota this 13th day of July, 2021.

Attest:

Mayor

City Administrator

Aaron Walton discussed a quit claim deed which conveys certain property between the City of Fairfax and Retro Holdings, LLC. The property realignment includes the City conveying the "north parking lot area" located on the north side of 3rd Avenue Southeast to Retro Holdings, LLC; Retro Holdings, LLC conveying the land west of the "north parking lot area" to the City; and Retro Holdings, LLC conveying land whereon the City's main lift station resides. A motion was made by Bastian and seconded by Firlie to approve the quit claim deed. All voted in favor. None voted against. The motion was carried.

Nicholas Johnson requested authorization to reinstate late fees and disconnections for utility customers due to the apparent end of the covid pandemic. Late fees and disconnections would resume normally following the July 2021 billings due in August. A motion was made by Schmidt and seconded by Firle to approve the reinstatement. All voted in favor. None voted against. The motion was carried.

The Council reviewed quotes for the Highway 4 storm pond dredging project. A motion was made by Bunkers and seconded by Bastian to award Got Dirt? of Fairfax. All voted in favor. None voted against. The motion was carried.

| Contractor: | Quote Amount: |
|--------------------------------------|---------------|
| Mathiowetz Construction – Sleepy Eye | \$145,000.00 |
| Got Dirt? – Fairfax | \$78,750.00 |

Nicholas Johnson discussed obtaining quotes to perform tiling work at Lions Park. A design was submitted for review to base quotes on. Staff stated they believed it would help the water issues at Lions Park but would not be a cure-all. Wet years would still see issues at the park. A motion was made by Bastian and seconded by Firle to authorize staff to obtain quotes for the work. All voted in favor. None voted against. The motion was carried.

Joel Grejtak presented information on an alternative road grader for potential purchase. The Council approved the purchase of a 2005 John Deere 772CH for \$93,400 at the May 2021 meeting. City staff then found a 2006 John Deere 772D for \$115,000 in far better condition. Staff is requesting rescinding the previous purchase and authorizing the purchase of the 2006 John Deere 772D for \$115,000 from RDO Equipment of Marshall. A motion was made by Schmidt and seconded by Firle to approve the purchase. All voted in favor. None voted against. The motion was carried.

Joel Grejtak discussed the need to replace the existing skid steer as it is turning out to be a lemon. The unit required substantial repairs in 2020 and is experiencing the same issues once again. A quote was obtained from RDO Equipment of Marshall to replace the unit with a 2021 John Deere 320G for \$17,675.92. Staff believed the unit would not arrive until 2022. The Council consensus was to have the unit ordered but budget for its replacement in the 2022 Budget. A motion was made by Firle and seconded Schmidt to approve ordering the equipment. All voted in favor. None voted against. The motion was carried.

Staff reports and financial information was received.

Nicholas Johnson reviewed the preliminary 2022 Budget with the City Council.

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