

A regular meeting of the City Council for the City of Fairfax, Minnesota was held on July 12th, 2022 at 7:00pm in the City Council Chambers.

Members: Josh Bunkers, Brad Bastian, Jared Firle, Vacancy

Absent: Steve Schmidt

Visitors: Nicholas Johnson, City Administrator
Joel Grejtak, Superintendent of Streets and Utilities
Scott Froehlich, Chief of Police
Johanna Jutz, Standard-Gazette & Messenger
Jim Cuff

The meeting was called to order.

The Pledge of Allegiance was recited.

The agenda was reviewed. Staff requested the addition of a grant agreement between the City of Fairfax and Renville County EDA for blight remediation. A motion was made by Bastian and seconded by Firle to approve the agenda with the addition. 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 14th, 2022 Council Meeting Minutes
3. Consider Approval of Claims for Payment
4. Consider Approval of Agreement for Assessing Services with Renville County
5. Consider Approval of Temporary Intoxicating Liquor License for St. Andrew's for Fun Fest
6. Consider Adoption of Resolution Authorizing Joint Powers Agreement Between the City of Fairfax and BCA
7. Consider Approval of Renville County EDA Blight Remediation Grant Agreement

A hearing was opened on the matter of 406 Park Street South and existing nuisances on the property. There were no attendees for the hearing. The hearing was closed.

Council reviewed Resolution 2022-17, a resolution of findings of fact and order issued under Fairfax City Code Chapter 155. A motion was made by Bastian and seconded by Firle to adopt the resolution. All voted in favor. None voted against. The motion was carried.

**CITY OF FAIRFAX
RESOLUTION NO. 2022-17**

**A RESOLUTION OF FINDINGS OF FACT AND ORDER ISSUED
UNDER FAIRFAX CITY CODE, CHAPTER 155: NUISANCES**

RE: 406 Park Street South, Fairfax

The City Council of the City of Fairfax hereby makes the following:

FINDINGS OF FACT

Whereas, Fairfax City Code Chapter 155 provides for the prohibition and abatement of public nuisances; and

Whereas, the property at 406 Park Street South, Fairfax, Minnesota, had been identified as being in violation of City Code section and 155-3 for unlawful accumulations in the open of discarded or disused household appliances and furniture in a manner conducive to the harboring of rats, mice, snakes or vermin, or in a manner creating fire, health, or safety hazards from such accumulation; and

Whereas, the Fairfax Police took photographs of the nuisance items on the above-property, which are attached hereto and made part hereof, which show the nuisance conditions, including the following: a front loading washing machine at the rear of the house, a blue couch, a tan couch, and a lighter tan couch all near the rear of the property; and

Whereas, Jesus and Maria Hernandez (hereafter Hernandez's) have been identified as the occupants of this residential property, located at 406 Park Street South, Fairfax, Minnesota 55332; Renville County Property ID No. 31-01165-00; and

Whereas, the City Administrator prepared a letter which was mailed to the occupants by on July 1st, 2022, notifying them that all of the above-listed items must be abated by May 27th, 2022. The letter also gave the owners notice that if the same items were not abated by the given deadline, that the City Council would address the matter at the City Council meeting on July 12th, 2022, and possibly take action to have the nuisances abated, with all expenses charged to them and assessed against their property; and

Whereas, the occupants failed to abate the nuisances by the deadline given; and

Whereas, the City Council hereby finds that the conditions on the said property: 1) are conditions which unreasonably annoy, injure, or endanger the safety, health, morals, comfort, or repose of a considerable number of members of the public; and 2) the conditions have not been improved since May 27th, 2022; 3) that the above-described nuisance conditions will continue to exist on the property unless corrective action is taken by the City.

Be It Resolved, that the City Council of the City of Fairfax, pursuant to Code section 155-5 hereby issues the following:

ORDER

1. Jesus and Maria Hernandez shall abate the above-described nuisance conditions on the residential property, located at 406 Park Street South, Fairfax, 55332, by July 17th, 2022.

2. If the owners fail to abate the nuisance items within the time provided in this order, the City public works crew or hired contractors, shall, with a Fairfax Police Officer on civil standby, as soon as practicable cause the nuisance items to be abated. City staff shall make record of any time and charges incurred by the City in abating, removing, correcting or eliminating the nuisances from this property.
3. Any charges incurred by the City in abating, removing, correcting, or eliminating the nuisance conditions may be collected as provided in Minn. Stat. section 429.101 and City Code section 155-5. Such charges may include any actual costs incurred by the City, including, but not limited to, administrative, legal, and inspection, in connection with the abatement of the nuisance.
4. This Order shall be effective immediately upon the completion of personal service of this Resolution on the property owner, or by posting a copy of this Resolution in a conspicuous place on the property if the property owner cannot be found after attempting personal service.

Said Resolution was passed and adopted by the Fairfax City Council this 12th day of July, 2022.

Josh Bunkers, Acting Mayor

Attest: _____
Nicholas Johnson, City Administrator

Nicholas Johnson reviewed a proposed new supplemental personnel policy for the Fire-Ambulance Department which would replace the existing and antiquated bylaws. A motion was made by Firlle and seconded by Bastian to approve the new policy. All voted in favor. None voted against. The motion was carried.

The Council reviewed quotes to purchase a replacement lawn mower. A motion was made by Firlle and seconded by Bastian to approve the John Deere mower purchase. All voted in favor. None voted against. The motion was carried.

Purchase Replacement Lawn Mower:

2022 John Deere Z970R ZTrak	\$13,044.00
2022 eXmark Lazer Z X-Series	\$13,845.00

The Council reviewed quotes for the demolition and removal of structures and cement at 113 1st Avenue Southwest. A motion was made by Firlle and seconded by Bastian to approve MJ Neisen to perform the work. All voted in favor. None voted against. The motion was carried.

Demolish 113 1st Avenue Southwest:

MJ Neisen	\$4,500.00
Hillman Backhoe & Tiling	\$8,500.00

The Council reviewed Pay Application #1 for the 2nd Avenue Southeast infrastructure project in the amount of \$64,801.63. A motion was made by Bastian and seconded by Firle to approve the pay application. All voted in favor. None voted against. The motion was carried.

A motion was made by Firle and seconded by Bastian to move the August Council meeting to the 8th to accommodate for the August 9th State Primary Election. All voted in favor. None voted against. The motion was carried.

Staff reports and financial information was received.

Nicholas Johnson reviewed the first look at the General Fund 2023 Budget. The topic of adding a third officer to the Police Department was discussed. Fairfax currently has two officers for 1,250 population (625 per LEO). Johnson presented figures from surrounding communities which demonstrated an average of 462 per LEO. Should Fairfax add an additional officer it would be 417 per LEO. The consensus of the Council was to budget for an additional officer.

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

Attest:

Mayor

City Administrator