

A regular meeting of the City Council for the City of Fairfax, Minnesota was held on November 14th, 2023 at 7:00pm in the City Council Chambers.

Members: Josh Bunkers, Jim Schroeder, Tina Castillo, Jill Pelzel, Steve Schmidt

Absent: None

Visitors: Andrea Merkel, City Administrator
Joel Grejtak, Street & Utility Superintendent
Scott Froehlich, Chief of Police
Aaron Walton, City Attorney
Shane Traulick, Bolten & Menk
Jim Cuff
Marchell Haines
John Clobes
Matt Ibberson, Fairfax Police Dept

The meeting was called to order at 7pm by Bunkers.

The Pledge of Allegiance was recited.

The agenda was reviewed.

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

The consent agenda was reviewed. A motion was made by Pelzel and seconded by Schroeder 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. October 10th, 2023 Council Meeting Minutes
3. Consider Approval of Claims for Payment

A motion was made by Pelzel and seconded by Schroeder to open a public hearing on proposed property tax assessments for 2024. All voted in favor. None voted against. Motion carried. Shane Traulick from Bolten & Menk presented final information on the 2nd Ave SE street improvement project. No comments were received regarding the proposed assessments. A motion was made by Schmidt and seconded by Pelzel to close the public hearing. All voted in favor. None voted against. The motion carried.

The council reviewed resolution 2023-21 Adopting Final Assessments for the 2nd Ave SE Improvement Project. A motion was made by Schmidt and seconded by Pelzel to approve resolution 2023-21. All voted in favor. None voted against. The motion carried.

City of Fairfax
Resolution 2023-21

Resolution Adopting Final Assessment of 2nd Ave SE Improvement Project

WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to the proposed assessment for the improvement of 2nd Ave SE between 4th Street SE and 5th Street SE,

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessment shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2025, and shall bear interest at the rate of 3.50 percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2024. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the city treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the city treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.

4. The clerk shall forthwith transmit a certified duplicate of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the council this 14th day of November, 2023.

Mayor

City Clerk

The council reviewed Resolution 2023-22 Certifying Unpaid Assessments. A motion was made by Schmidt and seconded by Pelzel to approve Resolution 2023-22. All voted in favor. None voted against, the motion carried.

**City of Fairfax
Resolution 2023-22**

Resolution for Certifying Delinquent Utility Bills and Other Assessments

WHEREAS, a proposed list of customers who have delinquent charges, a copy of which is hereby attached as Exhibit A and made a part hereof, is hereby accepted and shall constitute the certification against the parcels named herein.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Fairfax Minnesota, does certify for collection by the Renville County Auditor the delinquent accounts as listed on Exhibit A.

Adopted by the City Council this 14th day of November, 2023.

Attest:

Mayor

City Administrator

The council reviewed a contract with Clobes Sanitation for city garbage collection. A motion was made by Schmidt and seconded by Pelzel to approve the contract renewal. All voted in favor. None voted against. The motion carried.

The council reviewed existing building permit fees and 2 proposals from Prokore Inspections for changing building permit fees. A motion was made by Castillo and seconded by Pelzel to approve Prokore Inspections' proposal that includes value-based fees that are based on the 1994 Universal Building Code Table. All voted in favor. None voted against, the motion carried.

The council reviewed an updated contract for independent snow haulers. A motion was made by Schroeder and seconded by Pelzel to approve the contract. All voted in favor. None voted against, the motion carried.

The council reviewed Ordinance 442 – Amending the City’s Sunday Liquor Sale Hours for the first reading. A motion was made by Schmidt and seconded by Castillo to approve Ordinance 442. All voted in favor. None voted against, the motion carried.

City of Fairfax

Ordinance 442

An Ordinance Amending City Code Chapter 71 Regulating Sunday Liquor Hours of Sale

WHEREAS, the City previously adopted ordinances regulating the sale of intoxicating liquor and beer on Sundays, which are now codified as City Code Chapter 71, Article 4;

WHEREAS, the City Council has determined a change is desired to the hours for Sunday liquor sales;

NOW, THEREFORE, THE CITY COUNCIL OF FAIRFAX ORDAINS:

1. The title of City Code Chapter 71, Article 4, shall be changed to “Sunday Liquor Sales”.
2. City Code Chapter 71, Article 4, § 71-9 shall be amended to the following: Upon receipt of a license issued by the City of Fairfax City Council, a licensee may sell intoxicating liquor and beer during the hours and days as allowed by Minnesota Statute Chapter 340A.504, as it may be amended from time to time.
3. This ordinance shall be effective immediately.

Adopted by the City Council this 12th day of December, 2023.

Attest:

Mayor

City Clerk/Administrator

The council reviewed Ordinance 441-Amending the City’s Regulating of the Storage of Vehicles and Equipment within city limits for the first reading. A motion was made by Castillo and seconded by Schmidt to approve Ordinance 441. All voted in favor. None voted against, the motion carried.

City of Fairfax

Ordinance 441

An Ordinance Amending City Code Chapter 246 Regulating Parking or Storage of Vehicles and Equipment

WHEREAS, the City previously adopted ordinances regulating the parking and/or storage of vehicles and equipment within the City limits, which are now codified as City Code Chapter 246;

WHEREAS, the City Council has determined a change to the regulation of parking and/or storage of vehicles and equipment within City limits is desired;

NOW, THEREFORE, THE CITY COUNCIL OF FAIRFAX ORDAINS:

1. City Code Chapter 246-1 B (3) is hereby repealed effective immediately, and shall be deleted from the Code of Ordinances.
2. City Code Chapter 246-2 B is hereby repealed, effective immediately, and shall be deleted from the Code of Ordinances.

Adopted by the City Council this 12th day of December, 2023.

Attest:

Mayor

City Clerk/Administrator

In staff reports, Merkel updated the council that the demolition and removal process of the three lots on Park St S were finished this past week and grass has been seeded. Merkel also informed the council that the new holiday banners arrived and the city crews have been putting them up this week. Merkel updated the council on the process of finding an attorney that specializes in utility matters and contractors that are able to do a natural gas rate study.

Merkel also presented the council with city financial information for the month of October.

Grejtak informed the council that the public works crew has been working on sweeping leaves from the streets, flushing fire hydrants and winterizing the parks. They have also been working on cleaning up the 5th Street shop lot. Grejtak also updated the council that the Fire Department approved paying for an ice rink for the city this winter from their gambling proceeds.

Froehlich reported that the department responded to 100 calls in the month of October and that the department also assisted with a few larger cases. The new squad is still waiting on some equipment for the interior. Froehlich stated the department is also getting caught up on their required annual training.

A motion was made by Pelzel and seconded by Castillo to adjourn the meeting at 7:44pm. All voted in favor. None voted against. The motion was carried.

Attest:

Mayor

City Administrator