

A regular meeting of the City Council for the City of Fairfax, Minnesota was held on December 12th, 2023 at 7:00pm in the City Council Chambers.

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

Absent: Jill Pelzel

Visitors: Andrea Merkel, City Administrator
Joel Grejtak, Street & Utility Superintendent
Scott Froehlich, Chief of Police
Aaron Walton, City Attorney
Jim Cuff
Sheila Prax
Angela Ward
Vladimir Ward
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. An addition of approval of the Toward Zero Deaths Contract with Renville County Sheriff Department to the consent agenda was requested by Merkel. A motion was made by Schmidt and seconded by Castillo to approve the agenda with the addition. All voted in favor. None voted against. The motion was carried.

The consent agenda was reviewed. A motion was made by Schroeder and seconded by Schmidt 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. November 14th, 2023 Council Meeting Minutes
3. Consider Approval of Claims for Payment
4. Consider Approval of Westberg Eischens Contract for 2023 Audit Services
5. Consider Approval of hiring Michael Volz to Fairfax Ambulance

A motion was made by Schmidt and seconded by Schroeder to open the 2024 Truth In Taxation public hearing. All voted in favor. None voted against. Motion carried. Merkel presented information on the 2024 property tax levy and 2024 budget. A motion was made by Castillo and seconded by Schroeder to close the public hearing. All voted in favor. None voted against. The motion carried.

The council reviewed resolution 2023-23 Approving the 2024 Levy and Budget. A motion was made by Schmidt and seconded by Castillo to approve resolution 2023-23. All voted in favor. None voted against. The motion carried.

**City of Fairfax
Resolution 2023-23**

State of Minnesota)
County of Renville)
City of Fairfax)

Resolution Adopting the 2024 Final Levy and 2023 Final Budget

Be it resolved by the City Council of the City of Fairfax, County of Renville, State of Minnesota, that the following sums of money be levied in 2024, upon the taxable property in the City of Fairfax, for the following purposes:

General Fund	\$362,881.00
2015A Bond	\$30,251.00
2018A Bond	\$23,259.00
2019A Bond	\$83,609.00
Total Tax Levy	\$500,000.00

Be it further resolved by the City Council that the final 2024 budget is hereby adopted.

The City Administrator is hereby instructed to transmit a copy of this resolution to the Auditor of Renville County, Minnesota.

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

Attest:

_____)
Mayor

City Administrator

The council reviewed Resolution 2023-18 Nuisance Findings and Order to Abate property located at 202 Lincoln Ave. As no one was present for comment in the public hearing, the council reviewed the resolution and nuisance violation. Merkel informed the council that the only item from the original violation request that has not been addressed by the resident as of the meeting, is the condition of their outdoor pool. After discussion and review of the existing nuisance and pool ordinances, the council chose to take no action on resolution 2023-18 at this time.

The council reviewed the proposed 2024 Utility Rates. A motion was made by Schmidt and seconded by Castillo to approve the rates. All voted in favor. None voted against. The motion carried.

The council reviewed proposed changes to the employee sick leave policy. A motion was made by Schmidt and seconded by Castillo to approve the personnel policy update. 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 final reading. A motion was made by Schroeder 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 final 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

The council reviewed a proposed change to the city's procedures on addressing property nuisance violations. The council was in favor of incorporating the procedure changes into the existing nuisance ordinance. Merkel will work with the city attorney to identify any need to formally change the existing ordinance. No action was taken by the council.

In staff reports, Merkel informed the council that the computer in the fire hall will need to be replaced this month as it has stopped working correctly. Merkel also informed the council that she has had initial conversations with the legal firm Boardman Clark regarding legal assistance with the city's natural gas utility. Boardman Clark has confirmed that they can represent the city, if needed, and provided their rates for services.

Merkel updated the council on the progress of the storm pond project. Bolten & Menk have requested quotes for reseeding the storm pond next spring. Once the quotes are received, the council can make the decision of whether or not to reseed the area in the spring, or leave the

pond vegetation as is and deduct the proposed cost of reseeding from the contractor's final payment.

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

Grejtak informed the council that the public works crew has been working on trimming trees on the city's boulevards. The SCADA system at the water plant is being installed this week. A gate for the tennis court fence is in process to allow snow removal equipment to access the ice rink this winter. A water curb stop on 2nd Ave NE was repaired due to age and repairs were made to electrical connections on 1st Ave SE this past month.

Froehlich reported that the department responded to 92 calls in the month of November. The new squad car is still in the process of having interior equipment installed and will hopefully be ready to be used for patrol in the next two weeks. The department has been working on property violations and completing required annual training.

Merkel presented information on the final 2024 budget for the general fund and all utilities.

A motion was made by Schroeder and seconded by Schmidt to adjourn the meeting at 8:13pm. All voted in favor. None voted against. The motion was carried.

Attest:

Mayor

City Administrator