

**City of Red Lake Falls
City Council Meeting
September 12, 2022
Minutes**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Red Lake Falls, Red Lake County, Minnesota was duly held in the Council Chambers of said City on the 12th day of September, 2022.

Members Present: Allen Bertilrud, Kevin Brevik, Briana Ingraham, Sara Kenfield, Neil Knaack, Cheryl Matzke

Members Absent: None

Others Present: Jane Thibert, Delray Sparby, Matt Swendra, Mitch Bernstein, Chad Cardinal

The meeting was called to order at 6:08 p.m.

APPROVAL OF AGENDA

Add items 6.08 Agassiz Asphalt Quote

Ingraham moved, seconded by Kenfield to approve the amended Agenda as presented.
On vote being taken, the motion was unanimously passed.

CONSENT AGENDA

Kenfield moved, seconded by Brevik, to approve the Consent Agenda
Approval of the August 22, 2022 City Council Meeting Minutes
Approval of the Bills and Disbursements
On vote being taken, the motion was unanimously passed.

NEW BUSINESS

6.01 Brevik moved, seconded by Matzke to approve Resolution #09-01-22 approving a vacation request by Altoz, Inc. **For: Matzke, Ingraham, Brevik, Knaack, Kenfield and Bertilrud. Absent: None Against: None. MOTION CARRIED UNANIMOUSLY**

**CITY OF RED LAKE FALLS
RESOLUTION #09-01-2022**

RESOLUTION APPROVING A VACATION OF SEVENTH STREET SW LOCATED WEST OF A LINE EXTENDED NORTHERLY FROM THE NORTHWEST CORNER OF LOT 22, BLOCK 38, RAILROAD ADDITION TO THE SOUTHWEST CORNER OF LOT 13, BLOCK 39, RAILROAD ADDITION AND LOCATED EAST OF A LINE EXTENDED NORTHERLY FROM THE NORTHWEST CORNER OF LOT 13, BLOCK 54, RAILROAD ADDITION TO THE SOUTHWEST CORNER OF LOT 13, BLOCK 53, RAILROAD ADDITION AND ALL OF THAT CERTAIN ALLEYWAY LOCATED WEST OF LOTS 1 THROUGH 11, BLOCK 54, RAILROAD ADDITION AND EAST OF LOTS 12 AND 13, Block 54, RAILROAD ADDITION.

WHEREAS, The City Council of Red Lake Falls did on its own motion consider the vacating of Seventh Street SW located West of a line extended northerly from the Northwest corner of Lot 22, Block 38, Railroad Addition to Southwest corner of Lot 13, Block 39, Railroad Addition and located East of a line extended northerly from the northwest corner of Lot 13, Block 54, Railroad Addition to the Southwest corner of Lot 13, Block 53, Railroad Addition AND all of that certain alleyway located West of Lots 1 through 11, Block 54 Railroad Addition and East of Lots 12 and 13, Block 54, Railroad Addition to the City of Red Lake Falls, MN, to the extent the same had not been previously vacated, reserving unto the City of Red Lake Falls an easement for utility purposes in the vacated streets, together with the right to install, maintain, repair, and replace said utilities, as necessary.

AND WHEREAS, a public hearing was held on September 12, 2022 at 6:00 p.m. before the City Council at City Hall, 108 2nd Street SW, Red Lake Falls, Minnesota, after proper publication, posting and notice to affected property owners and all persons interested were given an opportunity to be heard;

AND WHEREAS, it appears that it will be in the best interest of the City to vacate said streets, avenues and alleyways;

AND WHEREAS, this resolution was passed by at least a 4/5th majority of the City Council;

NOW, THEREFORE, BE IT RESOLVED, that the portions of Seventh Street SW located West of a line extended northerly from the Northwest corner of Lot 22, Block 38, Railroad Addition to Southwest corner of Lot 13, Block 39, Railroad Addition and located East of a line extended northerly from the northwest corner of Lot 13, Block 54, Railroad Addition to the Southwest corner of Lot 13, Block 53, Railroad Addition AND all of that certain alleyway located West of Lots 1 through 11, Block 54 Railroad Addition and East of Lots 12 and 13, Block 54, Railroad Addition to the City of Red Lake Falls, MN, to the extent the same had not been previously vacated, reserving unto the City of Red Lake Falls an easement for utility purposes in the vacated streets, together with the right to install, maintain, repair, and replace said utilities, as necessary.

Adopted by the Council this 12th day of September, 2022.

Approved:

Attest:

Mayor

City Administrator

6.02 Knaack moved, seconded by Ingraham for a moratorium for 60 days for a committee to study the sale of Gummy Edibles.

For: Matzke, Ingraham, Knaack and Bertilrud. Absent: None Against: Brevik, Kenfield. MOTION CARRIED

The Committee will consist of Ingraham, Knaack & Brevik to study the regulations of Edible Cannabinoid Products.

6.03 Brevik moved, seconded by Matzke to declare the old mosquito sprayer as surplus and to be put up for bids.

On vote being taken, the motion was unanimously passed.

6.04 Ingraham moved, seconded by Matzke to have Attorney Sparby send a follow-up letter with the next steps to the homeowners on McLean Avenue that have not moved their sheds.

On vote being taken, the motion was unanimously passed.

6.05 Ingraham moved, seconded by Kenfield to have the first reading of an ordinance opting out of the state building code.

On vote being taken, the motion was unanimously passed.

**ORDINANCE NO.150.01-150.05
CITY OF RED LAKE FALLS**

**AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF
MINNESOTA STATUTES, SECTION 326B**

WHEREAS, subdivision 2 (a) of Minn. Stat. §326B.121 allows cities with a population of 2,500 or less to “opt out” of the administration and enforcement of the State Building Code regulations;

THE CITY COUNCIL OF THE CITY OF RED LAKE FALLS, MN, ORDAINS as follows:

City Code, Section 150.01 TO 150.05 is amended as follows:

OPT-OUT OF MINNESOTA STATUTES, SECTION 326b.121:

SECTION ONE. Pursuant to authority granted by Minnesota Statutes, Section 326b.121, Subd. 2 (a), the City of Red Lake Falls opts-out of the requirements of Minn. Stat. Chapter 326B, which requires adoption and enforcement of the State Building Code.

SECTION TWO. This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2022, by the City Council of the City of Red Lake Falls, MN.

6.06 The preliminary budget will be presented at the city council meeting on September 26, 2022.

6.07 Ingraham moved, seconded by Knaack to accept the bill of \$11,500.00 from Rieger, Borgen, Benson Electric Inc. to install the football field pump station generator.

On vote being taken, the motion was passed unanimously.

6.08 Ingraham moved, seconded by Kenfield to approve Agassiz Asphalt, LLC bid at \$146,781.00.

On vote being taken, the motion was passed unanimously.

ADJOURNMENT

The meeting adjourned at 6:58 pm.

Respectfully submitted,

Allen Bertilrud, Mayor

Kathleen Schmitz, City Administrator