

A regular meeting of the City Council of Canby, Minnesota was held on March 15th, 2011 at 7:00 P.M.

Members: Gene Bies, Gene Eilers, Denise Hanson, Nancy Bormann, Rick Bueltel

Absent: None

Visitors: Nicholas Johnson, City Administrator
Gerald Boulton, City Attorney
Dean Helstrom, City Engineer
Isaiah Keating, Police Chief
Ellie Beman, Canby News
Loren Hacker, School Superintendent
Holly Larson, National Park Service
Ann Orren, Chemical Health Organization
Elise Citrowske, Y.A.M.S.
Kami Cleveland, Y.A.M.S.
Jim Julien, Development Services, Inc.
Karen Houtman
Brian Skogan
Emily Shively
Jody Olson

The Pledge of Allegiance was recited.

The meeting was called to order at 7:00 P.M. by Gene Bies.

The minutes of March 1st were reviewed. A motion was made by Eilers and seconded by Hanson to approve the minutes. All voted in favor. None voted against. The motion was carried.

Dean Helstrom presented an engineering bill from Bolton and Menk in the amount of \$7,985.50. A motion was made by Hanson and seconded by Bueltel to approve the engineering bill. All voted in favor. None voted against. The motion was carried.

Dean Helstrom presented Pay Application #6 for the Infrastructure Project in the amount of \$66,085.35. A motion was made by Bueltel and seconded by Eilers to approve Pay Application #6. All voted in favor. None voted against. The motion was carried.

Dean Helstrom gave a project update and overview for the upcoming construction season.

Loren Hacker gave a brief overview of the trail details. Resolution #2011-3-1 was reviewed. A motion was made by Eilers and seconded by Hanson to approve Resolution. All voted in favor. None voted against. The motion was carried.

Resolution #2011-3-15

WHEREAS, the City of Canby supports the grant application made to the Minnesota Department of Natural Resources for the Local Trail Connections Program. The application is to construct approximately 1 mile of paved trail for the Canby Recreational Trail System. The trail system is located within the City of Canby, and

WHEREAS, the City of Canby recognizes the fifty (50) percent match requirement for the Local Trail Connections Program

NOW, THEREFORE, BE IT RESOLVED, if the City of Canby is awarded a grant by the Minnesota Department of Natural resources, the City of Canby may accept the grant award upon final council approval, and may enter into an agreement with the State of Minnesota for the above referenced project. Upon acceptance of the award the City of Canby will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED, the City Council of the City of Canby names the fiscal agent for the City of Canby for this project as:

Nicholas Johnson
City Administrator
City of Canby
110 Oscar Ave N
Canby, MN 56220

BE IT FURTHER RESOLVED, the City of Canby, upon acceptance of the award, shall assure the Canby Recreational Trail will be maintained for a period of no less than 20 years.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CANBY THIS _____ DAY OF _____, 2011.

EUGENE BIES - MAYOR

NICHOLAS JOHNSON – CITY ADMIN.

Ann Orren gave a presentation concerning the adoption of a Social Host Ordinance. A motion was made by Eilers and seconded by Bueltel to introduce the Social Host Ordinance. All voted in favor. None voted against. The motion was carried.

Jim Julien presented information regarding the Small Cities Development Grant Program. Three resolutions were requested for adoption. A motion was made by Bueltel and seconded by Hanson to adopt Resolution #2011-3-15-2. All voted in favor. None voted against. The motion was carried.

Resolution #2011-3-15-2

Resolution Adopting Drug Free Workplace Policy

Pursuant to Special Condition #8 of the FY'2010 Small Cities Development Grant Agreement (CDAP-09-0028-O-FY10), BE IT RESOLVED, that the City of Canby, acting as lead entity for said Small Cities Development Grant, hereby adopts the "Drug Free Workplace Policy" presented below.

Eugene Bies,
Mayor

ATTEST: Nicholas Johnson,
City Administrator

**Certification for
a Drug-Free Workplace**

U.S. Department of Housing
and Urban Development

Applicant Name _____

Program/Activity Receiving Federal Grant Funding _____

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federalagency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. **Sites for Work Performance.** The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official _____

Title _____

Signature _____

Date _____

X

A motion was made by Eilers and seconded by Bormann to adopt Resolution 2011-3-15-3. All voted in favor. None voted against. The motion was carried.

Resolution #2011-3-15-3

Resolution Adopting Fair Housing Plan

Pursuant to Special Condition #11 of the FY'2010 Small Cities Development Grant Agreement (CDAP-09-0028-O-FY10), BE IT RESOLVED, that the City of Canby, acting as lead entity for said Small Cities Development Grant, hereby adopts the "Fair Housing Plan" presented below.

Approved by the Canby City Council this 15th day of March, 2011.

Eugene Bies,
Mayor

ATTEST: Nicholas Johnson,
City Administrator

FAIR HOUSING PLAN

The following minimum steps will be taken to further Fair Housing:

1. Distribute Fair Housing information through the use of posters to be displayed conspicuously in public places.
2. Include Fair Housing information in applications for housing rehabilitation assistance.
3. Place Fair Housing brochures for the public in locations such as local banks, restaurants, post office, and city hall.
4. Identify individuals in the community who have a special interests in housing issues (such as landlords, real estate salespeople, etc.) and provide them with specialized Fair Housing information.

A motion was made by Hanson and seconded by Bueltel to adopt Resolution 2011-3-15-4. All voted in favor. None voted against. The motion was carried.

Resolution #2011-3-15-4

Resolution Adopting Generated Income Plan

Pursuant to Special Condition #22 of the FY'2010 Small Cities Development Grant Agreement (CDAP-09-0028-O-FY10), BE IT RESOLVED, that the City of Canby, acting as lead entity for

said Small Cities Development Grant, hereby adopts the “Generated Income Plan” presented below.

Approved by the Canby City Council this 15th day of March, 2011.

Eugene Bies, Mayor

Nicholas Johnson, City Administrator

Canby / Porter

Small Cities Development Grant

GENERATED INCOME PLAN

The City of Canby has been designated as the implementing organization for a FY’2010 Small Cities Development Program (SCDP) grant which will fund owner-occupied housing rehabilitation and commercial building rehabilitation in the City of Canby and the City of Porter.

The Repayable Loans made available under the Rehabilitation Programs will generate income through monthly loan repayments. (Other repayment of rehab Deferred Loans may also be triggered by various, less predictable circumstances.) Such income shall be handled in accordance with the following plan.

1. At the time bids are approved for a rehabilitation project, the Grant Administrator (Development Services, Inc. of Ivanhoe, Minnesota) will work with the rehab Applicant in order to determine an affordable monthly payment. This payment will be calculated in compliance with the rehab program’s Guidelines and Policies.
2. Monthly loan payments will be deposited into accounts which will separately track generated for the City of Canby and the City of Porter. These accounts will constitute the program’s Revolving Funds.
3. Loan servicing responsibilities for the respective Revolving Funds shall be designated by the cities.
Tasks associated with loan servicing shall include:
 - a. Recording and depositing loan payments.
 - b. Monitoring loans for late payment status.
 - c. Communicating periodically with Applicants who may fall behind on loan payments.
 - d. Recommending to the city governments whether action should be initiated with problem loans.
4. If a City elects to have the Grant Administrator service the loans, the Administrator’s fees and costs of doing so shall not be charged to the SCDP grant. Such fees are an eligible expense to the Revolving Fund.
5. Withdrawals from a Revolving Fund will only be made with prior approval from the City Council or in order to offset drawdowns of SCDP funds. (See #6 below.)

6. All generated income will only be used for SCDP-approved activities, or returned to the Minnesota Department of Employment & Economic Development (DEED).
7. All generated income earned when the SCDP grant is open must be used on grant activities, by subtracting the amount earned from the next drawdown of SCDP funds.
8. After closeout of the SCDP grant, any generated income and interest earned must be tracked and reported to DEED by year received and on forms to be provided by DEED.
9. After closeout of the SCDP grant, any generated income that is not used within two years from the reporting year in which it is received must be returned to the Minnesota Department of Employment & Economic Development (DEED).

Nicholas Johnson reported that Jack Winter has resigned from the Planning Commission. The Council will accept candidacies for the opening and revisit the appointment at the next meeting.

Matt Wagner was present to discuss his contract extension as Airport Manager for the City. Matt also presented information regarding the airport project and future plans. A motion was made Bueltel and seconded by Bormann to approve the airport management agreement. All voted in favor. None voted against. The motion was carried.

A motion was made by Bormann and seconded by Bueltel to adjourn the meeting.

Mayor

City Administrator