

A regular meeting of the City Council of Canby, Minnesota was held on June 7<sup>th</sup>, 2011 at 7:00 P.M.

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

Absent:

Visitors: Nicholas Johnson, City Administrator  
Dean Helstrom, City Engineer  
Gerald Boulton, City Attorney  
Chris Husby, Street Supervisor  
Jeff Pederson, Water/Wastewater Supervisor  
Holly Larson  
Loren Hacker, School Superintendent  
Darrel Peterson  
Marilyn Chaplin  
Ellie Beman, Canby News  
Jody Olson

The Pledge of Allegiance was recited.

The minutes of May 17<sup>th</sup> were reviewed. A motion was made by Bormann and seconded by Eilers to approve the minutes. All voted in favor. None voted against. The motion was carried.

The Prasada Boutique sign request was discussed. A motion was made by Hanson and seconded by Eilers and approve the Planning Commission recommendation. All voted in favor. None voted against. The motion was carried.

Rick Bueltel entered the meeting at 7:03 P.M.

Jeff Pederson gave a report on the Water and Wastewater Departments.

Chris Husby gave a report on the Street Department.

Dean Helstrom gave an update on the Infrastructure Project.

Dean Helstrom presented Pay Application #8 in the amount of \$364,915.52 for work completed on the Infrastructure Project. A motion was made by Bueltel and seconded by Hanson to approve Pay Application #8. All voted in favor. None voted against. The motion was carried.

Dean Helstrom presented an invoice from Bolton and Menk for engineering services rendered for the Infrastructure Project \$42,609.90. A motion was made by Hanson and seconded by Bueltel to approve the invoice. All voted in favor. None voted against. The motion was carried.

Dean Helstrom presented an invoice from American Engineering Testing in the amount of \$4,853.10. A motion was made by Eilers and seconded by Bormann to approve the invoice. All voted in favor. None voted against. The motion was carried.

Dean Helstrom presented a Real Property Declaration for the Infrastructure Project. A motion was made by Eilers and seconded by Bormann to adopt Resolution 2011-6-7-2. All voted in favor. None voted against. The motion was carried.

**REAL PROPERTY CERTIFICATION RESOLUTION No. \_\_\_\_\_**  
**for the**  
**State of Minnesota**  
**General Obligation Bond Financed Property**

The undersigned has a fee simple, leasehold and/or easement interest in the real property located in the County of **Yellow Medicine**, State of Minnesota that is generally described or illustrated graphically in **Exhibit A** attached and all facilities situated thereon (the "Restricted Property") and acknowledges that the Restricted Property is or may become State bond-financed property. To the extent that the Restricted Property is or becomes State bond-financed property, the undersigned acknowledges that:

A. The Restricted Property is state bond financed property within the meaning of Minn. Stat. Sec. 16A.695, is subject to the encumbrance created and requirements imposed by such statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget;

B. The Restricted Property is subject to the provisions of the **MPFA-09-0083-R-FY-10 (DWRF) & MPFA-09-0096-R-FY10** between **Minnesota Public Facilities Authority** and **the City of Canby Minnesota**, dated **July 20, 2010**; and

C. The Restricted Property shall continue to be deemed state bond financed property for 125% of the useful life of the Restricted Property or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget.

Date: June 7, 2011

City of Canby, Minnesota, a  
Municipal Corporation

By: \_\_\_\_\_  
Name: Gene Bies  
Title: Mayor

By: \_\_\_\_\_  
Name: Nicholas Johnson  
Title: City Administrator

Holly Larson and Loren Hacker presented a Safe Routes to School Grant proposal. They would like a letter of concurrence to go ahead with the project. A motion was made by Bueltel and seconded by Hanson to approve Resolution 2011-6-7 and authorize a letter of concurrence and designate the City of Canby as lead in the project. All voted in favor. None voted against. The motion was carried.

**Resolution #2011-6-7**

WHEREAS, the City of Canby supports the grant application made for the Safe Routes to School Grant Program. The application is to construct and/or create pedestrian/bike paths on existing right of ways for the Canby Recreational Trail System. The trail system is located within Canby, and

NOW, THEREFORE, BE IT RESOLVED, if the City of Canby is awarded a grant, the City of Canby agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. 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 Avenue N  
Canby, MN 56220

BE IT FURTHER RESOLVED, the City of Canby hereby assures 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 7 DAY OF JUNE, 2011.

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EUGENE BIES - MAYOR

ATTEST:

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NICHOLAS JOHNSON-CITY ADMINISTRATOR

The vendor transactions of May in the amount of \$435,105.73 were reviewed. A motion was made by Eilers and seconded by Bormann to approve the vendor transactions for May. All voted in favor. None voted against. The motion was carried.

Nicholas Johnson discussed replacing the AC/heating units in the furnace rooms. A quote was presented from CAS in the amount of \$14,750. Johnson informed the Council that insurance

would pay \$4,750 towards replacement and that the models qualified for a \$2,400 energy efficiency rebate. A motion was made by Bueltel and seconded by Hanson to approve the purchase. All voted in favor. None voted against. The motion was carried.

Nicholas Johnson presented a quote for replacing the AC/heat pump at the water treatment plant in the amount of \$2,600 from CAS. A motion was made by Bormann and seconded by Bueltel to approve the mini split heat pump replacement. All voted in favor. None voted against. The motion was carried.

The Council instructed Nicholas Johnson to receive quotes for wiring on the AC/heating units for City Hall and Water Treatment Plant.

Licenses and permits were reviewed. A motion was made by Bueltel and seconded by Eilers to approve the licenses except for the 3.2 Off-Sale and Off-Sale Liquor for Jim's Market. All voted in favor. None voted against. The motion was carried.

A motion was made by Eilers and seconded by Hanson to appoint Catherine Fink to the Planning and Zoning Commission. All voted in favor. None voted against. The motion was carried.

A motion was made by Hanson and seconded by Bormann to appoint Jody Olson to the EDA contingent upon her acceptance. All voted in favor. None voted against. The motion was carried.

A motion was made by Eilers and seconded by Bormann to approve the change order request from SEH. Gene Bies, Gene Eilers, Nancy Bormann, Denise Hanson voted in favor. Rick Bueltel voted against. The motion was carried.

A motion was made by Eilers and seconded by Bormann to adjourn to a closed session for labor negotiations. All voted in favor. None voted against. The motion was carried.

A motion was made by Eilers and seconded by Bueltel to open the meeting. All voted in favor. None voted against. The motion was carried.

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

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Mayor

Attest:

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City Administrator