

A regular meeting of the City Council for the City of Canby, Minnesota was held on October 2nd, 2012 at 7:00 P.M. in the City Council Chambers.

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

Absent: Denise Hanson

Visitors: Nicholas Johnson, City Administrator
Gerald Boulton, City Attorney
Janelle Verke, Canby News
Jody Olson

The Pledge of Allegiance was recited.

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

The minutes of September 4th, 2012 were reviewed. A motion was made by Eilers and seconded by Bormann to approve the minutes. All voted in favor. None voted against. The motion was carried.

The Council heard recommendation from the Planning Commission on a special use permit for Linda Hintz to operate a business within her home. The recommendation was to approve the special use permit with the condition that the business may not expand the hours of operation as stated in the permit request. A motion was made by Eilers and seconded by Bormann to approve the special use permit for Linda Hintz with recommended conditions. All voted in favor. None voted against. The motion was carried.

The Council heard recommendation from the Planning Commission on a sign request from ISD-891 to place a sign at the athletic field on the crow's nest. The Planning Commission recommended approval of the sign request. A motion was made by Eilers and seconded by Bormann to approve the sign request. All voted in favor. None voted against. The motion was carried.

The Council heard recommendation from the Planning Commission on the final plat for the subdivision of Outlot A of the 1944 Addition. The recommendation from the Planning Commission was to approve the final plat of the subdivision of Outlot A of the 1944 Addition. A motion was made by Eilers and seconded by Bormann to approve the final plat of the subdivision of Outlot A of the 1944 Addition. All voted in favor. None voted against. The motion was carried.

A public hearing for the Small Cities Development Grant was opened at 7:05 P.M. There were no attendees for the public hearing. The public hearing was closed.

Nicholas Johnson presented the tabulations for the airport land lease bidding opening which occurred at 3:30 P.M., October 2nd, 2012. The high bidder for the land was Austen Citrowske at

\$135.00 per acre per year. A motion was made by Bormann and seconded by Eilers to approve awarding the airport land lease bid to Austen Citrowske pending completion of all documents. All voted in favor. None voted against. The motion was carried.

The Council discussed Pioneerland Library System's request for a 3% increase in their city funding levels. A motion was made by Bormann and seconded by Bueltel to approve a 2% increase to the maintenance of effort amount to the library. All voted in favor. None voted against. The motion was carried.

The Council discussed the creation of an arts committee to pursue cultural improvements and grant writing. A motion was made by Bueltel and seconded by Bormann to approve the creation of the arts committee. All voted in favor. None voted against. The motion was carried.

The Council discussed the creation of a rural taxation district for the City of Canby. The Council did not deem it appropriate to institute such a measure as it would result in a tax burden shift to others in the community. A motion was made by Bueltel and seconded by Bormann to decline the creation of a rural taxation district. All voted in favor. None voted against. The motion was carried.

The Council discussed a request from Water Billboards to reduce the amount of water attributed to their sewer bill. The Council did not believe it would be feasible to accurately meter the difference. Moreover, Council did not want to provide another reason for others to demand similar treatment. A motion was made by Eilers and seconded by Bormann to deny the sewer reduction rate request from Water Billboards. All voted in favor. None voted against. The motion was carried.

Pay Application #3 for the Water Meter Project in the amount of \$55,130.40 was reviewed. A motion was made by Bormann and seconded by Eilers to approve the pay application. All voted in favor. None voted against. The motion was carried.

Resolution 2012-10-2-1, a resolution authorizing the issuance, establishing the terms and providing for the sale of \$425,000 general obligation taxable tax increment financing bonds, was reviewed. A motion was made by Bueltel and seconded by Bormann to approve Resolution 2012-10-2-1. All voted in favor. None voted against. The motion was carried.

RESOLUTION NO. 2012-10-2-1

RESOLUTION AUTHORIZING THE ISSUANCE, ESTABLISHING THE TERMS AND PROVIDING FOR THE SALE OF \$425,000 GENERAL OBLIGATION TAXABLE TAX INCREMENT FINANCING BONDS, SERIES 2012B

BE IT RESOLVED, by the City Council of the City of Canby, Minnesota (the "City"), as follows:

1. Authorization of Bonds. It is hereby found, determined, and declared to be necessary, and in the best interests of the City and its residents, that the City should issue \$425,000 General Obligation Taxable Tax Increment Bonds, Series 2012B (the “Bonds”), pursuant to Minnesota Statutes, Chapter 475, Section 469.178, Subdivision 2, for the purpose of providing funds to support tax increment financing expenditures for activities in City of Canby Tax Increment Finance District 1-4 as well as the Canby Housing and Redevelopment Authority Tax Increment Finance Districts 1-2 & 1-3.
2. Term and Conditions of the Bonds. The terms and conditions of the Bonds and the sale thereof are set forth in the Official Terms of Offering, a copy of which is attached hereto as Exhibit A. Each and all of the terms and conditions set forth in the Official Terms of Offering are adopted and confirmed as the terms and conditions of the Bonds and the sale thereof, and the City Council shall meet at the time and place fixed therein to consider the bids for the purchase of the Bonds.
3. Sale of the Bonds. John W. Meyer is authorized and directed to negotiate the sale of the Bonds as permitted by Minnesota Statutes, Section 475.60, Subdivision 2(2) and (9).

Adopted October 2, 2012.

Attest:

Mayor

City Administrator

Resolution 2012-10-2-2, a resolution providing an exclusion from sump pump regulations for 405 Fairgrounds Road, was reviewed. The Council did not believe a situation existed which created a concern enough to warrant exclusion from the sump pump regulations. A motion was made by Bueltel and seconded by Eilers to deny the exclusion. All voted in favor. None voted against. The motion was carried.

Nicholas Johnson discussed changing the City’s cell phone plan with Verizon and providing for a fourth cell phone for public works. Currently, the City pays an average of \$95 per month for three lines. The new plan would cost \$21.99 per line and with four lines would cost \$87.96 per month. A motion was made by Eilers and seconded by Bormann to approve the Verizon cell phone plan. All voted in favor. None voted against. The motion was carried.

Vendor transactions for September in the amount of \$226,401.00 were reviewed. A motion was made by Eilers and seconded by Bormann to approve the vendor transactions. All voted in favor. None voted against. The motion was carried.

Resolution 2012-10-2-3, a resolution prescribing the administrative fine amount for

violations under ordinance 309, section 5, was reviewed. A motion was made by Eilers and seconded by Bormann to approve the resolution. All voted in favor. None voted against. The motion was carried.

City of Canby
Resolution #2012-10-2-3

**A Resolution Prescribing the Administrative Fine Amount for
Violations Under Ordinance 309, Section 5.**

WHEREAS, City ordinance 309, Section 5, sets forth regulations for vehicle parking;

WHEREAS, The City of Canby has the authority to set administrative fines under city ordinance 282;

THEREFORE, BE IT RESOLVED, That the City of Canby ordinance fine schedule is updated to include a \$50.00 administrative fine for violations of ordinance 309, Section 5.

Passed by the City Council this 2nd day of October, 2012.

Attest:

Mayor

City Administrator

An invoice from Vlaminck Electric in the amount of \$45,436.00 for retrofitting the street lights to LED lighting was reviewed. A motion was made by Bueltel and seconded by Eilers to approve payment. All voted in favor. None voted against. The motion was carried.

An exemption from gambling permit for St. Peter's Church for November 18th, 2012 was reviewed. A motion was made by Bueltel and seconded by Bormann to approve the permit. All voted in favor. None voted against. The motion was carried.

The Council was in consensus in moving the November 6th, 2012 Council meeting to November 13th, 2012 to resolve the conflict with the general elections.

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

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

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

Attest:

Mayor

City Administrator