

A regular meeting of the City Council for the City of Canby, Minnesota was held on March 19<sup>th</sup>, 2013 at 7:00 P.M. in the City Council Chambers.

Members: Gene Bies, Nancy Bormann, Frank Maas, Nate Oellien, Denise Hanson

Absent: None

Visitors: Nicholas Johnson, City Administrator

Gerald Boulton, City Attorney

Dean Helstrom, City Engineer

Janelle Verke, Canby News

Tom Sterzinger

Pat Stanley

Jody Olson

Jackie Kollar

Nick Stoks

Angela Full

Shannon Vorthmann

McKenzie Noyes

Grace Berkes

Jenna Miller

Fern Emmons

Glenn Emmons

Anna Henningsgaard

Alicia Prokop

Wyatt Kraus

Keisha Groenhoff

Kristy Schmidt

Kayla VanDerostyne

Nicholas Adkison

Michael Sisk

John Deslauriers

Austin Campbell

Kora Cleveland

Kayla Fairchild

Kendra Johnson

Jordan Holmlund

Taylor Gorder

Cole Brusuen

Hannah Jessen

Tyler Siroka

Tom Alm

The Pledge of Allegiance was recited.

The meeting was called to order.

The minutes of March 5<sup>th</sup>, 2013 were reviewed. A motion was made by Maas and seconded by Oellien to approve the minutes. All voted in favor. None voted against. The motion was carried.

A public hearing for the proposed future infrastructure project was opened at 7:05 P.M. Dean Helstrom gave a presentation on the condition of the current infrastructure and proposed plans for replacement. There was a comment regarding improvements and assessment amounts on property located on Ring Street South. The public hearing was closed at 7:45 P.M.

The Council heard recommendation from the Planning Commission on a sign request from Farmers Co-op Association. The recommendation was to approve the sign request. A motion was

made by Hanson and seconded by Maas to approve the sign request. All voted in favor. None voted against. The motion was carried.

The Council heard recommendation from the Planning Commission for a conditional use permit to Tom Sterzinger to mine gravel from land owned by Bill and Linda King. The recommendation from the Planning Commission was to approve the conditional use permit so long as the following conditions were met (in addition to previous stipulations):

1. \$5,000 CD or bond posted for reclamation.
2. Agreement to keep the operations to less than 40 acres.
3. Transportation plan to avoid City residential roads.

A motion was made by Oellien and seconded by Maas to approve the conditional use permit as recommended by the Planning Commission. Frank, Hanson, Bies, and Oellien voted in favor. Bormann abstained due to conflict of interest. The motion was carried.

Cheryl Ferguson, Chamber president, was present to discuss a request to host a beer garden in Central Park. The Chamber would like to change the site from the north end of Central Park to the south end on 2<sup>nd</sup> Street West between Highway 75 and Haarfager Avenue North. A motion was made by Oellien and seconded by Hanson to approve the Chamber request for a beer garden. All voted in favor. None voted against. The motion was carried.

Tiffany Keating was present to discuss the proposed route for the Walk, Run, Tri 5K event put on by Sanford Health. She is requesting City Council approval to gain permission from the State to have the event cross Highway 68. A motion was made by Maas and seconded by Oellien to approve the route. All voted in favor. None voted against. The motion was carried.

The Council discussed the restructuring of the personnel positions. A motion was made by Bormann and seconded by Hanson to approve closing the two current supervisor positions and creating a new public works supervisor position. Chris Husby is appointed to the position with a 6 month probationary period. Bies, Bormann, Oellien, and Hanson voted in favor. Maas voted against. The motion was carried.

A motion was made by Oellien and seconded by Hanson to approve the job descriptions. All voted in favor. None voted against. The motion was carried.

A motion was made by Hanson and seconded by Bormann to approve the personnel policy changes. All voted in favor. None voted against. The motion was carried.

Resolution 2013-3-19-1, a resolution approving the amendment of the bylaws for the Economic Development Authority, was reviewed. A motion was made by Hanson and seconded by Oellien to adopt the resolution. All voted in favor. None voted against. The motion was carried.

### **Resolution 2013-3-19-1**

**A Resolution Approving the Amendment of the Bylaws for  
The Economic Development Authority of the City of Canby, Minnesota**

Whereas, the Economic Development Authority (“EDA”) for the City of Canby, Minnesota has resolved to recommend changes to their bylaws; and,

Whereas, the following amendments are proposed:

1. Article 1, Section 1 is amended by the removal of “hereinafter referred to as “Canby EDA”.
2. Article 2, Section 1 is amended to read “Canby City Hall” instead of “Canby Community Center”.
3. Article 3, Section 5, first sentence is amended to read “A quorum at all meetings of the Board of Commissioners shall consist of a simple majority of the whole Board”.
4. Article 6, Section 1 is amended by the removal of “and the State of Minnesota”.
5. Article 9, Section 2 is amended to read “Canby City Hall” instead of “Canby Community Center”.
6. Article 9, Section 3 is amended to read “The Executive Director or the Secretary shall post notice of any special meeting according to State law” instead of “The Executive Director or the Secretary shall post notice of any special meeting in the principal office of the Authority no less than three (3) days prior to such special meeting”.
7. Article 9, Section 4 is repealed in its entirety.
8. Article 10, Section 1 is amended to read “The Authority may, from time to time, contract with qualified individuals or organizations to provide professional management, legal, accounting and technical assistance services to the Authority” instead of ““Staff” and other qualified individuals or organizations, which may from time to time contract with the Authority to provide professional management, legal, accounting, and technical assistance services to the Authority”.

Therefore, be it resolved, that the City Council for the City of Canby, Minnesota hereby approves the recommended amendments to the EDA’s bylaws.

Passed by the City Council this 19<sup>th</sup> day of March, 2013.

Attest:

\_\_\_\_\_

Mayor

\_\_\_\_\_

City Administrator

Nicholas Johnson updated the Council of the status of stray and dangerous animal housing for the City. They will be taken to the veterinary clinic in Clear Lake, SD for temporary housing.

The following licenses and permits were reviewed:

1. Temporary On Sale 3.2 Beer for the Fire Relief Association on April 27<sup>th</sup>, 2013 for their steak fry.
2. Temporary On Sale Liquor for St. Peter's on April 13<sup>th</sup>, 2013 for their spring fling event.
3. Exempt From Gambling for the Chamber of Commerce on June 15<sup>th</sup>, 2013 for their Hat Daze Raffle.

A motion was made by Bormann and seconded by Maas to approve the licenses and permits. All voted in favor. None voted against. The motion was carried.

Resolution 2013-3-19-2, . A motion was made by Bormann and seconded by Hanson to approve the resolution. All voted in favor. None voted against. The motion was carried.

### **Resolution 2013-3-19-2**

WHEREAS, The City Council of the City of Canby recognizes the need to make capital improvement to its wastewater collection system and has identified future capacity problems of its existing wastewater collection system if it is not updated, and

WHEREAS, Bolton & Menk, Inc. has been retained as Consulting Engineers to prepare a Feasibility Plan for the purpose of submitting such plan to the Minnesota Pollution Control Agency, and

NOW THEREFORE, BE IT RESOLVED, By the City Council in and for the City of Canby, Minnesota as follows:

1. The City Council does hereby adopt the proposed Feasibility Plan "Canby Infrastructure Replacement Project- Phase I, Phase II and Phase III" as presented by Bolton & Menk, Inc. as Consulting Engineers.
2. That the appropriate City Officials are hereby authorized and directed to submit the City's Feasibility to the Minnesota Pollution Control Agency for review and approval.

Said resolution was duly seconded by Council member \_\_\_\_\_ and put to a vote. Voting in favor thereof were Council Members \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and Mayor \_\_\_\_\_. Voting against said resolution - \_\_\_\_\_.  
Motion carried.

Approved this \_\_\_ day of \_\_\_\_\_, 2013.

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Gene Bies, Mayor

ATTEST:

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Nicholas Johnson, City Administrator

The local golf course requested a funding donation to assist with their operations. A motion was made by Maas and seconded by Oellien to approve appropriating \$5,000 to the Canby Golf Course. All voted in favor. None voted against. The motion was carried.

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

Attest:

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Mayor

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City Administrator