

A regular meeting of the City Council for the City of Canby, Minnesota was held on September 2<sup>nd</sup>, 2014 at 7:00 P.M. in the City Council Chambers.

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

Absent: None

Visitors: Nicholas Johnson, City Administrator  
Gerald Boulton, City Attorney  
Dean Helstrom, City Engineer  
Ryan Feiock, Canby News  
Todd Hagen, Ehlers  
Jody Olson

The Pledge of Allegiance was recited.

The meeting was called to order.

Todd Hagen of Ehlers, Inc. was present the pre-sale report on the issuance of storm sewer bonding for the 2015 Infrastructure Project – Phase 1. Resolution 2014-9-2-3, a resolution providing for the sale of \$1,150,000 general obligation bonds series 2014D, 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 No. 2014-9-2-3**

#### **Resolution Providing for the Sale of \$1,150,000 General Obligation Bonds, Series 2014D**

- A. WHEREAS, the City Council of the City of Canby, Minnesota has heretofore determined that it is necessary and expedient to issue the City's \$1,150,000 General Obligation Bonds, Series 2014D (the "Bonds"), to finance the construction of various storm sewer and sanitary sewer improvements in the City; and
- B. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent financial advisor for the Bonds and is therefore authorized to solicit proposals in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canby, Minnesota, as follows:

1. Authorization; Findings. The City Council hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on October 7, 2014, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official

statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

Dated this 2nd day of September, 2014.

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City Administrator

Resolution 2014-9-2-4, a resolution authorizing the City to enter into a credit enhancing program agreement with the Minnesota Public Facilities Authority, was reviewed. A motion was made by Bormann and seconded by Maas to adopt the resolution. All voted in favor. None voted against. The motion was carried.

### **Resolution No. 2014-9-2-4**

#### **Resolution Authorizing the City to Enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority**

- A. WHEREAS, the City Council of the City of Canby, Minnesota (the "City") proposes to issue its General Obligation Bonds (the "Bonds"), the proceeds of which will be used to finance the costs of construction, improvement or rehabilitation of water, sanitary sewer, and storm sewer facilities; and
- B. WHEREAS, the City Council hereby determines it is in the best interests of the City to apply to the Minnesota Public Facilities Authority (the "Authority") for credit enhancement of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canby, Minnesota, as follows:

1. Approval of the Authority's Credit Enhancement Program Agreement. The Authority's Credit Enhancement Program Agreement (the "Agreement") is hereby approved, the same being before the City Council and made a part of this resolution by reference.
2. Authorization to Sign Agreement and Related Forms. The Mayor and the City Administrator are authorized to sign the Agreement on the City's behalf and to execute any other related forms prescribed by the Authority with respect to the Agreement.
3. Agreement to Comply with Minnesota Statutes, Section 446A.086. The City is entering into the Agreement with the Authority pursuant to Minnesota Statutes, Section 446A.086 (the "Act") and the City hereby agrees to comply with and be bound by the provisions of the Act.
4. Submission of the Agreement. The Mayor and City Administrator are hereby authorized to submit, on the City's behalf, the Agreement to the Authority, together with the nonrefundable application fee in the amount of \$500.

Dated this 2nd day of September, 2014.

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City Administrator

The minutes of August 19<sup>th</sup>, 2014 were reviewed. A motion was made by Bormann and seconded by Maas to approve the minutes. All voted in favor. None voted against. The motion was carried.

Dean Helstrom was present to discuss the infrastructure project. The preliminary assessment roll was handed out for review. Resolution 2014-9-2-1, a resolution calling a public hearing on the proposed assessment, 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 No. 2014-9-2-1**

**Resolution for Hearing on Proposed Assessment**

WHEREAS, by a resolution 2014-8-5-1 was passed by the council on August 5, 2014, the city administrator and city engineer was directed to prepare a proposed assessment of the cost of Infrastructure Replacement Project - Phase I; the improvement includes the following area:

area located east of St. Olaf Avenue (US TH 75) from 1st Street East (MN TH 68) on the south to 5th Street East on the north; the area located south of 1st Street South from Lyon Avenue South on the west to Ring Avenue South on the east and goes south to Division Street and the area of Oscar Avenue from 5th to 8th Street including 8th Street from St. Olaf to Oscar Avenue

and

WHEREAS, the city administrator has notified the council that such proposed assessment has been completed and filed in the city office for public inspection,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CANBY, MINNESOTA:

1. A hearing shall be held at 6:00 p.m. on October 7, 2014 in the Community Room located at 110 Oscar Avenue North to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement. The city administrator

shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City of Canby, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. An owner may at any time thereafter, pay to the County Auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Adopted by the council this 2<sup>nd</sup> day of September, 2014

Attest:

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Eugene Bies, Mayor

\_\_\_\_\_  
Nicholas Johnson, City Administrator

Dean Helstrom presented a draw request for the work done on the 2015 infrastructure project to date. A motion was made by Bormann and seconded by Hanson to approve payment of the invoices from Bolton and Menk. All voted in favor. None voted against. The motion was carried.

The Council heard recommendation from the Planning Commission in regard to a variance request from the Housing and Redevelopment Authority. The HRA is seeking to allow construction to be 5 feet from the property line for the Schrunk duplexes development project located in the 200 block of 1<sup>st</sup> Street East. Normal setback is 20 feet. A motion was made by Oellien and seconded by Maas to approve the variance request. All voted in favor. None voted against. The motion was carried.

The Council heard recommendation from the Planning Commission in regard to a variance request from Doug Verhelst. Doug is seeking to allow construction to be 2 feet away from the property line for an addition to his business located at 122 1<sup>st</sup> Street East. Normal setback is 15 feet. A motion was made by Hanson and seconded by Maas to approve the variance. All voted in favor. None voted against. The motion was carried.

Resolution 2014-9-2-2, a resolution for levy, was reviewed. A motion was made by Bormann and seconded by Oellien to adopt the resolution. All voted in favor. None voted against. The motion was carried.

**Resolution 2014-9-2-2**  
**City of Canby**

State of Minnesota  
County of Yellow Medicine  
City of Canby

**Resolution Adopting the 2015 Preliminary Levy, 2015 Preliminary Budget,  
and Declaring the Date and Time of the Truth in Taxation Meeting**

Be it resolved by the Council of the City of Canby, County of Yellow Medicine, Minnesota that the following sums of money be levied in 2015, upon the taxable property in the City of Canby, for the following purposes:

General Fund	\$520,800.00
Canby Inn & Suites Abatement	\$36,100.00
Farmer's Co-op Abatement	\$7,350.00
Fire Hall Inter-Fund Loan of 2014	\$10,629.00
Infrastructure Bond	\$150,000.00
Total Tax Levy	\$724,879.00

and;

Be it further resolved by the Council that the proposed 2015 preliminary budget is hereby adopted, and;

Be it further resolved that a public meeting will be held on December 2<sup>nd</sup>, 2014 at 7:00 P.M. to discuss the budget and receive public input, prior to the final budget and levy determination.

The City Administrator is hereby instructed to transmit a copy of this resolution to the auditor of Yellow Medicine County, Minnesota.

Attest:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Administrator

A temporary liquor license for Cobra on September 20<sup>th</sup>, 2014 at the Schott's Building for Pheasants Forever was reviewed. A motion was made by Maas and seconded by Bormann to approve the license. All voted in favor. None voted against. The motion was carried.

Vendor transactions for August 2014 in the amount of \$623,673.67 were reviewed. A motion was made by Hanson and seconded by Bormann to approve the transactions. All voted in favor. None voted against. The motion was carried.

The City Council was challenged by the School Board to do the ice bucket challenge. The City Council accepted the challenge and will perform it at the next Council meeting.

A grant agreement from the MN Department of Natural Resources for the Swimming Pool Park Project was reviewed. A motion was made by Hanson and seconded by Oellien to approve the agreement. All voted in favor. None voted against. The motion was carried.

A grant agreement from the MN Department of Natural Resources for the Central Park Project was reviewed. A motion was made by Hanson and seconded by Maas to approve the agreement. All voted in favor. None voted against. The motion was carried.

A motion was made by Bormann and seconded by Hanson 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