

A regular meeting was held in person and virtually with the meeting originating at City Hall, Canby Minnesota on December 22, 2021 at 6pm.

Members: Nancy Bormann, Dillan Meyer, and Diana Fliss

Absent: Denise Hanson

Visitors: Gerald Boulton, City Attorney
Rebecca Schrupp, City Administrator
Aalex Hubin, Canby News
Bonnie Merritt, Account Clerk
Todd Hagen, Financial Advisor
Derrick Ruether, Fire Chief
Levi Thorpe
Ryder Lutgen
Magen Tol
Joseph Anderson

Virtually Attending: Eric Diekmann
John Meyer, Financial Advisor
Marisa Kack

The regular Council meeting was called to order.

The agenda was reviewed. A motion was made by Meyer to approve the agenda. The motion was seconded by Fliss. All voted in favor. None voted against. The motion was carried.

The minutes of the December 8th meeting were reviewed. A motion was made by Fliss and seconded by Meyer to approve the corrected minutes. All voted in favor. None voted against. The motion was carried.

John Meyer presented the 2022 Bond sale. A Resolution Authorizing the Issuance, Sale and Delivery of a \$200,000 Taxable Increment Financing Bonds, Series 2022A. A motion was made by Fliss and seconded by Meyer to approve the Resolution Authorizing the Issuance, Sale and Delivery of a \$200,000 Taxable Increment Financing. All voted in favor. None voted against. The motion was carried.

**RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY
OF A \$200,000 GENERAL OBLIGATION TAXABLE TAX INCREMENT
FINANCING BONDS, SERIES 2022A**

BE IT RESOLVED, by the City Council (the “City Council”) of the City of Canby, Yellow Medicine County, Minnesota (the “Issuer”), as follows:

Section 1. Purpose, Authorization, and Award.

1.01 Authority; Purpose.

A. TIF District. Pursuant to authority contained in Minnesota Statutes, Sections 469.124 through 469.134 and Sections 469.174 through 469.1794 (collectively, the “TIF Act”), the Issuer has approved the creation of its (i) Tax Increment Financing District 1-31 and (ii) Tax Increment Financing District 1-32, which are redevelopment districts (collectively, the “TIF Districts”) in the Issuer in accordance with the Tax Increment Financing Plans (the “Plans”) for the TIF District.

B. Authority. Pursuant to the authority contained in the TIF Act and Minnesota Statutes, Chapter 475 (the “Act”), the Issuer directs the issuance and sale of a \$200,000 Taxable General Obligation Tax Increment Financing Bonds, Series 2021A of the Issuer (the “Bonds”), to provide funds to finance the cost of redevelopment projects, including related public improvements and administrative expenses in the TIF Districts, in accordance with the Plans (the “Project”) and for payment of part of the issuance costs of the Bonds. The principal of and interest on the Bonds is payable primarily from tax increment resulting from increases in the taxable value of real property in the TIF Districts (the “Tax Increments”) and the taxes levied herein.

1.02 Award of Sale. The Issuer has received a proposal for a loan to be evidenced by the Bonds from the Bremer Bank, National Association, located in St. Paul, Minnesota (the “Lender”), in the amount of \$200,000, plus accrued interest on the total principal amount to the date of delivery of the Bonds, upon condition that the Bonds matures and bears interest at the times and annual rates set forth in Section 2. The Issuer, after due consideration, finds such offer reasonable and proper and the offer of the Lender is accepted. All actions of the Mayor and City Administrator taken with regard to the Bonds are ratified and approved.

1.03 Municipal Advisor. The Issuer has retained the services of John W. Meyer PhD, as its municipal advisor.

Section 2. Terms of the Bonds.

2.01. Interest Rate and Principal Maturities. A. The Bonds shall be dated the date of closing and delivery as the date of original issue, shall be issued in the denomination equal to the principal amount thereof, shall be issued in fully registered form and lettered and numbered R-1. The Bonds shall bear interest at the annual rate of 3.50 percent and shall mature on the dates and in the installment amounts shown below:

<u>Date</u>	<u>Principal Amount</u>
12/1/2022	\$5,000
12/1/2023	\$5,000
12/1/2024	\$10,000
12/1/2025	\$10,000
12/1/2026	\$10,000
12/1/2027	\$10,000
12/1/2028	\$10,000
12/1/2029	\$10,000
12/1/2030	\$10,000
12/1/2031	\$10,000
12/1/2032	\$10,000
12/1/2033	\$10,000
12/1/2034	\$10,000
12/1/2035	\$10,000
12/1/2036	\$10,000
12/1/2037	\$10,000
12/1/2038	\$10,000
12/1/2039	\$10,000
12/1/2040	\$15,000
12/1/2041	\$15,000

B. The maturities of the Bonds, together with the maturities of all other outstanding general obligation bonds of the Issuer, meet the requirements of Minnesota Statutes, Section 475.54.

2.02 Interest Payment Dates. A. The interest shall be payable semi-annually on June 1 and December 1 of each year (each referred to herein as an “Interest Payment Date”), commencing on June 1, 2022. Interest will be computed upon the basis of a 360-day year of twelve 30-day months.

B. The Registrar designated below shall make all interest payments with respect to the Bonds by check or draft mailed to the registered owner of the Bonds shown on the bond registration records maintained by the Registrar at the close of business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owner’s address shown on such bond registration records.

2.03 Redemption. The Bonds are subject to optional redemption.

2.04 Prepayment. The Bonds are prepayable in whole or in part without notice at a price of par plus accrued interest to the prepayment date.

2.05 Preparation and Execution. A. The Bonds shall be prepared for execution in accordance with the approved form and shall be signed by the manual signature of the Mayor and attested by the manual signature of the City Administrator. The corporate seal of the Issuer may be omitted from the Bonds as permitted by law. In case any officer whose signature shall appear on the Bonds shall cease to be an officer before delivery of the Bonds, such signature shall

nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

B. The Municipal Advisor is authorized and directed to obtain a copy of the proposed approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A., Duluth, Minnesota, which is to be complete and cause the opinion to be attached to the Bonds.

2.06 Registrar. The City Council hereby appoints U.S. Bank, National Association of St. Paul, Minnesota, as registrar, authenticating agent, paying agent and transfer agent for the Note (the "Registrar"). No Note shall be valid or obligatory for any purpose unless or until the Note has been executed by the manual signature of at least one officer of the Issuer or the Registrar's Authentication Certificate on such Note, substantially set forth in this resolution, shall have been duly executed by an authorized representative of the Registrar. Authentication certificates on different bonds need not be signed by the same representative. The executed Authentication Certificate or manual signature of an officer of the Issuer on the Note shall be conclusive evidence that it has been authenticated and delivered under this Resolution.

2.07 Registered Owner. The Bonds shall be registered in the name of the Lender.

2.08 Bond Register. The Issuer shall cause to be kept by the Registrar a bond register in which, subject to such reasonable regulations as the Registrar may prescribe, the Issuer shall provide for the registration of the Bonds and the registration of transfers of the Bonds entitled to be registered or transferred as herein provided. In the event of the resignation or removal of the Registrar or its incapability of acting as such, the bond registration records shall be maintained at the office of the successor Registrar as may be appointed by the Issuer.

2.09 Payment. A. The Issuer and the Registrar may treat the person in whose name any Bonds are registered as the owner of such Bonds for the purpose of receiving payment of principal of and interest on such Bonds and for all other purposes whatsoever, whether or not such Bonds be overdue, and neither the Issuer nor the Registrar shall be affected by notice to the contrary.

B. The principal of and interest on the Bonds shall be payable by the Registrar in such funds as are legal tender for the payment of debts due the United States of America. The Issuer shall pay the reasonable and customary charges of the Registrar for the disbursement of principal and interest.

2.10 Delivery. Delivery of the Bonds and payment of the purchase price shall be made at a place mutually satisfactory to the Issuer and the Lender. The typewritten and executed Bonds shall be furnished by the Issuer without cost to the Lender. The Bonds, when prepared in accordance with this Resolution and executed, shall be delivered by or under the direction of the City Administrator to the Lender upon receipt of the purchase price plus accrued interest.

Section 3. Form of the Bonds.

3.01 The Bonds shall be typewritten in substantially the following form:

UNITED STATES OF AMERICA

STATE OF MINNESOTA
COUNTY OF YELLOW MEDICINE

R-1

\$200,000

CITY OF CANBY
TAXABLE GENERAL OBLIGATION TAX INCREMENT
FINANCING BONDS, SERIES 2021A

<u>Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
3.50%	December 1, 2041	December 30, 2021

REGISTERED OWNER: BREMER BANK, NATIONAL ASSOCIATION

PRINCIPAL AMOUNT: TWO HUNDRED THOUSAND DOLLARS

The City of Canby, Yellow Medicine County, Minnesota (the “Issuer”), for value received, promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, and to pay interest on said principal amount to the registered owner hereof from the date of original issue set forth above, or from the most recent Interest Payment Date (defined below) to which interest has been paid or duly provided for, until the principal amount is paid, said interest being at the rate per annum specified above.

Interest is payable semi-annually on June 1 and December 1 of each year (each referred to herein as an “Interest Payment Date”) commencing on June 1, 2022. Interest will be computed upon the basis of a 360-day year of twelve 30-day months. The Bond is payable in the principal installment amounts and at the times described below. Payments shall be applied first to interest due on the outstanding principal balance and thereafter to reduction of the principal balance.

The principal amount of this Bond shall mature on the dates and in the installment amounts shown below:

<u>Date</u>	<u>Principal Amount</u>
12/1/2022	\$5,000
12/1/2023	\$5,000
12/1/2024	\$10,000
12/1/2025	\$10,000
12/1/2026	\$10,000
12/1/2027	\$10,000
12/1/2028	\$10,000
12/1/2029	\$10,000
12/1/2030	\$10,000
12/1/2031	\$10,000
12/1/2032	\$10,000
12/1/2033	\$10,000

12/1/2034	\$10,000
12/1/2035	\$10,000
12/1/2036	\$10,000
12/1/2037	\$10,000
12/1/2038	\$10,000
12/1/2039	\$10,000
12/1/2040	\$15,000
12/1/2041	\$15,000

Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the main office of the U.S. Bank, National Association, as Registrar, authenticating agent, paying agent and transfer agent (the “Registrar”), or at the office of such successor Registrar as may be designated by the governing body of the Issuer. The Registrar shall make all payments with respect to the Bonds directly to the registered owner hereof shown on the bond registration records maintained on behalf of the Issuer by the Registrar at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner’s address shown on said bond registration records, without, except for final payment of principal of the Bonds, the presentation or surrender of the Bonds, and all such payments shall discharge the obligation of the Issuer to the extent of the payments so made. The final payment of principal of the Bond shall be made upon presentation and surrender of the Bond to the Registrar when due.

For the prompt and full payment of such principal and interest as they become due, the full faith and credit and taxing power of the Issuer are irrevocably pledged. The Issuer has designated the Bond as a “qualified tax-exempt obligation” pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The Bond comprises the entire amount of this series issued by the Issuer as one fully registered Bond without coupons, in the aggregate amount of \$200,000, pursuant to: (i) the authority contained in Minnesota Statutes, Sections 469.124 through 469.134 and Sections 469.174 through 469.1794 and Chapter 475; (ii) the Constitution of the State of Minnesota and all other laws thereunto enabling; and (iii) an authorizing resolution adopted by the governing body of the Issuer on December 22, 2021 (the “Resolution”), and is issued for the purpose of financing the cost of redevelopment projects, including related public improvements and administrative expenses in the TIF District, in accordance with the Tax Increment Plan (as defined in the Resolution). The principal of and interest on the Bonds are payable primarily from tax increment resulting from increases in the taxable value of real property in the Issuer’s Tax Increment Financing District No. 1-31, Tax Increment Financing District No. 1-32 and ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred.

The principal amount evidenced by this Bond was drawn upon by Issuer in accordance with the Loan Agreement between Issuer and Lender dated as of the date of the date hereof.

The Bond is prepayable in whole or in part without notice at a price of par plus accrued interest to the prepayment date.

The Issuer will, at the request of the registered owner, issue one new fully registered bond in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Bond, of like tenor except as to number and principal amount. This Bond is transferable by the registered owner hereof upon surrender of this Bond for transfer at the principal corporate office of the Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the Registrar and executed by the registered owner hereof or the owner's attorney duly authorized in writing. Thereupon the Issuer shall execute and the Registrar shall authenticate, if required by law or the Resolution, and deliver, in exchange for this Bond, one new fully registered bond in the name of the transferee, in an aggregate principal amount equal to the unpaid principal amount of this Bond, of the same maturity, and bearing interest at the same rate. No service charge shall be made for any transfer or exchange hereinbefore referred to, but the Issuer may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith.

IT IS CERTIFIED AND RECITED that all acts and conditions required by the laws and the Constitution of the State of Minnesota to be done and to exist precedent to and in the issuance of the Bond, in order to make it a valid and binding general obligation of the Issuer in accordance with its terms, have been done and do exist in form, time and manner as so required; that all taxable property within the limits of the Issuer is subject to the levy of ad valorem taxes to the extent needed to pay the principal hereof and the interest hereon when due, without limitation as to rate or amount and that the issuance of the Bond does not cause the indebtedness of the Issuer to exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Canby, Yellow Medicine County, Minnesota, by its governing body, has caused the Bond to be executed in its name by the manual signature of the Mayor and attested by the manual signature of the City Administrator as of the date of original issue set forth above.

ATTEST:

Form no signature required
City Administrator

Form no signature required
Mayor

U.S. BANK, NATIONAL ASSOCIATION
Registrar

By _____
Authorized Representative

REGISTRATION CERTIFICATE

This Note must be registered as to both principal and interest in the name of the owner on the books to be kept by U.S. Bank, National Association, St. Paul, Minnesota, as Registrar. No transfer of this Note shall be valid unless made on said books by the registered owner or the owner's attorney thereunto duly authorized and similarly noted on the registration books.

<u>Date</u>	<u>Registered Owner</u>	<u>Signature of Registrar</u>
12/30/2021	Bremer Bank, National Association 372 St. Peter Street St. Paul, MN 55963 Federal Tax I.D. No. 41-0224890	<i>(form-no signature required)</i>

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

Social Security or Other
Identifying Number of Assignee

the within Bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

(Bank, Trust Company, member of
National Securities Exchange)

THIS INSTRUMENT HAS NOT BEEN REGISTERED UNDER THE FEDERAL SECURITIES ACT OF 1933, AS AMENDED, AND MAY NOT BE SOLD OR OTHERWISE DISPOSED OF FOR VALUE, OR TRANSFERRED, WITHOUT (i) AN OPINION OF COUNSEL THAT SUCH SALE, DISPOSITION OR TRANSFER MAY LAWFULLY BE MADE WITHOUT REGISTRATION UNDER THE FEDERAL SECURITIES ACT OF 1933, AS AMENDED AND UNDER APPLICABLE STATE SECURITIES LAWS, OR (ii) SUCH REGISTRATION. THE TRANSFERABILITY OF THIS INSTRUMENT IS SUBJECT TO RESTRICTIONS REQUIRED BY (1) FEDERAL AND STATE SECURITIES LAWS GOVERNING UNREGISTERED SECURITIES; AND (2) THE RULES, REGULATIONS, AND INTERPRETATIONS OF THE GOVERNMENTAL AGENCIES ADMINISTERING SUCH LAWS. THIS INSTRUMENT HAS NOT BEEN REGISTERED UNDER CHAPTER 80A OF MINNESOTA STATUTES OR OTHER APPLICABLE STATE BLUE SKY LAWS AND MAY NOT BE SOLD, TRANSFERRED, OR OTHERWISE DISPOSED OF FOR VALUE EXCEPT PURSUANT TO REGISTRATION OR OPERATION OF LAW.

Section 4. Covenants, Accounts and Tax Levies.

4.01 Covenants. The Issuer covenants with the holders from time to time of the Bonds as follows:

A. It is recognized that the Issuer's liability on the Bonds is not limited to the Tax Increments and ad valorem taxes pledged herein, and the City Council covenants and agrees that in the event of any current or anticipated deficiency in Tax Increments or ad valorem taxes, it will levy upon all taxable property within the Issuer and cause to be extended, assessed, and collected, any additional taxes found necessary for full payment of the principal of and interest on the Bonds, without limitation as to rate or amount.

B. The Issuer will keep complete and accurate books and records showing receipts and disbursements in connection with the Tax Increments and other funds appropriated for payment of the Bonds, collections and disbursements thereof, monies on hand and the balance of Tax Increments.

C. The City Council covenants and agrees with the holders of the Bonds and with its taxpayers that not less than 20 percent of the payments of principal and interest on the Bonds are estimated to be received from Tax Increments, all within the meaning of Minnesota Statutes, Section 475.58, Subdivision 1(3).

D. The Issuer will cause its books and records to be audited and will furnish copies of such audit reports to any interested person upon request.

E. Notwithstanding anything in the resolution to the contrary, the Issuer warrants, represents and covenants that: (a) the Tax Increments will be spent only in accordance with the Plan; and (b) the Tax Increments will only be spent for payment of debt service on bonds issued to finance improvements within the tax increment financing district from which the Tax Increments are derived or bonds issued to refund such bonds, unless otherwise specifically provided by law.

4.02 The Fund. There is created a special fund to be designated the “2021A Taxable General Obligation Tax Increment Financing Bonds Fund” (the “Fund”) to be administered and maintained by the City Administrator as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the Issuer. The Fund shall be maintained in the manner herein specified until all of the Bonds and the interest thereon have been fully paid. There shall be maintained in the Fund two (2) separate accounts, to be designated the “Construction Account” and “Debt Service Account,” respectively:

A. Construction Account. The Bonds, less: (a) amounts used to pay a part of the interest cost of the issue as allowed by Section 475.56 of the Act (the “Additional Interest”); (b) amounts necessary to pay capitalized interest (the “Capitalized Interest”); and (c) accrued interest paid by the Lender upon closing and delivery of the Bond (the “Accrued Interest”) are hereby appropriated to the Construction Account. The monies in the Construction Account shall be used solely to pay costs of the Project, including the cost of any cooperative construction contracts and all other costs incurred and to be incurred of the kind authorized in the Plan, Section 475.65 of the Act and the TIF Act and the money in said fund shall be used for no other purpose except as otherwise provided by law.

B. Debt Service Account. The Tax Increments and the Taxes hereinafter levied are pledged to the Debt Service Account to pay the principal and interest on the Bonds as the same become due and payable (the “Debt Service”). There is appropriated to the Debt Service Account the Additional Interest, Capitalized Interest, and Accrued Interest and any and all other moneys which are properly available and are appropriated by the governing body of the Issuer to the Debt Service Account. The money in the Debt Service Account shall be used for no purpose other than the payment of Debt Service; provided, however, that if any payment of principal or interest shall become due when there is not sufficient money in the Debt Service Account, the City Administrator shall pay the same from any other fund of the City Council, which fund shall be reimbursed from the Debt Service Account when the balance therein is sufficient.

4.03 No Tax Levy. It is estimated that the Tax Increment herein pledged are in an amount not less than 5% in excess of the amounts needed to meet when due the principal and interest payments on the Bonds and, as allowed by Minnesota Statutes, Section 475.61, Subdivision 6, no tax is presently levied for this purpose.

4.04 Investments. Monies on deposit in the Construction Account and in the Debt Service Account may, at the discretion of the City Administrator, be invested in securities permitted by Minnesota Statutes, Chapter 118A, that any such investments shall mature at such

times and in such amounts as will permit for payment of project costs and/or payment of the principal and interest on the Bonds when due.

Section 5. Miscellaneous.

5.01 Filing with County Auditor. The City Administrator is directed to file with the County Auditor an original or certified copy of this Resolution and such other information as the County Auditor may require, and to obtain from the County Auditor a certificate stating that the Bonds herein authorized have been duly entered on the County Auditor's register.

5.02 Certified Proceedings. The officers of the Issuer are authorized and directed to prepare and furnish to the Lender of the Bonds and to bond counsel certified copies of all proceedings and records of the Issuer relating to the authorization and issuance of the Bonds and other affidavits and certificates as may reasonably be requested to show the facts relating to the legality and marketability of the Bonds as such facts appear from the official books and records of the officers' custody or otherwise known to them. All of such certified copies, certificates and affidavits, including any heretofore furnished, constitute representations of the Issuer as to the correctness of facts recited therein and the actions stated therein to have been taken.

5.03 Disclosure. No official statement or prospectus has been prepared or circulated by the Issuer in connection with the sale of the Certificate and the Lender has made its own investigation concerning the Issuer as set forth in an investment letter dated the date hereof.

5.04 Absent or Disabled Officers. In the event of the absence or disability of the Mayor or City Administrator, such officers or members of the Issuer as in the opinion of the Issuer's attorney may act in their behalf shall, without further act or authorization, execute and deliver the Bonds, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

Section 6. Loan Agreement. The proceeds of the Bonds will be advanced to the Issuer in accordance with the terms of this Resolution and with a Loan Agreement between the Issuer, the Board and the Lender (the "Loan Agreement"). The Mayor and City Administrator of the Issuer are hereby authorized and directed to execute the Loan Agreement substantially in the form currently on file in the office of the Issuer.

Adopted: December 22, 2021

Mayor

ATTEST:

City Administrator

A grant contract for the theater from the MN Historical Society was reviewed. A motion was made by Meyer and seconded by Fliss to approve the MN Historical Society grant 2110-26574. All voted in favor. None voted against. The motion was carried.

A Workforce Housing Grant Application was discussed. A motion was made by Fliss and seconded by Meyer to approve the Workforce Housing Grant Application. All voted in favor. None voted against. The motion was carried.

**CERTIFIED COPY OF RESOLUTIONS ADOPTED BY THE
MEMBERS OF CITY OF CANBY CITY COUNCIL**

I HEREBY CERTIFY, that I am the City Administrator and keeper of the records of the City of Canby, a Recipient, that the following is a true and correct copy of Resolutions duly and unanimously adopted by all of the members of the city council of Recipient on **December 22, 2021**, all of the members being present and constituting a quorum for the transaction of business; further, that such meeting was called in compliance with all applicable laws and any other requirements of Recipient; that such Resolutions do not conflict with any laws of Recipient nor have such Resolutions been in any way altered, amended or repealed and are in full force and effect, unrevoked and unrescinded as of this day, and have been entered upon the regular Minute Book of Recipient, as of the aforementioned date, and that the members of the [*city council*] of Recipient have, and at the time of adoption of such Resolutions, had full power and lawful authority to adopt such Resolutions and to confer the powers thereby granted to the officer(s) therein named who have full power and lawful authority to exercise the same:

WHEREAS, Recipient has submitted an application (the “Application”) for a project (the “Project”) pursuant to the Workforce Housing Development Program (“Program”) in order to obtain funding from the Minnesota Housing Finance Agency (“Minnesota Housing”).

WHEREAS, on this 22th day of December, 2021, there has been presented to the meeting of the city council of Recipient a proposal for Recipient, upon selection by Minnesota Housing, to enter in to a Grant Contract/Funding Agreement pursuant to the Program in order to obtain funding from Minnesota Housing .

NOW, THEREFORE, BE IT RESOLVED, that Recipient is authorized to enter into a Grant Contract/Funding Agreement, substantially in the form as attached to these Resolutions as **Exhibit A**, pursuant to the Program in order to obtain funding from Minnesota Housing in an amount not to exceed \$135,000.00 (the “Grant/Loan”).

BE IT FURTHER RESOLVED, that Recipient is an Eligible Project Area, as defined in Minnesota Statute Section 462A.39, subdivision 2, has the legal authority to apply for financial assistance, and has the institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the Project for its design life.

BE IT FURTHER RESOLVED, that Recipient certifies that it will use the Grant/Loan for qualified expenditures for the Project to serve employees of business located in the City of

Canby or surrounding area.

BE IT FURTHER RESOLVED, that the Grant/Loan will be matched by a business and the Housing and Redevelopment Authority of Canby with at least \$1 for every \$2 provided.

BE IT FURTHER RESOLVED, that Recipient certifies that the average vacancy rate for rental housing located in 1.5% City of Canby, and in any other city located within 15 miles or less of the boundaries of the area, has been five percent or less for at least the prior two-year period.

BE IT FURTHER RESOLVED, that the Grant/Loan will not exceed 25 percent of the Project costs.

BE IT FURTHER RESOLVED, that Mayor and City Administrator, or their successors in office, are hereby authorized to execute the Grant Contract/Funding Agreement and such other agreements, and amendments thereto, as are necessary to implement the Project on behalf of Recipient.

BE IT FURTHER RESOLVED, that Minnesota Housing is authorized to rely on the continuing force and effect of these Resolutions until receipt by the Commissioner of Minnesota Housing at its principle office of notice in writing from Recipient of any amendment or alteration of such Resolutions.

Mayor

City Administrator

ATTEST:

Todd Hagen went over the financial management plan and the utility rate study. No action was taken.

Derrick Ruether shared that the batteries for the radios are starting to fail. Since it was in the budget amendments, he is able to order them.

The State of MN Grant Contract 198511 was reviewed. A motion was made by Fliss and seconded by Meyer to approve the State of MN Grant Contract 198511. All voted in favor. None voted against. The motion was carried.

PLM Lakes and Land Management Agreement for the curly leaf pondweed was reviewed. A motion was made by Fliss and seconded by Meyer to approve the PLM Lakes and Land Management Agreement. All voted in favor. None voted against. The motion was carried.

The Countryside Public Health Agreement for tobacco was reviewed. A motion was made by Fliss and seconded by Meyer to approve the Countryside Public Health Agreement. All voted in favor. None voted against. The motion was carried.

The Tobacco and Liquor Licenses for 2022 were reviewed. A motion was made by Meyer and seconded by Fliss to approve the following licenses. All voted in favor. None voted against. The motion was carried.

On-Sale 3.2 Beer:
Gzorkio's
Lancer Lanes

Off Sale 3.2 Beer
Casey's

On-Sale Wine:
Gzorkio's
Lancer Lanes

On-Sale & Sunday Liquor:
Heroes

Off Sale:
Canby Liquor & Beer, Inc.
Jim's Market

Cigarette:
Ag Plus
Casey's Dollar General
Independent Oil
Canby Liquor and Beer, Inc.

An invoice for Bradco Restoration in the amount of \$26,357.50 was reviewed. A motion was made by Fliss and seconded by Meyer to approve the Bradco Restoration invoice in the amount of \$26,357.50. All voted in favor. None voted against. The motion was carried.

The 2021 Budget Amendments were reviewed. A motion was made by Fliss and seconded by Meyer to approve the 2021 budget amendments. All voted in favor. None voted against. The motion was carried.

The 2022 Budget and Levy were reviewed. A motion was made to approve Resolution 2021-12-22-2. All voted in favor. None voted against. The motion was carried.

Resolution 2022-12-22-2

City of Canby
2021-12-22-2

State of Minnesota
County of Yellow Medicine
City of Canby

Resolution Adopting the 2022 Levy

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 2022, upon the taxable property in the City of Canby, for the following purposes:

General Fund	\$449,633.00
Farmer's Co-op Abatement	\$7,350.00
Fire Hall Inter-Fund Loan of 2014	\$10,629.00
2010 Infrastructure Bond	\$125,000.00
2014 Infrastructure Bond	\$125,000.00
2018 Infrastructure Bond	100,000.00
2016 Swimming Pool Bond	\$58,522.00
2018 GO Improvement Bond	5,231.00
Total Tax Levy	\$881,365.00

Be it further resolved by the Council that the proposed 2022 budget is hereby adopted, and;

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

Adopted by the City Council for the City of Canby, Minnesota this 22nd day of December 2021.

Attest:

Mayor

City Administrator

The American Rescue Plan Act Funds were discussed. The Council will mark down what they feel their top ones are and bring them back to the next meeting.

The vendor transactions from December 1-December 22, 2021 were reviewed. A motion was made by Fliss and seconded by Meyer to approve the vendor transactions in the amount of \$156,057.72. All voted in favor. None voted against. The motion was carried.

The January meetings were discussed. The Council will meet 1 time in January and it will be Tuesday, January 11th starting at 6pm.

Schrupp gave an update on the airport sign. We are still waiting on a quote from Wilke. Schrupp also gave an update on what Olson Sanitation and the overflowing garbage. Olson's are going to wait until after the holidays and then they will start looking to see if there are some habitual users that are filling their cans too full.

A motion to go into close session per MN Stat. 13D.03, subd 1(b) Labor Negotiations was made by Meyer and seconded by Fliss. All voted in favor. None voted against. The motion was carried.

A motion was made by Meyer and seconded by Fliss to close the closed session and go back into an open meeting. All voted in favor. None voted against. The motion was carried.

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

Attest:

Mayor

City Administrator