

A regular meeting was held in person and virtually with the meeting originating at City Hall, Canby Minnesota on January 18, 2023, at 6:00 pm.

Members: Nancy Bormann, Marisa Kack, Josh Bruning, Diana Fliss

Absent: Denise Hanson

Visitors: Rebecca Schrupp, City Administrator
Gerald Boulton, City Attorney
Stephanie Assarsson, Canby News

Virtually Attending:
Brian Meyer, DGR Engineering
Eric Diekmann
Andrew

The regular Council meeting was called to order.

The agenda was reviewed. A motion was made by Kack and seconded by Bruning to approve the agenda with the addition of the Consumption and Display permit for Lancer Lanes. All voted in favor. None voted against. The motion was carried.

The Oath of Office for Marisa Kack and Josh Bruning were taken.

The minutes from December 28, 2022, were reviewed. A motion was made by Fliss and seconded by Kack. All voted in favor. None voted against. The motion was carried.

The Council Designations were discussed. A motion was made by Fliss and seconded by Kack to approve the Council Designations. All voted in favor. None voted against. The motion was carried.

**Canby City Council
Official Designations for 2023**

<u>Name:</u>	<u>Designation:</u>
Diana Fliss	Acting Mayor/Mayor Pro-tem
Gerald Boulton	City Attorney
Kinner & Company LTD	Public Accountant
Canby News	Official Newspaper
First Security Bank	Official Depository
Co-op Credit Union	Additional Depository
Minnesota Municipal Money Market Fund	Additional Depository

State Bank of Taunton	Additional Depository
Bolton & Menk	Engineering Firm
John W. Meyer Ehlers & Associates	Financial Advisor
<u>Committee Designation:</u>	<u>Council Representative:</u>
Canby HRA	Marisa Kack
Airport Board	Diana Fliss
Planning Commission	Nancy Bormann Diana Fliss
EDA	Nancy Bormann Denise Hanson
REC Board	Marisa Kack

Resolution 2023-01-18-1 was reviewed. A motion was made by Fliss and seconded by Bruning to approve Resolution 2023-01-18-1. All voted in favor. None voted against. The motion was carried.

Resolution 2023-01-18-1

**A Resolution Designating Signatories for Financial Institution
and the Powers and Limitations Thereof**

Be It Resolved, by the City Council for the City of Canby, Minnesota, hereinafter referred to as “City”, and First Security Bank Canby, hereinafter referred to as “Financial Institution” that the following resolutions are hereby adopted.

Any signatories (“Agent”) listed below, subject to any written limitations, are authorized to exercise the powers granted as indicated below:

<u>Name and Title of Position:</u>	<u>Signature:</u>
A. Nancy Bormann, Mayor	_____
B. Diana Fliss, Alderman	_____
C. Denise Hanson, Alderman	_____
D. Rebecca Schrupp, City Administrator	_____
E. Bonnie Merritt, Account Clerk	_____

Powers Granted:

Indicate A, B, C, D, E or F	Description of Power	Number of Signatures Required
A, B, C, D	Exercise all of the powers listed in this resolution	2
A, B, C, D	Open any deposit or share account(s) in the name of the City	2
A, B, C, D, E, F	Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution	2
A, B, C, D	Borrow money on behalf and in the name of the City, sign, execute and deliver promissory notes or other evidences of indebtedness	2
A, B, C, D	Endorse, assign, transfer, mortgage or pledge bills receivables, stocks, bonds, real estate, or other property now owned or hereafter owned or acquired by the City as security for sums borrowed, and to discount the same, unconditionally guaranteed payment of all bills received, negotiated or discounted and to waive demand, presentment, and protest, notice of protest and notice of non-payment	2
A, B, C, D	Enter into a written lease for the purpose of sending, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution	2
A, B, C, D, E, F	Access Safe Deposit Box in this Financial Institution	1

Limitations on Powers:

There are no limitations on powers set herein.

Further Resolutions:

1. The Financial Institution is designated as a depository for the funds of the City and to provide other financial accommodations indicated in the resolution.
2. This resolution shall continue to have effect until express written notice of its rescission or modification has been received by the Financial Institution. Any and all prior resolutions adopted by the City Council and certified to the Financial Institution as governing the operation of this city's account(s) are in full force and effect until the Financial Institution receives and acknowledges an express written notice of its revocation, modification, or replacement. Any revocation, modification, or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

3. The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the City. Any Agent, so long as they act in a representative capacity as agents of the City, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated in this resolution, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
4. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City with the Financial Institution prior to the application of this resolution hereby ratified, approved, and confirmed.
5. The City agrees to the terms and conditions of any account agreement, properly opened by any Agent of the City. The City authorizes the Financial Institution, at any time, to charge the City for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

Certification of Authority:

This is to certify that the City Council of the City has, and at the time of adoption of this resolution had, full power, and lawful authority to adopt the preceding resolutions and to confer the powers granted to the persons named who have full power and lawful authority to exercise the same.

In WITNESS WHEREOF, I have subscribed my name and to this document on January 18th, 2023.

Attest:

Mayor

City Administrator

Resolution 2023-01-18-2 was reviewed. A motion was made by Fliss and seconded by Bruning to approve Resolution 2023-01-18-1. All voted in favor. None voted against. The motion was carried.

Resolution 2023-01-18-2

**A Resolution Designating Signatories for Financial Institution
and the Powers and Limitations Thereof**

Be It Resolved, by the City Council for the City of Canby, Minnesota, hereinafter referred to as “City”, and Co-op Credit Union of Montevideo, hereinafter referred to as “Financial Institution” that the following resolutions are hereby adopted.

Any signatories (“Agent”) listed below, subject to any written limitations, are authorized to exercise the powers granted as indicated below:

<u>Name and Title of Position:</u>	<u>Signature:</u>
A. Nancy Bormann, Mayor	_____
B. Diana Fliss, Alderman	_____
C. Denise Hanson, Alderman	_____
D. Rebecca Schrupp, City Administrator	_____
E. Bonnie Merritt, Account Clerk	_____
F. Thalia Sik Administrative Secretary	_____

Powers Granted:

Indicate A, B, C, D, E or F	Description of Power	Number of Signatures Required
A, B, C, D	Exercise all of the powers listed in this resolution	2
A, B, C, D	Open any deposit or share account(s) in the name of the City	2
A, B, C, D, E, F	Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution	2
A, B, C, D	Borrow money on behalf and in the name of the City, sign, execute and deliver promissory notes or other evidences of indebtedness	2
A, B, C, D	Endorse, assign, transfer, mortgage or pledge bills receivables, stocks, bonds, real estate, or other property now owned or hereafter owned or acquired by the City as security for sums borrowed, and to discount the same, unconditionally guaranteed payment of all bills received, negotiated or discounted and to waive demand, presentment, and protest, notice of protest and notice of non-payment	2
A, B, C, D	Enter into a written lease for the purpose of sending, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution	2
A, B, C, D, E, F	Access Safe Deposit Box in this Financial Institution	1

Limitations on Powers:

There are no limitations on powers set herein.

Further Resolutions:

6. The Financial Institution is designated as a depository for the funds of the City and to provide other financial accommodations indicated in the resolution.
7. This resolution shall continue to have effect until express written notice of its rescission or modification has been received by the Financial Institution. Any and all prior resolutions adopted by the City Council and certified to the Financial Institution as governing the operation of this city's account(s) are in full force and effect until the Financial Institution receives and acknowledges an express written notice of its revocation, modification, or replacement. Any revocation, modification, or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
8. The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the City. Any Agent, so long as they act in a representative capacity as agents of the City, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated in this resolution, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
9. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City with the Financial Institution prior to the application of this resolution hereby ratified, approved, and confirmed.
10. The City agrees to the terms and conditions of any account agreement, properly opened by any Agent of the City. The City authorizes the Financial Institution, at any time, to charge the City for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

Certification of Authority:

This is to certify that the City Council of the City has, and at the time of adoption of this resolution had, full power, and lawful authority to adopt the preceding resolutions and to confer the powers granted to the persons named who have full power and lawful authority to exercise the same.

In WITNESS WHEREOF, I have subscribed my name and to this document on January 18th, 2023.

Attest:

Mayor

City Administrator

Resolution 2023-01-18-3 was reviewed. A motion was made by Fliss and seconded by Kack to approve Resolution 2023-01-18-3. All voted in favor. None voted against. The motion was carried.

Resolution 2023-01-18-3

**A Resolution Designating Signatories for Financial Institution
and the Powers and Limitations Thereof**

Be It Resolved, by the City Council for the City of Canby, Minnesota, hereinafter referred to as “City”, and State Bank of Taunton, hereinafter referred to as “Financial Institution” that the following resolutions are hereby adopted.

Any signatories (“Agent”) listed below, subject to any written limitations, are authorized to exercise the powers granted as indicated below:

Name and Title of Position:

Signature:

A. Nancy Bormann, Mayor

B. Diana Fliss, Alderman

C. Denise Hanson, Alderman

D. Rebecca Schrupp, City Administrator

E. Bonnie Merritt, Account Clerk

F. Thalia Sik, Administrative Secretary

Powers Granted:

Indicate A, B, C, D, E or F	Description of Power	Number of Signatures Required
A, B, C, D	Exercise all of the powers listed in this resolution	2
A, B, C, D	Open any deposit or share account(s) in the name of the City	2
A, B, C, D, E, F	Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution	2

A, B, C, D	Borrow money on behalf and in the name of the City, sign, execute and deliver promissory notes or other evidences of indebtedness	2
A, B, C, D	Endorse, assign, transfer, mortgage or pledge bills receivables, stocks, bonds, real estate, or other property now owned or hereafter owned or acquired by the City as security for sums borrowed, and to discount the same, unconditionally guaranteed payment of all bills received, negotiated or discounted and to waive demand, presentment, and protest, notice of protest and notice of non-payment	2
A, B, C, D	Enter into a written lease for the purpose of sending, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution	2
A, B, C, D, E, F	Access Safe Deposit Box in this Financial Institution	1

Limitations on Powers:

There are no limitations on powers set herein.

Further Resolutions:

11. The Financial Institution is designated as a depository for the funds of the City and to provide other financial accommodations indicated in the resolution.
12. This resolution shall continue to have effect until express written notice of its rescission or modification has been received by the Financial Institution. Any and all prior resolutions adopted by the City Council and certified to the Financial Institution as governing the operation of this city's account(s) are in full force and effect until the Financial Institution receives and acknowledges an express written notice of its revocation, modification, or replacement. Any revocation, modification, or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
13. The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the City. Any Agent, so long as they act in a representative capacity as agents of the City, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated in this resolution, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
14. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City with the Financial Institution prior to the application of this resolution hereby ratified, approved, and confirmed.

15. The City agrees to the terms and conditions of any account agreement, properly opened by any Agent of the City. The City authorizes the Financial Institution, at any time, to charge the City for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

Certification of Authority:

This is to certify that the City Council of the City has, and at the time of adoption of this resolution had, full power, and lawful authority to adopt the preceding resolutions and to confer the powers granted to the persons named who have full power and lawful authority to exercise the same.

In WITNESS WHEREOF, I have subscribed my name and to this document on January 18th, 2023.

Attest:

Mayor

City Administrator

Task Order 6 for the airport with DGR Engineering was reviewed. A motion was made by Bruning and seconded by Kack to approve Task Order 6. All voted in favor. None voted against. The motion was carried.

The Planning Commission recommendations were discussed. A motion was made by Bruning and seconded by Kack to approve the recommendations from the Planning Commission for signs for OtterTail Power Co., Canby News and Canby Print Shop, and one for Sanford with the condition that they answer a question about illumination and have them sign the form. All voted in favor. None voted against. The motion was carried.

A contract with Flaherty and Hood with the Southwest MN Council of Mayors was reviewed. A motion was made by Fliss and seconded by Bruning to approve the contract with Flaherty and Hood. All voted in favor. None voted against. The motion was carried.

Resolution 2023-01-18-4 was reviewed. A motion was made by Fliss and seconded by Kack to approve Resolution 2023-01-18-4. All voted in favor. None voted against. The motion was carried.

**City of Canby
Resolution 2023-01-18-4**

A Resolution Setting the Utility Rate Charges for the City of Canby for 2023

The City Council for the City of Canby does hereby ordain:

WHEREAS, the City has committed to funding its infrastructure replacement for future years through increased utility rate charges; and

WHEREAS, under the advisement of the utility rate study completed in 2021 the City is to increase its utility rates each year;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF CANBY;

The utility rate charges for the City of Canby for 2023 are updated to be as follows:

Water

Base Charge – \$18.96

Use Charge – \$0.00604 per gallon

Sewer

Base Charge – \$20.64

Use Charge – \$0.00357 per gallon

Storm Sewer

Base Charge – \$17.25

Garbage Rates

Jumbo Cans -- \$31.40

Large Cans -- \$21.19

Small Cans -- \$11.55

Passed by the City Council this 18th day of January, 2023.

Attest:

Mayor

City Administrator

The farmland lease with Robert Bjornson was reviewed. A motion was made by Fliss and seconded by Bruning to approve the farmland lease with Robert Bjornson. All voted in favor. None voted against. The motion was carried.

Resolution 2023-01-18-5 was reviewed. A motion was made by Bruning and seconded by Fliss to approve Resolution 2023-01-18-5. All voted in favor. None voted against. The motion was carried.

City of Canby

RESOLUTION 2023-01-18-5

**RESOLUTION WRITING OFF CERTAIN DELINQUENT ACCOUNTS
UNABLE TO LOCATE, TAX FORFEITED OR BANKRUPT**

WHEREAS, the City has certain accounts that staff is unable to locate, property is tax forfeited, or bankrupt; and

WHEREAS, the City is still carrying such accounts as receivables in our accounting system.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Canby hereby writes off the following dated delinquent or bankrupt accounts:

<i>NAME</i>	<i>ADDRESS</i>	<i>BILLED FOR</i>	<i>AMOUNT</i>	<i>REASON</i>
Amanda Otteson	102 East View Road	WA,SW, SS, GAR	\$50.46	Property Sold

BE IT FURTHER RESOLVED, that the City Council hereby instructs City staff that should any of the above, except those approved for bankruptcy or tax forfeiture, apply for City service or their whereabouts be known, that despite this order to write off these accounts, staff will aggressively attempt to collect these delinquent amounts including actions not to connect and/or disconnect City utilities.

Passed this 18th day of January, 2023.

Nancy Bormann, Mayor

ATTEST:

Rebecca Schrupp, City Administrator

A contract with PLM Lakes was reviewed. A motion was made by Fliss and seconded by Kack to approve the contract with PLM Lakes. All voted in favor. None voted against. The motion was carried.

The vendor transactions from December 28-December 31st were reviewed. A motion was made by Kack and seconded by Bruning to approve the vendor transactions from December 28-December 31 in the amount of \$567,346.30. All voted in favor. None voted against. The motion was carried.

A Consumption and Display Permit for Lancer Lanes was reviewed. A motion was made by Fliss and seconded by Kack to approve the Consumption and Display permit for Lancer Lanes. All voted in favor. None voted against. The motion was carried.

The meeting was closed per MN Stat. 13D.03, subd 1(b) Labor Negotiations.

A motion was made by Kack and seconded by Fliss to close the closed session. All voted in favor. None voted against. The motion was carried.

The next meeting will be February 8th at 6pm. There will only be one in February.

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

Attest:

Mayor

City Administrator