

A regular meeting was held in person and virtually with the meeting originating at City Hall, Canby Minnesota on August 8th, 2024, at 6:00 pm.

Members: Nancy Bormann, Marisa Kack, Susan Cram, Diana Fliss, Denise Hanson

Absent: None

Visitors: Bonnie Merritt, City Administrator
Thalia Sik, Administrative Secretary
Gerald Boulton, City Attorney
Todd Buys
Ronald Pesek
Amber Flaws
Mark Whittier
Lynn Harp
Jen Gottskalkson
Kristen Fairchild
Krystle Thovson
Jeff Ferguson
Daniel VanDerostyne
Corrine Pesek

Virtually Attending:

Josh Van Klompenburg

The regular Council meeting was called to order.

The agenda was reviewed. A motion was made by Kack and seconded by Fliss to approve the agenda with the addition of a letter received by the League of Minnesota Cities, the appointing of additional election judges, and a recommendation for the Account Clerk IV position. All voted in favor. None voted against. The motion was carried.

The minutes of the July 9th meeting were reviewed. A motion was made by Cram and seconded by Kack to approve the minutes from the July 9th meeting. All voted in favor. None voted against. The motion was carried.

Sheila Krohse was present to discuss the seal coating project, the punch list items to still be completed from the final phase of the street project, and the yard located at 210 Walnut Ave N. The tentative plan is to complete seal coating on August 22nd or 23rd with no crack filling being done. Sheila spoke with Jeremy Kuechle, and he has been in communication with a couple different crews to get these punch list items completed yet this year.

The resident at 210 Walnut Ave N. had complained about the slope of the hill located on her property becoming steeper due to the street project. Sheila presented before and after photos of the property and there appeared to be little to no change. After discussing, it was recommended to write a letter on behalf of the City to property owner, Lynn Harp, allowing digging on private property and stating there is a possibility the tree located in the same vicinity would be jeopardized due to disturbing the roots and if this happens, it would be the responsibility of the homeowner to remove/replace the tree.

Kristen Fairchild and Krystle Thovson with Canby 4 Kids were present to discuss the flags that are hung on the poles along a part of highway 68 and highway 75. They are interested in replacing the current flags with banner flags which would stay up from Memorial Day to mid-November. They presented this idea with the VFW, and they received their approval. This would provide a safer and more presentable way to showcase the American flag. Usually, the city offers \$1,100 towards the senior class banners, but after speaking with High School teacher, Jennifer Ufkin, they have decided to stop this project. Therefore, that \$1,100 budgeted in the street fund remains unspent. A motion was made by Hanson and seconded by Kack to move forward with the donation of \$1,100 from the street fund. All voted in favor. None voted against. The motion was carried.

An agreement for the airport snow removal equipment was reviewed along with Resolution 2024-08-08-1. A motion was made by Fliss to adopt resolution 2024-08-08-1 and seconded by Cram. All voted in favor. None voted against. The motion was carried.

Rev. 1/07

**RESOLUTION 2024-08-08-1
AUTHORIZATION TO EXECUTE
MINNESOTA DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT
EXCLUDING LAND ACQUISITION**

It is resolved by the **City of Canby** as follows:

1. That the state of Minnesota Agreement No. **1057566**,
"Grant Agreement for Airport Improvement Excluding Land Acquisition," for
State Project No. **A8702-40** at the **Canby Municipal (Meyers Field) Airport** is accepted.
2. That the _____ and _____ are
(Title) (Title)
authorized to execute this Agreement and any amendments on behalf of the
City of Canby.

CERTIFICATION

STATE OF MINNESOTA
COUNTY OF _____

I certify that the above Resolution is a true and correct copy of the Resolution adopted by the

(Name of the Recipient)

at an authorized meeting held on the _____ day of _____, 20____
as shown by the minutes of the meeting in my possession.

Signature: _____
(Clerk or Equivalent)

CORPORATE SEAL

/OR/

NOTARY PUBLIC
My Commission Expires: _____

The Joint Powers Agreement Resolution 2024-08-08-2 was reviewed. This approves the joint powers agreement between the State of Minnesota and the City of Canby on behalf of its City Attorney. A motion was made by Kack and seconded by Hanson. All voted in favor. None voted against. The motion was carried.

RESOLUTION NO. _____

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF
ON BEHALF OF ITS CITY ATTORNEY**

WHEREAS, the City of Canby on behalf of its Prosecuting Attorney desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Canby on behalf of its Prosecuting Attorney, are hereby approved.
2. That the City Attorney, Gerald Boulton, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.
3. That Nancy Bormann, the Mayor for the City of Canby, and Bonnie Merritt, the City Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this ____ day of August, 2024.

CITY OF CANBY

By: Nancy Bormann
Its Mayor

ATTEST: _____
By: Bonnie Merritt
Its City Administrator

The Planning Commission met prior to the council meeting. The first topic discussed was a request from Jerry Kubiszewski DBA Born in the Barn to put up a permanent fence behind his business. The Planning Commission recommended a denial for a permanent fence. After further discussion,

the Council recommended denial due to the following reasons: interference with intent of the parking lot agreements, it would jeopardize the access for emergency services/vehicles, it would create issues for services to the other businesses (ex. trash removal and product delivery), possible interference for accessible parking for adjacent properties, and it would create issues/concerns for effective snow removal and ground maintenance. A motion was made by Kack and seconded by Hanson to deny this request. All voted in favor. None voted against. The motion was carried.

A recommendation by the Planning Commission was made to approve a business sign for Ridge Rock Financial Services located at 125 1st Street East. This sign would be a flat sign to be placed on the building. A motion was made by Hanson and seconded by Cram to approve the sign. All voted in favor. None voted against. The motion was carried.

A recommendation by the Planning Commission was made for the request from Todd Buys to divide parcel 31-414-2603 (address 507 Oscar Ave N. and 507 ½ Oscar Ave N.). Dividing this parcel should not interfere with any utilities as there are currently two separate water connections. A motion was made by Cram and seconded by Kack to approve this request. All voted in favor. None voted against. The motion was carried.

A recommendation by the Planning Commission was made to approve a business sign for Westwood Extended Stay (address 110 10th Street A). The business owner will only be replacing the insert with the updated business name, no other changes will be made. A motion was made by Hanson and seconded by Kack to approve the sign. All voted in favor. None voted against. The motion was carried.

A letter from the League of MN Cities was discussed. Senator Dahms was one of 25 Lawmakers who was recognized as 2024 Legislators of Distinction. Chosen legislators are honored for specific actions that aided efforts of Minnesota cities during the past year's state legislative session.

Gary Ellenbolt, Jane Ormseth, Brenda Lothert, and Judy Bednar were appointed as additional Election Judges. A motion was made by Cram and seconded by Kack to appoint these additional judges. All voted in favor. None voted against. The motion was carried.

After conducting 4 interviews for the Account Clerk IV position, a recommendation was made to approve Sara Wollum for this position. If this candidate rejects the offer, it was recommended to offer the 2nd candidate the position. A motion was made by Fliss and seconded by Hanson to offer Sara Wollum the position and if she denied, they would move onto the next candidate. All voted in favor. None voted against. The motion was carried.

July 2024 vendor transactions were reviewed. A motion was made by Fliss and seconded by Cram to approve the July 2024 vendor transactions in the amount of \$373,928.02. All voted in favor. None voted against. The motion was carried.

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

Nancy Bormann, Mayor

Bonnie Merritt, City Administrator