A regular meeting of the City Council for the City of Canby, Minnesota was held on May 15th, 2018 at 7:00 P.M. in the City Council Chambers.

Members: Nancy Bormann, Ryan Feiock, Eugene Bies and Jackie Paulsen

Absent: Denise Hanson

Visitors: Linda Blackwelder  
 Gerald Boulton, City Attorney  
 Philip DeSchepper, Bolton & Menk  
 John W. Meyer  
 Jody Olson

The Pledge of Allegiance was recited and the meeting was called to order.

The public hearing on TIF District 1-26 was opened. John Meyer was present and spoke about the TIF project. No one had any questions for him. A motion was made by Feiock, seconded by Paulsen and approved by all members present to close the hearing.

A motion was made by Feiock, seconded by Bies and approved by all members present to adopt Resolution 2018-05-15-1. All voted in favor. None voted against. The motion was carried.

**CITY OF CANBY**

**RESOLUTION NO. 2018- 05-15-1**

**RESOLUTION ADOPTING MODIFICATION NUMBER TWO TO THE TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 1-26**

BE IT RESOLVED By the City Council (the Council) of the City of Canby, Minnesota (the City) as follows:

Section 1. Recitals.

1.01. On June 17, 1985, the Council adopted a Development Program for Development District No. 1, pursuant to and in accordance with Minnesota Statutes Sections 469.124 through

469.134 (previously Chapter 472A).

1.02. On August 5, 2014, the City created and adopted a Plan for Tax Increment Financing District No. 1-26.

1.03. The Council has investigated the facts and has caused to consider modifying the Tax Increment Financing Plan (Plan) for Tax Increment Financing District No. 1-26.

1.04. The City has performed all actions required by law to be performed prior to the adoption of the Plan, including, but not limited to, notification of Yellow Medicine County and the Independent School District and holding a public hearing regarding the Plan upon such notice as is required by law.

1.05. The modification to the plan is contained in a document entitled "Modification Number Two to Tax Increment Financing Plan, for Tax Increment Financing District No. 1-26, City of Canby" dated May 15, 2018, on file at city hall.

1.07. The City Council has fully reviewed the contents of the modification to the Plan and has on this date conducted a public hearing thereon at which the views of all interested persons were heard.

Section 2. Findings Relating to the Modification of the Plan for Tax Increment Financing District No. 1-26.

2.01. It is found and determined that it is necessary and desirable for the sound and orderly development of the District and the City as a whole, and for the protection and preservation of the public health, safety, and general welfare, that the authority of the TIF Act be exercised by the City to modify the Plan for Tax Increment Financing District No. 1-26.

2.02. It is further found and determined, and it is the reasoned opinion of the City, that the actions proposed in the modification to the Plan for Tax Increment Financing District No. 1-26, could not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and that therefore the use of tax increment financing is necessary to assist the project.

2.03. The expenditures proposed to be financed through tax increment financing are necessary to permit the City to realize the full potential of the District in terms of development intensity and tax base.

2.04. The modification of the Plan for Tax Increment Financing District No. 1-26 will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development of the tax increment financing district by private enterprise.

2.05. The Plan conforms to the plans for development of the City as a whole.

2.06. The City Council has relied upon the opinions and recommendations of its advisor and the personal knowledge of the members of the council in reaching its conclusions regarding the modification of the Plan.

2.07. Tax Increment Financing District No. 1-26 is a redevelopment tax increment financing district within the meaning of Minnesota Statutes Section 469.174, Subd. 10.

Section 3. Approval of the Tax Increment Financing Plan.

3.01. The modification to the Plan for Tax Increment Financing District No. 1-26 is hereby adopted and the district is hereby modified.

3.02. The advisor is authorized and directed to file a copy of the modification to the Plan for Tax Increment Financing District No. 1-26 with the Minnesota Department of Revenue and the State Auditor Office.

Dated: May 15, 2018

Mayor

ATTEST:

City Administrator

A motion was made by Feiock, seconded by Paulsen and approved by all members present to adopt Resolution 2018-05-15-2. All voted in favor. None voted against. The motion was carried.

STATE OF MINNESOTA

COUNTY OF YELLOW MEDICINE

CITY OF CANBY

RESOLUTION 2018-05-15-2

A RESOLUTION AUTHORIZING A LOAN BETWEEN FUNDS

WHEREAS, the City Council has authorized tax increment financing activities in district 1-26, and

WHEREAS, temporary financing is needed to cover the cost to support redevelopment, and

WHEREAS, it would be more cost effective and efficient to provide the temporary financing from available fund balances rather than arranging from outside sources.

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

1. The City Council hereby authorizes a temporary loan to the Tax Increment Financing Fund from the Sewer Fund to make such a loan.
2. Such temporary loan shall be in an amount up to $250,000 plus accrued interest and be repaid beginning on July 1, 2020 for a term of 5 years with an interest rate of 4.5% from the date funds are transferred to the date repaid.

Adopted by the Board the 15th day of May 2018.

Mayor

Attest:

City Administrator

The minutes of May 1, 2018 were reviewed. A motion was made by Bies and seconded by Paulsen to approve the minutes. All voted in favor. None voted against. The motion was carried.

Philip DeSchepper from Bolton and Menk was present. He informed the council that MN DOT would be in Canby on Wednesday, May 16 at 1:00 p.m. to discuss the Highway 75 project. He also talked about private assessments and whether they should be paid by the city and then assessed to the property owners. Gene Bies had a question about signs and those will be done by the city. Philip also talked about driveways and also the ped ramp project. Gene Bies specifically mentioned the driveway by True Value.

A motion was made by Feiock, seconded by Paulsen and approved by all members to approve the final pay request from TI ZACH Concrete Inc. for the ped ramp project in the amount of $34,342.65. All voted in favor. None voted against. The motion was carried.

A motion was made by Feiock, seconded by Bies and approved by all members present to approve gambling permits for the Chamber of Commerce – Hat Daze, Our Saviour’s Youth – bingo stand at YMC fair and Pheasants Forever – banquet. All members present voted in favor. The motion was carried.

A motion was made by Feiock and seconded by Paulsen to not waive tort liability limits. All members present voted in favor. The motion was carried.

A motion was made by Bies and seconded by Paulsen to introduce Ordinance #331 which is An Ordinance Providing for the Conveyance of Real Property Owned by the City of Canby. All members present voted in favor. None voted against. The motion was carried.

A motion was made by Feiock and seconded by Paulsen to approve the Bare Land Purchase Agreement between the City of Canby and Linda J. Kockelman Revocable Trust. All members present voted in favor. None voted against. The motion was carried.

The council discussed the golf cart ordinance. After discussion, they decided to leave the ordinance as it was approved.

A motion was made by Feiock and seconded by Bies to approve the Emergency Water Supply Agreement between the City of Canby and Lincoln Pipestone Rural Water. All members present voted in favor. None voted against. The motion was carried.

In other business the council discussed the cat situation. This will be on the agenda for the June 5 meeting. Feiock brought up replacing a tree by Lake Sylvan. Gene Bies also brought up the tree stumps which need to be removed. He had gotten a quote from Rod VanDeVeire for $1.50 per inch of the tree’s diameter. A motion was made by Feiock and seconded by Bies to approve the quote from VanDeVeire to remove all stumps in the parks for $1.50 per inch of diameter. All members present voted in favor. None voted against. The motion was carried.

A motion was made by Bies and seconded by Feiock to adjourn the meeting. All members present voted in favor. None voted against. The motion was carried.

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 Mayor

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City Administrator