A regular meeting of the City Council for the City of Canby, Minnesota was held on July 10, 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: Rebecca Schrupp, City Administrator Todd Pesek  
 Gerald Boulton, City Attorney Jody Olson  
 Philip DeSchepper, Bolton & Menk Becky Hanson

Jeff Kuhn, Widseth Smith Nolting Ron Pesek

Kent Medalen, MN DOT Alex Flaws

Chris Husby, Public Works Director Amber Flaws

Todd Hagen, Ehlers

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

The minutes of June 19th, 2018 were reviewed. A motion was made by Feiock and seconded by Bies to approve the minutes. All voted in favor. None voted against. The motion was carried.

Jeff Kuhn and Kent Medalen discussed the project that MN DOT will be doing in 2019 on HWY 75 from Canby to Ivanhoe and through town on HWY 68.

The list of election judges was reviewed. The proposed election judges are David Leppke, Dorothy Miller, Jerry Clark, Sandie Hopper, Arlene Lueders, Mary Ann O’Reilly, Bonnie Merrit, Linda Blackwelder as Head Judge and Rebecca Schrupp as Head Judge. A motion was made by Feiock and seconded by Paulsen to approve the election judges. All voted in favor. None voted against. The motion was carried.

A permit for an outdoor dance on July 20th, 2018 for Cobrafest was reviewed. A motion was made by Feiock to approve the outdoor dance. The motion was seconded by Paulsen. All voted in favor. None voted against. The motion was carried.

The small cities application contract with Upper Minnesota Valley Regional Development Commission was reviewed. A motion was made by Feiock to approve the contract with Upper Minnesota Valley Regional Development Commission. The motion was seconded by Paulsen. All voted in favor. None voted against. The motion was carried.

There were 2 quotes for the Water Plant PLC Network and SCADA Computer Network Upgrades. The first was from AE2S in the amount of $58,500.00 and the second from Automatic Systems Co in the amount of $49,979.00. A motion was made by Paulsen to approve the upgrades using Automatic Systems Co. The motion was seconded by Feiock. All voted in favor. None voted against. The motion was carried.

The second Council meeting in July was discussed. A motion was made by Feiock to change the meeting date to July 24th instead of July 17th. The motion was seconded by Paulsen. All voted in favor. None voted against. The motion was carried.

Phillip DeSchepper discussed the bid openings for the water treatment plant filter rehabilitation. Resolution 2018-07-10-01 was reviewed. A motion was made by Feiock to approve Resolution 2018-07-10-01. The motion was seconded by Bies. All voted in favor. None voted against. The motion was carried.

**RESOLUTION ACCEPTING WATER TREATMENT PLANT FILTER REHABILITATION BID AND AWARDING CONTRACT**

**RESOLUTION 2018-07-10-01**

WHEREAS, pursuant to an advertisement for bids for the Water Treatment Plant Filter Rehabilitation, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

Company Bid

Magney Construction, Inc. $167,200.00

Industrial Process Technology, Inc. $177,400.00

KHC Construction, Inc. $196,000.00

PKG Contracting, Inc. $197,069.00

American General Contractors, Inc. $199,300.00

AND WHEREAS, it appears that Magney Construction, Inc. of Chanhassen, Minnesota is the lowest responsible bidder;

AND WHEREAS, Minnesota Public Facilities Authority (PFA) financing is planned to be utilized for the watermain improvements associated with the project;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Canby, Yellow Medicine County, Minnesota resolves as follows:

1. After all PFA final loan documents have been fully executed, the Mayor and City Clerk are hereby authorized and directed to enter into a contract with Magney Construction, Inc. in the name of the City of Canby for such construction, according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk, for a total contract amount of $167,200.00.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the Council the 10th day of July 2018.

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Mayor

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Clerk

STATE OF MINNESOTA

CITY OF CANBY

COUNTY OF YELLOW MEDICINE

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and upon vote being taken thereof:  
  
and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

I, the undersigned, being the duly qualified and acting Clerk of the City of Canby, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated.

WITNESS my hand and the seal of said City this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2018.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Clerk

(SEAL)

DeSchepper also discussed the bid opening for the 200th Street project. The bids came back higher than the engineer’s estimate. The low bid was $618,649.20. The engineer’s estimate was for $500,000.00. We received $500,000.00 from the LRIP grant. There was $160,000.00 from TIF funds that were to be used on the project. Easements were about $10,000-15,000.00 and Engineering costs of about $80,000.00. This would leave the City with about $54,000.00 to pay for the road. The Council tabled the conversation asking for the amount of reserves that we have, if there were any cost savings, or any other places to obtain funds.

The Council discussed cats. The Council would like Schrupp to talk to a few vets to see if we could get a contract on neutering and paying cats and putting into place a “trap-neuter-return” program.

Todd Hagen discussed the next bond sale. He presented the pre-sale report. He will be at the August 7th meeting and we will close on the bond August 29th. He also discussed the updated utility rate study and financial management plan. Resolution 2018-07-10-02 was reviewed. A motion was made by Feiock to approve Resolution 2018-07-10-02. The motion was seconded by Bies. All voted in favor. None voted against. The motion was carried.

**Resolution No.** **2018-07-10-02**

Council Member Feicok introduced the following resolution and moved its adoption:

Resolution Providing for the Sale of

**$1,395,000 General Obligation Bonds, Series 2018A**

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 $1,395,000 General Obligation Bonds, Series 2018A (the "Bonds"), to finance the storm sewer portion of the City's Phase 2 and 3 Infrastructure Replacement Project including minor utility connections, and the construction of the Lexington Avenue Improvements in the City; and

B. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds 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 assist the City for the sale of the Bonds.

2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on August 7, 2018, 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.

The motion for the adoption of the foregoing resolution was duly seconded by City Council Member Bies and, after full discussion thereof and upon a vote being taken thereon, the following City Council Members voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

Dated this 10th day of July, 2018.

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City Administrator

The vendor transactions for June were reviewed. A motion was made by Bies to approve the June vendor transactions in the amount of $352,722.39.

Boulton stated that the City was served papers for a lawsuit; Flaws vs. City of Canby. The papers filed are public and available at the City Office. The Council should remain silent on this matter. There will be a closed session July 24, 2018.

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