A regular meeting of the City Council for the City of Canby, Minnesota was held on July 2, 2019 at 6:00 P.M. in the City Council Chambers.

Members: Nancy Bormann, Eugene Bies, Denise Hanson, and Frank Maas

Absent: Ryan Feiock

Visitors: Rebecca Schrupp, City Administrator  
 Gerald Boulton, City Attorney  
 Philip DeSchepper, Bolton & Menk  
 Isaiah Keating, Police Chief  
 Stephanie Beutler, Canby News  
 Jody Olson   
 Michael Tesch  
 Sherry Kern

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

The minutes of June 19, 2019 were reviewed. A motion was made by Hanson and seconded by Maas to approve the minutes. All voted in favor. None voted against. The motion was carried.

DeSchepper gave updates on the projects. There were questions on the downtown access to their buildings and a timeline. He brought forward different estimates for downtown. The as bid costs are $478,151.69. If we ran into issues and needed to open cut, the estimated costs are $869,564.49 plus the cost of reroutes. The other option presented is to try again to reach out to MN DOT and see if they would help do a cost share with the City. The cost to reconstruct the 2 downtown blocks would be an estimated cost of $1,055,580.79. A motion was made by Maas to continue with the as bid starting at 3rd to 2nd. The motion was seconded by Bies. All voted in favor. None voted against. The motion was carried.

DeSchepper brought up that there are a few houses, 611 and 609 Haarfager, that are connected to 613 Haarfager’s sewer line. The plan is to reroute the 2, but they were not on the assessment roll. The 2 options are to get the homeowners to sign a waiver to be put on the assessment role, or to leave as is. DeSchepper will talk to homeowners.

DeSchepper discussed the need for a sanitary reroute on 5th and Haarfager. The cost would be $13,000.00. A motion was made by Hanson to approve the reroute of the sanitary on 5th and Haarfager. The motion was seconded by Bies. All voted in favor. None voted against. The motion was carried.

Pay request 7 was reviewed. This includes change order #1 in the amount of $60,080.92 for dewatering and the contract dates being extended a year due to the start date. A motion was made by Bies to approve the pay request in the amount of $824,310.72 for Kuechle Underground, Inc. The motion was seconded by Maas. All voted in favor. None voted against. The motion was carried.

The airport road project was discussed. There were questions on when the seeding would be and about the road to the tree pile. It is thought that this was ruined when they made their berm.

Chief Keating talked about the hiring process. A motion was made by Maas and seconded by Hanson to offer a conditional job offer to Tyler Schroder. All voted in favor. None voted against. The motion was carried.

Chief Keating also brought up the budgeted item of the police vehicle. The consensus was for him to start getting the bid for the vehicle.

Ryan Feiock’s resignation was reviewed. A motion was made by Maas to accept Feiock’s resignation and to thank him for his time and service. The motion was seconded by Bies. All voted in favor. None voted against. The motion was carried.

A motion was made by Bies to appoint Maas as Acting Mayor and the designation on the airport board, to appoint Bies as the designation to the summer rec board, and to take Feiock’s name off as one of the signers at the bank. The motion was seconded by Maas. All voted in favor. None voted against. The motion was carried.

Hanson stated that Casey Namken reached out to her about wanting to be appointed to Council.

Ordinance 320 Amendment was reviewed. A motion was made by Bies to adopt Ordinance 320 Amendment. The motion was seconded by Maas. All voted in favor. None voted against. The motion was carried.

**ORDINANCE 320.1**

**AN ORDINANCE AMENDING ORDINANCE 320**

**THE CITY COUNCIL OF THE CITY OF CANBY ORDAINS**

**That Section 3 C. 2. of Ordinance 320 is amended as follows:**

2. Any tree planted must be a minimum of ~~15~~  10 feet away from any water or sewer line whether it is a private service line, stub or main.

Passed and adopted by the City of Canby on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019.

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Nancy Bormann, Mayor

Attest

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

City Administrator

Discussion on the Building Code was tabled.

Liquor Licenses for Tol, LLC were reviewed. A motion was made by Bies and seconded by Maas to approve the On-Sale 3.2 Liquor License and the Consumption and Display License for Tol, LLC. All voted in favor. None voted against. The motion was carried.

The June transactions were reviewed. A motion was made by Bies to approve the June transactions in the amount of $1,537,670.58. The motion was seconded by Maas. All voted in favor. None voted against. The motion was carried.

A fireworks permit for the Canby Theater for September 14 was reviewed. They have liability insurance for this. A motion was made by Bies to approve the fireworks permit for September 14th. The motion was seconded by Maas. All voted in favor. None voted against. The motion was carried.

The architectural design from Mack & McDonald came back and the pre-application for the Historical Society for the repairs to the Theatre including roof drain covers, roof coping and flashing, HVAC pipe sealing and condensing coil support, ventilation for bathrooms, exit signage, and repair to the exit ramp. The estimated cost of the activity is $25,000.00. A motion was made by Bies to submit the pre-application. The motion was seconded by Maas. All voted in favor. None voted against. The motion was carried.

Ryan Feiock requested the Council looked as assessing his utility bill. The bill amount is $538.31. A motion was made by Maas to assess the bill. The motion was seconded by Bies. All voted in favor. None voted against. The motion was carried.

Resolution 2019-07-02-1 was reviewed. A motion was made by Bies and seconded by Maas to approve Resolution 2019-07-02-1. All voted in favor. None voted against. The motion was carried.

**RESOLUTION NO. 2019-07-02-1**

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

WHEREAS, the City of Canby on behalf of its Prosecuting Attorney and Police Department 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 and Police Department, are hereby approved.

2. That the Chief of Police, Isaiah Keating, or his or her successor, is designated the Authorized Representative for the Police Department. 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.

To assist the Authorized Representative with the administration of the agreement, the City Administrator, Rebecca Schrupp, or his or her successor, is appointed as the Authorized Representative’s designee.

3. 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.

To assist the Authorized Representative with the administration of the agreement, the City Administrator, Rebecca Schrupp, or his or her successor, is appointed as the Authorized Representative’s designee.

4. That Nancy Bormann, the Mayor for the City of Canby, and Rebeca Schrupp, the City Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this \_\_\_\_\_ day of July, 2019.

CITY OF CANBY

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

By: Nancy Bormann

Its Mayor

ATTEST:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By: Rebecca Schrupp

Its City Administrator

RV’s and boats on the streets were discussed.

A motion was made by Maas and seconded by Bies 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