

A regular meeting of the City Council of the City of Canby, Minnesota was held on Tuesday, June 1, 2010 at 7:00 p.m.

The following members were present: Jack Winter, Acting Mayor , Eugene Eilers, Alderman, Denise Hanson, Alderman and Jennie Wittrock-Seidel, Alderman.

Absent: Eugene Bies, Mayor

Visitors: Gerald Boulton, City Attorney
Andy Hoffman
Doris Olson
Lewis Miller
Theresa Hunt
Isaiah Keating, Police Chief
John Alley
Chris Husby, Street & Park Superintendent
Dean Helstrom, Bolton & Menk
Jeff Pederson, Water & Wastewater Superintendent
Todd Hagen, Ehlers
Jody Olson
Matt Wagner, Airport Manager
Charleen Wallert

Jack Winter, Acting Mayor, called the regular meeting to order at 7:00 p.m.

A motion was made by Eilers and seconded by Hanson to approve the minutes of the May 18, 2010 council meeting. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

A motion was made by Hanson and seconded by Wittrock-Seidel to approve the minutes of the May 20, 2010 council meeting. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

Todd Hagen from Ehlers and Associates was present to discuss a possible TIF district – tax abatement for the Subway project. There was no action.

Jack Winter, the Acting Mayor, appointed Eugene Eilers to be the Temporary Clerk.

The council discussed the storm sewer bond. A motion was made by Eilers and seconded by Hanson to adopt the following resolution. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

Resolution No. 06-01-2010A

**Resolution Providing for the Sale of
\$1,295,000 General Obligation Storm Sewer Revenue Bonds,
Series 2010**

- 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 \$1,295,000 General Obligation Storm Sewer Revenue Bonds, Series 2010 (the "Bonds"), to finance the costs of construction, improvement or rehabilitation of storm sewer facilities; and
- B. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent financial advisor for the Bonds and is therefore authorized to solicit proposals 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 solicit proposals for the sale of the Bonds.
- 2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on June 22, 2010, 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.

Whereupon said resolution was declared duly passed and adopted.

Dated this 1st day of June, 2010.

Acting Mayor

Attest:

Temporary Clerk

A motion was made by Eilers and seconded by Wittrock-Seidel to adopt the following resolution. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

Resolution No. 06-01-2010B

Resolution Authorizing the City to Enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority

- A. WHEREAS, the City Council of the City of Canby, Minnesota (the "City") proposes to issue its General Obligation Improvement Bonds (the "Bonds"), the proceeds of which will be used to finance the costs of construction, improvement or rehabilitation of storm sewer facilities; and
- B. WHEREAS, the City Council hereby determines it is in the best interests of the City to apply to the Minnesota Public Facilities Authority (the "Authority") for credit enhancement of the Bonds;

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

1. Approval of the Authority's Credit Enhancement Program Agreement. The Authority's Credit Enhancement Program Agreement (the "Agreement") is hereby approved, the same being before the City Council and made a part of this resolution by reference.
2. Authorization to Sign Agreement and Related Forms. The Acting Mayor and the Temporary Clerk are authorized to sign the Agreement on the City's behalf and to execute any other related forms prescribed by the Authority with respect to the Agreement.
3. Agreement to Comply with Minnesota Statutes, Section 446A.086. The City is entering into the Agreement with the Authority pursuant to Minnesota Statutes, Section 446A.086 (the "Act") and the City hereby agrees to comply with and be bound by the provisions of the Act.
4. Submission of the Agreement. The Mayor and Clerk are hereby authorized to submit, on the City's behalf, the Agreement to the Authority, together with the nonrefundable application fee in the amount of \$500.

Whereupon said resolution was declared duly passed and adopted.

Dated this 1st day of June, 2010.

Acting Mayor

Attest:

Temporary Clerk

The council reviewed the 2010 infrastructure bids. A motion was made by Wittrock-Seidel and seconded by Eilers to adopt the following Resolution Accepting Bid contingent upon funding. Winter, Eilers, Hanson and Wittrock Seidel voted in favor. None voted against. The motion was carried.

Resolution Accepting Bidⁱ

WHEREAS, pursuant to an advertisement for bids for 2010 Infrastructure Replacement Project, the improvement in the area from 1st Street (MN TH 68) to Fairgrounds Avenue and between Poplar Avenue and Haarfager Avenue, along with 6th Street from Haarfager to 180 feet east of St. Olaf (US TH 75) in the City of Canby bids were received, opened, and tabulated according to the law, and the following bids were received complying with the advertisement:

<u>Contractor</u>	<u>Bid Amount</u>
Kuechle Underground, Inc. (Kimball, MN)	\$8,123,788.06
Quam Construction Co. Inc. (Willmar, MN)	\$8,348,756.14
LaTour Construction, Inc. (Maple Lake, MN)	\$8,560,877.05

R.L. Larson Excavating, Inc. (St. Cloud, MN)	\$8,900,983.77
Duininck, Inc. (Prinsburg, MN)	\$9,006,689.07
Wagner Construction (South International Falls, MN)	\$9,042,215.90
Redstone Construction Company (Mora, MN)	\$9,731,246.75
Geislinger and Son, Inc. (Watkins, MN)	\$9,976,243.35
H & W Contracting, LLC (Sioux Falls, SD)	\$11,083,769.20

AND WHEREAS, it appears that Kuechle Underground, Inc. of Kimball, Minnesota is the lowest responsibleⁱⁱ bidder,

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

1. The mayor and clerk are hereby authorized and directed to enter into the attached contract with Kuechle Underground, Inc. of Kimball, Minnesota in the name of the city of Canby for the 2010 Infrastructure Improvements according to the plans and specifications therefore approved by the city council and on file in the office of the city clerk.
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 bidderⁱⁱⁱ shall be retained until a contract has been signed.

Adopted by the city council this 1st day of June, 2010.^{iv}

Mayor

City Clerk

The council discussed the revised charter. A motion was made by Wittrock-Seidel and seconded by Hanson to introduce Ordinance #297 An Ordinance Adopting the Amended Charter of the City of Canby and also to set a public hearing date of June 22, 2010. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

A motion was made by Eilers and seconded by Hanson to approve a garbage adjustment for Uptown Glamour. The adjustment is on file in the City Administrative Office. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

The council discussed part-time summer office help. A motion was made by Eilers and seconded by Hanson to approve hiring someone to work in the office 30 – 40 hours per week for the summer months at \$11.00 per hour. The Interim City Administrator will select the person and establish the hours of work. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

A motion was made by Wittrock-Seidel and seconded by Eilers to approve a city deer hunt in 2010. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

The council discussed the city's website. The council will need to review costs associated with the website. This will be discussed further at the June 22 meeting.

A motion was made by Hanson and seconded by Eilers to approve the vendor transactions which total \$139,452.95. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

A motion was made by Eilers and seconded by Wittrock-Seidel to approve the following licenses and permits. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

On Sale 3.2

P.K. Egans

Off Sale 3.2

Amy's

The council discussed a garage being constructed at the Andy Hoffman residence. The permit will be issued.

A motion was made by Eilers and seconded by Hanson to adjourn the meeting. Winter, Eilers, Hanson and Wittrock-Seidel voted in favor. None voted against. The motion was carried.

Jack Winter, Acting Mayor

Eugene Eilers, Temporary Clerk
