

A regular meeting of the City Council for the City of Canby, Minnesota was held on September 4th, 2012 at 7:00 P.M. in the City Council Chambers.

Members: Gene Bies, Gene Eilers, Rick Bueltel, Nancy Bormann, Denise Hanson

Absent: None

Visitors: Nicholas Johnson, City Administrator
Gerald Boulton, City Attorney
John Meyer, Ph.D.
Janelle Verke, Canby News
Chris Husby, Street/Park/Cemetery Supervisor
Jeff Pederson, Water/Wastewater Supervisor
Jody Olson
Gale Lacek
Jason Van Engen

The Pledge of Allegiance was recited.

The meeting was called to order.

The public hearing for Canby Housing and Redevelopment Authority tax increment financing district 1-1 was opened at 7:00 P.M. There were no attendees for the public hearing on tax increment financing district 1.1. A motion was made by Eilers and seconded by Bueltel to close the public hearing. All voted in favor. None voted against. The motion was carried.

Resolution 2012-9-4-1, a resolution approving the housing and redevelopment authority tax increment financing district 1-1 plan, was reviewed. A motion was made by Bueltel and seconded by Hanson to approve Resolution 2012-9-4-1. All voted in favor. None voted against. The motion was carried.

**CITY OF CANBY
RESOLUTION NO. 2012-9-4-1**

**RESOLUTION APPROVING THE HOUSING AND REDEVELOPMENT AUTHORITY
TAX INCREMENT FINANCING DISTRICT NO. 1-1 PLAN**

WHEREAS, on August 2, 2011 the Housing and Redevelopment Authority of the City of Canby (City) created Tax Increment Financing District 1-1 pursuant Minnesota Statutes, Sections 469.174 through 469.1799, to promote development and redevelopment within an area of the City which had not been developed to its full potential; and,

WHEREAS, the Housing and Redevelopment Authority of the City of Canby (City) has requested approval of the Tax Increment Financing District 1-1; and,

WHEREAS, the City of Canby (City) has published a notice in the Canby News and held a public hearing on the Housing and Redevelopment Authority of the City of Canby (City) on Tax Increment Financing District 1-1 Plan on September 4, 2012; and,

WHEREAS, the City of Canby (City) has found the proposed district meets the criteria of Minnesota Statutes, Sections 469.174, subdivision 10, paragraph (a), clauses (1) and (2) because the parcels consisting of 70 percent of the area of the district are occupied by buildings, more than 50 percent of the buildings are structurally substandard to a degree requiring substantial renovation or clearance and the district consists of underused property; and,

WHEREAS, the City of Canby (City) has also found that, in the opinion of the municipality, the proposed redevelopment would not reasonably be expected to occur without the use of tax increment financing; the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by the plan; the tax increment financing plan conforms to the general plan for the redevelopment of the municipality as a whole; the tax increment plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the redevelopment of the project by private enterprise; and, the municipality elects the method of tax increment computation set forth in section Minnesota Statutes 469.177, subdivision 3, paragraph (b).

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of Canby, Canby, Minnesota (City) approves the Housing and Redevelopment Authority of the City of Canby's Tax Increment Financing District 1-1

Dated: September 4, 2012.

Attest:

Mayor

City Administrator

The minutes of the August 21st, 2012 were reviewed. A motion was made by Eilers and seconded by Bormann to approve the minutes. All voted in favor. None voted against. The motion was carried.

Jeff Pederson gave a department report for the water and wastewater departments. Jeff discussed the need to replace a chop saw used by the city. The new chop saw would come with a cart to mount the saw to. Currently, staff must run the saw along the ground on their hands and knees. The cart would allow staff to walk behind and better guide the cut. It would also increase safety

in case of a kick back. A motion was made by Hanson and seconded by Bormann to approve the purchase of a new chop saw and cart from Doug's Service and Marine for \$1,763.44. All voted in favor. None voted against. The motion was carried.

Jeff Pederson presented a price to replace the auto dialer for the wastewater facilities from Power Process in the amount of \$1,975.00. A motion was made by Bueltel and seconded by Hanson to approve purchasing the Sensaphone 800 Series Autodialer for \$1,975.00 from Power Process. All voted in favor. None voted against. The motion was carried.

The public hearing for Canby Housing and Redevelopment Authority tax increment financing district 1-2 was opened at 7:30 P.M. There were no attendees for the public hearing on tax increment financing district 1-2. A motion was made by Bueltel and seconded by Eilers to close the public hearing. All voted in favor. None voted against. The motion was carried.

Resolution 2012-9-4-2, a resolution approving the housing and redevelopment authority tax increment financing district 1-2 plan, was reviewed. A motion was made by Eilers and seconded by Bormann to approve Resolution 2012-9-4-2. All voted in favor. None voted against. The motion was carried.

**CITY OF CANBY
RESOLUTION NO. 2012-9-4-2**

**RESOLUTION APPROVING THE HOUSING AND REDEVELOPMENT AUTHORITY
TAX INCREMENT FINANCING DISTRICT NO. 1-2 PLAN**

WHEREAS, on August 2, 2011 the Housing and Redevelopment Authority of the City of Canby (City) created Tax Increment Financing District 1-2 pursuant Minnesota Statutes, Sections 469.174 through 469.1799, to promote development and redevelopment within an area of the City which had not been developed to its full potential; and,

WHEREAS, the Housing and Redevelopment Authority of the City of Canby (City) has requested approval of the Tax Increment Financing District 1-2; and,

WHEREAS, the City of Canby (City) has published a notice in the Canby News and held a public hearing on the Housing and Redevelopment Authority of the City of Canby (City) on Tax Increment Financing District 1-2 Plan on September 4, 2012; and,

WHEREAS, the City of Canby (City) has found the proposed district meets the criteria of Minnesota Statutes, Sections 469.174, subdivision 10, paragraph (a), clauses (1) and (2) because the parcels consisting of 70 percent of the area of the district are occupied by buildings, more than 50 percent of the buildings are structurally substandard to a degree requiring substantial renovation or clearance and the district consists of underused property; and,

WHEREAS, the City of Canby (City) has also found that, in the opinion of the municipality, the proposed redevelopment would not reasonably be expected to occur without the use of tax increment financing; the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by the plan; the tax increment financing plan conforms to the general plan for the redevelopment of the municipality as a whole; the tax increment plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the redevelopment of the project by private enterprise; and, the municipality elects the method of tax increment computation set forth in section Minnesota Statutes 469.177, subdivision 3, paragraph (b).

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of Canby, Canby, Minnesota (City) approves the Housing and Redevelopment Authority of the City of Canby's Tax Increment Financing District 1-2

Dated: September 4, 2012.

Attest:

Mayor

City Administrator

The public hearing for Canby Housing and Redevelopment Authority tax increment financing district 1-3 was opened at 7:40 P.M. There were no attendees for the public hearing on tax increment financing district 1-3. A motion was made by Bormann and seconded by Bueltel to close the public hearing. All voted in favor. None voted against. The motion was carried.

Resolution 2012-9-4-3, a resolution approving the housing and redevelopment authority tax increment financing district 1-3 plan, was reviewed. A motion was made by Eilers and seconded by Hanson to approve Resolution 2012-9-4-3. All voted in favor. None voted against. The motion was carried.

**CITY OF CANBY
RESOLUTION NO. 2012-9-4-3**

**RESOLUTION APPROVING THE HOUSING AND REDEVELOPMENT AUTHORITY
TAX INCREMENT FINANCING DISTRICT NO. 1-3 PLAN**

WHEREAS, on March 29, 2012 the Housing and Redevelopment Authority of the City of Canby (City) created Tax Increment Financing District 1-3 pursuant Minnesota Statutes,

Sections 469.174 through 469.1799, to promote development and redevelopment within an area of the City which had not been developed to its full potential; and,

WHEREAS, the Housing and Redevelopment Authority of the City of Canby (City) has requested approval of the Tax Increment Financing District 1-3; and,

WHEREAS, the City of Canby (City) has published a notice in the Canby News and held a public hearing on the Housing and Redevelopment Authority of the City of Canby (City) on Tax Increment Financing District 1-3 Plan on September 4, 2012; and,

WHEREAS, the City of Canby (City) has found the proposed district meets the criteria of Minnesota Statutes, Sections 469.174, subdivision 10, paragraph (a), clauses (1) and (2) because the parcels consisting of 70 percent of the area of the district are occupied by buildings, more than 50 percent of the buildings are structurally substandard to a degree requiring substantial renovation or clearance and the district consists of underused property; and,

WHEREAS, the City of Canby (City) has also found that, in the opinion of the municipality, the proposed redevelopment would not reasonably be expected to occur without the use of tax increment financing; the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by the plan; the tax increment financing plan conforms to the general plan for the redevelopment of the municipality as a whole; the tax increment plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the redevelopment of the project by private enterprise; and, the municipality elects the method of tax increment computation set forth in section Minnesota Statutes 469.177, subdivision 3, paragraph (b).

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of Canby, Canby, Minnesota (City) approves the Housing and Redevelopment Authority of the City of Canby's Tax Increment Financing District 1-3

Dated: September 4, 2012.

Attest:

Mayor

City Administrator

Chris Husby gave a department report for the street/park/cemetery departments.

Gale Lacek was present to request permission from the Council to utilize the area across the alley from her home in Out Lot A of the 1944 Addition. She is planning a rummage sale benefit to raise money for a family member with a disease. Gale doesn't have enough room on her lot. A motion was made by Hanson and seconded by Bormann to approve the use of Out Lot A for Gale Lacek. All voted in favor. None voted against. The motion was carried.

Jason Van Engen was present to discuss a request to vacate part of 3rd Street East. The area would be where the paved portion of 3rd Street East ends in front of his residence at 210 3rd Street East to the platted intersection of Lac Qui Parle Avenue North. The Council discussed the possibility and the consensus was to proceed with setting up the public hearing and drafting the ordinance to vacate the portion of said street.

Nicholas Johnson discussed a request from a land owner to implement a Rural Taxation District (RTD) within the City of Canby. An RTD would reduce the tax rate of properties agriculture and rural in nature to the township rates. Minimum land size areas could also be included and other cities have done a minimum of 10 acres to qualify. The RTD would represent a tax burden shift. The Council discussed the issue and tabled it until the next meeting.

The Council discussed setting a fee amount for a 1 – 4 day temporary on-sale liquor license. Resolution 2012-9-4-4, a resolution setting a fee for a 1 – 4 day temporary on-sale liquor license, was reviewed. A motion was made by Bueltel and seconded by Hanson to approve Resolution 2012-9-4-4. All voted in favor. None voted against. The motion was carried.

Resolution No. 2012-9-4-4

Resolution Setting The Fee Amount For A 1 – 4 Day Temporary On-Sale Liquor License For The City Of Canby

Whereas, the City of Canby has authority to approve requests for 1 – 4 day temporary on-sale liquor licenses according to Minnesota Statutes 340A, as amended from time to time;

Whereas, the City of Canby has no local fee set for said license type;

Therefore, be it resolved, that the City of Canby hereby set the local fee amount for a 1 – 4 day temporary on-sale liquor license at \$25.00 per day.

Passed by the Council of the City of Canby on this 4th day of September, 2012.

Attest:

Mayor

City Administrator

A 1 – 4 day temporary on-sale liquor license request for the Jaycees to serve at the Pheasants Forever event on September 29th, 2012 was reviewed. A motion was made by Eilers and seconded by Bormann to approve the license. All voted in favor. None voted against. The motion was carried.

The vendor transactions for August 2012 in the amount of \$615,939.57 were reviewed. A motion was made by Bueltel and seconded by Bormann to approve the transactions. All voted in favor. None voted against. The motion was carried.

The lease for farming land around the airport is up for renewal. The previous lease agreement was let by bid. A motion was made by Eilers and seconded by Bormann to approve bidding the land. All voted in favor. None voted against. The motion was carried.

A motion was made by Hanson and seconded by Eilers to approve the proposal from Kinner and Company for auditing services. The audit would cost no more than \$13,760 with an additional \$2,500 if a single audit is required. All voted in favor. None voted against. The motion was carried.

The 2013 Preliminary Budget was reviewed. A motion was made by Bueltel and seconded by Hanson to approve the 2013 Preliminary Budget. All voted in favor. None voted against. The motion was carried.

Resolution 2012-9-4-5, a resolution adopting the preliminary 2013 levy for the City of Canby, was reviewed. A motion was made by Eilers and seconded by Bormann to approve Resolution 2012-9-4-5. All voted in favor. None voted against. The motion was carried.

Resolution 2012-9-4-5

City of Canby

State of Minnesota
County of Yellow Medicine
City of Canby

Resolution Adopting the 2013 Preliminary Levy

Be it resolved by the council of the City of Canby, County of Yellow Medicine, Minnesota that the following sums of money be levied in 2013, upon the taxable property in the City of Canby, for the following purposes:

General Fund	\$407,194.00
Subway Abatement	\$3,100.00
Canby Inn & Suites Abatement	\$36,000.00
Farmer's Co-op Abatement	\$9,200.00

Fire Hall Building Bond of 1986	\$9,471.00
Refunding Bond of 2009	\$71,600.00
Street Improvement Bond of 2001	\$19,200.00
Infrastructure Bond	\$150,000.00
Total Tax Levy	\$705,765.00

The City Administrator is hereby instructed to transmit a copy of this resolution to the auditor of Yellow Medicine County, Minnesota.

Attest:

Mayor

City Administrator

A motion was made by Eilers and seconded by Hanson to set the truth-in-taxation hearing to December 7th, 2012 at 7:00 P.M. All voted in favor. None voted against. The motion was carried.

Nicholas Johnson presented the final draft plat for the subdivision of Out Lot A of the 1944 Addition. A Planning Commission meeting will be set up to review and make recommendation to Council.

Water Billboards requested a sewer usage reduction for their utilities. No representative from Water Billboards was present to discuss the issue. The issue was tabled.

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

Attest:

Mayor

City Administrator