

A regular meeting of the City Council for the City of Canby, Minnesota was held on January 8th, 2013 at 7:00 P.M. in the City Council Chambers.

Members: Gene Bies, Nancy Bormann, Frank Maas, Nate Oellien

Absent: Denise Hanson

Visitors: Nicholas Johnson, City Administrator
Gerald Boulton, City Attorney
Ellie Beman, Canby News
Isaiah Keating, Police Chief
Cody Dinius
Kyla Hopp
Taylor Armitage
Scarlet Thorston

The Pledge of Allegiance was recited.

The meeting was called to order.

The newly elected Council members, Frank Maas and Nate Oellien, recited and signed the Oath of Office.

The minutes of December 18th, 2012 were reviewed. A motion was made by Bormann and seconded by Oellien to approve the minutes. All voted in favor. None voted against. The motion was carried.

The Council members received their council binders.

The Council discussed designations for various committees and boards. A motion was made by Bormann and seconded by Maas to adopt the Council Designations for 2013. All voted in favor. None voted against. The motion was carried.

**Canby City Council
Official Designations for 2013**

<u>Name:</u>	<u>Designation:</u>
Nancy Bormann	Acting Mayor/Mayor Pro-tem
Gerald Boulton	City Attorney
Kinner & Company LTD	Public Accountant
Canby News	Official Newspaper

First Security Bank	Official Depository
Co-op Credit Union	Additional Depository
Minnesota Municipal Money Market Fund	Additional Depository
State Bank of Taunton	Additional Depository
Bolton & Menk	Engineering Firm
John W. Meyer Ehlers & Associates	Financial Advisor
<u>Committee Designation:</u>	<u>Council Representative:</u>
Canby HRA	Frank Maas
Airport Board	Nate Oellien
Planning Commission	Gene Bies
EDA	Nancy Bormann Denise Hanson
Recreation Board	Gene Eilers

Resolution 2013-1-8-1, a resolution designating signatories for Financial Institution and the powers and limitations thereof, was reviewed. A motion was made by Oellien and seconded by Bormann to adopt Resolution 2013-1-8-1. All voted in favor. None voted against. The motion was carried.

Resolution 2013-1-8-1

**A Resolution Designating Signatories for Financial Institution
and the Powers and Limitations Thereof**

Be It Resolved, by the City Council for the City of Canby, Minnesota, hereinafter referred to as “City”, and First Security Bank Canby, hereinafter referred to as “Financial Institution” that the following resolutions are hereby adopted.

Any signatories (“Agent”) listed below, subject to any written limitations, are authorized to exercise the powers granted as indicated below:

Name and Title of Position:

Signature:

A. Eugene Bies, Mayor

- B. Nancy Bormann, Alderman _____
- C. Nathan Oellien, Alderman _____
- D. Nicholas Johnson, City Administrator _____
- E. Bonnie Merritt, Account Clerk _____
- F. Linda Blackwelder, Administrative Secretary _____

Powers Granted:

Indicate A, B, C, D, E or F	Description of Power	Number of Signatures Required
A, B, C, D	Exercise all of the powers listed in this resolution	2
D	Open any deposit or share account(s) in the name of the City	1
A, B, C, D, E, F	Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution	2
A, B, C, D	Borrow money on behalf and in the name of the City, sign, execute and deliver promissory notes or other evidences of indebtedness	2
A, B, C, D	Endorse, assign, transfer, mortgage or pledge bills receivables, stocks, bonds, real estate, or other property now owned or hereafter owned or acquired by the City as security for sums borrowed, and to discount the same, unconditionally guaranteed payment of all bills received, negotiated or discounted and to waive demand, presentment, and protest, notice of protest and notice of non-payment	2
A, B, C, D	Enter into a written lease for the purpose of sending, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution	2
A, B, C, D, E, F	Access Safe Deposit Box in this Financial Institution	1

Limitations on Powers:

There are no limitations on powers set herein.

Further Resolutions:

1. The Financial Institution is designated as a depository for the funds of the City and to provide other financial accommodations indicated in the resolution.

2. This resolution shall continue to have effect until express written notice of its rescission or modification has been received by the Financial Institution. Any and all prior resolutions adopted by the City Council and certified to the Financial Institution as governing the operation of this city's account(s) are in full force and effect until the Financial Institution receives and acknowledges an express written notice of its revocation, modification, or replacement. Any revocation, modification, or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
3. The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the City. Any Agent, so long as they act in a representative capacity as agents of the City, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated in this resolution, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
4. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City with the Financial Institution prior to the application of this resolution hereby ratified, approved, and confirmed.
5. The City agrees to the terms and conditions of any account agreement, properly opened by any Agent of the City. The City authorizes the Financial Institution, at any time, to charge the City for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

Certification of Authority:

This is to certify that the City Council of the City has, and at the time of adoption of this resolution had, full power, and lawful authority to adopt the preceding resolutions and to confer the powers granted to the persons named who have full power and lawful authority to exercise the same.

In WITNESS WHEREOF, I have subscribed my name and to this document on January 8th, 2013.

Attest:

Mayor

City Administrator

The Council heard recommendation from the Planning Commission regarding the replatting of the Clapp Addition for the City of Canby. The Planning Commission recommends approval of the new plat as presented. A motion was made Maas and seconded by Oellien to approve the replatting of the Clapp Addition for the City of Canby. All voted in favor. None voted against. The motion was carried.

Nicholas Johnson presented the Pay Equity report for the City. A motion was made by Bormann and seconded by Oellien to approve the pay equity report. All voted in favor. None voted against. The motion was carried.

A lease agreement for licensing of frequencies in conjunction with the radio read heads of the water meters was reviewed A motion was made by Maas and seconded by Bormann to approve the Spectrum lease agreement. All voted in favor. None voted against. The motion was carried.

A motion was made by Maas and seconded by Oellien to approve the purchase of a copy machine from Office Peeps in the amount of \$8,011.00 plus tax. All voted in favor. None voted against. The motion was carried.

Nicholas Johnson discussed implementing direct deposit for city staff. A motion was made by Bormann and seconded by Oellien to authorize Nicholas Johnson to pursue and implement direct deposit for the City. All voted in favor. None voted against. The motion was carried.

Vendor transactions for the month of December 2012 in the amount of \$1,702,413.97 were reviewed. A motion was made by Maas and seconded by Bormann to approve the vendor transactions. All voted in favor. None voted against. The motion was carried.

Resolution 2013-1-8-3, a resolution allowing survivor benefits to be paid in cases where the firefighter dies before becoming vested, was reviewed. A motion was made by Bormann and seconded by Oellien to approve Resolution 2013-1-8-3. All voted in favor. None voted against. The motion was carried.

Resolution 2013-1-8-3

A Resolution Allowing Survivor Benefits to be Paid in Cases Where the Firefighter Dies Before Becoming Vested

The City Council of the City of Canby, Minnesota, does ordain:

Whereas, The City's fire department has joined the Statewide Volunteer Firefighter Retirement Plan administered by the Public Employees Retirement Association (PERA); and

Whereas, The Statewide Plan offers survivor benefits to the families of firefighters who die after providing at least 5 years of service; and

Whereas, The City highly values the contributions of volunteer firefighters and wishes to also provide similar survivor benefits to the families of firefighters who die before providing 5 years of service; and

Whereas, The City understands that should this provision be approved and passed into law, it would not increase required contribution amounts.

Now, therefore, be it resolved by the City Council of the City of Canby, Minnesota:

The City hereby ratifies the addition of a plan provision allowing survivor benefits to be paid to firefighters who die within their first five years of service, should such a provision be passed into law.

This resolution was declared duly passed and adopted by the City Council of the City of Canby, on January 8th, 2013.

Attest:

Mayor

City Administrator

Resolution 2013-1-8-2, a resolution designating signatories for Financial Institution and the powers and limitations thereof, was reviewed. A motion was made by Oellien and seconded by Bormann to approve Resolution 2013-1-8-2. All voted in favor. None voted against. The motion was carried.

Resolution 2013-1-8-2

A Resolution Designating Signatories for Financial Institution and the Powers and Limitations Thereof

Be It Resolved, by the City Council for the City of Canby, Minnesota, hereinafter referred to as "City", and Co-op Credit Union of Montevideo, hereinafter referred to as "Financial Institution" that the following resolutions are hereby adopted.

Any signatories ("Agent") listed below, subject to any written limitations, are authorized to exercise the powers granted as indicated below:

Name and Title of Position:

Signature:

A. Eugene Bies, Mayor

B. Nancy Bormann, Alderman

- C. Nathan Oellien, Alderman _____
- D. Nicholas Johnson, City Administrator _____
- E. Bonnie Merritt, Account Clerk _____
- F. Linda Blackwelder, Administrative Secretary _____

Powers Granted:

Indicate A, B, C, D, E or F	Description of Power	Number of Signatures Required
A, B, C, D	Exercise all of the powers listed in this resolution	2
D	Open any deposit or share account(s) in the name of the City	1
A, B, C, D, E, F	Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution	2
A, B, C, D	Borrow money on behalf and in the name of the City, sign, execute and deliver promissory notes or other evidences of indebtedness	2
A, B, C, D	Endorse, assign, transfer, mortgage or pledge bills receivables, stocks, bonds, real estate, or other property now owned or hereafter owned or acquired by the City as security for sums borrowed, and to discount the same, unconditionally guaranteed payment of all bills received, negotiated or discounted and to waive demand, presentment, and protest, notice of protest and notice of non-payment	2
A, B, C, D	Enter into a written lease for the purpose of sending, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution	2
A, B, C, D, E, F	Access Safe Deposit Box in this Financial Institution	1

Limitations on Powers:

There are no limitations on powers set herein.

Further Resolutions:

6. The Financial Institution is designated as a depository for the funds of the City and to provide other financial accommodations indicated in the resolution.
7. This resolution shall continue to have effect until express written notice of its rescission or modification has been received by the Financial Institution. Any and all prior resolutions adopted by the City Council and certified to the Financial Institution as governing the

operation of this city's account(s) are in full force and effect until the Financial Institution receives and acknowledges an express written notice of its revocation, modification, or replacement. Any revocation, modification, or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

8. The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the City. Any Agent, so long as they act in a representative capacity as agents of the City, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated in this resolution, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
9. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City with the Financial Institution prior to the application of this resolution hereby ratified, approved, and confirmed.
10. The City agrees to the terms and conditions of any account agreement, properly opened by any Agent of the City. The City authorizes the Financial Institution, at any time, to charge the City for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

Certification of Authority:

This is to certify that the City Council of the City has, and at the time of adoption of this resolution had, full power, and lawful authority to adopt the preceding resolutions and to confer the powers granted to the persons named who have full power and lawful authority to exercise the same.

In WITNESS WHEREOF, I have subscribed my name and to this document on January 8th, 2013.

Attest:

Mayor

City Administrator

John Meyer authorized to submit special legislation. A motion was made by Maas and seconded by Oellien to approve the authorization. All voted in favor. None voted against. The motion was carried.

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

Attest:

Mayor

City Administrator