

A public hearing to receive public input and comment in regard to the Infrastructure Replacement Project Phase I was held on September 17th, 2013 at 6:30 P.M. in the Canby Community Center located in City Hall.

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

Absent: None

Visitors: Nicholas Johnson, City Administrator
Dean Helstrom, City Engineer
Chris Husby, Public Works Supervisor
Ryan Feiock, Canby News
Gerald Boulton, City Attorney
Jim and Lois Ries
Norm and Cheryl Mortenson
Arnold and Eldeen Baer
Maynard and Lois Hughes
Don Berndt
Walter Lanners
Myrna Tesch
Michael Tesch
Ellie Beman
Paulette Blair
Donald Houtkooper
Myron Anhalt
Glenn Emmons
Eugene Eilers
Kaye Eilers
Pearl Knutson
Jody Olson

Dean Helstrom gave a presentation on the proposed infrastructure project. A few members of the audience made inquiries into the project and voiced concern over the scope and whether it was necessary. Dean Helstrom answered questions pertaining to the project itself. Gene Bies answered questions pertaining to the necessity of the project.

The public hearing was closed at 7:37 P.M.

A regular meeting of the City Council for the City of Canby, Minnesota was held on September 17th, 2013 at 7:00 P.M. in the City Council Chambers.

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

Absent: None

Visitors: Nicholas Johnson, City Administrator
Dean Helstrom, City Engineer
Chris Husby, Public Works Supervisor
Gerald Boulton, City Attorney
Ryan Feiock, Canby News
Jody Olson

The minutes of September 3rd, 2013 we reviewed. A motion was made by Oellien and seconded by Hanson to approve the minutes. All voted in favor. None voted against. The motion was carried.

Resolution 2013-9-17-1, a resolution ordering improvement and preparation of plans and specifications, was reviewed. A motion was made by Bormann and seconded by Maas to adopt the resolution. All voted in favor. None voted against. The motion was carried.

**CITY OF CANBY
RESOLUTION 2013-9-17-1**

**RESOLUTION ORDERING IMPROVEMENT AND PREPARATION
OF PLANS AND SPECIFICATIONS**

WHEREAS, pursuant to Resolution 2013-8-20-1 dated the 20th day of August, 2013, a Public Hearing with reference to the Canby Infrastructure Improvement Project - Phase I is to be held this 17th day of September, 2013. The project area is further described as follows:

- Oscar Avenue North from 1st Street to 5th Street
- Lac Qui Parle Avenue North from 1st Street to 5th Street (except area with no public right of way)
- Custer Avenue North from 1st Street to 4th Street
- Reno Avenue North from 2nd Street to 3rd Street
- Orland Avenue North from 1st Street to 3rd Street
- Ormand Avenue North from 1st Street to 2nd Street
- City Hall & Public Parking Lot
- 2nd Street East - from St. Olaf Avenue to Ormand Avenue
- 3rd Street East - from St. Olaf Avenue to Ormand Avenue
- 4th Street East - from St. Olaf Avenue to Ormand Avenue (except area with no public right of way)

- 5th Street East - from St. Olaf Avenue to Custer Avenue
- 1st Street South - from County Road 13 to St. Olaf Avenue South
- Division Street - from Ring Avenue to Lyon Avenue South
- Ring Avenue South from 1st Street South to Division Street
- Lyon Avenue South from 1st Street South to Division Street
- East View Drive from 1st Street to City Limits
- That area east of East View Drive bounded on the South by MN Hwy 68 and City Limits to the north.

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the 17th day of September, 2013, at which all persons desiring to be heard were given an opportunity to be heard thereon,

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

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed to the Council in Resolution 2013-8-20-1, adopted the 20th day of August 2013.
3. Bolton & Menk, Inc. is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.

Adopted by the Council the 17th day of September 2013.

Attest:

Mayor

City Administrator

Ordinance 319, an ordinance amending the zoning ordinance district boundaries relating to the Helena expansion site in the industrial park, was reviewed. A motion was made by Hanson and seconded by Maas to adopt the ordinance. Bies, Maas, Bormann, and Hanson voted in favor. None voted against. Oellien abstained due to conflict of interest.

Ordinance 319

An Ordinance Amending the Zoning Use District Boundaries of the Comprehensive Zoning Ordinance 125 of the City of Canby, Minnesota.

The City of Canby does ordain:

That the map entitled "Zoning Use District, City of Canby, Minnesota" which is incorporated by reference, as part of Comprehensive Zoning Ordinance 125, be and hereby is amended so as to reflect a change in Zoning Use District Boundary for the property described as follows:

That part of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section Thirty-four (34), Township One hundred fifteen (115) North, Range Forty-five (45) West, Yellow Medicine County, Minnesota, described as follows:

Commencing at the northeast corner of the said Southeast Quarter (SE ¼); thence South 00 degrees 13 minutes 13 seconds West, assumed bearing along the east line of said Southeast Quarter (SE ¼), a distance of 518.30 feet to the point of beginning of the tract to be described; thence North 58 degrees 30 minutes 43 seconds West a distance of 994.54 feet to a point on the east-west quarter line of said Section 34; thence North 89 degrees 55 minutes 15 seconds West a distance of 190.00 feet; thence South 03 degrees 20 minutes 00 seconds East a distance of 205.00 feet; thence 39 degrees 35 minutes 00 seconds East a distance of 190.00 feet; thence South 29 degrees 20 minutes 00 seconds East a distance of 130.00 feet; thence South 75 degrees 49 minutes 00 seconds East a distance of 340.00 feet; thence South 15 degrees 40 minutes 07 seconds East a distance of 83.90 feet; thence South 48 degrees 43 minutes 05 seconds West a distance of 118.00 feet to the northeast corner of and existing tract; thence South 41 degrees 16 minutes 55 seconds East a distance of 600.00 feet to a point on the northwesterly right of way of Trunk Highway No. 75; thence North 48 degrees 43 minutes 05 seconds East, along said right of way, a distance of 239.66 feet to the said east line of the said Southeast Quarter; thence North 00 degrees 13 minutes 13 seconds East, along said east line, distance of 479.40 feet to the said point of beginning.

Said tract contains 12.07 acres, more or less, and is subject to any easements of record including an existing right of way over the easterly portion thereof.

From zoning use Agriculture (A) to Industrial A (IA)/Industrial B (IB).

Adopted by the City Council of the City of Canby this 17th day of September, 2013.

Attest:

Mayor

City Administrator

Ordinance 320, an ordinance regulating shade trees, was reviewed. A motion was made by Oellien and seconded by Maas to introduce the ordinance. All voted in favor. None voted against. The motion was carried.

The proposed Annual Tree Maintenance Plan was reviewed. A motion was made by Maas and seconded by Hanson to adopt the plan. All voted in favor. None voted against. The motion was carried.

The proposed Emerald Ash Borer Preparedness Plan was reviewed. A motion was made by Maas and seconded by Bormann to approve the plan. All voted in favor. None voted against. The motion was carried.

Chris Husby was present to meet with Council regarding his six month probation as the new Public Works Supervisor. Nicholas Johnson said things were going well with Chris at the new position. The Council had no objections or concerns. The probation period is concluded and Chris will continue on as Public Works Supervisor.

Nicholas Johnson reported that the Monke's agreed to the counter offer for farm land rent at \$200 per acre. The agreement is automatically approved with the Monke's acceptance of the counter offer.

A proposal from Kinner and Company to perform auditing services for the City for the 2013 audit was reviewed. The total cost would be \$14,130 and an additional \$2,500 if a single audit is required. A motion was made by Oellien and seconded by Maas to approve the contract. All voted in favor. None voted against. The motion was carried.

A purchase agreement between Helena Chemical and the City to sell industrial park land to Helena was reviewed. The City will sell approximately 12.07 acres to Helena for the amount of \$73,000.00. A motion was made by Maas and seconded by Bormann to approve the purchase agreement. Bies, Maas, Bormann, Hanson voted in favor. None voted against. Oellien abstained due to conflict of interest. The motion was carried.

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

Attest:

Mayor

City Administrator