

A regular meeting of the City Council for the City of Canby, Minnesota was held on January 7th, 2014 at 7:20 P.M. in the City Council Chambers.

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

Absent: None

Visitors: Nicholas Johnson, City Administrator
Gerald Boulton, City Attorney
Dean Helstrom, City Engineer
Ryan Feiock, Canby News
Jody Olson
Rodney Hansen

The Pledge of Allegiance was recited.

The meeting was called to order.

The minutes of December 17th, 2013 were reviewed. A motion was made by Oellien and seconded by Maas to approve the minutes. All voted in favor. None voted against. The motion was carried.

Dean Helstrom presented materials in regard to the application to Minnesota Public Facilities Authority. Resolution 2014-1-7-3, a resolution for infrastructure project, was reviewed. A motion was made by Oellien and seconded by Hanson to approve forms 5, 6, and 7. All voted in favor. None voted against. The motion was carried. A motion was made by Hanson and seconded by Bormann to adopt the resolution. All voted in favor. None voted against. The motion was carried.

Resolution 2014-1-7-3

MINNESOTA PUBLIC FACILITIES AUTHORITY APPLICATION

Clean Water Revolving Fund/Drinking Water Revolving Fund

RESOLUTION OF APPLICATION

BE IT RESOVLED that the City of Canby is hereby applying to the Minnesota Public Facilities Authority for a loan from the Clan Water Revolving Fund/Drinking Water Revolving Fund for improvements to its drinking water system/municipal wastewater treatment system as described in the loan application.

BE IT FURTHER RESOLVED that the City of Canby estimates the loan amount to be \$6,618,000 or the as-bid cost of the project.

BE IT FURTHER RESOLVED that the City of Canby has the legal authority to apply for the loan, and the financial, technical, and managerial capacity to repay the loan and ensure proper construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED that the City of Canby hereby expresses its official intent to use proceeds of this loan to reimburse construction expenditures made prior to the issuance of its general obligation bond to the Public Facilities Authority.

I CERTIFY THAT the above resolution was adopted by the Canby City Council on January 7th, 2014.

Attest:

Eugene Bies, Mayor

Nicholas Johnson, City Administrator

Resolution 2014-1-7-1, a resolution designating signatories, was reviewed. A motion was made by Maas and seconded by Oellien to adopt the resolution. All voted in favor. None voted against. The motion was carried.

Resolution 2014-1-7-1

**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. Nate 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 7th, 2014.

Attest:

Mayor

City Administrator

Resolution 2014-1-7-2, a resolution designating signatories, was reviewed. A motion was made by Bormann and seconded by Hanson to adopt the resolution. All voted in favor. None voted against. The motion was carried.

Resolution 2014-1-7-2

**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:

<u>Name and Title of Position:</u>	<u>Signature:</u>
A. Eugene Bies, Mayor	_____
B. Nancy Bormann, Alderman	_____
C. Nate 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	2

	this Financial Institution	
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 7th, 2014.

Attest:

Mayor

City Administrator

The 2014 Designations were reviewed. A motion was made by Oellien and seconded by Bormann to approve the 2014 Designations with Frank Maas as the Council appointed Recreation Board Member. All voted in favor. None voted against. The motion was carried.

**Canby City Council
Official Designations for 2014**

<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	Frank Maas

Nicholas Johnson presented information in regard to the City’s mailing service contract. The City currently contracts with Pitney Bowes and the contract expires soon. Other cities were contacted and Dakota Mailing was the preferred vendor. A motion was made by Hanson and seconded by Maas to approve Dakota Mailing with the DM400 equipment. All voted in favor. None voted against. The motion was carried.

Vendor transactions for December 2013 in the amount of \$879,500.67 were reviewed. A motion was made by Bormann and seconded by Maas to approve the transactions. All voted in favor. None voted against. The motion was carried.

A cigarette license for Canby Liquors was reviewed. A motion was made by Oellien and seconded by Hanson to approve the license. All voted in favor. None voted against. The motion was carried.

Resolution 2014-1-7-4, a resolution increasing the maximum amount of Small Cities funds for a rehabilitation project, was reviewed. A motion was made by Maas and seconded by Bormann to adopt the resolution.

Resolution 2014-1-7-4

Increasing the Maximum Amount of Small Cities Development Grant Funds for a Rehabilitation Project

WHEREAS, the City of Canby has been awarded two Small Cities Development Grants including assistance for commercial building rehabilitation (CDAP-09-0028-FY10 and CDAP-11-0041-O-FY12), and,

WHEREAS, Section J.1 of the commercial rehabilitation Guidelines & Policies applicable for both grants specifies that “the maximum amount of Small Cities Development Program construction funds which shall be invested in any commercial unit is \$25,000,” and,

WHEREAS, greater flexibility in the use of the grant funds is necessary,

BE IT RESOLVED, that Section J.1 of the commercial rehabilitation Guidelines & Policies is amended to state that “maximum amount of Small Cities Development Program construction

funds which shall be invested in any commercial building is equal to the maximum established by the Minnesota Department of Employment & Economic Development, currently \$40,000,” and,

BE IT RESOLVED, that the City of Canby requests that the Minnesota Department of Employment & Economic Development approve this amendment and authorize a corresponding amendment to the original grant application.

Adopted by the City Council this 7th day of January, 2014.

Attest:

Eugene Bies, Mayor

Nicholas Johnson, City Administrator

A motion was made by Maas and seconded by Bormann to approve submission of the Minnesota Historical Society grant application for the Theater Project. All voted in favor. None voted against. The motion was carried.

A motion was made by Hanson and seconded by Oellien to approve submission of the Minnesota Department of Administration grant for theater digital conversion for the Theater Project. All voted in favor. None voted against. The motion was carried.

A motion was made by Bormann and seconded by Maas to go into closed session for union negotiation discussion. All voted in favor. None voted against. The motion was carried.

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

The Council had general discussion in regard to the FCA project.

A motion was made by Oellien and seconded by Maas to approve the union contract with IBEW. All voted in favor. None voted against. 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