

Canton City Council Regular Meeting Minutes – April 8, 2020

The Canton City Council held its regular monthly meeting on April 8, 2020, at the Canton Town Hall. The meeting was scheduled to take place via teleconference, due to Governor Walz's stay-at-home order because of the COVID-19 pandemic; however, there were technical difficulties with the teleconference provider. Members present: Mayor Donivee Johnson, Carl Ernst, Randy Gossman, Cindy Shanks and Charlie Warner. City staff present: Brock Bergey, Jim Davis and Jon Nordsving. Visitors present: Barb Kerns.

Mayor Johnson called the meeting to order at 6:31 p.m. Motion by Johnson, second by Warner to approve the March 2020 meeting minutes; motion carried. Motion by Ernst, second by Gossman to approve the consent agenda (approval of monthly bills and designation of the *Fillmore County Journal* as the City's official newspaper given the discontinuation of the *Fillmore County News Leader*); motion carried.

Public comments: None

Reports: In his clerk report, Bergey noted approximately 16% of utility accounts were currently delinquent – totaling nearly \$2,900. Pet licenses for 2020 to-date total 38. Golf cart and UTV permits total two, with May 1 serving as the annual registration deadline. The City's 2019 audited financial statements were submitted to the Office of the State Auditor on March 31, 2020. No significant issues were found by Hawkins Ash; however, several recommendations were made to improve accounting practices and procedures. The 2019 audit will be discussed at the May meeting, with a Hawkins Ash representative in attendance. The City's website is operational, with additional information/services being added as developed. Online payments are expected to be accepted beginning April 10. Councilmember photos for inclusion on the site are scheduled for May. In legal matters, Danny Whalen was mailed a letter from Fillmore County Attorney Brett Corson to remind Whalen of the court-ordered property compliance date of May 15, 2020. To date, Whalen has yet to make any improvements. Photos were taken and shared with the County on April 1 to document the lack of progress. Joel Torgerson has been charged with four nuisance property misdemeanors. A pretrial hearing is scheduled for May 5, with a settlement conference on May 11 and a jury trial on May 12-13. Lolly Melander's pretrial hearing set for April 20 has been cancelled and not rescheduled at this time due to the COVID-19. Bergey, Johnson, Shanks and City Attorney Greg Schieber participated in a teleconference hearing on March 20 regarding the City's appeal of Melander's unemployment insurance benefits. Melander requested a continuation in the case, stating she did not have time to consult an attorney. Her request was granted, with the hearing rescheduled to April 30. Attorney Schieber will draft a memo, stating the City's rationale for the appeal. It will be submitted as evidence for the next hearing.

In his public works report, Nordsving asked for council approval to go ahead with the previously discussed drainage improvement project on the gravel portion of East Prairie Avenue. Motion by Johnson, second by Ernst to initiate earth moving work; motion carried. Nordsving indicated he would be seeking price information for the complete repaving of Hudson Avenue and additional patch work to a couple other streets. The fire hydrant replacement at the corner of Hudson Avenue and West Street is also scheduled. Work is completed on the interior improvements to the town hall. Wood paneling was installed on the lower portion of the north wall. The council expressed thanks to Nordsving and Davis for their work on the project and keeping costs minimal. Nordsving noted the need to make repairs to walkway associated with the south entrance to the town hall. He suggested building a ramp, in place of the existing deteriorating steps, to make the

entrance handicap accessible. The council directed Nordsving to obtain quotes for a concrete ramp and a wooden structure.

The March police report was reviewed, which included nine calls for services.

Motion by Gossman, second by Ernst to hold a public hearing on May 13 at 6:30 p.m. for a land use variance request from Garry and Jennifer Dowling. The Dowlings are seeking permission to build a 36' x 28' garage that would require a variance to the east and south sides of their property located at 110 South Main Street. Motion for the public hearing, which will coincide with the regular May council meeting, carried. Motion by Ernst, second by Shanks to approve a land use permit for Randy Gossman to construct a 34' x 78' house/shed at 203 North Oak Street. Motion carried, with Gossman abstaining.

Unfinished business: Bergey requested a formal motion be added to the minutes regarding April's decision to separate the current utility account into three separate accounts (water, sewer, garbage) for accounting purposes. Motion by Johnson, second by Ernst to account for these services separately; motion carried. A planned meeting with Jeff Dale, Minnesota Rural Water Association, to discuss utility rates was cancelled due to the health concerns; the meeting has been rescheduled to May 4 at 1 p.m. Motion by Warner, second by Ernst to rescind their respective March actions to enter an agreement with Banyon Data Systems for the purchase of new accounting, billing and payroll software. The council requested additional investigation into the software's compatibility with the City's existing water meter reading technology. The motion to rescind the action carried.

New business: Sandy Frank submitted a written request to the council asking for some/all of her outstanding utility bill to be forgiven. In February 2019, nearly 200,000 gallons of water was used at her Canton residence. Frank claims "someone turned on the water." She currently owes \$768.87. While acknowledging the financial hardship, the council referenced City ordinances which state property owners are responsible for water services whether they occupy the property or not. Bergey was instructed to follow-up with Frank and allow partial payments to be made until January 1, 2021. If the account is not paid in full, any remaining amount will be added to Frank's property taxes. Motion by Gossman, second by Warner to follow this process; motion carried. Motion by Ernst, second by Shanks to participate in MiEnergy's Load Management Program again in 2020. Motion by Gossman, second by Warner to allow the American Red Cross to hold a blood drive at the Canton Town Hall in late-May or early-June; motion carried. Bergey presented purchase and lease pricing on a new copier, scanner, printer for City Hall. Motion by Warner, second by Shanks to enter a 60-month lease agreement with Tri-State Business Machines at \$44/month, along with an additional \$30.40/month for the service and toner agreement; motion carried. The council discussed current policies and practices in place in response to the COVID-19 pandemic. Since March 18, 2020, all city facilities have been closed to the public. City staff are minimizing contact with the public. Bergey stressed the need for additional cross training should an employee become ill (or otherwise unable to report to work). Motion by Gossman, second by Ernst to place signs at the City park noting the equipment is not sanitized and to encourage good handwashing after use; motion carried. Motion by Warner, second by Gossman to temporarily suspend water disconnections through at least May 13; motion carried.

Motion by Warner, second by Shanks to set the 2020 land use variance application fee at \$200.00.

Motion by Ernst, second by Gossman to adjourn the meeting at 8:09 p.m.; motion carried.