

Canton City Council Regular Meeting Minutes – August 12, 2020

The Canton City Council held its regular monthly meeting on August 12, 2020, at the Canton Town Hall. (Meeting site moved from Canton City Hall to provide additional spacing for participants due to the ongoing health pandemic.) Members present: Mayor Donivee Johnson, Carl Ernst, Randy Gossman, Cindy Shanks and Charlie Warner. City staff present: Brock Bergey and Jon Nordsving. Visitors present: Barb Kerns.

Mayor Johnson called the meeting to order at 7:02 p.m. Motion by Warner, second by Shanks to approve the July 2020 meeting minutes; motion carried. Motion by Ernst, second by Shanks to approve the consent agenda (approval of monthly bills, approval of sponsorship for salute to emergency responders in *Fillmore County Journal*.)

Public comments: None

Reports: In his clerk report, Bergey noted approximately 13% of utility accounts were currently delinquent – totaling around \$2,040. Pet licenses for 2020 to-date total 46. Golf cart and UTV permits total 26. In legal matters, Danny Whalen’s complied with a court order to remedy nuisance property ordinance violations. Mr. Whalen remains on probation until February 10, 2021. Total prosecution fees cost the City \$1,494. Joel Torgerson was found guilty of two misdemeanor charges for nuisance property during a court trial. Mr. Torgerson has until November 15, 2020 to comply with his sentencing order. Former city clerk/treasurer Lolly Melander’s jury trial has been delayed to March 2021. Steve Popplewell’s nuisance property case has a plea hearing scheduled for August 24. Citations have been issued to Rick Nelson (Building Maintenance and Appearance ordinance violation) and Robroy Kelly (Inoperable motor vehicle). Two candidates have filed for the mayor seat, on the November 3 General Election ballot: Donivee Johnson and Nicholas Prestby. Four candidates have filed for the two city council positions to be filled: Randy Gossman, Jason Magnuson, Josh Nordsving and Cindy Shanks. City hall will be closed on September 4.

Public Works Director Jon Nordsving noted the repaving project on Hudson Avenue is slated to begin August 24. Grass seed will be purchased to reseed some areas along East Prairie Avenue. There was additional discussion about the conversation of all City-owned street lights to include LED fixtures, like the one replaced at the North First Street and US Highway 52 intersection. It would cost about \$4,500 for the entire project.

There was no fire department report. The May police report showed 12 calls. A land use permit was recommended by the planning commission to allow Ronald Howard to build a 9’ x 15’ deck on his South Main Street property. Motion by Gossman to approve the permit, second by shanks; motion carried.

Unfinished business: Proposed utility rate adjustments were once again reviewed, with no action being taken. Motion by Gossman, second by Ernst to proceed with certification of Coronavirus Relief Funds in the amount of \$26,294; motion carried. Funds must be used by November 15, 2020 or they will be returned to Fillmore County for use. Potential uses for the CARES Act funding will be discussed in September. Mayor Johnson reviewed a letter received from the Fillmore County Engineer denying the council’s resolution to install crosswalk markings on Main Street. Ronald Gregg explained crosswalks will be marked when the roadway is reconstruction in the coming years. Gregg mentioned plans for some temporary surface improvements to Main Street yet this calendar year. The council considered the July request by Russell Lehman for “Children at Play” warning signs to be installed in his neighborhood. There

was no support expressed for the sign installation due to the precedent such council action would set, which was the recommendation of the City's attorney. Motion by Warner, second by Shanks to approve the purchase of two security cameras (cost estimate of \$868 from Stortz Satellite) for installation at city hall; motion carried. Bergey will follow-up to see if the project can be covered by CARES Act funds. There were no updates given on the Mitson Museum electrical, roofing and entrance projects discussed in July. Motion by Ernst, second by Shanks to utilize Facebook as the voting method for the Adopt-a-Planter contest; motion carried. Bergey will coordinate the online voting in the coming days and announce the first, second and third place finishers. Warner expressed the Presbyterian Church's desire to cover costs associated with repairing the deteriorating alley pavement adjoining their parking lot, located off of West Fillmore Avenue. Motion by Gossman, second by Ernst to accommodate the request; motion carried, with Warner abstaining.

New business: Mayor Johnson presented Ordinance 2020-01 seeking council support to adopt the Minnesota Basic Code of Ordinances 2019 Edition. Currently, the City is operating under the 2014 Edition. Motion by Warner to approve the resolution, second by Shanks; motion carried. Motion by Ernst, second by Gossman to publish Ordinance 2020-01 in the *Fillmore County Journal*; motion carried. There was discussion about peddlers and solicitors doing business in town. Currently, there is no permitting process in place, with such individuals encouraged to stop by city hall and provide credentials. No additional action was taken. Mayor Johnson reviewed first-half of CY2020 spending and noted planning for the CY2021 budget is underway. Mayor Johnson recapped a letter received by Steve Popplewell, the owner of the former school. He indicated his intent to have the building demolished and removed from his property by April 1, 2021. Mr. Popplewell said he was willing to sign an agreement, developed by the Fillmore County Attorney's Office, to hold him accountable to his timeframe in exchange for the City dismissing the current nuisance property misdemeanor charge pending in court. The agreement would include terms to resume legal proceedings should Mr. Popplewell not meet all requirements in a timely fashion. Motion by Gossman, second by Shanks to allow for a continuance for dismissal in the criminal case against Mr. Popplewell; motion carried. Motion by Mayor Johnson, second by Warner to establish a \$20 user fee for bulk water, in addition to a gallon charge based on the current residential rate; motion carried. Motion by Mayor Johnson, second by Shanks to have the City land by the gazebo area surveyed as plans for the veterans memorial move forward; motion carried. Applications for the Arlin Falck Grant are due October 5, 2020. It was decided to apply for full funding (\$4,500) to replace the LED street light fixtures.

Motion by Ernst, second by Gossman to adjourn the meeting at 9 p.m.; motion carried.