

**Canton City Council Regular Meeting Minutes  
May 12, 2021**

The Canton City Council held its regular monthly meeting on May 12, 2021, at the Canton Town Hall. Members present: Mayor Nick Prestby, Randy Gossman and Cindy Shanks. Members absent: Carl Ernst and Charlie Warner. City staff present: Brock Bergey, Jim Davis and Barb Kerns. Visitors present: Kathie Haynes, Donivee Johnson, Greg Schieber, Darin Sikkink, Melissa Vander Plas, Jackie Ward and Kristy Ziegler.

Mayor Prestby called the meeting to order at 6:04 p.m. Clerk Bergey indicated Councilmember Warner presented him with a letter, just prior to the meeting, that was to be read aloud at the beginning of the meeting. Warner wrote, "I hereby resign from the Canton City Council, as of 6 p.m., Wednesday, May 12, and relinquish my sworn duties." Motion by Shanks, second by Gossman to add Warner's resignation as a discussion item to the agenda; motion carried.

Motion by Gossman, second by Shanks to approve the April 2021 meeting minutes; motion carried. Motion by Shanks, second by Gossman to approve the consent agenda (approval of monthly bills, approval of adopt-a-planter contest with cash prizes, approval of flag pole purchase for fire hall from the Brian Kerns family, approval of flag pole purchase for city hall from the Ramlo family, approval of safety shirts purchase for public works staff, and approval of high chairs for town hall); motion carried.

**General business:** Parcel boundaries associated with the City-owned space that houses the gazebo and veteran's memorial development were discussed. There are possible discrepancies with the actual boundaries which could pose potential impacts to neighboring properties. City Attorney Schieber said the only way to verify the boundaries was to proceed with the council-approved land survey, which was decided in August 2020. Bergey noted the survey had not occurred due to a delay on the part of the intended surveyor. A second surveyor has been contacted and can perform the survey in an estimated five week's time at a cost of \$2,100. Jackie Ward, one of the neighboring property owners was asked for her opinion and said, "It's time to get it right." She noted she and her husband's openness to an easement agreement, if need be. Schieber noted because the City has maintained and used this property for more than six years, it becomes dedicated to the public automatically. Councilmember Gossman noted he wasn't concerned about the Wards property, but did have reservations about not proceeding with the survey to validate the northern parcel boundaries. Motion by Gossman, second by Shanks to authorize the land survey through Tri-State Surveying; motion carried.

The council discussed the current recreational vehicle ordinance, following public input during the April meeting. It was decided to amend the ordinance to include the permitting of ATVs for travel on City streets, along with mini trucks, motorized golf carts and UTVs. Proposed ordinance language will be discussed at the June meeting. ATVs will not be permitted until the ordinance is officially amended by the council.

Motion by Gossman, second by Prestby to accept the resignation of Mike Shanks from the planning commission; motion carried. Motion by Gossman, second by Shanks to amend the *Minnesota Basic Code* model planning commission ordinance to reflect City of Canton needs; motion carried. Proposed amendments will be presented for discussion in June.

Motion by Shanks, second by Gossman to accept the unexpected resignation of councilmember Charlie Warner. Warner's four-year term began in 2019 and will conclude at the end of 2022. The city council will appoint a person to fill the remainder of Warner's vacated position. No

special election is required. Letters of interest, from qualified City of Canton residents, will be accepted by the city clerk until a yet-to-be-determined date. The council will continue the matter at its June meeting.

Professional Engineer Daren Sikkink, with WHKS, was present to discuss long-range street and utility projects. Sikkink talked about financing the replacement of the majority of the watermain, sanitary sewer and streets within the City. He recommended using USDA Rural Development funding for such a project, noting a portion would be paid using a low-interest loan from USDA and the remaining portion would be funded by a grant. Sikkink stated the possible inclusion of curb and gutter, storm sewer and sidewalks would be the City's responsibility since it is not part of the existing infrastructure. The council directed staff to work with WHKS to develop a preliminary engineering report to meet Rural Development requirements to solicit funding. The matter will be back on the agenda for discussion in July.

Motion by Prestby, second by Shanks to repave a section of East Canton Avenue between ZZ Tap and Pauly's Canton Pub at a cost of \$8,980; motion carried. This project will coincide with Fillmore County's repairs to the Main Street approach. Additional potential pavement repairs will be revisited in June.

A \$27,400 bid (\$19,000 for materials) was received from Tweten Construction for exterior renovations to the former school bus shed on East Prairie Avenue, now used for storage. Bergey noted this is much higher than the amount budgeted for the project. Discussion was tabled to allow councilmembers additional time to inspect the structure.

The council agreed the remaining funds from the ball field electrical project (\$2,677.48) should be used for future, unexpected electrical-related costs and no other field improvements. The legion had requested additional field fill to improve conditions for a junior high softball game set for early-June. Motion by Gossman, second by Shanks to authorize MiEnergy to remove the street light in the parking area at the ball field to the electrical service pole by the third base dugout; motion carried. MiEnergy will donate the light to the City, in order to remove the service and pole from its system.

Motion by Shanks, second by Gossman to approve a \$3,000 plan to reconfigure the office area at Canton City Hall (tabled from February); motion carried. If applicable, funding from the American Rescue Plan Act will cover the costs necessary to provide additional workspace for City staff.

Motion by Prestby, second by Shanks to allocate \$200 to improve the green space south of city hall; motion carried.

Motion by Shanks, second by Gossman to reconfigure the landscaping around the flag pole at the town hall (this space used to contain the veterans memorial marker now on display by the gazebo); motion carried.

Motion by Shanks, second by Gossman to approve the purchase of 32 additional folding chairs, eight tables and a chair storage cart for the town hall at a cost of \$2,408; motion carried.

Kathie Haynes, representing the Canton Historical Society, requested additional construction on the newly-built ramp on the main entrance to the Mitson House. She noted the current ramp only has a railing on the north side. Citing safety guidelines, the group would like railings on the south and west sides, as well. Motion by Shanks, second by Gossman to approve the additional

railings; motion carried. Haynes will work with Bergey to find someone to do the work, with the project being paid for through the Mitson Fund.

Bergey presented a recap of the City's financial picture at the end of the first quarter of 2021. Overall, all funds are staying on budget in the expenditure category. However, Bergey noted some possible concerns about revenues in the Water and Sewer Funds. He said it's too early to know for certain, but the 2021 adjustments to utility rates may not prove adequate to provide the intended short-lived and long-lived asset reserves for both funds. He also pointed out staff wages are slightly under budget for the first quarter. The council complimented Bergey for his financial update and brief explanation of the reports generated by the new accounting software.

**Reports:** In his clerk report, Bergey noted there were nine delinquent utility accounts, with no disconnections occurring. 56 pet licenses and 15 UTV/golf cart permits have been issued to-date in 2021. In nuisance property-related legal matters, Robroy Kelly has until May 18 to remove the abandoned vehicle on his property. The electrical upgrades at the Mitson House have been completed. The two little free libraries, built and designed by Mabel-Canton students, will be installed on May 18; councilmembers are encouraged to stop by that morning to see the students' work. Media will also be invited to cover the installation. Congratulations was extended to Jon Nordsving and Jim Davis for their fourth consecutive year of being recognized by the Minnesota Pollution Control Agency for meeting reporting requirements associated with the wastewater treatment facility. Bergey noted annual property inspections will occur in early June, with more information shared with residents in the newsletter and on Facebook.

Motion by Shanks, second by Gossman to approve a sign for the brush dump, to outline the site's proper use, at a cost of \$425; motion carried.

**Public comments:** None

Motion by Gossman, second by Shanks to adjourn at 8:51 p.m.; motion carried.