

Canton City Council
January 11, 2023 – 6 p.m.
Regular Meeting Agenda

1. Call to order
2. Pledge of Allegiance
3. Oath of Office (Nordsving, Ziegler, Dowling, Magnuson)
4. Approval of agenda
5. Consent agenda
 - a. Approval of December 14, 2022 Regular Meeting Minutes
 - b. Approval of January Disbursements
 - c. Approval to waive Town Hall rental fee for American Red Cross Blood Drive on Feb. 13
6. Public comments
7. Reports
 - a. Mayor
 - b. Clerk & Deputy Clerk
 - c. Public Works
 - d. Fire Department
 - e. Police
 - f. Planning Commission
 - g. Other
8. Old business
 - a.
9. New business
 - a. Discussion on 2023 appointments: Resolution 2023-01
 - b. Discussion Canton American Legion gambling request: Resolution 2023-02
 - c. Update of Authorized signatures: Resolution 2023-03
 - d. Discussion on Fire Department Billing for Calls Policy
 - e. Discussion on update to schedule of fees for 2023: Ordinance 2023-01
 - f. Publish summary of ordinance 2023-01 in Fillmore County Journal
 - g. Other
10. Adjourn

Upcoming Dates:

Martin Luther King, Jr Day – City Office Closed	January 16
Regular City Council Meeting at 6 p.m.	February 8

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This is a preliminary draft of the December 14, 2022 Regular Meeting Minutes as interpreted by the city clerk for use in preparing the official minutes. There may be corrections, additions and/or omissions before the final minutes are reviewed and officially approved by the city council.

Canton City Council Regular Meeting Minutes December 14, 2022

Members present: Mayor Cindy Shanks, Council members: Carl Ernst, Randy Gossman, Josh Nordsving, and Kristy Ziegler

City staff present: Anne Koliha, Barb Kerns, Jon Nordsving, and Jim Davis

Visitors present: Jen Dowling, Jason Magnuson, Kyle Ryan, and Melissa Vanderplas

Mayor Shanks called the regular meeting to order at 6:00 p.m.

Motion by Nordsving, seconded by Ziegler to approve the agenda, motion carried.

Consent agenda

Motion by Nordsving, seconded by Ernst to approve the consent agenda:

- a. Approval of November 9, 2022 Special Meeting Minutes
- b. Approval of November 9, 2022 Regular Meeting Minutes
- c. Approval of November 14, 2022 Special Meeting Minutes: Canvass Election Results
- d. Approval of City Office Closures: Monday, Dec 25, 2022 Christmas Day Observed & Monday January 2, 2023 New Years Day Observed

Public comments: none

Reports:

Mayor Shanks gave her thanks to Barb Kerns for all her extra work keeping the city running during the interim of finding a new city clerk. Shanks welcomed Anne Koliha as the new city clerk. Shanks thanks the maintenance guys for their work on starting on the clean-up of things.

Clerk/Deputy Clerk: Barb Kerns gave an update on the SEMCAC small cities grant program. Anne Koliha stated been busy learning the ropes and appreciates the warm welcome and will be busy with year end items.

Public Works: Jon Nordsving reported that the power line work is done for the year and that they should be back in the spring. Jon also stated that they will begin with building maintenance items as the weather permits.

Fire Department: none – Barb Kerns made note of the generous amount of donations received.

Police: written report provided

Planning Commission: Josh Nordsving reported on the status of Knutson garage, setbacks were met, was asked about pipe sticking out of wall, he will follow up with that portion. Update on status of Kerns garage foundation poured was informed building was constructed today so he will follow up on that progress.

Other: Gossman reported the he had assessed the former bus shed building and noted the roof is leaking and noted the storage of misc. fire department items. He also expressed that the council should look at future budgets to add more to building repairs/maintenance to make sure city owned buildings are taken care of. Gossman also noted repairs needed to the fire department pavilion.

Unfinished Business

- a. 2023 Final General Fund Budget: Resolution 2022-16
Motion by Nordsving, seconded by Gossman to approve Resolution 2022-16 certifying the final 2023 General Fund Budget at \$273,960.00; motion carried.
- b. 2023 Final Certified Tax Levy: Resolution 2022-17
Motion by Nordsving, seconded by Ernst to approve Resolution 2022-17 to certify the final 2023 tax levy at \$169,505.00 (3% increase); motion carried.
- c. 2023 Final Water Fund Budget: Resolution 2022-18
Motion by Nordsving, seconded by Ziegler to approve Resolution 2022-18 to certify the final 2023 Water Fund Operating Budget at \$73,725.00; motion carried.
- d. 2023 Final Sewer Fund Budget: Resolution 2022-19
Motion by Nordsving, seconded by Ziegler to approve Resolution 2022-19 to certify the final 2023 Sewer Fund Operating Budget at \$100,028.00; motion carried.
- e. 2023 Final Fire Department Budget: Resolution 2022-20
Motion by Gossman, seconded by Nordsving to approve Resolution 2022-20 to certify the final 2023 Fire Department Operating Budget at \$23,550.00; motion carried.

New Business

- a. 2023 Fee Schedule: Ordinance 2022-02
Motion by Gossman, seconded by Nordsving to approve Ordinance 2022-02 establishing the 2023 Fee Schedule with amendment to the hourly town hall rental to be \$20; motion carried.

b. Fee schedule ordinance summary publication

Motion by Gossman, seconded by Ziegler to publish a summary of Ordinance 2022-02 in the Fillmore County Journal; motion carried.

c. 2023 Election polling place designation: Resolution 2022-21

Motion by Ziegler, seconded by Nordsving to approve Resolution 2022-21 to designate the City of Canton as a mail ballot precinct for the 2023 election season; motion carried.

d. Approval to send 'Draft' Personnel Handbook to City Attorney for review

Motion by Ernst, seconded by Ziegler to send the 'Draft' Personnel Handbook to the City Attorney for review; motion carried.

e. Authorized Signature of Anne Koliha, City Clerk: Resolution 2022-22

Motion by Ernst, seconded by Ziegler to approve Resolution 2022-22 for removal of Brock Bergey as authorized signature and to add Anne Koliha as authorized signature; motion carried.

f. Fire Department gambling exempt permit application: Resolution 2022-23

Motion by Ernst, seconded by Ziegler to approve Resolution 2022-23 in support for the fire department to apply for a Minnesota Lawful Gambling Exempt permit; motion carried.

g. Approval of December Payables

Motion by Gossman, seconded by Nordsving to approve the December payables as presented; motion carried.

Motion by Ernst, seconded by Ziegler to adjourn the meeting at 6:27 p.m.; motion carried.

January 2023 Disbursements

General Fund

Acentek	\$	221.74	Phone & Internet Services (City Hall/Town Hall)
MiEnergy	\$	81.87	Electric: City Hall
MiEnergy	\$	96.54	Electric: Town Hall
MiEnergy	\$	31.49	Electric: Bus Shed
MiEnergy	\$	483.19	Electric: Street Lights
MiEnergy	\$	59.62	Electric: Welcome Sign
MiEnergy	\$	30.51	Electric: Ball Field
MN Energy Resources	\$	138.25	Gas: City Hall
MN Energy Resources	\$	306.24	Gas: Maintenance Shop
MN Energy Resources	\$	402.48	Gas: Town Hall
Nordsving, Jon	\$	50.00	Cell phone stipend
Tri-State Business Machines	\$	35.45	Copier monthly contract
Wright Way Computers	\$	34.29	Monthly computer services
LMC Insurance Trust	\$	7,060.00	2023 premiums (Auto/Liability/Property)
Hershberger, Carolina	\$	135.00	November/December Cleaning
Fillmore County Journal	\$	63.30	Summary of Ordinance 2022-02
Fillmore County Attorney	\$	574.50	Court File: Robroy Kelly
Amazon*	\$	75.43	W-2 forms, 1099-NEC forms, file folders
Fillmore County Auditor-Treasurer	\$	11,760.00	3rd & 4th Quarter 2022 Contracted Policing Services
City of Canton*	\$	5,270.00	2022 Contracted Fire Dept Services
Village Farm & Home	\$	89.39	Supplies
Storey Kenworthy	\$	46.24	Paper
Zafft, Vernon	\$	50.00	Canton Dollar re-imbusement
Total General Fund Disbursements	\$	27,095.53	

Mitson Fund

MiEnergy	\$	30.51	Electric: Mitson House
LMC Insurance Trust	\$	631.00	2023 premiums (Property)
Total Mitson Disbursements	\$	661.51	

Water Fund

Acentek	\$	40.04	Phone dialer system
Gopher State One Call	\$	2.70	Locates
MiEnergy	\$	669.73	Electric: Pump House
LMC Insurance Trust	\$	902.00	2023 premiums (Property)
Dakota Supply Group	\$	1,138.48	water meters
Frandsen Bank & Trust*	\$	14,569.75	Water Note
Hawkins, Inc.	\$	431.48	Hydrofluosilicic Acid
WHKS	\$	1,490.00	100% final payment of lump sum fee
Total Water Disbursements	\$	19,244.18	

Sewer Fund

Acentek	\$	40.04	Phone: WWTF
MiEnergy	\$	1,323.66	Electric: WWTF
Utility Consultants	\$	198.79	Samples
LMC Insurance Trust	\$	5,192.00	2023 premiums (Property/Liability)
Amazon*	\$	186.99	Repair: Engine Heater
Total Sewer Disbursements	\$	6,941.48	

Garbage Fund

Richard's Sanitation	\$	2,402.77	Monthly service charge
Total Garbage Disbursements	\$	2,402.77	

Fire Department

Acentek	\$	64.95	Interenet services
MiEnergy	\$	88.12	Electric: Fire Hall
MiEnergy	\$	30.99	Electric: Cooler
MN Energy Resources*	\$	364.51	Gas: Fire Hall
LMC Insurance Trust	\$	2,506.00	2023 premiums (Auto/Property)
Sandry Fire Supply	\$	476.00	Chemguard Directattack
Kyle Ryan	\$	125.14	Re-imbusement for Fuel
Jason Magnuson	\$	300.00	Re-imbusement for subscription Active 911
Seal-Rite	\$	60.00	Repair: ball valve handle
Hammell Equipment	\$	11.04	Parts: Pumper suction hose
Total Fire Department Disbursements	\$	4,026.75	

Total Monthly Disbursements **\$ 60,372.22**

* EFT Payments



BRETT A. CORSON
FILLMORE COUNTY ATTORNEY

MSBA Certified Criminal Law Specialist



Marla J. Stanton

Assistant Fillmore County Attorney

Melissa Hammell

Assistant Fillmore County Attorney

January 5, 2023

City of Canton
Attn: Anne Koliha
P.O. Box 92
Canton, MN 55922



RE: State of Minnesota vs. Robroy Barthel Kelly
District Court File No: 23-CR-22-413

Dear Anne:

Please find enclosed a check in the amount of \$50 made payable to the City of Canton. This check is from Mr. Kelly as part of the agreement for the nuisance violation/unlicensed vehicle citation. Mr. Kelly did agree to pay \$50 towards the prosecution fee as well as comply with all other zoning ordinances and regulations. We did obtain verification that a new license plate, along with current tabs, have been placed on the vehicle. The registration is good through November 30, 2023. For the next year, Mr. Kelly is on unsupervised probation. Thus, I believe that the matter is now resolved.

On a separate matter, I did speak to his attorney regarding a potential zoning violation for constructing a deck onto his house without obtaining a zoning permit. I did ask him to come into the clerk's office to obtain the necessary permits.

I've also enclosed a bill for our services in handling this case. Thank you for allowing our office the opportunity to be of assistance.

Very Truly Yours,

Brett A. Corson

BAC/st



Fillmore County Attorney's Office
101 W. Fillmore Street, P.O. Box 466, Preston, MN 55965
Telephone: (507) 765-2530 Fax: (507) 765-2536

City of Canton

Resolution #2023-01

RESOLUTION TO CERTIFY ANNUAL CITY APPOINTMENTS FOR 2023

Whereas, Minnesota State Statutes require that the city council shall annually, at its first meeting of each year, designate annual appointments;

Now, therefore, be it resolved by the Canton City Council as follows:

The following appointments are hereby approved, effective immediately upon adoption:

Acting Mayor	Kristy Ziegler
Official Newspaper	Fillmore County Journal
Official Depository	First Southeast Bank
City Attorney	Nethercut Schieber
City Auditor	Hawkins Ash
Authorized Signatures	Anne Koliha, Barb Kerns, Josh Nordsving, Kristy Ziegler
Fire Chief	Bill Richardson
Assistant Fire Chief	Kyle Ryan
Regular Meeting Night	Second Wednesday of the month
Regular Meeting Time	6 p.m.
Regular Meeting Location	Canton Town Hall, 107 N Ash St.
Polling Place	Balloting by mail precinct
Posting Place	Canton City Hall, 106 N Main St.
Personnel Committee	Josh Nordsving, Jen Dowling
Utilities Committee	Kristy Ziegler, Jen Dowling
Streets Committee	Randy Gossman, Jason Magnuson
Parks/Rec Committee	Randy Gossman, Jason Magnuson
Finance Committee	Josh Nordsving, Kristy Ziegler
Planning Committee	Jim Davis, George Hafner, Josh Nordsving
Zoning Administrator	Josh Nordsving
Standard Mileage Rate	Current 2023 IRS Rate

Passed and adopted by the Canton City Council this 11th day of January 2023.

Josh Nordsving, Mayor

ATTEST:

Anne Koliha, City Clerk

State of Minnesota
County of Fillmore

City of Canton

Resolution #2023-02 RESOLUTION TO GRANT AN OFF-SITE GAMBLING PERMIT TO CANTON AMERICAN LEGION POST 400

Whereas, Canton American Legion Post 400 has requested city council approval to conduct off-site gambling within the City of Canton in calendar year 2023; and

Whereas, it has been demonstrated that Canton American Legion Post 400 will collect gambling monies for lawful purposes and adhere to all rules set forth by the Minnesota Gambling Control Board;

Now, therefore, be it resolved, that the City of Canton does hereby approve Canton American Legion Post 400 to conduct off-site gambling at Canton Town Hall and Fireman's Pavilion, located at 107 N Ash Street, Canton Minnesota 55922.

Passed and adopted by the Canton City Council this 11th day of January 2023.

Josh Nordsving, Mayor

ATTEST:

Anne Koliha, City Clerk

State of Minnesota
County of Fillmore

City of Canton

Resolution #2023-03 A RESOLUTION APPROVING AUTHORIZED SIGNATURE

WHEREAS, the City of Canton desires to grant signing and authority to certain person(s) described hereunder

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Canton, Fillmore County, Minnesota:

1. Removal of Cindy Shanks from authorized signatures.
2. Addition of Josh Nordsving (Mayor) and Kristy Ziegler (Acting Mayor) as authorized signatures.

Passed and adopted by the City Council of Canton, Minnesota this 11th day of January 2023.

Josh Nordsving, Mayor

ATTEST:

Anne Koliha, City Clerk



City of Canton

106 N. Main St. • P.O. Box 92
Canton, MN 55922
CantonMN.com (507) 743-5000

Fire Department Billing for Calls Policy

Effective: January 2023

Purpose: The purpose of this policy is to provide guidance and expectations of the Canton Fire Department for reporting of calls to the City of Canton for invoicing.

Policy:

This policy is intended to assist in timely preparation, submission and billing of all paged emergency service incidents by the Canton Fire Department within the Canton Fire District both in Minnesota and Iowa.

Following the response of the Canton Fire Department to a paged incident for emergency services, the fire department secretary shall provide a completed Fire Department Incident Report and the City of Canton invoicing report form (attachment A) to the City Clerk's office at City Hall within 7-10 days after said incident.

Once all pertinent information is received, the City Clerk-Treasurer or Deputy Clerk, shall prepare an invoice and mail it to the responsible party, which shall then be due and payable within 30 days. Incomplete Incident Reports will not be charged out until sufficient information is provided.

Anne Koliha, City Clerk

Josh Nordsving, Mayor

City of Canton

Ordinance #2023-01

AN ORDINANCE ADOPTING A SCHEDULE OF FEES AND CHARGES FOR VARIOUS SERVICES, LICENSES AND PERMITS

Whereas, the City of Canton has adopted the Minnesota Basic Code of Ordinances as it has been amended and supplemented to be its city code and that code permits the city to adopt by ordinance a schedule of fees and charges for various services, licenses and permits;

Now, therefore be it resolved, that the City Council of Canton ordains:

Section 1. All fees and charges in effect as of the date of the adoption of the city code for the city shall remain in effect unless otherwise modified by the provisions of this ordinance. All citations below are to various sections of the city code unless otherwise indicated.

Section 2. The following are the fees and charges for the permits, licenses and services listed below which are referenced to the section of the city code which authorizes their establishment:

Administrative Fines

Parking Citation	\$25.00
Unlawful Deposit of Waste or Refuse	\$100.00

Alcohol Licenses

On-Sale License	\$600.00
On-Sale Sunday Surcharge	\$10.00
Off-Sale License	\$100.00
Temporary On-Sale License	\$25.00

Cat & Dog Licenses

Annual tag fee <i>January 1 – March 31 and new animals</i>	\$5.00
Annual tag fee – late	\$15.00
Duplicate tag fee	\$5.00

Fire Department Services

Call Response	\$350.00
Hourly Charge After First Hour	\$350.00
Foam Charge	\$40.00/gallon
Mutual Aid Response	Per agreement by department
Heavy Equipment Use	Actual cost passed on by owner

Other Fees

Copies	\$0.25
Election Filing Fee	\$3.00
Lawn Mowing by City	\$65.00/hour
Returned Check	\$25.00
Snow Removal by City	\$65.00/hour

Planning & Zoning Fees

Land Use Permit Application – Living Space	\$7.50/100 square feet
<i>Living space projects including attached garages, decks and porches</i>	
Land Use Permit Application – Other Structures	\$5.00 per 100 square feet
Land Use Variance Application	\$200.00
Fee for Construction Without Proper Permits	\$400.00

Recreational Vehicle/Golf Cart Permits

Annual permit fee	\$10.00
<i>May 1 – July 31 and new vehicles</i>	
Annual permit fee – late	\$20.00

Refuse Collection Rates

Garbage Tote – Small Monthly Fee	\$10.70
Garbage Tote – Medium Monthly Fee	\$12.22
Garbage Tote – Large Monthly Fee	\$13.71
Recycling Monthly Fee	\$4.00
Tote Collection Service Fee	\$25.00
Tote Delivery Service Fee	\$25.00

Sanitary Sewer Rates

Base Monthly Fee	\$35.00
<i>Commercial and Residential</i>	
Per 1,000 Gallons Used	\$3.00
New Service Connection	\$200.00

Town Hall Rentals

Weekend Rental	\$400.00
<i>Friday after 5 p.m. through Noon Sunday</i>	
Daily Rental	\$200.00
Hourly Rental	\$20.00
<i>Two hour minimum</i>	
Security Deposit	\$200.00
<i>For Day and Weekend Rentals</i>	

Water Rates

Base Monthly Fee	\$38.00
<i>Commercial and Residential</i>	
Per 1,000 Gallons Used	\$5.00
New Service Connection/Meter Replacement	\$200.00 \$275.00
Bulk Water Base Fee	\$20.00
Bulk Water Per 1,000 Gallons Used	\$5.00
Disconnection Fee	\$75.00
Reconnection Fee	\$75.00

Passed and adopted by the City Council of Canton, Minnesota this 11th day of January 2023.

Josh Nordsving, Mayor

ATTEST: _____
Anne Koliha, City Clerk

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