

**Canton City Council
May 10, 2023 – 6 pm
Regular Meeting Agenda**

1. Call to order
2. Pledge of Allegiance
3. Approval of agenda
4. Consent agenda
 - a) Approval of April 12, 2023 Public Hearing Minutes
 - b) Approval of April 12, 2023 Regular Meeting Minutes
 - c) Approval of May Disbursements
 - d) Approval to waive Town Hall rental fee for American Red Cross Blood Drive on June 13
5. Public comments
6. Reports
 - a) Mayor
 - b) Clerk & Deputy Clerk
 - c) Public Works
 - d) Fire Department
 - e) Police
 - f) Planning Commission
 - g) Other
7. Old business
 - a) Discussion/update on Legion request for Ball field work
 - b) Update on Legion plans for Memorial area
 - c) Consider contribution towards the summer rec program with Mabel
8. New business
 - a) Discussion about council reviews of any ordinances
 - b) Discussion on 2023 property inspections
 - c) Consider holding a Recycling Day
 - d) Consider adding Canton Community Association to insurance
 - e) Discussion on Mitson House projects (windows, landscape, sign)
 - f) Consider land use permit application from Robert Schmidt
9. Adjourn

Upcoming Dates:

Memorial Day – City Office Closed	May 29
Regular City Council Meeting at 6 p.m.	June 14

This is a preliminary draft of the April 12, 2023 Public Hearing 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 Public Hearing April 12, 2023

Members present: Josh Nordsving, Jen Dowling, Jason Magnuson, Kristy Ziegler, Randy Gossman

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

Visitors present: Melissa Vanderplas (FC Journal), Donivee Johnson, Chris Buckley, Jim Richardson, Jamie Knutson

Mayor Josh Nordsving called the public hearing to order at 6:00 p.m.

He stated the purpose of the hearing was to hear public comment on the amendments to the City of Canton Zoning Ordinance Chapter 151.

Mayor Nordsving entertained public comments.

Public comments:

Donivee Johnson spoke about concern with definition of wording "from center of street", had concerns over minimum area requirements for residential and the maximum height requirements for residential.

Motion by Ziegler, seconded by Magnuson to adjourn the public hearing at 6:05 p.m.; motion carried.

Canton City Council Regular Meeting Minutes

April 12, 2023

Members present: Josh Nordsving, Jen Dowling, Jason Magnuson, Kristy Ziegler, Randy Gossman

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

Visitors present: Melissa Vanderplas (FC Journal), Donivee Johnson, Chris Buckley, Jim Richardson, Jamie Knutson

Mayor Nordsving called the regular meeting to order at 6:05 p.m.

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

Consent agenda

Motion by Ziegler, seconded by Magnuson to approve the consent agenda:

- a. Approval of March 8, 2023 Public Hearing Minutes
- b. Approval of March 8, 2023 Regular Meeting Minutes
- c. Approval of April Disbursements
- d. Approval of 2023 Opt-In Load Management Program Agreement with MiEnergy Cooperative

Public comments: Chris Buckley introduced himself to the council – he has purchased the Canton Pub property and working to clean things up and see what all works and will figure out a plan for the property.

Reports:

Mayor Nordsving: Requested drafts of ordinances be brought to City Hall for review and to be on next months agenda for review

Clerk: Koliha reported on finished up the 2022 Financial Audit with Hawkins Ash; review of first quarter budget finances for 2023; worked on finalizing updates for Zoning Ordinance

Deputy Clerk: Kerns gave update on pet licenses – increased amount now for licenses \$15; ATV/UTV/Golf Cart licenses are ready for purchase \$10

Public Works: Jon Nordsving informed the Council that the driveway going out to the brush dump/sewer plant is in need of repair, both grading and rock – Council ask for him to get quotes for doing the work. Yard waste pick up around town will start next Monday. Gossman inquired about repairs to city streets with the many potholes – Council was good with purchasing more cold patch to make the repairs. Gossman inquired about the bus shed work to be completed, paint doors and other misc. – will take a look to get things completed.

Fire Department: Jim Davis reported that some firefighters have been going out to help with the search of Kingsbury

Police: none

Planning Commission: Josh Nordsving stated that he has numerous inquiries regarding storage sheds – if the storage shed is on skids then no building permit is required but if the storage shed is a steel frame or other structure that is placed on the ground/gravel pad/concrete then a building permit is required. Inquiry regarding installing fence on property – no building permit required but need to follow proper setbacks.

Old Business

- a. Discussion/update on Legion request for Ball field work
Legion has gotten contact information for someone to do such work on the ball field – working on getting a quote for work – potential estimated cost \$5000
No action taken

New Business

- a. Consider approval of the amended City of Canton Zoning Ordinance Chapter 151
Motion by Gossman, seconded by Magnuson to approve the amended City of Canton Zoning Ordinance Chapter 151; motion carried with Ziegler opposed.
- b. Publish summary of amendments to the Zoning Ordinance in the Journal
Motion by Gossman, seconded by Dowling to publish a summary of amendments to the Zoning Ordinance in the Journal; motion carried.
- c. Consider amendment to Ordinance 2023-01 Schedule of Fees
Motion by Ziegler, seconded by Gossman to approve amendments to Ordinance 2023-01 Schedule of Fees; motion carried.
- d. Publish summary of amendments to Ordinance 2023-01 in the Journal
Motion by Ziegler, seconded by Dowling to publish a summary of amendments to Ordinance 2023-01 in the Journal; motion carried.
- e. Discussion/Review of 2022 Financial Audit Report
Koliha gave a brief review of the 2022 Financial Audit Report completed by Hawkins Ash CPA – City had a clean audit for 2022.
- f. Consider Adopt-A-Planter program for Spring/Summer 2023 (cash prizes 100/75/50)
Motion by Gossman, seconded by Dowling to have the Adopt-A-Planter program for spring/summer 2023 with cash prizes of 1st place \$100, 2nd place \$75 and 3rd place \$50 and to have participants sign up at City Hall and be drawn for a selected planter; motion carried.
- g. Consider spending allocation for City flowers in planters by City Hall (\$200)
Motion by Gossman, seconded by Dowling to spend \$200 on the purchase of flowers for the planters by City Hall; motion carried.
- h. Consider purchase of 2 replacement arborvitae by City Hall
Motion by Gossman, seconded by Dowling to purchase 2 replacement arborvitae by City Hall; motion carried.
- i. Consider contribution towards the summer rec program with Mabel (\$3,220)
Council would like further information on program for the year – No action taken.

- j. Consider re-investment of Wilken Park CD #44642
Motion by Gossman, seconded by Magnuson to re-invest the Wilken Park CD #44642 into a special rate term of 22 months for 3.75%; motion carried.
- k. Consider purchase of 2023 Edition of MN Basic Code of Ordinances in the amount of \$435 from American Legal Publishing, LLC
Motion by Gossman, seconded by Ziegler to purchase the 2023 Edition of MN Basic Code of Ordinances in the amount of \$435 from American Legal Publishing, LLC; motion carried.
- l. Consider purchase and installation of furnace with central air for Town Hall from Newman Heating & Cooling in the amount of \$17,750.00
Motion by Gossman, seconded by Dowling to purchase furnace with central air for Town Hall in the amount of \$17,750.00 including installation from Newman Heating & Cooling; motion carried.
- m. Discussion regarding Legion request for expansion of Memorial
Jim Richardson from Canton American Legion presented a request to Council for expansion of the Veterans Memorial – Legion would like to even out the east side and bring out the area on the south a few feet (~6ft) – Legion would pay all costs for work to be completed - Council expressed no concern but requested to be kept informed as progress is made with plans and work.

Jim Richardson is willing to water the planters along Main Street once again this year but would like to have access to a water spigot to get water – Jon Nordsving will work with Jim to get water for the planters.

Motion by Gossman, seconded by Dowling to adjourn the meeting at 7:16 p.m.; motion carried.

May 2023 Disbursements

General Fund

Acentek	\$	220.55	Phone & Internet Services (City Hall/Town Hall)
Canon Financial*	\$	44.00	Copier monthly lease contract
MiEnergy	\$	69.09	Electric: City Hall
MiEnergy	\$	74.59	Electric: Town Hall
MiEnergy	\$	30.01	Electric: Bus Shed
MiEnergy	\$	483.19	Electric: Street Lights
MiEnergy	\$	55.98	Electric: Welcome Sign
MiEnergy	\$	29.88	Electric: Ball Field
MN Energy Resources	\$	85.25	Gas: City Hall
MN Energy Resources	\$	121.77	Gas: Maintenance Shop
MN Energy Resources	\$	177.42	Gas: Town Hall
Nordsving, Jon	\$	50.00	Cell phone stipend
Tri-State Business Machines	\$	39.00	Copier monthly maintenance contract
Wright Way Computers	\$	41.57	Monthly computer services
Midwest Patch	\$	579.00	Street Repair: cold patch
Fillmore County Journal	\$	177.24	Summary of Zoning Ordinance
Fillmore County Journal	\$	50.64	Summary of Ordinance 2023-01: Schedule Fees reimbursement for 2 arborvitae trees from Ft
Jon Nordsving	\$	128.00	Atkinson Nursery
Canton American Legion	\$	45.00	Avenue of Flags
Fillmore County Sheriff	\$	6,000.00	1st Quarter Contracted Services 2023
Kingsley Mercantile	\$	27.45	Kerosine for pressure washer
Bruening Rock Products	\$	319.91	Street Repair: road rock
Village Farm & Home	\$	97.20	Supplies
S & A Petroleum	\$	1,399.60	Bulk Fuel: Unleaded Gas
Newman Heating & Cooling, LLC	\$	17,750.00	Furnace & A/C for Town Hall
Total General Fund Disbursements	\$	28,096.34	

Mitson Fund

MiEnergy	\$	29.53	Electric: Mitson House
Canton American Legion	\$	45.00	Avenue of Flags
Total Mitson Disbursements	\$	74.53	

Water Fund

Acentek	\$	39.56	Phone dialer system
Gopher State One Call	\$	12.15	Locates
MiEnergy	\$	562.51	Electric: Pump House
Total Water Disbursements	\$	614.22	

Sewer Fund

Acentek	\$	39.56	Phone: WWTF
MiEnergy	\$	1,119.07	Electric: WWTF
Utility Consultants	\$	193.07	Samples
USA BlueBook	\$	77.81	Hach Fluoride
Total Sewer Disbursements	\$	1,429.51	

Garbage Fund

Richard's Sanitation	\$	2,402.79	Monthly service charge
Total Garbage Disbursements	\$	2,402.79	

Fire Department

Acentek	\$	64.95	Internet services
MiEnergy	\$	79.47	Electric: Fire Hall
MiEnergy	\$	29.77	Electric: Cooler
MN Energy Resources	\$	131.75	Gas: Fire Hall
Total Fire Department Disbursements	\$	305.94	

Total Monthly Disbursements **\$ 32,923.33**

City of Canton

*Cash Balances

Cash Account: 10100

April 2023

05/03/23 10:47 AM

Page 1

Fund	2023 Begin Balance	Receipts	Disbursements	Transfers	Journal Entries	Payroll JEs	Balance	
10100 - CHECKING								
101 - GENERAL FUND	\$194,867.56	\$11,747.14	(\$85,520.53)	0	(\$2,677.48)	(\$14,225.52)	\$104,191.17	In Balance
102 - MITSON HOUSE FUND	\$18,824.93		(\$750.09)	0			\$18,074.84	In Balance
105 - FIRE DEPARTMENT	\$33,121.88	\$14,509.00	(\$8,544.21)	0			\$39,086.67	In Balance
108 - BALLFIELD/PARK FUND	\$0.00	\$2,060.12		0	\$2,677.48		\$4,737.60	In Balance
601 - WATER FUND	\$133,427.77	\$37,463.50	(\$22,473.80)	0		(\$10,557.36)	\$137,860.11	In Balance
602 - SEWER FUND	\$10,894.76	\$70,552.81	(\$18,641.40)	0	\$0.00	(\$12,174.01)	\$50,632.16	In Balance
603 - GARBAGE FUND	(\$2,348.72)	\$9,844.07	(\$9,611.08)	0			(\$2,115.73)	In Balance
	\$388,788.18	\$146,176.64	(\$145,541.11)	\$0.00	\$0.00	(\$36,956.89)	\$352,466.82	

CD Accts:

Willken CD \$10,000.00 1.70% 18mths 10-25-24

Sewer CD \$27,932.40 3.75% 22mths 12-19-24

Liquor CD \$35,000.00 3.75% 22mths 12-23-24

Vail CD \$130,000.00 4.10% 22mths 12-23-24

General CD \$557,041.59 0.85% 60mths 4-14-27





Office of the FILLMORE COUNTY SHERIFF

JOHN DEGEORGE Sheriff
LANCE BOYUM Chief Deputy
901 Houston St. NW
PRESTON, MN 55965-1080

Tel: 507-765-3874
Emergency Dial 911
Fax: 507-765-2703

Date: April 24, 2023

To: Canton City Council

From: Jason Harmening, Deputy Sheriff
John DeGeorge, Fillmore County Sheriff

Re: 2023 Quarter 1 Council Report

Calls for Service / Patrol Activity:

Reported Date	Title	Street Name
2023-01-01	Criminal Damage to Property	Main St
2023-01-02	Ambulance	Main St
2023-01-13	Ambulance	HIGHWAY 52
2023-01-13	Traffic	HWY 52
2023-01-16	Suspicious Activity	OAK ST
2023-01-17	Civil	Fillmore Ave
2023-01-18	Domestic Disturbance	Fillmore Ave
2023-01-21	Harassment	Main St
2023-01-23	Information	HWY 52
2023-01-25	Suspicious Activity	Ash St
2023-01-28	Ambulance	Prairie St
2023-01-28	Ambulance	Prairie St
2023-02-03	Civil	Fillmore Ave
2023-02-10	Civil	HUDSON AVE
2023-02-10	Civil	HUDSON AVE
2023-02-12	Ambulance	Prairie Ave
2023-02-22	Burglary	Ash St
2023-02-24	Ambulance	WEST ST
2023-02-27	Vehicle Off Road	HWY 52

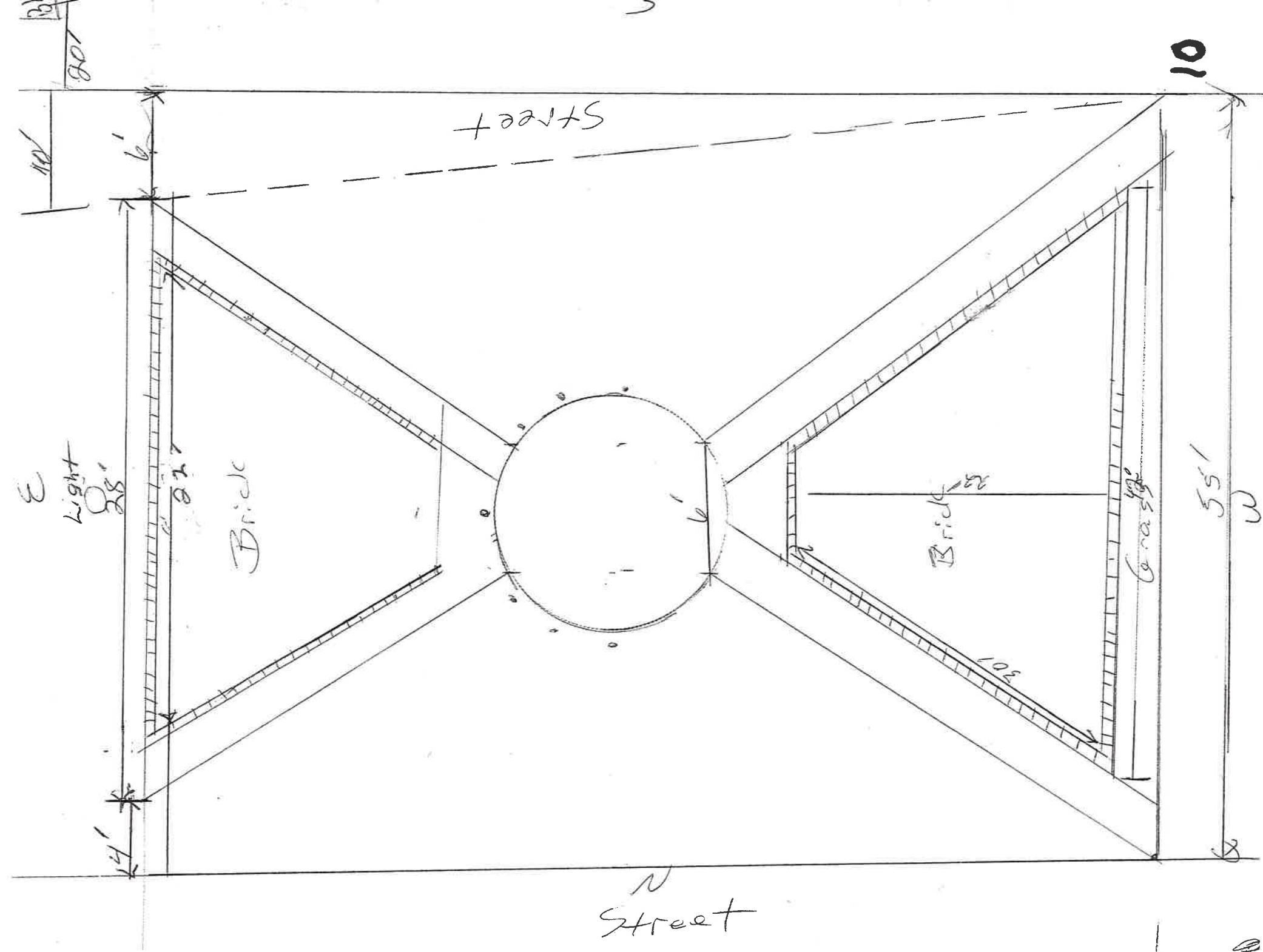


Office of the FILLMORE COUNTY SHERIFF

JOHN DEGEORGE Sheriff
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901 Houston St. NW
PRESTON, MN 55965-1080

Tel: 507-765-3874
Emergency Dial 911
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2023-03-03	Civil	FILLMORE AVE
2023-03-03	Civil	Fillmore Ave
2023-03-05	Assault	MAIN ST
2023-03-11	Harassment	MAIN ST
2023-03-11	Traffic	HWY 52
2023-03-16	Forgery	MAIN ST
2023-03-16	Civil	FILLMORE AVE
2023-03-25	Traffic	HWY 52



West Quarter Corner
Section 21, T101N, R9W
Fnd. 1" inside dia. iron pipe

ORIGINAL PLAT
OF CANTON

LOT 88

LOT 89

LOT 90

LOT 91

LOT 92

LOT 98

LOT 97

LOT 96

LOT 95

LOT 94

LOT 93

PUBLIC ALLEY

33'

33'

60.00'

50.00'

120.00'

(R.M. 260')
N89°39'45"W 260.18'

(R.M. 120')
120.18'

House

60.09'

60.09'

Total Area:
25,618 S.F. ±

Lease Area
See Note No. 1

L2

109.98'

70.02'

80.26'

N88°55'17"E 260.26'
(R.M. N88°42'E)

Set 3/4" I.D. x 8" I.P.
with cap No. 47030

Lean

Bldg.

Northerly line of abandoned
Railroad right-of-way
(Northerly line of Doc. No. 308425
Originally described in Doc. No. 217152)

MAIN STREET

(R.M. North)
N00°25'15"E 2640.50'

(R.M. 99.5')
S00°25'15"W 101.68'

33'

33'

(R.M. North)
N00°25'15"E 105.00'

57.85'
(R.M. 58.00')
(R.M. 114.00')

(R.M. N88°42'E)
N88°55'17"E
33.01'

33'

PRAIRIE AVENUE

N88°55'17"E 2647.91'
(R.M. N88°42'E)

Southwest Corner
Section 21, T101N, R9W
5/8" inside dia. iron pipe
(Position determined
from tie monuments)

BASIS OF BEARINGS:
Bearings are based on the Minnesota County
System, Fillmore County Zone, NAD 83 (199

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prep
that
laws

And

Date

Summer Rec Program in Mabel

In 2022 Canton contributed towards the summer rec program (\$3,220) so then it was called Mabel-Canton Summer Rec and residents that live in town paid \$5 cheaper per activity than residents outside of Mabel or Canton. Canton utilized \$2,000 from Wilken Park CD fund and Canton Legion donated \$1,200 for summer rec in 2022.

Summer Rec 2022 expenses = \$16,749.31

(Swim Bus & Driver \$1,040; Wages \$14,956.85; Supplies \$752.46)

Bussing not offered

Canton funds go towards wages for the coaches and operating supplies for the program

Dollar figure in 2022 was determined based on the summer rec costs for 2021 and the participation of Canton residents which was about 25%.

In 2022 there was a total of 131 kids that participated and 38 of them were from Canton – so that was a 29% participation from Canton.

So depending on the amount that Canton may consider to contribute to the summer rec program would determine if the reduced pricing for activities is offered to the residents of Canton or not.

(3) No person shall turn a vehicle at any intersection contrary to the direction on those signs.

(B) Except at intersections, and then only if not posted otherwise, it shall be unlawful for any person operating a motor vehicle on any street to cross the center of the street for the purpose of parking on the side of the street opposite the original direction of travel.

(C) It shall be unlawful for any person operating a motor vehicle on any street to back up or drive from a parked position and commence travel in the opposite direction from which the motor vehicle faced when parked.

Penalty, see § 10.99

§ 70.06 U-TURNS RESTRICTED.

No person shall turn a vehicle so as to reverse its direction on any street in the business district or at any intersection where traffic is regulated by a traffic control signal.

Penalty, see § 10.99

§ 70.07 EXCESSIVE NOISE.

(A) As used in this section:

(1) **LIGHT-MOTOR VEHICLES** means any automobile, van, motorcycle, motor-driven cycle, motor scooter, go-cart, minibike, trail bike, neighborhood electric vehicle, golf cart, mini truck, all terrain vehicle, truck with a gross vehicular weight of less than 10,000 pounds or low power vehicle.

(2) **LOW POWER VEHICLE** for the purposes of this section means a vehicle with a gas, electric or battery powered engine that may achieve a maximum vehicle speed of 35 miles per hour.

(B) It shall be unlawful for any person to operate, or cause to operate, or use a light-motor vehicle in a manner as to cause, or allow to be caused, excessive noise levels as a result of unreasonable rapid accelerations, deceleration, revving of engine, squealing of tires, honking of horns, or as a result of the operation of audio devices including but not limited to radios, phonograph, tape players, compact disc players or any other sound-amplifying device on or from the light-motor vehicle.

(C) No person shall operate, or cause to operate, or use a light-motor vehicle in violation of the noise standards contained in Minn. Rules parts 7030.1050 and 7030.1060, as it may be amended from time to time.

71.03 OTHER PARKING RESTRICTIONS.

(A) **Parking on All Other Streets.** It is unlawful for any person to park or permit any vehicle to stand upon any street or alley, in the same parking space, for more than seventy-two (72) consecutive hours. Approval to extend parking beyond the seventy-two (72) hour limit may be granted by the City Council upon application on a form provided by the City Clerk. Penalty, Any person found in violation of this ordinance may be fined in an amount provided for on the City fee schedule.

(B) The City Council may by resolution order the placing of signs, devices or marks, or the painting of streets or curbs prohibiting or restricting the stopping, standing or parking of vehicles on any street where, in its opinion, as evidenced by a finding in its official minutes, the stopping, standing or parking is dangerous to those using the highway, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic. The signs, devices, marks or painting shall be official signs, devices, marks or painting, and no person shall stop, stand or park any vehicle in violation of the restrictions thereon or as indicated thereby.

(C) No parking signs may be placed by city employees on any street of the city to permit construction, repair, snow removal, street cleaning or similar temporary activities. While the signs are in place, it shall be unlawful to park any vehicle on the streets or portion thereof so posted.

(D) It shall be unlawful for a person to park in an area designated by Council resolution and posted as a fire lane.

(E) It shall be unlawful for a person to park a vehicle or permit it to stand, whether attended or unattended, on an alley within the city, provided that this does not prohibit the parking of vehicles for less than one hour on an alley for the purpose of access to abutting property for loading or unloading merchandise or other material when parking on the property itself is not available.

(F) It shall be unlawful for a person to park a motor vehicle in an area designated by posted signs pursuant to Council resolution for certain types of vehicles, unless the motor vehicle is one of the types of vehicles specifically permitted.

(G) Every vehicle parked upon any street with a curb shall be parked parallel to the curb, unless angle parking is designated by appropriate signs or markings. On streets with a curb, the right-hand wheels of any vehicle parked shall be within one foot of the curb. On streets without a curb, the vehicle shall be parked to the right of the main traveled portion of the street and parallel to it and in such a manner as not to interfere with the free flow of traffic, unless angle parking is designated by appropriate signs or markings. All vehicles must be parked facing the same direction as the flow of traffic in the adjacent lane of traffic. Penalty, Any person found in violation of this ordinance may be fined in an amount provided for on the City fee schedule.

' 71.04 ODD/EVEN PARKING ON ALL STREETS FROM NOVEMBER THROUGH MARCH

(A) **ALTERNATE PARKING:** From November 1 through March 31 of each year, between 2:00 a.m. and 8:00 a.m. each day, no motor vehicles, trailers, wagons or any other obstacles to snow plowing vehicles shall be parked on the even numbered side of any City Street on even numbered days, and no motor vehicle shall be parked on the odd numbered side of any City Street on odd numbered days.

Penalty, Any person found in violation of this ordinance may be fined in an amount provided for on the City fee schedule.

(B) **BLOCKS WITHOUT BUILDINGS OR ADDRESSES:** Should any particular block be without buildings or the buildings present do not have addresses, the even/odd-numbered side of the public roadway shall be determined by building addresses on adjoining blocks of that roadway. Penalty, Any person found in violation of this ordinance may be fined in an amount provided for on the City fee schedule.

' 71.05 DECLARATION OF SNOW EMERGENCY; PARKING PROHIBITED.

(A) The Mayor, Police Chief or other designated official may declare a snow emergency in the city. The emergency shall continue in effect for a period of 24 hours or until the snow has been removed from the city's streets or until the snow emergency has been rescinded by action of the Mayor, Police Chief or other designated officer.

(B) Notice of the declaration of a snow emergency shall be given by notifying the local news media; however, the notification shall be a service aid only and not a duty on the part of the officials.

(C) During a declared snow emergency or after one inch or more of snow has accumulated, no motor vehicle shall be left parked on any street or public way in the city until the declared emergency is canceled or, if no emergency is declared, until the street is cleared on both sides of accumulated snow.

(D) During a declared snow emergency, any police officer or city appointed parking enforcement officer, appointed pursuant to M.S. ' 168B.035, Subd. 2, who finds a motor vehicle in violation of this section shall attempt to contact the owner of the motor vehicle and require the owner to immediately move the motor vehicle so as not to be in violation of this section. If the owner does not immediately remove the motor vehicle or the owner cannot be located, the police officer or city appointed parking enforcement officer, appointed pursuant to M.S. ' 168B.035, Subd. 2, is authorized to have the motor vehicle removed at the owner's expense. Penalty, see ' 10.99

' 71.06 PARKING CERTAIN SEMI-TRAILERS OR TRACTORS ON PUBLIC STREETS PROHIBITED.

No person shall park a semi-tractor or trailer, or any truck rated with a gross vehicle weight in excess of 10,000 pounds, in any area of the city zoned for residential use or other area designated by City Council resolution except when parked in the Industrial 1 (I1) district or the vehicle is parked in a completely enclosed garage.
Penalty, see ' 10.99

' 71.07 OVERNIGHT PARKING.

The following vehicles shall not be allowed to park on city streets overnight: repair, delivery, rented vehicles with commercial plates and refuse and recycling haulers or any other vehicle not registered as a passenger vehicle.
Penalty, see ' 10.99

' 71.08 REPAIRING OF VEHICLES.

Minor repairs, not including any oil or fluid changes, shall be permitted on city streets; provided, that they can be accomplished within the same day and completed by 10:00 p.m. All other repairs shall be considered major repairs and shall not be permitted on any city street, unless the repairs are made within an enclosed structure allowed within the zoning district. Damage to city streets because of repairs or lack of repairs shall be charged to the person responsible for the damage to the city streets.
Penalty, Any person found in violation of this ordinance may be fined in an amount provided for on the City fee schedule.

' 71.09 PROHIBITING PARKING AREAS IN FRONT YARDS IN RESIDENTIAL ZONES.

(A) The construction, operation or maintaining a parking area, either paved or unpaved, in the front yard of any lot is prohibited in any area zoned for residential use. For the purpose of this section, front yard shall mean and include that area between the sidewalk, or street line in the event there is no sidewalk, and the front line of the principal building, extending in both directions to the side lot lines.

(B) Use of that portion of a vacant lot within 30 feet of the sidewalk lines for parking in an area zoned for residential use is prohibited.

(C) Driveways in any area zoned for residential use shall not exceed 25% of the width at the front or side lot line. Where more than one driveway is desired or required, they shall be at least 70 feet apart.

(D) The front part of any lot shall not be used for the parking of an automobile, truck, trailer, tractor, recreational vehicle, camper, travel trailer, camper top, tent, wagon, boat, boat trailer, storage area or motor home.

(E) No person, being the owner or having control of any building, shall violate or fail to conform to any provision of this section, or fail to obey any lawful order of an officer charged with its enforcement. Each and every day on which any person continues to violate the provisions of this section, after having been notified of the violation, shall constitute a separate offense. This conviction shall not relieve any person from thereafter complying with the provisions of this section, and shall be sufficient cause to refuse further building or land use permits to the offender until a time as the orders have been complied with.
Penalty, see ' 10.99

' 71.10 IMPOUNDMENT.

Any police officer or city appointed parking enforcement officer, appointed pursuant to M.S. ' 168B.035, Subd. 2, may order the removal of a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal, street improvements or maintenance operations. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this chapter.

' 71.11 PRIMA FACIE VIOLATIONS.

Pursuant to M.S. ' 169.34, Subd. 2, as it may be amended from time to time, the presence of any motor vehicle on any street when standing or parked in violation of this chapter is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

Passed by the City Council of Canton, the 9th day of October, 2019.


Mayor


City Clerk

CITY OF CANTON

Parking Regulation Ordinance Amendments, including institution of seasonal odd/even parking

On October 9, 2019, the City Council of the City of Canton approved amendments to Chapter 71: Parking Regulations.

The following is a summary of the changes. The Ordinance, in its entirety is available for review and/or photocopying during regular office hours at the City of Canton Office, 106 N Main Street, Canton, MN 55922.

It is the purpose of the ordinance amendments to better regulate use of public streets and provide necessary limitations on that use to promote the public health, safety, and general welfare. In summary, the amendments include the following changes: making it unlawful to leave a vehicle parked in the same spot upon any street or alley for more than 72 hours, requiring all vehicles be parked facing the same direction as the flow of traffic in the adjacent lane of traffic, and instituting an Odd/Even parking system for the months of November through March to better accommodate street maintenance during the winter season.

More specifically, from November 1 through March 31 of each year, between 2:00 a.m. and 8:00 a.m. each day, no motor vehicles, trailers, wagons or any other obstacles to snow plowing vehicles shall be parked on the even numbered side of any City Street on even numbered days, and no motor vehicle shall be parked on the odd numbered side of any City Street on odd numbered days. Should any particular street host buildings without addresses associated with the street where parking is in question, no vehicles, trailers, wagons, or other obstacles to snow plowing shall be parked on the west and north sides of the street on odd days and east and south sides of the street on even days.

The ordinance amendments apply to all lands within the jurisdiction of the city of Canton.

The motion for the adoption of the foregoing ordinance was initiated by Councilmember Carl Ernst, duly seconded by Councilmember Cindy Shanks and upon vote being taken thereon, the following voted in favor: Ernst, Shanks, Councilmember Charlie Warner and Mayor Donivee Johnson.

And the following voted against the same: None.

Whereupon said ordinance amendments were declared duly passed and adopted this 9th day of October, 2019.

/s/ Donivee Johnson

Mayor

ATTEST:

/s/ Brock Bergey

City Clerk

Minnesota Basic Code of Ordinances - Traffic Code

PERSON. Includes an individual, partnership, corporation, the state and its agencies and subdivision, and any body of persons, whether incorporated or not.

RIGHT-OF-WAY. The entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

ROADWAY. That portion of a highway or street improved, designed or ordinarily used for vehicular travel.

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice, steered by skis or runners.

STREET. A public thoroughfare, roadway, alley or trail used for motor vehicular traffic which is not an interstate, trunk, county-state aid, or county highway.

§ 72.03 APPLICATION OF TRAFFIC ORDINANCES.

The provisions of Ch. 70 of this code shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

Penalty, see §10.99

§ 72.04 RESTRICTIONS.

(A) It is unlawful for any person to enter, operate or stop a snowmobile within the limits of the city:

(1) On the roadway of any street, except the most right hand lane then available for traffic or as close as practicable to right hand curb or edge of the roadway, except when overtaking and passing another vehicle stopped in the lane or proceeding in the same direction, or in making a left turn. Snowmobiles may also be operated upon the outside slope of trunk, county-state aid and county highways where the highways are so configured within the corporate limits. The City Council may, pursuant to M.S. § 84.87, Subd. 3, as it may be amended from time to time, adopt a resolution designating certain city streets as available for snowmobile operation and prescribe such time and speed limits as are necessary.

(2) On a public sidewalk provided for pedestrian travel.

(3) On boulevards within any public right-of-way.

(4) On private property of another without specific permission of the owner or person in control of the property.

Insurance Coverage update

Upon updates during renewal of City's insurance with LMCIT and inquiring about coverage with events such as BBQ cook off, Canton Day Off and Santa Days that it would be best to have Canton Community Association (CCA) added as a "covered party". This is able to be done with LMCIT since CCA is a non-profit organization and has established Article of Incorporation and Bylaws. LMCIT has reviewed CCA Article of Incorporation and Bylaws and have stated that these documents meet one of two criteria needed to be under the City's insurance. The documents indicate the CCA serve a municipal purpose, "promoting, organizing, and conducting the Canton Days Off community celebration and other activities designed to enhance and promote the quality of life of the residents of Canton." The second criteria that is missing from the documents is giving the city any degree of control over the CCA's activities. To meet the second portion the CCA will need to amend their bylaws to add in these items that would have city oversight: 1) Representation on the Board by a City Council member or someone appointed by the City Council to represent the Council, 2) Require regular reporting of finances and activities to the city (quarterly, semi-annual or annual), 3) Require the corporation to submit its proposed annual budget to the city, and 4) Require the City Council to approve any future amendments of the Articles of Incorporation or Bylaws of the corporation.

The Canton Community Association would like to amend their documents to included the necessary items so that the organization can be listed as a "covered party" on the City's LMCIT policy. Any additional premiums that may be added would be passed onto the Canton Community Association for payment.

Mitson House proposed projects

Projects already in progress

Sign for front lawn – sign is made, supports constructed by Bill Tate who will install when the ground is ready. Will be on front lawn between house and sidewalk, even with the north wall of the house.

There has been a major setback in the mold mitigation in the Mitson House kitchen. Last fall Tweten Construction found a hole where water was presumed to be entering the space above the kitchen ceiling. They repaired that and then replaced the damaged sheetrock in the kitchen and bathroom. We were gathering volunteers to come in and paint when we discovered more mold on the kitchen ceiling. We will contact Tweten Construction again to see if they can find a solution. This may very well put on hold our plans for summer Saturday afternoon tours.

Projects in planning stages

Landscaping to enhance curb appeal. Spray to kill creeping charlie and reseed where necessary. This phase can be done by City Employees and Historical Society volunteers. Remove overgrown rangy plants on north side of the house. Work up semi-circular area in the front of the house and plant heirloom perennials. Install temporary watering system on a timer. Work by The Plant Lady, installation to cost approximately \$1500 and plants estimated about \$500, depending on choices.

Window repair as needed to replace rotted areas, mostly sills. Constructing storm windows would be an option. Work to be done by Wadsworth Construction of Decorah. They have not yet provided an estimate. The work they did on the Depot windows was absolutely first rate and we felt the cost was reasonable. Their main focus is to restore historical buildings, projects large and small.

Addendum: Mitsen House

Tweten Construction (John and James) came and inspected the kitchen and bathroom on Monday, May 8. They found the drywall to be intact and dry, so they feel that the mold is just residual caused from standing over the winter without being painted. They recommend using Kilz liberally and then paint. If mold appears again, then further work would need to be done. Also the upstairs door should be weatherproofed right away since this could be a contributing factor of moisture getting in. A custom-made exterior door would probably cost around \$1000. Caulking applied or heavy plastic placed over the door could be done for a temporary fix to be replaced as needed.

CITY OF CANTON PERMIT APPLICATION

LAND USE

Names of all Landowners: Robert & Christine Schmidt Phone #: 507-273-7688

Phone #: _____

Phone #: _____

Property Address: 305 South Main St.

City, State, Zip: Canton MN 55922

Parcel #: R09.0156.000 Legal Description from deed, abstract or Records Office: _____

Have you started work on this project?

Yes: X

No: _____

Is there an access to this property?

Yes: X

No: _____

Is this project located under a power line?

Yes: _____

No: X

Proposed Project: Deck Total # of bedrooms _____
(New home, addition, move in a structure, outbuilding or other.)

Estimated cost: 5,000 dollars

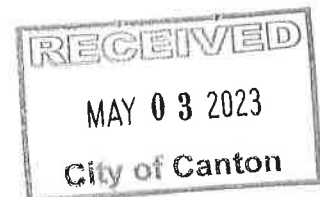
Total Square Footage:	Length		Width		Total
Basement	_____	X	_____	=	_____
1st level	_____	X	_____	=	_____
2nd level	_____	X	_____	=	_____
Attached Garage	_____	X	_____	=	_____
Porch or Deck	<u>9 ft.</u>	X	<u>24 ft.</u>	=	<u>216</u>
Total Square Footage	_____	X	_____	=	_____

NO WORK MAY BEGIN UNTIL A PERMIT IS OBTAINED. IF WORK HAS BEGUN ON THE PROJECT BEFORE A PERMIT IS ISSUED, A \$400.00 LATE FEE MUST BE PAID IN ADDITION TO THE PERMIT FEE. The following projects are assessed \$7.50 per 100 square feet of living space; New Homes, home additions, porches, decks, attached garages, homes being moved in, and manufactured homes. All other structures are assessed at \$5.00 per 100 square feet (storage buildings, detached garages). A minimum is \$8.00.

TOTAL FEE 15.00 (NO REFUNDS)



✓ # 1014



23

An aerial photo of the site must be provided with the application showing the location of the proposed construction. (Aerial photos are available from the Fillmore County Zoning Office.)

Measure and determine the following distances from the structure you are building:

1. Setback from center of a public road. _____
2. Setback from Front yard. _____
3. Setback from Rear yard. _____
4. Setback from Side yard. _____

SITE INSPECTIONS ARE REQUIRED FOR ALL NEW DWELLINGS. The footings must be dug and inspected before the actual construction of the dwelling may begin.

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of City of Canton, Fillmore County and the Statutes of the State of Minnesota.

Signatures of All Landowners

Name

Date

4-28-23

Name

Date

Name

Date

Send all correspondence to:

City of Canton

PO Box 92

Canton, MN 55922

Office Use Only:

Planning Commission Reviewed: ☐ Recommend Approval ☐ Denied

Zoning Administrator Signature

Date

City Council meeting date: _____ ☐ Approve ☐ Deny

Dear zoning administrators,

Enclosed, please find my permit application and fee of \$15.00 as calculated by square footage on the form. I think there may have been a misunderstanding of how I built my deck. This deck is floating and is not attached to the house. I have included photos of the sill plate next to the joist clearly showing a two-inch gap. The posts are not buried in the ground as that would not be in compliance with the permit either.

The permit I am applying for now is a request to attach this floating deck to the sill plate of the house if so granted.

I hope this alleviates any confusion of a finable violation. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to be 'RS' or 'Schmidt', written in a cursive style.

Robert Schmidt