

**Canton City Council**  
**January 10, 2024 – Following Public Hearing**  
**Regular Meeting Agenda**

1. Call to order
2. Pledge of Allegiance
3. Approval of agenda
4. Consent agenda
  - a) Approval of December 13, 2023 Regular Meeting Minutes
  - b) Approval of January Disbursements
  - c) Approval to waive Town Hall rental fee for American Red Cross Blood Drive on Feb. 12
  - d) Approval of \$100 donation to Mabel-Canton Post Prom
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) Consider approval of Resolution 2024-01: Vacating alley A1 (N Third St & N Second St)
  - b) Consider approval of Resolution 2024-02: Vacating alley A2 (N Second St & N First St)
  - c) Consider approval of Resolution 2024-03: Vacating alley A3 (N Second St & N First St)
  - d) Consider approval of Resolution 2024-04: Vacating alley A4 (S Second St & S First St)
  - e) Consider approval of Resolution 2024-05: Vacating alley A5 (W Hudson Ave)
  - f) Consider approval of Resolution 2024-06: Vacating street S1(N Ash St)
  - g) Consider approval of Resolution 2024-07: Vacating street S2 (N Oak St)
  - h) Consider approval of Resolution 2024-08: Vacating street S3 (N Third St)
  - i) Consider approval of Resolution 2024-09: Vacating street S4 (W Hudson Ave)
8. New business
  - a) Consider approval of Resolution 2024-10: Annual City Appointments for 2024
  - b) Consider approval of County Law Enforcement Services Agreement
  - c) Consider approval of MDH grant agreement in the amount of \$2,314 and authorize City Clerk to sign via Docu-sign

9. Adjourn

**Upcoming Dates:**

City Office Closed – Martin Luther King, Jr. Day  
Joint Mtg with Mabel City Council & School Board  
Regular City Council Meeting

January 15  
January 17 @ 6 p.m.  
February 14 @ 6 p.m.

## **Canton City Council Regular Meeting Minutes December 13, 2023**

Members present: Josh Nordsving, Kristy Ziegler, Jen Dowling

Members absent: Randy Gossman, Jason Magnuson

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

Visitor(s) present: Melissa Vanderplas (FC Journal)

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

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

### **Consent Agenda**

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

- a) Approval of November 8, 2023 Public Hearing Meeting Minutes
- b) Approval of November 8, 2023 Regular Meeting Minutes
- c) Approval of December Disbursements

**Public comments:** none

### **Reports:**

**Mayor Nordsving:** none

**Deputy Clerk:** none

**Clerk:** Koliha reported on continued work on finalizing the budgets, work on vacationing of alleys/streets process, grant application to MDH for fluoridation equipment was approved so grant agreement to come, joint meeting with Mabel-Canton School Board and Mabel City Council rescheduled for Wednesday, January 17, 2024 at 6pm

**Public Works:** Nordsving reported on working on year end reporting and beginning to work on some minor remodeling of pumphouse that will go along with the replacement of the fluoridation equipment

**Fire Department:** none

**Police:** Quarterly written report provided along with a copy of the new police services contract

**Planning Commission:** none

### **Old Business**

- a) Consider approval of 3% COLA  
Motion by Ziegler, seconded by Dowling to approve 3% COLA for city staff for 2024; motion carried.
- b) Consider approval of Resolution 2023-15: 2024 Final General Fund Budget  
Motion by Ziegler, seconded by Dowling to approve Resolution 2023-15: 2024 Final General Fund Budget; motion carried.

- c) Consider approval of Resolution 2023-16: 2024 Final Certified Tax Levy  
Motion by Ziegler, seconded by Dowling to approve Resolution 2023-16: 2024 Final Certified Tax Levy; motion carried.
- d) Consider approval of Resolution 2023-17: 2024 Final Water Fund Budget  
Motion by Dowling, seconded by Ziegler to approve Resolution 2023-17: 2024 Final Water Fund Budget; motion carried.
- e) Consider approval of Resolution 2023-18: 2024 Final Sewer Fund Budget  
Motion by Ziegler, seconded by Dowling to approve Resolution 2023-18: 2024 Final Sewer Fund Budget; motion carried.
- f) Consider approval of Resolution 2023-19: 2024 Final Fire Department Budget  
Motion by Dowling, seconded by Ziegler to approve Resolution 2023-19: 2024 Final Fire Department Budget; motion carried.
- g) Consider approval to purchase new snowplow truck  
Motion by Ziegler, seconded by Dowling to purchase new snowplow truck from Decorah Auto Center; motion carried.
- h) Discuss options for selling current snowplow truck  
Council discussed options for selling current snowplow truck once new truck is received, consensus was to sell out right for a set price.

#### **New Business**

- a) Consider approval of Ordinance 2024-01: 2024 Fee Schedule  
Motion by Dowling, seconded by Ziegler to approve Ordinance 2024-01: 2024 Fee Schedule; motion carried.
- b) Consider approval for summary publication of Ordinance 2024-01: 2024 Fee Schedule  
Motion by Ziegler, seconded by Dowling to approve a summary publication of Ordinance 2024-01: 2024 Fee Schedule in the Fillmore County Journal; motion carried.
- c) Consider approval of Resolution 2023-20: 2024 Election polling place designation  
Motion by Ziegler, seconded by Dowling to approve Resolution 2023-20: 2024 Election polling place designation; motion carried.
- d) Consider approval of Resolution 2023-21: Fire Department gambling exempt permit application  
Motion by Dowling, seconded by Ziegler to approve Resolution 2023-21: Fire Department gambling exempt permit application for calendar year 2024; motion carried.
- e) Consider approval of Resolution 2023-22: Canton Community Association gambling exempt permit application  
Motion by Ziegler, seconded by Dowling to approve Resolution 2023-22: Canton Community Association gambling exempt permit application for calendar year 2024; motion carried.
- f) Consider approval of Resolution 2023-23: Canton American Legion Post 400 off-site gambling permit  
Motion by Ziegler, seconded by Dowling to approve Resolution 2023-23: Canton American Legion Post 400 off-site gambling permit for calendar year 2024; motion carried.
- g) Consider approval of Resolution 2023-24: Amending Personnel Policy Handbook  
Motion by Dowling, seconded by Ziegler to approve Resolution 2023-24: Amending Personnel Policy Handbook with revisions to Article XII: Leaves of Absences; motion carried.

- h) Consider approval of Resolution 2023-25: Setting Public Hearing on proposed vacation of various alleys and streets  
Motion by Ziegler, seconded by Dowling to approve Resolution 2023-25: Setting Public Hearing on proposed vacation of various alleys and streets
- i) Consider approval of County Prosecutor Agreement  
Motion by Ziegler, seconded by Dowling to approve the County Prosecutor Agreement; motion carried.
- j) Consider approval of Legion to utilize City account at Village Farm & Home to purchase two (2) Blackstone Griddles  
Motion by Ziegler, seconded by Dowling to allow the Canton Legion to utilize the city account at Village Farm & Home for the purchase of two Blackstone Griddles for the Town Hall; motion carried.
- k) Discuss Town Hall kitchen updates (stove/oven & exhaust system)  
Council continued discussion about the current stove/oven in kitchen, Clerk Koliha got pricing from Kingsley Mercantile on stove/oven for replacement and Mayor Nordsving spoke with Tyler from Newman Heating & Cooling about the exhaust system. Consensus of the council was to have Newman Heating & Cooling to look at exhaust fan and give it a good cleaning to see if that will improve its performance. Consensus of council was to also go ahead and purchase a new stove/oven. Motion by Nordsving, seconded by Ziegler to purchase the Whirlpool stove/oven in black from Kingsley Mercantile; motion carried.

Motion by Ziegler, seconded by Dowling to adjourn the meeting at 6:33 p.m.; motion carried.

## January 2024 Disbursements

### General Fund

		Balance 1/1/2024: \$228,036.01
Acentek	\$	222.34 Phone & Internet Services (City Hall/Town Hall)
Canon Financial*	\$	44.00 Copier monthly contract
MiEnergy	\$	91.70 Electric: City Hall
MiEnergy	\$	85.11 Electric: Town Hall
MiEnergy	\$	34.09 Electric: Bus Shed
MiEnergy	\$	483.19 Electric: Street Lights
MiEnergy	\$	59.49 Electric: Welcome Sign
MiEnergy	\$	33.29 Electric: Ball Field
MN Energy Resources*	\$	99.86 Gas: City Hall
MN Energy Resources*	\$	129.18 Gas: Maintenance Shop
MN Energy Resources*	\$	203.14 Gas: Town Hall
Nordsving, Jon	\$	50.00 Cell phone stipend
Tri-State Business Machines	\$	44.30 Copier monthly contract
Wright Way Computers	\$	41.57 Monthly computer services
LMC Insurance Trust		2024 premiums (Auto/Liability/Property)
Fillmore County Journal	\$	73.10 Summary of Ordinance 2024-01 Schedule of Fees
Fillmore County Journal	\$	212.64 Public notice on vacating alleys/streets
Office Depot*	\$	31.50 office supplies
Nethercut Schieber Attorneys	\$	30.00 Legal fees
Carolina Hershberger	\$	162.00 City Hall cleaning (Nov-Dec 2023)
Kingsley Mercantile	\$	53.43 supplies for Town Hall & City Hall
Village Farm & Home	\$	65.32 supplies
Preston DMV	\$	42.50 vehicle registration renewals
<b>Total General Fund Disbursements</b>	<b>\$</b>	<b>2,291.75</b>

### Mitson Fund

		Balance 1/1/2024: \$15,364.36
MiEnergy	\$	33.29 Electric: Mitson House
LMC Insurance Trust		2024 premiums (Property)
<b>Total Mitson Disbursements</b>	<b>\$</b>	<b>33.29</b>

### Water Fund

		Balance 1/1/2024: \$180,727.27
Acentek	\$	40.24 Phone dialer system
Gopher State One Call	\$	2.70 Locates
MiEnergy	\$	651.32 Electric: Pump House
LMC Insurance Trust		2024 premiums (Property)
Office Depot*	\$	31.40 office supplies (utility billing paper)
Fillmore County Auditor/Treasurer	\$	25.00 Special Assessment Fee
<b>Total Water Disbursements</b>	<b>\$</b>	<b>750.66</b>

### Sewer Fund

		Balance 1/1/2024: \$41,651.67
Acentek	\$	40.24 Phone: WWTF
MiEnergy	\$	1,128.38 Electric: WWTF
Utility Consultants	\$	691.67 Samples
LMC Insurance Trust		2024 premiums (Property/Liability)
Office Depot*	\$	31.40 office supplies (utility billing paper)

Fillmore County Auditor/Treasurer	\$	25.00	Special Assessment Fee
Bergey Farms	\$	240.00	Tractor rental for land application
<b>Total Sewer Disbursements</b>	<b>\$</b>	<b>2,156.69</b>	

### **Garbage Fund**

Richard's Sanitation	\$	2,492.92	Monthly service charge
<b>Total Garbage Disbursements</b>	<b>\$</b>	<b>2,492.92</b>	

### **Fire Department**

Acentek	\$	64.95	Interenet services
MiEnergy	\$	79.23	Electric: Fire Hall
MiEnergy	\$	34.55	Electric: Cooler
MN Energy Resources*	\$	188.89	Gas: Fire Hall
LMC Insurance Trust			2024 premiums (Auto/Property)
Volunteer Firefighters' Benefit Assoc of MN	\$	200.00	Annual Renewal
<b>Total Fire Department Disbursements</b>	<b>\$</b>	<b>567.62</b>	

### **Ballfield & Park**

Balance 1/1/2024: \$4,377.02

**Total Monthly Disbursements**      **\$ 8,292.93**      \* EFT Payments

### CD Values

1/1/2024

	Current Balance	Interest Rate	Term (Months)	Maturity Date
Wilken Park #45022	\$ 10,085.23	1.70%	18 Months	10/25/2024
Sewer #44955	\$ 28,451.83	3.75%	22 Months	12/19/2024
Liquor Store #44957	\$ 35,650.86	3.75%	22 Months	12/23/2024
Vail Estate #44956	\$ 132,672.30	4.10%	22 Months	12/23/2024
General Fund #18920	\$ 55,941.98	0.85%	60 Months	4/14/2027

Mabel-Canton Post Prom

December 1, 2023 / Jan. 4, 2024

Though it is just the start of winter, the parents at Mabel-Canton High School are busy planning our Post Prom Party. Prom is scheduled for May 4th, 2024, with Post Prom to follow at the high school. As in the past, it has been our intent to furnish an alcohol-free all-night party for the students which provides for safety and a lot of fun. Plans for this year's party include stage entertainment with a hypnotist, various games, and door prizes and drawings throughout the night. This party has been a huge success in the past and 95% of our students and their dates attend all night.

The Post Prom party is sponsored by Junior Class parents therefore, it is not a school sponsored event, so contributions from local individuals and businesses help to provide for this worthy cause for our children.

We would like to express our sincere gratitude and appreciation for your help in previous years and would appreciate any donation you could contribute to our Post Prom party this year; may it be money or a prize item. With your support and generosity, our event will once again be a huge success.

Thank you so much!

Parents of the Mabel-Canton Class of 2025

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Mabel-Canton Post Prom Donation

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Amount: \_\_\_\_\_

If you need us to pick up a donation, please contact Stephanie Morken or email at [smorken@mabelcanton.org](mailto:smorken@mabelcanton.org) Please make checks payable to M-C Post Prom Committee.

Please mail your contribution to:

Mabel-Canton School  
ATTN: Post-Prom Committee  
316 W Fillmore Ave  
Mabel MN 55954

# City of Canton

## Resolution #2024-01 A RESOLUTION VACATING ALLEY

**WHEREAS**, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 alley between N Third Street and N Second Street legally described as:

**Alley platted between Lots 185-189 & Lots 210-214, Original Plat, City of Canton, which is 20 feet wide, between N Third Street (formally Ada Street) and N Second Street (formally May Street), and extending 250 feet North from W Fillmore Avenue**

And setting a public hearing to consider the vacation of such alley; and

**WHEREAS**, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, an easement for any and all public utilities located in the vacated alley shall be maintained; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

**WHEREAS**, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **Alley platted between Lots 185-189 & Lots 210-214, Original Plat, City of Canton, which is 20 feet wide, between N Third Street (formally Ada Street) and N Second Street (formally May Street), and extending 250 feet North from W Fillmore Avenue**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

## City of Canton

### Resolution #2024-02 A RESOLUTION VACATING ALLEY

**WHEREAS**, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 alley between N Second Street and N First Street legally described as:

**Alley platted between Lots 180-184 & Lots 155-159, Original Plat, City of Canton, which is 20 feet wide, between N Second Street (formally May Street) and N First Street (formally Ida Street), and extending 250 feet North of W Fillmore Ave**

And setting a public hearing to consider the vacation of such alley; and

**WHEREAS**, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, an easement for any and all public utilities located in the vacated alley shall be maintained; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

**WHEREAS**, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **Alley platted between Lots 180-184 & Lots 155-159, Original Plat, City of Canton, which is 20 feet wide, between N Second Street (formally May Street) and N First Street (formally Ida Street), and extending 250 feet North of W Fillmore Ave**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

# City of Canton

## Resolution #2024-03 A RESOLUTION VACATING ALLEY

WHEREAS, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 alley between N Second Street and N First Street legally described as:

**Alley platted between Lots 160-164 & Lots 1755-179, Original Plat, City of Canton, which is 20 feet wide, between N Second Street (formally May Street) and N First Street (formally Ida Street), and extending 250 feet South of W Fillmore Ave**

And setting a public hearing to consider the vacation of such alley; and

WHEREAS, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, an easement for any and all public utilities located in the vacated alley shall be maintained; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

WHEREAS, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **Alley platted between Lots 160-164 & Lots 175-179, Original Plat, City of Canton, which is 20 feet wide, between N Second Street (formally May Street) and N First Street (formally Ida Street), and extending 250 feet South of W Fillmore Ave**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

# City of Canton

## Resolution #2024-04 A RESOLUTION VACATING ALLEY

WHEREAS, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 alley between S Second Street and S First Street legally described as:

**Alley platted between Lots 1-11 & Lots 12-22, Lamms Addition, City of Canton, which is 20 feet wide, between S Second Street (formally May Street) and S First Street (formally Ida Street), and extending 275 South from W Prairie Avenue**

And setting a public hearing to consider the vacation of such alley; and

WHEREAS, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, an easement for any and all public utilities located in the vacated alley shall be maintained; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

WHEREAS, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **Alley platted between Lots 1-11 & Lots 12-22, Lamms Addition, City of Canton, which is 20 feet wide, between S Second Street (formally May Street) and S First Street (formally Ida Street), and extending 275 South from W Prairie Avenue**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

## City of Canton

### Resolution #2024-05 A RESOLUTION VACATING A PORTION OF ALLEY

**WHEREAS**, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 a portion of alley south of W Hudson Avenue legally described as:

**South portion of alley that runs east and west and platted between Lots 31-34, Hudson's Addition, City of Canton, which is 20 feet wide by 111 feet in length, located 120 feet South of W Hudson Avenue**

And setting a public hearing to consider the vacation of such alley; and

**WHEREAS**, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, an easement for any and all public utilities located in the vacated alley shall be maintained; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

**WHEREAS**, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **South portion of alley that runs east and west and platted between Lots 31-34, Hudson's Addition, City of Canton, which is 20 feet wide by 111 feet in length, located 120 feet South of W Hudson Avenue**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

## City of Canton

### Resolution #2024-06 A RESOLUTION VACATING A PORTION OF N ASH STREET

**WHEREAS**, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 a portion of street between N Main Street and N Oak Street legally described as:

**North portion of N Ash Street platted between Lots 68-77, Lots 78-87, Lots 9-020, and Lot 6, Willford Addition, City of Canton, which is 66 feet wide and extending 335 feet North from E Fillmore Avenue**

And setting a public hearing to consider the vacation of such street; and

**WHEREAS**, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

**WHEREAS**, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **North portion of N Ash Street platted between Lots 68-77, Lots 78-87, Lots 9-020, and Lot 6, Willford Addition, City of Canton, which is 66 feet wide and extending 335 feet North from E Fillmore Avenue**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

## City of Canton

### Resolution #2024-07

#### A RESOLUTION VACATING A PORTION OF N OAK STREET

**WHEREAS**, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 a portion of street east of N Ash Street legally described as:

**North portion of N Oak Street platted between Lots 29-33 & Lots 34-38, Original Plat, City of Canton, which is 66 feet wide and extending 250 feet North from E Fillmore Avenue**

And setting a public hearing to consider the vacation of such street; and

**WHEREAS**, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

**WHEREAS**, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **North portion of N Oak Street platted between Lots 29-33 & Lots 34-38, Original Plat, City of Canton, which is 66 feet wide and extending 250 feet North from E Fillmore Avenue**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

## City of Canton

### Resolution #2024-08

#### A RESOLUTION VACATING A PORTION OF N THIRD STREET

**WHEREAS**, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 a portion of street west of N Second Street legally described as:

**South portion of N Third Street (formally Ada Street) platted between Lots 200-204 & Lot 217, Original Plat, City of Canton, which is 66 feet wide and extending 250 feet South of W Canton Avenue**

And setting a public hearing to consider the vacation of such street; and

**WHEREAS**, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

**WHEREAS**, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **South portion of N Third Street (formally Ada Street) platted between Lots 200-204 & Lot 217, Original Plat, City of Canton, which is 66 feet wide and extending 250 feet South of W Canton Avenue**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

## City of Canton

### Resolution #2024-09

#### A RESOLUTION VACATING A PORTION OF W HUDSON AVENUE

WHEREAS, the City Council previously passed Resolution No. 2023-25 noting its interest in vacating pursuant to Minnesota Statute § 412.851 a portion of street west of S West Street legally described as:

**West portion of W Hudson Avenue platted between Out Lot 14 & 15, Original Plat, City of Canton, which is 66 feet wide and extending 75 feet West of S West Street**

And setting a public hearing to consider the vacation of such street; and

WHEREAS, a public hearing to consider the vacation of such alley was held on the 10<sup>th</sup> day of January, 2024, before the City Council in the Canton Town Hall located at 107 North Ash Street at 6 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 22 day of December, 2023 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because it is not needed for public transport or access; and

WHEREAS, four-fifths of all members of the City Council concur in this resolution;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of Canton, Minnesota:

That such petition for vacation is hereby granted and the alley described as follows is hereby vacated: **West portion of W Hudson Avenue platted between Out Lot 14 & 15, Original Plat, City of Canton, which is 66 feet wide and extending 75 feet West of S West Street**

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Canton, Minnesota this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

ATTEST:

\_\_\_\_\_  
Anne Koliha, City Clerk

# City of Canton

## Resolution #2024-10

### RESOLUTION TO CERTIFY ANNUAL CITY APPOINTMENTS FOR 2024

**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	Smith Schafer
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 2024 IRS Rate

Passed and adopted by the Canton City Council this 10<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Josh Nordsving, Mayor

**ATTEST:**

\_\_\_\_\_  
Anne Koliha, City Clerk

### Law Enforcement Services Agreement

THIS AGREEMENT, made and entered into by and between the COUNTY OF FILLMORE, hereinafter referred to as "the County" and the City of Canton, a municipal corporation under the laws of the state of Minnesota, hereinafter referred to as "the City".

WITNESSETH:

WHEREAS, the parties to this agreement are desirous of contracting for the performance by the County of law enforcement functions for, and within the boundaries of the City of Canton through the Fillmore County Sheriff; and

WHEREAS, the County is agreeable to rendering such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by the provisions of Minnesota Statutes 1957, 471.59 and 436.05, and Laws 1959, Chapter 372;

NOW, THEREFORE, in consideration of the mutual undertakings set forth herein, The County and the City agree as follows:

#### **1. SCOPE OF SERVICES**

- A. The County agrees, through the Sheriff of the County of Fillmore to provide patrol and police protection within the corporate limits of the City to the extent and in the manner hereinafter set forth. Such services shall only encompass duties and functions of the type coming within the jurisdiction of and customarily rendered by the Sheriff of the County under state statutes.
- B. The manner and standards of performance, the discipline of officers, and other matters incident to the provision of services under this Agreement, and the control of personnel so employed, shall be subject solely to the control of the County. In the event of a dispute between the parties as to the extent of the duties and functions to be rendered hereunder, or the level or manner of performance of such service, the determination thereof made by the Sheriff of the County shall be final and conclusive as between the parties hereto, subject however, to the provisions of Section 5.B herein.
- C. Services provided pursuant to this Agreement shall include, but shall not be limited to, traffic law enforcement including the regular use of radar as a speed deterrent, non-traffic ordinance law enforcement, license inspection and enforcement, and the regular patrol of business and residential areas within the City. The County shall assist the City in enforcement of City Ordinances upon request.
- D. Services shall be provided at least two (2) hours per day, seven (7) days per week.
- E. The County shall furnish and supply all necessary labor, supervision, squad cars, equipment, communication facilities and dispatching, and supplies necessary to provide services pursuant to this Agreement, except as noted herein.

- F. All Deputy Sheriffs, clerks, dispatchers, and all other County personnel performing duties pursuant to this Agreement shall at all times be considered employees of the County for all purposes.

## **2. ASSUMPTION OF LIABILITY/INSURANCE**

- A. Except as otherwise provided, the City shall not be called upon to assume any liability for the direct payment of any salaries, wages, or other compensation to any County personnel performing services hereunder for the City, and the County hereby assumes said liabilities.
- B. Except as herein otherwise specified, the City shall not be liable for compensation or indemnity to any County employee for injury or sickness arising out of this employment and the County hereby agrees to hold harmless the City against any such claim.
- C. The City, their officers, and employees, shall not be deemed to assume any liability for the intentional or negligent acts of the County or the County's employees performing services pursuant to this Agreement, and the County shall hold the City, their officers, and employees harmless from and shall defend the City, their officers and employees, against any claim for damages arising out of the County's performance of this Agreement.
- D. The County, its officers and employees shall not be deemed to assume any liability for intentional or negligent acts of the City, or of any officers, agents, or employees thereof, and the City shall hold the County and its officers and employees harmless from and shall defend the County and its officers and employees against any claim for damages arising out of the City's performance of this Agreement.
- E. The County agrees to maintain, during the term of this Agreement, general liability, workers' compensation, and professional liability insurance in amounts deemed appropriate by the County, through its Risk Manager. The County shall name the City as additional insured on these insurance policies except for workers compensation policy.

## **3. TERMS OF AGREEMENT/TERMINATION**

- A. Beginning January 1<sup>st</sup>, 2024, the cost to provide the contracted services is \$61 per hour.
- B. This agreement shall automatically renew each year on January 1<sup>st</sup>, with a 3% increase in the hourly rate; upon the same terms and conditions unless a party hereto gives written notice to the other parties as provided herein.
- C. Any party may terminate this Agreement after January 1<sup>st</sup>, 2025, upon six month's notice to the other parties.
- D. Notice to the County shall be given to the Fillmore County Sheriff. Notice to the City shall be given to the City Clerk.

4. **PAYMENT**

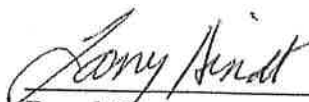
- A. The City agrees to pay the County for two (2) hours of service per day at the 2024 contract rate of \$61 per hour. The City agrees to pay the County \$44,530 per year in total.
- B. The COUNTY shall bill the City on a quarterly basis. The City shall pay the County within thirty (30) days of receipt of the monthly statement.

5. **GENERAL PROVISIONS**

- A. The Fillmore County Sheriff's Office shall submit to the City monthly activity reports detailing the activities of the Sheriff's Office within the City. The reports shall contain at least the number and type of calls answered. The Fillmore County Sheriff will attend a city council meeting when requested by the city.
- B. Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing, signed by authorized representatives of the City and attached to the original of this Agreement.

IN WITNESS WHEREOF, the County of Fillmore, by resolution of its Board of County Commissioners, caused these presents to be subscribed by the Chair and Secretary of said Board, and the City of Canton, by resolution duly adopted by their city Council, have caused this Agreement to be signed by its Mayor and City Clerk, respectively, on the dates indicated by each signature.

COUNTY OF FILLMORE

  
Board Chair

  
Administrator/Clerk

  
Fillmore County Sheriff

CITY OF CANTON

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## Minnesota Department of Health

### Grant Agreement Cover Sheet

You have received a grant agreement from the Minnesota Department of Health (MDH). Information about the grant agreement, including funding details, are included below. Contact your MDH Grant Manager if you have questions about this cover sheet.

**ATTACHMENT:** Grant Agreement

**CONTACT FOR MDH:** Anita Smith, Grant Coordinator, 651-201-4665, [anita.smith@state.mn.us](mailto:anita.smith@state.mn.us)

Grantee SWIFT Information	Grant Agreement Information	Program & Funding Information
<b>Name of MDH Grantee</b> (as it appears in SWIFT): City of Canton,	<b>SWIFT Contract Number:</b> 240974	<b>MDH Program Name:</b> MDH Oral Health and Drinking Water Protection
<b>Grantee SWIFT Vendor Number:</b> 0000201405  <b>SWIFT Vendor Location Code:</b> 001	<b>Effective Date:</b> 12/19/2023, OR the date all signatures are collected and the agreement is fully executed, whichever is later.  <b>Expiration Date:</b> 6/28/2024	<b>Total State Grant Funds:</b> \$0.00 <b>Total Federal Grant Funds:</b> \$2,314.00 <b>Total Grant Funds (all funds):</b> \$2,314.00

### Notice to Grantee about Federal Funds

You have received a sub-award of federal financial assistance from MDH. Information about the sub-award is being shared with you per 2 CFR § 200.332. Please keep a copy of this cover sheet with the grant agreement.

<b>Grantee <u>Unique Entity Identifier</u> (UEI) Name and Number</b>	<b>UEI Name:</b> Canton, City of <b>UEI Number:</b> VMLUGLMWE2U7
<b>Grantee's Approved Indirect Cost Rate for the Grant</b>	0%
<b>Is The Award for Research and Development?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Project Description</b>	Fund the purchase and installation of fluoridation process equipment used by Minnesota community public water systems (PWSs).
<b>Name of Federal Awarding Agency</b>	Department of Health and Human Services Center for Disease Control and Prevention.
<b><u>Assistance Listing Name and Number</u></b> (formerly <i>Catalog of Federal Domestic Assistance, "CFDA"</i> )	<b>Assistance Listing Name:</b> State Actions to Improve Oral Health Outcomes and Partner Actions to Improve Oral Health Outcomes <b>Assistance Listing Number:</b> 93.366.
<b>Federal Award Identification Number (FAIN)/ Grantor's Pass-through Number</b>	NU58DP006486-02-01
<b>Federal Award Date</b> (Date MDH received federal grant)	11/6/2019
<b>Total Amount of Federal Award Received by MDH</b>	\$740,000.00
<b>Amount of funding from this federal award MDH is issuing to Grantee</b>	\$2,314.00

MDH Oral Health and Drinking Water Protection  
REQ: 10325

## Exhibit A – Grantee's Activities/ Scope of Work

Fund the purchase and installation of fluoridation process equipment used by Minnesota community public water systems. The grant awards may not be used for the purchase of fluoride chemicals, administrative costs, or other indirect costs. The City of Canton will:

- Replace Storage Tanks
- Replace two (2) chemical feed pumps
- Properly maintain fluoride infrastructure for consistency with federal and state regulations

The recipients must comply with the requirements described in Minnesota Statute §144.145 and Rule 4700.0030. These requirements include but are not limited to:

- Daily monitoring of water production volume, fluoride chemical consumption
- Monitoring of distribution system fluoride concentration as required by MDH; and
- Submission of monthly reports of water production, fluoride chemical consumption, and distribution system fluoride concentration to the MDH; and
- Quarterly collection and submission of a distribution system sample to the MDH Public Health Laboratory.

## Exhibit B – Grantee's Budget

The summary budget is shown for reference only and is non-binding. Reimbursement is the method for making grant payments. All grantee requests for reimbursement must correspond to the approved grant budget. The State shall review each request for reimbursement against the approved grant budget, grant expenditures to-date and the latest grant progress report before approving payment. Grant payments shall not be made on grants with past due progress reports unless MDH has given the grantee a written extension.

Total Cost of Project (Amount Requested + Cost Share)	\$2,892.00
Grant Award	\$2,314.00
20% Cost Share	\$578.00
Total Reimbursable Amount	\$2,314.00