

AGENDA
CITY COUNCIL MEETING
January 13, 2015

The Oath of Office will be administered for Mayor Mike Engel and
City Council Members Fred Barsness and Doug Henke

- 7:00
- I. CALL TO ORDER AND ROLL CALL**
 - II. CITIZEN COMMENTS**
 - III. ADOPT AGENDA**
 - IV. CONSENT AGENDA**
** All items listed with asterisks (**) are considered routine and noncontroversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member, City staff or citizen so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
 - V. **APPROVAL OF MINUTES**
 - A. City Council Meeting Minutes of December 9, 2014
 - VI. PRESENTATIONS/PUBLIC HEARINGS
RECOGNITIONS/PROCLAMATIONS**
 - VII. ENGINEERING**
 - A. Update on Feasibility Work - 1st Street Reconstruction Project
 - B. Update on Preliminary Analysis for New Fire Facility
 - VIII. LEGAL**
 - A. 2015 Appointments and Designations
 - 1. Planning Commission – 2 Year Term
 - a. Jim Malloy
 - b. Russ Thurmes
 - 2. Public Utility Commission – 3 Year Term
 - a. Richard Nielsen
 - 3. Library Board – 3 Year Term
 - a. Scott Swenhaugen
 - b. Trudy Johnson
 - 4. Economic Development Authority (EDA) – 4 year term
 - a. Stuart Campbell
 - 5. Historic Preservation Commission – 3 year term
 - a. Richard Overholt
 - b. Vacancy
 - 6. Park & Recreation Committee – 3 Year Term
 - a. Lacy Larish
 - b. Tammie Kirchmann
 - c. Melissa Cusey
 - 7. Miscellaneous Appointments
 - a. Acting Mayor – Fred Barsness

- b. Legal Newspaper – Kenyon Leader
- c. Depository – Security State Bank
- d. City Attorney – Scott Riggs, Kennedy & Graven Chartered
- e. Prosecuting Attorney – David Jacobsen, Hero, Jorstad, Jacobsen Law Firm
- f. City Engineer – Joe Rhein, Bolton & Menk
- g. City Auditor – Smith ♦ Schafer and Assoc., Ltd.
- h. Financial Consultant – Springsted
- i. Investments – As Allowed Per Minnesota Statutes
- j. Deputy Clerk – Pam Blow
- k. Weed Inspector – Mike Engel
- l. Audit Committee – Rick Nielsen, Sue Dodds, Mark Vahlsing
- m. Personnel Committee - Engel, Barsness and Vahlsing
- n. Liquor Committee – Diane Barrett, Rick Nielsen, Bryan Haugen, Russ Thurmes, Vahlsing
- o. Kenyon Fire Relief Association – Engel and Vahlsing
- B. Resolution 2015-01: Establishing License Fees and Compensation
- C. VFW Annual Dance Permit
- D. Annual Tobacco Licenses
 - a. Kenyon Municipal Liquor Store
 - b. Kenyon Motor Mart
 - c. River Country Co-op
- E. Annual Refuse Licenses
 - a. Waste Management
 - b. Flom Disposal Inc. (Temporary rolloff, dumpster)
 - c. Gibson Sanitation (Temporary rolloff, dumpster)
- F. Annual Recycling Licenses
 - a. Flom Disposal Inc.
 - b. Goodhue County Public Works
 - c. Waste Management
- G. Annual Sidewalk Obstruction Licenses
 - a. Jerry’s Ace Hardware
 - b. Papa’s Family Restaurant
 - c. Kenyon VFW Post 141
 - d. Kenyon Leader
 - e. Mary’s Rustic Rose
 - f. Write On
 - g. Schweich’s
- H. Kennedy & Graven 2015 Rates for Legal Services
- I. Update on Wastewater Treatment Facility Project Liquidated Damages

IX. FINANCIAL

- **A. December 2014 Treasurer’s Report - Year End Unaudited Financial Reports
- **B. Payment of Claims

X. OLD BUSINESS

XI. NEW BUSINESS

- A. Resolution 2015-02: A Resolution Authorizing Acceptance of 2014 Donations
- B. “Lost Highway” Performance Agreement for August 22, 2015
- C. Fire Department
 - 1. Purchase of Spreader Attachment for Genesis Extrication Device

2. Interlocal Contract for Cooperative Purchasing– Fire Truck Chassis

XII. OTHER BUSINESS

A. Schedule of Upcoming Meetings

1. EDA Annual Meeting: Tuesday, January 27th @ 9 a.m. at Schweich's
2. SEMLM Annual Meeting: Thursday, January 29th in Rochester
3. City Council Meeting: Tuesday, February 10th @ 7 p.m.
4. 2015 Board of Appeal and Equalization: Thursday, April 23rd @ 5:00 p.m.

XIII. COUNCIL AND STAFF GENERAL COMMENTS

8:00

XIV. ADJOURNMENT

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Vahlsing, City Administrator
RE: Meeting of January 13, 2015

Attached please find the agenda and related materials for Tuesday's meeting. The Oath of Office will be administered for Mike Engel, Fred Barsness and Doug Henke prior to the start of the meeting.

I. CALL TO ORDER AND ROLL CALL

II. CITIZEN COMMENTS

III. ADOPT AGENDA

MOTION NEEDED

IV. CONSENT AGENDA

The Consent Agenda contains the following items for approval:
Regular City Council Meeting Minutes of December 9, 2014
December 2014 Treasurer's Report
Payment of Claims

MOTION NEEDED

V. APPROVAL OF MINUTES

Consent Agenda Item

VI. PRESENTATIONS/PUBLIC HEARINGS

VII. ENGINEERING (*Joe Rhein will be in attendance at this meeting.*)

Update on Feasibility Work – 1st Street Reconstruction Project

City Engineer Rhein will provide an update on the status of the project. Survey work has been completed. Soil borings and testing will be completed in 2-3 weeks.

Update on Preliminary Analysis for New Fire Facility

Foldcraft and Richard Nielsen have responded are interested in selling. Specific information is contained in the updated site summary in the packet. Foldcraft has requested that Centennial Drive be paved by the City as part of the project. City Engineer Joe Rhein has provided a preliminary estimate of \$120,000 to pave the entire road. I have had subsequent discussion with them and stated that it would be difficult for the City to pay for entire paving cost. Subsequently Foldcraft has indicated that they are willing to work with the City on the paving. I will be meeting with them next week to discuss the paving project and costs. There is no other new information on the other sites that have been considered.

VIII. LEGAL (*City Attorney Scott Riggs will be in attendance at this meeting.*)

2014 Appointments and Designations

The proposed appointments and/or vacancies are listed on the agenda. ***APPROVE ALL IN ONE MOTION (Item A; 1-7)***

Resolution 2015-01: Establishing License Fees and Compensation

Please see the Resolution included in your agenda packet. ***MOTION NEEDED***

VFW Annual Dance Permit

The VFW is renewing their dance permit.

Annual Tobacco Licenses

The businesses listed on the agenda have applied for license renewals.

Annual Refuse/Recycling Licenses

As completed annually.

Annual Sidewalk Obstruction Licenses

The businesses listed on the agenda have applied for license renewals.

APPROVE ALL IN ONE MOTION (Item C – G)

Kennedy & Graven 2014 Rates for Legal Services

Please see the letter included in your packet.

Update on Wastewater Treatment Facility Project Liquidated Damages

The original mediation hearing that was scheduled for January 16 has been cancelled. It has been rescheduled for February 6. Kennedy & Graven is continuing to work with Joe Palen to prepare for the hearing.

IX. FINANCIAL

December 2014 Treasurer's Report - Consent Agenda Item

Payment of Claims – Consent Agenda Item

X. OLD BUSINESS

XI. NEW BUSINESS

Resolution 2015-02: A Resolution Authorizing Acceptance of 2014 Donations

The amount listed includes all donations received by various departments during 2014.

MOTION NEEDED

"Lost Highway" Performance Agreement for August 22, 2015

Contract to perform at 2015 Rose Fest. The contract terms and amount are the same as last year. ***MOTION NEEDED***

Fire Department: - Chief John Lee:

-Purchase of Spreader Attachment for Genesis Extrication Device.

The Fire Department is requesting authorization to purchase a spreader attachment for the extrication device that was purchased last year. The cost would be \$7500. The Fire Department has received \$1500 in donations toward the cost. The remainder could come out of Capital funds. Further information on the attachment is contained in the packet.

MOTION NEEDED

-Interlocal Contract for Cooperative Purchasing Program – Houston/Galveston Area Council Regional Planning Commission.

Agreement to enroll the City in cooperative purchasing program to receive reduced pricing on Fire Truck chassis purchase. See agreement in packet. ***MOTION NEEDED***

XII. OTHER BUSINESS

SCHEDULE OF UPCOMING MEETINGS

Please see your agenda

XIII. COUNCIL AND STAFF GENERAL COMMENTS

XIV. ADJOURNMENT

Please contact me, if you have any questions or require additional information.

Pursuant to due call and notice thereof, a City Council Meeting was duly held in the City Council chambers at 7:00 p.m. on the 9th day of December, 2014. The following members were present: Mayor Mike Engel; Council Members, Fred Barsness, Bryan Haugen, Richard Nielsen, and Russ Thurmes. Also present: Administrator Mark Vahlsing, Attorney Scott Riggs, Engineer Joe Rhein, and Administrative Assistant Pam Blow.

CITIZEN COMMENTS

Citizen comment made at end of this meeting.

ADOPT AGENDA

Motion by Nielsen seconded by Thurmes to approve the agenda as published. Motion carried 5-0-0.

AGENDA

Motion by Haugen seconded by Nielsen to approve the Consent Agenda, which includes payment of check numbers, 61952 through 62090; 2266E through 2281E; and additional checks 62091 through 62104. Motion carried 5-0-0.

PRESENTATIONS/RECOGNITIONS

Award of Appreciation to Police Dept. – American Legion Riders – Apple Valley

Dave and Jean Boe, representing the American Legion Riders of Post 1776 Apple Valley, presented an engraved sword as an appreciation award to Police Chief Lee Sjolander and his department for their assistance during their Fallen Heroes Memorial Ride in July 2014.

Recognition of Council Member Bryan Haugen

Mayor Engel presented Council Member Haugen with an engraved clock to thank him for his years of service to the City. This will be Haugen's last regular City Council meeting.

ENGINEERING

Update on Feasibility Work – 1st Street Reconstruction Project

Engineer Rhein noted that the topographic survey of the 1st Street area has been completed and the sanitary sewer will be televised possibly next week. The televising will look at the condition of the existing sewer mains and attempt to locate private sewer laterals. The curb will be inspected to determine areas that need replacement, and soil borings and geotechnical information will be gathered as well.

Review of Sites Being Considered for New Fire Facility

Engineer Rhein, updated the Council on a meeting that he and Administrator Vahlsing had last week regarding a new fire facility. The purpose of the meeting was to discuss funding, potential sites, and limitations of the current facility. Rhein noted that an analysis of various sites would provide information to the Council to help identify a preferred site. Funding options were also discussed at the meeting. Based upon the information gathered at the meeting, Engineer Rhein prepared a memorandum that details estimated costs and activities to conduct the site analysis. The study would also utilize Brunton Architects. Administrator Vahlsing commented that conducting a preliminary site analysis would provide a different comparative perspective on the sites. Council member Barsness stated that knowing the asking price of all sites prior to feasibility studies would be beneficial. Administrator Vahlsing noted that we know the asking price for two of the four sites under consideration. We should know the asking price for the other two sites within the next few weeks. Engineer Rhein commented that any funding secured for this project would be based on the City's overall eligibility for funding in general and would not be tied to any particular location.

Motion by Nielsen, seconded by Haugen to approve a preliminary site analysis and funding investigation for the following sites: 1) Central Valley Co-op; 2) Cemstone and 3) Nielsen Property at a cost of \$800 per site. Motion carried 5-0-0.

LEGAL

Wastewater Treatment Facility Project Liquidated Damages

Attorney Riggs stated that mediation has been scheduled and Winona Mechanical now has legal representation. Mediation will include two council members and staff, and should occur in January, 2015.

Attorney Riggs addressed the outstanding Stantec bill for additional engineering fees on the Wastewater project. According to Riggs, because of the way the contract is drafted, the end result will likely be that Stantec will show that the costs were caused by the delay of the contractor and the fees would in the end have to be paid. Administrator Vahlsing commented that his concern is accruing more legal fees regarding this issue when we will likely have to pay the bill.

Motion by Nielsen, seconded by Haugen to direct staff to approve outstanding bill with Stantec in the amount of \$10,441, and authorize work needed to close out the contract in an amount not to exceed \$4,500. Motion carried 5-0-0.

Ordinance 79, Third Series: An Ordinance of the City of Kenyon to Rezone Parcels of Land Described as: Parcel ID 66-540-1220 (Owned by J. Ross Hiner and Kirk J. Hiner); Parcel ID 66-680-0170 (Owned by Earl A. and Ruth Fredrickson); Parcel ID 66-680-0180 (Owned by Michael & Christine Petricka) from R2 (One and two family residential) to C2 (General Commercial)

Motion by Engel, seconded by Nielsen to approve Ordinance 79, Third Series. Motion carried with a 5-0-0 roll call vote.

Lot Combination for Quad Range Inc. (Craig Jacobson)

Motion by Haugen, seconded by Thurmes to approve the lot combination. Motion carried 5-0-0.

Approve Contract for Engineering Services with Bolton & Menk

Motion by Nielsen, seconded by Haugen to authorize the approval of the contract subject to final administration and attorney approval. Motion carried 5-0-0.

Goodhue County Mobile Data User Agreement

Motion by Nielsen, seconded by Haugen to approve the agreement. Motion carried 5-0-0.

OLD BUSINESS

Fire Department Facility Update

Administrator Vahlsing stated a summary on the status of the Fire Facility development process was included in the packet for tonight's meeting.

2015 Township Fire Contracts

According to Administrator Vahlsing, the budget/levy has been prepared by using the fire contract formula based upon tax capacity as in previous years. The council could change this formula next year to one based upon tax capacity and number of calls or some other method. At the meeting of December 2, 2014, several of the township representatives noted that they do not support the proposed \$25,000 increase to the capital fund if it were to be used for constructing a new building.

Motion by Barsness, seconded by Nielsen that the additional \$25,000 in capital funding for 2015 will be used toward the purchase of the new truck and that the original calculation formula will be used for the contracts with the townships for 2015. Further, the formula will be reviewed again next year. Motion carried 5-0-0.

Update on Whitetail Ridge Townhome Association Request

Attorney Riggs updated the Council on the request of the townhome owners association for the City to plow the private roads that serve the development. He reviewed sections of Minnesota Statutes that state Cities can't plow private roads. However, the council could authorize an agreement with the Townhome Association. The City would be required to charge it's actual cost to plow the road. A simple easement would be included in the agreement, according to Riggs. Should the city enter into an agreement, the roads would be plowed at the same time as any other city street and would not be limited to plowing after a pre-determined amount of snowfall. The Townhome Association will discuss this matter at their meeting and inform staff as to how they wish to proceed.

NEW BUSINESS

2015 Agreement for State Building Code Administration

Motion by Nielsen, second by Thurmes to approve the agreement. Motion carried 5-0-0.

Resolution 2014-19: A Resolution Authorizing a Temporary Gambling Permit for the Wanamingo Fire Fighters Relief Association

Administrator Vahlsing stated that the temporary gambling permit was for one day event at the K-W High School.

Motion by Barsness, seconded by Nielsen to approve Resolution 2014-19. Motion carried 5-0-0.

Resolution 2014-20: A Resolution Committing Capital Fund Balances

Motion by Nielsen, seconded by Haugen to approve Resolution 2014-20. Motion carried 5-0-0.

Resolution 2014-21: A Resolution Adopting the 2015 Budget and Establishing the Tax Levy for Payable 2015

Motion by Nielsen, seconded by Haugen to approve Resolution 2014-21. Motion carried 5-0-0.

2014 Audit Engagement Letter – Smith ♦ Schafer

Motion by Nielsen, seconded by Thurmes to approve agreement. Motion carried 5-0-0.

Authorize Continued Employment of Sue Fogelson

Library Director Michele Otte requested approval to retain Sue Fogelson when needed to fill in for library staff.

Motion by Barsness, seconded by Thurmes to approve the request. Motion carried 5-0-0.

OTHER BUSINESS

Schedule of Upcoming Meetings

Regular City Council Meeting: Tuesday, January 13th @ 7:00 p.m.

COUNCIL AND STAFF GENERAL COMMENTS

Councilman Barsness extended his thanks to Bryan for his six-plus years on the council.

Administrator Vahlsing commented that it was good working with Councilman Haugen.

Bryan Haugen stated that when he was appointed to the council, there was an interim administrator and noted that his service on the council has been “pleasurable and smooth sailing for the past couple of years.” Haugen further stated that he has work commitments that would interfere with his duties and that he felt it was time to move on.

CITIZEN COMMENT:

Citizen Chad Caron suggested that the council consider amending the City ordinance that bans chickens. Mr. Caron has several chickens on his property and has been given thirty days to remove them from the premises. Mayor Engel commented that he has done some research on this topic, but doesn’t feel it is appropriate to take any action at this time. It could be discussed at a future work session. Attorney Riggs commented that not allowing chickens in the city is in our code at this time and will need to be enforced.

Motion Haugen, seconded by Nielsen to adjourn the meeting at 8:30 p.m. Motion Carried 5-0-0.

Pam Blow, Deputy Clerk

Michael Engel, Mayor

City of Kenyon Potential Fire Station Locations

1 – Central Valley Coop Site



ASSUMPTIONS:

- Approximately .8 acre site
- Electric, Water and Sewer on- site
- Direct access to Highway 56
- Centrally located one block from Central business district
- Existing building on site would be relocated

ANTICIPATED SITE ACQUISITION / SITE PREPARATION COSTS:

- Estimated acquisition cost of \$110,000
- Utility extension cost (water, sewer, electric) up to \$15000.

UPDATE AS OF 12-7-2014

The City was notified by Central Valley Co-op that installation of the environmental monitoring test wells would be completed by the end of December.. The test wells will need to be monitored for nitrates for a 12-16 month period from the time they were installed.

City of Kenyon Potential Fire Station Locations

2. Rear portion of Minnesota Mattress Factory site and Cemstone Plant



ASSUMPTIONS:

- Direct access to both Langford Av. and Slee St
- Site over 2.5 acres

ANTICIPATED SITE ACQUISITION / SITE PREPARATION COSTS:

- No specific asking price has been discussed. For MN Mattress Co property
- Censtone preliminary has discussed a possible price of approximately \$65,000
- Estimated demolition costs <\$20,000

City of Kenyon Potential Fire Station Locations

3. Former hotel, City properties and Wickum house



ASSUMPTIONS:

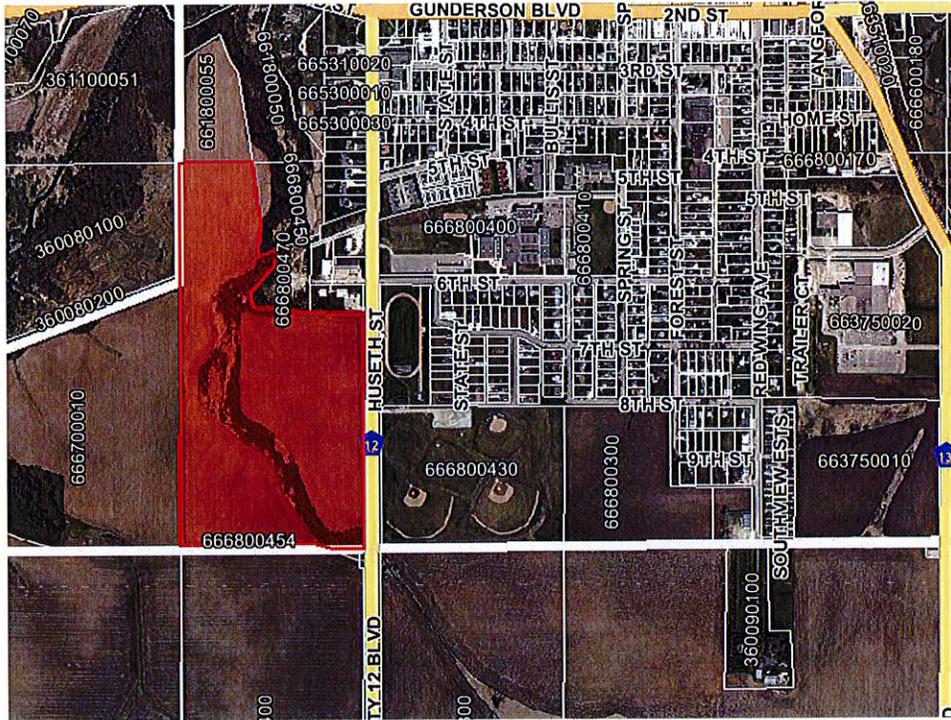
- Direct access to Langford Av.
- Approximately .6 acre site

ANTICIPATED SITE ACQUISITION / SITE PREPARATION COSTS:

- No specific asking price has been discussed. *
- Assessed valuation of property Apartments \$212,000 and House \$51,000. Total valuation \$263,000
- Estimated demolition costs <\$50,000
- Underground electric feeder/conduit may have to be relocated. (Unknown cost or viability).

City of Kenyon Potential Fire Station Locations

4. Richard Nielsen Property



ASSUMPTIONS:

- Direct access to Huseth Street/Goodhue CSAH 12.
- Approximately 2-4 acre site.

ANTICIPATED SITE ACQUISITION / SITE PREPARATION COSTS:

- Asking price. \$50,000 for 200x400 foot site. \$100,000 for 200x1000 foot site.
- Assessed valuation of buildable land \$7500 an acre
- No demolition required
- Utilities are located to the north. Cost of extension has not been determined.

City of Kenyon Potential Fire Station Locations

5. Foldcraft Property



ASSUMPTIONS:

- Direct access to MN Highway 56
- 2-4 acre site.

ANTICIPATED SITE ACQUISITION / SITE PREPARATION COSTS:

- Asking price: \$100,000 Would also consider selling a smaller site. They also have requested that Centennial Drive be paved by the City. After further discussion Foldcraft has indicated that they will work with the City on the road improvements.
- The assessed valuation for the land is approximately \$67,000 There are currently no buildings on the site.
- Utilities are located on the site.

City of Kenyon

Centennial Drive - Hwy 56 to 5th Street

Prepared by Bolton & Menk
Dec. 31, 2014

Preliminary Cost Estimate for Paving

Summary description:

- Upgrade existing gravel portion of Centennial Drive to create continuous paved roadway surface from Hwy 56 to Red Wing Avenue.
- Tolerance aggregate base, pave bituminous base & wear course

Assumptions:

- Existing gravel roadway surface is acceptable. Able to just shape and pave.
- No soils corrections.
- No storm water improvements.
- No restoration.
- No pavement markings, signs, or lights.
- No upgrades or paving of any driveways.

Construction Activities

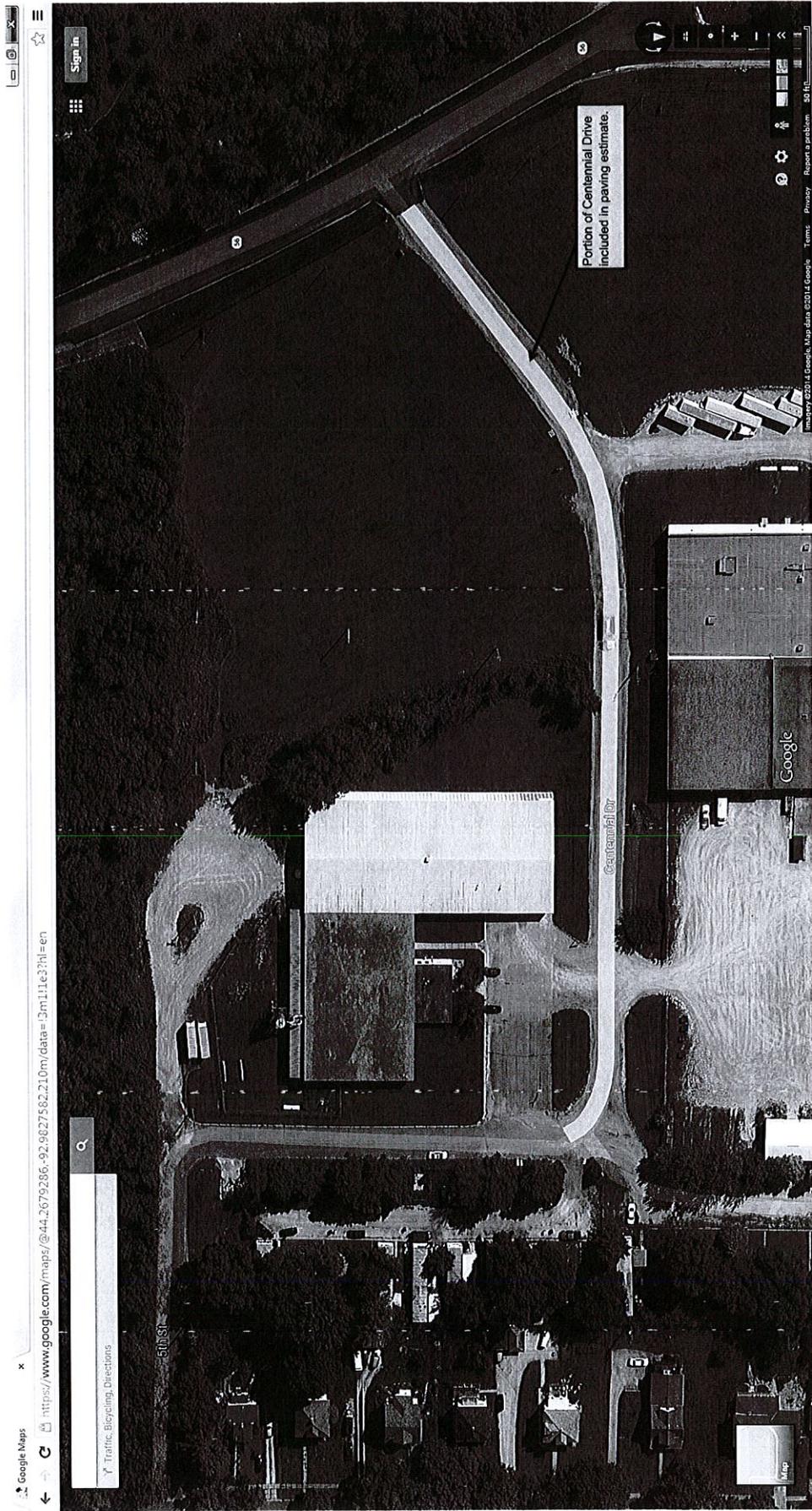
- Tolerance Aggregate Base
- Pave Bituminous Base (2") & Wear Course (2")
- Existing gravel approx. 32-foot wide.
- Recommended pavement width = 28-foot wide.
- Minimum pavement width = 24-foot wide.
- Street length to be improved approx. 950 feet.

Cost Estimate

Item	Unit	Quantity	Unit Price	Amount
28-foot width paving (recommended)				
Mobilization	Lump Sum	1	\$ 5,000.00	\$ 5,000.00
Traffic Control	Lump Sum	1	\$ 1,000.00	\$ 1,000.00
Saw Bituminous Pavement	LF	60	\$ 10.00	\$ 600.00
Tolerance Aggregate Base	SY	3380	\$ 4.00	\$ 13,520.00
Aggregate Base	CY	200	\$ 45.00	\$ 9,000.00
Bituminous Mixture - Base Course	TN	400	\$ 75.00	\$ 30,000.00
Bituminous Mixture - Wear Course	TN	385	\$ 80.00	\$ 30,800.00
Bituminous Tack Coat	GAL	150	\$ 10.00	\$ 1,500.00
				\$ 91,420.00
Subtotal estimated construction cost				\$ 9,142.00
Contingency (10%)				\$ 100,562.00
Total estimated construction cost				\$ 20,112.40
Project Costs (20%)				\$ 120,674.40
Total estimated project cost				USE \$ 120,000.00

24-foot minimum width paving alternative

Bituminous Mixture - Base Course	TN	-50	\$ 75.00	\$ (3,750.00)
Bituminous Mixture - Wear Course	TN	-50	\$ 80.00	\$ (4,000.00)
				\$ (7,750.00)
Subtotal estimated reduction in construction cost				\$ 83,670.00
Revised estimated construction cost				\$ 8,367.00
Contingency (10%)				\$ 92,037.00
Total estimated construction cost				\$ 18,407.40
Project Costs (20%)				\$ 110,444.40
Total estimated project cost				USE \$ 110,000.00



Portion of Centennial Drive included in paving estimate.

Google

**CITY OF KENYON
APPOINTMENTS AND COMMITTEES FOR 2015**

Acting Mayor.....	Fred Barsness
City Attorney.....	Scott Riggs, Kennedy & Graven, Chartered
Prosecuting Attorney.....	David Jacobsen, Hero, Jorstad & Jacobsen Law Firm, P.A.
City Engineer.....	Joe Rhein, Bolton & Menk
City Auditor.....	Smith, Schafer and Assoc., Ltd.
Financial Consultant.....	Springsted
Depository.....	Security State Bank
Investments.....	As allowed per Minnesota Statutes
Legal Newspaper.....	Kenyon Leader
Deputy Clerk.....	Pam Blow
Weed Inspector.....	Mike Engel
Audit Committee.....	Rick Nielsen, Sue Dodds, Mark Vahlsing
Personnel Committee.....	Fred Barsness, Mike Engel, Mark Vahlsing
Liquor Committee.....	Diane Barrett, Rick Nielsen, Russ Thurmes, Bryan Haugen, Mark Vahlsing
Kenyon Fire Relief Association.....	Mike Engel, Mark Vahlsing

COUNCIL MEMBERS

	<u>HOME #</u>	<u>TERM</u>	<u>ADDRESS</u>
Mike Engel	789-6870	12-16	1018 2 nd St.
Doug Henke	952-992-0735	12-18	529 Spring St. #3
Richard Nielsen	507-319-5972	12-16	410 5 th St. #104
Russ Thurmes	507-330-2818	12-16	901 Red Wing Ave. #34
Fred Barsness	789-6334	12-18	1002 Hwy. 60 East

Second Tuesday of each month - 7:00 p.m.

ECONOMIC DEVELOPMENT AUTHORITY (4 year term)

Dan Dummer	789-5659	12-16	101 Angelwood Dr.
Fred Braegelmann	507-271-4926	12-16	PO Box 811; Northfield
Stuart Campbell	789-6123 (w)	12-18	c/o Security State Bank
Mike Engel	789-6870	12-15	1018 2 nd St.
Fred Barsness, Vice-Pres.	789-6334	12-17	1002 Hwy. 60 East
Mark Vahlsing, E.D./Secretary	789-6415		City Hall

Fourth Tuesday of January, April, July, October (Quarterly) – 8 a.m.

LIBRARY BOARD (3 year term)

Pat Senjem	789-5906	01-16	706 Forest St.
Phil Maring	789-6704	01-17	39274 Co 14 Blvd.
Scott Swenhaugen	789-6339	01-18	316 Huseth St.
Trudy Johnson	789-6892	01-18	321 Bergen Cir.
Bonnie Aase Roach	789-6451	01-17	4597 Hwy. 60 Blvd.

Third Tuesday of each month - 6:30 p.m.

PLANNING COMMISSION (2 year term)

Russ Thurmes	507-330-2818	02-17	901 Red Wing Ave. #34
Jim Malloy	507-330-3114	02-17	305 Trondheim Rd.
Donald Woodward	789-5448	02-16	122 Trondheim Rd.
Dennis Wickum	507-251-5471	02-16	1114 2 nd St.
Dan Lexvold	507-838-7773	02-16	714 Pine St.

First Monday of each month - 7:00 p.m.

PUBLIC UTILITY COMMISSION (3 year term)

Richard Nielsen	507-319-5972	01-18	410 5 th St. #104
David Claxton	507-649-1246	01-16	534 Front St.
Scott Swenhaugen	789-6339	01-17	316 Huseth St.

Third Wednesday of each month - 6:00 p.m.

HISTORIC PRESERVATION COMMISSION (3 year term)

VACANCY		01/17	
VACANCY		01/18	
Richard Overholt	507-330-2351	01/18	218 Red Wing Ave.
Lois Estrem	789-5936	01/17	510 Fourth St.
Russ Thurmes	507-330-2818	01/17	901 Red Wing Ave. #24
VACANCY		01/17	
Herb Castle	789-5181	01/17	1032 2 nd St.
Dustin Heckman (Good. Co. Hist. Soc)	651-388-6024	NA	1166 Oak St., Red Wing

Quarterly (Jan., Apr., July, Oct. on 2nd Tuesday @ 5:30 p.m.)

PARK & RECREATION COMMITTEE (3 year term)

Jeanette Baalson	789-6747	01-17	310 Huseth St.
Lacy Larish	507-384-7660	01-18	11161 E 250 th St.
Tammie Kirchmann	507-261-0195	01-18	222 1 st St.
Melissa Cusey	507-623-1001	01-18	110 Gunderson Blvd.
Beth Blakstad	507-208-1062	01-17	314 3 rd St.
Lacey Boesen	789-5194	01-17	203 5 th St.
Paula Clark	789-5673	01-17	616 Bullis St.
Russ Thurmes	507-330-2818	NA	901 Red Wing Ave. #34

Second Monday of each month - 6:00 p.m.

01/15

RESOLUTION 2015-01

A RESOLUTION TO ESTABLISH LICENSE FEES AND COMPENSATION

WHEREAS, Section 1000.03 of the Kenyon City Code provides that license fees for licenses and compensation not specifically set by the Code, shall be fixed and determined by resolution of the City Council.

NOW, THEREFORE BE IT RESOLVED, that the following license fees and compensation shall be effective on or after January 1, 2013.

<u>License</u>	<u>Fee</u>
Tobacco	\$50.00
Liquor On-Sale	\$1,000.00
Liquor On-Sale Sunday	\$200.00
On-Sale 3.2 Beer	\$500.00
Wine – On-Sale	\$500.00
Special On-Sale 3.2 Beer (Temporary)	\$25.00/day
Off-Sale 3.2 Beer	\$100.00
Club On-Sale	\$300.00
Liquor License Training Verification Fee	\$100.00
Caterer’s Permit (Special Event Fee)	\$250.00
Dance	\$25.00
Garbage	\$100.00
Recycling	\$100.00
Peddlers, Canvassers, Transient Merchants	\$100.00 Investigation \$100.00 Daily \$500.00 Annual
Mobile Merchant	\$100.00 Initial Application \$75.00 Annual
Sidewalk Obstruction	\$10.00 License \$20.00 Inspection
Golf Cart Registration	\$25.00
Golf Cart Annual Renewal	\$5.00
<u>Animal Control</u>	
Cat/Dog License, Spayed/Neutered	\$5.00
Cat/Dog License, Not Spayed/Neutered	\$10.00
Penalty after May 1	\$2.00
Duplicate License	\$1.00
<u>Public Safety</u>	
Police or Fire Report	\$20.00
Disorderly Properties Service Call	\$100.00
Fire Call	\$500.00
Extraordinary Time / Equipment	Based on Current Rates for Manpower and Equipment
Fire Dept. / First Responder Repeated Non-Fire or Non- Medical Calls (More than 3 calls in 12 months)	\$75.00
<u>Planning and Zoning</u>	
Conditional Use Permit	\$150.00
Rezoning	\$150.00

Variance	\$150.00
Parcel Split or Lot Combination	\$150.00 (plus Recording Fees)
Street Excavation and Right-of-Way Permit	\$200.00
Excavation Permit per lineal foot	\$.30 / lineal ft.
Obstruction Permit (rolloff, dumpster)	\$15 per day over 8 hrs.
Demolition Permit	\$25.00 Residential \$50.00 Commercial
Sign Permit	\$25.00
Moving Permit	\$50.00
Burning Permit	\$10.00
Building Permit	Per U.B.C.

General Government Charges

Comprehensive Plan	<u>Fee</u> \$75.00/Book
City Code	\$150.00/Book
Downtown Sidewalk Snow Removal	\$.05/Lineal Foot
Bad Check Charge	\$25.00
Copies	\$.25/Page
Notary	\$1.00
Video Copy	\$25.00
Video Tape	\$15.00
Fax Use	Incoming: \$.50/Page Outgoing: \$1.00/ 1 st Page, \$.25 subsequent pages
Special Council Meeting or Planning Committee Meeting On behalf of one individual	\$500.00

General Government Compensation

Mileage	<u>Fee</u> IRS Rate
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Park and Recreation

Depot Park	<u>Fee</u>
Deposit	\$50.00
Monday through Friday Rent	\$25.00
Saturday & Sunday Rent	\$35.00

Utility Costs

Sanitary Sewer	<u>Fee</u> See Attachment A
Storm Sewer Maintenance	See Attachment A
Storm Sewer Utility	See Attachment A

Adopted by the City Council of the City of Kenyon on this 13th day of January, 2015.

ATTEST:

Mark Vahlsing, City Administrator

Mike Engel, Mayor

ATTACHMENT A

SANITARY SEWER		<i>(effective October 2011 billing)</i>
Residential and commercial sanitary sewer rates		
Sewer per M		\$3.13
Base Rate		
1" service line or less		\$ 13.90 per month
1.5" service line		\$ 40.58 per month
2" service line		\$ 63.77 per month
3" service line or less		\$ 110.15 per month
Sewer Connection Fee		\$844
for new homes <i>(effective 1/1/07)</i>		

STORM SEWER	
Residential	\$ 7.28 per month
Other land uses	Determined by REF Schedule

STORM SEWER MAINTENANCE FEE		Approved 1/10/2012 (used to pay for maintenance of storm sewer mains, outlets & culverts)
Residential	\$3 per parcel per month	
Non- Residential	\$6 per parcel per month	
Multi-Family Res.	\$1.50 multiplied by units	



Offices in
 Minneapolis
 Saint Paul
 St. Cloud

470 U.S. Bank Plaza
 200 South Sixth Street
 Minneapolis, MN 55402
 (612) 337-9300 telephone
 (612) 337-9310 fax
 www.kennedy-graven.com
 Affirmative Action, Equal Opportunity Employer

SCOTT J. RIGGS
 Attorney at Law
 Direct Dial (612) 337-9260
 email: sriggs@kennedy-graven.com

December 29, 2014

City of Kenyon City Council
 c/o Mark Vahlsing
 City Administrator
 City of Kenyon
 709 Second Street
 Kenyon, MN 55946

RE: 2015 Rates for Legal Services

Dear Honorable Mayor and Council Members:

I am writing to thank you for allowing me the opportunity to serve as legal counsel for the City of Kenyon and in reference to proposed rates for legal services for the upcoming year.

For 2015, I propose that legal rates for the City of Kenyon would be as follows: \$152.50 per hour for general civil and prosecution matters, \$152.50 to \$187.50 per hour for litigation, \$187.50 per hour for general city development projects, including real estate, cable and telecommunication related matters, and employment matters, and \$217.50 per hour for reimbursable/developer pass through matters (e.g., projects for which the City is to be reimbursed for legal costs by a developer). Rates for bond work would be charged in accordance with our regular governmental rates for this type of work. These are the same rates that I will be generally charging in 2015 to other clients that I serve as the city attorney.

I have thoroughly enjoyed both being involved in the growth and development of the City and working with the city council and staff members. Thank you once again for allowing me to continue to serve the City as legal counsel.

Sincerely,

KENNEDY & GRAVEN, CHARTERED

Scott J. Riggs
 Kenyon City Attorney

RESOLUTION 2015-02

A RESOLUTION AUTHORIZING ACCEPTANCE OF 2014 DONATIONS

WHEREAS, the City of Kenyon received various donations in the amount of \$21,899.92 in 2014; and

NOW THEREFORE, BE IT RESOLVED, that the City of Kenyon authorizes the acceptance of 2014 donations in the amount of \$21,899.92

Adopted by the Kenyon City Council on this 13th day of January 2015.

Mike Engel
Mayor

ATTEST:

Mark R. Vahlsing
City Administrator



PERFORMANCE AGREEMENT

Agreement made as of the 12th day of December 2014 between the parties identified below. The Employer listed below agrees to hire the below identified Artist to perform and the Artist agrees to provide such performance services under the following terms and conditions:

Artist: LOST HIGHWAY, LLC.

Employer: Kenyon Muni (Promoter or Club Name) Contact Person: Matt Bartel

Address: 645 2nd St Kenyon MO 65246

Phone: (507) 202-2687 E-mail address:

Place of Performance: Between Subway and the Muni

Address: 645 2nd St Kenyon

Dates of Performance: Aug 22nd 2015

Time of Performance/Set Length: 9-1230 with option for opening band (My expense)

Load In/Sound Check Time: 4-8

Payment (Guaranteed): 1,500.00 Percentage of Ticket Sales: 100 percent (%)

Sound System Provided By: Lost Highway

Additional Terms: ~~Yes for 10~~ Down payment of 1,500.00 provide 800.00 weather insurance

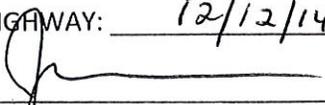
Meals: Yes for 10

Hotel/Lodging:

A. CANCELLATION. Employer shall give no less than 45 day notice to band of cancellation of performance or employer agrees to pay band as liquidated damages one-half (1/2) of the guaranteed fee. In the event of conflict, Lost Highway may cancel engagement without liability giving employer at least a 45 day written notice prior to the scheduled date.

- B. FORCE MAJEURE. Lost Highway's obligation to furnish that entertainment unit referred to herein is subject to the detention or prevention by sickness, inability to perform, accident, means of transportation, Act of God, riot, fire, strike or any foregoing events which would prevent interfere with the prevention of the show.
- C. POWER SUPPLY. Employer shall provide a power supply no less than (2) 50 amp 220 services within 100 feet of stage and the stage should be no smaller than ~~16'x30'~~. The larger the better for the stage!
- D. DRINKS. Employer shall provide 24 bottles of water and ~~24 bottles of Bud Light~~ *2 trailer safe with no gaps MD* ~~Strike~~
- E. COMP TICKETS. Employer shall provide 15 comp tickets for Lost Highway to distribute at no extra charge.
- F. CREATIVE CONTROL. Lost Highway shall have 100% creative control of the stage production. During the performance, they shall have sole control of all sound and light equipment, including personnel and sound level.
- G. MERCHANDISE. Lost Highway shall have the right to sell branded Lost Highway merchandise such as: t-shirts, caps, cd's, souvenirs, programs, etc. and retain 100% of the receipts thereof. Lost Highway also reserves the right to plug/advertise and display upcoming events that Lost Highway is appearing in or at in the form of verbal announcement, flyer, banner, etc. A merchandising area with power needs to be provided. Indoor events require a 10x10 ft. area. Outdoor events require an area for a trailer measuring 28 ft.
- H. INCLEMENT WEATHER. Notwithstanding anything contained herein, inclement weather shall not be deemed to be a Force Majeure occurrence and the Employer shall remain liable for payment of the full contract price event if performance(s) called for herein are prevented by such weather conditions. Lost Highway shall have the sole right to determine in good faith whether any such weather conditions shall render the performance(s) impossible, hazardous or unsafe.
- I. ~~INSURANCE. Employer agrees to provide liability insurance coverage to indemnify Lost Highway and the hired sound and light company against any injuries to person or property as consequence of the installation and/or operation of the equipment provided by Lost Highway.~~ *Strike MD*
- J. ~~EMPLOYER ASSUMES LIABILITY. Except as otherwise herein specifically provided, Employer hereby assumes full liability and responsibility for the payment of any and all cost, expenses, charges, claims, losses, liabilities and damages related to or based upon the presentation or production of the show or shows in which Lost Highway are to appear there under.~~ *Strike MD*
- K. PROMOTION. Employer agrees to reasonable promote the performance through its usual course of promotion and advertising efforts. *Add: Lost Highway will notify City of warm-up band. MD*

For LOST HIGHWAY: 12/12/14 For EMPLOYER: _____



 Authorized Representative
 Printed Name: Jesse Steberg

 Authorized Representative
 Printed Name: Mark Wehlsing

Lost Highway, LLC.
 Jesse Steberg
 600 3rd Avenue, Wanamingo, MN 55983
 Tax ID: 27-4830208
 Cell: 507-208-1355

Email: losthighwaymn@yahoo.com

Web-site: www.losthighwaymn.com

ART.105.812.5

CERTIFICATIONS

- NFPA 1936:2010 COMPLIANT
- ISO 9001:2008

GENESIS

RESCUE SYSTEMS

WWW.GENESISRESCUE.COM

S53 XL SPREADER

ACCESSORIES

- LED TOOL LIGHT - ART.813.595.0
- CHAIN PACKAGES - MULTIPLE

THE S53 OFFERS LIGHTER WEIGHT AND MORE POWER. THE S53'S REMOVABLE TIPS ARE EQUIP WITH SHARP STUDS IN THE TIP FOR ADDED GRIP IN THE BEGINNING OF THE SPREAD.

SPECIFICATIONS

LENGTH(IN/MM) - 35.2/895
WIDTH(IN/MM) - 11.8/300
DEPTH(IN/MM) - 8.5/215
WEIGHT(LBS/KGS) - 45.2/20.5
OPERATING PRESSURE(PSI/BAR) - 10,500/720
SPREADING DISTANCE(IN/MM) - 31.5/800
MAX SPREADING FORCE(LBF/KN) - 94,644/421
MAX PULLING FORCE(LBF/KN) - 22,480/100
NFPA 1936 COMPLIANT - YES
NFPA 1936 LEVEL RATING - N/A
LOWEST SPREADING FORCE(LBF/KN) - 11,870/52.8
HIGHEST SPREADING FORCE(LBF/KN) - 18,277/81.3
LOWEST PULLING FORCE(LBF/KN) - 8,678/38.6
HIGHEST PULLING FORCE(LBF/KN) - 14,837/66
SHIPPING WEIGHT(LBD/KGS) - 49/22.7



LOOKING FOR TRAINING



**INTERLOCAL CONTRACT
FOR COOPERATIVE PURCHASING**

ILC
No.: _____
Permanent Number assigned by H-GAC

THIS INTERLOCAL CONTRACT ("Contract"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act"), by and between the Houston-Galveston Area Council, hereinafter referred to as "H-GAC," having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, and * _____, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as "End User," having its principal place of business at * _____

WITNESSETH

WHEREAS, H-GAC is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, End User has represented that it is an eligible entity under the Act, that its governing body has authorized this Contract on * _____ (Date), and that it desires to contract with H-GAC on the terms set forth below;

NOW, THEREFORE, H-GAC and the End User do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The End User represents and warrants to H-GAC that (1) it is eligible to contract with H-GAC under the Act because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state), or a combination of two or more of those entities, a state agency (an agency of the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Contract.

ARTICLE 2: APPLICABLE LAWS

H-GAC and the End User agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Contract.

ARTICLE 3: WHOLE AGREEMENT

This Contract and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: PERFORMANCE PERIOD

The period of this Contract shall be for the balance of the fiscal year of the End User, which began * _____ and ends * _____. This Contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the End User may make any payment due an H-GAC contractor beyond the fiscal year in which such obligation was incurred under this Contract.

ARTICLE 5: SCOPE OF SERVICES

The End User appoints H-GAC its true and lawful purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program. End User will access the Program through HGACBuy.com and by submission of any duly executed purchase order, in the form prescribed by H-GAC to a contractor having a valid contract with H-GAC. All purchases hereunder shall be in accordance with specifications and contract terms and pricing established by H-GAC. Ownership (title) to products purchased through H-GAC shall transfer directly from the contractor to the End User.

(over)

ARTICLE 6: PAYMENTS

H-GAC will confirm each order and issue notice to contractor to proceed. Upon delivery of goods or services purchased, and presentation of a properly documented invoice, the End User shall promptly, and in any case within thirty (30) days, pay H-GAC's contractor the full amount of the invoice. All payments for goods or services will be made from current revenues available to the paying party. In no event shall H-GAC have any financial liability to the End User for any goods or services End User procures from an H-GAC contractor.

ARTICLE 7: CHANGES AND AMENDMENTS

This Contract may be amended only by a written amendment executed by both parties, except that any alternations, additions, or deletions to the terms of this Contract which are required by changes in Federal and State law or regulations are automatically incorporated into this Contract without written amendment hereto and shall become effective on the date designated by such law or regulation.

H-GAC reserves the right to make changes in the scope of products and services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8: TERMINATION PROCEDURES

H-GAC or the End User may cancel this Contract at any time upon thirty (30) days written notice by certified mail to the other party to this Contract. The obligations of the End User, including its obligation to pay H-GAC's contractor for all costs incurred under this Contract prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Contract, until performed or discharged by the End User.

ARTICLE 9: SEVERABILITY

All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

ARTICLE 10: FORCE MAJEURE

To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11: VENUE

Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.

THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:

*

 Name of End User (*local government, agency, or non-profit corporation*)

*

 Mailing Address

*

 City State ZIP Code

*By: _____
 Signature of chief elected or appointed official

*

 Typed Name & Title of Signatory Date

Houston-Galveston Area Council
 3555 Timmons Lane, Suite 120, Houston, TX 77027

By: _____
 Executive Director

Attest: _____
 Manager

Date: _____

**Denotes required fields*

*Request for Information

To expedite service, please complete the following blanks relevant to your agency's administrative/elective personnel and return the completed form to **H-GAC, Cooperative Purchasing Program, P.O. Box 22777, Houston, TX 77227-2777.**

Name of End User Agency: _____ **County Name:** _____
(Municipality / County / District / etc.)

Mailing Address: _____
(Street Address/P.O. Box) (City) (State) (ZIP Code)

Main Telephone Number: (____) _____ - _____ **FAX Number:** (____) _____ - _____

Physical Address: _____
(Street Address, if different from mailing address) (City) (State) (ZIP Code)

Web Site Address: _____

Authorized Official: _____ **Title:** _____
(City manager / Executive Director / etc.)

Mailing Address: _____ **Ph No.:** (____) _____ - _____
(Street Address/P.O. Box) **Fx No.:** (____) _____ - _____

_____ **E-Mail Address:** _____
(City) (State) (ZIP Code)

Official Contact: _____ **Title:** _____
(Purchasing Agent/Auditor etc.)

Mailing Address: _____ **Ph No.:** (____) _____ - _____
(Street Address/P.O. Box) **Fx No.:** (____) _____ - _____

_____ **Email Address:** _____
(City) (State) (ZIP Code)

Official Contact: _____ **Title:** _____
(Public Works Director/Police Chief etc.)

Mailing Address: _____ **Ph No.:** (____) _____ - _____
(Street Address/P.O. Box) **Fx No.:** (____) _____ - _____

_____ **Email Address:** _____
(City) (State) (ZIP Code)

Official Contact: _____ **Title:** _____
(EMS Director/Fire Chief etc.)

Mailing Address: _____ **Ph No.:** (____) _____ - _____
(Street Address/P.O. Box) **Fx No.:** (____) _____ - _____

_____ **Email Address:** _____
(City) (State) (ZIP Code)