

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 12th day of January 2021. The meeting was called to order by Mayor Henke. The following members were present: Mayor Doug Henke, Council Members Dan Rehtzigel, Molly Ryan, and Tom Gard. Absent: Mary Bailey

Also, present: Administrator Mark Vahlsing, Administrative Assistant Holli Gudknecht, Police Chief Lee Sjolander, Engineer Derek Olinger, Engineer Joe Rhein, Attorney Scott Riggs, Public Works Director Wayne Ehrich, John Mortensen, and Michelle Vlasak reporter for Kenyon Leader

The meeting opened with the Pledge of Allegiance.

The Oath of Office was read by Doug Henke, Tom Gard, and Molly Ryan.

CITIZEN COMMENT

None

ADOPT AGENDA

Addition: / VIII / Legal / E / 1/ Resolution 2021-03 Accepting Donation

Addition: / XI / New Business / D / KMU Supervisor Utilizing Former Police Chief Office

Motion by Gard second by Rehtzigel to approve the amended agenda.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

CONSENT AGENDA

Motion by Rehtzigel second by Henke to approve the Consent Agenda, which includes payment of check numbers, 71779 through 71871; 3640E through 3652E; and additional checks 71872 through 71891.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

PRESENTATIONS/PUBLIC HEARINGS/RECOGNITIONS/PROLAMATIONS

Mayor Henke presented John Mortensen with a gift for his years of service on the City Council. Lee Sjolander will deliver Richard Nielsen's gift to him.

ENGINEERING

Red Wing Avenue Project Update

Engineer Olinger stated that construction on Red Wing Avenue is completed for the winter. Some final topsoil grading, seeding, final layer of pavement, and minor miscellaneous repairs will be finished in the spring.

Pay Request #8 – Wencil Construction

Motion by Gard second by Rehtzigel to approve pay request No. 8 to Wencil Construction in the amount of \$118,085.38 for work completed through December 23.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Kenyon Business Park/Utility Extension Project Status Update

Engineer Olinger reported that A-1 Excavating was on site until December 23rd. The storm sewer work between Engel Drive and the new stormwater pond was completed. The majority of the grading work on the site has also been completed.

Pay Request #3 – A-1 Excavating

Motion by Rehtzigel second by Gard to approve pay request No.3 to A-1 Excavating in the amount of \$243,266.67 for work completed through December 23.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Change Order #4

Engineer Olinger stated that A-1's contract contained a completion date of November 30, but since the weather this year allowed them to work past this date, they are requesting that the November 30 milestone completion date be removed from the contract.

Motion by Henke second by Ryan to approve Change Order #4 for the A-1 Excavating.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Mortensen – Aye, Gard – Aye, Nielsen - Aye

Motion carried 5-0-0.

LEGAL

2021 Appointments and Designations

- Planning Commission – 2 Year Term – Doug Henke, Jim Malloy
- Public Utility Commission – 3 Year Term – Tom Gard
- Economic Development Authority (EDA) – 4 Year Term – David Hjermstad, John Mortensen
- Economic Development Authority (EDA) – 2 Year Term - Chris Mallery, Doug Henke
- Library Board – 3 Year Term – Ann Traxler
- Historic Preservation Commission (HPC) – 3 Year Term – Kevin Anderson
- Park and Recreation Committee – 3 Year Term – Melissa Bartel
 - a. Acting Mayor – Dan Rehtzigel
 - b. Legal Newspaper – Kenyon Leader
 - c. Depository – Security State Bank of Kenyon
 - d. City Attorney – Scott Riggs, Kennedy & Graven Chartered
 - e. Prosecuting Attorney – David Jacobsen, Hero, Jorstad, Jacobsen Law Firm
 - f. City Engineer – Derek Olinger, Bolton & Menk
 - g. City Auditor – CliftonLarsonAllen LLP
 - h. Financial Consultant – Per Project Basis
 - i. Investments – As Allowed Per Minnesota Statutes
 - j. Deputy Clerk – Holli Gudknecht
 - k. Weed Inspector – Doug Henke
 - l. Audit Committee – Doug Henke, Molly Ryan, Sue Dodds, Mark Vahlsing
 - m. Personnel Committee – Dan Rehtzigel, Doug Henke and Mark Vahlsing
 - n. Liquor Committee – Doug Henke, Russell Thurmes, Mark Vahlsing
 - o. Kenyon Fire Relief Association – Doug Henke and Mark Vahlsing

Motion by Rehtzigel seconded by Gard to approve committee appointments and designations.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Resolution 2021-01: Establishing License Fees and Compensation

Administrator Vahlsing stated that there were no increases for 2021.

Motion by Gard second by Ryan to approve Resolution 2020-01.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan – Aye

Motion carried 4-0-0.

Annual Refuse Licenses

Waste Management, Flom Disposal Inc., Veit Container Corp (Commercial, Temporary roll off, dumpster);

Annual Recycling Licenses

Flom Disposal Inc., Goodhue County Public Works, Waste Management (Commercial Recycling).

Annual Sidewalk Obstruction Licenses

Kenyon Ace Hardware, Kenyon VFW Post 141, Mary's Rustic Rose, Che Che's Luchera, Twice Found, D&S Banner, Taco Express

Annual Mobile Merchant License

Che Che's Luchera, Taco Express

Motion by Rehtzigel second by Henke to approve the annual refuse, recycling, sidewalk and mobile merchant licenses.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Kennedy & Graven 2021 Rates for Legal Services

Administrator Vahlsing stated that the proposed rates for legal services have increased approximately two percent for 2021. This increase would raise the hourly base rate from \$171.50 to \$174.00 an hour.

Motion by Henke seconded by Gard to approve 2021 rates for legal services.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Savyon, LLC donation of 111 Gates Ave to City

Administrator Vahlsing stated that Savyon LLC offered to donate a 2-acre parcel of land located at 111 Gates Avenue to the City. Savyon has removed their equipment from the former concrete plant site. A small concrete building remains on the property. Attorney Riggs stated that by state statute, the City needs to adopt a resolution to accept this donation.

Motion by Henke second by Gard to adopt Resolution 2021-03 accepting donation.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Review Draft Amendments to Ordinance Section 845.01 Regulation of Trees

Administrator Vahlsing stated that Public Works Director Ehrich requested that two sections of the City Ordinance 845.01 be amended. The changes would deal with the permitting of planting and removing trees and adopting a list of tree species suitable for the boulevard and yards. This would give residents a guideline on the types and sizes of trees allowed and the distances required to be planted from curbs, sidewalks, etc. Mayor Henke suggested that this may be the time to look at the restriction of trees being planted in the boulevard. Other cities restrict planting boulevard trees due to the annual maintenance and damage caused over time.

Motion by Rehtzigel second by Henke to instruct the City Attorney to revise City Ordinance 845.01 Regulating Trees in Public Streets and Public Property to reflect the discussion of the City Council.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

OLD BUSINESS

Discuss Adoption of Administrative Policy 32 – Covering City Council issued iPads.

Administrator Vahlsing presented the revised Administrative Police #32 covering the use of City Council issued iPad. This policy was discussed at the December Council meeting.

Motion by Gard second by Ryan to adopt Administrative Policy #32 covering City Council issued iPads.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

NEW BUSINESS

Resolution 2021-02: A Resolution Authorizing Acceptance of 2020 Donations

Motion by Henke second by Rehtzigel to approve Resolution 2021-02 authorizing the acceptance of the

2020 donations of \$21,811.00.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Gunderson House -Minnesota State Historic Preservation Office-Summary of Final Historic Structures Report - Wold Engineering

Administrator Vahlsing summarized the historic structures report that was completed last year by Wold Engineering on the Gunderson House. The study reviewed the overall conditions of the Gunderson House and provided recommendations. The Historic Preservation Committee will use the report to rank future improvements. No action was needed from the Council as this was for information only.

Declare Fire Engine #3-Truck #660 as Excess Equipment

Administrator Vahlsing requested that the council declare Fire Engine #660 as excess inventory and authorize it to be sold. The truck is no longer in active use and the cost of the improvements needed would be more than the value of the truck.

Motion by Gard second by Rehtzigel to declare fire engine #3-truck #660 as excess equipment and authorize it to be sold.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

KMU Supervisor Utilizing Former Police Chief Office

Motion by Henke second by Rehtzigel to authorize the KMU Supervisor to utilize the former police chief office and allow the senior citizens to use the front area of the former police department building utilizing a key pad entry system.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Schedule of Upcoming Meetings

KMU Meeting: Tuesday, January 19th @ 2:00 p.m.

EDA Annual Meeting: Tuesday, January 26th @ 9 a.m. at Fire Hall

City Council Meeting: Tuesday, February 9th @ 7 p.m.

COUNCIL AND STAFF GENERAL COMMENTS

Administrator Vahlsing thanked Richard and John for their service to the City. He also noted he had appreciated working with Joe Rhein over the years.

Councilman Rehtzigel congratulated Molly, Tom, and Doug on their election to the Council

Councilman Ryan stated that she was excited to be a part of the Council.

Chief Sjolander welcomed Molly. He thanked Wayne Ehrich and his crew for helping them move to the new building. Lee noted that the PD had received their first round of the COVID vaccine.

Mayor Henke stated that the first meeting of the year went well and was happy to see Molly at her first meeting. He wished everyone a happy new year.

Councilman Gard welcomed Molly.

Attorney Riggs stated he was glad to see Molly on the Council and congratulated John and Richard on their years of service on the Council.

Engineer Rhein thanked everyone for everything.

Engineer Olinger stated he appreciates the opportunity to work with the Council

Motion by Rechtzigel second by Gard to adjourn the meeting at 8:14 p.m.

Roll Call Vote: Henke- Aye, Rechtzigel – Aye, Gard – Aye, Ryan - Aye

Motion carried 4-0-0.

Holli Gudknecht, Administrative Assistant

Douglas Henke, Mayor