

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 14<sup>th</sup> day of December 2021. The meeting was called to order by Mayor Henke. The following members were present: Mayor Doug Henke, Council Members Mary Bailey and Dan Rehtzigel

Via Zoom: Tom Gard and Molly Ryan (7:10 pm)

Also, present: Administrator Mark Vahlsing, Engineer Derek Olinger, Engineer Joe Rhein, Attorney Scott Riggs, Administrative Assistant Holli Gudknecht, Police Chief Jeff Sjoblom, Michelle Vlasak reporter for Kenyon Leader, Finance Clerk Kathy Flikke, Public Works Supervisor Wayne Ehrich, Sue and Tom Dodds, Linda and Cal Bean, Brian & Tasha Homeier, Josephine & Hailee Homeier

The meeting opened with the Pledge of Allegiance.

## **CITIZEN COMMENT**

### **ADOPT AGENDA**

Motion by Rehtzigel second by Bailey to approve the agenda.

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

Motion carried 4-0-0.

### **CONSENT AGENDA**

Motion by Rehtzigel second by Bailey to approve the Consent Agenda and payment of check numbers 73035 through 73145; 3830E through 3847E and appoint Brian Homeier as a full-time police officer.

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

Motion carried 4-0-0.

## **PRESENTATIONS/PUBLIC HEARINGS/ RECOGNITIONS/PROLAMATIONS**

Administrator Vahlsing recognized Sue Dodds for her 26 years of service to the City as the Finance Clerk.

### **ENGINEERING**

#### **Red Wing Avenue Project**

Engineer Olinger discussed the details of the damage negotiations with Wencil Construction.

#### **Change order #4**

Engineer Olinger stated that Wencil Construction was requesting Change Order #4 to remove the liquidated damage provisions from the contract and replace them with revised damages of \$7,500.

#### **Pay Request #13 (Final) – \$52,376.34 Wencil Construction.**

Olinger stated that if Change Order #4 is approved, then the final pay request to Wencil Construction would be \$52,376.34.

Motion by Henke second by Ryan to approve Change Order Request #4 and final pay request #13 for \$52,376.34 contingent on the receipt of the final close out paperwork from Wencil Construction.

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

Motion carried 5-0-0.

#### **Riverside Park FEMA Flood Repairs**

Engineer Olinger stated that the Riverside Park FEMA project is now complete and ready for final payment.

#### **Pay Request #1 – \$76,662.80 Griffin Construction.**

Motion by Rehtzigel second by Bailey to approve pay request No. 1 to Griffin Construction in the amount of \$76,662.80 as the final payment.

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

Motion carried 5-0-0.

## **LEGAL**

### **Agreement for Opioid Settlement in Minnesota**

Attorney Riggs stated that the Minnesota Attorney General has settled a lawsuit with the opioid companies. The City of Kenyon needs to opt-in to this settlement to receive money from them.

### **Resolution 2021-19 Approving the MOA Between the State of MN and Local Governments and Authorizing Participation in National Opioid Settlements**

Motion by Bailey second by Henke to adopt Resolution 2021-19.

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

Motion carried 5-0-0.

## **OLD BUSINESS**

### **Resolution 2021-16: Adopting the 2022 Budget and Establishing the Tax Levy for Payable 2022**

Administrator Vahlsing stated that the budget was discussed at the 6:30 work session. No public comments were received at the Truth in Taxation meeting on December 7. The final budget shows a maximum proposed levy increase of 6.49% for 2022.

Motion by Rehtzigel second by Gard to adopt Resolution 2021-16 adopting the 2022 budget and establishing the tax levy of \$1,107,960 payable in 2022.

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

Motion carried 5-0-0.

## **NEW BUSINESS**

### **Resolution 2021-17: A Resolution Committing Capital Fund Balances**

Administrator Vahlsing stated that the general accounting standard (GASB 54) requires all public entities to set year end Capital fund balances before the end of the current year contingent on audited final numbers. The final year-end capital fund amounts will not be known until the 2021 audit is completed.

Motion by Bailey seconded by Ryan to adopt Resolution 2021-17 committing capital fund balances.

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

Motion carried 5-0-0.

### **Approve Transfer of Fire Department Year End Remaining Funds to Capital Fund**

Administrator Vahlsing stated that council approval is needed to move the year end Fire Department budget balance to the capital fund. The actual transfer amount will be determined by the auditors as part of the 2021 audit.

Motion by Rehtzigel seconded by Bailey to approve the transfer of fire department year end remaining funds to capital funds.

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

Motion carried 5-0-0.

### **Approve Transfer of Street Maintenance Year End Remaining Funds to Capital Fund**

Administrator Vahlsing stated that council approval is needed to move the year end Street Maintenance Department budget balance to the capital fund. The actual transfer amount will be determined by the auditors as part of the 2021 audit.

Motion by Henke seconded by Rehtzigel to approve the transfer of street maintenance department year end remaining funds to capital funds.

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

Motion carried 5-0-0.

### **Approve Transfer of Excess Funds from the Library Book Budget to Capital Fund**

Administrator Vahlsing stated that council approval is needed to move excess funds from the library book budget to the capital fund. The actual transfer amount will be determined by the auditors as part of the 2021 audit.

Motion by Bailey seconded by Gard to approve the transfer of excess library book funds to capital funds.

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

Motion carried 5-0-0.

### **2022 Tobacco License Renewals**

Kenyon Market

River Country Co-Op (Speedway)

Kenyon Municipal Liquor Store

Motion by Henke seconded by Bailey to approve to approve the 2022 tobacco license renewals.

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

Motion carried 5-0-0.

### **Resolution 2021-18: Designating Annual Polling Place**

Administrator Vahlsing noted that State law requires that all City's annually designate a polling place by resolution by December 31 and at least 90 days prior to an election. The Fire Hall will remain the polling place in 2022.

Motion by Rehtzigel seconded by Ryan to adopt Resolution 2021-18 designating the Fire Hall as the annual polling place for 2022.

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

Motion carried 5-0-0.

### **Schedule of Upcoming Meetings**

KMU Meeting: Tuesday, December 21 @ 2:00 p.m.

Planning Commission Meeting: Monday, December 20 @6:00 p.m.

City Council Meeting: Tuesday, January 11 @ 7 p.m.

### **COUNCIL AND STAFF GENERAL COMMENTs**

Councilman Rehtzigel recognized the good work the police department did on catching a burglary in progress on the east end of town.

Councilman Gard thanked the City and the citizens of Kenyon for electing him. He has had the privilege of working with great people, but due to health issues he will be resigning his council seat at the end of the year.

The council relayed their thanks to Tom Gard and noted that he will be missed on the council.

Mayor Henke welcomed Brian Homeier as the new full-time police officer. He also wished everyone a merry Christmas and happy new year.

Administrator Vahlsing wished everyone happy holidays and noted it had been a good year.

Attorney Riggs wished everyone happy and safe holidays. He also sent his prayers to Tom Gard.

Engineer Rhein stated it was nice to see everyone again and wished everyone happy holidays.

Chief Sjoblom introduced Brian Homeier and his wife Tasha, and daughters Josephine and Hailee.

Motion by Ryan second by Bailey to adjourn the meeting at 8:04 p.m.

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

Motion carried 5-0-0.

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*Holli Gudknecht, Administrative Assistant*

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*Douglas Henke, Mayor*