

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 12<sup>th</sup> day of March 2019. The following members were present: Mayor Mike Engel, Council Members, Dan Rechtzigel, Richard Nielsen, and John Mortensen. Also, present: Administrator Mark Vahlsing, Attorney Scott Riggs, Engineer Joe Rhein, Engineer Derek Olinger, Administrative Assistant Holli Gudknecht, Police Chief Lee Sjolander, Public Works Director Wayne Ehrich, Fire Chief Pete Kerr

### **CITIZEN COMMENTS**

None

### **ADOPT AGENDA**

Motion by Nielsen second by Rechtzigel to approve the agenda. Motion carried 4-0-0.

### **CONSENT AGENDA**

Motion by Rechtzigel seconded by Nielsen to approve the Consent Agenda, which includes payment of check numbers, 69365 through 69466; 3164E through 3188E; and additional checks 69468 through 69476. Motion carried 4-0-0.

### **PRESENTATIONS/PUBLIC HEARINGS**

#### **Annual Municipal Prosecution Report – David Jacobsen, Attorney**

Attorney David Jacobson presented a summary of the annual prosecution activity for the City provided by Hero, Jorstad & Jacobsen Law Firm, P.A. in 2018. Attorney Jacobsen reported that the number of prosecuted offenses were down for 2018. He prosecuted 65 cases from January 1, 2018 to December 31, 2018, which was down 20 from 2017. He noted that twenty-eight percent of the offenses consist of traffic violations. When compared to 2017, the prosecuted traffic offenses were the same. Fine revenue was also down as a result of the decreased number of offenses. Two-thirds of the base fine is remitted back to the city of Kenyon, which amounted to \$5,121.90 for 2018.

### **ENGINEERING**

#### **Resolution 2019-07: Approving County Project within Municipal Corporate Limits**

Mayor Engel stated that Goodhue County is seeking approval from the City to complete improvements to a portion of County Road 12, which is Huseth Street within the City limits. According to County Highway Engineer Greg Isakson, the plan is to repave CSAH 12 starting at Highway 60 south in Kenyon to the Rice County Line. They will also be removing and replacing the existing pavement surface on the highway. There will be grading, and other long-term work involved with the project. Since this work is occurring on a County State Aid Highway in the City limits, approval of a Municipal Consent form is required by MNDOT.

Motion by Nielsen second by Mortensen to approve Resolution 2019-07. Motion carried 4-0-0.

#### **Red Wing Ave Update**

Engineer Derek Olinger summarized the preliminary investigation and all collected data to date for Red Wing Avenue. The utility investigation, geotechnical investigation, topographic survey, and wetland investigation have been completed. During the preliminary investigation, it was discovered that 26 parcels are not platted. With the background work completed, the next step would be to approve ordering the feasibility report. Bolton & Menk, Inc. proposed an estimated amount not to exceed \$35,000 to complete the study. Additional property information may need to be collected for the 26 unplatted lots, which could cost an additional \$12,000.

## **Resolution 2019-08: Ordering Preparation of Feasibility Report on Improvements to Red Wing Avenue**

Motion by Nielsen second by Mortensen to approve Resolution 2019-08. Motion carried 4-0-0.

## **2<sup>nd</sup> Street Sanitary Sewer Improvements**

City Engineer Rhein reviewed the background information on the 2<sup>nd</sup> Street sanitary sewer improvement project. Engineer Olinger summarized the scope of the project construction. The sanitary sewer main on 2<sup>nd</sup> Street between Red Wing Avenue and Forest Street will be lined in place. Two new manhole structures will be constructed at Red Wing Avenue and mid-block. Sanitary Service lines for the current and former dental offices will be constructed. Replacing a small segment of the watermain within the Red Wing Avenue intersection was recently added to the project plans. This section needs updating and is located relatively close to the excavation required to replace the manhole at Red Wing Avenue. The proposed work will be broken into 3 phases because of the extensive traffic control and detouring required.

## **Resolution 2019-09: Resolution Approving Plans and Specifications and Ordering Advertisement for Bids – Sanitary Sewer Main Lining on a Portion of 2nd Street**

Engineer Rhein stated that this resolution would approve the plans for the 2<sup>nd</sup> Street sewer lining installation between Red Wing and 2<sup>nd</sup> Street. It would also authorize Bolton & Menk to advertise the project for bids. Bids should be ready to be accepted in April with construction beginning in the spring of 2019.

Motion by Nielsen second by Rechtzigel to approve Resolution 2019-09. Motion carried 4-0-0.

## **LEGAL**

### **Discuss amending Section 405 City Code - Housing Code - Rental Units**

City Attorney Riggs reviewed the proposed ordinance No. 92 that would replace the existing rental ordinance 405 of the City Code. It contains a summarized version of many of the same conditions as the existing rental ordinance. The proposed ordinance would require one annual license certificate fee per rental building with additional per-unit fees. As an incentive, buildings with no citations for the year would only have to renew their certificate every 3 years. If any citations were issued to residents in a rental building, yearly renewal would be required. The ordinance would not require inspections of rental units by the City. The main advantage of this type of ordinance is that it makes landlords criminally accountable for the actions of their tenants. It also helps prevent blight and hazardous conditions. The cost of the annual license will be listed in the annual fee resolution. If the Council adopted the ordinance at this meeting it would most likely be implemented on July 1, 2019.

Motion by Mortensen second by Nielsen to adopt the amended ordinance No. 92. Motion carried 4-0-0.

### **2019 Agreement with Luis Tellez – Taco Express**

City Administrator Vahlsing stated that Luis Tellez, owner of Taco Express has submitted the Annual lease Agreement for his mobile food truck to operate on city owned space directly east of the Municipal Liquor Store. The agreement period is Thursday – Saturday from May 2 - October 13, 2019.

Motion by Rechtzigel seconded by Nielsen to approve the 2019 agreement with Luis Tellez – Taco Express. Motion carried 4-0-0.

## **OLD BUSINESS**

### **Emergency/Mass Notification Software program**

Administrator Vahlsing stated that the department heads and he will be attending a demo for the Code Red Emergency Notification software on Thursday. Code Red is currently used by Goodhue County, Olmsted County, the National Weather Service and some other area cities. This software offers e-mail, text, phone, and social media notification. It also offers an app that can be downloaded in iOS (Apple) and Android devices. Since the program is currently used by Goodhue County, the database of users within the City would be automatically populated with current users if the City uses Code Red. Vahlsing

plans to bring proposals from Code Red and Alert Find back to the Council for the April meeting.

## **NEW BUSINESS**

### **Sale of Water Wagon - Public Works Department**

Public Works Director Ehrich requested Council approval to sell a 1000-gallon water wagon. The City originally purchased it in 2008. It is not currently being used by Public Works Department. Selling the wagon would open up space in the Public Works Department building.

Motion by Rehtzigel second by Nielsen to authorize Public Works to sell the 1000-gallon water wagon. Motion carried 4-0-0.

### **Appointment to NLC Community and Economic Development Committee**

Administrator Vahlsing stated that he was appointed to the National League of Cities Community and Economic Development Committee at the end of February. He is currently on the Small Cities Council. The meeting times of the two committees will not conflict.

### **Kenyon Country Club Liquor License Renewal**

Motion by Mortensen second by Rehtzigel to renew Kenyon Country Club's liquor license. Motion carried 4-0-0.

### **Taco Express Annual Mobile Merchant License**

Motion by Mortensen second by Nielsen to approve the annual mobile merchant license for Taco Express. Motion carried 4-0-0.

### **Approve Appointment of New Firemen**

Vahlsing reported that the personnel committee and fire department interview committee conducted interviews for new firemen on February 6. The Fire Department is requesting that the Council approve the appointment of Blake Hanson, Matt Klahr, Dylan Craig, and Garrett Elias to serve on the department.

Motion by Nielsen second by Rehtzigel to approve the appointment of the recommended firemen to serve on the Fire Department. Motion carried 4-0-0.

### **2016 Ford Police SUV for sale - City of Lake City**

Chief Sjolander stated that the Lake City PD has a 2016 Ford Police SUV that they are replacing and would be selling. It has approximately 98,000 miles on it. Most of the equipment would stay in the vehicle. They are asking \$8,000. If the City purchased the vehicle, the recommendation would be to sell the 2007 Ford Crown Vic squad. If the Lake City SUV was purchased, Sjolander would recommend replacing the 2014 SUV in 2020 instead of this year.

Motion by Nielsen second by Mortensen to approve the purchase of the 2016 Ford Police SUV. Motion carried 4-0-0.

### **Disposal (sale) of 2007 Ford Crown Victoria Police Squad Car**

With the purchase of the 2016 Ford SUV Chief Sjolander requested authorization to sell the 2007 Ford Crown Vic squad.

Motion Nielsen second by Mortensen to approve the sale of the 2007 Crown Vic Squad car.

Motion carried 4-0-0.

## **OTHER BUSINESS**

### **Schedule of Upcoming Meetings**

KMU Meeting: Wednesday, March 20<sup>th</sup> @ 6:00 p.m.

City Council Meeting: Tuesday, April 9<sup>th</sup> @ 7 p.m.

Board of Appeal & Equalization: Wednesday, April 10<sup>th</sup> @ 5:00 p.m.

**COUNCIL AND STAFF GENERAL COMMENTS**

Councilman Rehtzigel thanked the Public Works crew for all their work this winter, especially during the month of February. With the presidential primary elections moving to next March, maybe the location should be moved to the Fire Hall due to the

Councilman Mortensen also thanked the Public Works crew and is hoping for a slow thaw this Spring.

Administrator Vahlsing thanked the County Correctional crew for the painting they have been doing in the City Hall. They are doing a really good job.

Motion by Nielsen second by Mortensen to adjourn the meeting at 8:50 p.m. Motion Carried 4-0-0.

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Holli Gudknecht, Administrative Assistant

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Michael Engel, Mayor