

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

Also, present: Administrator Mark Vahlsing, Administrative Assistant Holli Gudknecht, Police Chief Lee Sjolander, Engineer Derek Olinger, Attorney Scott Riggs, Public Works Director Wayne Ehrich, Michelle Vlasak reporter for Kenyon Leader, Attorney David Jacobsen, Troy Estrem, Brad Nesseth

The meeting opened with the Pledge of Allegiance.

CITIZEN COMMENT

ADOPT AGENDA

Motion by Gard second by Bailey to approve the agenda. Motion carried 5-0-0.

CONSENT AGENDA

Motion by Ryan second by Bailey to approve the Consent Agenda, which includes payment of check numbers, 71997 through 72081; 3679E through 3690E; and additional checks 72082 through 72104. Motion carried 5-0-0.

PRESENTATIONS/PUBLIC HEARINGS/RECOGNITIONS/PROLAMATIONS

Public Hearing: Vacation of Alley Lying in Block 3, Slee and Langford's Addition

Motion by Bailey second by Rehtzigel to open the Public hearing at 7:04pm. Motion carried 5-0-0.

Attorney Riggs stated that this public hearing was required to vacate the alley located in Block 3 of Slee and Langford's addition to complete the lot combination for Jerry and Diane Barrett. Engineer Olinger noted that there are utilities in the alley, including power lines and sanitary sewer, that need to be addressed. Riggs stated, that by operation of law, the easements would remain intact. No public comments were received at the hearing.

Motion by Rehtzigel second by Gard to close the Public Hearing at 7:06 p.m. Motion carried 5-0-0.

Annual Municipal Prosecution Report – David Jacobsen, Attorney

Attorney David Jacobson gave an overview of changes to his law firm and staff. He also presented a summary of the annual prosecution activity for the City provided by Jacobsen Law Firm, P.A. in 2020. Attorney Jacobsen reported that the number of prosecuted offenses were up for 2020. He prosecuted 76 cases from January 1, 2020 to December 31, 2020, which was up 36 from 2019. He noted that eighty percent of the offenses were traffic violations. When compared to 2019, the number of prosecuted traffic offenses increased by over 238%. Community offenses dropped from 22 in 2019 to 15 in 2020. Two-thirds of the base fine is remitted back to the city of Kenyon, which amounted to \$2,180.00 for 2020. Jacobsen believes this amount is not accurate and is working to resolve this issue with court staff.

ENGINEERING

Updated on Infrastructure Management Plan- Update on 2021-22 projects

City Engineer Olinger reviewed the infrastructure management plan that was prepared in 2020. The purpose of the plan was to aid in prioritizing pavement and utility projects in the City. Olinger recommended crack filling and seal coating some of the better condition streets in 2021 and completing a larger chip seal project in 2022. A map of the proposed crack seal street was presented. If approved, the project would go out for bids to be awarded in April with project completion this year.

Proposal for Bituminous Street Crack Seal

Motion by Bailey second by Henke to approve the solicitation of quotes for the 2021 crack seal project. Motion carried 5-0-0.

FEMA Flood Repair project update

City Engineer Olinger stated that Bolton & Menk are in the process of designing the FEMA flood repair project. DNR permits will be applied for in the coming weeks. Once the permits are approved, the Council will approve the final plan and request quotes.

Study of Financial Impact of Infrastructure Improvements - Northland Securities

Olinger stated that they are currently in the process of using the infrastructure plan information to make a Capital Improvement Plan. This plan would be used by the City to calculate the timing and funding for these capital improvements. Northland Securities provided a quote for a capital planning and debt study related to the financial impact of the infrastructure management plan.

Motion Bailey second by Ryan to proceed with the study and financial impact of the infrastructure management plan with Northland Securities. Motion carried 5-0-0.

LEGAL

Ordinance 97 Amending Section 845 Regarding Regulation of Trees, Grass, and Weeds in Public Streets and Public Property

Attorney Riggs stated that revisions to Ordinance No. 97 have been completed. Section 845 of the City Code was simplified, but still gives the City control.

Motion by Gard second by Bailey to adopt Ordinance No. 97 amending Section 845 regarding regulation of trees, grass, and weeds in public streets and public property. Motion carried 5-0-0.

Resolution 2021-06: Approving Publication of Ordinance No.97 by Title and Summary

Motion by Rehtzigel second by Henke to adopt Resolution 2021-06 approving publication of Ordinance No. 97 by title and summary. Motion carried 5-0-0.

Resolution 2021-05: Vacating the Alley in Block 3 of Slee and Langford's Addition

Motion by Rehtzigel second by Ryan to adopt Resolution 2021-05 vacating the Alley in Block 3 of Slee and Langford's addition with additional language to be added to No. 1 concerning easements remaining intact. Motion carried 5-0-0.

2021 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 April 30 - October 17, 2021. The 2021 agreement was tabled to allow the Council time to look into a possible increased fee.

Discuss Possible Vacation of Alley Located South of 3rd Street Near First Lutheran Church

Administrator Vahlsing stated that the alley located south of 3rd Street just east of First Lutheran Church is a candidate to be vacated. The City maintains this seventy-five-foot alley that doesn't serve the City at all. Vahlsing asked if the Council had any interest in pursuing this vacation. If there was interest, a public hearing would be scheduled; then the Council would take action to approve or deny the vacation. Brad Nesseth and Troy Estrem, representing First Lutheran Church, were present. Nesseth stated that the church had no strong feelings either way. He did express concern about the ability of the homeowner at 623 3rd Street being able to back out of his garage without being on church property if the alley was vacated. The Council determined that the alley would remain public at this time.

OLD BUSINESS

Update on Community Cable Channel and City Website

Administrator Vahlsing stated that the Community Channel is now broadcasting on Mediacom channel 12. A streaming app and link to the web site are still being developed so City Council meetings and possibly other community events can eventually be streamed. Vahlsing added that Library Director Otte is working on major upgrades to the cityofkenyon.com site and will give an update at the April Council meeting.

NEW BUSINESS

Jacobsen Law Firm Request for Rate Increase for Prosecution Services

Administrator Vahlsing stated that Attorney Jacobsen requested a five percent increase to the criminal prosecution services contract for 2021. The increase would change the monthly fee of \$1,000 to \$1,050. Motion by Rehtzigel seconded by Bailey to approve the 2021 rate increase for criminal prosecution services for Jacobsen Law firm. Motion carried 5-0-0.

Quotes for Zero Turn Mower

Director Ehrich stated that three quotes were received to replace the 2018 JD 72" mower. The low quote was received from Kenyon Ace Hardware for a Cub Cadet Zero Turn mower, which included trade-in of the existing mower. The mower purchase is on a three-year rotation schedule and is included in the 2021 budget. Motion by Ryan second by Bailey to approve the purchase of the quoted Cub Cadet from Kenyon Ace Hardware. Motion carried 5-0-0.

Kenyon Country Club Liquor License Renewal

Motion by Bailey second by Gard to renew Kenyon Country Club's liquor license. Motion carried 5-0-0.

Schedule of Upcoming Meetings

KMU Meeting: Tuesday, March 16th @ 2:00 p.m.

City Council Meeting: Tuesday, April 13th @ 7 p.m.

Board of Appeal & Equalization: Thursday, April 15th @ 5:00 p.m.

COUNCIL AND STAFF GENERAL COMMENTS

Councilman Gard noted that the flag at Spring and Gunderson looks great.

Mayor Henke stated that it was an interesting meeting. He is also looking forward to spring coming.

Motion by Bailey second by Rehtzigel to adjourn the meeting at 8:27 p.m.

Motion carried 5-0-0.

Holli Gudknecht, Administrative Assistant

Douglas Henke, Mayor