

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 July 2020. The meeting was called to order by Mayor Henke. The following members were present: Mayor Doug Henke, Council Member Dan Rechtzigel, John Mortensen, and Tom Gard. 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, Liquor Store Manager Matt Bartel, Karen DeCharme  
Via Teleconference: Richard Nielsen (joined at 7:15 p.m.)

### **CITIZEN COMMENT**

Rod Steele introduced himself as a candidate running for District 3 Goodhue County Commissioner. He has been the Mayor of Pine Island for four years.

### **ADOPT AGENDA**

Motion by Rechtzigel second by Gard to approve the agenda.

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

Motion carried 4-0-0.

### **CONSENT AGENDA**

Motion by Henke second by Rechtzigel to approve the Consent Agenda, which includes payment of check numbers, 71129 through 71229; 3523E through 3543E; and additional checks 71230 through 71242.

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

Motion carried 4-0-0.

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

None

### **ENGINEERING**

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

Engineer Olinger stated that Phase 1 of the construction is nearing completion. Concrete work should be completed this week. The paving of the alley south of 2<sup>nd</sup> Street and the Liquor Store parking lot will begin early next week. Wencl Construction will start the utility work on Phase 2 later this week.

#### **Pay Request #2 – Wencl Construction**

Motion by Mortensen second by Henke to approve pay request No. 2 to Wencl Construction in the amount of \$397,927.45 for work completed through June 26<sup>th</sup>.

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

Motion carried 4-0-0.

#### **Kenyon Business Park Project Status Update**

Engineer Olinger stated that the last easement had verbal approval this morning. Once the easements are signed, they will need to be filed with Goodhue County. Final contracts are waiting for the contractor's signature. A-1 Excavating is expected to begin work late August to early September. The plan is to complete the underground utilities and grading this year with the project completion in 2021. It was suggested that a groundbreaking be scheduled for late August, possible during Rose Fest weekend. Possible groundbreaking dates will be sent to Council members.

#### **Infrastructure Management Plan Update**

Engineer Olinger stated that they started work on the Infrastructure Management Plan. The first tasks are gathering data on the street conditions and utility information. They are hoping to complete the project by September or October and present it to the Council.

## **LEGAL**

### **Discuss Possible Amendments to Section 575.01 Historic Preservation Commission – Membership**

Administrator Vahlsing stated that the HPC commission is having difficulty in finding persons to serve on the board. The HPC currently has seven members, but would like to discuss reducing the number to five or three members. Administrative recommendation was to change the board to three members. This would require an amendment to the City Code. The State Historic Preservation Office had no issues if the City reduced the number of board members. The Council agreed to pursue this matter further and referred it to the City Attorney to draft the revised ordinance language.

### **Discuss Possible Amendments to Section 520.09 -Fencing**

Administrator Vahlsing stated that at the May 28, 2020 Planning Commission meeting several issues were discussed including fencing. As a result of the discussion the Planning Commission recommended that the fencing standards be amended so that the maximum allowable height would be 6'. The Council also thought the language should be clearer, including placement of the side yard fence and set back distance off the back alley. The Council referred the matter to the City Attorney for further review.

## **OLD BUSINESS**

### **Update on Former Ambulance Garage Renovations**

Police Chief Sjolander stated that their new building is “move in” ready according to the contractor. They have started moving some items in, but are still waiting for some furniture to arrive and blinds to be installed. Sjolander is currently cleaning out and throwing away stuff that has collected. They hope to move in by the middle of August.

## **NEW BUSINESS**

### **Christmas in Kenyon – Sarah Jystad, KABA**

Sarah Jystad, representing KABA, provided an overview of changes for the 2020 Christmas in Kenyon Celebration. The event is planned for December 5, 2020. Julie Haley will be coordinating the event this year. KABA would like the City to take over sponsorship of the event through the Park and Recreation Committee with KABA as a co-sponsor. An update on the 2020 Christmas planning will be given at the October Council meeting.

### **Grant Amendment for Rehab Funds – Karen DuCharme, SEMMCHRA**

Karen DuCharme, of SEMMCHRA asked for council approval to amend the Small Cities Grant agreement to move the remaining commercial and housing rehab funds of \$49,388 to the rental rehab fund. This money needs to be expended by the end of September or Kenyon will lose it. DuCharme stated that the small cities development grant is coming to a close. There is a requirement to hold a public hearing to close out the Small Cities Development grant.

Motion by Nielsen second by Rehtzigel to move \$49,388 from the commercial and housing rehab fund to the rental rehab fund.

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

Motion carried 5-0-0.

Motion by Rehtzigel second by Mortensen to hold a public hearing for the grant amendment for rehab funds on Wednesday, August 12 during the Council meeting.

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

Motion carried 5-0-0.

### **Resolution 2020-17: Appointing Election Judges for 2020**

Motion by Henke seconded by Gard to approve Resolution 2020-17: Resolution of Adoption of Election Judges for 2020.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Mortensen – Aye, Gard – Aye, Nielsen - Aye  
Motion carried 5-0-0.

### **Review Rose Fest Events**

#### **Street Dance Permit - Municipal Liquor Store**

Administrator Vahlsing stated that proceeding with the annual street dance was reviewed with the City Attorney and Muni Manager Bartel. Attorney Riggs recommended to not hold a street dance in conjunction with Rose Fest. Based on the current State of Minnesota guidelines and restrictions, it would be exceedingly difficult to hold the event. Under the current phase of the State reopening plan there is a limit of 250 people while maintaining the 6-foot social distancing. With this capacity limit, Bartel feels the event would not break even and it would be better not holding the event this year. Motion by Rehtzigel second by Gard to cancel the street dance, but allow an expanded outdoor beer garden including the Red Wing Avenue area adjacent to the Liquor Store contingent on our insurance carrier's okay of the event.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Mortensen – Aye, Gard – Aye, Nielsen - Aye  
Motion carried 5-0-0.

#### **Parade Permit**

City Attorney Riggs consulted the League of Minnesota Cities Insurance Trust concerning holding a parade. The League advised that the Parade should not be held. This advice is based on the inability to meet current State of Minnesota guidelines and restrictions, specifically, the 250-person limit and maintaining 6-foot social distancing. Holding such an event as a parade could create liability issues for the City. The League of Minnesota Cities Insurance Trust advised it's members that it may be difficult to defend member City's from claims if events are held where over 250 persons may potentially gather.

#### **6<sup>th</sup> Annual Kenyon Fire Dept. 5K Run/Walk Route Approval**

City Attorney Riggs reviewed liability considerations for holding the 5K. Under current guidance from the state, the maximum capacity for road races is 25 total persons including runners, spectators, workers etc. It would not be feasible to hold an event with this limit. Holding this type of event may create liability issues. Motion by Gard second by Mortensen to cancel the parade and 5K run/walk for Rose Fest 2020.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Mortensen – Aye, Gard – Aye, Nielsen - Aye  
Motion carried 5-0-0.

#### **Street Closures**

Not needed.

#### **Sidewalk Vendors on 2<sup>nd</sup> St.**

Administrator Vahlsing stated that the Rose Fest Committee would still like to have the sidewalk vendors. The committee is working on alternative locations where they could maintain the six-foot spacing and follow the required guidelines. Attorney Riggs will draft a memo on the guidelines to follow that would need to be signed by the vendors.

Motion by Rehtzigel second by Mortensen to table a decision on the sidewalk vendors to the August meeting.

Roll Call Vote: Henke- Aye, Rehtzigel – Aye, Mortensen – Aye, Gard – Aye, Nielsen - Aye  
Motion carried 5-0-0.

#### **Car Show (informational)**

Administrator Vahlsing stated that Steve Baalson had informed the City that the Car Show will not be held as part of Rose Fest this year.

### **OTHER BUSINESS**

None

### **Schedule of Upcoming Meetings**

KMU Meeting: Wednesday, July 22 @ 2:00 p.m.

EDA Meeting: Tuesday, July 28<sup>th</sup> at 8:00 a.m.

City Council Meeting: Wednesday, August 12<sup>th</sup> @ 7 p.m.

### **COUNCIL AND STAFF GENERAL COMMENTS**

Administrator Vahlsing thanked Lee and L&M Construction for all the work that they have put into making the new station a reality. Also, thanks to the Rose Fest committee for all the work they have done so far.

Councilman Mortensen stated that the Council had some tough decisions to make tonight, but hoped the citizens would understand the reasoning behind it. He also noted that Park and Rec has postponing the wine tasting at Rose Fest.

Councilman Gard noted that Covid has put a dent in what towns do and their events, but hoped the day would come soon when they could all get back to normal.

Councilman Rechtzigel thanked the City departments for their work during this time.

Mayor Henke thanked KMU and Public Works for their work during outages and construction. He complimented the police department on doing an extremely good job.

Councilman Nielsen was happy the we are all happy with KMU.

Motion by Nielsen second by Mortensen to adjourn the meeting at 8:51 p.m.

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

Motion carried 5-0-0.

---

*Holli Gudknecht, Administrative Assistant*

---

*Douglas Henke, Mayor*