



Winona City Council Agenda

Monday, February 3, 2020

6:30 P.M., Meeting No. 3

City Council Chambers – City Hall

3rd Floor - 207 Lafayette Street

Mayor Mark Peterson

1st Ward Al Thurley
 2nd Ward Eileen Moeller
 3rd Ward Pamela Eyden

4th Ward George Borzyskowski
 At-Large Michelle Alexander
 At-Large Paul Schollmeier

1. Call to Order – Mayor & City Manager’s Comments – Roll Call	
2. Required Public Hearings	
<i>City Clerk</i>	1. Consider Vacating Alley on Central School Block
3. Petitions, Requests, Communications	
<i>City Engineer</i>	1. Request to Make an Honorary Designation of 2nd Street from Center Street to the East of Wall Street as Bytow Byway
4. Unfinished Business	
5. New Business	
<i>City Clerk</i>	1. Appointment of Election Judges for 2020 Presidential Nomination Primary
<i>City Clerk</i>	2. Extend Cable Television Franchise Agreement – Charter Communications
<i>Public Works</i>	3. Invasive Aquatic Plant Management Grant
6. Reports of Committees	
7. Council Concerns	
<i>City Clerk</i>	1. Council Concerns
8. Consent Agenda	
<i>City Clerk</i>	1. Approval of Minutes – January 21, 2020
<i>City Clerk</i>	2. Claim Against the City by Shane Rasmussen
9. Adjournment	

REQUEST FOR COUNCIL ACTION

Agenda Section: Required Public Hearings	Originating Department:	Date:
No: 2	City Clerk	02/03/20

Item: Consider Vacating Alley on Central School Block

No. 2.1

SUMMARY OF REQUESTED ACTION:

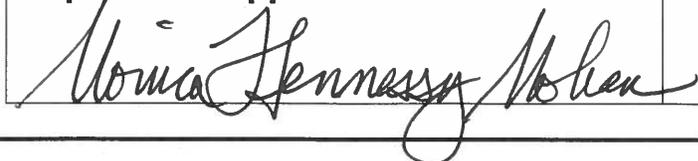
This is a public hearing pursuant to mailed and published notice to consider the vacation of the alley on Block 37, Plumer's Addition. Central Square Properties, LLC, is requesting this vacation for the redevelopment of the former Central School block. This public hearing will provide an opportunity to all persons affected wishing to speak for or against the vacation.

Attached for your review is a copy of the investigation report prepared by City Engineer Brian DeFrang regarding the above requested vacation. The report is presented pursuant to requirements set forth under Winona City Code Section 25.26. In accordance with City Charter, this section of City Code requires officials to determine whether or not the proposed vacation will:

- (1) work a hardship on affected property owners;
- (2) deprive such owners of a substantial right appurtenant to their property; and
- (3) be in the best interests of the public.

After the public hearing, if Council concurs, a motion to introduce the attached ordinance to vacate the alley would be in order.

Department Approval:



City Manager Approval:



AN ORDINANCE TO VACATE A
A PUBLIC ALLEY

The City of Winona does ordain:

Section 1. That the alley in Block 37 of Plumer's Addition to the City of Winona, Minnesota be and hereby is vacated and abolished.

Section 2. That this ordinance shall take effect upon its publication.

Dated this _____ day of _____, 2020.

Mayor

Attested By:

City Clerk

From the office of the City Engineer

Date: January 21st, 2020

To: Monica Hennessy Mohan, City Clerk

From: Brian DeFrang, City Engineer

Re: Request Vacation of the Alley in Block 37 of Plumber's Addition

Nisbit-Beier Subdivion has requested vacation of the alley in Block 37 of Plumber's Addition. Before the street right of way can be vacated, Section 25.26(c) of the City Code requires that administration do an investigation and address three questions.

- 1) WILL THE VACATION WORK A HARDSHIP ON AFFECTED PROPERTY OWNERS?

No. This would not impede other properties or use of these utilities.

- 2) WILL THE VACATION DEPRIVE THE AFFECTED PROPERTY OWNERS OF A SUBSTANTIAL RIGHT APPURTENANT TO THEIR PROPERTY?

This vacation will not deprive any adjacent property owners of a substantial right appurtenant to their property.

- 3) WILL THE VACATION BE IN THE BEST INTERESTS OF THE PUBLIC?

This area is not needed for city purposes. No easements need to be maintained.

REQUEST FOR COUNCIL ACTION

Agenda Section: **Petitions, Requests, Communications**

Originating Department:

Date:

No: 3

City Engineer

02/03/20

Item: **Request to Make an Honorary Designation of 2nd Street from Center Street to the East of Wall Street as Bytow Byway**

No. 3.1

SUMMARY OF REQUESTED ACTION:

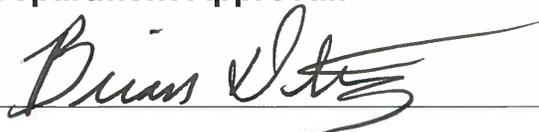
Kashubian Capital Centennial 2020 Campaign (KCC2020) is requesting that an Honorary Designation of 2nd Street from Center Street to east of Wall Street be "Bytow Byway". KCC2020 has requested that the signs be placed on every block from Center Street to the east at the top of the street sign post with the color scheme as shown below.



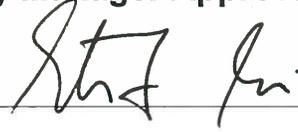
According to the Manual on Uniform Traffic Control Devices this format would not be appropriate for two reasons. One, their standard states "Traffic control devices or their supports shall not bear any advertising message or any other message that is not related to traffic control". Second is that the only street name sign background colors other than the standard green shall be brown, blue or white. Lettering on white background street name signs must be black. These signs could also confuse 911 emergency call situations where a person may say they are at the intersection of "Bytow Byway" and this may delay emergency dispatch's response time.

An acceptable alternative would be to place signs along the street that would demarcate the area with signs that would not be confused as a street sign as shown in the example below.

Department Approval:



City Manager Approval:



Request to Make an Honorary Designation of 2nd Street from Center Street to the East of Wall Street as Bytow Byway
Page 2



The actual design could be modified; this is just shown as an example. The cost of this would range from \$1,000 to \$2,000 and our street crew has the ability to erect these.

In researching this item I have found that many cities that have an honorary street name program have incorporated a sunset policy that only allows them to be displayed for a year or two at most. Also, many cities require the requesting party to pay the expense of the signage very similar to our banner program or our parking sign requests.

It is requested that City Council instructs staff on which signs should be chosen and also authorize the expenditure for this project to be paid out of the Street Department signage budget or have the KCC2020 group pay this cost.

REQUEST FOR COUNCIL ACTION

Agenda Section: **New Business**

Originating Department:

Date:

No: **5**

City Clerk

02/03/20

Item: **Appointment of Election Judges for 2020 Presidential Nomination Primary**

No. **5.1**

SUMMARY OF REQUESTED ACTION:

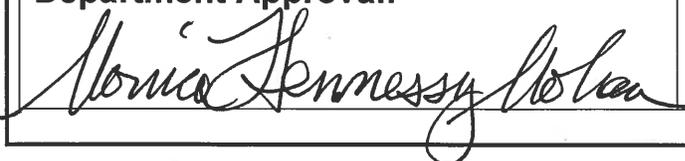
Attached is a listing of proposed election judges for the Presidential Nomination Primary Election to be held on Tuesday, March 3. If the Council concurs, a motion to approve the following resolution which approves the list and authorizes the City Clerk to make substitutions and to appoint additional judges as necessary would be in order.

Resolution

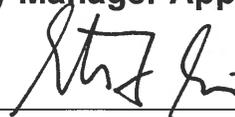
BE IT RESOLVED by the City Council of the City of Winona, Minnesota, that the attached list of persons are hereby appointed as 2020 Election Judges for the March 3rd Presidential Nomination Primary contingent upon each person completing the required election judge training.

BE IT FURTHER RESOLVED that the City Clerk shall have the authority to make substitutions and to appoint additional election judges as necessary.

Department Approval:



City Manager Approval:



2020 Presidential Nomination Primary Election Judges

Last Name	First Name	Address	PNP shift
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1st Ward - 1st Precinct

Maplewood Townhomes

Anderson	Susan	1421 West 4th St.	All
Davis	Judith	22559 County Road 15	All
Galke	Mary	1317 Wincrest Drive	Evening
Mohan	Emmalee	1271 Wincrest Dr	All
Mulyck	Albert	1134 West 4th St.	Morning
Singer	Mary	125 North Baker Street	Evening

1st Ward - 2nd Precinct

Radiant Church

Bellman	Jean	320 Knopp Valley Drive	Evening/all
Brenner	Colleen	1763 Gilmore Avenue	Morning
Garrity	Gayle	397 Knopp Valley Drive	All
Gervais	Christopher	25000 Echodale Road	Evening
Mueller	Laurel	365 Junction Street	Evening
Schueler	Gracelyn	125 Sunnyside Lane	Morning
Wadewitz	Rosemary	317 Knopp Valley Drive	Morning
Wilmot	Christine	1776 Edgewood Road	All

1st Ward - 3rd Precinct

Sauer Memorial Home

Terpstra	David	266 Oak Leaf Drive	All
Aldrich	Brian	1376 Skyline Drive	All
Edin	Becky	410 W. 6th Street	All
Jarvinen	Kathryn	1750 Gilmore Ave	

1st Ward - 4th Precinct

Faith Lutheran Church

Aldrich	Lynn	1376 Skyline Drive	All
Kronebusch	Claire	675 W Sarnia, #207	Evening
Looman	Jack	4155 West 6th St	Evening
Sheets	Deborah	1103 Gilmore Avenue	Evening
Tentis	Matt	29809 Greenbriar Drive	Morning
Wildenborg	Mary	1091 Gilmore Valley Road	All

Last Name	First Name	Address	PNP shift
2nd Ward - 1st Precinct		St. Anne's Hospice	
Cenfield	Raymond	1473 Park Lane	Evening
Dahl	Richard	1167 West 5th St.	Morning
Hoffmann	Thomas	1169 West Howard St.	Evening
Lehn	Steven	516 Collegeview St.	Evening
Olson	Joliene	416 West Howard St.	All
Walz	Renee	1221 Gilmore Valley Rd	All
2nd Ward - 2nd Precinct		West Rec Center	
Bjork	Joie	1743 Gilmore Valley Road	All
Hawkinson	Lisa	23022 Blackberry Road	All
Hegard	Teresa	1373 Sunset Drive	All
Johnson	Emily	174 East 5th Street; #2	All
Mulyck	Chris	180 North Baker	Evening
2nd Ward - 3rd Precinct		Cotter Schools - St. Cecilia Commons	
Simon-Salwey	Pamela	422 West King St.	All
Mohan	Madeline	1271 Wincrest Drive	4 - close
Campbell	John	472 W. 6th St.	Evening
Forsythe	Barb	765 West King Street	11 - close
2nd Ward - 4th Precinct		Cotter Schools - St. Cecilia Commons	
Grawe	Robin	678 Sioux Street	All
Hyma	Jeffery	554 West Lake Street	
Olson-Ventura	Nancy	764 West Broadway	Morning/all
Warneke	Jane	672 Harriet Street	Morning
3rd Ward - 1st Precinct		Kryzsko Commons, WSU	
Debnath	Joyati	64 White Oak Court	All
Krause	Laura	713 Main Street	
Graff	Sophia	703 Main Street	

Last Name	First Name	Address	PNP shift
3rd Ward - 2nd Precinct		Lake Lodge	
Hennessy	Barbara	359 Ewing St, Apt. 11	All
Gorden	Carole	1613 Gilmore Valley Rd	All
Koenig	Margaret (Ga	63 Sharal Lane	Evening
Sannerud	Peggy	412 East Mark St.	All
Troke	Darlene	410 E. Wabasha	Morning
3rd Ward - 3rd Precinct		Central Fire Station	
Olson	Myrna	357 East 10th Street	All
Hancock	Cooper	191 Sweetwater Drive	4 - close
Kramer	Carol	366 East 5th Street	All
Krause-Wohlfeil	Karla	280 Franklin St, Apt. 301	Evening
Lee	Frederick	157 West 3rd St., Apt. 410	All
Neitzke	Arlene	213 East Howard St.	Morning
Papenfuss	Patricia	276 Pleasant Hill Drive	Morning
3rd Ward - 4th Precinct		City Hall	
Banicki	Jacquelyn	827 East 4th St.	Evening
Doerr	Judith	1950 Gilmore Valley Road	All
Gerdes	Judith	1262 West Broadway	Evening
Mueller	Grace	3525A West 7th St.	Morning
Prudoehl	Carole	1418 Brookview Drive	All
4th Ward - 1st Precinct		East Rec Center	
Seppanen	Linda	2225 Garvin Heights Road	All
Looman	Cheryl	4155 West 6th Street	Evening
Peterson	Robert	23443 East Burns Valley Rd	All
4th Ward - 2nd Precinct		East Rec Center	
Borzyskowski	Carol	128 Lohse Drive	All
Donahue	Mary	111 Mankato Avenue	All
Badciong	Ruth	1419 Homer Road	Morning
Foss	Jason	402 East Broadway	All
Krause	Fred	713 Main Street	
Lyons	Polly	163 Chatfield Street	Morning

Last Name	First Name	Address	PNP shift
4th Ward - 3rd Precinct		Southeast Technical	
VanGuilder	Amy	1435 49th Ave	All
Badciong	Peter	1419 Homer Road	4 - close
Beck	Linda	120 Glen Mary Rd	All
Hanson	Jill	250 Oak Leaf Dr.	Morning
McManemy	Terri	125 East Garvin Heights Rd	All
Moeller	Jan	25971 County Road 9	Evening
4th Ward - 4th Precinct		National Guard Armory	
Terpstra	Brenda	266 Oak Leaf Drive	All
Charles	Ruth	262 Wilson Street	Evening
Klink	Barbara	1330 East Burns Valley Rd,	Morning
Knuesel	Elizabeth	813 Hickory Lane	Morning
Rowekamp	Betsy	79 Shady Oak Court	Evening
Wilke	Janet	127 Lohse Drive	Evening/all

REQUEST FOR COUNCIL ACTION

Agenda Section: **New Business**

Originating Department:

Date:

No: **5**

City Clerk

02/03/20

Item: **Extend Cable Television Franchise Agreement – Charter Communications**

No. **5.2**

SUMMARY OF REQUESTED ACTION:

In December 2015, the Council approved a new cable television franchise agreement with Hiawatha Broadband Communications, Inc. (HBC), and extended the current agreement with Charter Communications until June 30, 2016. The Council has since extended the franchise agreement with Charter for additional six month terms six more times. The current extension expired on January 31, 2020.

Legal counsel and City staff have met most recently in December with representatives from Charter to draft the new agreement, but additional time is required to complete this process. Therefore, another extension of the old agreement is requested. Staff is recommending extending the agreement until July 31, 2020, or until such time as the new agreement has been fully executed.

If the Council concurs, a motion to adopt the attached resolution would be in order.

Department Approval:

City Manager Approval:

Norice Hennessy Nolan

Staff

RESOLUTION NO. _____

**GRANTING SPECTRUM MID-AMERICA, LLC
A FRANCHISE EXTENSION TO JULY 31, 2020**

WHEREAS, on February 21, 2000, the City of Winona, Minnesota ("City") adopted Cable Television Franchise Ordinance No. 3442 ("Franchise"), which is currently held by Spectrum Mid-America, LLC, d/b/a Charter Communications ("Charter"); and

WHEREAS, the initial term of the Franchise expired on December 31, 2015; and

WHEREAS, the City adopted Resolution No. 2015-118 on December 21, 2015 extending the term of the Franchise until June 30, 2016; and

WHEREAS, Charter executed said Resolution No. 2015-118 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2016-56 on June 6, 2016 extending the term of the Franchise until December 31, 2016; and

WHEREAS, Charter executed said Resolution No. 2016-56 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2016-103 on December 5, 2016 extending the term of the Franchise until June 30, 2017; and

WHEREAS, Charter executed said Resolution No. 2016-103 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2017-60 on June 5, 2017 extending the term of the Franchise until December 31, 2017; and

WHEREAS, Charter executed said Resolution No. 2017-60 and agreed to

continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2017-149 on December 18, 2017 extending the term of the Franchise until July 16, 2018; and

WHEREAS, Charter executed said Resolution No. 2017-149 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2018-56 on July 2, 2018 extending the term of the Franchise until December 31, 2018; and

WHEREAS, Charter executed said Resolution No. 2018-56 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2018-106 on December 3, 2018 extending the term of the Franchise until June 30, 2019; and

WHEREAS, Charter executed said Resolution No. 2018-106 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2019-59 on July 1, 2019 extending the term of the Franchise until January 31, 2020; and

WHEREAS, Charter executed said Resolution No. 2019-59 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City and Charter desire to extend the term of the Franchise to facilitate renewal negotiations under state and federal law.

NOW, THEREFORE, the City Council of the City of Winona, Minnesota hereby resolves as follows:

1. The Franchise is hereby amended by extending the term of the Franchise

from February 1, 2020 through and including July 31, 2020 unless earlier renewed by the parties.

2. Except as specifically modified hereby, the Franchise shall remain in full force and effect.

3. The City and Charter hereby agree that neither waives any rights either may have under the Franchise or applicable law.

4. This Resolution shall become effective upon the occurrence of both of the following conditions: (1) The Resolution being passed and adopted by the Winona City Council and (2) Charter's acceptance of this Resolution.

Passed and adopted by the City Council of Winona, Minnesota, this _____ day of _____, 2020.

CITY OF WINONA, MINNESOTA

ATTEST:

By: _____
Its: Mayor

City Clerk

ACCEPTANCE

Spectrum Mid-America, LLC, d/b/a Charter Communications, hereby acknowledges the City of Winona Resolution No. _____, and hereby accepts the terms, provisions and recitals of the Resolution and agrees to be bound by the Franchise to the extent consistent with applicable laws.

DATED: _____, 2020

Spectrum Mid-America, LLC
d/b/a Charter Communications

By: _____

Its: _____

REQUEST FOR COUNCIL ACTION

<i>Agenda Section:</i> New Business	<i>Originating Department:</i>	<i>Date:</i>
<i>No:</i> 5	Public Works	02/03/20

Item: **Invasive Aquatic Plant Management Grant**

No. **5.3**

SUMMARY OF REQUESTED ACTION:

The Minnesota Department of Natural Resources periodically offers grant funds to aid in the control of invasive aquatic plant species. Lake Winona is known to harbor invasive aquatic plants such as curly leaf pondweed and Eurasian watermilfoil. The City's Natural Resources and Sustainability Coordinator recommends seeking these grant funds to help defray the cost of managing the invasive species.

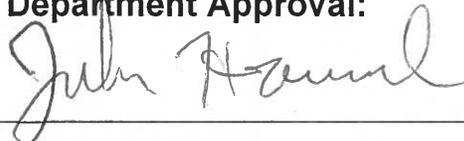
Staff proposes using herbicide to kill curly leaf pondweed biomass in early June in order to remove the reproductive parts of the plant before they are mature. A later season application of herbicide could be utilized to control Eurasian watermilfoil.

State regulations limit the project size of a strictly herbicide application to 15% of a lake basin. Staff suggests starting with 15% of the smaller west basin, which would constitute about 11.5 acres.

A requirement of the grant is to do a lake inventory of aquatic plant species, and can be reimbursed up to \$1,000. The grant also funds the treatment at \$1,050 plus another \$50 per acre above 10 acres. Thus the City would likely receive funding of \$2,025. The total cost of the project would be about \$4,500, meaning the City would need to provide about \$2,475 in funding. Staff suggests utilizing the storm sewer fund for this expense.

If Council concurs with the staff recommendations, a motion to proceed with the grant and utilize the storm sewer for project expenses would be in order.

Department Approval:



City Manager Approval:



2020 Grant Application Aquatic Invasive Species Control Projects

Purpose:

These grants are intended to help fund the control of curly-leaf pondweed, Eurasian watermilfoil or flowering rush. For more information about this grant offer see the [DNR grant website](#).

Deadlines:

This grant program will begin accepting applications at 9:00 AM on Friday January 31st, 2020.

Applications received before this time will not be accepted.

The final application deadline is 9:00 AM on Monday, February 24th, 2020.

In order to provide grants in a timely manner, grant applications will be reviewed, and grants written on a first-come first- served basis. Because of this, this grant program may run out of funds and close before the final application deadline on February 24th, 2020.

Please note that the day after the grant application deadline the name and address of all applicants, and the amounts requested become public. All other data is nonpublic until the negotiation of the grant agreement(s) with the selected grantees is completed. After the application review process is completed, all data (except trade secret data) becomes public.

Application Instructions:

1. Apply for a new or renew a previous [Invasive Aquatic Plant Management \(IAPM\)](#) permit through the [MPARS website](#) even though your required delineation has not been done. Do not attach a previous year's map during the initial application in MPARs, you will have to upload your delineation map after it is completed. Your permit request will be reviewed and your permit issued at that time.
2. Download a PDF copy of your permit application.
3. Fill out this application form.
4. Return this application form and the copy of your 2020 Invasive Aquatic Plant Management Permit Application to

Wendy Crowell

Minnesota Department of Natural Resources

Ecological and Water Resources, Box 25

500 Lafayette Rd St. Paul, MN 55155

Fax: 651-296-1811

E-mail: wendy.crowell@state.mn.us

Once the grant program opens at 9:00 AM Friday January 31st, you may hand deliver your application during normal business hours (8:00 a.m. - 4:30 p.m., Monday - Friday).

Electronic Submissions are encouraged.

You will be notified when your application is received. If you do not receive a notification within a week, please contact Wendy Crowell (651-259-5085).

Applicant Information

Organization: City of Winona _____

Name: John Howard _____

Address: Mailing: PO Box 378, Winona, MN, 55987 _____

Address: Physical Office: Winona City Hall, 207 Lafayette St, Winona, MN 55987 _____

E- Mail: Jhoward@ci.winona.mn.us _____ Phone(s): 507-457-8273 _____

Federal Tax Id Number *(required): TIN: 41-6005651 _____

Second Contact (optional)

Name: _____ phone: _____

Email address: _____

Lake Information

Lake name: Lake Winona _____ County: Winona _____

Nearest Town: Winona _____ DOW# (if known): 85001102 _____

Target plant

- Eurasian watermilfoil
- Curly- leaf pondweed
- Flowering Rush

Proposed Control method

- Mechanical control
- Herbicidal control

Invasive Aquatic Plant Management

01/27/2020

Project Name: West Lake Winona AIS**Permit Lead**

Keegan Lund

DNR Area: Saint Paul IAPM

Email: Keegan.Lund@state.mn.us

Phone: 651-259-5828

DNR Region:

Central

Minnesota Department of Natural Resources

1200 Warner Road

St. Paul, MN, 55106

Applicant Details

Howard, John (contact for City of Winona) -
(contact for City of Winona)

(507) 452-8273

jhoward@ci.winona.mn.us

PO Box 378, Winona, MN 55987

City of Winona - Landowner or Government Unit

(507) 457-8274

207 Lafayette Street, Room 200, Winona, MN
55987

Location and Resources



Water Resource: Lake: Winona (85001100) -
Public Waters Basin
County: Winona

Type of Work

What is the main type of work you are proposing to do?

Lake-wide selective control of invasive aquatic plants (e.g., Eurasian watermilfoil, Curly-leaf pondweed)

Which of the following are you applying for?

Offshore: further than 150 feet from the shoreline, or lakewide

Proposed Treatment

Treatment Method	Species	Pesticide	Requested Dimensions	Commercial Company
Pesticide Control	Curly-leaf Pondweed	Endothall	12.0 acres	Yes

Additional Details

What is the primary reason for the proposed aquatic plant control?

Control invasive species

REQUEST FOR COUNCIL ACTION

Agenda Section: Council Concerns

Originating Department:

Date:

No: 7

City Clerk

02/03/20

Item: Council Concerns

No. 7.1

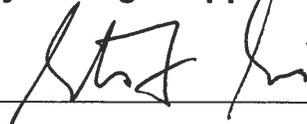
SUMMARY OF REQUESTED ACTION:

Time is reserved for Council Concerns.

Department Approval:



City Manager Approval:



REQUEST FOR COUNCIL ACTION

<i>Agenda Section:</i> Consent Agenda	<i>Originating Department:</i> City Clerk	<i>Date:</i> 02/03/20
<i>No:</i> 8		
<i>Item:</i> Consent Agenda		
<i>No.</i> 8.		

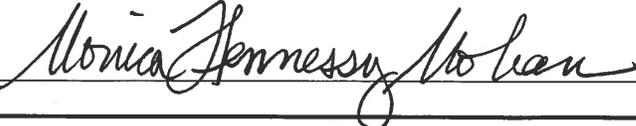
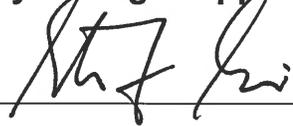
SUMMARY OF REQUESTED ACTION:

City Clerk: Item No. 8.1: Approval of Minutes – January 21, 2020

Minutes of the January 21, 2020 City Council meeting have been distributed. If the minutes are satisfactory, a motion to approve same would be in order.

City Clerk: Item No. 8.2: Claim against the City by Shane Rasmussen

Shane Rasmussen has filed a claim against the city for damages to his vehicle. The claim has been forwarded to the League of Minnesota Cities- Insurance Trust, and is on file in the City Clerk's Office.

Department Approval: 	City Manager Approval: 
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