

**City Council Meeting  
January 21, 2020  
6:30 PM – City Hall**

Mayor Mark Peterson called the meeting to order at 6:30 p.m. and the Pledge of Allegiance was recited.

**Present:** Mayor Mark Peterson, Council Members Allyn Thurley, Eileen Moeller, Michelle Alexander, Pamela Eyden, George Borzyskowski and Paul Schollmeier.

**Mayor’s Comments:**

Mayor Mark Peterson noted that earlier today, an open house was held on the Downtown Strategic Plan, and he announced that the survey may be completed online until January 31.

The Mayor announced the League of Women Voter would be hosting an educational forum on Monday, January 27, for residents regarding the upcoming party caucuses and Presidential Nomination Primary.

The Mayor announced that the City has recently received notification that we have been awarded a \$1 million grant from the Minnesota Department of Transportation for the Broadway Road Diet project, which will reduce the number of lanes of traffic on Broadway from 4 lanes to 3 lanes.

Mayor Peterson presented a proclamation for the Winona State University Women’s Rugby Team, which recently won their 3<sup>rd</sup> national championship in 9 years.

**City Manager’s Comments:**

City Manager Stephen T. Sarvi wished good luck to Hamid Akbari, the former Dean of the College of Business at WSU, who is leaving Winona for Carroll University in Waukesha, WI.

Mr. Sarvi also announced there would be tag and tow restriction in downtown Winona tonight and tomorrow night.

**3.1 Sign and Banner Requests**

The City Clerk presented the schedule for signs and banners to be posted in January and February. Each of these applicants has paid the City fee of \$50 for a banner over Mankato Avenue, or \$25 for a park sign.

| <b>From:</b> | <b>To:</b> | <b>Event</b>               | <b>Mankato Ave. Banner</b> | <b>Lake Park</b> | <b>Central Park</b> |
|--------------|------------|----------------------------|----------------------------|------------------|---------------------|
| 1/27/2020    | 2/10/2020  | Frozen River Film Fest     | x                          | x                |                     |
| 3/16/2020    | 3/30/2020  | DAC Auction & Casino Night |                            | x                |                     |

Alexander moved to approve the signs. Moeller seconded the motion, and it carried with all voting aye.

**3.2 Request Vacation of the Alley on Block 37 of Plumer’s Addition**

City Engineer Brian DeFrang reported a public hearing was held on December 2, 2019, to vacate the alley in the former Central School block. After the ordinance was adopted, it was discovered that this alley was shown on two different plats, and the legal description used was not complete. The Council vacated the alley on Block 37 of the Original Plat, but there is a section of this alley on Block 37 of Plumer’s addition. This portion of the alley would need to go to public hearing also to vacate it as was intended on December 2, 2019.

Section 25.26 of the City Code requires that a public hearing be held to give affected property owners a chance to be heard. Council is requested to set the public hearing for Monday, February 3, 2020 at 6:30 pm in the Council Chambers.

Borzyskowski moved to set the Public Hearing for February 3, 2020, at 6:30 p.m. Alexander seconded the motion, and it carried with all voting aye.

**5.1 Renew Safe Ride Agreement**

The City Clerk reported the Safe Ride program began in the fall of 2002 as a joint venture between the City of Winona, Winona State University (WSU), and Saint Mary’s University of Minnesota (SMU) to provide late night bus service between the campuses and downtown Winona on the weekends.

The agreement for the spring semester of 2020 continues the same level of service as is currently being provided. The Safe Ride route goes from downtown Winona to both of the Winona State University campuses and the East Lake Apartments, and to Saint Mary’s University. The buses run on Friday and Saturday nights from 7:00 p.m. to 2:00 a.m.

Alexander moved to approve the agreement and to authorize the Mayor and City Clerk to execute the same. Schollmeier seconded the motion, and it carried with all voting aye.

**5.2 Renewal: Property and Liability Insurance for 2020 (excluding Workers’ Compensation)**

Finance Director Mary Burrichter presented the premiums for 2020 compared to 2019 for the City’s Property and Liability Insurance, excluding workers’ compensation. This program includes the City and the Port Authority.

| Premium Summary:  | <u>2019</u>      | <u>2020</u>      |
|---|------------------|------------------|
| ◆ Property  | \$ 56,340        | \$ 64,444        |
| ◆ Mobile Property   | 5,202            | 5,121            |
| ◆ Fine Arts (Included in Property)  | -                | -                |
| ◆ Municipal Liability   | 92,817           | 96,567           |
| ◆ Automobile Liability  | 20,937           | 19,544           |
| ◆ Automobile Physical Damage  | 28,077           | 27,638           |
| ◆ Boiler and Machinery  | 7,177            | 7,533            |
| ◆ Airport Liability<br>(Included in Muni. Liability)                          | -                | -                |
| ◆ Bond  | 1,316            | 1,186            |
| ◆ MN Petrofund Supplemental<br>Reimbursement<br>(Included in Muni. Liability) | -                | -                |
| TOTAL   | <u>\$211,866</u> | <u>\$222,033</u> |

The following resolution was then presented for the Council's consideration.

**Resolution 2020 – 03**

**BE IT RESOLVED** by the City Council of the City of Winona, Minnesota, that it approves of the renewal, for 2020, of the City’s property and liability insurance program (excluding workers’ compensation) as listed above, effective January 1, 2020 and the City waives the monetary limits on tort liability established by MN Statutes 466.04 to the extent of the limits of the liability coverage obtained from the League of MN Cities Insurance Trust (LMCIT).

Thereupon Alexander moved to waive the reading of the resolution and to adopt same. The motion was seconded by Moeller, and carried with all voting aye. Thereupon the Mayor declared the resolution duly adopted.

### **5.3 Renewal for 2020 - Workers' Compensation and Accident Plan for City Volunteers**

Ms. Burrichter presented a request to select a premium option for 2020 for the City's Workers' Compensation Plan. This is a group self-insured plan through the League of Minnesota Cities Insurance Trust. The premium options available to the City are reviewed annually. The proposed 2020 premium is dependent on the City's next year budgeted payroll, the City's claims experience from 2018, 2017 and 2016 and the past experience of the other League cities included in the total workers' compensation pool.

City Staff recommends the Rated Premium Option called the Retro Rated Minimum Factor of .164%-2.000%. The premium would be between \$106,435 to \$1,297,990, the minimum amount plus the City's claims up to the maximum. The Retro Rated Premium option has been beneficial to the City over the past years

If the Council would prefer to look at another option, the guaranteed premium (called: Regular Premium Option) would cost \$573,895. If the Council concurs with the staff recommendation to select the Rated Premium Option, at .164%-2.000%.

Ms. Burrichter also noted that the Accident Plan for Volunteers is included in the Workers' Compensation Program with no additional charge. The following resolution was then presented for the Council's consideration.

#### **Resolution 2020 – 04**

**BE IT RESOLVED** by the City Council of the City of Winona, Minnesota, that it approves of the renewal of the premium option called Retro-Rated Minimum Factor (at .164%-2.000%) through the League Insurance Trust for the year 2020, effective January 1. (This resolution would include coverage for elected officials.)

Thereupon Alexander moved to waive the reading of the resolution and to adopt same. The motion was seconded by Eyden, and carried with all voting aye. Thereupon the Mayor declared the resolution duly adopted.

### **5.4 Park Maintenance Budget Transfer**

Assistant City Manager for Park Rec Chad Ubl stated that as we enter the 2020 budget year, staff is coming forward with a budget adjustment request. This request does not impact the tax levy for 2020, it is an internal transfer request.

Staff has heard from the public, staff, and Council the need to address and upgrade the services that make up our City website. Staff has met with several vendors and received a proposal to upgrade the website. That request will come forward in a subsequent agenda item. However, the funding source for that upgrade, if approved by Council, would require a transfer of funds.

Staff is recommending the Climbing Boulder Project that was funded in the general fund, Park Maintenance, be funded by the Facilities Fund. The transfer of funding from the Facilities Fund would allow \$65,000 within the General Fund to be used for the website upgrade and other park projects and events. The Facilities Fund transfer could also be worded as an up to amount of \$65,000 which could have a savings impact on the Facilities Fund if the project should be less than \$65,000.

The funding request for the website is \$25,000. This would leave \$40,000 to be used for other park projects and events. As discussed in the 2020 budget meetings, we did remove all funding for Levee Park Events and some reduction in part-time staffing. We would focus the remaining funding within these areas as well as potentially increasing funding for engagement activities for the arts and sustainability strategic plans.

Staff is recommending the transfer of funding from the facilities fund for the Climbing Boulder Project. If approved the transfer of funding for the website and other park projects will be completed by Administration, through our normal budget process.

If Council concurs a motion to approve the transfer of an up to amount of \$65,000 from the Facilities Fund into the Park Maintenance Fund for the Climbing Boulder Project.

Schollmeier moved to approve the request the transfer of an up to amount of \$65,000. Moeller seconded the motion, and it carried with all voting aye.

### **5.5 2020 Budget Amendment – City of Winona Website**

Mr. Sarvi stated that the City of Winona website has had updates in recent years but has not had a full redesign since 2012. A staff technology committee was created in 2019 to evaluate the key components of an effective website and identified the following criteria necessary to make information on the website more assessable to the public.

- Compatibility with mobile devices
- Compatibility with ADA accessibility standards
- Fresh ideas to present content that is user friendly for the public
- Ease of use by City staff to update web content, training, and ongoing customer support
- Commitment from the vendor to monitor our website and suggest modifications regularly
- Overall web page template options are modern and visually appealing
- Annual fees and upgrade costs

The committee met with three vendors on multiple occasions to ask questions and view demonstrations of their respective product. The committee unanimously decided that CivicPlus from Kansas City, Kansas could meet or exceed the key considerations while also allowing for enhancements in the future. CivicPlus specializes in local government websites.

Attached are the Scope of Work Agreement and the Master Service Agreement to begin work with CivicPlus. The first year costs include a one-time fee of \$18,500 for the transition and host establishment of the website, and the annual service fee of \$4,000 for a total of \$22,500. The annual service fee will also be \$4,000 for year 2, and will then increase to \$4,200 in years three and four. It is anticipated that the transfer of content to the new vendor will take six to eight months.

In addition to the first year cost of \$22,500 the committee suggested a one-time buffer an additional \$2,500 for unexpected costs, enhancements, or modifications during the transition process. The following resolution was then presented for the Council's consideration.

#### **Resolution 2020 – 05**

**WHEREAS**, the City of Winona staff have identified that a revision to the City website is needed.

**WHEREAS**, a technology committee was created by City staff to review the existing website and make recommendations for improvements.

**WHEREAS**, City staff met with multiple vendors to evaluate their capability to provide a product that will enhance the experience for the public, make information accessible to site visitors, and be easy to maintain.

**WHEREAS**, the technology committee identified CivicPlus from Kansas City, Kansas as a vendor with a quality product to meet the needs of staff and the public.

**WHEREAS**, CivicPlus has agreed to work with City staff to provide a systematic process to update and transfer content to a new website within the year 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Winona, Minnesota, that the proposal by CivicPlus of Kansas City, Kansas, to update and

host the City of Winona website is accepted, and to authorize the Mayor and City Clerk to execute the agreement.

Thereupon Alexander moved to waive the reading of the resolution and to adopt same, and to approve up to \$25,000 for the City website redesign. The motion was seconded by Schollmeier, and after a brief discussion, carried with all voting aye. Thereupon the Mayor declared the resolution duly adopted.

#### **5.6 Drug Free Workplace & Non-DOT Drug and Alcohol Testing Policy, and DOT Drug and Alcohol Testing Policy**

The City drug free workplace and drug and alcohol testing policies were last updated in April 2004. New state and federal legislation has required that the City update these policies.

The Drug Free Workplace and Non-DOT Drug Testing Policy is applicable to all employees who work for the City. This policy was updated to include the following revisions:

1. Implementation of a new policy format
2. Elimination of redundant language throughout
3. Clarification of cannabis and cannabinoid oil use
4. Clarification of testing following an accident and applicable documentation standards if a test is not administered

The DOT Drug and Alcohol Testing Policy is applicable to all employees who are required to hold a Commercial Driver's License for their position or are considered to be a driver in waiting who may be asked to perform work in a commercial vehicle.

1. Implementation of a new policy format
2. Elimination of redundant language throughout
3. Clarification of cannabis and cannabinoid oil use
4. Clarification of minimum testing requirements as defined by the department of transportation
5. Inclusion of the DOT Clearinghouse for pre-employment screening and reporting of drug testing violations that went into effect on January 6, 2020.

Both policies will go into effect on February 1, 2020.

Alexander moved to approve the updated policies. Borzyskowski seconded the motion, and it carried with all voting aye.

#### **5.7 Huff Street-TH61 Traffic Signal and Pedestrian Facility Improvements Certification of Completion and Final Estimate**

This is to certify that the above-referenced work performed by Pember Companies, Inc. of Menomonie, WI, under its contract with the City of Winona, has been completed in compliance with the plans and specification governing the work and authorizing the final estimate in the amount of \$664,762.82.

The following resolution was then presented for the Council's consideration.

#### **Resolution 2020 – 06**

**WHEREAS**, a contract has been let for the following local improvements:

***Huff Street-TH61 Signal and Pedestrian Facility Improvements Project***  
and

**WHEREAS**, the original contract price for these improvements is \$573,903.75 and

**WHEREAS**, the contract has been completed according to the plans and specifications; and

**WHEREAS**, the final estimate for such improvements is \$664,762.82.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Winona, Minnesota:

1. The City Council hereby accepts the work.
2. The City Council hereby authorizes the final estimate in the amount of \$664,762.82.

Thereupon Alexander moved to waive the reading of the resolution and to adopt same. The motion was seconded by Borzyskowski, and carried with all voting aye. Thereupon the Mayor declared the resolution duly adopted.

### **7.1 Council Concerns**

Eyden thanked the Winona State University Student Senate leaders for their work on pedestrian safety in the campus area, and noted that they are undertaking a public awareness campaign on this topic.

Schollmeier will be presenting a resolution regarding the 2<sup>nd</sup> Daily Train at the next meeting, and he announced that there will be two events for official launch for the Flyway Trail connecting the City to Wisconsin, one to be held on Tuesday, February 25, the second on Tuesday, March 3.

Borzyskowski announced that the Housing and Redevelopment Authority recently elected officers for the year. Borzyskowski noted that another New Year wish he has for the City is that all drug houses and all dealers be removed from the city. He wished good health to Chris Kramer, the City's tree crew leader.

Alexander announced that the February events for the KCC2020 (Kashubian Capital Centennial) are already sold out, and she encouraged people to register for the March Pet Parade.

Moeller thanked all those who attended the open house today on the Downtown Strategic Plan, and noted that there is still time to fill out the survey online.

### **8.1 Consent Agenda**

The City Clerk presented the Consent Business Agenda as follows:

- Item No. 8.1: Approval of Minutes – January 6, 2020;
- Item No. 8.2: Claim against the City by Nathan Woodworth; and
- Item No. 8.3: Claim against the City by Clara Marcum.

Thurley moved to approve the consent agenda. Alexander seconded the motion, and it carried with all voting aye.

The time being 7:05 p.m. and there being no further business to come before the Council this evening, Borzyskowski moved to adjourn. Alexander seconded the motion, and it carried with all voting aye.

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Monica Hennessy Mohan  
City Clerk

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Mark F. Peterson  
Mayor