

**City Council Meeting
March 16, 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, George Borzyskowski and Paul Schollmeier.

Absent: Council Members Michelle Alexander and Pamela Eyden

Mayor's Comments:

Mayor Mark Peterson announced the addition of Item 5.8 Emergency Resolution for Covid 19 Response, and it would be moved up on the agenda to directly after Item 2.1.

The Mayor appreciated all of the participants in the press conference held at City Hall last Friday, and he also attended a meeting of the city's department heads this morning. He noted this is a fast moving problem, and City staff is responding quickly.

City Manager's Comments:

City Manager Stephen T. Sarvi announced the closure of the following City facilities due to the Covid 19 Virus: East Recreation Center, Winona Public Library and the Bud King Ice Arena. Other closures are pending. He also announced the cancellation of the next Board of Adjustment meeting.

Mr. Sarvi announced that many volunteer efforts are underway to feed those in need in our community, and thanked the local churches for doing most of the work. He also announced that the Food Shelf and Blooming Grounds are providing free lunches for children.

Mr. Sarvi is proud of the response from all city staff, and he also thanked Engage Winona for assisting in getting information out to the public.

2.1 Host Approval for the Issuance of Bonds for Gundersen Health by the State of Wisconsin

Pursuant to a public hearing notice published on Wednesday March 4, 2020, the City Council is requested to hold a public hearing to consider a request from Gundersen Lutheran Administrative Services, Inc. The request is to consider host approval to allow for the Wisconsin Health and Educational Facilities Authority to issue revenue bonds for the acquisition, construction, renovation and equipping of the health care facilities located at 1122 West Highway 61 in the City of Winona.

The Mayor opened the Public Hearing. There being no one present to speak to the matter, the Mayor closed the Public Hearing. The following resolution was then presented for the Council's consideration.

Resolution 2020 – 16

WHEREAS, the City of Winona, Minnesota ("City") has received from Gundersen Lutheran Administrative Services, Inc. (the "Borrower"), a proposal that the City undertake a program to assist in financing, among other things a project, a portion of which is the acquisition, construction, renovation and equipping of a clinic and related health care facilities located at 1122 West Hwy. 61, Winona, Minnesota 55987 (the "Project"), through the issuance of revenue bonds or obligations, in one or more series ("Bonds"), by the Wisconsin Health and Educational Facilities Authority (the "Issuer"); and

WHEREAS, the Borrower has requested the Issuer to issue the Bonds in an aggregate principal amount of not to exceed thirty million dollars (\$30,000,000), to finance the Project, of which an estimated not to exceed

principal amount of thirty million dollars (\$30,000,000) is expected to be used to finance the Project; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds by the Issuer requires approval, following a public hearing, by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located; and

WHEREAS, pursuant to a resolution adopted by the City Council on March 2, 2020, a notice of public hearing with respect to the proposed issuance of the Bonds and meeting the requirements of Section 147(f) of the Code was published in a newspaper of general circulation in the City; and

WHEREAS, the City Council conducted the public hearing on March 16, 2020 at 6:30 p.m., at which time an opportunity was provided to express views on the issuance of the Bonds and the nature and location of the Project to be financed; and

WHEREAS, as an accommodation for the purposes of satisfying the requirements of Section 147(f) of the Code, enabling the Issuer to issue the Bonds for the benefit of the Borrower, the City Council now desires to approve the financing and the issuance of the Bonds;

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

1. The City Council hereby acknowledges the financing described above and the issuance of the Bonds by the Issuer for the Borrower in a total amount not to exceed \$30,000,000, and approves an amount not to exceed \$30,000,000 of Bonds to be issued by the Issuer to be used to finance the Project. It is the purpose and intent of the City Council that this resolution constitutes approval of the financing and the issuance of the Bonds for that portion of the Bonds which is expected to be used to finance the Project solely for the purposes of Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f) of the Code.
2. The City Clerk, the Mayor and all other officials of the City are hereby authorized and directed, jointly and severally, to do any and all things and to prepare or cause to be prepared, negotiate and deliver any documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.
3. Nothing in this resolution shall be construed to create any obligations of the City or any city officials or employees with respect to the Bonds or repayment of the Bonds. Neither the Bonds nor the interest thereon shall ever constitute an indebtedness or a charge against the general credit or taxing powers of the City within the meaning of any constitutional or charter provision or statutory limitation and neither shall ever give rise to any pecuniary liability of the City. The owners of the Bonds shall never be paid in whole or in part out of any funds raised or to be raised by taxation or any other revenues of the City.
4. This resolution shall take effect immediately upon its passage.

Thereupon Thurley 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.

5.8 Emergency Resolution for Covid 19 Response

Mr. Sarvi presented a draft resolution for Council consideration to declare a special emergency for the City of Winona in response to the Covid 19 virus. The resolution would allow the Council and other City Boards and Commissions to hold meetings by telephone or other electronic means, pursuant to Minnesota Statutes Section 13D.021,

based on the determination that in-person meetings or a meeting conducted under section 13D.02 is not practical or prudent because of the health pandemic and emergency declaration; and authorizing the City Manager to take such actions as are necessary or appropriate or as otherwise directed by the Council to operate and manage both City personnel and City facilities in order to protect the public health and safety of City personal and the public in response to the pandemic and declared emergency.

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

Resolution 2020 – 17

WHEREAS, Minn. Stats. §§12.37 and 365.37 authorize the City of Winona to declare a special emergency; and

WHEREAS, the United States Center for Disease Control has stated aggressive community mitigation strategies are necessary to slow the transmission of COVID-19, reduce illness and deaths, and limit the economic impacts of the outbreak; and

WHEREAS, the COVID-19 pandemic is an unforeseen, present, sudden, and unexpected situation, which requires immediate action to be taken to prevent damage to the health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Winona, Minnesota, that the City Council declare the COVID-19 pandemic constitutes a local emergency continuing until the State of Emergency for the State of Minnesota has been terminated.

BE IT FURTHER RESOLVED, this declaration of a local emergency invokes the City's disaster plan. The relevant portions of the plan necessary for the response to and recovery from the emergency must be used.

BE IT FURTHER RESOLVED, pursuant to Minn. Stat. §12.37, the City may now enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property and by providing emergency assistance; and exercise the powers vested by the Statute in light of the exigencies of the disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to:

- (i) the performance of public work;
- (ii) entering into contracts;
- (iii) incurring of obligations;
- (iv) employment of temporary workers;
- (v) rental of equipment;
- (vi) purchase of supplies and materials;
- (vii) limitations upon tax levies; and
- (viii) the appropriation and expenditure of public funds, for example, but not limited to, publication of ordinances and resolutions, publication of calls for bids, provisions of civil service laws and rules, provisions relating to low bids, and requirements for budgets.

Thereupon Schollmeier moved to waive the reading of the resolution and to adopt same. The motion was seconded by Moeller.

Thurley asked if this vote would require five affirmative votes. City Attorney Chris Hood replied no, a simple majority of the Council present would carry the motion. Borzyskowski asked if other cities are enacting similar measures. Mr. Hood replied yes.

Mayor asked if this declaration makes the City eligible for grant funds to reimburse the city for emergency expenses. Mr. Hood replied yes, this resolution allows the City to operate under Chapter 12 of the State Statutes.

Thurley asked if this permits meetings by other than telephone. Mr. Hood confirmed it allows any electronic means. Mr. Sarvi noted that staff is looking into holding meetings via the Zoom meeting application.

Moeller asked when this emergency resolution would end. Mr. Hood noted that this stays in effect until the Council terminates it. Moeller stressed that the city should not limit participation in the local government process.

Schollmeier asked the public to understand that the city is operating under unusual circumstances, and is working hard to continue our operations.

The motion carried with all voting aye, and thereupon the Mayor declared the resolution duly adopted.

3.1 License Agreement and Temporary Liquor License for the Mid West Music Fest

The City Clerk presented a request from the Mid West Music Fest to hold their event scheduled for Thursday, April 30 to Saturday, May 2, 2020. The city locations for the festival include the Historic Masonic Temple and the Levee patio area. The set up for the event would be similar to last year, with the exception that the Saturday concert at Levee Park would be a free event, and thus no fencing would be set up.

In addition, the MWMF has applied for a temporary on-sale wine and beer license to be used at the following locations:

- Levee Patio: Saturday, May 2, noon to 6:00 p.m.
- Masonic Theater: Thursday, April 30, 5:00 p.m. – 10:00 p.m.
Friday, May 1, 5:00 p.m. – 12:00 a.m., and
Saturday, May 2, 5:00 p.m. - 12:00 a.m.

Schollmeier moved to approve the license agreement and to authorize the Mayor and City Clerk to execute the same, and to approve the temporary wine and beer license. Moeller seconded the motion, and it carried with all voting aye.

3.2 Appointment to the Recreational Waterways Commission

In a letter to the Council, Mayor Peterson indicated that he was appointing Nicholas Lemmer to serve on the Recreational Waterways Commission. The term would be effective March 17, 2020 and expire on July 22, 2022.

Thereupon Borzyskowski moved to confirm the appointment. Schollmeier seconded the motion, and it carried with all voting aye.

3.3 Appointment to the Human Rights Commission

The City Clerk received an application from Maurella Cunningham to serve on the Human Rights Commission. The following resolution was then presented for the Council's consideration.

Resolution 2020 – 18

BE IT RESOLVED by the City Council of the City of Winona, Minnesota that it hereby appoints Maurella Cunningham to serve on the Human Rights Commission for a term effective March 17, 2020 through September 16, 2022.

Thereupon Borzyskowski 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.

3.4 Human Rights Commission Resolution Against Conversion Therapy

The Winona Human Rights Commission adopted the following resolution at their March 4, 2020, commission meeting:

WHEREAS, referred to as "reparative therapy," "ex-gay therapy," or "sexual orientation change efforts," conversion therapy includes a range of dangerous and discredited practices aimed at changing a person's sexual orientation or efforts to change a person's gender identity or expression; and

WHEREAS, reputable medical associations, such as the American Psychological Association, the American Counseling Association, and the World Health Organization, have provided sufficient and documented proof that this practice is ineffectual, causes harm, and has been found to violate consumer fraud-protection law; and

WHEREAS, the Winona Human Rights Commission recognizes the attached letters from local health professionals and educators, all supporting a ban of this harmful practice; and

WHEREAS, the State of Minnesota has so far failed to pass a widely supported statewide ban.

THEREFORE BE IT RESOLVED that in order to secure and maintain the safety of LGBTQ+ youth and families in the City of Winona, the Winona Human Rights Commission recommends that the Winona City Council makes a formal statement and sends letters to local and state representation requesting the Minnesota State Legislative and Executive branch take the necessary steps to pass a state-wide measure that would make it unlawful for any provider to provide conversion therapy or reparative therapy to a minor.

A draft of the letter of support was provided for the Council's review.

Schollmeier moved to approve letter of support and to authorize the Mayor sign. Moeller seconded the motion, and it carried with all voting aye.

3.5 Request for Use of Levee Park by Winona County Wellness Committee

The City Clerk received a request from the Winona County Wellness Program to hold a Wellness Fitness Walk at the Levee on Wednesday, April 15, 2020 from 10:30 a.m. until 1:00 p.m. with a rain date of Wednesday, April 22, 2020.

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

4.1 Award Contract for the Operation of Winona Transit Service

The City Clerk reported that bids were received on February 26, 2020, for the operation of the Winona Transit Service for a three-year term to commence on May 1, 2020, with a two-year option term of May 1, 2023 through April 30, 2025. A summary of the bids received was submitted for the Council's review.

Three Rivers Community Action has operated the Winona Transit Service for the past 10 years, but submitted a termination letter to the City in late December. Their last day of service will be April 30. The new vendor will begin service on May 1, and Three Rivers has stated that they will assist with the transition to the new vendor.

A transit review committee, comprised of Goodview City Administrator Dan Matejka, Assistant City Planner Luke Sims, City Clerk Monica Hennessy Mohan, and Jennifer Kahn Mandell, a current bus rider, met on March 5th to review and evaluate the responses. The committee unanimously recommends that the Council award the contract to Transport3.

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

Resolution 2020 – 19

BE IT RESOLVED by the City Council of the City of Winona, Minnesota, that it enter into a contract for the operation of the Winona Transit Service for a three-year term, commencing May 1, 2020, in accordance with the specifications

dated January 17, 2020, covering the same and on file with the City Clerk, and that the City Manager and City Clerk execute the contract; and

BE IT FURTHER RESOLVED that the proposal of Transport 3, in the amount of \$3,295,385.25, it being the most favorable proposal received and it being the lowest responsible bidder therefore, be and the same is hereby accepted, and that the bidder execute said contract and furnish bond in the amount as required by the specifications or by law.

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

4.2 Agreement for Construction Administration and Project Closeout

The Winona Airport snow removal equipment (SRE) building is to begin construction this summer. The project was bid and awarded in 2019, and all state and federal grants are in place. Attached is a request to authorize professional services per the contract we have in place with TKDA Engineering. These professional services will cover construction administration and project closeout for the SRE building at the Winona Airport. The anticipated fee is \$41,000 with approximately 90% being paid with State and Federal grant monies.

Borzyskowski moved to approve the agreement and to authorize the Director of Public Works to sign this document and any ongoing related documents. Thurley seconded the motion, and it carried with all voting aye.

5.1 East Recreation and Community Center Design Proposal

The City Council directed staff at their November 13, 2019, meeting to continue the process to explore the expansion of the East Recreation Center as a Community Center that would house both the Friendship Center and Recreation services. The direction the City Council provided staff was to continue with design services under the assumption the City would explore bonding for the project.

Staff requested a proposal from ISG. ISG is the design firm that was used to complete the conceptual design for the East Recreation Center as well as an initial review of Central School. ISG is proposing a process that includes schematic design, design development, and bidding documents for \$329,150.00. The proposal from ISG is attached for your review.

If Council approves the proposal from ISG, the attached resolution would need approval as well. The resolution allows the City to disperse funds for the design services and allows those funds to be reimbursed if bonding is approved as the funding source for the project. If bonding is not chosen or the project does not move forward, the design services would need to be funded through the City budget or reserved sources. Staff indicated to City Council at the November 13, 2019 meeting, that bonding would be proposed for the 2021 budget at the earliest. The timeline was chosen to provide the Council with the bonding costs during an annual budget process.

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

Resolution 2020 – 20

BE IT RESOLVED by the City Council (the "Council") of the City of Winona, Minnesota (the "City"), as follows:

1. Recitals.

(a) The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of bonds used to reimburse the City for any

project expenditure paid by the City prior to the time of the issuance of those bonds.

(b) The Regulations generally require that the City (as the issuer of or the primary obligor under the bonds) make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

(c) The City heretofore implemented procedures for compliance with the predecessor versions of the Regulations and desires to amend and supplement those procedures to ensure compliance with the Regulations.

(d) The City's bond counsel has advised the City that the Regulations do not apply, and hence the provisions of this Resolution are intended to have no application, to payments of City project costs first made by the City out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the City to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Council hereby authorizes the Finance Director to make the City's Declarations or to delegate from time to time that responsibility to other appropriate City employees. Each Declaration shall comply with the requirements of the Regulations, including without limitation the following:

(a) Each Declaration shall be made not later than 60 days after payment of the applicable project cost and shall state that the City reasonably expects to reimburse itself for the expenditure out of the proceeds of a bond issue or similar borrowing. Each Declaration may be made substantially in the form of the Exhibit A which is attached to and made a part of this Resolution, or in any other format which may at the time comply with the Regulations.

(b) Each Declaration shall (1) contain a reasonably accurate description of the "project," as defined in the Regulations (which may include the property or program to be financed, as applicable), to which the expenditure relates and (2) state the maximum principal amount of bonding expected to be issued for that project.

(c) Care shall be taken so that the City, or its authorized representatives under this Resolution, not make Declarations in cases where the City doesn't reasonably expect that reimbursement bonds will be issued to finance the subject project costs, and the City officials are hereby authorized to consult with bond counsel to the City concerning the requirements of the Regulations and their application in particular circumstances.

(d) The Council shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the City has made Declarations.

3. Reimbursement Allocations. If the City is acting as the issuer of the reimbursement bonds, the designated City officials shall also be responsible for making the "reimbursement allocations" described in the Regulations, being

generally written allocations that evidence the City's use of the applicable bond proceeds to reimburse the original expenditures.

4. **Effect.** This Resolution shall amend and supplement all prior resolutions and/or procedures adopted by the City for compliance with the Regulations (or their predecessor versions), and, henceforth, in the event of any inconsistency, the provisions of this Resolution shall apply and govern.

Thereupon Borzyskowski moved to waive the reading of the resolution and to adopt same. The motion was seconded by Schollmeier, and after a brief discussion on the importance of public engagement in the process, carried with all voting aye. Thereupon the Mayor declared the resolution duly adopted.

5.2 Plat Review – Loesel Subdivision

Assistant City Planner Luke Sims presented for Council review and approval the Loesel Subdivision plat. The property owner is creating two new lots and one outlot for continued use and potential divestment. The property is located at 1100 Sugar Loaf Road, and would house a single garage that would be used in a commercial capacity as an approved use in its existing B-3 zoning district. The existing single-family use on the property is a legal nonconformity and City Staff and the Planning Commission recommend the approval of the plat with the condition that the house situated on the proposed Block 1, Lot 2 be rezoned following approval of the plat.

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

Resolution 2020 – 21

WHEREAS, Zachary Loesel and Emily Ebbers (“Petitioner” or “Applicant”) have submitted an application for Final Plat approval of the proposed “Loesel Subdivision” plat (“Final Plat” or “Plat”), legally described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, the Winona City Planning Commission (“Commission”) in accordance with provisions of the Winona City Code, Section 43.06.31(B) held a required public hearing to consider said Plat on March 9, 2020; and

WHEREAS, following its full review and consideration of all information, the Commission found that the Plat for the proposed Loesel Subdivision was consistent with the intent and purpose of the City of Winona Unified Development Code (“City Code”); and

WHEREAS, given its findings, the Commission recommended that the City Council of the City of Winona (“City Council”) approve the Final Plat for Loesel Subdivision; and

WHEREAS, the City Council has reviewed the proposed Final Plat of the Loesel Subdivision for compliance with the City Code and applicable State statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT; the City Council concurs with the recommendation of the Commission and hereby adopts the findings thereof and approves the Final Plat for Loesel Subdivision, subject to the following condition(s):

1. The Final Plat shall comply with the provisions of all applicable State statutes and standard procedures for platting in Winona County.
2. That no Development Agreement is required as the subdivision does not involve installation or construction of new public improvements.
3. The Final Plat shall be recorded within 180 days of City Council approval or the City’s approval shall be deemed null and void.

4. The applicant shall be responsible for and pay all fees, including recording fees.
5. Block 1, Lot 2 shall be rezoned to the R-2 zoning district to accommodate the persistent single family home use and an application for such rezoning shall be made within two months of plat approval.

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

5.3 Consent to File Plat

Community Development Director Lucy McMartin reported that the City has received a Final Plat for subdividing the parcels at 166 West Broadway. Because the City of Winona has an interest in the parcel in the form of a mortgage, consent to plat is being presented for Council's review.

Borzyskowski moved to approve the consent and to authorize the Mayor and City Clerk to execute the same. Moeller seconded the motion, and it carried with all voting aye.

5.4 GreenCorps Application

John Howard, Natural Resource and Sustainability Coordinator, prepared an application to request a GreenCorps member to assist the City in sustainability planning and energy conservation. The GreenCorps program is an 11 month program of AmeriCorps administered by the Minnesota Pollution Control Agency where young professionals serve governmental or non-profit entities, typically on a full time status from October through August. The City hosted GreenCorps members in the 2016-2017 service term and again in the 2018-2019 service term. Their projects included the City's tree inventory and energy management analysis.

The GreenCorps program provides a stipend to the GreenCorps member, so the member serves at no monetary cost to the host organization. Host sites typically pay for the member to attend conferences and professional development trainings, but staff expects this to cost no more than a thousand dollars. City staff will need to devote time to providing guidance and supervision, as well as office space for the individual.

The GreenCorps member would help do outreach to the community around sustainability and natural resource planning, ideally working with local schools as well. The member would coordinate with the County on composting to reduce land fill use, and also carry forward the energy management work of the previous GreenCorps member.

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

5.5 2020 Sioux Street Reconstruction Project-City Manager's Recommendation

City Engineer Brian DeFrang presented the City Manager's recommendation to construct the 2020 Street Reconstruction Project. The area to be constructed this year is Sioux Street from Sarnia to Sanborn Streets. The total project estimate is \$1,266,842 and included in the amount are the assessable administrative fees of \$10,560. \$76,560 of this will be assessable, \$333,306 will be paid by the City of the sanitary sewer and water funds, and the remaining \$856,976 will be paid out of the State Aid account. The following resolution was then presented for the Council's consideration.

Resolution 2020 – 22

Resolution to Prepare Feasibility Report on Improvement M.S.A.P. 176-137-002

WHEREAS, the City Council proposes to construct the following local improvement: 2020 Sioux Street Reconstruction Project and to assess the

benefited property for all or a portion of the costs of such improvement, pursuant to Chapter 429, Minnesota Statutes, as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winona, Minnesota, that the proposed improvement is hereby referred to the City Manager and the City Engineer and that such persons are instructed to report to the council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Thereupon Borzyskowski 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.

5.6 2020 Sioux Street Reconstruction Project Feasibility Report and Resolution Ordering Hearing

Mr. DeFrang submitted the City Engineer's report on the feasibility of the proposed 2020 Sioux Street Reconstruction Project, the areas to be assessed, and the City Manager's recommendation on the feasibility report. The following resolution was then presented for the Council's consideration.

Resolution 2020 – 23

WHEREAS, pursuant to a Resolution of the Council adopted on March 16th, 2020, a preliminary report has been prepared by the City Engineer with respect to the following local improvement: **2020 Sioux Street Reconstruction Project**, and the report and the recommendation of the City Manager were presented to the City Council; and

WHEREAS, the report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINONA, MINNESOTA:

1. The preliminary report of the City Engineer is hereby received and the recommendation of the City Manager is hereby accepted.
2. The Council will consider the improvement in accordance with the report in the estimated total cost of \$1,255,842.00. A reasonable estimate of the amount to be assessed to abutting property and the description of the methodology used to calculate individual assessments amount will be available at the hearing pursuant to Minnesota Statutes, Chapter 429.
3. A public hearing shall be held on such proposed improvement at 6:30 p.m. on Monday, April 6th, 2020, in the Council Chambers of the City Hall. The City Clerk is hereby directed to give mailed and published notice of such hearing and improvement as required by law.

Thereupon Borzyskowski 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.

5.7 Pool 6 Dredged Material Management Plan

Councilmembers and staff who were present at the March 10, 2020, executive meeting with the USACE will update the rest of the council regarding the discussion of the Pool 6 Dredged Material Management Plan. Council is requested to either discuss this issue or direct staff to prepare written comments on the Pool 6 Plan, or to continue to gather information on the Plan and bring back to the next council meeting.

Mayor Peterson reported that the meeting included himself, Council Members Schollmeier and Alexander, Mr. Sarvi, Lucy McMartin, Keith Nelson, Mike Cichanowski representing the Port Authority, and two representatives from the Army Corps. The Mayor reported that the USACE has too much sand for the current permitted site on Latsch Island. A number of suggestions were discussed, including having the City take the sand from the site. He would like to see another site be designated rather than provide more land on Latsch Island. The Mayor also reported another meeting has been scheduled for later this week, so no action is required by the Council tonight.

Schollmeier said that no decisions have been made yet, and noted that the City has the 3rd largest port in the State, so he understands the need to keep the river navigable.

Borzyskowski stressed the need to keep Dick's Marine, the City's recreational harbor, open as well.

Mr. Sarvi noted the Council needs to decide if it is going to make a formal response to the Corps draft plan, so this will be on the agenda for the April 6 meeting.

7.1 Council Concerns

Thurley thanked City staff for putting together the press conference on the Corona Virus pandemic response last Friday, and also thanked all those who presented information at that meeting.

Moeller thanked all of the city's health care providers and city staff for keeping the city informed and safe. She encouraged community members to take steps to protect the health and safety of others in the community.

Schollmeier also thanked the city staff and all those working to make the city safe. He noted that community came together 55 years ago during major flooding to save the community and he hopes the community will respond to this emergency also.

Borzyskowski congratulated Winona Senior High wrestler Ryan Henningson on his state meet championship. He also sent birthday greetings to Joe Cushenet.

8.1 Consent Agenda

The City Clerk presented the Consent Business Agenda as follows:

Item No. 8.1: Approval of Minutes – March 2, 2020.

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

The time being 7:25 p.m. and there being no further business to come before the Council this evening, Borzyskowski moved to adjourn. Schollmeier seconded the motion, and it carried with all voting aye.

Monica Hennessy Mohan
City Clerk

Mark F. Peterson
Mayor