

**City Council Meeting**  
**July 6, 2020**  
**6:30 PM – City Hall**  
**Meeting Held Electronically Via Zoom**

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 thanked Brian Voerding for his efforts over the past week to promote the City's "Wear One for Winona" campaign to encourage everyone to wear a face covering when out in public.

Mayor Peterson noted that the City of Rochester has implemented a mandatory face mask policy which will go into effect this Wednesday, and he also noted a spike in Covid-19 infections in the neighboring Wisconsin counties. The Mayor drafted a resolution similar to the Rochester order and had emailed it out to Council late this afternoon for their review. The Mayor stated there are three options on how to proceed with the resolution: one is to have the Mayor declare the order for 30 days; the second option is have the Council support the order with a motion this evening, and the third option would be to wait 2 weeks until the next Council meeting. Mayor Peterson asked for feedback from the Council.

Alexander replied that she had not received the email yet and would like to review it before commenting.

Thurley replied that he did receive it, but would like more time to review it. He believes it is necessary health-wise, but would like to have a discussion on how to implement it correctly.

Schollmeier did review the draft, and supports it. He was concerned about waiting to implement it, especially for area of public service such as the license center.

Borzyskowski did not see it yet, but noted he has received comments from the public both in favor and opposed to a mandatory order. He asked how it would be enforced.

Moeller supports wearing a mask, but asked if it could be implemented if it is not enforceable. She hoped that people care enough to do the right thing.

**City Manager's Comments:**

City Manager Stephen T. Sarvi thanked all those who participated in the listening session at Unity Park on June 22.

**2.1 22839 County Road 17 Comprehensive Plan Amendment Request: Low Density to Urban Residential**

Community Development Director Lucy McMartin presented summary information relating to the project. She noted that the City's current Comprehensive Plan is getting outdated, and more amendments are being made to it, so this is not an unusual request. Ms. McMartin stated that staff has worked with Bradford Development for over a year on this project, and noted that multiple sites were reviewed. This site is identified as an expansion area, and is included in the draft Orderly Annexation agreement area.

City Planner Carlos Espinosa presented an updated request from Bradford Development for the senior CO-OP project on three acres of land at 22839 County Road 17. The updated request proposes *up to* 36 units and a building height of three stories instead of four. Due to the reduction of building height to three stories, Bradford Development is again requesting to change the Comprehensive Plan land use designation from Low Density to Urban Residential to facilitate the project. Although

“Urban Residential” is a misnomer for the property at 22839 County Road 17, this is the only Comprehensive Plan land use designation that would support the project. On May 26th, the Planning Commission discussed the “Urban Residential” designation. There was general consensus that when the Comprehensive Plan is updated (currently planned for 2021-2022), a new land use designation should be discussed that would facilitate suburban multi-family residential projects such as this.

If approved, construction of the CO-OP would still be subject to multiple additional approvals including annexation, application of R-3 zoning, preliminary and final plats, and site plan review.

On June 8<sup>th</sup>, the Planning Commission had a split vote (4-4) on the updated request. Draft minutes of the meeting are provided in Attachment C.

Should Council support the request, staff would recommend the following conditions:

1. All land use, zoning, subdivision, and site plan approvals to construct a three story CO-OP senior living facility with up to 36 units shall be obtained by June 2021; and
2. If the above condition is not met, the Comprehensive Plan Change shall be null and void.

In consideration of this matter, the following alternatives are available to Council:

1. Approve the request and recommended conditions. Under this option, a motion to introduce the attached resolution of approval would be in order. A supermajority of five votes is required.
2. Deny the request. Under this option, Council will need to state on the record findings supporting the denial of the request, and a motion should be made to postpone further consideration and direct staff to bring proposed findings denying the amendment to the next meeting.
3. Table the item to allow staff additional time to answer any outstanding questions.

Thereupon the Mayor opened the public hearing.

Melissa Nelson, representing Bradford Development, stated that they see a need for additional affordable senior living options in the city, and this site is an ideal setting for this facility. They have received positive feedback from prospective tenants, and the current reservation list exceeds the number of units planned.

Written comments were received from Jerry Papenfuss, and Sterling Heath, who both were supportive of the project.

Frances Edstrom, 23089 Blackberry Road, spoke against the proposal. She felt it would be adding a lot of traffic to the County Road in addition to the event center at the country club.

Laurel Littrell, 23273 Blackberry Road, said that she moved to this area because it is a peaceful area.

Mike Littrell, 23273 Blackberry Road, was not in favor of the proposal and was concerned about traffic and speeding.

Gabe Ericksen, 25475 County Road 17, agreed with previous comments, and did not think this proposal was very well thought out and was not in the right location.

Sandy Shirk/Heath, Rochester, MN, said that she is on the list to become a resident, and she felt a seniors building would complement the area as they would not use sidewalks as much as younger families would.

Alison Plemmons, 23171 County Road, 17, agreed with the need, but did not agree that this site fit into the City's comp plan.

Erica Ericksen, 25475 County Road 17, felt the development would significantly change the view.

Leon Bowman, Wilson Township, noted that the cost of the land for this project seemed to be an issue, so he questioned why they couldn't seek grant funds to lower the land costs. He also noted that this development is for 3 acres, but the annexation request is for more than 9 acres. He felt the City should wait until the Orderly Annexation Agreement has been signed before proceeding.

Philip Heise, 23017 County Road 17, is an adjacent property owner, and he agreed with previous speakers. He felt this would increase the traffic on County Road 17.

Kristine Krausser, 22183 Pinecrest Road, has a view of this valley from her home, and does not want to see a large building such as this.

There being no one else 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 – 50**

**WHEREAS**, the City of Winona adopted a Comprehensive Plan in 2007 to establish a vision for development in the City of Winona over a period of 10 to 15 years; and

**WHEREAS**, the Comprehensive Plan contains a series of recommendations in several areas including land use, economic development, environment, housing and transportation; and

**WHEREAS**, the 2007 Comprehensive Plan designated the real property described in Exhibit A adjacent to 22839 County Road 17 as Low Density; and

**WHEREAS**, Bradford Development submitted a petition requesting that the Comprehensive Plan be amended to designate the real property described in Exhibit A as Urban Residential; and

**WHEREAS**, the City of Winona Planning Commission held a public hearing regarding the request for a Comprehensive Plan amendment on June 8, 2020; and

**WHEREAS**, the Winona City Planning Commission voted 4-4 on the request to change the designation of the real property described in Exhibit A from Low Density to Urban Residential; and

**WHEREAS**, the Planning Commission's 4-4 vote failed to pass the request, which constitutes a recommendation of denial; and

**WHEREAS**, the Winona City Council held a public hearing regarding the request for a Comprehensive Plan amendment on July 6, 2020; and

**WHEREAS**, section 43.06.44 B) 5) of the City of Winona City Code states that the City Council shall give reasons for its decision; and

**WHEREAS**, section 43.06.13 E) 1) of the City of Winona City Code requires applications conform with the Unified Development Code Application Manual; and

**WHEREAS**, the City of Winona's Unified Development Code Application Manual requires Comprehensive Plan Map Amendment applications to address the criteria noted on the application; and

**WHEREAS**, the Comprehensive Plan Map Amendment Application states that the criteria to be considered by the City Council are the following:

- a) The amendment is consistent with the policies and objectives of the Comprehensive Plan;
- b) The amendment is being requested due to changes which have occurred since adoption of the Comprehensive Plan; and
- c) The amendment will not have an undue impact on the health, safety, or welfare of the community.

**NOW THEREFORE LET IT BE RESOLVED** by the City Council of the City of Winona, Minnesota, makes the following Findings with respect to the above-referenced criteria:

- 1) The amendment facilitates residential development, which meets the current and future needs of Winona's population in accordance with the Housing Section of the Comprehensive Plan.
- 2) Since adoption of the 2007 Comprehensive Plan, sewer and water utilities were installed adjacent to the subject property.
- 3) The potential uses supported by Urban Residential designation will be buffered from existing single-family homes by a 250' buffer that supports future low-density residential development; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Winona, Minnesota, that the City Council hereby approves the requested amendment to the 2007 Comprehensive Plan to designate the real property described in Exhibit A as Urban Residential, subject to the following conditions:

- 1) All land use, zoning, subdivision, and site plan approvals to construct a three story CO-OP senior living facility with up to 36 units shall be obtained by June 2021; and
- 2) If the above condition is not met, the Comprehensive Plan Change shall be null and void.

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

Alexander reminded the Council that developing in this valley has been the long-term plan of the City, and water and sewer services were installed many years ago. She noted that most of the people who want to live in this proposed development do not want or need sidewalks or shopping nearby. She felt the development would complement the neighborhood.

Borzyskowski said that every new development brings more traffic, but noted that County Road 17 already carries a lot of traffic of people coming into the city. He suggested that a turn lane to Blackberry Road should be looked at by the County.

Eyden said that she would be supporting the motion tonight as the project developer has proposed a smaller building than the first proposal.

Thurley voted for the initial concept, and will be supporting tonight. He noted that this project will free up a number of single family homes as seniors move.

Moeller originally voted against the project, but has since received many comments from people in support of it. She agreed this would be freeing up a number of single family homes in the city, but felt it was important to follow the City's Comp Plan.

Schollmeier understands the arguments on both sides, and noted that he originally had voted against this project. However, he noted that this area is the only direction that the city can grow, and the city utilities are already in place. He also encouraged local developers to look at developing more housing in the downtown area.

Mayor Peterson said that his main objection to the original proposal was the scale of the project. He appreciated that the developer scaled it back to a three-story building, and he also heard from many people in support of it.

The motion carried with all voting aye, except Moeller who voted no. Thereupon the Mayor declared the resolution duly adopted.

### **3.1 Reappointments to the Heritage Preservation Commission**

In a letter to council, Mayor Peterson indicated that he was reappointing Connie Dretske and Innes Henderson to serve on the Heritage Preservation Commission. Their terms would be effective July 17, 2020 and expire on July 17, 2023.

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

### **3.2 Reappointments to the Recreational Waterways Commission**

In a letter to council, Mayor Peterson indicated that he was reappointing Torry Moore and Adam Peterson to serve on the Recreational Waterways Commission. Their terms would be effective July 22, 2020 through July 22, 2023.

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

### **3.3 Reappointments to the Joint Airport Zoning Board**

In a letter to council, Mayor Peterson indicated that he was reappointing Allyn Thurley and George Borzyskowski to serve on the Joint Airport Zoning Board. Their terms would be effective July 1, 2020 through July 1, 2022.

Thereupon Alexander moved to confirm the reappointments. Eyden seconded the motion, and it carried with all voting aye.

### **3.4 License Agreement Request from Chase Hoffman for Building a Handicap Ramp at 151 East 3rd Street**

City Engineer Brian DeFrang received a request from Chase Hoffman for a license to allow an encroachment on the Walnut Street side for the business at 151 East 3rd Street. The purpose of the encroachment is to construct a handicap accessible ramp to the building. The ramp will be 5 feet wide and this will leave 7 feet of accessible walkway on the remaining sidewalk. The City Engineer recommends approval.

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

### **3.5 Winona Area Youth Hockey Association Report**

The City of Winona entered into a facility use agreement with the Winona Area Youth Hockey Association (WAYHA) in August of 2015. Erica Jerowski, representing the association, presented their annual report and program update to City Council. She stated that despite the weather this spring, they had a successful season. She said that they continue to raise funds to pay down the debt on the building rehab, and noted that charitable gambling proceeds have been negatively impacted by the Covid-19 virus.

The report was received and filed.

### **3.6 Request for 5K, BK5K**

The Park and Recreation Department presented a request from Fastenal Company to hold the "BK5K" run/walk on Saturday, August 8, 2020. Fastenal Company will be sponsoring the "BK5K" run/walk to raise funds for local area youth organizations and programs that have demonstrated financial need. In response to pandemic guidelines, this year's 5K will be a rolling start that allows participants to begin any time between 7:00 and 9:00 a.m. and there will be no post-race activities. The event will conclude at

10:30 a.m. This event was previously held on both the East and West Lakes but will be consolidated to the East Lake for this year.

The following streets and paths would be closed to vehicular and pedestrian traffic:

- Lake Park Drive from Main Street to Hamilton Street from 5:00 a.m. – 10:30 a.m.
- Loop around the Bandshell from 5:00 a.m. – 12:00 p.m.
- Lake Park Pedestrian Path from 5:00 a.m. – 10:30 a.m.

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

### **3.7 Winona Area Mountain Bikers Donation**

Assistant City Manager for Park & Rec Chad Ubl reported the Winona Parks and Recreation Department has been working with the Winona Area Mountain Bikers (WAMB) on the Bluffs Traverse Project. WAMB is willing to become a financial partner with the Winona Parks and Recreation Department's Legacy Application for the Bluffs Traverse Project. WAMB is willing to donate \$12,000 toward the creation of mountain bike trails within the Bluffs Traverse Project. The donation will specifically be used as a financial match within the application and provide an additional partner in the project.

If accepted by the City, the funds will be held by the City of Winona until our Legacy application is reviewed and an outcome is announced. In the event the application is not successful, the full donation would be returned to WAMB.

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

#### **Resolution 2020 – 51**

**WHEREAS**, the City of Winona Parks and Recreation Department works with the Winona Area Mountain Bikers to expand recreational opportunities for our community; and

**WHEREAS**, the Winona Area Mountain Bikers are in support of the application the Winona Parks and Recreation Department will submit for Legacy funding for the Bluffs Traverse Project; and

**WHEREAS**, the Winona Area Mountain Bikers are willing to donate \$12,000.00 to the Winona Parks and Recreation Department as a financial partner in the Legacy Grant application for the Bluffs Traverse Project; and

**WHEREAS**, the \$12,000.00 donation would be for the specific purpose to match funding for mountain bike specific trails within the Bluffs Traverse Project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Winona, Minnesota, that the City hereby accepts the donation of \$12,000, for the purpose of a financial match within the Legacy Grant application and the City Council hereby expresses the community's appreciation to all donors who made this donation possible.

**FURTHERMORE BE IT RESOLVED** that in the event that the Legacy Grant application for the Bluffs Traverse Project is not approved by the State of Minnesota, the \$12,000 donation shall be returned to the Winona Area Mountain Bikers within 30 days of such notification.

Thereupon Schollmeier 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.

### **3.8 Restructure of the Winona Police Department**

Police Chief Paul Bostrack reported that up to 2009, the Winona Police Department had two Deputy Chief positions. One Deputy Chief was assigned to supervise the Patrol

Division and the second Deputy Chief was assigned to supervise the Criminal Investigative Division and several civilian positions. At that time there was also a Sergeant position in the Criminal Investigative Division. When financial cutbacks were made in 2009, the Deputy Chief Position in CID was not replaced through attrition and the Sergeant took over some of these duties along with the remaining Deputy Chief. This organization worked for a few years, but is no longer an ideal arrangement as the Sergeant is limited in some of the supervisory functions afforded a Deputy Chief.

Other issues that can be addressed by reverting back to two Deputy Chiefs are increased oversight of the department's activities, increased management of data collected by officers especially electronic data, and additional leadership at the top of the department. In today's environment and moving forward into the future it has become even clearer that additional administrative level supervision will play a key component to maintaining and improving our service to the community.

The current Deputy Chief as well as at least two Sergeants are expected to retire in the near future. It is critical that a newly promoted Deputy Chief have an opportunity to work alongside/job shadow the current Deputy Chief in order to understand and perform those duties at a high level. I as well as the City Manager are returning the Winona Police Department back to the two (2) Deputy Chiefs structure. This change will be possible through attrition. The current Sergeant Position in the Criminal Investigative Division will be eliminated and that Sergeant will be moved back to the Patrol Division. This has been done successfully in the past (prior to a CID Sergeant position being created).

The reorganization should have a minimal or neutral impact on the budget as the overtime for the CID Sergeant has resulted in a salary that is, either close to, equal to and occasionally greater than a Deputy Chief salary depending on the annual volume and types of calls.

We have already conducted interviews and have a quality internal candidate who will be promoted into this position immediately. The second Deputy Chief position is still an approved position within the structure of the Winona Police Department.

The report was received and filed.

### **5.1 City of Winona-Downtown Revolving Loan Fund**

Community Development Director Lucy McMartin reported that the Council adopted the Winona Downtown Strategic Plan at the June 1, 2020, Council meeting. One of the goals in the plan is to take steps to beautify and enhance downtown Winona. Another goal is to encourage redevelopment. Each of the goals corresponds with an initiative to consider changes to the City of Winona Downtown Revolving Loan Fund to help incentivize historic renovation.

The City of Winona has had a Downtown Revolving Loan Fund since loans were paid back from block grants dating back to the 1990's. The program was funded federally and guidelines are required when re-using the money. Many downtown business and building owners have used the program to enhance the exterior facades of buildings downtown or to provide accessibility improvements.

The federal requirements such as Davis-Bacon, Federal Objectives and SHPO review can make the program challenging to use. The Downtown Strategic Plan recommends staff re-evaluate and improve the current Downtown Revolving Loan Fund to incentivize downtown property owners to invest into their downtown historic building(s).

Staff consulted with the Winona Area Chamber of Commerce, Winona Main Street, and the Small Business Development Center while exploring potential changes to make to the Downtown Revolving Loan Fund program more effective.

The current Downtown Revolving Loan Fund is structured as:

- The City provides a loan for 50% of the rehabilitation costs.

- The business/property owner provides the remaining 50% of the rehabilitation costs from private funds or a loan from a lender.
- The maximum City loan is \$20,000, resulting in a \$40,000 project.
- The terms of the City loan are:
  - 25% of the loan is deferred and forgiven after 5 years, provided the building is not sold or otherwise conveyed.
  - The remaining 75% is structured as a 5 year, 2% interest monthly installment loan.

The proposed Downtown Revolving Loan Fund would be structured as:

- Just as the current program, the City would provide a loan for 50% of the rehabilitation costs.
- Just as the current program, the business/property owner would provide the remaining 50% of the rehabilitation costs from private funds or a lender loan.
- Just as the current program, the maximum City loan would be \$20,000, resulting in a \$40,000 project.
  - The terms of the proposed City loan would be **changed to**:
    - **50%** of the city loan is deferred and forgiven after 5 years, provided the building is not sold or otherwise conveyed.
    - The remaining **50%** is structured as a 5 year, **0%** interest monthly installment loan.

Alexander moved to approve the proposed changes to the Downtown Revolving Loan Fund. Moeller seconded the motion, and it carried with all voting aye.

## 5.2 Final Plat – Target Lake Park Retail Subdivision

Assistant City Planner Luke Sims reported the property owner of the Target store is creating two new lots. The existing Target store will be on Block 1, Lot 2. New development will be on Block 1, Lot 1. The Target building will continue to function in the same manner and its sign will be located on the newly created Block 1, Lot 1. Target has received a variance for the sign at this location. Access for Block 1, Lot 1 would be conducted through an access easement through Block 1, Lot 2's parking lot with primary access off Riverbend Road.

The City of Winona Planning Commission held a public hearing of the Target Lake Park Retail Subdivision on June 8, 2020 and recommended approval of the Final Plat.

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

### **Resolution 2020 – 52 APPROVAL OF THE FINAL PLAT OF TARGET LAKE PARK RETAIL SUBDIVISION**

**WHEREAS**, Cave Enterprises Operations LLC (“Petitioner” or “Applicant”) has submitted an application for Final Plat approval of the proposed “Target Lake Park Retail 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 June 8, 2020; and

**WHEREAS**, following its full review and consideration of all information, the Commission found that the Plat for the proposed Target Lake Park Retail 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 Target Lake Park Retail Subdivision; and

**WHEREAS**, the City Council has reviewed the proposed Final Plat of the Target Lake Park Retail 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. An access easement shall be recorded for access to Block 1, Lot 2 through Block 1, Lot

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 Old Wagon Bridge HPC Grant Application**

Mr. Sims noted that in accordance with the duties of the Heritage Preservation Commission to evaluate and nominate the historic resources of the City of Winona, the Winona HPC is proposing to pursue a legacy grant to evaluate the Old Wagon Bridge for eligibility on the National Register of Historic Place. The project was identified in the 2019 Winona HPC priority list and presented to the City Council in June, 2019 and June, 2020 in budgeting memos and funds were budgeted for the project for the 2020 year. This project includes property owned by the City of Winona.

The Winona HPC also proposes utilizing a Minnesota Historical and Cultural Heritage Grant through the Minnesota Historical Society for an evaluation study of the Old Wagon Bridge connecting Latsch Island. The evaluation study will be used to determine whether the property is eligible for the National Register of Historic Places. Total expected project costs are \$7,000, of which the City may provide a match up to \$2,000. Applications are due July 10, 2020.

Alexander moved to authorize staff to apply for the grant. Eyden seconded the motion, and it carried with all voting aye.

### **5.4 Appointment of Election Judges for 2020 Primary and General Elections**

The City Clerk provided a list of proposed election judges for the Primary Election to be held on Tuesday, August 11, and the General Election to be held on Tuesday, November 3. The following resolution was then presented for the Council's consideration.

#### **Resolution 2020 – 53**

**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 August 11 Primary and November 3 General Elections, 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.

## 2020 Election Judges

Last Name	First Name	Address
<b>1st Ward - 1st Precinct</b>		
<b>Winona Area Learning Center</b>		
Anderson	Susan	121 West 4th St.
Davis	Judith	22559 County Road 15
Galke	Mary	1317 Wincrest Drive
Gibbons	Nathan	3455 West 7 <sup>th</sup> St.
Kennedy	John	1152 Country Drive
Mohan	Emmalee	1271 Wincrest Drive
Mulyck	Albert	1134 West 4th St.
Singer	Mary	125 North Baker Street
Whalen	Margaret	25983 Cedar Spring Road
<b>1st Ward - 2nd Precinct</b>		
<b>Radiant Church</b>		
Benjamin	Kristine	168 Mechanic St.
Brenner	Colleen	1763 Gilmore Avenue
Garrity	Gayle	397 Knopp Valley Drive
Gervais	Christopher	25000 Echodale Road
Mueller	Laurel	365 Junction Street
Schueler	Gracelyn	125 Sunnyside Lane
Smith	Andrea	1384 Ridgewood Drive
Wadewitz	Rosemary	317 Knopp Valley Drive
<b>1st Ward - 3rd Precinct</b>		
<b>Maplewood Townhomes</b>		
Terpstra	David	266 Oak Leaf Drive
Aldrich	Brian	1376 Skyline Drive
Allen	Ione	1608 West 9 <sup>th</sup> St.
Davis	Loretta	812 West Wabasha St.
Edin	Becky	410 W. 6th Street
Spande	Beverly	469 Westdale Avenue
<b>1st Ward - 4th Precinct</b>		
<b>Faith Lutheran Church</b>		
Aldrich	Lynn	1376 Skyline Drive
Alzate	Elissa	723 East Broadway
Brenner	Colleen	1763 Gilmore Ave
Kronebusch	Claire	675 W Sarnia, #207
Looman	Jack	4155 West 6th St
Schumacher	Carol	1411 Skyline Drive
Tentis	Matt	2909 Greenbriar Drive
Wildenborg	Mary	1091 Gilmore Valley Road
<b>2nd Ward - 1st Precinct</b>		
<b>Alverna Center</b>		
Cenfield	Raymond	1473 Park Lane
Dahl	Richard	1167 West 5th St.
Gray	Lisa	90 Hillsdale Court
Hoffmann	Thomas	1169 West Howard St.
Lehn	Steven	516 Collegeview St.
Olson	Joliene	416 West Howard St.
Papenfuss	Patricia	225 Main Street, Unit 4011
Walz	Renee	1221 Gilmore Valley Rd
<b>2nd Ward - 2nd Precinct</b>		
<b>West Rec Center</b>		
Bjork	Joie	1743 Gilmore Valley Road
Hawkinson	Lisa	23022 Blackberry Road
Hegard	Teresa	1373 Sunset Drive
Johnson	Emily	174 East 5th Street; #2
Mulyck	Chris	180 North Baker
<b>2nd Ward - 3rd Precinct</b>		
<b>Cotter Schools - St. Cecilia Commons</b>		
Campbell	John	472 W. 6th St.
Mohan	Madeline	1271 Wincrest Drive

Forsythe Barb 765 West King Street  
Simon Pamela 422 West King St.  
Stetter Jerry 28511 Woodland Hills Drive

**2nd Ward - 4th Precinct**

Grawe Robin  
Hawkinson Paige  
Leger Aleisha  
Schwab Benjamin  
Singer-Towns Elizabeth  
Young Aaron

**Central Lutheran Church**

678 Sioux Street  
23022 Blackberry Road  
1440 49<sup>th</sup> Avenue  
1329 Skyline Drive  
1261 West Broadway  
77 East 5th Street

**3rd Ward - 1st Precinct**

Badciong Peter  
Debnath Joyati  
Double Paul  
Hancock Cooper  
Krause Laura

**Kryzsko Commons, WSU**

1419 Homer Road  
64 White Oak Court  
104 Glen Mary Road  
191 Sweetwater Drive  
713 Main Street

**3rd Ward - 2nd Precinct**

Hennessy Barbara  
Gorden Carole  
Koenig Margaret  
Sannerud Peggy  
Troke Darlene

**Lake Lodge**

359 Ewing St, Apt. 11  
1613 Gilmore Valley Rd  
63 Sharal Lane  
412 East Mark St.  
410 East Wabasha

**3rd Ward - 3rd Precinct**

Olson Myrna  
Kramer Carol  
Krause-Wohlfeil, Karla  
Kunce Jacob  
Lee Frederick  
Neitzke Arlene  
Wicka Vicki

**American Legion**

357 East 10th Street  
366 East 5th Street  
20 Franklin St, Apt. 301  
6915 Woodland Blvd.  
157 West 3rd St., Apt. 410  
213 East Howard St.  
567 Hamilton St.

**3rd Ward - 4th Precinct**

Bissen Paul  
Doerr Judith  
Prudoehl Carole  
Schreiber Timothy  
Wiggs Tove

**Wesley United Methodist Church**

36229 Homer Landing Lane  
1950 Gilmore Valley Road  
1418 Brookview Drive  
515 East 3<sup>rd</sup> St.  
751 East King St.

**4th Ward - 1st Precinct**

Bremer Jane  
Foss Jason  
Krause Fred  
Seppanen Linda  
Steele Carly

**East Rec Center**

379 East 5<sup>th</sup> St, Apt. 5  
402 East Broadway  
713 Main Street  
2225 Garvin Heights Road  
105 Mark Street

**4th Ward - 2nd Precinct**

Borzyskowski, Carol  
Dalleska Ruth  
Donahue Mary  
Ford Marjorie  
Looman Cheryl  
Lyons Polly

**East Rec Center**

128 Lohse Drive  
192 Janet Marie Lane  
111 Mankato Avenue  
629 East Broadway  
4155 West 6th Street  
163 Chatfield Street

**4th Ward - 3rd Precinct**

Beck Linda  
Hanson Jill  
McManemy Terri  
Miller Sheryl

**Sobieski Park Pavilion**

120 Glen Mary Rd  
250 Oak Leaf Dr.  
125 East Garvin Heights Rd  
1417 McNally Drive

Quinn	Patricia	511 St. Charles St.
VanGuilder	Amy	1435 49th Ave
Windley-Daoust	Gerald	664 Winona Street

**4th Ward - 4th Precinct**

Badciong	Ruth
Broadwater	John
Charles	Ruth
Hooge	Mary Lou
Howard	John
Klink	Barbara
Krage	Ed
Kreisel	James
Rowekamp	Betsy
Terpstra	Brenda
Wilke	Janet

**National Guard Armory**

1419 Homer Road
1642 Clubview Road
262 Wilson Street
1411 Brookview Drive
719 Howard St.
1330 East Burns Valley Rd
672 East Sarnia
68 White Oak Court
79 Shady Oak Court
266 Oak Leaf Drive
127 Lohse Drive

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.

**5.5 Fastenal Stipulation**

A request from Fastenal Company (“Fastenal”) for the City Council approve the stipulation and revised survey to be filed in Winona District Court as part to Fastenal's previously filed land registration proceeding was presented. The stipulation is part of a larger action filed by Fastenal related to land owned by Fastenal, which Fastenal intends to redevelop for its corporate headquarters located in downtown Winona. The purpose of the stipulation is to amend the City's existing utility easement to accommodate HBC's cable line, which is currently outside the easement area and to instead include it inside the easement area. There is no practical effect on the City, but since the easement is in favor of the City, the City needs to join in the stipulation. The stipulation would then act to amend the previously filed Fastenal land registration proceeding, and the attached revised survey would be subsequently filed with the Court and ultimately recorded at the conclusion of the land registration proceedings.

As background, Fastenal filed a Summons in Application for Registration of Land, dated March 30, 2020, with the Winona District Court informing both the Port Authority and the City that it intends to withdraw the current registration for a portion of its property and re-register the title for the entirety of its land, which Fastenal seeks to re-develop for an office building in downtown Winona. The purpose of this action is to clean up certain encumbrances on the title to the Fastenal property and to convert all of the Fastenal property at this downtown location from Abstract to Torrens property since a portion of the property is now Abstract and another portion is now Torrens. Fastenal desires the entire property to be registered as Torrens property in order that it will have a single, clean certificate of title for the entirety of the property.

The above-described proceeding, because it involves Torrens property and the registration of title to Torrens property, must be filed with and proceed through the District Court in order for Fastenal to obtain an order for a new Certificate of Title. As a result, both the Port and City have been named in the legal proceeding since both have interests that pertain to the Fastenal property. These interests include common boundary lines as well as the above-mentioned utility easement.

As part of the application process to the District Court, Fastenal has prepared a survey using Tony Blumentritt of Johnson and Schofield. City and Port staff recently met with Mr. Blumentritt and Dana Johnson, representing Fastenal, and their attorney, Cindy Telstad, to go through the Fastenal application as well as the survey and revised survey. City and Port staff have reviewed the applicable documentation and the revised survey as the same has now been revised to account for the adjustment to the City easement for HBC and have determined that the same are in order, acceptable and have no objections thereto.

In the event that there was an objection, the City and/or the Port would have to file an answer to the Summons that both entities received as part of the Fastenal land registration legal proceeding. This would require staff to schedule closed meetings with both entities and seek authorization from both directing the City Attorney to file an answer with the respective objections and thereafter represent both entities in the legal proceeding in District Court. In this case, however, since City and Port staff have determined that the Fastenal application is in order and have not identified any objections to it, an answer is unnecessary, and the City Attorney is accordingly not recommending that either entity authorize the filing of an answer/objection at this time. Instead, I have directed the City Attorney to submit letters on behalf of both the Port and the City to the Court stating that staff have reviewed the land registration application of Fastenal, stipulation and revised survey, and have no objection provided the same is subsequently approved by the Court in the form as revised presented by Fastenal and filed with the District Court along with the attached stipulation containing the revised survey to account for the adjustment to the City easement for HBC.

Alexander moved to approve the stipulation and revised survey, and authorized the Mayor and City Clerk to sign the stipulation. Moeller seconded the motion, and it carried with all voting aye.

### **7.1 Council Concerns**

Thurley reminded the public of the candidate forums being hosted by the League of Women Voters on July 21 and July 22. Thurley had received correspondence from a constituent asking the Council to reconsider closing the Aquatic Center for the season, which included suggestions on having a reservation system and sponsorships for children in low income families.

Moeller stated that a number of residents have questioned why there is no public comment period during Council meetings, and she would like the Council to explore it.

Borzyskowski offered his condolences to the family of Mike Cada and to the family of Mary Kukowski.

Alexander asked staff to contact MnDOT to request that the grass be cut on the Highway 61 right of way near the McDonalds and Seversons on the west end of the city.

Schollmeier received a complaint that cars are driving on the flyway bike trail.

### **8.1 Consent Agenda**

The City Clerk presented the Consent Business Agenda as follows:

- Item No. 8.1: Approval of Minutes – June 15, 2020;
- Item No. 8.2: Claim against the City by Matt Loos; and
- Item No. 8.3: Claim against the City by John Pampuch.

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

The time being 8:10 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.

---

Monica Hennessy Mohan  
City Clerk

---

Mark F. Peterson  
Mayor