

## **Winona City Council Zoom Meeting Access and Procedures**

**March 1, 2021**

**Meeting type: The regular meeting of the Winona City Council is being conducted electronically pursuant to Minnesota State Statute 13D.021, following the adoption of Resolution 2020-17 Declaring a Special Emergency, as adopted by the Winona City Council on Monday, March 16, 2020.**

All interested parties are invited to watch or listen to meeting via electronic means. This meeting is open to the public via web or phone. This meeting begins at 6:30 p.m.; please log in prior to the start of the meeting. You may exit the meeting at any time.

This meeting is open to the public via web or phone.

- To join the Zoom Meeting via web, go to: <https://zoom.us/j/869465916>
- enter Meeting ID: 896 465 916 and password **207207**
  
- To join via phone, dial either phone number:  
1-312-626-6799 US (Priority)  
1-646-558-8656 US (Backup)

When prompted, enter the following Meeting ID: 896 465 916

### **For participants:**

- Only use one audio source; audio from computer is preferred if available.
- Be aware of background noise from your location.
- If using phone, do not use the speaker function. Please note that your phone number and/or name will be visible to other participants.
- If using a web cam, be aware of what is in your background.
- If you have headphones, please use them as that will limit background noise.
- Please mute your audio until you wish to speak. Then unmute your audio, and ask the Mayor for permission to talk.



## Winona City Council Agenda

Monday, March 1, 2021

6:30 P.M., Meeting No. 5

City Council Chambers – City Hall

3<sup>rd</sup> Floor - 207 Lafayette Street

**Mayor Scott Sherman**

**1<sup>st</sup> Ward Steve Young**

**2<sup>nd</sup> Ward Eileen Moeller**

**3<sup>rd</sup> Ward Pamela Eyden**

**4<sup>th</sup> Ward George Borzyskowski**

**At-Large Michelle Alexander**

**At-Large Aaron Repinski**

**1. Call to Order – Mayor & City Manager’s Comments – Roll Call**

**2. Required Public Hearings**

**3. Petitions, Requests, Communications**

<b>City Clerk</b>	1. Massage Therapy License
<b>City Clerk</b>	2. Application for On-Sale Intoxicating Liquor Licenses for 501 Olmstead Properties, LLC dba Cornerstone Bar
<b>City Clerk</b>	3. Application for On-Sale Intoxicating Liquor Licenses for Sloppy Joe’s Tavern

**4. Unfinished Business**

<b>Library</b>	1. Award Contract for Children’s Library Renovation Project
----------------	---

**5. New Business**

<b>Planning</b>	1. Certified Local Government Grant Application 2021
<b>Public Works</b>	2. Request for Proposals for Engineering of Gilmore Creek Levee Improvements
<b>Engineering</b>	3. Bridge Replacement Grant for Bridge on West Lake Boulevard
<b>Parks &amp; Recreation</b>	4. Request by Woodlawn Cemetery to Assist with Selective Harvesting Clean Up
<b>City Manager</b>	5. Teamsters Local 120 Agreement for 2021 and 2022

**6. Reports of Committees**

**7. Council Concerns**

<b>City Clerk</b>	1. Council Concerns
-------------------	---------------------

**8. Consent Agenda**

<b>City Clerk</b>	1. Approval of Minutes – February 16, 2021
-------------------	--

<b>City Clerk</b>	2. Ordinance to Vacate the Alley on Block 2 of Plumer’s Addition
-------------------	--

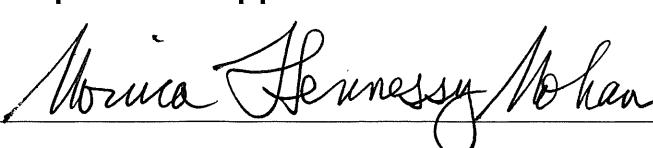
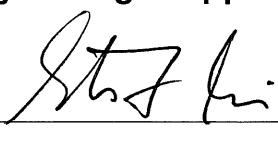
**9. Adjournment**

# REQUEST FOR COUNCIL ACTION

Agenda Section: <b>Petitions, Requests, Communications</b>	Originating Department:	Date:
No: 3	<b>City Clerk</b>	<b>03/01/21</b>
<b>Item: Massage Therapy License</b>		
<b>No. 3.1</b>		

## SUMMARY OF REQUESTED ACTION:

Diane Coates submitted an application for a Massage Therapist License. Her primary business location is at the White Pebble Spa Company, 1423 West Service Drive. All of the paperwork is in order, and the license would be effective March 2, 2021 through December 31, 2021. If the Council concurs, a motion to approve the license would be in order.

Department Approval:	City Manager Approval:
	

# REQUEST FOR COUNCIL ACTION

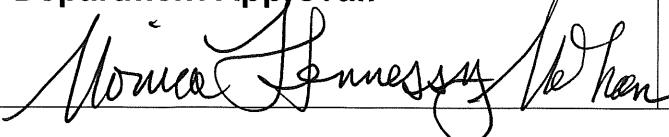
Agenda Section:	<b>Petitions, Requests, Communications</b>	Originating Department:	
No:	<b>3</b>	City Clerk	<b>03/01/21</b>
<b>Item: Application for On-Sale Intoxicating Liquor Licenses for 501 Olmstead Properties, LLC dba Cornerstone Bar</b>			
<b>No. 3.2</b>			

## SUMMARY OF REQUESTED ACTION:

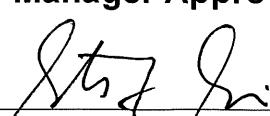
Erica Kish and Chad Brink, owners of 501 Olmstead Properties, LLC, doing business as Cornerstone Bar, have applied for an On-Sale Intoxicating Liquor License and a Sunday On-sale Liquor License for the premises at 501 West 4th Street, formerly known as Steiny's Bar. They had previously applied for the license under a different LLC name, but have requested a transfer to the new LLC business name. The effective dates of the licenses would be March 2, 2021 through June 30, 2021.

All of the documents are in order, and if the Council concurs, a motion to approve the liquor licenses would be in order.

Department Approval:



City Manager Approval:



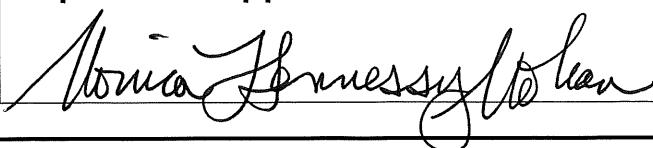
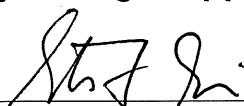
# REQUEST FOR COUNCIL ACTION

Agenda Section: <b>Petitions, Requests, Communications</b>	Originating Department: <b>City Clerk</b>	Date: <b>03/01/21</b>
No: <b>3</b>	Item: <b>Application for On-Sale Intoxicating Liquor Licenses for Sloppy Joe's Tavern</b>	
No. <b>3.3</b>		

## SUMMARY OF REQUESTED ACTION:

Angela Loshek Fossan has previously applied as a sole proprietor for an On-Sale Intoxicating Liquor License and a Sunday On-sale Liquor License for Sloppy Joe's Tavern, located at 526 East Third Street. She has now set up an LLC for the business, and the license needs to be issued to Sloppy Joe's Tavern, LLC. The effective dates of the licenses would be March 2, 2021 through June 30, 2021.

All of the documents are in order, and if the Council concurs, a motion to approve the liquor licenses would be in order.

Department Approval: 	City Manager Approval: 
---	--

# REQUEST FOR COUNCIL ACTION

Agenda Section: **Unfinished Business**

Originating Department:

Date

No: 4.

Library

03/01/21

**Item: Award Contract for Children's Library Renovation Project**

No: 4.1

## SUMMARY OF REQUESTED ACTION:

Bids were received on Thursday, February 25, for the Children's Library Renovation, Winona Public Library Project. The project includes removal of existing perimeter wood shelving and wainscot, repair of damaged plaster wall finish & windowsills, new perimeter wood shelving, wall and ceiling painting, and window glazing replacement. A tabulation of the proposals received is as follows:

<u>Bidder</u>	<u>Bid</u>
Simmons Construction	\$93,000.00
Schwab Construction	\$97,900.00
Americon Contruction Co.	\$104,250.00
Market & Johson Construction, Inc.	\$119,261.00
Wapasha Contruction Company Inc.	\$102,000.00

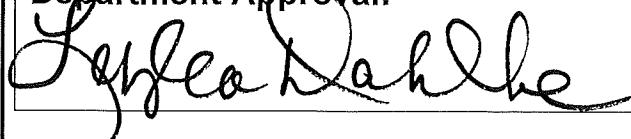
Engineer's Estimate: \$105,000.00

This project was approved in the budget.

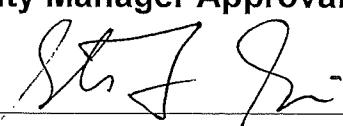
Staff recommends awarding to Simmons Construction.

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

Department Approval:



City Manager Approval:



## RESOLUTION

**BE IT RESOLVED** by the City Council of the City of Winona, Minnesota, that it enter into a contract for the Winona Public Library Children's Department Water Intrusion Repair Project, in accordance with the specifications dated February 1, 2021, covering the same and on file with the City Clerk, and that the Mayor and City Clerk execute the contract; and

**BE IT FURTHER RESOLVED** that the proposal of Simmons Construction in the amount \$93,000 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 the bond in the amount required by the specifications or by law.

**BE IT FURTHER RESOLVED** by the City Council of the City of Winona, to grant permission to the Library Director to close the building as the project deems necessary and with proper notice to the public.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

Scott D. Sherman  
Mayor

Attest:

---

Monica Hennessy Mohan  
City Clerk

# REQUEST FOR COUNCIL ACTION

Agenda Section: <b>New Business</b>	Originating Department:	Date
No: <b>5</b>	<b>Planning</b>	<b>3/1/2021</b>
<b>Item: Certified Local Government Grant Application 2021</b>		
<b>No. 5.1</b>		

## SUMMARY OF REQUESTED ACTION:

In accordance with the duties of the Heritage Preservation Commission to protect heritage preservation sites and to advise and educate property owners to encourage reinvestment in historically designated properties, sites, and districts, the Winona HPC had proposed applying for a Certified Local Government (CLG) Grant in March, 2021. The proposed project recommended to Council was referred to as property maintenance or preventing "demolition by neglect" On February 16, 2021, City Council held a pre-council discussion regarding the direction of the proposed grant application.

Some of the discussions regarding the application questioned the level of involvement and current capacity of the Community Development Office and in particular the Inspections Division. Staff met internally and reviewed the option of preparing a grant application to evaluate financial resources available for historic building rehabilitation. This education and outreach could help inform building owners of options for financing improvements to buildings. A similar approach was used when implementing the Property Maintenance Code whereby a grant was secured with the help of Habitat for Humanity to help eligible homeowners with repairs.

The CLG Grant Application can be for an educational and outreach plan for historic property owners to encourage reinvestment in historic properties. This will include analysis of local funding options, addressing deficiencies and improvements to the Downtown Revolving Loan Fund, and analysis of state and federal resources that may be better utilized. A systematic education, outreach, and communication plan will ensure this information is adequately communicated to those that need it and will be a part of the final product as well.

At the State Historic Preservation Office's suggestion, it is proposed that Dan Becker, an expert on "Demolition by Neglect," be involved in the review of the final outcomes to ensure they are productively "filling the gap" for the owners of historic properties.

Expected costs are for a total of \$14,000, of which \$10,000 will be grant funds and \$4,000 will be city matching funds.

If the City Council concurs with the HPC's proposal, a motion to authorize staff to apply for the grant would be in order.

**Department Approval:**

*Luke Sims*

**City Manager Approval:**

*Stef S.*

# REQUEST FOR COUNCIL ACTION

Agenda Section: New Business

Originating Department:

Date:

No: 5

Public Works

3/1/21

Item: Request for Proposals for Engineering of Gilmore Creek Levee Improvements

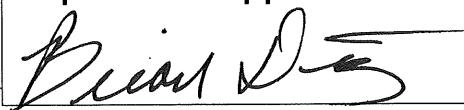
No. 5.2

## SUMMARY OF REQUESTED ACTION:

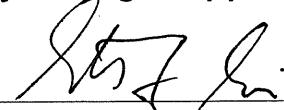
The Gilmore Valley Creek Levee has been analyzed in an attempt to certify the levy to FEMA standards. There was found to be several deficiencies where the levee did not have sufficient freeboard to be 3 feet above the 100 year flood elevations. Also, there is a designed overflow area of the levee that is intended as an outlet in high water that needs to be armored with rip rap for an approximately 1000 foot length. The estimated costs of these improvements to bring the levee up to a standard that would enable it to be certified are approximately \$2.27 million. There is an opportunity to apply for an Economic Development Authority (EDA) grant for 50% of these costs and the City would intend on putting in a request for the State of Minnesota Bonding Bill this coming summer for the remaining 50%. At this time it is requested of Council to instruct staff solicit request for proposals for Engineering of the Gilmore Creek Levee system. The Engineering contract would be contingent upon receipt of the funding from the EDA.

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

Department Approval:



City Manager Approval:



## RESOLUTION

**WHEREAS**, the City of Winona needs to upgrade the Gilmore Creek Levee System to bring it up to FEMA standards to be certified; and

**WHEREAS**, An Economic Development Authority (EDA) grant may be available for upgrading this Gilmore Creek Levee System; and

**WHEREAS**, Engineering would need to be performed so that this levee system could be upgraded.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Winona solicit Requests for Proposals for Engineering related to the upgrade of the Gilmore Creek Levee System.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

Scott D. Sherman  
Mayor

Attest:

---

Monica Hennessy Mohan  
City Clerk

# REQUEST FOR COUNCIL ACTION

Agenda Section: **New Business**

Originating Department:

Date:

No: **5**

**Engineering**

**3/1/21**

**Item: Bridge Replacement Grant for Bridge on West Lake Boulevard**

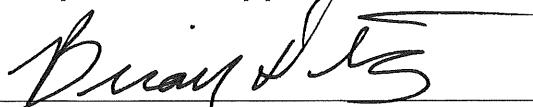
**No. 5.3**

## SUMMARY OF REQUESTED ACTION:

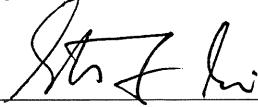
The bridge on West Lake Boulevard just east of the entrance to Woodlawn Cemetery has recently been awarded a grant on the Local Bridge Replacement Program. This grant is for bridges that are deficient and not on the Municipal State Aid System. This bridge was inspected and rated in 2016 to only allow 16 Ton on this bridge. This is adequate for passenger vehicles, but not for garbage trucks and many dump trucks. Staff placed this bridge on the Local Bridge Replacement Program list at this time and was finally offered this grant which funds approximately 80% of the construction costs of this bridge. The construction costs are estimated at \$177,846 and the City would be responsible for \$29,925 of these costs. This bridge would be replaced with a large precast culvert that would convey water from the Woodlawn Cemetery area. It would be recommended that the City's portion be funded from the Stormwater Utility and that the City accept this grant and move forward with this project.

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

**Department Approval:**



**City Manager Approval:**



## RESOLUTION

**WHEREAS**, the City of Winona put Bridge L5779 on the Local Bridge Replacement Program list; and

**WHEREAS**, Bridge L5779 was awarded funds to reconstruct this bridge; and

**WHEREAS**, the City of Winona has to provide approximately a 20% match for this funding and this would be taken from the Stormwater Utility Fund

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Winona accept the LBRP funding and pay its match out of the Stormwater Utility Fund.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

Scott D. Sherman  
Mayor

Attest:

---

Monica Hennessy Mohan  
City Clerk



State Aid for Local Transportation  
395 John Ireland Blvd., MS 500  
St. Paul, MN 55155

February 2, 2021

Brian DeFrang  
City of Winona  
207 Lafayette Street  
Winona, MN 55987

In reply refer:  
Grant from Minnesota State Transportation Fund  
Local Bridge Replacement Program (LBRP)  
LBRP SAAS Acct 347  
MnDOT Grant Agreement No. 1046059

S.A.P. 176-080-003  
Old BR L5779 over Unnamed stream  
New BR 85J45 On MUN 143 (Lake Boulevard)  
City of Winona

Dear Mr. DeFrang:

This bridge replacement project was selected for funding from a combination of city local funds and local bridge replacement program funds (LBRP). Funding for this project is approved based on the engineer's estimate submitted to the District State Aid Office consistent with the bridge plan approval by State Aid. Your request for a LBRP grant to pay for costs associated with replacement of the above referenced bridge is approved.

After the construction bid opening, please submit the bid abstract and an excel format low bid electronically to Mohamed Farah [Mohamed.M.Farah@state.mn.us](mailto:Mohamed.M.Farah@state.mn.us) with a copy to Marc Briese ([marc.briese@state.mn.us](mailto:marc.briese@state.mn.us)). The final funding determination for the project will be based on the low bid award. The revised funding to be used for the MnDOT grant agreement will be provided to the county/city by letter from Mohamed Farah [Mohamed.M.Farah@state.mn.us](mailto:Mohamed.M.Farah@state.mn.us), State Aid Finance.

The MnDOT grant agreement is required to be fully executed by the city before the LRP grant funding can be authorized and requested for reimbursement. **Your MnDOT agreement number is 1046059 and should be referenced in the upper righthand corner of the LRP bond grant agreement.** In determining an appropriate project completion date for the agreement, please consider potential impacts due to COVID-19. You may want to consider submitting a draft agreement to Marc Briese for review prior to obtaining local agency signatures. Then submit one (1) original copy of the grant agreement with local agency signatures to Marc Briese for approval and final execution.

The template for the grant agreement (Acct 347) and resolution can be found on the state aid website. **The grant agreement must be executed before work begins on the project.** Please work with your District State Aid Engineer on submitting and approving documentation and state aid pay requests for this work.

## Based on the Engineer's Estimate for Construction

SAP 147-080-003

**LBRP Funds (Acct 347)**

Local City Funds

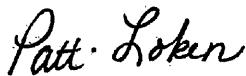
**TOTAL**

**\$147,921.00**

\$29,925.00

\$177,846.00

Sincerely,



Patti Loken

State Aid Programs Engineer

cc: Fausto Cabral, District 6 State Aid Engineer

Marc Briese, SA Programs Engineers

File

# REQUEST FOR COUNCIL ACTION

Agenda Section: <b>New Business</b>	Originating Department:	Date
No: 5	Parks and Recreation	03/01/21
<b>Item: Request by Woodlawn Cemetery to Assist with Selective Harvesting Clean Up</b>		
<b>No. 5.4</b>		

## SUMMARY OF REQUESTED ACTION:

Staff has copied the below correspondence from Mr. Tim Leahy, Superintendent of Woodlawn Cemetery.

I am following up after my conversations last week with Steve Young, Aaron Repinski and Mayor Scott Sherman. The discussions started by giving them a brief overview of the Operating Revenue and Expense Comparison of Woodlawn Cemetery. We then discussed Woodlawn Cemetery's disappointment with the outcome of the Selective Harvest as result of the logger was not forthright with his intentions and left the cemetery areas along the terrace in poor shape. Our intentions along were to leave the property in better shape by allowing new growth to occur as result of the harvest.

Last Fall 2020 Woodlawn Cemetery had contacted several local landscaping businesses to get estimates on the cost involved in completing such a large job. After showing the total landscape of the project to a great majority of businesses were not interested or not capable of doing the work. We eventually contacted Jeff Wiedman from Todays Tree Service, Owner and Arborist, which I was familiar with as they had done some extensive work at Woodlawn Cemetery as result of the tornado damage. Jeff gave Woodlawn Cemetery a written proposal which I felt was fair for the amount work needing to be done. See attachment.

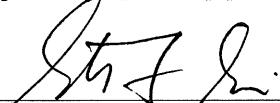
The cemetery would like to pursue a partnership with the City of Winona to clean up and removal of the logging debris on the cemetery property. The objective is to bring back the natural beauty by the lifting the material (tree tops piles) to the logging trails with an excavator and fed into a chipper to be blown back into the woods. This will enhance the cemetery grounds as well as the bike and hiking trails.

Our request for the City of Winona contribute \$7,500 and Woodlawn Cemetery to match \$7,500 to complete this worthwhile project. Based on the information from Todays Tree Service, frozen ground provides the ideal time to do the work. We would like to start the work on March 8, 2021 and will take roughly two weeks to complete. We don't want to delay this particular project too long as the weather will be getting warmer and access of logging trails will not be driveable and additional damage will occur.

Department Approval:



City Manager Approval:



**Request by Woodlawn Cemetery to Assist with Selective Harvesting Clean Up**  
**Page 2**

I am aware of the upcoming City Council Meeting on March 1, 2021. I would like see if the council would move forward with the improvements to Woodlawn Cemetery by approving our partnership request.

If you have any questions, please don't hesitate to contact me.  
Stay strong and healthy.

*Tim R. Leahy*

*Superintendent*  
**Woodlawn Cemetery Association**  
506 West Lake Blvd | Winona, MN 55987  
Phone: (507) 452-6016  
[woodlawn@hbci.com](mailto:woodlawn@hbci.com)

Staff does not have funds allocated in the 2021 budget to assist with this project. If Council wishes to partner on this project, a funding source would need to be identified.

## Logging Debris Proposal

**Subject:** Logging Debris Proposal  
**From:** JEFF WIEDMAN <jawiedman@msn.com>  
**Date:** 12/16/2020, 7:09 PM  
**To:** woodlawn <woodlawn@hbci.com>

Today's Tree Service Inc.  
P.O. Box 793  
Onalaska, Wi 54650

The following is a proposal for the removal of the logging debris on the woodlawn cemetary property. The material to be cleaned up is below the logging road/hiking trail. There are 3 important reasons this material should be cleaned up.

1. Pure aesthetics both from the cemetery and the hiking trail.
2. The debris will restrict the growth of green vegetation underneath the material which can lead to erosion problems in the slope areas.
3. The material will become fuel on the forest floor leading to fire concerns especially with more public traffic.

The material will be lifted to the logging trail with an excavator and loaded into the chipper right on the trail and the chips will be blown into the woods and dispersed. The frozen ground conditions without snow cover are excellent conditions for this work. Sections of the trail will need to be closed to the public during this process. This work should take about a week weather permitting.

Cost \$15000.00

Any questions contact Jeff Wiedman/Owner 6087801604 Thank You.

# REQUEST FOR COUNCIL ACTION

<i>Agenda Section:</i> New Business	<i>Originating Department:</i>	<i>Date</i>
No: 5	City Manager	03/01/21
<b>Item: Teamsters Local 120 Agreement for 2021 and 2022</b>		
<b>No. 5.5</b>		

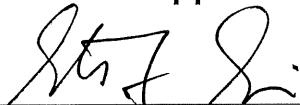
## SUMMARY OF REQUESTED ACTION:

I am recommending to the City Council a new labor agreement with Teamsters Local 120, for 2021 and 2022. The agreement approved by Teamsters includes the following:

- Placement in the City of Winona Base Pay Structure (BPS) for January 1, 2021 through December 31, 2022;
- The BPS includes a 2.5% increase in 2021 and an additional 2.5% increase in 2022;
- Increase of life insurance by \$5,000 to \$20,000;
- Clarification of eligibility for sick and funeral leave;
- \$0.05 per hour increase in shift differential from \$0.85 to \$0.90 per hour in 2022;
- Memorandum of Understanding clarifying the step increases in the BPS; and
- Memorandum of Understanding to implement a revised vacation schedule

If the Council concurs with the proposed labor agreement with Teamsters Local 120 for 2021 and 2022, the attached resolution should be approved.

Department Approval:



City Manager Approval:

## RESOLUTION

**WHEREAS**, Teamsters Local 120 is the exclusive representative for certain City of Winona employees;

**WHEREAS**, City of Winona management representatives and Teamsters Local 120 met and negotiated over the terms of a new labor agreement between the parties;

**WHEREAS**, the parties reached a tentative agreement of the terms of a new labor agreement for 2021 and 2022 ("2021-2022 Labor Agreement"), along with Memorandums of Understanding ("MOUs");

**WHEREAS**, the Public Employment Relations Act requires that the City of Winona execute a labor agreement and implement it in the form of an ordinance or resolution; and

**WHEREAS**, the City Council has reviewed the tentative Labor Agreement and MOUs.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Winona, Winona, Minnesota that it hereby approves the 2021-2022 Labor Agreement and MOUs between the City and Teamsters Local 120.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

Scott D. Sherman  
Mayor

Attest:

---

Monica Hennessy Mohan  
City Clerk

# REQUEST FOR COUNCIL ACTION

Agenda Section: Council Concerns

Originating Department:

Date:

No: 7

City Clerk

03/01/21

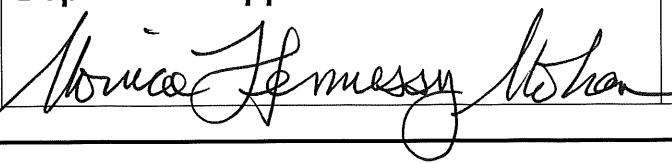
Item: Council Concerns

No. 7.1

## SUMMARY OF REQUESTED ACTION:

Time is reserved for Council Concerns.

Department Approval:



City Manager Approval:



# REQUEST FOR COUNCIL ACTION

Agenda Section: <b>Consent Agenda</b>	Originating Department:	Date:
No: <b>8</b>	<b>City Clerk</b>	<b>03/01/21</b>
<b>Item: Consent Agenda</b>		
No. <b>8.</b>		

## SUMMARY OF REQUESTED ACTION:

**City Clerk: Item No. 8.1: Approval of Minutes – February 16, 2021**

Minutes of the February 16, 2021 City Council meeting have been distributed. If the minutes are satisfactory, a motion to approve same would be in order.

**City Clerk: Item No. 8.2: Ordinance to Vacate the Alley on Block 2 of Plumer's Addition**

An ordinance to vacate the alley on Block 2 of Plumer's Addition was introduced at the February 16, 2021 Council meeting. The purpose and effect of the proposed ordinance has been published by law. Accordingly, the ordinance may now be considered for final adoption.

**Department Approval:**



**City Manager Approval:**

