

**City Council Meeting  
February 1, 2021  
6:30 PM – City Hall  
Meeting Held Electronically Via Zoom**

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

**Present:** Mayor Scott Sherman, Council Members Steve Young, Eileen Moeller, Michelle Alexander, Pamela Eyden, George Borzyskowski and Aaron Repinski.

**Mayor's Comments:**

Mayor Scott Sherman announced the retirement of City Accountant Allyn Burgmeier, who will be retiring on Friday after working for the City for 40 years. The Mayor commended Allyn and wished him well in retirement.

Mayor Sherman noted the passing of his neighbor Barb Schultz, and offered his condolences to her family.

**City Manager's Comments:**

City Manager Stephen T. Sarvi announced that City Hall has re-opened to the public effective today, and encouraged the public to use phones and emails to contact staff as much as possible.

Mayor Sherman then made the following announcement:

At this time I would like to remember and recognize the death of Myron White, a City employee who passed away on January 26th. Myron began working for the City of Winona on February 4th, 2013 as the Development Coordinator. During his short eight year tenure Myron provided excellent work and was instrumental in getting many development projects off the ground. He was actively involved in creating The Garage Co-Work space, the first in Winona. He even brought his tool belt on Saturdays to help build out the space.

Myron was involved in many Winona developments including the building and activity we see occurring in our downtown. He was instrumental in Opportunity Winona, 60 Main, Main Square, Fastenal, Bluff Country Coop, WinCraft, Solvay, BCS Automotive, 102 Walnut, Gypsoil and many more.

Myron implemented projects in the Port Authority Commercial Harbor including improving staging areas, storm water improvements and dock improvements. All of this made Winona's water transportation viable and reduced wear and tear on our roads.

All of those accomplishments are great, the way in which Myron worked was even greater. He was kind, respectful, knowledgeable and just an all-around good person. He will be missed.

The City will be honoring Myron tonight by keeping the lights of City Hall on overnight. I would now ask for a moment of silence to honor Myron.

**3.1 Appointment to the Heritage Preservation Commission**

In a letter to council, Mayor Sherman indicated that he was appointing Jessica Richards Paolini to serve on the Heritage Preservation Commission. The term would be effective February 2, 2021 and expire on July 17, 2021.

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

**3.2 Sign and Banner Requests**

The City Clerk received the following requests for signs and banners to be posted in January and February. Each of these applicants has paid the City fee of \$25 for a park sign.

From:	To:	Event	Lake Park	Central Park
02/01/21	02/16/21	Frozen River Film Fest		X
02/16/21	03/08/21	Master Gardeners Day		X

Alexander moved to approve the schedule. Repinski seconded the motion, and it carried with all voting aye, except Moeller, who abstained.

### **3.3 Application for On-Sale Intoxicating Liquor Licenses for Sloppy Joe's Tavern**

The City Clerk received an application for an On-Sale Intoxicating Liquor License and a Sunday On-sale Liquor License from Angela Loshek Fossan for Sloppy Joe's Tavern, located at 526 East Third Street. Ms. Fossan has inherited the property from her father Charles Loshek, who passed away in December. The effective dates of the licenses would be February 2, 2021 through June 30, 2021.

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

### **3.4 Application for On-Sale Intoxicating Liquor Licenses for Kish & Brink Properties, LLC dba Cornerstone Bar**

The City Clerk received an application from Erica Kish and Chad Brink, owners of Kish & Brink Properties, LLC, doing business as Cornerstone Bar, 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. The effective dates of the licenses would be February 2, 2021 through June 30, 2021.

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

### **3.5 Massage Therapy License**

The City Clerk received an application from Amanda Solberg McDougal for a Massage Therapist License. Her primary business location is 1600 Gilmore Avenue, Ste. 100. All of the paperwork is in order, and the license would be effective February 2, 2021 through December 31, 2021.

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

### **3.6 Request Vacation of the Alley on Block 2 of Plumer's Addition**

City Engineer Ryan Meiners received a request from St. Martin's Lutheran Church requesting that the alley on Block 2 of Plumer's Addition be vacated. No easement would be maintained as there are no utilities in the area.

Before the street right of way can be vacated, Section 25.26(c) of the City Code requires that administration do an investigation and this report will be provided prior to the public hearing on February 16, 2021.

Section 25.26 of the City Code requires that a public hearing be held to give affected property owners a chance to be heard.

Alexander moved to set the public hearing for Tuesday, February 16. Moeller seconded the motion, and it carried with all voting aye.

### **4.1 Broadway 4 to 3 Lane Conversion Project – Request for Direction**

Director of Public Works Brian DeFrang reported that due to the fact that a decision wasn't made at the January 19<sup>th</sup> Council meeting regarding this issue, staff again requests guidance before spending the final \$93,000 for design and other work so that project can be put to bid this winter.

Council may direct staff to:

1. Proceed with finishing final plans
2. Modify the design
3. Cease working on the project.
4. Other action.

Currently the plans for this project are 90% completed and approximately \$300,000 has been spent to date on engineering fees. An additional \$93,000 will be spent completing the plans and specifications for the project and preparing for bidding it out. These engineering fees are completely reimbursable if the project is constructed, but the City would have to pay any engineering fees spent already out of City finances if the project is not constructed. The City must have all items submitted to MnDOT for review by the end of February. This project is on track to be bid in the spring and constructed in the summer of this year.

The pre-council presentation covered the aspects of the project and the conditions on the Federal Grants that were received. If Council directs staff to abandon this project we will inform the granting authorities that we are declining and returning the \$1 million AID grant and the \$900,000 TAP grant. The City would save all or part of the remaining \$93,000 that is anticipated to be spent getting the project ready for bid. The nearly \$50,000 already spent on surveying the corridor can be used for future sidewalk, pedestrian ramp and other projects in along Broadway.

City staff requests that the council direct staff to either continue with the project, modify the project, or cease all work on the project. If no clear direction is given, staff will proceed to complete the engineering design work so the project can be put out for bid this winter.

Alexander moved to cease work on the project. Young seconded the motion.

Eyden noted that much has already been said about this project, and she felt this was a well-researched plan, and it won't strangle traffic to downtown.

Moeller noted that the City would be getting the curbs on Broadway up to ADA standards with this project, and while that could be done over a number of years with other funding sources, it delays better access for those with mobility issues. She also noted the letter received by Council today including signatures of several hundred residents who support the project.

Repinski thanked all of the Winona citizens who gave their input to the Council.

The motion carried with Young, Alexander, Borzyskowski, and Repinski voting aye, and Mayor Sherman, Moeller, and Eyden voting no.

### **5.1 Sustainability and Resilience Plan Technical Consultant Selection**

Natural Resources Sustainability Coordinator John Howard reported that the City has received five proposals to the Sustainability Plan Technical Consultant RFP. The proposals were evaluated independently by city staff and a steering committee of community members. The proposals were scored based on four categories scored out of 100 points: technical expertise (30 points), experience (25 points), timeline alignment (25 points), and budget (20 points). Two proposals from Minnesota based firms emerged as the top choices with very similar rankings: LHB/Great Plains Institute (93.25 points) and the Center for Energy and Environment (CEE) (94 points). Price differences between the two consultants was small (\$494) given a not to exceed figure of \$51,000 was stated in the RFP. In order to decide on a recommendation, staff and the steering committee interviewed both firms and contacted their references, which were all positive.

Following the interviews, it was a near unanimous decision that CEE would be the best fit for Winona's needs due to their extensive technical expertise, willingness to address unique equity issues, and a history of their previous work leading to concrete results.

The parallels of CEE's work on Rochester's Sustainability Plan factored in as a clear benefit to the City of Winona. The last noteworthy factor is CEE that worked with Winona for our Xcel Partners in Energy program and planning.

Funding for this plan comes from the Natural Resources/Storm Sewer operating budget including \$34,500 dollars encumbered from the 2020 budget. A state grant of \$ 7,725 as well as the time and effort of our GreenCorps member will aid in the plan's development. Our GreenCorps member's term ends in mid-August 2021, which necessitates action this winter and spring to maximize her effectiveness. Outreach and engagement of the plan development will be led by Engage Winona. Precise budget details are being worked out on the outreach and engagement budget, but is likely to be around seven thousand dollars.

Borzyskowski moved to approve the proposal from CEE and to direct staff to prepare a standard City contract. Moeller seconded the motion, and it carried with all voting aye.

## **5.2 One Watershed One Plan Memorandum of Agreement**

Mr. DeFrang reported that the ten parties to the Mississippi River – Winona and Mississippi River – La Crescent watershed One Watershed One Plan have reviewed a memorandum of agreement (MOA) to collaboratively develop a comprehensive watershed wide water plan. The included MOA utilizes standard language and policies from other one watershed one plan agreements, and was revised in various places based on edits from the City Attorney. Specific operational aspects of the planning project will be determined in the bylaws established by the policy committee.

All funding for the plan is provided by state agencies so the only resources the City is committing are the time and incidental costs of staff and our representative to attend meetings. Another consideration worth clarifying is that this MOA pertains to the collaborative planning process and does not create a joint powers organization or commit the City to implementation measures.

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

## **5.3 Library Children's Department Water Intrusion Repair Bid Authorization**

Library Director Lezlea Dahlke reported the Winona Public Library is in the final phase of the water intrusion project, which involves interior repair of moisture damage in the Children's department. This project was approved to be included in the 2021 budget.

The project will enhance the library by protecting the collection from moisture damage while providing a safer space for families to browse. 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.

The estimate for this project is \$105,000 and will be funded by the allocated 2021 budget from Capital Projects. The current schedule for the project is to advertise for bids on February 03, 2021 with the bid opening on February 25, 2021.

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

### **Resolution 2021 – 11**

**WHEREAS**, the City of Winona Public Library is in need of repairing water damage in the Children's Department; and

**WHEREAS**, the City Council approved funding for this project with the allocated 2021 budget; and

**WHEREAS**, the project scope has been prepared by the City of Winona Public Library and OWA Architects for the wall repair and replacement of affected shelving.

**NOW, THEREFORE, BE IT RESOLVED** that requests for bids be advertised as required by state law in order to receive competitive sealed bids for construction.

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

#### **5.4 City Hall Fire Alarm Control Panel Replacement**

Assistant City Manager Chad Ubl reported that the City Hall fire alarm panel was negatively affected by a lightning strike four years ago. At the time, the panel was repaired and was in functioning order. The fire alarm system is inspected regularly and at our most recent inspection it was noted that the panel was no longer allowing updates and changes to be made. The fire alarm system is fully functional if a fire should occur at City Hall and it still will send the proper notices to the fire department. However, considering the lightning strike coupled with the inability to make updates to the panel, staff has agreed to replace the entire panel with our alarm vendor. The proposal is attached for your review.

This expense was unexpected; we are requesting that an up to amount of \$7,800 be transferred from the Facility Fund to the Building Maintenance budget to cover this expense.

Alexander moved to transfer up to \$7,800 from the Facility Fund to the Building Maintenance budget for this project. Repinski seconded the motion, and it carried with all voting aye.

#### **5.5 Law Enforcement Labor Services Local 75 - 2021 and 2022 Agreement Winona Police Department Officers**

Mr. Sarvi recommended to the City Council a new labor agreement with the LELS Local 261, Winona Police Department Sergeants, for 2021 and 2022. The agreement approved by LELS Local 261 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;
- \$25 increase in clothing allowance in 2022;
- \$0.05 per hour increase in night shift differential pay from \$0.85 to \$0.90 per hour in 2022;
- Receive \$5,000 increase to life insurance to \$20,000;
- Clarification of eligibility for sick and funeral leave;
- Memorandum of Understanding clarifying the step increases in the BPS; and
- Memorandum of understanding to implement new vacation accrual schedule

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

#### **Resolution 2021 – 12**

**WHEREAS**, Law Enforcement Labor Services Local 75 (Officers) is the exclusive representative for certain City of Winona employees;

**WHEREAS**, City of Winona management representatives and Law Enforcement Labor Services Local 75 (Officers) 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 a Memorandum of Agreement ("MOA") and Memorandum 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 MOA 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 MOA and MOUs between the Law Enforcement Labor Services Local 75 (Officers).

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

### **7.1 Council Concerns**

Borzyskowski commended the Fire Department on their annual report. He acknowledged the loss of Myron White, and noted that he was good at his job and had a part in the new developments in the city. He offered his condolences to his family.

Alexander echoed Borzyskowski's comments about Myron, and she noted that he always had a way to make people smile. She offered her condolences to his family. She asked staff to look into improvements that could be made for pedestrian safety and lighting throughout the city.

Eyden agreed with Alexander's comments about pedestrian safety. She also noted complaints about cars speeding down Lake Park Drive from Huff Street to Franklin, and asked staff to look at ways to reduce speeding there.

Moeller announced that the Frozen River Film Fest would be entirely online this year, and would be held February 10 – 14.

Young agreed with Eyden's concern about Lake Park Drive.

Repinski asked staff to look at additional speed notification signs on Broadway.

Mayor Sherman commended the Council on working through the difficult discussions on the Broadway project, and assured the public that they will continue to work on safety improvements.

### **8.1 Consent Agenda**

The City Clerk presented the Consent Business Agenda as follows:

Item No. 8.1: Approval of Minutes – January 19, 2021.

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

The time being 7:00 p.m. and there being no further business to come before the Council this evening, Alexander moved to adjourn. Borzyskowski seconded the motion, and it carried with all voting aye.

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Monica Hennessy Mohan  
City Clerk

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Scott D. Sherman  
Mayor