

Pursuant to due call and notice thereof, a City Council Meeting was duly held in the City Council Chambers at 9:04 a.m. on the 13th day of May 2011. The following members were present: Mayor Diane Barrett; Council Members Fred Barsness, Richard Nielsen, Bryan Haugen, and Brian Paulson. Also present: City Administrator Chris Heineman, Engineer Joe Palen, City Attorney Scott Riggs, and Administrative Assistant Pam Blow.

CITIZEN COMMENTS

None

AGENDA

Additions: / XI / New Business / E / Add 1999 P350 Ford Ambulance to Declare as Excess Property / I / Park and Recreation Committee Appointment. Motion by Haugen, seconded by Nielsen to approve the agenda as amended. Motion carried 5-0-0.

CONSENT AGENDA

Motion by Barsness, seconded by Nielsen to approve the Consent Agenda, which includes payment of check numbers 54815 through 54915; 1506E through 1522E; and additional checks 54937 through 54949. Motion carried 5-0-0.

ENGINEERING

Update on TH 56/60 Reconstruction Project

There was an open house for the project on May 2, 2011. The items discussed were sidewalk locations, access to properties during the project, feedback from participants and modifications that are in progress. Palen distributed a handout that shows the locations of soil borings in the construction area that contained an odor of petroleum and trace debris (garbage). Palen noted that when open-trench excavation occurs in the specified areas, the contaminated soils must be disposed of at certain landfills. Palen's conservative estimate for disposal is \$115,000, and this cost would be borne by the City. There are alternatives to open-trench installation for sewer and water, and Palen noted that the Department of Health would approve a joint trench installation. Peer Engineering will be on site during excavation to evaluate soils. Barsness noted that materials cost more for common trench installation because of the separation required between the sewer and water pipes and the grade of materials that need to be installed. Haugen asked about the amount of petroleum in the borings, and Palen noted that levels are not high. Palen recommended applying for petro-fund reimbursement, along with the MPCA funding. Palen will have further information for the next meeting regarding the petro-fund application and costs. Palen noted that 100% plans for this project have been submitted to MN DoT. The acquisition of easements on the north side of 2nd Street, and determining assessments will be necessary prior to the start of this project.

LEGAL

CMMPA Transmission Owner Services and Asset Assignment Agreement

Riggs noted that the agreement has not changed in the past two months; however, the final percentage approved by Xcel Energy was determined last Thursday. CMMPA voted to approve the 3.6% amount. The exact amount of participation for the City of Kenyon is unknown. The attachments for this agreement need to be corrected with the participation amounts. Heineman noted that Resolution 2011-11 could be added to the agenda for a special council meeting next week if CMMPA provides the required information. Motion by Nielsen, seconded by Haugen direct Heineman to request the updated figures and budget amounts from CMMPA and to table this matter until the appendices are updated. Motion carried 5-0-0

Liquor License Renewals: Kenyon Country Club and VFW Club

Motion by Barsness, seconded by Paulson to approve both liquor license renewals. Motion carried 5-0-0.

OLD BUSINESS

Old Kenyon High School Building: Asbestos & Hazardous Waste Assessment; Update from Public Input Meeting

Heineman noted that the estimate for abatement of asbestos and hazardous waste in the old High School is \$235,000 - \$300,000. If the City undertakes the cost of abatement, there could be significant levy increases to fund the project. A one-time levy increase for a home valued at \$100,000 would be \$274, and for a home valued at \$250,000 that cost would be \$683 additional. Barrett noted that she was disappointed at the low turnout for the public input meeting. Heineman noted that if the City doesn't take on this project, the property would go up for auction and likely remain in the current condition for quite some time. It is possible that it could be designated as a "hazardous building status" according to MN Statutes, sections 463.15 to 463.261; however, any further actions would likely be at the cost of the City.

NEW BUSINESS

Memorial Day Parade Permit

Motion by Paulson, seconded by Nielsen to approve the parade permit. Motion carried 5-0-0.

KABA Beautification Project

Don Ryland and Darren Peters, representing the Kenyon Area Business Association (KABA) addressed the council regarding the placement of large pots around the City. These pots would be sold at a cost of \$60 to \$75, and would be used seasonally to display roses and other plants for any business wishing to participate. Heineman noted that a sidewalk obstruction license would be required for placement in the city sidewalks. Motion by Nielsen, seconded by Paulson to waive the \$10 sidewalk obstruction license fee for anyone wishing to purchase the pots from KABA. The application and proof of insurance would still be required. Motion carried 5-0-0. It was noted that the City of Kenyon is hosting the KABA meeting at the Gunderson House next Tuesday at 7 p.m.

Veterans Park Proposal

During the preparations for the Highway 56/60 project, it was discovered that the entire Veterans' Park site is owned by the State of MN. Because of this ownership, the flag installation requested by the Kenyon Color Guard will have to be postponed. Motion by Nielsen, seconded by Barsness to direct staff to formally request that this site be acquired from the State. Motion carried 5-0-0.

Resolution 2011-10: A Resolution Approving County Project within Municipal Corporate Limits

Heineman was directed to obtain the details of this construction project. Motion by Paulson, seconded by Haugen to table this item to Wednesday, May 18, 2011. Motion carried 5-0-0.

Declare 1980 Ford Dump Truck and 1999 P350 Ford Ambulance as Excess Property

Proceeds from the sale of the 1980 dump truck would be used to purchase a bobcat or put in the capital fund for the street department. Money from the sale of the ambulance would be put in to the First Responder fund for the Fire Department to re-letter the current ambulance. The ambulance fund will be dissolved. Motion by Barsness, seconded by Nielsen to declare the vehicles as excess property, with the proceeds of the sale being distributed as noted above. Motion carried 5-0-0.

Approve Hiring of Lifeguards & Pool Manager

Motion by Paulson, seconded by Nielsen to approve the hiring of the lifeguards and pool manager. Motion carried 5-0-0.

Approve Hiring of Police Officer Mark Mandelkow

Motion by Haugen, seconded by Nielsen to approve the hiring of Officer Mandelkow. Motion carried 5-0-0.

Luis Tellez (Taco Express) Lot Use Agreement

Motion by Paulson, seconded by Nielsen to approve the lot use agreement for Luis Tellez, except during Rose Fest weekend. This stipulation will be put in the agreement. Motion carried 5-0-0.

Park and Recreation Committee Appointment

Motion by Barsness, seconded by Haugen to approve the appointment of Donald Kirchmann to the Park and Recreation Committee to fill one of their vacancies. Motion carried 5-0-0.

OTHER BUSINESS**Schedule of Upcoming Meetings**

Special City Council Meeting: Wed., May 18th @ 4:45 p.m.

City / KMU Joint Meeting: Wed., May 18th @ 5:30 p.m.

Change in Date and Time for City Council Meetings

Motion by Haugen, seconded by Nielsen to hold the regular City Council meetings on the second Tuesday of each month at 7:00 p.m. Motion carried 5-0-0

COMMENTS

Heineman noted that there were eighty applicants for the police officer position, with fifteen interviewed candidates. There will be four to five candidates called back for a second interview on May 17th, so recommendations for hiring can be done on May 18th.

Motion by Barsness, seconded by Nielsen to adjourn at 10:25 a.m. Motion carried 5-0-0.