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Mile 725 Upper Mississippi

AGENDA

DATE: February 10, 2022
TIME: 4:00 P.M.
PLACE: City Council Chambers and Via Zoom

To Join Zoom Meeting:

<https://us02web.zoom.us/j/82851415951?pwd=VGZpLy9MaWI3U2lJUUNpbTF4QmRTQT09>

Meeting ID: 828 5141 5951
Passcode: 55987

Or Dial by your location:

+1 312 626 6799 US (Chicago)
Meeting ID: 828 5141 5951
Passcode: 55987

1. **CALL TO ORDER - APPROVAL OF MINUTES**

Approval of the minutes from the January 13, 2022 meeting.

2. **REMARKS BY PRESIDENT**

3. **OLD BUSINESS**

A. Certificate of Compliance and Completion—169 N. Baker Street

The Port Authority worked with Winona County and Habitat for Humanity Winona County to facilitate the sale of tax forfeited property at 169 North Baker Street. The construction of the home is now complete and Habitat is looking for a Certificate of Compliance and Completion. Staff recommends a motion to authorize the President and Interim Executive Secretary to execute the Certificate of Compliance/Completion.

B. Update on Lease Agreement for 165 W. Second Street

Staff will provide an update on the status of the proposed terms of the Lease Agreement with Winona County for 165 W. Second Street.

4. NEW BUSINESS

A. Paul Bruhn Historic Revitalization Grants Program

City staff anticipates applying for funds through the Paul Bruhn Historic Revitalization Program to financially assist business/property owners in the downtown area rehabilitate their historic properties to foster economic development. The program will provide up to twelve (12) communities grants ranging between \$750,000 to \$200,000. If Commissioners concur, a motion to authorize the President and Interim Executive Secretary to execute the Letter of Support would be appropriate.

B. Appointment of Nominating Committee

President Cichanowski will appoint a Nominating Committee who will develop a slate of officers for review and consideration at the next meeting.

5. FINANCIAL REPORTS

Staff will review the Port Revolving Loan Fund and COVID-19 Emergency Loan Fund reports.

6. ADJOURNMENT

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 1. Approval of Minutes

DATE: February 10, 2022

ATTACHMENT: Minutes

Following are the minutes from the January 13, 2022 meeting for Commissioners review and approval.

PORT AUTHORITY OF WINONA MINUTES

DATE: January 13, 2022

PRESENT: President Cichanowski, Commissioners: Johnson, Gorman, Borzyskowski, Hansen, Lucas and Interim Executive Secretary Chad Ubl

ABSENT: Commissioner Alexander

STAFF PRESENT: Director of Community Development Lucy McMartin, Development Coordinator Nick Larson, & Finance Director Jessica Wojahn

1. CALL TO ORDER – APPROVAL OF MINUTES

The meeting was called to order at 4:00 PM by President Cichanowski. A motion was made by Commissioner Lucas and seconded by Commissioner Borzyskowski to approve the December 9, 2021 minutes. The motion carried with all Commissioners present voting aye.

2. REMARKS BY PRESIDENT

None.

3. OLD BUSINESS

A. Lease for Dock Facilities in the Commercial Harbor—CD Terminal

Development Coordinator Nick Larson introduced the updated lease proposals for CD Terminal to operate the commercial dock facilities at 890 and 998 Riverview Drive.

Mr. Larson noted the "Assignment or Subletting" section of each lease. Mr. Larson referenced paragraph "a" and the first sentence of paragraph "b" of the "Assignment or Subletting" section within the agenda. Mr. Larson continued that paragraph "a" and the first sentence of paragraph "b stipulates that if the lessee, CD Terminal LLC, wished to make changes to the lease, sublet the premises, or if ownership of CD Terminal LLC and its' voting shares would change in the future, it would need the written consent of both the Port Authority and MMB.

Mr. Larson stated Enstructure, the parent company of lessee, CD Terminal LLC, requested that due to their rapid growth and gaining rights to operate additional facilities-the composition of their board and voting shares changes frequently and because so, have requested the requirement to receive written consent from the Port and MMB, be removed.

Mr. Larson informed the Commissioners that the Port attorney and MMB reviewed the language and agreed that Enstructure would not have to receive written consent if their ownership, board composition, or voting shares changed. Mr. Larson continued that if the ownership or voting shares of CD

Terminal LLC changed, written consent would be required by the Port Authority and MMB.

A motion was made by Commissioner Lucas, and seconded by Commissioner Borzyskowski, to authorize the President and Interim Executive Secretary to execute both Lease Agreements. All Commissioners present voted aye.

B. Lease—165 West Second Street

Director of Community Development Lucy McMartin noted per the direction provided by the Commissioners at the November 18, 2021 Port Authority meeting, staff negotiated a lease with Winona County for the use of the building and parking lot at 165 W. Second Street for County services and their employees, with the exception of the far west row of parking along Washington Street, to be reserved for the use of the City of Winona and its' employees.

Ms. McMartin stated the lease would be for two-years, with six (6), one (1) month extensions, along with Winona County being responsible for all costs associated with the building, such as, property taxes, maintenance, snow removal, and repairs.

Ms. McMartin noted the lease would be for \$1,500 per month and Winona County staff is to present the lease for the Winona County Commissioners' consideration at the January 25, 2022 Winona County Board meeting.

Commissioner Hansen asked how traffic would be managed in the parking lot. Ms. McMartin noted signage could be used, as well as, the City could provide permits for city employees and the county could do the same.

Commissioner Borzyskowski asked if the property was going to be inspected once the lease expires to make sure the building is in good shape and the parking lot is not full of potholes. Ms. Martin noted the lease contains language that the property is to be in good order, repair, and condition when the lease expires and staff will inspect the property prior to the expiration of the lease.

A motion was made by Commissioner Hansen and seconded by Commissioner Borzyskowski, to authorize the President and Interim Executive Secretary to execute the Lease Agreement. All Commissioners present voted aye.

4. NEW BUSINESS

A. CD Terminal LLC Storage Facility Plan Review at 890 Riverview Drive

Mr. Larson noted the Port Authority entered into a lease agreement with CD Corp., now CD Terminal LLC to operate the dock facilities at 890 Riverview Drive in 2012.

Mr. Larson noted the lease agreement states that CD Terminal LLC is required to submit plans for improvements and auxiliary structures on the premise and the Port Authority is to review the plans, and if approved, provide written consent for CD Terminal LLC to proceed.

Mr. Larson informed the Commissioners that CD Terminal LLC submitted plans to Port staff on December 9, 2021, to disassemble an existing 50' x 100' material storage building and to construct a larger 100' x 150' material storage building valued at \$375,000 at 890 Riverview Drive.

Mr. Larson noted the aerial maps attached to the agenda item showing the location of the current, smaller storage facility in reference to the proposed larger storage facility, along with the building plans for the Commissioners' review.

Mr. Larson continued that Port staff and the City of Winona's Inspection, Public Works, Planning, and Fire Departments have reviewed and approved the building plans provided by CD Terminal LLC.

Commissioner Borzyskowski asked what type of materials are going to be stored in the facility.

President of CD Terminal LLC, Dan Nisbit noted the facility will be used for over-flow materials, such as, fertilizer, gypsum, and other commodities. Mr. Nisbit continued that the new facility would be used as the current facility is and noted CD Terminal LLC has simply out-grown the capacity of the current facility.

Commissioner Lucas asked if there would be partitions separating the different materials stored in the facility. Mr. Nisbit noted "T" panels will be used to section off the different materials and noted construction would begin right away if consent/permission is provided to CD Terminal LLC by the Commissioners.

A motion was made by Commissioner Lucas, and seconded by Commissioner Borzyskowski, to authorize the President and Interim Executive Secretary to execute the Letter of Consent. All Commissioners present voted aye.

B. MnDOT Trunk Highway 43/Mankato Ave. Easement for Parcel 208

Ms. McMartin noted MnDOT requested a temporary easement for the remnant piece of land owned by the Port Authority, known as Parcel 208, which is a small piece of land by the WNB Financial branch on the corner of Mankato Avenue and Riverbend Drive.

Ms. McMartin stated MnDOT needs the temporary easement for the Highway 43/Mankato Avenue Project and will expire in December of 2024 or sooner, if the project is completed before December 2024. Ms. McMartin added the City had also received an easement request from MnDOT for the project.

President Cichanowski asked if the Port could sell the land to MnDOT. Ms. McMartin noted it would likely remain a temporary easement since it's only needed during construction, but can check into this.

Informational item/no vote required

5. FINANCIAL REPORT

Finance Director Jessica Wojahn stated the Finance Department is working on closing out 2021. Ms. Wojahn noted a wire transfer related to the dock project has been received from the State and the Finance Department will make adjustments and prepare the final year-end financial report once all 2021 invoices have been received and processed.

Ms. Wojahn referenced the Winona County Sales Tax Report. General discussion occurred regarding the Sales Tax Report and it was noted that the City of Winona accounts for 85% of the sales tax collected by the County and the County's sales tax does not have a sunset date.

6. ADJOURNMENT

A motion was made by Commissioner Hansen and seconded by Commissioner Lucas to adjourn the meeting. All Commissioners present voted aye. The meeting was adjourned at 4:22 pm.

Nick Larson
Development Coordinator

Mike Cichanowski
President

**PORT AUTHORITY OF WINONA
ROLL CALL AND VOTE SHEET
JANUARY 13, 2022**

Name	Approval of Minutes December 9	CD Terminal LLC Lease Update	165 West Second Street Lease	CD Terminal LLC Facility Plan 890 Riverview Drive	MnDOT Truck Highway 43/Mankato Ave Easement	Financial Report	Adjournment
Cichanowski	Aye	Aye	Aye	Aye	No Vote	No Vote	Aye
Johnson	Aye	Aye	Aye	Aye	No Vote	No Vote	Aye
Gorman	Aye	Aye	Aye	Aye	No Vote	No Vote	Aye
Borzyskowski	2 nd & Aye	1 st & Aye	2 nd & Aye	2 nd & Aye	No Vote	No Vote	Aye
Alexander	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Hansen	Aye	Aye	1 st & Aye	Aye	No Vote	No Vote	1 st & Aye
Lucas	1 st & Aye	2 nd & Aye	Aye	1 st & Aye	No Vote	No Vote	2 nd & Aye

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 3. A. Certificate of Compliance & Completion—169 N. Baker Street

DATE: February 10, 2022

Background

The Port Authority worked with Winona County and Habitat for Humanity Winona County to facilitate the sale of tax forfeited property at 169 North Baker Street. The property was sold May 29, 2020 via Quit Claim Deed. The house was to be completed by December 31, 2021. The Port Authority granted an extension via resolution at the April 15, 2021 meeting. The completion date was extended to June 30, 2022. The virtual ground breaking was August 28, 2021.

Current Status

The home at 169 North Baker is a two level, four-bedroom, and two bath home. Each floor is 1,500 sq. ft. and is to be occupied by the Skappel Family and the Certificate of Occupancy was issued on January 18, 2022.

REQUESTED ACTION

When the Port Authority sells property, the Quit Claim Deed has restrictions, covenants, and conditions. A Certificate of Compliance and Completion is provided upon request, when the project is complete, and conditions have been met.

Attached for the Commissioner's review is the Certificate of Compliance/Completion for the following property:

Lot Three (3), Block Three (3) of Randall's Addition to Winona, located upon and forming a part of the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) of Section Twenty-one (21), Township One Hundred Seven (107), North of Range Seven (7), West of Fifth Principal Meridian.

If Commissioners concur, a motion to authorize the President and Interim Executive Secretary to execute the Certificate of Compliance/Completion would be appropriate.

CERTIFICATE OF COMPLIANCE/COMPLETION

WHEREAS, the Port Authority of Winona, Minnesota a body politic and corporate under the laws of the State of Minnesota (the "Grantor"), by Quit Claim Deed, dated May 29, 2020, and recorded in the Office of the County Recorder in and for the County of Winona, State of Minnesota, as Document No. 625496, on June 25, 2020 (the "Deed"), conveyed real property to Habitat for Humanity Winona-Fillmore Counties, a nonprofit corporation under the laws of the State of Minnesota (the "Grantee"), a portion of which is legally described as follows:

Lot Three (3), Block Three (3) of Randall's Addition to Winona, located upon and forming a part of the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) of Section Twenty-one (21), Township One Hundred Seven (107); North of Range Seven (7), West of Fifth Principal Meridian.

Subject to easements and restrictions of record.

; and

WHEREAS, said Deed contained certain restrictions, covenants and conditions set forth in paragraphs 1 through 7 of said Deed; and

WHEREAS, said Grantee has performed and satisfied the above-referenced restrictions, covenants and conditions in said Deed insofar as it is able in a manner deemed sufficient by the Grantor to permit the execution and recording of this certification.

NOW, THEREFORE, this is to certify that the restrictions, covenants and conditions set forth in paragraphs 1 through 7 of said Deed are hereby terminated and released absolutely and forever insofar as they apply to the real property legally described herein, and the County Recorder in and for the County of Winona, State of Minnesota, is hereby authorized to accept for recording and to record the filing of this instrument, to be the conclusive determination of the satisfactory termination and release of the said restrictions, covenants and conditions set forth in paragraphs 1 through 7 of said Deed, and that said Deed shall otherwise remain in full force and effect.

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 3. B. Update on Lease Agreement for 165 W. Second Street

DATE: February 10, 2022

Background

At the November 19, 2021 meeting, the Commissioners directed staff to negotiate a Lease Agreement with Winona County for the use of 165 W. Second Street. At the December 9, 2021 meeting, the Commissioners approved the terms of the Lease Agreement.

Current Status

Since that time, Port staff and the Port attorney has worked with Winona County, as Winona County requested modifications to the Lease Agreement. Staff will provide an update of the status of the lease terms with Winona County for the use of 165 W. Second Street to the Commissioners.

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 4. A. Paul Bruhn Historic Revitalization Grants Program

DATE: February 10, 2022

ATTACHMENT: Letter of Support

The City of Winona is applying for funds from the National Parks Service's Paul Bruhn Revitalization Grant Program to support reinvestment and rehabilitation of historic properties in the Downtown Historic Districts and foster economic development by preserving the integrity of downtown buildings.

Eligible properties must be listed in the National Register of Historic Places, contributing properties in historic districts, or determined eligible for listing at the National, State, or have local historical significance.

The objective of the program is to allow Winona's continued work in preserving the legacy created by those who came before us for present and future generations by providing up to 75% of rehabilitation costs and the business and/or property owner will cover the remaining 25% of the project costs.

The grant request is \$750,000; and if awarded, it is anticipated the program will financially assist the completion of eight (8) to twelve (12) projects in the two (2) Downtown Historic Districts. Seventy-nine (79) properties would be eligible to use the funds. The application deadline is February 22, 2022 and awards will be announced in August.

Attached for the Commissioners' consideration is the Letter of Support for the Paul Bruhn Revitalization Grant Program application. The Winona City Council took the Letter of Support under consideration at their February 7th meeting and the Historic Preservation Commission at their February 9th meeting.

If Commissioners concur, a motion to authorize the President and Interim Executive Secretary to execute the Letter of Support would be appropriate.



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Mile 725 Upper Mississippi

February 10, 2022

Megan Brown—Chief of State, Tribal, Local, Plans & Grants Division
National Park Service
1849 C Street, NW Mail Stop 7360
Washington, DC 20240

Dear Megan Brown:

The Port Authority of Winona serves as the economic arm of the City of Winona and supports the City of Winona's application to secure funds to establish a Paul Bruhn Historic Revitalization Grant Program. The Port Authority has long supported efforts to incentivize the rehabilitation of historic properties and the grant program would strengthen the City of Winona's ability to preserve and restore buildings in our two Downtown Historic Districts.

Winona understands the importance of preserving our historic properties, but it is often difficult and cost prohibitive for small businesses/property owners to preserve the integrity of historic properties, but it is essential in sustaining the culture, character and stories of Winona, as well as, honoring the community leaders who helped shape Winona.

The Paul Bruhn Historic Revitalization Grant Program will propel business/property owners to reinvest into their properties and create an energized environment that will fully utilize downtown buildings and create the connections that will bring people to visit, live, work, and play downtown.

The Port Authority recognizes the significance of preserving our historic downtown properties in relation to economic development. The cost-effective investment provided through the Paul Bruhn Historic Revitalization Grant Program to restore historic properties will pay dividends to Winona for decades to come in the form of new jobs, housing, income and property taxes, tourist attraction, and new development.

Thank you for your stewardship in protecting our historical properties.

Sincerely,

Michael Cichanowski
President

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 4. B. Appointment of Nominating Committee

DATE: February 10, 2022

President Cichanowski will appoint a Nominating Committee who will develop a slate of officers for review and consideration at the next Port Authority meeting.