

City of Winsted
City Council Meeting
Council Chambers
Tuesday, January 15, 2013
6:00 p.m.

Present: Mayor Steve Stotko
Council Member Tom Ollig
Council Member Bonnie Quast
Council Member George Schulenberg

Staff Present: Brad Martens, City Administrator
Raquel Kirchoff, Administrative Assistant

1) Mayor Stotko called the meeting to order at 6:00 p.m.

a) The Pledge of Allegiance was taken.

2) Consent Agenda

Council Member Schulenberg motioned to adopt the Consent Agenda as presented. Council Member Quast seconded the motion. Motion carried 4-0.

a) Minutes – City Council – Work Session – December 4, 2012

Accepted the minutes of the City Council Work Session of December 4, 2012.

b) Minutes – City Council – Work Session – January 2, 2013

Accepted the minutes of the City Council Work Session January 2, 2013.

c) Minutes – City Council – Regular Meeting – January 2, 2013

Accepted the minutes of the City Council Regular Meeting of January 2, 2013.

d) Resolution R-13-01 – Appointing Raquel Kirchoff as Deputy City Clerk - Treasurer

Adopted Resolution R-13-01 appointing Raquel Kirchoff as Deputy City Clerk–Treasurer during any absence of the City Clerk-Treasurer for the City of Winsted.

e) Winsted Senior Dining – Site Use Agreement

Authorized the City of Winsted to enter into a Site Use Agreement in 2013 with Lutheran Social Services [LSS] of Minnesota for the use of the Vollmer Room for the Winsted Senior Dining program.

f) Holy Trinity – Winstock Country Music Festival – June 6th, 7th, and 8th, 2013

Approved a one (1) to four (4) day temporary On-Sale Liquor License for Holy Trinity’s Winstock Country Music Festival for June 6th, 7th, and 8th, 2013.

Approved the McLeod County Large Assembly Permit for Holy Trinity’s Winstock Country Music Festival for June 6th, 7th, and 8th, 2013. *

Approved an application to conduct off-site gambling (pull-tabs) at Holy Trinity’s Winstock Country Music Festival for June 6th, 7th and 8th, 2013.

g) December, 2012 Building Permit Report

Approved the December, 2012 Building Permit Report.

h) Claims

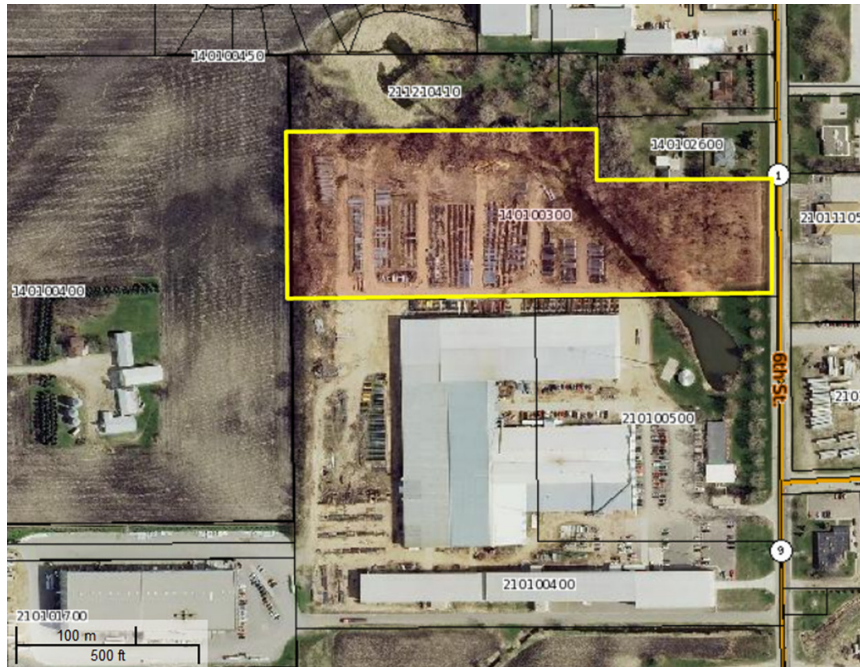
Approved the claims list for January 15, 2013.

3) Public Hearings

a) Public Hearing – Ordinance O-13-01 Permitting Annexation by Ordinance

Mr. Martens stated that at the November 20, 2012 City Council meeting, a site plan was approved for a building addition to the existing Millerbernd Manufacturing facility located at 622 – 6th Street South. As part of that approval, a condition was included requiring that a portion of Property I.D. 14.010.0300 be annexed into the City of Winsted city limits in order to accommodate the building addition and required minimum setbacks.

Mr. Martens displayed a photo of the property.



Mr. Martens stated that the City received a petition for annexation from the property owner at the December 4, 2012 meeting and scheduled a Public Hearing for January 15, 2013. Notification was submitted to Winsted Township and each property adjacent to the property proposed for annexation through certified mail. No comments were received in advance of this meeting.

Mr. Martens stated that adopting the proposed Ordinance will result in the following action:

- The property will be annexed into the City of Winsted.
- The City will levy taxes on the property for 2013 and beyond while reimbursing Winsted Township for one (1) year of property taxes in the amount property taxes were payable to Winsted Township in the last year the property taxes were payable to Winsted Township, or \$246.78.

Mr. Martens stated that the proposed Ordinance was drafted by the City Attorney and is recommended for approval.

Mayor Stotko asked if there were any comments on the proposed annexation. No comments were received.

Council Member Ollig motioned to close the Public Hearing. Council Member Quast seconded the motion. Motion carried 4-0.

Council Member Ollig motioned to adopt Ordinance O-13-01 annexing land located in Winsted Township, McLeod County, Minnesota pursuant to Minnesota Statutes § 414.033 subdivision 2(3), permitting annexation by Ordinance. Council Member Ollig seconded the motion. Motion carried 4-0.

4) No Old Business

5) New Business

a) City Council Appointment

Mr. Martens stated that on December 18, 2012, the City Council accepted the resignation of Dave Mochinski from the Winsted City Council. At that meeting, it was requested by the Mayor to receive letters of interest from individuals wishing to serve on the City Council. Mr. Martens stated that three (3) letters were received from Mike Thonvold, Max Fasching and Jeff Albers.

Mr. Martens stated that the City Council has full authority in appointing a City Council member to fulfill the remaining term, expiring December 31, 2014. He continued by stating that the Oath of Office of the new Council member would take place at the February 5, 2013 City Council meeting.

Council Member Ollig stated that the City is fortunate to have three (3) residents who are interested. He continued by stating that Mr. Albers was a former City Council member approximately twelve (12) years ago, Mr. Thonvold is a member of the Winsted Volunteer Fire Department and has run for City Council on two (2) occasions, and Mr. Fasching has been a member of the Planning Commission for five (5) years.

Council Member Ollig stated that his personal opinion is to have someone fill the City Council position that has knowledge of City business and has been involved with different aspects of the City. Of the three (3) candidates, his opinion is that Mr. Fasching is the candidate most involved in City Government. Council Member Ollig stated that he is the City Council liaison for the Planning Commission and has observed Mr. Fasching's input at these meetings and has been very impressed with him.

Council Member Quast agreed with Council Member Ollig.

Mr. Fasching, 404 Lake Drive, addressed the City Council stating that he has served on the Planning Commission and has wanted to progress to the City Council level. He stated that he and his family have lived in Winsted for their entire lives and he is ready to give something back to the community by serving as a City Council member. Mr. Fasching stated that he would be happy to serve as a City Council member.

Mayor Stotko stated that the City Council meetings are public meetings and that the two (2) other candidates could have attended the meeting and addressed the City Council.

Mayor Stotko stated that he did not disagree with Council Member Ollig and Council Member Quast on their recommendation to appoint Mr. Fasching. Mayor Stotko stated that he would also consider Mr. Thonvold because of his interest shown in the past to be a Council member, and because he conducted himself well at the Political Forum held before the General Election in 2012. Mayor Stotko stated that he would support any of the candidates that are appointed.

Council Member Schulenberg stated that he does not know any of the three (3) candidates well enough to comment on a recommendation for the appointment.

Council Member Ollig motioned to appoint Max Fasching to the City Council of the City of Winsted for a term expiring December 31, 2014. Council Member Quast seconded the motion. Motion carried 4-0.

Council Member Ollig requested that Mr. Martens extend to Mr. Thonvold the vacant position on the Planning Commission.

b) Resolution R-13-02 – Winsted Municipal Airport Commercial Operator Fees

Mr. Martens stated that while in the process for negotiating an agreement for a commercial operation at the Winsted Municipal Airport, it became apparent that a consistent procedure needed to be established in which the City could charge commercial operators for using the airport.

Mr. Martens stated that the proposed resolution has been reviewed by the Federal Aviation Administration (FAA) and found to be acceptable. Approving the resolution will set the fees for all commercial operators working out of the Winsted Municipal Airport.

Mr. Martens stated that this item was discussed by the City Council at the January 4, 2013 Work Session and staff has worked to develop a formula for charging fees based on the discussion at that Work Session. Fees collected will be directed to the operating budget for the Winsted Municipal Airport. The minimum fee for a commercial operator is \$200.

Mr. Martens stated that resolution details are as follow:

- Commercial Operator Fees at the Winsted Municipal Airport shall be equal to Administrative Costs plus a surcharge of ten percent (10%) for overhead costs which cannot be directly associated with the commercial operation or \$200, whichever is greater.
- Administrative Costs are direct costs incurred due to the operation of business for staff time, consultant time, and contractor time as outlined in this Resolution.
- Administrative Costs will be determined by the City Administrator as follows:
 - If an operation is already in existence at the Winsted Municipal Airport or other airport, Administrative Costs will be determined by the actual costs incurred in the most recent year or an average of actual costs incurred over the duration of the operation of the business, whichever is greater.
 - If an operation does not currently exist at the Winsted Municipal Airport or other airport, Administrative Costs will be determined by an agreed upon amount negotiated between the City of Winsted and the commercial operator based upon expected Administrative Costs to be incurred.
- Hourly rates for determining direct costs are as follow:
 - City of Winsted Staff: \$50/hour
 - City Attorney: Per City contract
 - City Engineer: Per City contract
 - Janitorial Services: Per City contract
- The payment of Commercial Operator Fees does not prohibit the City of Winsted from seeking additional costs for damage to airport property from the commercial operation.
- The payment of Commercial Operator Fees is not in lieu of other fees required by the City of Winsted as set in the Fee Schedule or City Code.

Council Member Quast motioned to adopt Resolution R-13-02 setting Winsted Municipal Airport Commercial Operator Fees. Council Member Schulenberg seconded the motion. Motion carried 4-0.

c) Commercial Operation Agreement – Joe Johnson, Westside Skydivers

Mr. Martens stated that over the past several months, staff has been negotiating with Joe Johnson of Westside Skydivers for the use of the Winsted Municipal Airport for the operation of a skydiving business. Staff and Mr. Johnson have agreed upon terms for the skydiving business to continue in its current location for 2013.

Mr. Martens stated that there is also a mutual understanding that a long term agreement and change of location is required beyond 2013 for the business to be allowed to operate out of the Airport in the future.

Mr. Martens stated that some of the more important items within the agreement are as follows:

- The term of the agreement is through December 31, 2013.
- Insurance coverage required has been increased to ensure any future property damage to public or private property would be covered.
- Hours of operation are set from sunrise to sunset.
- A fee of \$10,398.75 has been set for 2013 payable in three (3) installments.
- Use of the Arrival/Departure (A/D) building by customers is not allowed.
- Language is included for fines, suspension, and termination for violation of the agreement.

Mr. Martens stated that the proposed fees result in a \$5,898.75 increase from the previous year and are based upon actual costs incurred from 2012. All fees for the operation of the skydiving business will be allocated to the Airport Budget.

Mr. Martens stated that if the agreement is approved, staff recommends not signing the agreement until all items required by the agreement have been completed by Mr. Johnson (insurance documentation, first payment, etcetera.).

Joe Johnson, Westside Skydivers, addressed the City Council and stated that some of the insurance requirements within the agreement are unattainable and he is waiting for additional insurance quotes to meet the insurance requirements. Once the insurance is acquired, the agreement can be signed.

Mr. Martens stated that staff is working to help with the process and wants to protect the City as much as possible; however, does not want to make a business attain insurance that does not exist.

Council Member Ollig motioned to approve a Commercial Operation Agreement with Joe Johnson, Westside Skydivers, to operate a skydiving business at the Winsted Municipal Airport for the year 2013. Council Member Quast seconded the motion. Motion carried 4-0.

d) Commercial Operation Agreement – Rod Ibis

Mr. Martens stated that in 2012, the City Council approved an agreement for Rod Ibis to use the Winsted Municipal Airport to buy, sell, and trade aircraft. The agreement was for one (1) year and terminated on December 31, 2012. Mr. Ibis is interested in once again seeking the same approval from the City of Winsted and staff is in favor of a new agreement.

Mr. Martens stated the proposed agreement is almost identical to the agreement previously approved by the Council. One change is that the proposed agreement automatically renews unless a thirty (30) notice has been provided by the City or Mr. Ibis.

Mr. Martens stated that the proposed fee for Mr. Ibis is \$200 which is the same fee from 2012. He stated that there has been no City staff time used for Mr. Ibis' business; however, there is a minimum \$200 fee for commercial operations within the resolution approved setting Commercial Operator Fees for the Winsted Municipal Airport.

Council Member Quast asked if Mr. Ibis has an accumulation of planes at the Winsted Airport for his business and if so, is he exceeding the space that he has available. Mr. Martens stated that

Mr. Ibis does not own a hangar and that the agreement does not permit him to store aircraft at the Airport.

Council Member Schulenberg motioned to approve a Commercial Operation Agreement with Rod Ibis to allow use of the Winsted Municipal Airport to buy, sell and trade aircraft. Council Member Quast seconded the motion. Motion carried 4-0.

e) Pump Purchase – Waste Water Treatment Facility

Mr. Martens stated that Phil Robinson of People Service has informed staff that new pumps are required to be purchased for the Waste Water Treatment Facility. According to Mr. Robinson, the pumps are required for the operation of the Waste Water Treatment Facility.

Mr. Martens stated that two (2) quotes were obtained by Mr. Robinson of People Service as follows:

Nelson Electric Motor Repair: \$10,140.88
Quality Flow Systems, Incorporated: \$13,786.00 + tax

Mr. Martens stated that staff as well as People Service recommends approving a purchase of the pump and equipment from Nelson Electric Motor Repair in an amount not to exceed \$11,000 in order to allow for any minor changes in parts or service needed. He continued by stating that the pump and equipment are not budgeted for and will be purchased out of the Sewer Fund.

Mr. Robinson stated that there are three (3) pumps needed to operate the plant and two (2) are not working.

Council Member Ollig asked how old the pumps were. Mr. Robinson stated that were installed in 1986 and are very old.

Council Member Ollig asked how soon a new pump could be delivered and Mr. Robinson stated approximately eight (8) to twelve (12) weeks.

Council Member Schulenberg asked if the City had dealt with Nelson Electric Motor Repair before. Mr. Robinson stated yes and that he is satisfied with the company.

Council Member Ollig motioned to approve the purchase of pump equipment necessary for the operation of the Waste Water Treatment Facility from Nelson Electric Motor Repair in an amount not to exceed \$11,000. Council Member Schulenberg seconded the motion. Motion carried 4-0.

f) Resolution R-13-03 – Selecting Bolton and Menk, Incorporated as the Consultant for the Winsted Municipal Airport

Mr. Martens stated that the Federal Aviation Administration (FAA) requires airports receiving federal funding to go through a Request for Qualifications (RFQ) process every five (5) years for airport consultant services. The City of Winsted's Municipal Airport does receive federal funds and is required to complete this process by February, 2013.

Mr. Martens stated that the selection of an airport consultant must be related to the experience and ability of the firm to assist the airport with its five (5) year Capital Improvement Plan. Hourly rates and other costs must be negotiated after a firm has been selected through the RFQ process.

Mr. Martens stated that the City Council approved an RFQ at the December 18, 2012 City Council meeting and appointed Mayor Steve Stotko, Brad Martens, and Dave Meyer to the Selection Committee. The RFQ was published in the League of Minnesota Cities online Marketplace on December 19, 2012 and submittals were due by noon on January 4, 2013.

Mr. Martens stated that Bolton & Menk Incorporated and TKDA submitted documents to the City. He displayed a scoring table used for each firm and stated that Bolton & Menk, Incorporated is recommended by the Selection Committee based on the scoring of the submitted documents.

| | TKDA | Bolton & Menk |
|---|-----------|---------------|
| Basic Information: | | |
| History of firm including current relevant experience with airport improvement projects: 5 points | 5 | 5 |
| Project team members of the firm/group, including overall experience, qualifications, and education: 5 points | 5 | 5 |
| Similar airport projects with references including client contact names, titles, and phone numbers: 5 points | 5 | 5 |
| Evidence of the firm's Affirmative Action Program: 5 points | 5 | 5 |
| Specific Project Experience | | |
| Airport Zoning ordinance update and other airport planning projects: 10 points | 10 | 10 |
| Turf and paved runway rehabilitation and construction: 10 points | 5 | 8 |
| Airport lighting improvements: 10 points | 5 | 5 |
| Environmental reviews for airport improvements: 10 points | 10 | 10 |
| Land acquisition for airport improvements: 10 points | 5 | 8 |
| Total out of a possible 70 points | 55 | 61 |

Council Member Quast motioned to adopt Resolution R-13-03 selecting Bolton and Menk, Incorporated as the consultant for the Winsted Municipal Airport. Council Member Ollig seconded the motion. Motion carried 4-0.

6) Department Report

a) City Engineer

Mr. Jake Saulsbury, Bolton & Menk Incorporated reported on the following:

Airport Improvements:

- 2011/2012 Construction Projects
 - The Pavement Rehabilitation project has been completed. The Contractor completed touch up work on some of the slurry seal areas in September. Final payment was issued in December.
 - A draft FAA grant closeout report has been completed. Bolton & Menk, Incorporated is awaiting additional information from the FAA and the Minnesota Department of Transportation (MnDOT) to determine the final reimbursement amount.
- Capital Improvement Plan (CIP) Update
 - The Airport CIP outreach meeting with Mn/DOT Aeronautics and the FAA was held on October 16, 2012. The Council's preferred CIP was the "maintain" scenario.
- 2013 Airport Improvements
 - The proposed 2013 project for FAA funding is the Turf Runway Reconstruction Engineering Design. We will be submitting FAA project programming papers (due January 15, 2013) for this project. A meeting has been scheduled with the FAA on January 23, 2013 to discuss the project and funding.

Wastewater Treatment Plant:

- The phosphorous reduction improvement project has been completed and the system is operational. The project allows for the City to meet the interim phosphorus limit of 1 mg/L.
- A pond decommissioning report was submitted to the Minnesota Pollution Control Agency (MPCA). According to the City's new permit, the due date for this report was December 1, 2012 and the due date for the ultimate decommissioning of the ponds is January 31, 2016.

Westgate Neighborhood Improvements:

Project includes street, storm sewer, and lift station rehabilitation items in the Westgate neighborhood.

- The construction contract was awarded to Mid-Minnesota Hot Mix in the amount of approximately \$588,000.
- The fourth pay request was processed in October, 2012 with the total work completed to date totaling approximately \$543,000.
- The Assessment Hearing was held on November 20, 2012.
- Minor restoration and repair work will occur in the spring.

Misc. Items:

- Industrial Park Feasibility Study – Project was approved and work will begin shortly.
- Casey’s General Store Expansion – Miscellaneous coordination and inspection items have occurred for the construction of this project.
- Herald Journal Service Lines – Layout options along with cost estimates have been forwarded to the City.
- Millerbernd Expansion – An engineering review and easement documents have been completed.
- Fire Station Improvements – Topographical survey work will occur later this month.

Mayor Stotko asked what the project would entail for the Fire Station improvements. Mr. Saulsbury stated that it would connect the roof drains to the storm sewer located along County Road 1. Mayor Stotko asked if gutters would also be installed. Mr. Martens replied yes. Mayor Stotko asked how the debris would be cleaned out of the gutters and Mr. Martens stated that different options will be reviewed for the gutters, including possible gutter guards.

Council Member Ollig asked if there have been any changes discussed within the most current legislative session regarding the phosphorus level mandate for the Waste Water Treatment Facility that the City will need to meet. Mr. Saulsbury stated that he did not know of any changes to this requirement and that the City’s deadline is still another ten (10) to eleven (11) years out for that.

Mr. Martens stated that 2023 is the year of the deadline. He continued by stating that he will be meeting with the MPCA, Senator Newman and Representative Gruenhagen in the near future regarding this mandate.

7) No Organization Report.

8) No Open Forum

9) Announcements

a) Open Positions on City Commissions

Mr. Martens stated that there are vacancies on the Airport Commission and the Park Commission. Interested persons should contact Mr. Martens at City Hall.

b) City Clerk Absence

Council Member Ollig thanked Raquel Kirchoff and Amanda Zeidler for filling in for the City Clerk-Treasurer, Deborah Boelter in her absence.

10) Adjournment

Council Member Quast motioned to adjourn the meeting. Council Member Schulenberg seconded the motion. Motion carried 4-0.

The meeting was adjourned at 6:37p.m.

Steve Stotko
Steve Stotko
Mayor
City of Winsted

ATTEST:

Raquel Kirchoff
Raquel Kirchoff, MCMC
Administrative Assistant
City of Winsted