

City of Winsted
City Council Work Session
Lewis Room
Tuesday, March 20, 2012
5:00 p.m.

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

Staff Present: Brad Martens, City Administrator
Amanda Zeidler, Utility Billing and Payroll Clerk

I. Call to Order

Mayor Stotko called the meeting to order at 5:00 p.m.

II. Winsted Arts Council Request to Use Vollmer Room

Martens gave a brief overview regarding a request from the Winsted Arts Council. Martens stated that at the March 6, 2012 City Council Meeting, Julie Guggemos and Nancy Fasching asked the City Council to allow the Winsted Arts Council to use the Vollmer Room to hold art classes for a fee, and the fee would be charged to cover the cost of class materials and instructor fees, not for net profit.

Martens stated that the statement at issue in the Vollmer Room Use Policy is, "*It shall not be used for private or religious ceremonies or for private profit making activities or any other activity not consistent with the general purpose of the building or these policies.*" Martens stated that a definition is needed for the word "profit." He added that if this is acceptable, and the focus is on net-profit, then it also applies to those groups that are specifically listed on the policy, with similar goals as the City. The Vollmer Room Policy would allow for the Arts Council to hold classes and no changes need to be made to the policy.

Martens stated that the following groups would also be able to hold classes in the Vollmer Room: Winsted Chamber of Commerce, Winsted Summer Festival, Winsted Lake Watershed Association (WLWA), Winsted Holding Activities That Unite People (WHAT UP), Girl Scouts, Boy Scouts, Winsted Lions, Winsted Public Library, and Winsted Township.

Ollig asked if the Winsted Arts Council would be using the Vollmer Room and art class to make a profit. Julie Guggemos, Winsted Arts Council member, stated that being that the Winsted Arts Council is a non-profit organization, so none of the activities are for profit. Guggemos stated that the Arts Council tries to determine a reasonable cost for an activity, and some expenses may be higher or lower than the cost of the fee that is set.

Mochinski asked if the organization could be placed under an arm of the City of Winsted. Nancy Fasching, Winsted Arts Council member, stated that the Arts Council has already received a ruling from the Internal Revenue Service (IRS) to show that the group is non-profit. Mochinski asked for clarification, and asked if an organization would still be considered a private organization if it is under the City. Martens stated that the Vollmer Room Policy discusses public or private activities, not organizations.

Quast asked if a sentence could be added to the policy regarding any net-profit, and stated that it is not to exceed a minimal dollar amount. Martens stated that the City Council will have to treat every organization the same way.

Fasching mentioned the Senior Dining Program and stated that a fee is charged to participate. Martens stated that there is a separate agreement in place for Senior Dining, so it falls outside the parameter of the Vollmer Room Policy.

Ollig stated that the City Council wants to allow the Winsted Arts Council to use the Vollmer Room; however, they have to go through a process. Schulenburg stated that he agreed with Ollig. Martens stated that as long as the City Council is satisfied with allowing all of the groups that are currently listed in the Vollmer Room Policy to host an event and charge a fee for the event, the policy can remain the same, and the Winsted Arts Council can use the room at no charge, and charge a fee to cover the cost of the class.

Quast asked if Martens had contacted Fran Eggert, City Attorney regarding this request. Martens stated that the Vollmer Room Policy is not a legal document, so the City Attorney was not consulted. Stotko stated that the policy will have to be evaluated again if any future issues occur, that have not been discussed. Quast stated that she is glad that there are other organizations that want to utilize City Hall.

The City Council agreed that the current Vollmer Room Use Policy allows for the use of the Vollmer Room for a class that is sponsored by the Winsted Arts Council.

III. Uncollected Special Assessments

Martens reviewed information regarding uncollected Special Assessments from Resolution 388-06-04-02 that was adopted to assess the cost of improvements to Winsted on the Lake, Second (2nd) and Third (3rd) Additions. Martens stated that the item is on the regular meeting agenda for March 20, 2012.

Martens stated that the improvements included the installation of new sanitary sewer and water trunk line, and the installation of a new bituminous surface on Zion Avenue. Thirty (30) properties were assessed for improvements, twenty-two (22) property owners paid the assessment in full prior to going on the tax rolls, and the eight (8) remaining properties chose to pay for the assessment over ten (10) years. Martens stated that the resolution was submitted to McLeod County in 2002 with the instructions to follow a specific payment schedule. Martens stated that the deficit was found during the 2010 City of Winsted audit as assessment documents were being reviewed. McLeod County did not begin principal collection on the sanitary sewer and water trunk line assessment in 2005 as instructed, so an interest-only payment of sixty dollars (\$60) was collected instead each year. Martens added that the assessment deficit for the City of Winsted is \$540 per assessed property.

Martens stated that he consulted with Fran Eggert, City Attorney, the League of Minnesota Cities, and McLeod County regarding the uncollected assessments. The City Attorney recommended that the City of Winsted prepare a "demand letter" to McLeod County for the remaining amount. The League of Minnesota Cities has informed staff that a Supplemental Assessment; Reassessment State Statute exists that should be used in this circumstance. Martens stated that another option is to not assess the eight (8) remaining properties; however, some property owners have paid the assessment, so it would be unfair not to charge the assessment to everyone.

Martens informed the City Council that he would make a personal phone call to each of the eight (8) property owners before a letter is mailed, if the City Council directs City staff to move forward with the Supplemental Assessment process. The City Council discussed the options that were presented to them. Martens stated that any Supplemental Assessments would require a notice process and public hearing, which ample time exists for, before the 2013 assessments are adopted.

IV. City Administrator Leave of Absence

Martens stated that he will be taking time off due to the birth of his child during the month of April, 2012. He stated that he will be continuing a normal work schedule until the baby arrives, and then taking a leave of absence after the birth. Martens reviewed a proposed schedule with the City Council.

Martens stated that during his time off, Deb Boelter, City Clerk-Treasurer, will be the primary contact person for the City of Winsted. Martens added that he will be completing some work from home, including help to coordinate City Council meetings, and his time worked at home will be tracked and submitted on a time sheet.

The City Council agreed with Martens' plan and wished his family well.

V. Other

a) Herald Journal Email Correspondence

The City Council discussed email correspondence from the Herald Journal regarding public hearing notices and web service. After a brief discussion, the City Council instructed Martens to provide an update regarding web services in approximately one (1) month.

b) Hazardous Property – 171 McLeod Avenue West

Martens gave an update regarding the hazardous property located at 171 McLeod Avenue West.

c) Mike Henrich, Police Chief – Officer of the Year Award

Martens stated that City of Winsted Police Chief, Mike Henrich, was given the award for Officer of the Year by the McLeod County Police and Peace Officers Association (MCPPOA) at its annual banquet on March 19, 2012. Martens stated that this is a very prestigious honor, and it was given to Henrich because he went above and beyond while investigating the Winsted Elevator case.

d) Casey's General Store Construction

Stotko asked Martens if the construction of a new Casey's General Store is still moving forward. Martens stated that construction should begin in the near future. Martens explained that there has been a second plan review, and he has received a signage plan to review. He added that the new store will be built behind the existing store and then the current store will be demolished and the project will be completed.

VI. Adjournment

Council Member Ollig made a motion to adjourn the meeting. Council Member Quast seconded the motion. Motion carried 5-0.

Steve Stotko

Steve Stotko
Mayor
City of Winsted

ATTEST:

Amanda Zeidler

Amanda Zeidler
Utility Billing and Payroll Clerk
City of Winsted