

City of Winsted
City Council Special Work Session
Lewis Room
Wednesday, March 26, 2014
3:00 p.m.

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

Staff Present: Mr. Clay Wilfahrt, City Administrator (via Telephone)
Ms. Deborah R. Boelter, City Clerk-Treasurer
Mr. Dave Meyer, Public Works Department Maintenance Supervisor

I. Call to Order

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

Mayor Stotko stated that Mr. Wilfahrt will be participating in the Special Work Session via telephone.

II. League of Minnesota Cities Insurance Trust Discussion

Mayor Stotko asked for clarification from the City Council members on what information they had received regarding the City of Winsted's property and liability insurance through the League of Minnesota Cities Insurance Trust (LMCIT).

The City Council members discussed what portion of the water line is owned by the property owner and is their responsibility.

Mayor Stotko stated that it was his understanding that in conversations with Council Member Quast and Council Member Fasching, there was some confusion about the City's insurance and what it would cover in regards to the frozen water lines that some property owners are experiencing.

Mayor Stotko asked Mr. Wilfahrt to provide clarification on the City's insurance through LMCIT and what they may and/or may not cover in regards to frozen water lines.

Mr. Wilfahrt stated that the LMCIT said it would be difficult for them to accept a claim for frozen water lines from the curb stop to the water main; because, the City's Ordinance does not specify clear ownership of the water line from the curb stop to the water main. He continued by stating that the LMCIT indicated that if the City owned and maintained the water line from the curb stop to the water main, they would accept a claim for any expenses the City incurred to rectify the frozen water line. Mr. Wilfahrt stated that the LMCIT would still have to conduct an investigation and show that the frozen water line from the curb stop to the water main was not caused by the property owner.

Mr. Wilfahrt stated that the LMCIT would need the City Council to decide who is responsible for the ownership and maintenance of the water line from the curb stop to the water main.

Mayor Stotko asked the City Council members for any other comments in regards to the LMCIT's coverage for the frozen water line from the curb stop to the water main.

Council Member Fasching asked if the LMCIT would be willing to cover any expenses that the City could potentially incur to rectify the frozen water lines from the curb stop to the water main if the City Council decides to amend the Ordinance, after the frozen water line issues have already happened, to specify that the water line from the curb stop to the water main is the responsibility of the City.

Mr. Wilfahrt stated that the City has not done any work and/or filed any claims. He continued by stating that the LMCIT did not want the City to complete the work to rectify the frozen water lines before taking ownership and responsibility for the water line from the curb stop to the water main and then submit a claim.

Council Member Ollig asked if the City Council does decide to accept ownership and responsibility for the water line from the curb stop to the water main, then the LMCIT would accept claims for any work performed by the City from the curb stop to the water main to rectify the frozen water lines. Mr. Wilfahrt stated yes.

III. Update Regarding Water Line Responsibility

Mayor Stotko stated that he looked at several Ordinances from various cities in the State of Minnesota in regards to the ownership and responsibility of the water lines to the water main. He presented the following information:

- The Ordinance from eight (8) cities states that it is the responsibility of the consumer and/or property owner to maintain the service line from the point of connection with the city's water main into the house or building.

These cities included:

1. Maple Plain, Minnesota
2. Watertown, Minnesota
3. Silver Lake, Minnesota
4. Mayer, Minnesota
5. Glencoe, Minnesota
6. Hutchinson, Minnesota
7. Delano, Minnesota
8. Maple Lake, Minnesota

- The Ordinance of eleven (11) cities states that it is the responsibility of the consumer and/or property owner to maintain the water line from their building to the curb stop.

These cities included:

1. Annandale, Minnesota
2. Gaylord, Minnesota
3. Clearwater, Minnesota
4. Cokato, Minnesota
5. Howard Lake, Minnesota
6. Waverly, Minnesota
7. Dassel, Minnesota
8. Winthrop, Minnesota
9. Rockford, Minnesota
10. Norwood Young America, Minnesota
11. Buffalo, Minnesota

- The Ordinance of one (1) city states that it is the responsibility of the consumer and/or property owner to maintain the water line from their property line to their structure. The one (1) city was Waconia, Minnesota.

Mayor Stotko stated that the City's Water and Sewer Ordinances need to be amended and include more specific wording and clarification of who is responsible for certain sections of the water line. He continued by asking Mr. Wilfahrt if a Public Hearing would need to be held to amend the Ordinance. Mr. Wilfahrt stated yes.

Mr. Wilfahrt stated that the City Council needs to decide what portion of the water line is the responsibility of the property owner and the City, and then give City staff direction for the purpose of rectifying the frozen pipes and submitting claims to the LMCIT. He continued by stating that if the City Council would come to a consensus about what portion of the water line is the responsibility of the property owner and/or the City; City staff could move forward in doing the work necessary to rectify the frozen water lines.

The City Council discussed and agreed that if a property owner wants a credit for running their water to avoid the water line from freezing, they will have to have an employee from the Public Works Department come to their house or place of business and test the water temperature to verify that they need to run their water and are eligible for a credit on their water and sewer account.

Council Member Fasching asked what the City will do for the property owners that had to run water to avoid their water line from freezing over the past several months and they did not have their water temperature verified by the Public Works Department. Mr. Wilfahrt stated that if they contact the City to inform staff that they had to run their water, they will be issued a credit this year.

Council Member Ollig asked if City staff will be able to determine if they have been running excess amounts of water; so, the City does not have property owners simply asking for a credit on their water and sewer account. Mr. Meyer stated that the Utility Billing and Payroll Clerk, Ms. Amanda Zeidler, will be able to determine if there has been excess usage by evaluating a property owner's past account history. Mr. Meyer stated that Ms. Zeidler has been contacted by a property owner that has had to let his water run to avoid a frozen water line.

The City Council discussed and came to a consensus that the City is responsible for the water line from the curb stop to the water main.

Mr. Tom Specken, 221 . 1st Street South, was attendance in the meeting.

The City Council discussed how the City should proceed in assisting Mr. Specken with his frozen water line from. Mr. Meyer recommended that he contact a qualified locator to determine where Mr. Specken's water line runs.

The City Council discussed and directed Mr. Meyer to have a locator determine where Mr. Specken's water line runs, hire a contractor to dig down to the curb stop and determine what steps need to be taken to thaw the water line.

Council Member Fasching asked Mr. Specken how long he can continue without water. Mr. Specken stated that he can continue without water for an extended period of time.

Mayor Stotko asked Mr. Specken if he is in agreement to the proposed steps to hire a contractor to dig down to the curb stop. Mr. Specken stated that he does not want to cause a huge expense to himself and/or the City. He continued by stating that he would like to have water; however, he is surviving without it. Council Member Ollig stated that he wants to take the steps necessary to rectify Mr. Specken's frozen water line.

Mayor Stotko asked Mr. Wilfahrt if the City would submit the cost for the work to dig to Mr. Specken's curb stop to the LMCIT. Mr. Wilfahrt stated yes and it will take the LMCIT one (1) or two (2) weeks to investigate and process the claim.

The City Council discussed what steps to take for the other property owners who have frozen water lines. Mr. Wilfahrt stated that staff can communicate with the other property owners to determine if they want to continue with their temporary service or have the City dig to rectify the frozen water line.

Council Member Ollig recommended that whatever decisions need to be made in regards to the frozen water lines for Mr. Specken and the other property owners; that the decisions be made jointly by Mayor Stotko and Mr. Wilfahrt. The City Council discussed and were in agreement with Council Member Ollig's recommendation.

Mayor Stotko asked Mr. Wilfahrt if he will be working to amend the City's Water and Sewer Ordinance to include language in regards ownership and responsibility of water lines. Mr. Wilfahrt stated yes.

IV. No Other.

V. Adjourn

Council Member Fasching motioned to adjourn the meeting. Council Member Quast seconded the motion. Motion carried 5-0.

The meeting was adjourned at 3:55 p.m.

Steve Stotka

Steve Stotka
Mayor
City of Winsted

ATTEST:

Deborah R. Boelter

Deborah R. Boelter, MCMC
City Clerk-Treasurer
City of Winsted