

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  
Deborah R. Boelter, City Clerk-Treasurer

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 Mochinski motioned to adopt the Consent Agenda as presented. Council Member Schulenberg seconded the motion. Motion carried 5-0.**

a) **Minutes – City Council - Work Session – April 3, 2012**

Accepted the minutes of the City Council Work Session of April 3, 2012.

b) **Minutes – City Council – Regular Meeting – April 3, 2012**

Accepted the minutes of the City Council Regular Meeting of April 3, 2012.

c) **Minutes – March 12, 2012 Planning Commission Meeting**

Accepted the minutes of the March 12, 2012 Planning Commission Meeting.

d) **Minutes – March 13, 2012 Winsted Municipal Airport Commission Meeting**

Accepted the minutes of the March 13, 2012 Winsted Municipal Airport Commission Meeting.

e) **Minutes – March 13, 2012 Winsted Park Commission Meeting**

Accepted the minutes of the March 13, 2012 Winsted Park Commission Meeting.

f) **March, 2012 Financial Report**

Approved the March, 2012 Financial Report.

g) **March, 2012 Building Permit Report**

Approved the March, 2012 Building Permit Report.

h) **Claims**

Approved the Claims List for April 17, 2012.

3) **Public Hearings**

a) **Public Hearing – Resolution R-12-10 - Building Permit Fee Schedule Amendment**

Mr. Martens stated that at the February 21, 2012 City Council Work Session, staff presented a recommendation to update the City of Winsted's Building Permit Fee Schedule. The reason for the recommendation is to ensure that the City is receiving sufficient funds to pay for the work required by issuing building permits. He continued by stating that building inspections are performed by Metro West Inspection Services, Incorporated; which receives seventy-five percent (75%) of the fees collected by the City for the permit. The remaining twenty-five percent (25%) of the fee is retained by the City of Winsted.

Mr. Martens stated that currently the City is working under a Fee Schedule extracted from the 1979 Uniform Building Code. The City share of the fees collected does not consistently pay for the staff time used for issuing Building Permits.

Mr. Martens stated that the City of Waverly is the only other surrounding community using the Fee Schedule from the 1979 Uniform Building Code.

Mr. Martens stated that staff recommends amending the Building Permit Fee Schedule with fees extracted from the 1985, 1988, and 1997 Uniform Building Code to ensure the City is recouping the costs of staff time used to issue the permits.

Mr. Martens presented the following information:

1. The existing building permit fees were adopted in the year 2005.
2. Very basic building permits take approximately fifteen (15) minutes for staff to process.
3. More complex building permits involve processing by multiple staff members including the City Administrator, the Public Works Department and others.
4. Annual reporting to McLeod County takes approximately one and a half (1-1/2) hours of staff time.
5. Quarterly reporting to the State of Minnesota takes approximately forty-five (45) minutes of staff time.

#### **Building Permit Fee Comparison**

<b>Valuation</b>	<b>Current fee</b>	<b>City revenue</b>	<b>Proposed fee</b>	<b>City revenue</b>
\$200.00	\$25.00	\$6.25	\$25.00	\$6.25
\$500.00	\$25.00	\$6.25	\$25.00	\$6.25
\$1,000.00	\$25.00	\$6.25	\$35.00	\$8.75
\$2,000.00	\$26.50	\$6.63	\$55.00	\$13.75
\$5,000.00	\$42.00	\$10.50	\$72.00	\$18.00
\$10,000.00	\$82.00	\$20.50	\$117.00	\$29.25
\$20,000.00	\$142.00	\$35.50	\$207.00	\$51.75
\$30,000.00	\$193.00	\$48.25	\$284.50	\$71.13
\$50,000.00	\$283.00	\$70.75	\$414.50	\$103.63
\$75,000.00	\$358.00	\$89.50	\$527.00	\$131.75
\$100,000.00	\$433.00	\$108.25	\$639.50	\$159.88
\$250,000.00	\$808.00	\$202.00	\$1,164.50	\$291.13
\$500,000.00	\$1,433.00	\$358.25	\$2,039.50	\$509.88

<b>Fixed Fees</b>	<b>Current fee</b>	<b>City revenue</b>	<b>Proposed fee</b>	<b>City revenue</b>
Demolition	\$45.00	\$11.25	\$75.00	\$18.75
Reroofing	\$35.00	\$8.75	\$75.00	\$18.75
Rewindow	\$35.00	\$8.75	\$75.00	\$18.75
Residing	\$35.00	\$8.75	\$75.00	\$18.75
Fence (over 6')	\$35.00	\$8.75	\$75.00	\$18.75

Mayor Stotko asked for public comment on the proposed amendment to the Building Permit Fee Schedule. No public comment was received.

**Council Member Ollig motioned to adopt Resolution R-12-10 amending the City of Winsted Building Permit Fee Schedule. Council Member Quast seconded the motion. Motion carried 5-0.**

**Council Member Mochinski motioned to close the Public Hearing. Council Member Schulenberg seconded the motion. Motion carried 5-0.**

**4) No Old Business.**

**5) New Business**

**a) Waste Water Treatment Facility – Operation and Maintenance Agreement**

Mr. Martens stated that the City of Winsted contracts with People Service, Incorporated (Inc.), to maintain and operate the City's Waste Water Treatment Facility (WWTF). The existing contract with People Service, Inc. covers a term of May 1, 2010 through April 30, 2012. The contract automatically renews for successive one (1) year terms unless written notice of cancellation is given by either party. No such notice has been given.

Mr. Martens stated that at the end of the year 2011, the WWTF was issued a new National Pollutant Discharge Elimination (NPDES) permit which requires many changes in its operations. They include:

- A new phosphorous requirement that will be effective June 8, 2012.
- The WWTF will change from a Class C to a Class B facility; which requires additional testing.
- The removal and disposal of the bio-solid ponds by January 31, 2016.

Mr. Martens stated that although the existing contract allows for an automatic renewal and provides language for adapting to the new requirements, City staff and People Service, Inc. both agree that a new contract specific to the NPDES may be beneficial to reduce any confusion.

Mr. Martens stated that People Service, Inc. drafted a new five (5) year contract for the City to review and staff has negotiated acceptable terms. Mr. Martens gave a brief overview of some of the changes:

- The contract will be a five (5) year term from May 1, 2012 through April 30, 2017.
- The monthly rate of \$10,250 accounts for additional labor for testing requirements and increased chemical application. The original proposed amount was \$10,400 per month.
- Includes new language regarding the acceptance of leachate.

Mr. Martens stated that the City staff and People Service, Inc. are working closely together in order to meet the new requirements of the most recent NPDES permit. As a result, staff is requesting that the City Council does not change the WWTF's service providers at this time to ensure that timelines are met. Additionally, staff has had a good working relationship with People Service, Inc. and there are no service related concerns at this time that would necessitate moving to a new provider.

Mr. Martens stated that the City's Purchasing Policy does not require multiple quotes when awarding service contracts.

Mr. Martens gave a brief overview of how the new contract will affect the 2012 Budget:

- The City planned for a new NPDES permit with additional expenditures for the year 2012 and budgeted accordingly.
- Additional funds are not required for the 2012 budget.
- The costs of the contract are paid out of the Sewer Fund.

Mr. Martens stated that the proposed contract has been reviewed by the City Attorney and the City Insurance Provider.

Council Member Ollig asked Mr. Martens for clarification on the section titled **Article VI - Termination** of the contract. Council Member Ollig stated that the language seemed vague.

Mr. Martens read this section of the contract stating, "This Agreement may be terminated by either party in the event of the other party's breach of a material term of the Agreement, by the first party's giving written notice of such breach and the second party's failure to correct within thirty (30) days of receipt of such notice." He continued by stating that if the City would want to terminate the contract with People Service, Inc., they would have to give them thirty (30) days written notice with the reason why the City is terminating the contract. If People Service, Inc. failed to respond to the written notice and/or correct any issues outlined in the written notice, the contract would be terminated.

**Council Member Schulenberg motioned to approve a five (5) year Operation and Maintenance Agreement with People Service, Incorporated for the Waste Water Treatment Facility. Council Member Ollig seconded the motion. Motion carried 5-0.**

**b) Refuse and Recycling Service Contract – Waste Management**

Mr. Martens stated that in the year 2002, the City of Winsted entered into a contract with Waste Management for refuse and recycling services for a term of September, 2002 through August 30, 2007. An amendment to that agreement extended that term an additional five (5) years through August 30, 2012.

The agreement includes an automatic renewal for one (1) year periods *"unless either party gives to the other written notice, ninety (90) days prior to the end of the renewed contract period, by certified mail or registered mail, or by personal delivery of its intention not to renew"*

Mr. Martens stated that the City Council has directed staff to obtain quotes for the residential and commercial garbage services for the City of Winsted in the year 2012. In order for the City to obtain quotes for the garbage service, the City must issue a notice of our intention not to renew before the end of May, 2012. The issuance of the letter does not discourage Waste Management from bidding on the service again.

Greg Revering, Waste Management District Manager, was in attendance at the City Council meeting.

Council Member Ollig asked Mr. Revering if the contract is residential and commercial. Mr. Revering stated yes.

Council Member Ollig asked Mr. Martens what timeline he is proposing for obtaining the quotes. Mr. Martens stated that there is a training session being held at the League of Minnesota Cities (LMC) conference in June, 2012 on waste management services that he plans on attending and will begin the process to obtain quotes afterwards.

Council Member Quast asked Mr. Revering if Waste Management has had any additional issues and/or complaints since the pricing matrix was established and implemented for the City's commercial accounts. Mr. Revering stated that he was not aware of any issues and/or concerns.

**Council Member Ollig motioned to submit a written notice to Waste Management of the City of Winsted's intention not to renew the Refuse and Recycling Contract. Council Member Mochinski seconded the motion. Motion carried 5-0.**

**6) No Organization Report.**

**7) Department Report**

**a) Winsted Police Department**

Mike Henrich, Winsted Police Department Chief, reported on the following:

- The number and types of emergency calls received year-to-date in the year 2012.
- The number and types of emergency calls received in the year 2011.

- The traffic stops in the year 2011.
- The alarm calls.
- Child neglect calls.
- Damage to property calls.
- Domestic calls.
- Medical calls.
- Mental calls.
- Thefts.
- 9-1-1 “hang-up” calls.

Council Member Ollig asked about the number of “Conceal and Carry” permits the City of Winsted has issued. Chief Henrich stated that the City does not issue “Conceal and Carry” permits. They are issued by McLeod County.

Chief Henrich gave a brief overview of the process to obtain a “Conceal and Carry” permit.

Council Member Schulenberg asked what the fee is for a seat belt violation. Chief Henrich stated that it is approximately \$123 and the violation also goes on an individuals driving record.

Chief Henrich continued by reporting on the following:

- The D.A.R.E. graduation was held on April 4, 2012. TDS Telephone Company sponsored a professional bicycle demonstration for the graduation. Millerbernd Manufacturing paid for the tickets and transportation for the D.A.R.E. graduates to attend a Twins game.
- The annual Alcohol Licensure Forum was held on Monday, April 16, 2012. All liquor establishments that are licensed in the City of Winsted were represented.
- Alcohol and Tobacco Compliance checks were completed in the City of Winsted and all establishments passed.
- The Police Department assisted with the Winsted Area Chamber of Commerce’s (WACC) Easter Egg Hunt.
- Had a Safety Booth with the McLeod County Sheriff’s Department at the annual WACC’s Women’s Expo on April 14, 2012.
- Officer Heldt, assisted by Chilson’s Funeral Home, held an Alcohol seminar at Holy Trinity presenting the effects that alcohol related deaths can have on their school.
- A pre-drill for an Emergency Medical Services event at Winstock Country Music Festival was held. Future meetings may involve the Mayor, City Council and City staff. The drill was initiated by the Winsted Volunteer Fire Department Chief, Chad Engel.
- Chief Henrich was recognized as the Officer of the Year by the McLeod County Peace and Police Officer’s Association for the year 2012.

Council Member Ollig asked Chief Henrich how many hours the Winsted Police Department conducted on the Winsted Farmer’s Elevator investigation. Chief Henrich stated that hundreds (100s) of hours have been spent on the investigation.

The City Council thanked Chief Henrich and the Winsted Police Department for all they do for the Winsted Community.

Mr. Martens stated that the City of Winsted is fortunate to have Chief Henrich. He continued by stating that Chief Henrich is involved in many Community events and that as the City Administrator, he is incredibly proud to have him as Chief.

**b) Metro West Inspection Services, Incorporated**

Rob Beckfeld, Metro West Inspection Services, Incorporated, reported on the following:

- The issuance of building permits has increased. They include deck construction, basement finishes and more.
- He did a final inspection of Tetra Pak. He gave them a temporary Certificate of Occupancy because they still had some work to complete. He continued by stating that they did a good job on their addition.
- Casey’s General Store wanted their building permit issued for their new building; but, Mr. Beckfeld stated that they had failed to provide him with some information that he requested. He continued by stating that they have some soil corrections to make and

he is concerned about why they are not doing them now. He stated that they are unable to do any construction until the soil corrections are done.

- Working on rental housing permits.

Council Member Ollig asked about the inspection that was done on the house located at 171 McLeod Avenue West. Mr. Beckfeld gave a brief overview of his findings.

Council Member Ollig asked about the process for abating the house. Mr. Martens stated that the information from Mr. Beckfeld has been forwarded to the City Attorney for his review.

## 8) Open Forum

### a) Gene Feltmann – McLeod County Commissioner Candidate

Mr. Feltmann addressed the City Council and introduced himself. He stated that he is going to file to run for McLeod County Commissioner. He continued by giving a brief overview of his background and credentials.

The City Council thanked Mr. Feltmann for attending the City Council meeting and introducing himself.

## 9) Announcements

### a) 2011 Audit

Mr. Martens stated that the City of Winsted had its annual 2011 audit the week of April 9, 2012. He publically thanked Ms. Boelter for her level of preparedness and leadership during the week of the audit. He continued by stating that the City should be proud of its financial management.

### b) Downtown Vibrancy Forum – Monday, April 30, 2012

Mr. Martens invited members of the Winsted Community to attend the Downtown Vibrancy Forum scheduled on Monday, April 30, 2012 at 6:00 p.m. in the Vollmer Room at City Hall.

## 10) Adjournment

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

The meeting was adjourned at 6:42 p.m.

*Steve Stotko*

Steve Stotko  
Mayor  
City of Winsted

ATTEST:

*Deborah R. Boelter*

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