

City of Winsted  
City Council Meeting  
Council Chambers  
Tuesday, May 17, 2011  
6:00 p.m.

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

Staff Present: Deborah R. Boelter, City Clerk-Treasurer  
Fran Eggert, City Attorney  
Amanda Zeidler, Utility Billing & Payroll Clerk

**1) Mayor Call The Meeting To Order**

**a) The Pledge of Allegiance was taken.**

**b) Years of Service Recognition –Winsted Volunteer Fire Department Members**

Recognized the following for their years of service with the Winsted Volunteer Fire Department:

- Mike Laxen, Thirty (30) Years of Service
- Brian Langenfeld, Fifteen(15) Years of Service
- Tim Purcell, Fifteen (15) Years of Service
- Rose Heimerl, Five (5) Years of Service

**2) Consent Agenda**

**Ollig motioned to accept the Consent Agenda as presented. Schulenberg seconded the motion. Motion carried 5-0.**

**a) Minutes – City Council – Work Session – May 3, 2011**

Accepted the minutes of the City Council Work Session, May 3, 2011.

**b) Minutes – City Council – Regular Meeting – May 3, 2011**

Accepted the minutes of the City Council Regular Meeting, May 3, 2011.

**c) Account Authorization – Flagship Bank**

Authorized access and authority to City of Winsted accounts at Flagship Bank to Bradley Martens, City Administrator.

**d) Liquor Licenses**

Approved the Off Sale, On Sale, and Sunday Liquor Licenses from July 1, 2011 through June 30, 2012 for the following:

- J & N Schlagel Enterprises II, The Blue Note, 320 – 3<sup>rd</sup> Street North
- The Corner Bar & Grill of Winsted, 111 – 1<sup>st</sup> Street North
- Hussong's Liquor (Off Sale Only), 132 – 6<sup>th</sup> Street North
  
- The Woods Group, Keg's Bar, 121 – 1<sup>st</sup> Street North

Approved the On Sale Club and Sunday Liquor Licenses from July 1, 2011 through June 30, 2012 for the following:

- American Legion Post #407, 161 – 1<sup>st</sup> Street North

Approved the Liquor, Wine, Club or 3.2% License from July 1, 2011 through June 30, 2012 for the following:

- Winsted Baseball Club, Inc., Campbell Baseball Field

**e) Dance Permit**

Approved a Dance Permit for the Blue Note Ballroom, 320 – 3<sup>rd</sup> Street South, for the period of July 1, 2011 through June 30, 2012.

**f) Seal Coating – Specified Winsted City Streets**

Authorized Pearson Brothers, Incorporated to seal coat specified City of Winsted streets for \$31,262.00.

**g) Part-Time Police Officer Appointment – Winsted Police Department**

Appointed Adam Hastings as a part-time police officer.

**h) Forty Hours of Vacation – Deb Boelter**

Approved an additional forty (40) hours of vacation for the year 2011 for Deb Boelter.

**i) Associates Agreement – AT Group**

Adopted the Associates Agreement between AT Group and the City of Winsted to protect employee's personal information.

**j) Ordinance O-11-06 – Zoning Ordinance Amendments – Signs**

Approved the proposed text amendments to the City of Winsted's Zoning Ordinance, Chapter 15, Section One (1), Sections 1501.002 - Rules and Definitions and 1501-022 – Signs, as recommended for approval by the City of Winsted Planning Commission on May 11, 2011.

**k) April, 2011 Financial Report**

Approved the April, 2011 Financial Report.

**l) April, 2011 Building Permit Report**

Approved the April, 2011 Building Permit Report.

**m) Claims**

Approved the claims list for May 17, 2011.

**3) PUBLIC HEARINGS**

**a) Pavement Management Plan – Year One (1) - Fairlawn Circle**

Stotko offered an apology to City Engineer, Jake Saulsbury, Bolton and Menk, Incorporated for allowing the audience to question the integrity of the City Engineer at the City Council Meeting on May 3, 2011. Stotko summarized the concerns that had been addressed by the property owners at the City Council Meeting on May 3, 2011.

Stotko offered a proposal to postpone the repair of Fairlawn Circle project, except to patch pavement areas as needed, and continue with occasional repairs, until Fairlawn Avenue is due to be repaired, in 2023. Stotko stated that the project scope in 2023 will include all of Fairlawn Avenue and Fairlawn Circle.

Quast agreed with Stotko and stated that she trusts Saulsbury and his opinion, and added that the City should do the project as advised if the project is approved. Ollig stated that delaying the project will spread the cost over a greater base of property owners, and agreed to postpone the project. Schulenberg stated that he likes the idea of having twelve (12) years to plan for the project. Mochinski stated that he is willing to go along with the plan to delay the project, but added that this plan is not going to solve the flooding issue.

Stotko stated that if Fairlawn Circle deteriorates at an increased rate, then the City Council will review this area again. Saulsbury stated that he would agree with delaying the project as opposed to a reduced scope. Saulsbury stated that the City should try to keep repair to a minimum, since it will be a complete replacement in 2023.

Colin Botner, 141 Fairlawn Avenue East, presented pictures of his property and Fairlawn Circle. Botner stated that he would like the City Council to at least consider fixing the drainage problem in the area.

John Hertzog, 231 Fairlawn Circle, stated that he agrees with Mayor Stotko, and believes it would be less expensive in 2023, because it will be spread out over a greater number of property owners. Hertzog noted that there are only five (5) property owners that drive on Fairlawn Circle on a daily basis, and the rest of the properties are empty lots.

Mike Guggemos, 232 Fairlawn Circle, stated that he would like the City Council to proceed with fixing the substandard portions of the street, curb, and gutter on Fairlawn Circle and leave the portions that are in good condition. Guggemos added that he not opposed to paying some assessments at this time, if the City Council would decided to fix the drainage problems in the area of Fairlawn Circle.

Ollig asked Saulsbury for clarification regarding the proposed repairs for the drainage issues. Saulsbury made a recommendation to make drainage repairs on a smaller scale that would be more cost-effective, and alleviate some of the drainage problems in the area.

**Ollig made a motion to place Fairlawn Circle, as part of the Pavement Management Plan, on hold; do necessary repairs as needed to Fairlawn Circle; and install storm drains on Fairlawn Avenue, as proposed, to determine how they help the flow of water. Quast seconded the motion. Motion carried 5-0.**

**Mochinski motioned to close the public hearing. Schulenberg seconded the motion. Motion carried 5-0.**

#### 4) Old Business

##### a) Waste Management - Commercial Matrix Pricing

Matt Maes and Sheldon Swenson, of Waste Management, Incorporated, were present to discuss the commercial matrix pricing for the City of Winsted. Maes and Swenson presented a letter and proposed three (3) year contract, which includes a proposed three (3) year extension on the current agreement for residential contracted rates, and a new commercial pricing matrix. Maes added that the proposed contract does allow provisions for a city-wide clean up with donated labor, as well as some additional services. Maes stated that Waste Management, Incorporated is looking for approval of the proposed three (3) year contract with the City of Winsted.

Mochinski stated that he is not ready to agree to anything until the City of Winsted is able to put the refuse service contract out for bids on both commercial and residential refuse. Mochinski added that he thinks Waste Management, Incorporated does a great job, but the Council is responsible for the taxpayer's money, and they need to look at other options.

Schulenberg stated that he would feel irresponsible to accept a contract without allowing other companies to place a bid for refuse service in the City of Winsted.

Ollig clarified that Waste Management, Incorporated, approached the City Council several weeks prior, with the idea of extending the current contract with the City. Ollig added that the City

Council then asked Waste Management to draft a proposal and present it to the City Council, and Waste Management has fulfilled the request. Ollig stated that the current contract runs through August, 2012, and until that time, the City Council should probably request bids for refuse.

Quast agreed with Ollig and stated that she would like to see the present contract with Waste Management, Incorporated finished out. Stotko stated that he thinks Waste Management, Incorporated has done a good job, and believes that they will be well within the scale when refuse bids are sought. Stotko stated that the message was loud and clear during past meetings, that the commercial businesses are not satisfied with the refuse service. Stotko added that staff and City Council will have time to conduct research if the current contract is carried out, and does not feel that the City should enter into an extended contract with Waste Management, Incorporated at this time.

Maes stated that he does not feel that the concerns from the commercial accounts were in regards to the service level, but the rates. Maes feels that the Waste Management drivers are very safe, and the team is the best at what they do. Maes stated that the company will continue to move forward with the contract as is, and negotiate with the commercial businesses on a case by case basis.

Quast thanked Maes and Swenson for developing a commercial pricing matrix, and added that she knows that Waste Management, Incorporated is doing their best to bring their rates to something that is acceptable to the City. Ollig stated that City staff did a survey of refuse rates in several Minnesota cities, and Waste Management's rates were very competitive.

## **5) New Business**

### **a) Movie Equipment – WHAT UP (Winsted Holding Activities That Unite People)**

Jeff Campbell was present to represent Winsted Holding Activities That Unite People (WHAT UP). Campbell presented three (3) different bids for audio and visual equipment to be used for WHAT UP's "Movie in the Park" events. The intent is to be able to use the equipment for other outdoor activities as well, that are put on by City-sponsored groups.

Stotko stated that WHAT UP has done a great job and fully supports the group, but City staff did not get raises, and the City is facing possible budget cuts. Stotko stated that the City Council should probably wait to approve this purchase, until they know what is going to happen with Local Government Aid (LGA) that is provided by the State of Minnesota. Mochinski stated that he agreed with Stotko, and believes that bigger issues will be coming down the road that will need to be addressed. Schulenberg stated that he appreciates what Campbell and WHAT UP have gone through to acquire bids for the equipment, and feels the obligation is to the whole city. Quast stated that WHAT UP is a very awesome committee, and has given a lot to a lot of people, but wants to wait to purchase the equipment.

Schulenberg asked if the current audio and visual equipment is usable. Campbell stated that the equipment is usable and the movies will continue. Campbell added that the audio equipment belongs to a private party and the person volunteers the time and equipment for the events.

Ollig stated that it is his understanding that the funds for the equipment would come out of the City's cable fund, and those funds can only be used for certain things, and this equipment falls under the guise of that usage. Ollig added that this equipment would belong to the City, and would be available to other civic groups. Campbell stated that there are anywhere from seventy-five (75) to one hundred fifty (150) people at an event, which include a lot of families. Ollig stated that the "Movie in the Park" event is a big deal, a fun event, and it would be good to have equipment that would make it a more pleasurable experience. Ollig stated that the funding is available, so he would not be opposed to purchasing the equipment. Stotko said that the public perception would not be the same as the City Council, and the public may not understand that the money to pay for the equipment is from a special fund.

Boelter stated that the funds available in the cable fund currently total \$68,000. Boelter added that approximately \$12,000 is used annually toward computer needs within the City.

Mochinski stated that he was surprised by the amount of money needed for the equipment and asked if there is any way to scale down the bids and purchase the equipment over a period of time. Quast asked if WHAT UP needs to have the equipment right away. Campbell stated that it is inconvenient for the set-up of the audio equipment, and the screen is sub-standard. Campbell added that the group is currently using a bed sheet for the screen right now, and the new equipment would provide an upgraded experience for anyone viewing movies in the park.

**Ollig motioned to table the audio and video equipment purchase until the City of Winsted receives information regarding LGA from the State of Minnesota. Quast seconded the motion. Motion carried 5-0.**

Stotko asked if the cable fund is dedicated to special purchases. Boelter stated that the funds in the cable fund can be used for anything.

#### **b) Award of Bid - Kingsley Lift Station**

Saulsbury stated that the low bid for the Kingsley Lift Station project was received from Geislinger and Sons, Incorporated. Saulsbury noted that the bid was lower than the engineer's cost estimate for the project.

Mochinski asked when the project is scheduled to be completed. Saulsbury stated that the start date will be around September 1, 2011. Saulsbury added that the street will have to be closed for approximately half of the project time. Ollig asked if there is any danger of spillage into Winsted Lake. Saulsbury stated that there is very little danger and explained that a temporary bypass pump will be installed, and a secondary bypass pump could be installed in the case of an emergency, which would be strictly weather-related.

**Quast motioned to award the bid for the Kingsley Lift Station Project to Geislinger and Sons, Incorporated in the amount of \$178,363.29. Mochinski seconded the motion. Motion carried 5-0.**

### **6) Department Reports**

#### **a) City Engineer**

Jake Saulsbury, City Engineer, reported on the following:

- The Winsted Municipal Airport Master Plan & Layout Plan are in the review process.
- 2011 Airport Improvement Projects
- The Fairlawn Circle Pavement Project has been postponed with exception of storm sewer work.
- Wastewater System Facility Plan updates
- County Road 116 Turnback Project updates
- Geographic Information System (GIS) presentation to the City Council
- Sign Retroreflectivity and Sign Management policies
- Linden Avenue East sewer connection
- Maintenance Agreement for snowplowing and street sweeping with McLeod County

Stotko thanked Saulsbury for his report to the City Council.

### **7) Open Forum**

#### **a) Brian Langenfeld – Keg's Bar, 121 First Street North**

Brian Langenfeld, owner of Keg's Bar at 121 First Street North, stated that he has not seen a commercial pricing matrix from Waste Management, Incorporated. Ollig stated that on a commercial basis, Waste Management will continue to negotiate with each business individually.

#### **Brian Langenfeld - 117 Albert Avenue**

Langenfeld, who resides at 117 Albert Avenue, stated that he and neighboring property owners are having water issues with water standing water in the yard. Langenfeld stated that a tile line

has been interfered with, and he now has standing water in his back yard. Langenfeld stated that he did not know if this is a city issue, or a private issue. Boelter stated that she will forward the concern to Jake Saulsbury, City Engineer, to have him research the issue.

**b) Colin Botner – 141 Fairlawn Avenue East**

Colin Botner, 141 Fairlawn Avenue East, stated that he has issues with the flooding on his property, and the Fairlawn Circle pavement project. Botner asked how the entire project was denied. Ollig stated that placing catch basins farther up Fairlawn Avenue West will help solve a lot of the drainage problem. After some discussion, the City Council asked Saulsbury to do an onsite inspection of Botner's property to see if it is possible to assist Botner with the flooding problem.

**8) Announcements**

**a) Brad Martens, City Administrator**

Mayor Stotko introduced Brad Martens, City Administrator for the City of Winsted. Martens stated that he is excited to be in Winsted. Stotko stated that the City of Winsted is looking forward to having Martens start on Wednesday, May 25, 2011.

**b) 2010 Audit Presentation**

Boelter stated that the 2010 Audit Presentation has been scheduled for Tuesday, June 21, 2011 at the regular City Council Meeting.

**9) Adjournment**

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

Respectfully submitted,

*Amanda J. Zeidler*

Amanda J. Zeidler  
Utility Billing & Payroll Clerk