

City of Winsted
City Council Meeting
Council Chambers
July 19, 2011
6:00 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
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 Quast motioned to adopt the Consent Agenda as presented. Council Member Schulenberg seconded. Motion carried 5-0.

a) Minutes – City Council Work Session – July 5, 2011

Accepted the minutes of the City Council Work Session of July 5, 2011.

b) Minutes – City Council Regular Meeting – July 5, 2011

Accepted the minutes of the City Council Regular Meeting of July 5, 2011.

c) 3.2% Liquor License – Winsted Chamber of Commerce

Approved a 3.2% Liquor License for the Winsted Chamber of Commerce at Mill Reserve Park on Friday, August 12, 2011, for the Bratbusters event at the Winsted Summer Festival.

d) 3.2% Liquor License – Winsted American Legion

Approved a 3.2% Liquor License for the Winsted American Legion at Hainlin Park on Saturday, August 13, 2011 and Sunday, August 14, 2011 for the Winsted Summer Festival.

e) Parade Permit – Winsted Summer Festival

Approved a Children's Parade sponsored by the Winsted Summer Festival near Hainlin Park on McLeod Avenue on Saturday, August 13, 2011.

f) Parade Permit – Winsted Summer Festival

Approved a Parade sponsored by the Winsted Summer Festival on designated streets in the City of Winsted on Sunday, August 14, 2011.

g) All-Terrain Vehicle (ATV) Permit – Winsted Summer Festival

Approved a permit to operate ATVs on City streets and property on Friday, August 12, 2011; Saturday, August 13, 2011; and Sunday, August 14, 2011 in conjunction with the Winsted Summer Festival.

h) Outdoor Music Permit – Winsted Summer Festival

Approved a permit allowing outdoor music on City streets and property on Friday, August 12, 2011; Saturday, August 13, 2011; and Sunday, August 14, 2011 in conjunction with the Winsted Summer Festival.

i) Outside Food Stands Permit – Winsted Summer Festival

Approved a permit to allow outside food stands to operate on City streets and property on Friday, August 12, 2011; Saturday, August 13, 2011; and Sunday, August 14, 2011 in conjunction with the Winsted Summer Festival.

j) Winsted Summer Festival Committee

Appointed the following officers to the City of Winsted Summer Festival Committee: Dale Maus, Rose Heimerl, Lisa Baumann, Gerald Heinen, Gary Rathmanner, Steve Fiecke, Pam Fiecke, Amanda Alguire, Barb Schank, and Monica Hertzog.

k) Winsted Summer Festival – Minnesota Zoomobile

Approved the Minnesota Zoomobile to display animals at Hainlin Park during the 2011 Winsted Summer Festival.

l) Betsy Bingo – Winsted Summer Festival

Approved the Betsy Bingo activity, with a cow in Hainlin Park on Saturday, August 13, 2011 and Sunday, August 14, 2011.

m) June, 2011 Financial Report

Approved the June, 2011 Financial Report.

n) June, 2011 Building Permit Report

Approved the June, 2011 Building Permit Report.

o) Claims

Approved the claims list for July 19, 2011.

p) Schedule Public Hearing – Background Check Ordinance Amendments

Scheduled a public hearing for Tuesday, August 2, 2011 at 6:00 p.m. in the Council Chambers at Winsted City Hall to consider amendments to the Background Check Ordinance.

q) Resolution R-11-15 – Phosphorous Reduction Grant Application

Authorized the Administrative Assistant to execute documents pertaining to Resolution R-11-15 as Deputy Clerk and adopted Resolution R-11-15 authorizing the City of Winsted to submit a Phosphorus Reduction Grant application to the Minnesota Public Facilities Authority (PFA) and authorized City officials to execute a grant agreement on behalf of the City of Winsted for the Wastewater Treatment Facility improvements.

3) No Public Hearings.

4) No Old Business.

5) **New Business**

a) **Resolution R-11-16 – Deck Removal – 151–8th Street South**

Martens stated that an unsafe condition exists at the property located at 151- 8th Street South with a deck that is failing and does not meet Building Code.

Martens provided a history of the deck with the following points:

- The property owner received a building permit on June 15, 2006 for the purpose of installing a deck on the property. The deck was never inspected for final compliance.
- On May 16, 2011, the property was inspected by City of Winsted Building Inspector Rob Beckfeld who found the deck to be “unsafe” and left an inspection notice on the property stating, “You have fifteen (15) days to either remove the deck or contact me to discuss what shall be done to make your deck compliant. If you fail to do the above options the City of Winsted will be forced to take further action”.
- On June 20, 2011, the City of Winsted received a letter from Beckfeld informing the City of Winsted about the conditions of the deck and that the deck should either be removed or made compliant.
- On June 21, 2011, the City of Winsted submitted a letter to the property owner stating “The deck, located at 151-8th Street South, must be removed or made compliant by July 15, 2011. If you fail to comply with this notice, the City of Winsted will remove your deck and assess the cost to your property”.

Martens stated that no changes have been made to the deck located at 151- 8th Street South and requested that due to the significant length of time the conditions have existed on the property, the City Council certify the Public Nuisance and order its abatement. The cost of the abatement is \$700.

He also stated that putting up a safeguard on the deck, rather than taking it down, is not an option due to the unsafe condition of the deck.

Council Member Quast questioned if anyone was living in the house. Martens stated that it was uncertain, but there has been some water usage at the residence.

Council Member Quast motioned to adopt Resolution R-11-16 certifying a public nuisance at 151-8th Street South and ordering the abatement by means of contracted removal by the City of Winsted. Council Member Ollig seconded. Motion carried 5-0.

b) **Minor Subdivision – 591 Fairlawn Avenue West**

Martens stated that the City of Winsted has been approached to approve a lot line adjustment for the property located at 591 Fairlawn Avenue West. The lot line adjustment requires approval of a minor subdivision which may be approved by the City Administrator; however, due to the infrequency of such requests, he is seeking the City Council’s approval.

Martens explained that the future use of this property will be a new location for the Winsted Napa store. The current building will be utilized; however, one or more of the existing garage doors will be removed and framed as a wall. Aesthetic improvements such as paint will be applied to the building.

Martens continued by stating that the lot line adjustment requested would move the property line on the south edge of the property an additional 50 feet south, enlarging the north/south distance of the property from 70 feet to 120 feet. The property is located in the C-2 Highway Commercial District.

Martens reviewed the following items noted about the proposed site, after reviewing the survey from Otto Associates:

- The side yard setback does not meet the requirements of the Highway Commercial District. It is noted that this issue already exists with the current building on site. The non-conforming setback is grandfathered in.
- The front yard setback does not meet the requirements of the Highway Commercial District. It is noted that this issue already exists with the current building on site. The non-conforming setback is grandfathered in.
- The rear yard setback does not meet the requirements of the Highway Commercial District. It is noted that this issue already exists with the current building on site. The non-conforming setback is grandfathered in.
- The proposed property does not have the required access from County Road One (1) to allow for two-way traffic. An agreement to enter the property from the south must exist.
- City ordinance for retail stores and service establishments requires one parking space for every 200 square feet of floor area (floor area is the gross floor area used or intended to be used for services to the public as customers, patrons, clients or patients as tenants, including areas occupied for fixtures and equipment used for display or sale of merchandise, less ten (10) percent). The existing structure is approximately 84 feet x 50 feet, or 4,200 square feet. If the entire area was to be floor area, the parking requirement would be 18 stalls. Tom Scherman, the person that made the request for the lot line adjustment, has confirmed that the actual floor area will be much smaller and that he can meet the parking requirements.
- A building permit must be obtained prior to any framing work.

Martens stated that the Planning Commission reviewed this request at their July 13, 2011 meeting and was in favor of approving the minor subdivision.

Council Member Ollig stated that the move of the Napa Store will help them maintain a viable business because they will be in a better location with increased traffic flow.

Council Member Ollig motioned to approve the minor subdivision request to move the lot line as proposed at 591 Fairlawn Avenue West. Council Member Mochinski seconded. Motion carried 5-0.

6) Department Report

a) Metro West Inspection Services, Incorporated

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

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- 36 permits have been issued. Most are for re-roofing, re-siding, or decks.
- The second phase of the St. Mary's project has been given occupancy. The Assisted Living building should have been turned over to the owner already, but they are waiting for authorization from the State Electrical Inspector, the State Fire Marshall, and the Department of Health, who unfortunately are not working because of the Minnesota State Shutdown.
- Rental permits still trickle in. Most rental residences are currently licensed. Most new applications received are from property owners that were renting without a license, and the City has notified them that they need a permit.
- Building projects remain slow. Beckfeld is still working four (4) days per week and has been for the past three (3) years.

Mochinski asked Beckfeld how the City of Winsted compares to other cities in the types of permits issued. Beckfeld stated that the types of permits are the same; surrounding communities may have a few more. Winsted has a higher number of commercial permits issued.

Council Member Schulenberg questioned if Beckfeld, when he does his inspection walk-through, could give businesses or residents a pre-warning or coaching of what the State of Minnesota inspectors will be looking at in their projects. Beckfeld replied that he cannot comment on electrical inspections, because that is not his area of expertise, but he has given people coaching on what the Minnesota Department of Health or State Fire Marshall will be looking at.

7) **No Open Forum.**

8) **Announcements.**

Martens reminded the Winsted community that Senior Dining occurs each weekday at City Hall and Senior Citizens are welcome to join the program.

Council Member Ollig encouraged those present to attend the Chamber of Commerce barbeque on Thursday, July 21, 2011, starting at 4:30 p.m., behind the American Legion, to welcome Brad Martens, newly hired City Administrator.

9) **Adjournment**

Council Member Quast motioned to adjourn. Council Member Mochinski seconded. Motion carried 5-0.

The meeting was adjourned at 6:20 p.m.

Steve Stotko
Steve Stotko
Mayor
City of Winsted

ATTEST:

Raquel Kirchoff
Raquel Kirchoff
Administrative Assistant
City of Winsted