

City of Winsted
City Council Meeting
Council Chambers
August 16, 2011
6:00 p.m.

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

Absent: Council Member Tom Ollig

Staff Present: Brad Martens, City Administrator
Deborah R. Boelter, City Clerk-Treasurer
Mike Henrich, Chief of Police
Fran Eggert, City Attorney

1) Mayor Stotko called the meeting to order at 6:00 p.m.

a) The Pledge of Allegiance was taken.

b) Winsted Pride Awards

1. Marty and Dianne Zitzloff – 151 George Avenue East

Mayor Stotko presented the Winsted Pride Award to Marty and Dianne Zitzloff for exceptional improvement to their property, which enhances the visual appearance of the Winsted community.

2. Winsted Lake Watershed Association – Lakefront Promenade

Mayor Stotko presented the Winsted Pride Award to the Winsted Lake Watershed Association (WLWA) for their development and maintenance of the Lakefront Promenade.

2) Consent Agenda

Council Member Mochinski motioned to adopt the Consent Agenda as presented. Council Member Schulenberg seconded. Motion carried 4-0.

a) Minutes – City Council Work Session – August 2, 2011

Accepted the minutes of the City Council Work Session of August 2, 2011.

b) Minutes – City Council Regular Meeting – August 2, 2011

Accepted the minutes of the City Council Regular Meeting of August 2, 2011.

c) Meeting Reschedule – Winsted Municipal Airport Commission – October 6, 2011

Authorized the Winsted Municipal Airport Commission meeting, scheduled for Tuesday, October 11, 2011, at 8:30 a.m. to be rescheduled to Thursday, October 6, 2011 at 7:00 p.m., in the Arrival/Departure (A/D) building at the Winsted Municipal Airport.

d) City Council and Staff Goal Setting Session – August 23, 2011

Scheduled a City Council and Staff Goal Setting Session to be held on Tuesday, August 23rd, 2011 from 8:00 a.m. to 5:00 p.m. in the Vollmer Room at City Hall, 201-1st Street North.

e) Tire Purchase for Payloader

Approved the request to purchase replacement tires for the Public Works Department's Payloader from Royal Tire in the amount of \$10,102.35.

f) Winsted Volunteer Fire Department Relief Association – Gambling Contribution

Approved Resolution R-11-19 to accept a contribution from gambling proceeds from the Winsted Volunteer Fire Department Relief Association in the amount of \$3,300 to be dedicated to the purchase of two (2) defibrillators for St. Mary's Care Center.

g) July, 2011 Financial Report

Approved the July, 2011 Financial Report.

h) July, 2011 Building Permit Report

Approved the July, 2011 Building Permit Report.

i) Claims

Approved the Claims List for August 16, 2011.

j) City Council Work Session – August 30, 2011

Scheduled a City Council Work Session to be held on Tuesday, August 30, 2011 at 5:00 p.m. in the Lewis Room at City Hall, 201 – 1st Street North, to discuss the 2012 General Fund Budget.

3) No Public Hearings.

4) No Old Business.

5) New Business

a) Winsted Library Appeal to the Pioneerland Library System

Martens stated that the City of Winsted was informed on June 23, 2011 that Head Librarian, Sharon Noerenberg has announced her intent to retire effective August 31, 2011. The retirement triggered the Pioneerland Library System (PLS) to begin the process to fill the vacancy created by her resignation. PLS policy is that when a Head Librarian retires or resigns, PLS may combine head librarian positions with other libraries, and PLS has chosen to do so. The City of Winsted or McLeod County can challenge that decision and have thirty (30) days from the announcement to inform PLS of the intent to do so and must submit a formal request within sixty (60) days. The announcement was given on June 14, 2011. In accordance with the PLS policy, the City of Winsted provided PLS with the notice of intent to appeal on July 12, 2011 and a request for a timeline extension. An extension was received until August 23, 2011.

In considering appeals, the PLS Executive/Finance Committee's criteria may include but is not limited to:

1. The local library can demonstrate that it has a minimum working capital of (three (3) months) and resources to maintain at least that minimum level of working capital for five (5) or more years.
2. The local library has sufficient funding for a Head Librarian and other staff wages, benefits and future compensation increases for at least five (5) years.
3. For the next five (5) years, the local library commits to be in the top twenty-five percent (25%) of their library size in the funding of their library material budgets (books, periodicals and videos).
4. The local library has sufficient funding to pay the ongoing PLS administrative and automation costs for the next five (5) years.

5. The local library can demonstrate that retention of the Head Librarian position will not be detrimental to or interferes with the overall operations, services and management of the PLS System or its mission.

Martens stated that doing nothing would result in a shared Head Librarian, not the closure of the Winsted Public Library. The Winsted Public Library Commission has requested that the City of Winsted submit a formal appeal to reconsider the consolidation of the Head Librarian position as they feel not having a Head Librarian dedicated to Winsted would decrease services and programs available to Winsted. Specifically, the loss of a dedicated Head Librarian would mean losing local control of book purchases and programs.

Martens continued by stating that the items above that would affect the City the most are numbers two (2) and three (3). Item number two (2) is an issue because although current funds allocated towards library wages are nearly sufficient, an amount estimated at \$2,000 annually would be needed to supplement wages in order to hire a Head Librarian for Winsted.

Item three (3) is an issue because this would mean that Winsted would need to be either number one (1) or two (2) in funding. The current second highest level of funding is \$7,783 annually. This means Winsted would need to fund library materials at a rate of at least \$7,783, an increase of \$5,089 annually from the current \$2,694 funded annually.

In addition to the \$2,694 annual supplies budget, the Winsted Public Library raises funds through an annual silent auction. A possibility may exist to use these funds as part of the \$5,089 needed to meet item three (3).

Martens stated that in summary, the cost of meeting the appeal criteria is approximately \$7,059 annually.

Martens also stated that although programming and services at the Winsted Public Library will be affected, the PLS decision to combine library services does not decrease funding or hours for the Winsted Library. It is difficult to justify the new annual cost of \$7,059 to avoid changes. It is recommended that the Winsted Library be asked to raise some or all of the funds needed in order to appeal.

Julie Guggemos, Winsted Public Library Commission and PLS Board member, addressed the City Council. She gave an overview of the operations and services provided by the Winsted Public Library.

Guggemos presented the funding sources of the Winsted Public Library. Guggemos asked the City Council to please consider the negative impact that the Winsted Public Library, the City and its residents would see if local control of the Library would be lost.

Council Member Mochinski asked how many patrons visit the library. Lisa Ebert, part-time librarian at the Winsted Public Library, stated that it is difficult to determine how many people use the Library because they have patrons who visit in-person and on-line. Martens stated that he does have the statistics on the use of the Winsted Public Library and he can provide that information to anyone who is interested.

Council Member Mochinski asked Ebert how the future of the Winsted Public Library will be affected with the availability of internet. Ebert stated that the Library does provide computers for patrons to conduct research on the internet. She also stated that there are several patrons who still use the Library for pleasure reading and like to have an actual book in hand.

Council Member Quast stated that she would like the City to identify funding sources to meet the criteria of the appeal.

Council Member Schulenberg stated that he would like to see the City provide the required funding for the Winsted Public Library appeal.

Mayor Stotko asked Guggemos if the money that the Winsted Public Library receives with their annual fundraisers could be used to help offset the required funding in the appeal. Guggemos stated yes.

Guggemos stated that they are currently forming a non-profit organization known as the "Friends of the Library" to assist in obtaining funding for the Winsted Public Library.

Martens stated that the City does budget \$9,000 annually for the operations of the Winsted Public Library.

Council Member Quast motioned to direct staff to complete a formal appeal to Pioneerland Library System (PLS) meeting the PLS Executive/Finance Committee's criteria. Council Member Schulenberg seconded. Motion carried 4-0.

b) Resolution R-11-20 – Site Plan Review – Tetra Pak Expansion – 801 Kingsley Street South

Martens stated that the applicant, Tetra Pak Cheese and Powder Systems, Incorporated, is requesting a Site Plan approval in order to construct a 26,368 square foot addition to the existing Tetra Pak building at 801 Kingsley Street South. The proposed addition includes new office space and factory/materials storage space. A new access to County Road 9 is also included. Procedurally, no public hearing is required.

Tetra Pak Cheese and Powder Systems, Incorporated is a food processing and packaging solutions company. The existing building is 100,395 square feet in area or 2.31 acres. The proposed expansion will increase the building to 126,763 square feet or 3.07 acres. The proposed building lot coverage is forty-six percent (46%). The property is located in the I1 Industrial District.

The proposed expansion appears to meet setback, height, landscaping and parking requirements as outlined in the City's Ordinance. Winsted Police Department and Volunteer Fire Department staff has reviewed the plans and find them to be acceptable as long as the lock box for emergency services is moved to the new entrance location. Additional reviews have been completed.

Although not required by Ordinance, property owners within 350 feet of the proposed expansion were provided with ten (10) days notice of the Planning Commission meeting held on August 10, 2011.

Martens stated that the Planning Commission reviewed the proposed Site Plan at their August 10, 2011 meeting. A presentation by John Anderson of the Municipal Development Group recommended approval with eleven (11) conditions:

1. Electrical Power Systems, Telephone and other Wire Communication Systems and Gas Systems. All electrical power lines, telephone and other wire communication systems and all primary and secondary gas distribution systems shall be located underground. All maintenance and service shall be the responsibility of supplier or its designated agent. Any and all meters or metering devices shall be attached to the main structure located on the premises.
2. Exterior Lighting. Exterior lighting plans shall be submitted and approved prior to issuance of a building permit by the City of Winsted.
3. Parking. That all parking stalls meet the required depth of twenty (20) feet and width of nine (9) feet as required within the zoning ordinance.
4. Stripping. All parking stalls shall be marked with white or yellow painted lines not less than four (4) inches wide.
5. County Road Access. Any access revisions to county roads will require a permit to be issued by McLeod County and will be the responsibility of the applicant. All required permits shall be approved and delivered to the City prior to construction and issuance of a building permit by the City of Winsted.
6. City Engineer Approval. That the site plan meets all requirements and addresses all concerns of the City Engineer prior to the issuance of a building permit by the City of Winsted.

7. Minnesota Department of Natural Resources (MN DNR). That any MN DNR related comments are satisfied prior to the issuance of a building permit by the City of Winsted.
8. Landscaping. That the landscaping is installed according to the approved landscaping plan and that the applicant shall add additional landscaping in the form of trees along the north boundary of the parking lot along 235th Street (County Road 85) east of the existing transformers to the entrance to 235th Street for noise mitigation and to continue to maintain the type and number of trees as detailed in this landscaping plan.
9. Signage. All signs shall meet the requirements of section 1501.023 of the Zoning Ordinance and no signs shall be replaced, installed or constructed until the appropriate sign permits have been issued by the City of Winsted.
10. Building Permit. That all appropriate building permits are issued before construction begins. No building or structure shall hereafter be erected nor construction on the existing structure shall be started until the Building Inspector or the designated representative has issued a lawful building permit from the City of Winsted.
11. Time Limit from Site Plan Approval until Building Permit is Issued. From the time the applicant receives site plan approval from the City Council, the applicant must be issued a building permit within twelve (12) months from the site plan approval date. Failure to do so will require the applicant to obtain a new site plan approval, with appropriate fees, to receive a building permit. The applicant may apply for one (1) six (6)-month extension before the expiration date. Application for an extension is an administrative process.

Three (3) residents were in attendance at the Planning Commission meeting and brought up the issues of drainage, parking and noise. The drainage issue appears to be taken care of through the ditch area and a new parking plan has increased the stalls to 134. The noise issue was not addressed in the plan provided to the Planning Commission; however, condition number eight (8) has been changed to reflect the need for a landscaping buffer to decrease noise.

Mayor Stotko asked about the MN DNR report. He stated that the report does not tell Tetra Pak what they have to do but it does provide some suggestions. Mayor Stotko asked what they plan to do to avoid runoff to Winsted Lake. Andy Brandel, Civil Engineer with the I and S Group, addressed the City Council and detailed Tetra Pak's plans to run the storm water to the ditches located on the west and north sides of the property. He also stated that there will be storm water management to the ditch in place during construction.

Council Member Mochinski asked what capacity of rainfall occurs at the Tetra Pak site. Saulsbury stated that he does not have that information. Council Member Mochinski asked what happens if there is a large rainfall. Brandel stated that it would fill up the ditches.

Council Member Mochinski asked who would be liable if there would be any overflow issues and damage to vegetation. Saulsbury stated that any alteration to the ditch would have to be approved by both McLeod County and the MN DNR.

Council Member Quast asked Saulsbury if he approves Tetra Pak's plan for storm water runoff. Saulsbury stated yes.

Martens stated that the City's Ordinance should be amended to address the amount of impervious surface and possible storm water runoff for future development requests.

Mayor Stotko asked about the resident's concerns of noise. Mayor Stotko stated that he himself has heard loud noise coming from Tetra Pak and asked if there are any plans, other than planting trees, to mitigate the noise issues. Dick Stevens, Tetra Pak Construction Site Manager, stated that there are items they

are going to address internally within the building to avoid some of the noise to the neighbors.

Mayor Stotko asked Brandel and Stevens to talk about the trees they plan to plant. Brandel stated that they are planting trees in compliance with the City's Ordinance requirements. He detailed the type of trees they will be planting.

Pat Schommer, 371 South Shore Drive, asked Brandel and Stevens if they have revised their snow removal plan. He stated that in the past they would haul the excess snow to the location on the Tetra Pak property where the new trees are going to be planted. Schommer's concern was with the salt and sand in the snow killing the trees. Stevens detailed their new snow removal plan.

Council Member Quast stated that she did contact some of the residents who live near Tetra Pak and she did not receive any negative comments on the noise.

Council Member Schulenberg stated that he lives one (1) block away from Tetra Pak and they are good neighbors.

Council Member Quast motioned to adopt Resolution R-11-20 to approve a Site Plan for the expansion of the existing Tetra Pak Cheese and Powder Systems, Incorporated at 801 Kingsley Street South with the condition to continue to maintain the type and number of trees as detailed in the landscaping plan. Council Member Mochinski seconded. Motion carried 4-0.

c) Washouts – City Hall

Martens stated that two (2) washouts occurred on the shoreline of Winsted Lake just east of City Hall due to a large rain event. Initial consultation with the City Engineer resulted in a recommendation to at minimum fill the washouts in with heavy clay, drain tile from top, rip rap at outlet, permanent erosion mat and vegetative plantings. A secondary option would be to install drain tile along the length of patio, with rip rap north of the washout. It was estimated that the repair would cost between \$50,000 - \$77,000 depending on the method.

Martens stated that in order to have a better understanding of the problem, the City ordered the City Engineer to complete a survey of the property draining towards the area.

The City of Winsted Purchasing Policy states "sealed bids shall be obtained by public notice for purchases estimated to be \$50,000 or greater with final award by the City Council". The costs to repair the damage created by the washouts is estimated to be \$50,000-\$77,000. Funding for the repair could come from a construction fund balance from building City Hall. The current balance is \$89,050.54.

Saulsbury presented the following recommendations:

- Place a storm sewer pipe with lateral drain tiles at the failure locations.
- Import clay material to replace the material that washed away.
- Place a drain tile with a rock trench between the concrete patio and the top of the slope.
- Install a catch basin at the top of the hill north of the concrete patio.
- Connect the outlet under the retaining wall to the new catch basin.
- Place rip rap at the bottom of the erosion areas where the new pipes outlet.
- Place a permanent erosion control mat over the restored area.
- Grade the surface and replant sumac vegetation.

Saulsbury presented different options and their costs for restoration of the Lakefront Promenade's lake bank washout for the City Council to consider.

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| ➤ Option A – Slope Failure Restoration Only | \$41,630 |
| ➤ Option B – Sidewalk Edge Drain | \$ 6,370 |
| ➤ Option C – Twelve (12) inch Storm Sewer | \$ 5,700 |

- from the Retaining Wall to the Lake
- Temporary Repair Option \$30,750

Saulsbury stated that to avoid damage to the concrete areas of the Lakefront Promenade from the contractor's heavy equipment, the washout could be restored during the winter by having the contractor complete the work from the ice.

Saulsbury presented a possible project schedule:

- August 16, 2011 - Get design input from the City Council and receive authorization to obtain quotes.
- August 26, 2011 - Complete final design and send bidding documents to selected contractors.
- September 9, 2011 - Receive contractor quotes.
- September 20, 2011 - Award the project to the determined contractor.
- October 3, 2011 - Start construction.

Council Member Mochinski asked what size of rainfall that the proposed drain tile going down the hill can handle. Saulsbury stated that he did not have that information and would have to review it and get the information to him. Saulsbury did state that it is designed to the standard of ten (10) year flooding of 2.4 inches per hour.

Council Member Mochinski stated that he does not believe that this type of flooding is the norm anymore. There are more rainfall events that are creating more and more flooding issues. Saulsbury stated that he believes that the washout issues in the Lakefront Promenade lake bank area are due primarily to sub-surface flow and storm water flow.

Council Member Schulenberg stated that his concern is that the Lakefront Promenade was completed only recently in 2008 and with weather cycles the way they have been he would like the washout to be evaluated thoroughly and addressed accordingly so the City is not facing the same issues in the future.

Mayor Stotko stated that his concern is also if the City will be dealing with this issue again in two (2) years. Saulsbury stated that there are no assurances.

Martens asked the City Council what they thought about having the contractor do the restoration in the winter months from the ice. He stated that the aerators would have to be off so the ice would thicken.

Council Member Mochinski asked how long the restoration would take. Saulsbury stated approximately one (1) week.

Council Member Mochinski stated that he wants an assurance that a twelve (12) inch pipe is going to be big enough to hold the rainfall flow. Martens asked if Saulsbury could provide more detailed information on what size rainfall this design would accommodate. Saulsbury stated that it is designed for the sub-surface flow and storm water flow. Saulsbury stated that he will prepare more detailed information and present it to the City Council at a future meeting.

Saulsbury stated that he did contact the Crow River Watershed to inquire about possible funding assistance for restoration of the Lakefront Promenade lake bank.

Council Member Mochinski and Council Member Schulenberg asked Saulsbury to evaluate the lake bank washout with them to clarify some other issues that they would like to bring to Saulsbury's attention. Saulsbury agreed to a meeting.

c) Athletic Field Use Policy

Martens stated that the athletic fields in Winsted parks are used by many groups for softball, baseball and t-ball. It was brought to the attention of the staff that a policy on the use of the fields over the summer months would help to ensure Winsted teams receive access prior to any outside use.

At the July 12, 2011 Park Commission meeting, staff was directed to draft an athletic field reservation procedure and priority list for the Commission to review at their August, 2011 meeting. The Park Commission recommended that the attached Policy be approved by the City Council.

Council Member Quast motioned to adopt the Athletic Field Use Policy. Council Member Mochinski seconded. Motion carried 4-0.

6) Department Report

a) Winsted Police Department

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

- Special Events that involved the Winsted Police Department:
 - A Bike Rodeo
 - Winstock Country Music Festival
 - Higher Ground
 - National Night Out
 - Winsted Summer Festival
- Current Cases that the Police Department is working on:
 - Winsted Farmers Elevator
 - 171 McLeod Avenue West house fire was ruled accidental, electrical
- Officer Heldt has been named to the all-star team for Driving While Intoxicated (DWI) arrests.
- Officer Lammers took on the project of evaluating houses in the City of Winsted to confirm that they have their house number displayed on the front. If he found a house that did not have the number displayed, he contacted the homeowner personally or through a letter.
- Will be conducting a joint disaster training between the Winsted Volunteer Fire Department, Police Department, Ridgeview Medical Center ambulance and a local business in October, 2011.

7) No Open Forum.

8) No Announcements.

9) Adjournment

Council Member Mochinski motioned to adjourn. Council Member Quast seconded. Motion carried 4-0.

The meeting was adjourned at 7:20 p.m.

Steve Stotko

Steve Stotko
Mayor
City of Winsted

ATTEST:

Deborah R. Boelter

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