

City of Winsted  
City Council Work Session  
Lewis Room  
Tuesday, September 16, 2014  
5:00 p.m.

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

Staff Present: Mr. Clay Wilfahrt, City Administrator  
Ms. Deborah R. Boelter, City Clerk-Treasurer  
Mr. Justin Heldt, Winsted Police Department Chief

### **I. Call to Order**

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

### **II. Rain Garden - Rocks**

Mr. Wilfahrt stated that at the September 2, 2014 City Council Work Session, the City Council requested more information regarding the proposed rocks for the Rain Garden. Mr. Wilfahrt continued by giving a brief overview of the information that was presented at the September 2, 2014 Work Session.

Mr. Wilfahrt stated that the City Council requested that a depiction be given regarding the design and intended use of the Rain Garden, and also why the Winsted Public Works Department does not plow snow from east to west on Winsted Avenue.

Mr. Wilfahrt stated that the Public Works Department employees responded to the snow plowing comment by saying that a lack of traction driving up hill on Winsted Avenue prevents them from plowing snow on Winsted Avenue from east to west.

Mr. Wilfahrt presented a drawing depicting what the proposed Rain Garden would look like and ultimately include.

Mr. Wilfahrt stated that sodding the area would be another option for the City Council to consider. New dirt would need to be brought in, and the total cost would be estimated to be around \$1,000. The area would need to be mowed, and would likely need to be partially reseeded annually because the salt from the snow that is piled there would kill some of the grass. The proposed rock would require little to no maintenance.

Council Member Ollig asked if the Winsted Lake Watershed Association (WLWA) has been involved in the planning process for the proposed Rain Garden. Mr. Wilfahrt stated that WLWA and Park Commission member, Ms. Petie Littfin, has been working with City staff to design the proposed Rain Garden.

The City Council discussed and directed Mr. Wilfahrt to present the proposed Rain Garden to the WLWA and obtain their feedback on the design and/or materials.

### **III. Winsted Police Department – Police Officer Hire**

Mr. Wilfahrt stated that Winsted Police Department Officer, Mr. Dan Pohl, has submitted his resignation and will work his last day with the Winsted Police Department on September 25, 2014. To maintain a full Police force, City staff would like to advertise for another Officer to fill Mr. Pohl's position.

Mr. Wilfahrt stated that to hire a Police Officer, staff will need the City Council to authorize staff to post the Police Officer Job Posting. If approved, staff will post in the Herald Journal Newspaper, the League of Minnesota Cities Website, Minnesota Peace Officer Standards and Training (P.O.S.T.) bulletin, [mnworks.net](http://mnworks.net), the City of Winsted website and etcetera.

Mr. Heldt stated that City staff did contact the next candidate on the list after the last interviewing process and he has been offered another job.

Mr. Wilfahrt presented an anticipated outline of the Police Officer Hire Process that reflects a start date of December in the year 2014.

### Police Officer Hire Process Outline

Item	Task	Performed by	Completed Date
Decision by the City Council to proceed.	<ul style="list-style-type: none"> <li>• Approve position profile and authorize City staff to advertise for candidates.</li> </ul>	City Council.	September 16, 2014.
Candidate recruitment.	<ul style="list-style-type: none"> <li>• Advertise:               <ul style="list-style-type: none"> <li>○ League of Minnesota Cities.</li> <li>○ Association of Minnesota Counties.</li> <li>○ MN Works.net.</li> <li>○ Minnesota Clerks and Finance Officers Association.</li> <li>○ Herald Journal Newspaper.</li> <li>○ Minnesota Peace Officer Standards and Training (P.O.S.T.) Bulletin.</li> </ul> </li> </ul>	City Staff.	September 19, 2014.
Screening of applicants.	<ul style="list-style-type: none"> <li>• Review and rank applicants using education and experience.</li> </ul>	Administrator.	October 6, 2014.
Selection of finalists.	<ul style="list-style-type: none"> <li>• Selection of candidates for initial interviews.</li> </ul>	Administrator and Mayor.	October 6, 2014.
First Interview.	<ul style="list-style-type: none"> <li>• Up to eight (8) initial candidates will be interviewed by panel including:               <ul style="list-style-type: none"> <li>○ Two (2) City Council members.</li> <li>○ City Department Heads (Public Works Department Maintenance Supervisor, City Clerk, Fire Chief).</li> </ul> </li> <li>• City staff will prepare questions.</li> <li>• Interview panel will determine up to three (3) finalists.</li> </ul>	City Staff.	Week of October 13, 2014.
Final Interview.	<ul style="list-style-type: none"> <li>• City Administrator.</li> <li>• Mayor and City Council Member.</li> <li>• Winsted Police Department Chief.</li> <li>• City staff will prepare questions.</li> </ul>	City staff will facilitate.	Week of October 20, 2014.
Background of finalists selected for final interviews and Psychological evaluation.	<ul style="list-style-type: none"> <li>• Includes:               <ul style="list-style-type: none"> <li>○ Criminal background: County, State, Bureau of Criminal Apprehension (B.C.A.), National, Sex Offender Registry.</li> <li>○ Employment verification.</li> <li>○ Education verification.</li> </ul> </li> <li>• Reference checking.</li> </ul>	Arranged by City staff.	To be determined.
Job offer and agreement.	<ul style="list-style-type: none"> <li>• City staff will negotiate agreement and communicate to chosen candidate.</li> </ul>	City Staff.	Week of October 20, 2014.

Approval of hire.	City Council approves hire of new Police Officer.	City Council.	November 5, 2014.
Projected start date.	New Police Officer begins working with the Winsted Police Department.		December, 2014.

Mr. Wilfahrt stated that this item is on the regular agenda at tonight's Regular City Council meeting.

The City Council discussed and directed Mr. Wilfahrt and Mr. Heldt to move forward with the hiring process.

Mr. Wilfahrt asked for two (2) City Council members to volunteer for the initial interviews. Council Member Quast and Council Member Schulenberg volunteered.

#### **IV. Floodplain Study**

Mr. Wilfahrt stated that in July of the year 2014, the Federal Emergency Management Association (FEMA) began enforcing new floodplain determinations. The new determinations redefined floodplains and which properties are contained within them. Anyone with a property within the one hundred (100) year floodplain will likely be required to pay for Flood Insurance if they have a mortgage on their property. Mr. Wilfahrt continued by stating that he has reached out to Flagship Insurance Services to get information on how many people have been required to get Flood Insurance and how much that Insurance costs. Flood Insurance costs a property owner \$400 per \$100,000 in loan principal. There are eighty-seven (87) properties in Winsted that are within the floodplain. That is approximately nine percent (9%) of the 947 households in Winsted.

Mr. Wilfahrt stated that property owners can appeal their inclusion in the floodplain and may want to do this to avoid paying Flood Insurance. Others who have paid off their property or who are not required to have Flood Insurance may have a difficult time selling their property because of the Flood Insurance requirement of other mortgage providers. Additionally, some property owners' property may be in the floodplain; but, their structure may not be. In that case, they should not need to carry Flood Insurance and will need help from an engineer to articulate that fact to FEMA to avoid a Flood Insurance requirement.

Mr. Wilfahrt stated that the City has been contacted by a group of homeowners on or near Pheasant Run who would like to challenge their inclusion in the floodplain. The homeowners were curious to know how much it would cost for them to challenge the process. Staff gathered information from the Department of Natural Resources (DNR), FEMA, and Bolton and Menk, Incorporated and determined that the cost for the four to five (4-5) homeowners to complete a re-study and submit paperwork to FEMA and the DNR to appeal their inclusion in the floodplain would cost approximately \$4,800 to \$5,200.

Mr. Wilfahrt also inquired how much it would cost for individual property owners to appeal the process, since it is likely that other property owners will challenge the new determinations in the future. An individual property owner would pay between approximately \$600 and \$1,000 to challenge the determination.

Mr. Wilfahrt stated that he asked the City's Engineer, Bolton and Menk, Incorporated, how much it would cost the City to do a full study of the flood plain throughout the City and help all of the property owners who have been erroneously included in the floodplain, or who are being charged Flood Insurance despite their structures not being included in the floodplain. A full study would include modeling of the City to determine the accuracy of FEMA and the DNR's current floodplain, and filling out paper work and communicating with FEMA and the DNR. Completion of the proposed Floodplain Study would take three (3) to six (6) weeks, and Bolton and Menk, Incorporated indicated that the cost would be approximately \$5,000 to \$6,000.

Mr. Wilfahrt stated that there are large economies of scale for the City to complete the full Study. If the City does a full Study, modeling, communications and paperwork with FEMA and the DNR, and surveying; it would only need to be done once. The Study conducted by the City would be in effect until FEMA and the DNR make new determinations, which has only been done once since the year 1989. If the process is left up to individual homeowners, each of those items would have to be done for every appeal.

Mr. Wilfahrt stated that completing a new Study does not guarantee that anyone will be removed from the floodplain; however, if Bolton and Menk, Incorporated begins modeling and realizes that the determinations made by FEMA and the DNR are accurate, they will stop the process and the City will not incur the full cost as estimated above.

Mr. Wilfahrt stated that if the City determines that property owners should be removed from the floodplain, or that their property; but, not their structure, is bisected by the floodplain, the City would communicate with them and help them remove any requirement for Flood Insurance.

Mr. Wilfahrt asked the City Council to consider obtaining a formal quote from Bolton and Menk, Incorporated to complete a full Floodplain Study in the City of Winsted. If the City Council desires to move forward, staff will obtain a quote and include it on the October 7, 2014 Regular City Council meeting agenda.

Mr. and Mrs. Vince Laxen, 655 Harvest Circle, were in attendance at the Work Session

The City Council discussed and directed Mr. Wilfahrt to obtain a quote from Bolton and Menk, Incorporated to complete a Floodplain Study.

## V. Other

### a) Winsted Police Department Officer – Sick Leave Payout

Mr. Wilfahrt stated that a Winsted Police Department Officer that resigned is asking to have the allowable amount of fifty percent (50%) of his remaining Sick Leave to be paid to his Health Savings Account.

The City Council discussed and directed Staff to pay the Police Officer his fifty percent (50%) of remaining Sick Leave and have the City's Personnel Attorney draft a *Separation Agreement and Release* for the Officer to sign.

### b) Grass Lake Road – Utility Service

Mr. Wilfahrt stated that Ms. Tamara and Mr. Larry Vealetzek, 24182 Grass Lake Road, have contacted the City regarding City water and sewer running to their property. Currently the lot is undeveloped, but the owner is interested in selling the property. The property does not have water and sewer running to the property, and the closet service for both water and sewer is on Westgate Drive. The landowners have requested that the City pay for the cost of water and sewer to the property line. Mr. Wilfahrt continued by stating that he reached out to Bolton and Menk, Incorporated, regarding the Vealetzek's request and he referenced a memo prepared by the City's Engineer, Mr. Jake Saulsbury regarding what would need to be done to get water and sewer service to the property line.

Mr. Wilfahrt stated that the most comparable case that staff has identified occurred at 24112 Grass Lake Road. According to a conversation with the property owner at 24112 Grass Lake Road, the City required them to hook up to water and sewer since the City's Ordinance requires that:

*“The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which wastewater is discharged, and which is situated with the city and adjacent to any street, alley, or right-of-way in which there is now located, or may in the future be located, a public sanitary sewer of the city, shall be required at the owner(s) expense to install a suitable service connection to the public sewer in accordance with provisions of this Code, within thirty (30) days of the date said public sewer is operational, provided said public sewer is within 1000 feet of the structure generating the wastewater. All future buildings constructed on property adjacent to the public sewer shall be required to immediately connect to the public sewer. If sewer connections are not made pursuant to this section, an official thirty (30) day*

*notice shall be served instructing the affected property owner to make said connection.”*

Mr. Wilfahrt stated that the City can only require a property owner to connect if the water and sewer are located in the alley or street adjacent to the property. In the case of 24112 Grass Lake Road, there was a building producing waste water when the land was annexed, but no utilities in the adjacent street; therefore, if the City wanted to have the property owner connect to water and sewer, it needed to do so at its own expense. In that case, the City paid for the utilities to the property line and the owner of the property paid from the property line to the home.

Mr. Wilfahrt stated that the Vealetzek~~s~~ have indicated a desire to sell the aforementioned vacant lot and would like the City to commit to installing water and sewer to increase the likelihood of sale of the property. Mr. Wilfahrt stated that in the Vealetzek~~s~~ case, there is no building on the property, and therefore the City cannot force them to install water and sewer; however, he presented three (3) options for the City Council to consider:

**Option One (1):**

The City Council could elect to do nothing. In this case, the Vealetzek~~s~~ would have a more difficult time selling their property. This option would not cost the City any money.

**Option Two (2):**

The City could stub in the water and sewer similar to what is done in new developments. This will allow the Vealetzek~~s~~ to sell the property more easily. It will also reflect most closely the precedent of the most similar case of the City. It will cost the City approximately \$35,000 plus the cost of obtaining an easement. Additionally, there is no guarantee that the land will be developed, which means that the City could install water and sewer only to have the land purchased by a neighbor to be kept vacant.

**Option Three (3):**

The City could draft an agreement stating that once the owner of the property builds a building that requires the use of water and sewer, the City will provide water and sewer from Westgate Drive to the property line. This would allow the Vealetzek~~s~~ to sell their property, and the City would be protected against the property not being developed. The cost of this would be whatever the cost of running the utilities would be when the property is developed.

The City~~s~~ Engineer, Mr. Jake Saulsbury, was in attendance at the Work Session.

The City Council discussed and directed Mr. Wilfahrt and Mr. Saulsbury to proceed with Option Three (3).

**c) Winsted Volunteer Fire Department’s Relief Association - 125<sup>th</sup> Anniversary Celebration – Liquor License**

Mr. Wilfahrt stated that the Winsted Volunteer Fire Department~~s~~ Relief Association has requested approval from the City of Winsted and the Minnesota Department of Public Safety/Alcohol Enforcement to give beer away on the premises of the Winsted Volunteer Fire Department~~s~~ (WVFD) Station at 431 . Sixth (6<sup>th</sup>) Street South, on Saturday, September 20, 2014 during their 125<sup>th</sup> Anniversary Celebration.

Mr. Wilfahrt stated that their application for a One (1) to Four (4) Temporary On-Sale Liquor License will be on tonight~~s~~ Regular City Council meetings~~s~~ Consent Agenda.

**d) McLeod County Road One (1) – Reduced Speed Limit**

Mayor Stotko asked Mr. Wilfahrt to contact McLeod County Highway Engineer, Mr. John Brunkhorst, to inquire about reducing the speed limit to thirty-five (35) miles per hour on McLeod County Road One (1) between the K-Way Express, Incorporated facility at 1300 . 6<sup>th</sup> Street South and the Winsted NAPA building located at 465 . 6<sup>th</sup> Street North.

Mr. Wilfahrt stated that he has already discussed the reduction of the speed limit on McLeod County Road One (1) with Mr. Brunkhorst and the process has been initiated with the Minnesota Department of Transportation (MN DOT).

**e) Roos Property**

Mayor Stotko asked Mr. Wilfahrt to discuss the purchase of the Roos property with Mr. Brunkhorst to connect McLeod County Road One (1) east to McLeod County Road Nine (9).

**VI. Adjourn**

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

The meeting was adjourned at 5:57 p.m.

*Steve Stotka*

Steve Stotka  
Mayor  
City of Winsted

ATTEST:

*Deborah R. Boelter*

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