

City of Winsted
City Council Meeting
Council Chambers
Tuesday, October 1, 2013
6:00 p.m.

Present: Mayor Steve Stotko
Council Member Bonnie 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. Fran Eggert, City Attorney
Mr. Justin Heldt, Winsted Police Department Officer
Mr. Dan Pohl, Winsted Police Department Officer

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

a) **Minutes – Planning Commission Meeting – July 15, 2013**

Accepted the minutes of the July 15, 2013 Planning Commission Meeting.

b) **Minutes – Downtown Vibrancy Commission – August 13, 2013**

Accepted the minutes of the August 13, 2013 Downtown Vibrancy Commission Meeting.

c) **One (1) Day Temporary Consumption and Display Permit – Winsted Arts Council**

Approved a One (1) Day Temporary Consumption and Display Permit for the Winsted Arts Council for November 2, 2013 at 141 Main Avenue West.

d) **Parade Permit – Holy Trinity School**

Granted a parade permit to Holy Trinity School for Friday, October 25, 2013 at 1:00 p.m. with the designated route as submitted to the Winsted Police Department.

e) **Winsted Amateur Baseball Club Sprinklers**

Allowed the Winsted Amateur Baseball Club to install a sprinkler system at Denis M. Campbell Field at their expense and directed staff to give written approval to the Winsted Amateur Baseball Club to proceed with the capital improvement upon approval of the plan from the Public Works staff.

f) Claims

Approved the Claims List for October 1, 2013.

g) Meeting Reschedule –City Council Work Session – November 5, 2013*

Authorized the City Council Work Session, scheduled for Tuesday, November 5, 2013, at 5:00 p.m. to be rescheduled to Wednesday, November 6, 2013 at 5:00 p.m., due to the Howard Lake-Waverly-Winsted School District Facilities Referendum on Election Day, November 5, 2013.

h) Meeting Reschedule – Regular City Council Meeting – November 5, 2013

Authorized the Regular City Council Meeting, scheduled for Tuesday, November 5, 2013, at 6:00 p.m. to be rescheduled to Wednesday, November 6, 2013 at 6:00 p.m., due to the Howard Lake-Waverly-Winsted School District Facilities Referendum on Election Day, November 5, 2013.

3) No Public Hearings.

4) No Old Business.

5) New Business

a) Resolution R-13-22 – Blight - 163 Main Avenue West

Mr. Wilfahrt stated that on September 4, 2013 the City issued a Notice of Destruction Order to Mr. Sam Ulland, the property owner of 163 Main Avenue West. The letter indicated that the weeds in the back yard of the property were in violation of the City's Health, Sanitation and Blight Ordinance, Section 704.

Mr. Wilfahrt stated that under the Ordinance, the City has the right to abate the blighting conditions at the property owner's expense if the property owner does not address the blight within seven (7) days of the Notice of Destruction Order. The Ordinance also allows the property owner the opportunity to appeal the Notice of Destruction Order within seven (7) days of its issuance. Mr. Ulland contacted City staff on September 9, 2013 to appeal the violation and contested that the area in question is in fact a flower bed.

Mr. Wilfahrt stated that the purpose of this agenda item is to consider the appeal by Mr. Ulland. The City Council must determine whether or not the area of the back yard indicated in the Notice of Destruction Order is grass and weeds in violation of Section 704 which would require it to be cut, or a flower bed which would allow it to remain as is.

Mr. Wilfahrt stated that City staff finds that the area indicated is in violation of Section 704.004 of the Ordinance that states "all property owners shall be responsible for the removal, cutting, or disposal and elimination of weeds, grasses and rank vegetation or other uncontrolled plant growth on their property, which at the time of notice is in excess of twelve (12) inches in height."

Mr. Wilfahrt stated that weeds, grasses and rank vegetation are defined by the Ordinance in numerous ways, but most pertinent in this case is in 704.002 sub section C, sub section 4 which defines weeds, grasses and rank vegetation as "any weeds, grass, or plants other than trees, bushes, flowers, or other ornamental plants growing to a height exceeding twelve (12) inches." From the images gathered by City staff it is evident that there is grass and weeds growing in excess of twelve (12) inches, and despite the flowers growing sporadically throughout the area, the weeds and grass are predominant and in violation of the Ordinance.

Mr. Wilfahrt stated that if the City Council moves to adopt Resolution R-13-22 to abate the blight at 163 Main Avenue West, City staff will proceed by contracting out the services to eliminate the

overgrown weeds and grass on October 3, 2013 at 10:00 a.m. at the expense of the property owner.

Mr. Ulland, 163 Main Avenue West, was in attendance at the meeting and addressed the City Council.

Mayor Stotko motioned to adopt Resolution R-13-22 certifying the blighting conditions at 163 Main Avenue West and ordering their abatement by means of contracted removal by the City of Winsted. Council Member Ollig seconded the motion. Motion carried 3-2. Council Member Fasching opposed. Council Member Schulenberg opposed.

b) Resolution R-13-23 – Blight - 163 Main Avenue West

Mr. Wilfahrt stated that on September 4, 2013, the City issued a letter to Mr. Sam Ulland, owner of the property at 163 Main Avenue West indicating that blight conditions are present on the property.

Mr. Wilfahrt stated that the blight conditions that exist are:

- Siding and construction materials lying on the ground in the back yard.
- Siding and construction materials next to the fence.
- Cardboard garbage next to the fence.
- Broken door.

Mr. Wilfahrt stated that according to the City's Health, Sanitation and Blight Ordinance, Section 702, the letter indicated that Mr. Ulland had ten (10) days from the date of the letter to mitigate the blight conditions. The letter further indicated that failure to eliminate the blight within ten (10) days would result in a City inspection in accordance with Section 702, and failure to remove the blighting conditions by September 16, 2013 would result in the City removing the blighting conditions by employing City staff or a contractor to remove the blight at the expense of the property owner.

Mr. Wilfahrt stated that the City's enforcing official can grant additional time for the property owner to comply with the Ordinance if the property owner can demonstrate a bona fide effort to remove or eliminate the blight or blighting factors is in progress. City staff has not been made aware of any efforts to eliminate the blight.

Mr. Wilfahrt stated that at the time of this report, City staff has not been made aware of any effort on behalf of the property owner to eliminate the blight conditions; and therefore, is recommending that the City Council direct staff to proceed in removing the blight following the inspection and notice period outlined by the Ordinance.

Council Member Quast motioned to adopt resolution R-13-23 to direct staff to proceed in removing the blight following the inspection and notice period outlined by the City's Ordinance. Council Member Ollig seconded the motion. Motion carried 4-1. Council Member Fasching opposed.

6) Department Report

a) City Clerk-Treasurer

Ms. Deb Boelter, City Clerk-Treasurer, reported on the following:

- **Minnesota Municipal Clerk's Advanced Academy (MMCA) – Ms. Boelter**
Ms. Boelter attended the MMCA from Thursday, September 12, 2013 through Friday, September 13, 2013 in Maple Grove, Minnesota to obtain her advanced certification as a City Clerk. Ms. Boelter did receive a \$150 scholarship from the MCFOA for attending the MMCA.

- **Athenian Dialogue**
Ms. Kirchoff and Ms. Boelter attended an Athenian Dialogue on Wednesday, September 11, 2013 in Maple Grove, Minnesota. The book that they read and discussed was titled, *Obsessive Genius: The Inner World of Marie Curie*. Both Ms. Kirchoff and Ms. Boelter will complete a book report and then they will receive points towards their advanced certification with the International Institute of Municipal Clerks (IIMC).
- **Rental Housing Permits**
The five (5) year renewals for the City's *Rental Housing Permits* are due in the year 2013. Ms. Zeidler has been working with the City's Building Inspector, Mr. Rob Beckfeld, Metro West Inspection Services, Incorporated, to review the existing *Rental Housing Permits* and complete the renewals. Ms. Zeidler stays informed of housing rental properties in the City of Winsted and does a great job in assisting property owners with the application process.
- **Blight**
Ms. Boelter and Ms. Kirchoff continue to monitor and address blight in the City of Winsted.
- **Banyon Dog Licensing Program**
Ms. Zeidler has done a great job of utilizing the Banyon Dog Licensing Program. The Program has the capability of running reports in different formats; which is beneficial for identifying any stray dogs that the Winsted Police Department finds. The Program also provides Ms. Zeidler with the necessary information to contact dog owners to remind them to renew their dog license(s) annually. Currently, the City of Winsted has 150 licensed dogs.
- **Staff Support**
Ms. Boelter, Ms. Kirchoff and Ms. Zeidler continue to provide support and assistance for other City departments, Winsted Summer Festival, Winsted Holding Activities That Unite People (WHAT UP), Winsted Area Chamber of Commerce, Winstock Country Music Festival, etcetera.
- **Rev Trak – Credit Card Processor**
Rev Trak is the City's credit card processor for all credit card transactions through the City's utility billing and/or general payments. They updated and improved their processing services. As a result, Ms. Zeidler and Ms. Kirchoff went through extensive training to become skilled in the new system for processing credit cards. In general, the new system is adequate; however, there are more steps to process a transaction.
- **Health Care Reform**
Ms. Boelter and Ms. Zeidler have participated in several webinars related to the Health Care Reform to better understand the impact it will have on the City of Winsted. They have also heard speakers discuss the Health Care Reform at different training opportunities and/or meetings. We are completing the tasks required by the Health Care Reform.
- **City Administrator Hiring Process**
Ms. Kirchoff, Ms. Zeidler and Ms. Boelter assisted with the City Administrator hiring process. The three (3) of them helped with the coordination of the interviewing sessions and events. Once Mr. Wilfahrt was hired, Ms. Kirchoff and Ms. Zeidler prepared the necessary forms and documents that he needed to review and complete; as well as, processing them.
- **Part-Time Police Officer Applications**
Ms. Kirchoff and Ms. Zeidler assisted the Winsted Police Department with distributing the applications and information requests for the part-time Police Officer position.
- **Active Shooter Training**
On July 22, 2013 Ms. Kirchoff, Ms. Zeidler and Ms. Boelter attended a one (1) day training sponsored by MCFOA Region IV at Ramsey, Minnesota City Hall on what you should do in the event of an active shooter and/or other hostile situations. The presenter also provided information on protection against identity theft.

- **Federal Aviation Administration Audit Request**
Ms. Zeidler is assisting Mr. Wilfahrt with an audit request from the Federal Aviation Administration (FAA) to verify if there were any overpayments and/or underpayments for a reimbursement request that the City forwarded to the FAA for the year 2011 Improvement Project. The reimbursement request included payments for items such as: engineering, contractor payments, and etcetera.
- **Building Permit for a New Residential Dwelling**
The City received a residential building permit for a new house to be constructed in Winsted on the Lake Housing Addition. This is the first new house permit since the year 2008.
- **Thank You To Mayor Stotko**
On behalf of Ms. Kirchoff, Ms. Zeidler and myself, we would like to thank Mayor Stotko for filling in as acting City Administrator for the months of July, August and September, 2013. He provided the added support that we needed during this transitional period.

7) Open Forum

a) Federal Government Shut-Down

Mr. Aaron Kubasch, 179 Westgate Drive, addressed the City Council. Mr. Kubasch asked if there would be any foreseeable consequences to the City of Winsted if the federal government shut-down persists.

Mr. Wilfahrt stated that the only project that he initially thought could be impacted would be the re-alignment of the Luce Line State Trail near the Winsted Municipal Airport. However, he was able to find out that the engineering department of the Federal Aviation Administration (FAA) is still being staffed.

Mr. Wilfahrt stated that based on his preliminary research, the City's current projects would not be impacted.

8) No Announcements.

9) Adjournment

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

The meeting was adjourned at 7:05 p.m.

Steve Stotko

Steve Stotko
Mayor
City of Winsted

ATTEST:

Deborah R. Boelter

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