

City of Winsted
City Council Work Session
Lewis Room
Tuesday, December 4, 2012
5:00 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
Deborah R. Boelter, City Clerk-Treasurer

I. Call to Order

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

II. Specialized Aviation Service Operation Agreement – Joe Johnson, Westside Skydivers

Mr. Martens stated that the existing Drop Zone Agreement between the City of Winsted and Joe Johnson, Westside Skydivers expires December 31, 2012. Over the last several months, staff, Council Member Mochinski, and Joe Johnson have met multiple times to discuss the future of skydiving operations out of the Winsted Municipal Airport. The City would prefer a long term solution in which Mr. Johnson would purchase or build a facility for his operations as the current hangar leased by Mr. Johnson does not adequately accommodate the size of his operation. Although Mr. Johnson has attempted to pursue a few options, none have come forward as feasible at this time. As no other options are available to Mr. Johnson, he is requesting the City approve an additional agreement for 2013 for his operations to continue from the Winsted Municipal Airport from his existing hangar location.

Martens continued by stating that over the past two years, issues have arisen from the operation of the skydiving business including turf damage, hours of operation, storage of equipment on airport property, aircraft noise, additional staff time required by the operation, and the use of the Arrival/Departure (A/D) building by Westside Skydiver's customers. In addition, the initial agreement was terminated by the City Council due to violations of the terms. A new agreement was signed on August 27, 2012 which outlined new terms agreed upon by both parties.

Martens stated that a Specialized Aviation Service Operation (SASO) Agreement has been provided for City Council's review. The agreement is very similar to the previously approved agreement from August of 2012. Staff is currently recommending a SASO agreement instead of the drop zone agreement as it will be more effective in enforcement than a drop zone agreement.

Martens requested that the City Council provide comments on the proposed agreement.

Kristin Merritt was present at the Work Session as a representative of Westside Skydivers.

Council Member Ollig asked Ms. Merritt if Mr. Johnson had seen the proposed agreement. If so, did he have comments that she could share.

Ms. Merritt shared information about other skydiving operations and the agreements that they have with the cities that they are located in.

Ms. Merritt stated that Mr. Johnson does not agree with the fees for the agreement that have been suggested, does not agree with the language for fines and suspension if the agreement is violated, and wants the customers of Westside Skydiving to be able to use the Arrival/Departure (A/D) building.

The City Council discussed the proposed agreement. They discussed what the fees should be for the agreement including how the fees that have been suggested were formulated. The City

Council discussed and stated that they approved of the fines and suspension language within the agreement because there needs to be a process if violations occur. The City Council discussed the use of the A/D Building and stated that the Federal Aviation Administration (FAA) has told the City that this building is not for commercial use.

The City Council directed Mr. Martens to speak with Mr. Johnson about the proposed agreement, and inform him that the City's intent is to set the fee based on City staff recommendation of what formulas to use, that the City Council approves of the proposed language regarding fines and suspensions if the agreement is violated, and that the A/D building is not to be used for commercial use; therefore, the City Council is against Westside Skydiver customers using it.

III. Assessment Policy – Assessment Deferment

Mr. Martens stated that on November 20, 2012, the City Council held a Public Hearing on the assessment for the Westgate Improvement project. At that meeting, a resident requested clarification on the possibility of deferring the assessment as stated in letters sent to affected properties. Specifically, the letter included the paragraph below:

Under Minn. Stat. §§ 435.193 to 435.195, the City Council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability for whom it would be a hardship to make the payments. However, the City has not established any deferment procedure pursuant to those Sections.

Martens stated that the request for clarification was referred to Jake Saulsbury, City Engineer, at that meeting who stated that the City's existing Assessment Policy does not include an option for a deferment. He further stated that the paragraph was included due to a State Statute requirement. Martens stated that the decision to allow deferments rests entirely with the City Council. If the Council wishes to allow for deferments, the Assessment Policy must be amended accordingly. Example language from the City of Waconia, Minnesota was provided to the City Council for review.

Martens stated that according to the 2010 Census just over 15% of the residents within the City of Winsted are 65 years of age or older. A deferment policy would apply to those individuals and also persons retired by virtue of a permanent and total disability.

The City Council discussed the option of amending the Assessment Policy to allow for deferments and directed Martens not to pursue an amendment to the language. Mayor Stotko directed Mr. Martens to contact Ms. Fasching to let her know that the City would not be amending the Assessment Policy to allow for deferring the payments of the special assessment.

IV. Other

a) Property at 171 McLeod Avenue West

Mr. Martens gave an update on the property located at 171 McLeod Avenue West including that the house is down and the hole from the removal of the house is filled in.

b) Park Capital Improvement Fee

The City Council discussed implementing a monthly Park Capital Improvement fee.

c) City Hall Closure – Monday, December 31, 2012

The City Council discussed the closing of City Hall on Monday, December 31, 2012. The City Council directed Martens to place the closing of City Hall on this day on the December 18, 2012 City Council Meeting Agenda.

V. Adjourn

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

The meeting was adjourned at 5:55 p.m.

Steve Stotko

Steve Stotko
Mayor
City of Winsted

ATTEST:

Raquel Kirchoff

Raquel Kirchoff, MCMC
Administrative Assistant
City of Winsted