

City of Winsted  
City Council Work Session  
Lewis Room  
Tuesday, December 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  
Mr. Chad Engel, Winsted Volunteer Fire Department Chief

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

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

### **II. Winsted Volunteer Fire Department – Station Insulation**

Mr. Wilfahrt stated that during recent discussions of the Winsted Volunteer Fire Department's Station roof, professionals who have inspected the attic have noticed a need for additional insulation. There are large spaces that have little or no insulation. The insulation is original to the construction of the building. The lack of proper insulation contributes to high energy costs, though without an energy audit, City staff is unable to quantify the approximate amount.

Mr. Wilfahrt stated that City staff has contacted a contractor who was recommended from various individuals for doing quality insulation installation. Mr. Wilfahrt presented the quote submitted by the contractor, Metro Home Insulation. He continued by stating that the total cost of the quote for the insulation at the Winsted Volunteer Fire Department (WVFD) Station is \$4,999 and would be paid from the WVFD's Capital Improvement Fund (C.I.F.). If the City proceeds with the installation of a new roof at the Station in the future, it should not impact the newly installed insulation.

The City Council discussed and directed Mr. Wilfahrt to proceed with the project to install new installation at the WVFD's Station.

### **III. Liquor Ordinance Amendment – Call for a Public Hearing**

Mr. Wilfahrt stated that earlier in the year 2014, when the Winsted Police Department conducted Liquor License compliance checks, there was some confusion about what the punishment is for a violation of selling alcohol to a minor. The Liquor Ordinance reads that the first (1<sup>st</sup>) violation will result in an establishment losing its Liquor License for one (1) day on the same day of the week that the violation occurred. However, the City Council has decided in the past to allow the establishments to choose a day to close within a reasonable period after the violation occurs.

Mr. Wilfahrt stated that allowing businesses to choose their own date has led to confusion among the businesses and inconsistency in enforcement of the Ordinance. Staff's preference is to have a consistent set of guidelines to enforce the Ordinance.

Mr. Wilfahrt stated that to amend the existing Liquor Ordinance, the Winsted Police Department Chief, Mr. Justin Heldt, reached out to all establishments selling liquor and considered the existing Ordinance; as well as, the precedent the City Council has set in the past few violations. Since the City Council has decided on a number of occasions to allow the businesses to choose the date to close following a first (1<sup>st</sup>) violation, City staff determined that the best day to have a

businessesqLiquor License suspended after a first (1<sup>st</sup>) violation is on a Monday unless that is not a day the business is regularly open; in which case, the business would have its License suspended on a Tuesday. For the second (2<sup>nd</sup>) and third (3<sup>rd</sup>) suspension, the License will be suspended starting on a Thursday. This language was agreeable to all of the establishments that have Liquor Licenses.

Mr. Wilfahrt stated that additionally, the language of the Ordinance is arbitrary in that it states %the license+is suspended or revoked for these offenses. There are separate Licenses for on and off-sale liquor, and staff believes the intent of the Ordinance is to suspend or revoke all Liquor Licenses in the event of a violation. For instance, staff does not believe that the City Council would desire to continue to allow an establishment to sell on-sale liquor if that establishment has sold off-sale liquor to a minor four (4) times in a three (3) year period. To clarify this point, City staff has amended the language in the Liquor Ordinance to reflect that all Licenses will be suspended in the event of a violation.

Mr. Wilfahrt presented an additional amendment to the Ordinance in regards to the times when employees and/or patrons can be in the liquor establishment.

Mr. Heldt was in attendance at the Work Session and addressed any questions that the City Council and/or staff had in regards to the proposed amendments to the Liquor Ordinance.

The City Council discussed the proposed amendments to the Liquor Ordinance and directed City staff to proceed with scheduling a Public Hearing on Tuesday, January 6<sup>th</sup>, 2015 at 6:00 p.m. to consider the proposed amendments to the Liquor Ordinance.

Mayor Stotko presented his opposition to the proposed penalties for any establishment that may be violation of the Liquor Ordinance.

#### **IV. Southwest Metro Drug Task Force – Joint Powers Agreement**

Mr. Wilfahrt stated that in the year 2014, the Winsted Police Department investigated a number of drug related crimes. Investigating large drug crimes often requires expertise since the laws enforced in drug cases are frequently changing and are very complex. Without a Police Officer that has the time to specialize in drug cases, it is much more likely that an Officer will make a mistake that will result in a perpetrator not being charged for drug related crimes.

Mr. Wilfahrt stated that several communities in the southwest metro area, including the Carver County Sheriff's Office, Brownton Police Department, McLeod County Sheriff's Office, Scott County Sheriff's Office, Lester Prairie Police Department, Hutchinson Police Department, South Lake Minnetonka Police Department, Shakopee Police Department, Prior Lake Police Department, Belle Plaine Police Department and Jordan Police Department, have joined together in a Joint Powers Agreement to fund a Police Officer to focus solely on drug enforcement. When a police department has a case involving or potentially involving a large amount of illicit drugs, the aforementioned Police Departments can request the help of the Drug Task Force (DTF) Agent. That Agent will lead the investigation to make sure all proper procedures are followed.

Mr. Wilfahrt stated that in the past year, the Southwest Metro DTF has allowed the Winsted Police Department to utilize their Agent to test the benefit the City of Winsted would experience with membership in the Joint Powers Agreement. The City has utilized the DTF in five (5) cases in the year 2014. The presence of the DTF Agent ensures that all investigations follow proper procedures. Additionally, if the DTF was not doing work such as preparing warrants, submitting evidence, searching residences and etcetera; the Winsted Police Department would have to complete that work, which takes time away from other duties.

Mr. Heldt gave a brief overview of how the Winsted Police Department would utilize the DTF and what the DTF would do for the Police Department.

Mr. Wilfahrt stated that through the five (5) investigations that the Winsted Police Department utilized the DTF Agent, the Police Department realized the benefit the DTF could offer the City of Winsted. The cost of the membership for the year 2015 would be \$1,050. In the year 2016, that amount would increase to \$2,100. The City can withdraw from the Joint Powers Agreement at any time with thirty (30) days notice.

Mayor Stotko stated that Mr. Heldt did indicate that the City of Winsted would receive public relations credit for any cases that the DTF does address in the City of Winsted.

Mr. Wilfahrt stated that additionally, there has been an increase in drug investigations in Winsted which has led to increased need for drug enforcement. There were seven (7) drug complaints in the year 2012, fourteen (14) in the year 2013, and there have been twenty (20) in the year 2014. According to Mr. Heldt, this is a trend that will continue to increase in the future.

Mr. Wilfahrt stated that since the City of Winsted would like to join the Southwest Metro Drug Task Force for the entire year of 2015, City staff has placed this item on tonight's Regular City Council Meeting Agenda for discussion and approval.

The City Council discussed and were in agreement that it would be a benefit to the City of Winsted to join the Southwest Metro Drug Task Force.

#### **V. Employee Benefits Task Force**

Mr. Wilfahrt stated that at the City's Strategic Planning Retreat on December 4, 2014, the City Council discussed having a Benefits Task Force to help make decisions on employee health insurance and other benefits offered to City Staff. The City Council expressed a desire to solicit two (2) Members to volunteer to be on the Task Force to help with these decisions. Other than two (2) City Council Members, the City Administrator, the City Clerk-Treasurer and the Utility Billing and Payroll Clerk would be appointed as well. The Task Force will not be a public entity subject to open meeting law, but instead an informal group that reviews benefits information.

Mr. Wilfahrt asked for two (2) City Council members to volunteer. Council Member Fasching and Mayor Stotko volunteered to be on the Employee Benefits Task Force.

#### **VI. Snow Plowing and Removal Policy Amendments**

Mr. Wilfahrt stated that at the December 2, 2014 City Council Work Session, the City Council directed City staff to change the *Snow Plowing and Removal Policy* to direct the Public Works Department to clear slush off of City streets, even if it required overtime pay.

Mr. Wilfahrt presented the proposed *Policy* with the change as directed by the City Council. He continued by stating that this item is on tonight's Regular City Council Meeting Agenda at for discussion and approval.

The City Council discussed the proposed *Policy* amendment and were in agreement with the *Snow Plowing and Removal Policy* as presented.

#### **VII. Other**

##### **a) Winstock Country Music Festival – Land Lease Agreement – Entinger Property**

Mr. Wilfahrt stated that the Entinger property that the City of Winsted recently purchased includes a Land Lease Agreement between the Entingers and Winstock Country Music Festival. The Land Lease Agreement will now be between the City of Winsted and Winstock Country Music Festival.

Mr. Wilfahrt read a paragraph from the Agreement that states, **RENEWAL and/or TERMINATION:** Either party has the right to terminate the lease upon one (1) year prior written notification to the other at the address hereinabove stated. Any one (1) year notification must be given between July 1<sup>st</sup> and December 31<sup>st</sup> in any year in which this lease is pending. Any such notice given between July 1<sup>st</sup> and December 31<sup>st</sup> shall be effective one (1) calendar year after the date of said written notice.+

Mr. Wilfahrt stated that with the above terms of the Land Lease Agreement, the City of Winsted will be required to allow Winstock Country Music Festival to lease the former Entinger property in the year 2015; however, he recommend that the City terminate the Land Lease Agreement before the December 31, 2014 deadline and renegotiate with Winstock Country Music Festival for the year 2016.

Mr. Wilfahrt stated that if a business would contact the City of Winsted about purchasing land in the City's future Industrial Park, the City would like to have the option to move forward with the sale of the property and addition of a new business to the City of Winsted.

Mr. Wilfahrt stated that on the Consent Agenda at tonight's Regular City Council Meeting there is a proposal to allow City staff to terminate the Land Lease Agreement between the City of Winsted and the Winstock Country Music Festival.

The City Council discussed and decided to move the termination of the Land Lease Agreement to NEW BUSINESS on tonight's Regular City Council Meeting Agenda; so, Mr. Wilfahrt could explain to the general public why the Land Lease Agreement would be terminated between the City of Winsted and Winstock Country Music Festival.

**b) Winsted Volunteer Fire Department – Station Roof**

Mr. Wilfahrt presented samples of the roof shingles that are proposed for installation on the WVFD Station.

Winsted Volunteer Fire Department (WVFD) Chief, Mr. Chad Engel was in attendance at the City Council Work Session.

The City Council discussed and directed Mr. Wilfahrt and Mr. Engel to proceed with presenting quotes for the installation of a new roof at the WVFD Station at a future City Council meeting for discussion and approval.

**VIII. Adjourn**

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

The meeting was adjourned at 5:30 p.m.

*Steve Stotko*

Steve Stotko  
Mayor  
City of Winsted

ATTEST:

*Deborah R. Boelter*

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