

City of Winsted
City Council Meeting
Council Chambers
December 14, 2009
6:00 p.m.

Present: Mayor Steve Stotko
Council Member Dave Mochinski
Council Member Tom Wiemiller
Council Member Tom Ollig

Absent: Council Member Bonnie Quast

Staff Present: Brent Mareck, City Administrator
Deborah R. Boelter, City Clerk-Treasurer
Mike Henrich, Chief of Police
Justin Heldt, Police Officer
Fran Eggert, City Attorney

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

a) **The Pledge of Allegiance was taken.**

2) **Consent Agenda**

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

a) **Minutes - City Council – Work Session – December 1, 2009**

Accepted the minutes of the City Council Work Session of December 1, 2009.

b) **Minutes – Regular City Council Meeting – December 1, 2009**

Accepted the minutes of the Regular City Council Meeting of December 1, 2009.

c) **Resignation – Glen Strom**

Accepted Glen Strom's resignation from the Winsted Police Department's part-time Police Officer roster.

d) **Resignation – Cody Krause**

Accepted Cody Krause's resignation from the Winsted Volunteer Fire Department.

e) **Employee Performance Appraisals**

Adopted a new format to conduct Employee Performance Appraisals.

f) **Prosecution Services – Jody Winters**

Approved the fee schedule for Prosecution Services from Jody Winters.

- g) Engineering Services – Bolton and Menk, Incorporated**
- Approved the fee schedule for Engineering Services from Bolton and Menk, Incorporated.
- h) Flagship Bank of Winsted – Pledged Securities**
- Approved the Pledged Securities that Flagship Bank of Winsted has purchased for the City of Winsted for the month of November, 2009 in the amount of \$1,480,000 and the Federal Deposit Insurance Corporation (FDIC) in the amount of \$250,000.
- i) The Church of the Holy Trinity – Gambling Contribution**
- Accepted a contribution from gambling proceeds from the Church of the Holy Trinity in the amount of \$2,500 to be dedicated to the City's Park Fund in 2009.
- j) 4M Funds – Notification To Broker and Certification by Broker**
- Authorized Voyager Asset Management, Incorporated to invest the City of Winsted's 4M Fund in those investments complying with the requirements of Minnesota State Statutes 118A.04, 118A.05 and 118A.06 for 2010.
- k) 4M Funds – Notification To Broker and Certification by Broker**
- Authorized RBC Dain Rauscher to invest the City of Winsted's 4M Fund in those investments complying with the requirements of Minnesota State Statutes 118A.04, 118A.05 and 118A.06 for 2010.
- l) Northland Securities, Incorporated – Notification To Broker and Certification by Broker**
- Authorized Northland Securities, Incorporated to invest the City of Winsted's funds in those investments complying with the requirements of Minnesota State Statutes 118A.04, 118A.05 and 118A.06 for 2010.
- m) Northland Securities, Incorporated – Notification To Broker and Certification by Broker**
- Authorized Northland Securities, Incorporated to invest the City of Winsted Economic Development Authority's (EDA) funds in those investments complying with the requirements of Minnesota State Statutes 118A.04, 118A.05 and 118A.06 for 2010.
- n) 2010 Property and Casualty Insurance Renewal Contract: Liability Insurance Coverage – Waiver Form**
- Authorized the City of Winsted to not waive the monetary limits on municipal tort liability established by Minnesota State Statutes 466.04 for the 2010 Property and Casualty Insurance Contract.
- o) 2010 Property and Casualty Insurance Renewal Contract: No-Fault Sewer Back-Up Insurance Coverage**
- Authorized the City of Winsted not to purchase No-Fault Sewer Back-Up insurance coverage for the 2010 Property and Casualty Insurance Contract.
- p) 2010 Property and Casualty Insurance Renewal Contract: Medical Payment Insurance Coverage**

Authorized the City of Winsted not to purchase medical payment coverage for the 2010 Property and Casualty Insurance Contract.

q) 2010 Property and Casualty Insurance Renewal Contract: Excess Liability Insurance

Authorized the City of Winsted to purchase \$1,000,000 in excess liability coverage.

r) November, 2009 Financial Report

Approved the November, 2009 Financial Report as presented.

s) November, 2009 Building Permit Report

Approved the November, 2009 Building Permit Report as presented.

t) Claims

Approved the Claims List for December 14, 2009 in the amount of \$116,023.65, check numbers 882E-886E, 7989-7997, 500441E and 16017-16070.

“Don C. Guggemos” Community Service Awards:

Mayor Stotko presented the “Don C. Guggemos” Community Service Award to the following:

- a) Winstock Country Music Festival Committee** for their contribution to the Winsted Community.
- b) Marv Ebensperger** for his contribution as a member and chair person of the City of Winsted’s Planning Commission, and also for the other many areas he volunteers in the Winsted Community.
- c) WHAT UP – Winsted Holding Activities That Unite People** for their contribution to the Winsted Community, its youth and families.

City of Winsted - “Employee of the Year”:

a) City Clerk-Treasurer, Deb Boelter

Mayor Stotko recognized City Clerk-Treasurer, Deb Boelter, as the City of Winsted’s 2009 “Employee of the Year”.

3) Public Hearings

a) Fee Schedule – Ordinance O-09-11

Mareck presented Ordinance O-09-11 the 2010 Fee Schedule.

Mayor Stotko asked for public comment on the proposed Fee Schedule. No comment was received.

Ollig motioned to adopt Ordinance O-09-11 establishing the 2010 Fee Schedule for the City of Winsted. Wiemiller seconded. Motion carried 4-0.

Ollig motioned to close the Public Hearing. Mochinski seconded.
 Motion carried 4-0.

4) No Old Business

5) New Business

a) 2010 Levy – Resolution R-09-26

Mareck stated that the City Council conducted a Truth-in-Taxation public hearing on December 1, 2009 to solicit feedback on the proposed 2010 levy. The City Council adopted a Preliminary Levy of \$1,088,974 on September 1, 2009, which is a .6% increase over the 2009 levy.

Mareck presented the following information regarding the 2010 Levy:

LEVY HISTORY

	2006	2007	2008	2009	2010
General Levy	\$744,433	\$743,036	\$712,573	\$725,093	\$732,724
Bond Levy	\$193,700	\$193,700	\$298,800	\$357,050	\$356,250
Total Levy	\$937,133	\$936,736	\$1,011,373	\$1,082,974	\$1,088,974

TAX CAPACITY HISTORY

	<i>Actual 2007</i>	<i>Actual 2008</i>	<i>Actual 2009</i>	<i>Estimated 2010</i>
Tax Capacity	\$1,461,174	\$1,569,570	\$1,594,918	\$1,630,398
Levy	\$936,736	\$1,011,373	\$1,082,143	\$1,088,974
Tax Rate	64.700%	63.596%	66.214%	65.232%

2010 TAX PROJECTIONS

2009 Market Value	Tax Capacity	Tax Rate	Tax
\$175,000	\$1,750	66.214%	\$1,159
2010 Market Value	Tax Capacity	Tax Rate	Estimated Tax
\$175,000	\$1,750	65.232%	\$1,142
		64.355% TNT	\$1,126 TNT

Wiemiller motioned to adopt Resolution R-09-26 certifying the 2010 Tax Levy in the amount of \$1,088,974. Ollig seconded. Motion carried 4-0.

b) 2010 Budget – Resolution R-09-27

Mareck presented the proposed 2010 Budget.

Mochinski motioned to adopt Resolution R-09-27 approving the 2010 Budget. Wiemiller seconded. Motion carried 4-0.

c) Tattoo Ordinance – Establish a Public Hearing

Mareck stated that the City Council recently adopted Ordinance O-09-10 an interim ordinance imposing a moratorium on the establishment, development, location or relocation of a tattoo business or service in the City of Winsted and directing that a study be conducted.

Tattoo businesses are often regulated by cities to ensure that basic health and safety precautions are being followed. Unregulated tattoo and/or piercing businesses, if operated in unsanitary conditions, can lead to the spread of disease and infections. The City of Winsted does not have an ordinance that regulates the operation of a tattoo business in the community.

Mareck stated that the draft ordinance includes; mandatory licensing, inspection of facilities, health and safety precautions, and zoning regulations.

Mareck stated that the Planning Commission has reviewed the proposed Tattoo Ordinance and recommended unanimously that it be adopted, with the following conditions:

1. No operation between the hours of 1:30 am and 6:00 am.
2. Any Minnesota Department of Health regulations should be incorporated into the ordinance.

Mareck stated that the Minnesota Department of Health has no regulations other than a Statute regarding the participation of minors in tattooing and relating activities, which has been incorporated into the City of Winsted’s proposed Tattoo Ordinance.

The Ordinance has also been reviewed and recommended for adoption by the City’s Police Chief and Building Inspector.

Ollig motioned to establish a Public Hearing for January 5, 2010 at 6:00 p.m. to consider adopting an ordinance regulating tattoo and related businesses. Mochinski seconded. Motion carried 4-0.

6) Department Report

a) Fire Department

Chad Engel, Winsted Volunteer Fire Department (WVFD) Chief, reported on the following:

- The WVFD currently has twenty-six (26) members with three (3) applications to be considered. Will be testing applicants in January, 2010.
- Year-to-Date emergency calls: Forty (40) fire calls and one hundred, six (106) medical calls.
- WVFD's observance of September 11th terrorist attacks.
- Ladder truck was inspected and after required repairs are completed it will be certified.
- Planning for the annual WVFD and Lester Prairie Fire Department dance.
- Reviewed Officer applications and conducted interviews in accordance with the new WVFD Personnel Policy. Ollig asked how the process went and Engel stated that it went well.

Wiemiller asked what equipment the WVFD has for ice rescue. Engel reviewed the equipment that the WVFD has for ice rescues. Wiemiller asked Engel to obtain quotes for an inflatable boat that emergency departments sometimes use for ice rescues.

7) No Open Forum.

8) No Announcements.

9) Adjournment

Wiemiller motioned to adjourn. Ollig seconded. Motion carried 4-0.

Respectfully submitted,

Deborah R. Boelter
City Clerk-Treasurer