

City of Winsted  
City Council Meeting  
Council Chambers  
June 15, 2010  
6:00 p.m.

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

Staff Present: Deborah R. Boelter, City Clerk-Treasurer  
Fran Eggert, City Attorney  
Amanda Zeidler, Utility Billing & Payroll Clerk

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. Quast seconded. Motion carried 5-0.**

a) **Minutes - City Council Work Session – June 1, 2010**

Accepted the minutes of the City Council Work Session of June 1, 2010.

b) **Minutes – City Council Regular Meeting – June 1, 2010**

Accepted the minutes of the City Council Regular Meeting of June 1, 2010.

c) **City Council Work Session – Wednesday, June 23, 2010**

Scheduled a City Council Work Session for Wednesday, June 23, 2010 at 3:00 p.m. in the Lewis Room at City Hall to discuss the City Administrator interviewing process.

d) **Special City Council Meeting – Wednesday, June 23, 2010**

Scheduled a Special City Council meeting for Wednesday, June 23, 2010 at 3:30 p.m. in the Council Chambers at City Hall to interview the finalists for the City Administrator Position.

e) **Schedule Public Hearing – Animal Control Ordinance**

Scheduled a Public Hearing for Tuesday, July 6, 2010 at 6:00 p.m. to consider amending the City's Animal Control Ordinance.

f) **Schedule Public Hearing – Blight Ordinance**

Scheduled a Public Hearing for Tuesday, July 6, 2010 at 6:00 p.m. to consider amending the City's Blight Ordinance.

g) **Ordinance Ordinance O-10-05 – Amendment to 2010 Fee Schedule**

Adopted Ordinance O-10-05 amending the liquor license fees for the City of Winsted.

h) **May, 2010 Financial Report**

Approved the May, 2010 Financial Report.

**i) May, 2010 Building Permit Report**

Approved the May, 2010 Building Permit Report.

**j) Claims**

Approved the claims list for June 15, 2010.

**k) Computer – Utility Billing Clerk**

Approved the purchase of a laptop computer for the Utility Billing and Payroll Clerk in the amount of \$1,271.78.

**3) No Public Hearings**

**4) Old Business**

**a) McLeod County Road 116 Turnback Project – Sidewalks**

Florian Fiecke, 220 Third Street North, was present to address the City Council. Fiecke handed a list of twelve residents to Mayor Stotko who are opposed to the sidewalk portion of the McLeod County Road 116 Turnback Project.

Dave Gailey, 321 Third Street North, addressed the City Council. Gailey addressed several issues that may arise if a sidewalk is constructed along portions of Third Street, and offered alternative routes to cross the City on sidewalks and alternative locations to construct sidewalks.

Charles Reimer, 160 Third Street South, addressed the City Council. Reimer stated that he is strictly against the project. He also mentioned that he worked for the City years ago, and at that time, planted many of the trees along the proposed route that are nearly thirty (30) years old.

Todd Keiser, 301 Andy Avenue West, addressed the City Council. Keiser stated that a new sidewalk will create an inconvenience for snow removal, as he lives on the corner of Third Street North and Andy Avenue West. He also stated that property owner's will be paying for the project somehow. Keiser also noted that at one time, the City had proposed to remove some sidewalks due to liability issues.

Scott Bayerl, owner of B&B Tire and Auto, 410 Third Street South, addressed the City Council. Bayerl stated that he does not see a need for sidewalks and noted a concern for snow removal in the winter. Bayerl also mentioned that the storm water drain does not work by Rosalie Avenue West and Third Street South. Jake Saulsbury, Project Engineer for Bolton and Menk, Incorporated, stated that this issue will be corrected and is in the scope of the project. Bayerl asked for a project time frame. Saulsbury stated that there are a few different aspects in the scope of this project and the timing will depend on each contractor. The impact to property owners should be minimal; however, there will be moments that it may not be convenient. Saulsbury added that the contractors will make every attempt to maintain constant access for businesses. Bayerl also asked if it would be possible to section off a portion of the street and add striping on one side, as the City of Hutchinson currently has on School Road.

Amy Fritz, 210 Third Street North, addressed the City Council. Fritz stated that she has not witnessed a lot of walking traffic, or driving traffic along the proposed route. Fritz is concerned because the property owners have small front yards, and really mature trees. Fritz also noted that she does not see how the benefit of the project outweighs the cost.

Saulsbury noted that the project includes eleven blocks of sidewalk. The Winsted Elementary School would like to see more students walking to school, and this project would assist in that objective.

Quast noted possible issues regarding snow removal for the property owners in attendance. Mochinski stated that he is against the entire sidewalk project and does not want to see it constructed in front of the owners who have addressed the council, so far. Ollig thanked all of the residents for coming and noted that he would like to take a step back and look at this portion of the project again. Wiemiller agreed and would like to continue the sidewalk route by the elementary school & cemeteries on Third Street North.

**Quast made a motion to remove every proposed sidewalk south of Andy Avenue to Baker Avenue, and continue with the rest of the project plan as it was, which would include sidewalk on Third Street North, from Andy Avenue West to Albert Avenue West; Albert Avenue West, between Third Street North and Fourth Street North; and Fourth Street North, from Albert Avenue West to Linden Avenue West. Wiemiller seconded. Motion carried 4-1. Stotko opposed.**

## 5) New Business

### a) Site Plan Review – St. Mary’s Care Center Assisted Living Building

John Anderson, Municipal Development Group, Incorporated, gave a presentation of the Site Plan Review for Saint Mary’s Care Center. The project consists of a new assisted living with memory care building and remodel of the existing Saint Mary’s Care Center including new parking facilities. The site is located east of Fourth Street North (CSAH 116), south of Linden Avenue (CSAH 6) and north of Fairlawn Avenue. The proposed building is located east of the existing Saint Mary’s Care Center and is to contain 12,188 square feet.

Anderson stated that the proposed assisted living with memory care building is to be part of the Saint Mary’s Care Center campus which contains four existing buildings. These buildings are the existing care center which is 43,160 square feet, the existing clinic which is 8,201 square feet, an existing professional office building on the corner of Fairlawn Avenue and Fourth Street North (CSAH 116) that is 2,520 square feet and an existing garage that is 674 square feet and accesses onto Fairlawn Avenue. The proposed assisted living with memory loss building will contain 12,188 square feet.

Anderson stated that the property is guided Medium and High Density Residential on the Future Land Use Map, and the existing and proposed uses are consistent with the Future Land Use Map. The zoning classification is an "R-2" Multiple Family Residential District. Anderson stated that the proposed assisted living with memory care building is allowed as a permitted use as a nursing home within an R-2 Multiple Family Residential District.

According to Anderson, comments have been received from the Winsted Police Chief, the Winsted Fire Department, the Winsted Public Works Department, the McLeod County Highway Department, and the City Engineer.

The Site Plan Review evaluated the following elements:

- Lot, Yard, Area, and Height Requirements
- Emergency Access
- Building Materials
- Parking
- Grading Plan
- Landscaping
- Sidewalks
- Trash Enclosures
- Outdoor Storage
- Signage

Anderson noted that a lighting plan has not been submitted, and therefore, no comments have been provided. A lighting plan will be required. He also mentioned that there are no proposed loading docks with the new building. Anything delivered by truck will use the existing care center loading dock located at the north end of the Saint Mary's Care Center. Anderson also noted that one sign would be removed and replaced, and a third sign would be added.

Municipal Development Group, Incorporated recommended the following conditions to be included on the resolution for approval:

1. **Emergency Access.** That all emergency access and fire lane requirements of the Police and Fire Departments are satisfied prior to issuance of a building permit by the City of Winsted. This includes the placement of a lock box on the assisted living with memory care building which contains a master key for doors located in the building for emergency personnel to gain entry into this building without kicking in doors.
2. **Electrical Power Systems, Telephone and other Wire Communication Systems and Gas Systems.** All electrical power lines, Telephone and other wire communication systems and all primary and secondary gas distribution systems shall be located underground. All maintenance and service shall be the responsibility of supplier or its designated agent. Any and all meters or metering devices shall be attached to the main structure located on the premises.
3. **Exterior Lighting.** Exterior lighting plans shall be submitted and approved prior to issuance of a building permit by the City of Winsted.
4. **Parking.** That all stalls meet the required depth of 20 feet and width of 9 feet as required within the zoning ordinance.
5. **Temporary Parking Stalls.** The 10 temporary parking stalls shall not be removed until they are replaced with other parking stalls that meet zoning standards.
6. **County Road Access.** Only one access point will be allowed on Linden Avenue (CSAH 6) as indicated by McLeod County. Any access revision to county roads will require a permit to be issued by McLeod County and will be the responsibility of the applicant. All required permits shall be approved and delivered to the City prior to construction and issuance of a building permit by the City of Winsted.
7. **Striping.** All parking stalls shall be marked with white or yellow painted lines not less than 4 inches wide.
8. **City Engineer Approval.** That the site plan meets all requirements and addresses all concerns of the City Engineer comments received on June 1, 2010 and prior to the issuance of a building permit by the City of Winsted, a grading plan, erosion control plan and any other civil drawings that would be required such as a utility plan shall be submitted and approved by the City Engineer.
9. **Water main Relocation.** If the existing north/south water main is relocated, and a utility easement in favor of the City of Winsted exists over the existing water main, it will need to be vacated through the public hearing process before a building permit is issued by the City of Winsted for the construction of the proposed assisted living memory loss building. A new utility easement in favor of the City of Winsted and approved by the City Engineer, will need to be established prior to the relocation the water main.
10. **Landscaping.** That the landscaping is installed according to the approved landscaping plan.
11. **Sidewalks.** That concrete sidewalk is constructed along the public right-of-way for the entire length of the property along Linden Avenue (CSAH 6), Fourth Street North (CSAH 116) and Fairlawn Avenue except for the portion of sidewalk along Fairlawn

with  
of

sidewalk

Avenue from the corner of Fourth Street North (CSAH 116) east to the end of the proposed sidewalk as shown on Exhibit A. This section of sidewalk will need to have a concept plan submitted and be constructed within five years of the date of approval. Additional sections of sidewalk will need to be constructed connecting the on Fourth Street North (CSAH 116) and the sidewalk north of the existing office building and connecting the sidewalk east of the assisted living with memory loss building with the sidewalk along Fairlawn Avenue.

12. **Signage.** That any new additional freestanding sign proposed to be constructed, over and above the two existing freestanding signs, may be allowed by the issuance of a conditional use permit as required within the zoning ordinance. All signs shall meet the requirements of the zoning ordinance and no signs shall be replaced, installed or constructed until the appropriate sign permits have been issued by the City of Winsted.
13. **Building Permit.** That all appropriate building permits are issued before construction begins. No building or structure shall hereafter be erected nor construction on an existing structure shall be started until the Building Inspector or the designated representative has issued a lawful building permit.
14. **Time Limit from Site Plan Approval until Building Permit is Issued.** From the time the applicant receives site plan approval from the City Council, the applicant must be issued a building permit within twelve months from the site plan approval date. Failure to do so will require the applicant to obtain a new site plan approval, with appropriate fees, to receive a building permit. The applicant may apply for one, six month extension before the expiration date. Application for an extension is an administrative process.

Anderson stated that at the June 9, 2010 Planning Commission meeting, it was recommended to the City Council to approve the site plan for the proposed assisted living with memory loss building, remodel of the existing Saint Mary's Care Center and parking facilities as submitted by Nor-Son, Incorporated, with the above mentioned conditions by a unanimous vote.

Chad Kinate, Project Manager for Nor-Son, Incorporated was present and gave a brief overview of the project and proposed amenities.

Wiemiller asked what the intentions are for the old clinic building on the property. Andy Opsahl, Saint Mary's Care Center Administrator, responded that the clinic building will have a tenant before the new project is completed, and the building will be taken down after the project is finished.

Ollig told Kinate and Opsahl that this facility will be a wonderful addition to the community, and it is nice to see a new facility.

**Ollig made a motion to adopt Resolution R-10-17 approving the Site Plan to allow construction of a new assisted living with memory loss building, remodeling of the existing Saint Mary's Care Center and parking facilities. Mochinski seconded. Motion carried 5-0.**

**b) Winsted Municipal Airport – Environmental Assessment**

Marcus Watson, Airport Specialist for Bolton and Menk, Incorporated, gave an update on the proposed 2010 Airport Projects, including the Airport Environmental Assessment. Watson stated that the City of Winsted currently has a Federal Entitlement balance of \$463,100 through the end of Federal Fiscal Year 2010 (pending full Fiscal Year 2010 congressional approval), thus, the City must spend \$13,100, or else lose this money. The Federal Aviation Administration (FAA) is approved to write grants for eligible projects with eighty-three percent (83%) of Federal Entitlements in 2010. The FAA will accept these grant requests by June 24, 2010. If a grant is not written in 'Program C', one final opportunity for a Fiscal Year 2010 Entitlement grant will be made available in Fiscal

Year 2010 'Program D' starting in July, 2010, and running through August, 2010. Full Entitlements will be available (pending full Fiscal Year 2010 congressional approval).

Watson stated that the Winsted Municipal Airport Master Plan provided the framework for future airport development. The Airport Master Plan evaluated airport development alternatives that would satisfy the long-term needs for the Airport. Watson stated that shifting the primary runway to the north allows the current and future airport needs to be met with the least impacts, compatible with the FAA and Minnesota Department of Transportation (MN/DOT) requirements. The City of Winsted approved this alignment as the conclusion of the Airport Master Plan.

Watson stated that the next step in the development process is to begin a federal Environmental Assessment (EA) to evaluate the impacts of developing the new runway utilizing Federal funding, and evaluate trail alignments for the Luce Line Trail that are compatible with the future airport configuration. The EA process develops justification for the project with state and federal agencies. It also evaluates project alternatives and the impacts of each alternative within the local environment. A Finding Of No Significant Impact (FONSI) statement is prepared by the FAA if the preferred alternative impacts are not considered to be substantial. The typical EA process lasts between twelve (12) and eighteen (18) months, depending on agency comments and approvals. Watson stated the primary issues to be addressed in the Winsted Airport EA include the Luce Line State Trail alignment near the Airport, surrounding airport land use, as well as land acquisition and business relocation. Acquisition and relocation of Winsted Farmer's Cooperative is ultimately required to complete the overall runway project.

Watson stated that the Luce Line State Trail would also require relocation as a part of this project. The EA review will evaluate and negotiate the best recommended alternative to realign the trail from just north of the Airport to east of County Road 1. The trail must be compatible with the Department of Natural Resources (DNR), as well as the FAA and MN/DOT airport land use requirements near the airport, especially within or near the approach zone for Runway 27. The preparation and completion of the Environmental Assessment allows runway design, construction, and land acquisition (Airport and Luce Line Trail near Airport) to become eligible for Federal Airport Improvement Program (AIP) funding. Once a FONSI is issued, the project remains eligible for funding for up to five (5) years.

Watson stated that an approved Environmental Assessment document will allow the runway project to become funding eligible, determine a trail alignment most compatible with the airport, and complete the required agency approvals to proceed ahead with land acquisition and design. Starting an EA review is not a definite funding commitment to the overall airport project, but the FAA sees this as a first step to completing the project in the near-future.

The cost of the Environmental Assessment is \$115,000, according to Watson. This cost includes an anticipated \$15,000 cost for property appraisals that are necessary to evaluate the impacts of any realignment of the Luce Line State Trail. This project is eligible for ninety-five (95%) cost participation from the FAA.

Watson stated that funding for the Airport Environmental Assessment is subject to the progress on the Airport Layout Plan. MN/DOT is currently completing comments on the Airport Layout Plan and expects to have the comments completed in the next few weeks. Watson stated that Bolton and Menk, Incorporated will continue to review the progress of this document with MN/DOT. Watson stated that work on the Airport Environmental Assessment would not begin until a grant is issued from the FAA to the City of Winsted for this work. The City's share of the Airport Environmental Assessment would be \$5,750.

Ollig stated that he cannot ever see the City asking a business to relocate, or purchase more land. Quast and Wiemiller agreed with Ollig's statement. Mochinski questioned how this may affect National Plan of Integrated Airport Systems (NPIAS) funding.

Watson stated that if the City does not go forward with this plan in 2010, there would not be immediate repercussions, but it would affect NPIAS funding in the future.

**Ollig made a motion not to enter into the Professional Services agreement between the City of Winsted and Bolton and Menk, Incorporated with the Environmental Assessment for Runway 9-27 (Phase I) at the Winsted Municipal Airport. Wiemiller seconded. Motion carried 5-0.**

**c) Winsted Municipal Airport – Storm Water Pollution Prevention Plan**

Marcus Watson, Airport Specialist for Bolton and Menk, Incorporated, gave an update on the Storm Water Pollution Prevention Plan (SWPPP) for the Winsted Municipal Airport. Watson stated that the Minnesota Pollution Control Agency (MPCA) recently issued the Industrial Storm Water Multi-Sector General Permit on April 5, 2010. This permit will replace the existing General Permit for Industrial Storm Water Activity that expired in 2002. This permit requires compliance for all airports per Sector S, Air Transportation section of the permit. The application for permit coverage must be applied for by August 6, 2010 in accordance with the MPCA's phased application group schedule.

Watson stated that, in general, the following industrial activities at municipal airports will require compliance and cause the need for a SWPPP: public fueling facilities and deicing/anti-icing operations (snow plowing).

The steps to compliance include:

- Creating and implementing a new SWPPP that includes Best Management Practices (BMP) for managing industrial materials and activities.
- Applying for permit coverage, and monitoring sector-specific storm water discharge parameters for a two-year period.

Watson stated that Industrial activities that are “protected from rain, snow, snowmelt and run-off by a storm-resistant shelter”, may qualify for a conditional exclusion from the permit if a condition of “No Exposure” can be maintained.

Watson stated that the requirement for an Airport SWPPP is based on storm water regulations that are part of the National Pollution Discharge Elimination System (NPDES) permit program, created by the U.S. Environmental Protection Agency (EPA). The MPCA implements the NPDES permit program in Minnesota. For facilities that are not in compliance with the new MPCA Industrial Storm Water Permit, the MPCA has the authority to issue fines and administrative judgments against the facility. Federal grant assurances require the facility to be in compliance with all current federal regulations, including the EPA.

Watson stated that Bolton and Menk, Incorporated, offers professional services for compliance with the new MPCA Industrial Storm Water Permit. Services for the Winsted Municipal Airport would include preparation of a new Industrial SWPPP including all required analysis, BMP's, facility map, and preparation of the permit application. The cost of this service is \$3,500 and a proposal containing the detailed scope of work can be prepared at the request of the City Council. The cost for these services is eligible for either Federal or State grant funding. State aviation funding is available; however, the State participation rate is only seventy percent (70%), and limited funds exist due to competition with all other State projects.

Watson stated that the MPCA has issued a new requirement, titled Sector S, which requires airports to prepare a Storm Water Prevention Plan. The deadline to complete the requirement is August 6, 2010. There is an obligation for the city to monitor and sample storm water to match benchmark requirements. He stated that the permit fee from the MPCA is less than \$1,000, and the permit is good for five (5) years, unless the program is updated.

Stotko stated that this is a state and federal mandate, and the City must either comply or risk getting caught.

**Mochinski made a motion to approve the Professional Services agreement between the City of Winsted and Bolton and Menk, Incorporated, for the preparation of the Storm Water Pollution Prevention Plan (SWPPP) to meet new Minnesota Pollution Control Agency (MPCA) requirements at the Winsted Municipal Airport. Quast seconded. Motion carried 5-0.**

**d) Winsted Arts Council**

Julie Guggemos, a Winsted Arts Council member, was present to address the City Council. Guggemos stated that the Winsted Arts Council received an Arts Legacy Grant from the Southwest Minnesota Arts and Humanities Council; however, the grant funding will not be received until late summer. Guggemos asked the City Council to consider paying the artists who performed at Arts in the Park on June 4, 2010, in the amount of \$1,300. The city will be reimbursed for the payment when the grant funds are received by the city.

**Quast made a motion to pay the performers as requested by the Winsted Arts Council and be reimbursed when the grant funds are received. Mochinski seconded. Motion carried 5-0.**

**6) Department Report**

**a) City Clerk - Treasurer**

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

- Blight
- Raquel Kirchoff will be attending the Clerk's Institute in July, 2010 and has received a scholarship to attend.
- Preparation for elections has begun.
- Mail Machine has been removed and postage is being purchased from the Post Office.
- Deb, Raquel, and Amanda Zeidler are working together to prepare agendas.
- There are approximately six (6) foreclosed homes in the City of Winsted.
- Amanda has been evaluating utility billing accounts.
- Vollmer Room Rentals.
- Janitorial Contract - Brandenburg's have begun cleaning for the city.
- Issues with scheduling for City Parks and the possible implementation of a Park Scheduling System.

**7) No Open Forum.**

**8) Announcements**

Boelter stated that three (3) candidates have been interviewed for the City Administrator position. Finalists for the position will be presented to the City Council on Wednesday, June 23, 2010.

**9) Adjournment**

**Quast motioned to adjourn. Wiemiller seconded. Motion carried 5-0.**

Respectfully submitted,

Amanda J. Zeidler  
Utility Billing & Payroll Clerk