

City of Winsted
City Council Meeting
Council Chambers
Tuesday, February 5, 2013
6:00 p.m.

Present: Mayor Steve Stotko
Council Member Max Fasching
Council Member Tom Ollig
Council Member Bonnie Quast
Council Member George Schulenberg

Staff Present: Brad Martens, City Administrator

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

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

1) **Special Presentation – Swearing In of Newly Appointed Official**

a) **Mr. Max Fasching – City Council Member**

Mr. Martens conducted the Swearing-In Ceremony for Max Fasching, newly appointed City Council Member, for the term of February 5, 2013 to December 31, 2014.

2) **Consent Agenda**

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

a) **Minutes – City Council – Work Session – December 18, 2012**

Accepted the minutes of the City Council Work Session of December 18, 2012.

b) **Minutes – City Council – Regular Meeting – December 18, 2012**

Accepted the minutes of the City Council Regular Meeting on December 18, 2012.

c) **Minutes – City Council – Work Session – January 15, 2013**

Accepted the minutes of the City Council Work Session of January 15, 2013.

d) **Minutes – City Council – Regular Meeting – January 15, 2013**

Accepted the minutes of the City Council Regular Meeting on January 15, 2013.

e) **Planning Commission Resignation – Max Fasching**

Accepted the resignation of Max Fasching from the Planning Commission.

f) **Holy Trinity – Winstock Country Music Festival – June 6th, 7th, and 8th, 2013**

Approved an Agreement between the City of Winsted and the Church of the Holy Trinity for emergency services and services provided by the City of Winsted during Winstock Country Music Festival for June 6th, 7th, and 8th, 2013.

g) **Pay Equity Implementation Report**

Approved the Pay Equity Implementation Report for the City of Winsted as submitted to the State of Minnesota.

h) Planning Commission Appointment – Mike Thonvold

Appointed Mike Thonvold to the Winsted Planning Commission for a term expiring December 31, 2014.

i) In-Squad Computer System – Police Department

Authorized the City of Winsted to enter into a lease agreement with McLeod County for in-squad computer systems.

j) Gambling Permit – Crow River Chapter 108 Ducks Unlimited

Approved a gambling permit for Crow River Chapter 108 Ducks Unlimited, with no waiting period, to hold a raffle at The Blue Note Ballroom on April 15, 2013.

k) Software Support Agreement – Winsted Municipal Airport Credit Card Reader

Approved a software support agreement between Gasboy and the City of Winsted for \$526 for the credit card reader at the Winsted Municipal Airport effective March 2, 2013.

l) 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 January, 2013.

m) Claims

Approved the claims list for February 5, 2013.

3) No Public Hearings

4) No Old Business

5) New Business

a) Commercial Operation Agreement – MasonAir

Mr. Martens stated that in February of 2012, the City of Winsted approved an agreement allowing Darrin Mason to operate a general aviation flight training and aircraft rental business out of the Winsted Municipal Airport. The agreement expires on February 7, 2013 and Mr. Mason is interested in continuing the operation of his business. Staff is also in favor of a new agreement.

Mr. Martens stated that staff has worked with Mr. Mason to draft an updated Commercial Operation Agreement with terms that are very similar to the agreement previously approved by the Council. One change is that the proposed agreement automatically renews unless a thirty (30) day notice has been provided by the City or Mr. Mason.

Mr. Martens stated that the proposed fee for Mr. Mason is \$200 which is the same fee from 2012. The fee was set by using the previously approved Resolution setting Commercial Operator Fees for the Winsted Municipal Airport.

Mayor Stotko asked for any comments or questions from the City Council Members. No comments or questions were received.

Council Member Quast motioned to approve a Commercial Operation Agreement with Darrin Mason for the operation of a general aviation flight training and aircraft rental business out of the Winsted Municipal Airport. Council Member Fasching seconded the motion. Motion carried 5-0.

b) Leave of Absence – Deborah Boelter

Mr. Martens stated that in mid-December, 2012, a situation arose in which Deborah Boelter, City Clerk-Treasurer needed to take a leave of absence. After reviewing City policies, a formal request to approve the leave of absence must happen.

Mr. Martens stated that in the absence of Ms. Boelter, Raquel Kirchoff, Administrative Assistant, and Amanda Zeidler, Utility Billing Clerk, have taken on additional duties, as well as part-time staff working to help with customers to allow Ms. Kirchoff and Ms. Zeidler to perform the additional duties.

Mr. Martens stated that the City Council action would be to approve a leave of absence as needed through March 31, 2013.

Mr. Ollig asked if the leave of absence was a recommendation from the City's insurance company. Mr. Martens stated no; that it was based on the City's Personnel Policy.

Council Member Schulenberg motioned to approve a leave of absence as needed for Deborah Boelter from December 19, 2012 until March 31, 2013. Council Member Ollig seconded the motion. Motion carried 5-0.

c) Solid Waste Hauler License Application – Mumford Sanitation

Mr. Martens stated that the City's Ordinance Regulating Solid Waste Removal in the City of Winsted requires all haulers in the City to be licensed by the City of Winsted. In 2012, licenses were approved for Waste Management, Randy's Sanitation, and Mumford Sanitation.

Mr. Martens stated that license applications and approvals for 2013 have been approved for Waste Management and Randy's Sanitation; however, the City has not received the proper documentation from Mumford Sanitation even after City staff has made more than a dozen attempts to receive the documentation by phone and electronic mail (e-mail). In mid-January, the City received a check for the Solid Waste Hauler License Fee and just last week received the actual application after finally reaching Karen Mumford on her cell phone. Mr. Martens stated that during this entire time, not one return phone call or e-mail was received by staff from Mumford Sanitation.

Mr. Martens stated that as staff reviewed the submittals from Mumford Sanitation, Raquel Kirchoff, Administrative Assistant, communicated with McLeod County on behalf of Mumford Sanitation to receive notice that they were licensed in McLeod County to expedite the process. It was found that Mumford Sanitation has not renewed their hauling license with McLeod County for 2013; therefore, they are not licensed to operate within or transport through McLeod County. According to McLeod County, renewal information was sent to Mumford Sanitation in November of 2012 requesting the information required for licensing (fees, proof insurance, performance bond, etc.). This information was due to McLeod County by January 15, 2013.

Mr. Martens stated that due to the incredible amount of time staff has put in to attempt to coordinate this license for the hauler, as well as the missing documentation, staff would typically not recommend any sort of approval; however, staff feels that not giving the hauler one last chance to produce the information required within a very short period of time would be unduly hurtful to the businesses in Winsted which they serve.

Mr. Martens stated that staff is reluctantly recommending approval of a Solid Waste Hauler License upon Mumford Sanitation meeting the requirements of the Ordinance Regulating Solid Waste Removal in the City of Winsted and upon all application requirements being met by February 15, 2013. If the February 15, 2013 deadline is not met, staff will be forced to take action against Mumford Sanitation.

Mr. Martens stated that he did have a brief e-mail conversation with Ms. Mumford today, February 5, 2013, where Ms. Mumford stated that she would be able to meet all of the requirements by

February 15, 2013. Mr. Martens stated that if approved by the City Council, staff will speak with customers of Mumford Sanitation in Winsted to understand whether they are having similar issues the City is with communication. If so, staff will recommend the Council not approve a license for their organization in the future.

Council Member Ollig asked how many businesses Mumford Sanitation hauls for within Winsted. Mr. Martens stated that he did not know the number but has asked Ms. Mumford for a full list of businesses within Winsted.

Ms. Quast asked if Mumford Sanitation could operate in Winsted if they did not have the required license. Mr. Martens stated no. Mr. Martens continued by stating that if they do not meet the requirements by February 15, 2013, McLeod County would take action against this hauler according to their ordinance regulating solid waste haulers.

Mayor Stotko stated that the key is to make sure that the Winsted business owners are protected, so the City Council does not have many options other than to approve the license with the stipulation that the requirements are met by February 15, 2013.

Council Member Ollig motioned to approve a Solid Waste Hauler License for Mumford Sanitation expiring December 31, 2013 upon meeting requirements of the Ordinance Regulating Solid Waste Removal in the City of Winsted and all application requirements being met by February 15, 2013, and all McLeod County requirements being met as well. Council Member Quast seconded the motion. Motion carried 5-0.

Mayor Stotko asked that if Mr. Martens communicates with Mumford Sanitation, that he please relay to them that this issue disturbed the City Council. Mr. Martens stated that he did recommend a representative from Mumford Sanitation to be present at tonight's City Council meeting; however, he received an e-mail from Mumford Sanitation stating that they had planned to attend; but due to staffing issues, they were unable to attend.

6) No Department Report

7) No Organization Report.

8) No Open Forum

9) Announcements

a) City Clerk Absence

Council Member Ollig asked Mr. Martens to give an update on the City Clerk's condition. Mr. Martens stated that things are progressing well for Ms. Boelter. He stated that many people have contacted the City and Ms. Boelter to inquire on how she is doing, which Ms. Boelter has appreciated. Mr. Martens stated that Ms. Boelter has worked to build relationships within Winsted and the surrounding communities.

Council Member Schulenberg asked how the staff was working in her absence. Mr. Martens stated that staff has been working well with both Ms. Kirchoff and Ms. Zeidler taking on additional responsibilities above their pay grade and doing so without complaint. Mayor Stotko thanked Ms. Kirchoff and Ms. Zeidler from the City Council.

10) Adjournment

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

The meeting was adjourned at 6:13p.m.

Steve Stotko

Steve Stotko
Mayor
City of Winsted

ATTEST:

Raquel Kirchoff
Raquel Kirchoff, MCMC
Administrative Assistant
City of Winsted