

City of Winsted  
City Council Work Session  
Lewis Room  
Tuesday, February 15, 2011  
5:00 p.m.

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

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

**I. Call to Order**

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

**II. Discussion Regarding Council Meeting Schedule**

Boelter presented a proposal to change the City Council meeting schedule to one meeting per month, rather than two (2), in order to conserve money. Fran Eggert, City Attorney for the City of Winsted, stated that the City Council can temporarily change their meeting schedule; however, if it becomes a pattern, then the ordinance would have to be changed. Eggert clarified that there is not an ordinance in place related to work sessions, so it is possible to have a work session without a Council Meeting, in order to stay up-to-date on City business.

**III. Liquor Ordinance Amendments**

Eggert gave a brief overview of the proposed Liquor Ordinance amendments. The 2010 Legislature now requires insurers to notify the City at the same time a cancellation request is received from, or at the time the notice is sent by the insurance company to the licensee cancelling coverage. Eggert stated that this would allow the City to act promptly in determining whether the license should be cancelled or terminated. Eggert stated that the ordinance has been amended accordingly to comply with State law pursuant to Minnesota Statute 340A.409. A public hearing is not required, but will be scheduled for March 7, 2011 at 6:00 p.m. Boelter stated that she will contact the liquor establishments in the City to inform them of the public hearing.

**IV. Snowmobile Ordinance Amendments**

Boelter asked for clarification regarding the proposed Snowmobile Ordinance Amendments. The proposed amendments would remove time restrictions for use of a snowmobile within the City. The City Council agreed to schedule a public hearing on the matter.

**V. Five Star Direct Update**

Eggert stated that Joe and Wendy Remer have filed for bankruptcy, and the bankruptcy notice claims that the City cannot file any claims at this time. Eggert stated that there is not a lot that can be done at this time, so he is reviewing any information that comes in, and will continue to keep the City Council informed.

**VI. 111 Main Avenue West – Galen Schlagel Property**

Eggert gave an update on the placement of a transformer box at 111 Main Avenue West. Eggert stated that Galen Schlagel, current owner of the property, is disputing the location of the transformer that was installed on this property during the Lakeside Promenade construction. At the time of the construction, the City paid to have the electrical service placed underground, the installation of service connections to the building, and the installation of new electric meters.

Eggert noted that Doug Bebo was the Contract for Deed Vendee at the time of the installation of the transformer box, and Schlagel was the seller to Bebo in the contract. Schlagel has since taken possession of the property.

Eggert stated that representatives from the City, Xcel Energy, and C.R. Electric, were present during the promenade construction, and the transformer was placed where Bebo requested. The representatives thought the transformer was placed too far south, but it was in the location that Bebo requested.

Schlagel is asking for damages, claiming that the location of the transformer devalued his property, and restricts the driveway. Eggert stated that he sent a letter to Brian Olsen, attorney for Schlagel. Eggert stated that in his letter to Olsen, he explained the circumstances surrounding the installation of the transformer, electrical upgrades, and that a survey of the location is not currently on file. Eggert also stated that he included a copy of a letter from Short Elliott Hendrickson Incorporated (SEH), former City Engineer, defining the right-of-way. Eggert added that the City believes that the junction box is within the right-of-way of First Street South.

Eggert stated that he is waiting to hear back from Olsen and will continue to update the City Council.

## **VII. Update from Airport Commission Meeting – February 8, 2011**

Boelter and Mochinski gave an update from the Airport Commission Meeting that was held on February 8, 2011, in regards to the Airport Capital Improvement Plan (CIP), and federal funding for the Winsted Municipal Airport.

Boelter stated that a joint meeting between the Airport Commission and City Council has been tentatively set for Monday, March 7, 2011, for the City Council to give the Airport Commission some direction and for both groups to work together to finalize the CIP.

## **VIII. Updates**

### **a) League of Minnesota Cities (LMC) Webinar**

Boelter stated that a webinar is available from the League of Minnesota Cities (LMC) regarding Governor Dayton's 2012 to 2013 budget proposal for the State of Minnesota.

### **b) Waste Management Commercial Waste Accounts**

Boelter stated that some businesses in the City of Winsted may be present at the Council Meeting to voice concerns about their commercial waste hauling contracts with Waste Management, Incorporated.

### **c) Additional Consent Agenda Item**

Boelter added a Consent Agenda item to the Council Meeting Agenda. The item is to approve the nomination of Boelter as Vice President of Region V of the Minnesota Municipal Clerks and Finance Officers Association (MCFOA) Executive Board for a term of two years, beginning in 2011.

### **d) Vollmer Room Use Policy**

Zeidler and Boelter gave an update regarding the use of the Vollmer Room. All future requests for use of the Vollmer Room by a civic, charitable, or non-profit organization will be brought to the City Council for authorization to use the room.

### **e) Public Works Building**

Boelter stated that there are issues with the City of Winsted Public Works building. Quast stated that she had walked through the building, and reviewed the issues with the Public Works Department. Eggert stated that he will check to see if there is a warranty on the building. The City will notify the contractor of the issues.

**f) EDCO Products**

Ollig asked Boelter to place an item on the Work Session agenda for the second meeting in March for discussion regarding the EDCO Products property located at 311 McLeod Avenue West.

**IX. Adjourn**

**Ollig motioned to adjourn. Mochinski seconded. Motion carried 5-0.**

Respectfully submitted,

Amanda J. Zeidler  
Utility Billing & Payroll Clerk