

City of Winsted  
City Council Work Session  
Lewis Room  
Tuesday, June 2, 2015  
5:30 p.m.

Present: Mayor Steve Stotko - *Temporary Acting City Administrator*  
Council Member Bonita Quast  
Council Member Tom Ollig  
Council Member George Schulenberg  
Council Member Max Fasching

Staff Present: Ms. Deborah R. Boelter, City Clerk-Treasurer  
Mr. Chad Engel, Winsted Volunteer Fire Department Chief

**I. Call to Order**

Mayor Stotko called the meeting to order at 5:30 p.m.

**II. Cable Franchise Ordinance**

Mayor Stotko stated at the last work session the City Council decided to post for a public hearing on this matter for tonight. The public hearing was not posted because 20 days notice is required for a franchise. The parties have indicated they do not want to jeopardize their franchise, and so for that reason the Council has received information on the notice and other items in their packets. This item will now be scheduled for the first Council meeting in July.

Mayor Stotko stated the City also found out that someone from TDS must be in attendance at that meeting, which was also unknown at the first work session.

City Clerk Boelter stated the notice was published in the City's legal newspaper but that she was not aware of the 20-day requirement. Boelter stated the notice will be republished in the paper and that a motion will need to be made at the Council meeting to remove this item from its June 2 agenda.

**III. Other**

**a) Waste Management Contract**

Mayor Stotko stated the City has an automatic renewing annual contract with Waste Management unless the City provides a 60-day notice. The agreement was rolled over last year and no complaints were raised at that time.

Mayor Stotko asked whether the City Council had any issues with rolling the contract over again for another year or whether they would like to discuss the terms of the agreement. Mayor Stotko noted, "The fees may be adjusted annually on August 1, 2013, to compensate the contractor in accordance with a change in consumer costs as it is reflected in the Consumer Price Index. No items can exceed 3 percent. In the event the contractor incurs any actual increase in government taxes or fees (federal, state, county or city), the City agrees to negotiate with the contractor to rectify the inadequacies. Both parties must agree to all reasonable fee adjustments." Mayor Stotko indicated he is not aware of what the City is currently paying and that the latest CPI is not yet available.

The City Council discussed and agreed that the Waste Management contract should be extended one (1) year.

**b) Skydive The Lakes – Agreement**

Mayor Stotko noted at the last workshop session, the City Council reviewed the contract with Skydive the Lakes and the Council agreed to enter into the contract. Mayor Stotko stated there was some paperwork that had to be completed prior to that agreement being signed by the City. One of the agreements was a Do Not Trespass and Hold Harmless agreement for Joseph Johnson.

The issue that has been raised by Mr. Johnson's attorney is that the contract the City agreed on did not have a stop date as to when Mr. Johnson could stop trespassing on Winsted's property. According to Mr. Johnson's attorney, that information was relayed to someone at the City. Mayor Stotko indicated no one at the City has a record of receiving that.

Council Member Ollig stated he was not in attendance at the last meeting but that he reviewed the contract and it runs through the end of the year. Ollig stated he would assume the No Trespass Agreement also runs through the end of the year and that at the time the new contract is negotiated, the no trespass clause could either be included or excluded.

Mayor Stotko noted the no trespass is a separate agreement from the contract with Skydive the Lakes.

The City Council discussed the no trespass agreement and how to proceed. The City Council directed Staff to leave the agreement and contract as is and in two years address the issue of no trespassing by Mr. Johnson.

**c) Vealetzek Property – Sell to Remers**

Mayor Stotko stated when the City was dealing with the sale of the Vealetzek property to the Remers, there was no water or sewer to the lot. The City agreed at that time that if there was any documentation that the Vealetzeks had that the water and sewer line was in and paid for by the City, they would be reimbursed the cost. The information that has been submitted is a mortgage and a sworn construction statement. Mrs. Vealetzek is requesting the City Council review the sworn statement regarding a City tap-in fee of \$850 that was paid at the time the Vealetzeks built their house.

Mayor Stotko stated Staff would like some direction from the Council on the City's response to that language. If the City Council agrees that there was water and sewer to the empty lot, the City would need to reimburse the Vealetzeks.

The City Council reviewed and discussed the mortgage and sworn construction statement submitted by Mrs. Vealetzek. It was agreed that the fee paid by the Vealetzeks was not for the vacant lot but rather for the lot that they constructed their house on. Staff was directed to have the mortgage reviewed by the City Attorney to see what land was encompassed by the fee.

**d) Holy Trinity Handicap Parking**

Mayor Stotko stated he has submitted a memorandum to McLeod County regarding the three parking stalls but has not yet received a response back. Mayor Stotko stated once

he receives a response back, he will contact Holy Trinity and ask them whether they would like to construct three parking stalls in the front or two as originally proposed.

**e) Summer Festival Committee Member**

Mayor Stotko noted the Summer Festival Committee has approached the City the last four years requesting the Council discuss the City's park policy. The current park policy allows coolers to be brought in by the public.

Council Member Ollig noted there are certain streets in town where vendors are not allowed to set up and sell food or refreshments. The streets around the park were also included in that.

Mayor Stotko stated the Committee has raised this issue because they are not able to regulate the food and refreshments being brought into the park from outside sources. The Committee is asking that they be allowed to erect signs banning coolers for the two days of the festival.

This item was briefly discussed by the City Council, with no direction being given to Staff.

**f) City Administrator Search**

Mayor Stotko reported 10 candidates out of the 49 applicants have been selected for interviews and that information on the candidates will be distributed to the committee members.

City Clerk Boelter noted July 9 is the date that has been set for the final interviews.

**g) Fire Hydrants – Linden and Industrial Boulevard and McLeod County Road One (1)**

Council Member Quast reported at the fire commission meeting last night they discussed the hydrants on Linden and Industrial Boulevard and County Road 1 that are inoperable at the present time.

Fire Chief Engel stated they were damaged this winter. The hydrant on Linden was damaged by a bus and the one on Industrial Boulevard and County Road 1 has a broken part, which has resulted in the water being shut off to it totally. As of two weeks ago, the hydrants were not fixed. Engel stated there are other hydrants available in the area but they are located further away, which makes it more difficult for the fire department.

Mayor Stotko indicated he will check with the Public Works Department to find out the status of the repair work.

**h) Fire Department Volunteers**

Council Member Quast reported the fire department has lost another volunteer firefighter because of retirement and that the department is now down to 22 volunteer firefighters. Quast stated she is concerned about the low number and that the City should look into offering some type of incentive program to attract younger people to the fire department.

**IV. Adjourn**

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

The meeting was adjourned at 5:59 p.m.

*Steve Stotko*

Steve Stotko  
Mayor and Temporary Acting City Administrator  
City of Winsted

ATTEST:

*Deborah R. Boelter*

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