

City of Winsted
City Council Meeting
Council Chambers
March 16, 2010
6:00 p.m.

Present: Mayor Steve Stotko
Council Member Bonnie Quast
Council Member Dave Mochinski

Absent: Council Member Tom Ollig
Council Member Tom Wiemiller

Staff Present: Brent Mareck, City Administrator
Amanda Zeidler, Utility Billing & Payroll Clerk
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**

Quast motioned to adopt the Consent Agenda as presented. Mochinski seconded. Motion carried 3-0.

a) **Minutes - City Council – Work Session – March 2, 2010**

Accepted the minutes of the City Council Work Session of March 2, 2010.

b) **Minutes – Regular City Council Meeting – March 2, 2010**

Accepted the minutes of the Regular City Council Meeting of March 2, 2010.

c) **Resignation – Part Time Officer Poster – WPD**

Accepted the resignation of Breana Luedtke (formerly Breana Kroll) from the Winsted Police Department's part-time officer roster.

d) **Gambling Permit – Martin Krueger American Legion Post #407**

Approved a gambling permit for Martin Krueger American Legion Post #407, with no waiting period, to hold a raffle at Hainlin Park on August 8, 2010.

e) **Water Supply Plan – Minnesota Department of Natural Resources (DNR)**

Adopted a Water Supply Plan for the City of Winsted from the Minnesota Department of Natural Resources.

f) **February, 2010 Financial Report**

Approved the February, 2010 Financial Report.

g) **February, 2010 Building Permit Report**

Approved the February, 2010 Building Permit Report.

h) **Claims**

Approved the Claims List for March 16, 2010.

3) Public Hearings

a) Wastewater Facilities Plan – Bolton and Menk, Incorporated.

Seth Peterson and Jake Saulsbury of Bolton and Menk, Incorporated, gave a presentation of the City of Winsted Wastewater Facilities Plan. The purpose of this plan is to provide the City with the necessary information to plan for needed and required upgrades to the Wastewater System. It also provides options to meet the requirements of the Minnesota Pollution Control Agency (MPCA). The purpose of the plan is also to comply with requirements necessary to obtain Public Facilities Authority (PFA) Funding.

Design Parameters include a twenty (20) year planning period, from 2010 to 2030. Population Projections are 2,317 for 2010, 2,834 for 2011 and 3,351 for 2030. The facility location is outside of the one hundred (100) year Flood Zone and is not adjacent to any known historical sites or sensitive habitats.

The existing Wastewater Treatment Facility (WWTF) was built in 1985 and discharges to South Lake. Capacity is met through the planning period of 2030. The WWTF is a Mechanical Activated Sludge Facility with two (2) fine screens, grit removal, two (2) Oxidation Ditch Basins, two (2) Final Clarifiers, Ultraviolet Disinfection, and two (2) Biosolids Storage Tanks.

The following improvements are needed at the existing WWTF:

Preliminary Treatment

- Replace HVAC System in Process Building (Corrosion Issues)
- Replace Odor Control System
- Replace Fine Screens
- Upgrade Grit Removal Process (Does not meet standards)

Oxidation Ditches

- Repair Cracks in Walls
- Upgrade Aeration System
- Remove Deposited Grit
- Install New Mixers at End of Ditches

Final Clarifier

- Sand Blast and Repaint Drive Mechanism
- Install New Effluent Weirs
- UV Disinfection
- Replace Entire System (Outdated and unable to obtain replacement parts)

Other Improvements

- Install a permanent generator
- Abandon existing well and install city water main and water service
- Replace Return Activated Sludge (RAS) and Waste Activated Sludge (WAS) Pumps and equipment with Variable Frequency Drives (VFDs)
- Repair water leak in the RAS/WAS Room

Peterson stated that treatment alternatives were evaluated to meet the MPCA discharge limits. Three alternatives were offered:

Alternative 1: Keeping the existing discharge to South Lake with a total estimated project cost of \$7,650,000.

Alternative 2: Discharge to a new location

- a. Discharge to an unnamed ditch to Judicial Ditch Number One (1) with a total estimated project cost of \$4,351,250.
- b. Discharge to Judicial Ditch Number One (1)
- c. Discharge to Crane Creek with a total project cost of \$4,393,750.

Alternative 3: Regionalization

Peterson stated that Regionalization is not a feasible option for the city. The recommendation from the City Engineer is Alternative number two (2), Option C to Discharge to Crane Creek, because it meets short-term and long-term needs; is cost effective; and, has less stringent limits. The user cost is taking the total project cost, divided by the number of sewer connections.

Mochinski offered another scenario to extend the existing pipe, create a route across South Lake and empty into the ditch. He asked the City Engineer to explore the shortest and least expensive routes to discharge wastewater.

Peterson stated that all of the options would explore gravity discharge. He also mentioned that Crane Creek does not flow into Winsted Lake or South Lake. Crane Creek eventually flows into the Crow River and is in a completely different watershed than the two lakes. Crane Creek has less stringent limits from the MPCA, because of the route it takes to the Crow River.

Saulsbury gave a presentation on the Collection System, with a planning year of 2030. The Collection System currently has eight (8) inch to fifteen (15) inch diameter Gravity Sewer Mains; six lift stations; and four (4) inch to ten (10) inch diameter force mains. The planning area includes the existing city, as well as future growth areas, which include:

- West of Grass Lake Farm Development
- North of Westgate and West of County Road One (1)
- South of Industrial Park and East of County Road One (1)
- North of Winsted on the Lake

The following improvements are proposed for the Lift Stations:

Lift Station Number 1 – Kingsley

- Construct new concrete duplex submersible station
- Install two (2) 20 horsepower, 500 gallons per minute (gpm) pumps
- Install new control panel
- Salvage and install existing generator

Lift Station Number 2 – Westgate

- Replace pumps
- Replace gate and check valves
- Add a separate valve manhole

Lift Station Number 3 – Northgate

- Replace and upsize pumps
- Replace gate and check valves
- Add a separate valve manhole
- Upgrade control panel

Lift Station Number 4 – Litfin

- Replace and upsize two of the three pumps
- Replace gate and check valves
- Upgrade control panel
- Add a Generator

Lift Station Number Five (5) – Vitran Express and Number Six (6) - Lake

- Replace pumps

Other Improvements

- New lift stations to serve the southern development area and future phase of Grass Lake Farm Development
- Install Supervisory Control and Data Acquisition (SCADA) System linking all of the Lift Stations to the WWTF
- Use existing trailer mounted generator from WWTF as back-up power source at the four (4) Smaller Lift Stations (2, 3, 5, and 6)

The City Engineer recommends the completion of Lift Station One (1) in 2010, if possible and if funding is available. The total estimated cost for this improvement is \$355,000. The total estimated cost for all of the proposed improvements for the Lift Station improvements is \$649,000.

Saulsbury stated that all force mains and gravity mains have adequate capacity throughout the planning period. He also stated that if development exceeds projections, there are four (4) lines that need to be evaluated and possibly replaced with a larger line and that there are segments approaching full capacity that should be replaced if the streets are reconstructed along the pipe route. All other segments of force main and gravity main should be evaluated for condition and replaced if necessary as part of any street reconstruction project.

Saulsbury stated that funding & financing options for proposed improvements to the WWTF and Collection System include bonding, assessments, a Rural Development (RD) Loan, State Revolving Fund (SRF), Small Cities Development Program, Wastewater Infrastructure Funding Program, and Economic Development Administration (EDA).

Following the approval of the Wastewater Facilities Plan, the city will need to request placement on the Project Priority List (PPL), and the Intended Use Plan (IUP) for the Public Facilities Authority (PFA). The city could then pursue financing with the various options that were given.

Saulsbury stated that the fast-track schedule is a two-year schedule that is intended to be completed by August, 2012 and includes design Plans and Specifications, submission to the MPCA Approval, project bids, and complete construction.

Mochinski asked when the State of Minnesota will mandate communities to make updates to their wastewater treatment facilities. Peterson stated that deadlines and mandates are typically defined in a city's Discharge Permit from the MPCA; however, The City of Winsted's existing permit is seven years old. Deadlines and mandates will be spelled out in a new permit from the MPCA, and the facility plan is one of the steps to retaining the permit.

Mochinski asked if any grants are available for this type of project. Peterson stated that grants are not very common for this type of project and the best financing solution is most likely the PFA low-interest loans.

Mochinski motioned to adopt Resolution R-10-09 approving the Wastewater Facilities Plan for the City of Winsted. Quast seconded. Motion carried 3-0.

Quast motioned to close the Public Hearing. Mochinski seconded. Motion carried 3-0.

b) Special Assessment Policy – “Public Information Hearing”

Mareck stated that the purpose of a special assessment policy is to establish a fair system to distribute the costs for public improvements between the city and affected property owners, which include street, infrastructure, and other projects of the like. He also stated that, although the city has used special assessments in the past, a formal policy has not been adopted, and adopting a formal policy will ensure that the city follows uniform and reasonable guidelines in its application of special assessments.

Special assessments are determined based on the amount of “benefit” that is received by a property in relation to a public improvement. The policy sets forth what improvement projects are eligible to be assessed, how projects may be initiated, and how assessment amounts will be determined. Mareck stated that general maintenance is not an assessable project. The City Council will determine the length of special assessment based on the project. Property owners can finance a special assessment at one percent (1%) over the rate the city borrows money at.

Mareck stated that a public hearing is not required to adopt a special assessment policy; however, the City Council is holding this “public information hearing” to solicit input on the proposed policy. In addition to the hearing, the proposed policy was sent to the membership of the Winsted Area Chamber of Commerce for their review.

There were no public comments.

Quast motioned to adopt Resolution R-10-10 approving a Special Assessment Policy for the City of Winsted. Mochinski seconded. Motion carried 3-0.

4) **No Old Business.**

5) **New Business**

a) **Sanitary Sewer Connection Line Repair – 111 Lake Avenue East**

Mareck stated that this item can be removed from the agenda, as the property owner is no longer seeking assistance from the City of Winsted on this matter.

b) **Site Plan – M & N Structures – 301 Industrial Boulevard**

Mareck stated that M&N Structures has submitted a site plan for the construction of a 28,203 square foot industrial building at 301 Industrial Boulevard. The property is bordered by Waste Management to the north, a vacant lot and Di-Max to the west, a storm water pond to the south and farm land within Winsted Township to the east. The building would be primarily used as a shop area for metal fabrication with an office area in the northwest corner of the building.

The site plan includes a total of thirty-one (31) parking spaces, which far exceeds the minimum parking requirements for the site, which is 13 spaces. The site plan also shows that the building meets all setback and maximum height requirements for the property. Mareck stated that the City of Winsted Planning Commission unanimously recommended approval of the site plan for M&N Structures at 301 Industrial Boulevard.

Saulsbury has reviewed the Site Plan and stated that there is currently a sewer line that runs North and South across the middle of the proposed building. The sewer line is expected to be moved to the West side of the property. The line will maintain the same start and end point, but will be rerouted around the proposed building.

Mochinski motioned to approve the site plan for M&N Structures at 301 Industrial Boulevard. Quast seconded. Motion carried 3-0.

c) **Request for Proposal – Nuisance Abatement – 404 Westgate Drive**

Mareck stated that, the Winsted City Council adopted a motion authorizing the “summary enforcement” for a public nuisance abatement at 404 Westgate Drive at their March 2, 2010 regular Council Meeting. He stated that a “Request for Proposal” (RFP) has been prepared to outline the required procedures that the contractor must follow in performing the nuisance abatement. The RFP provides for an opportunity for contractors to view the home on March 22, 2010; with a corresponding proposal opening at City Hall on April 1, 2010 at 11:00 a.m. The City Council will award the bid and approve a contract at the April 6, 2010 City Council meeting. The contractor will be provided thirty (30) calendar days to remove the public nuisance from the property.

Mareck stated that the RFP has been reviewed by the Winsted Police Department, Winsted Volunteer Fire Department, Winsted Public Works Department, the City Engineer and the City Attorney.

Mareck clarified that the driveway and the out building located on the property are not subject to nuisance. Mareck acknowledged that the city does not retain ownership of the property. The current owner will retain ownership and all costs associated with the abatement of the public nuisance will be assessed against the property taxes for 404 Westgate Drive.

Quast motioned to approve a Request for Proposal for nuisance abatement at 404 Westgate Drive. Mochinski seconded. Motion carried 3-0.

d) Schedule Public Hearing – Liquor Ordinance Amendments

Mareck stated that the city initiated a process in January, 2010 to review and consider possible amendments to the liquor license ordinance. The current ordinance was sent out to liquor license holders in January, 2010 to solicit their comments on possible language changes. The input collected from license holders was used in conjunction with recommendations from the City Clerk, and Police Chief in creating the proposed ordinance. The proposed new language was sent out to liquor license holders and the Winsted Area Chamber of Commerce membership for their comments. In addition, the city held two public forums on March 4, 2010 to solicit feedback from all other citizens.

Summary of Amendments:

- 1) Deletion of “non-intoxicating liquor”
- 2) Combination of “malt liquor” and “strong liquor” into the same ordinance
- 3) Creation of standards and guidelines for patios and decks
- 4) Required annual forum for liquor license holders
- 5) Elimination of a requirement to “cover” alcoholic beverages during times when its sale is prohibited
- 6) No persons (including employees of the license holder) may consume alcoholic beverages in an establishment more than thirty (30) minutes after a legal sale
- 7) Sunday liquor is permitted at 11:00 a.m.

Mareck stated that Police Chief Mike Henrich has submitted a letter for the City Council to review, which recommends a provision be added to the proposed ordinance that would make it a violation for the license holder or the employee of the license holder to be under the influence of alcohol while on duty. This provision was excluded from the proposed ordinance; however, Chief Henrich has submitted his recommendation for consideration by the City Council and was present to answer any questions.

Quast asked how many liquor establishments have participated in the process. Mareck stated there are two establishments who have participated.

Fran Eggert, City Attorney, stated that he has not researched Chief Henrich’s request and mentioned that the city can be more restrictive than the State of Minnesota.

Mochinski motioned to schedule a public hearing for April 6, 2010 at 6:00 p.m. to consider adopting amendments to the Liquor Ordinance. Quast seconded. Motion carried 3-0.

6) Department Report

a) Waste Management, Incorporated

Sheldon Swensen, District Manager, Waste Management, Incorporated, reported on the following:

- Staff changes have occurred at Waste Management
- There have not been any service problems in the city
- The televised reality show, “Undercover Boss” gave Waste Management positive exposure
- The company will continue major sponsorships with Winstock, and Higher Ground
- The company has provided a Community Sponsorship in the City of Glencoe to build a new community center
- Recycling markets have plummeted, along with commodities markets. The company has also witnessed declines at the landfill with the decline in housing construction.
- Noted the partnership with the community over the years and the benefit to businesses in town
- Safety is at the top of Waste Management’s priority list. The company has covered over two (2) million miles without any preventable accidents.

- With regards to the Winsted Resident Survey, the majority of residents are satisfied with the service provided by Waste Management
- The company will continue to work with residents to continue to offer a high level of service.
- Waste Management currently has a contract with McLeod County for a recycling program. They are in the process of finalizing a two-year extension that will conclude in the fall of 2012.
- The company would like to continue to come before the council a couple of times each year to give updates and answer questions.

Mochinski stated that residents are frustrated that they are required to rent a ten (10) yard roll-off dumpster instead of a small dumpster and asked Swensen if Waste Management could provide residents with a small dumpster for minor clean-up jobs. Swensen said he would look into it and noted that smaller dumpsters are not as cost effective for the company to provide that service.

Quast mentioned that other cities in the area have different recycling procedures and some can mix all of the recycling together. Mareck and Swensen both explained that Waste Management has an agreement with all of the cities in McLeod County and part of the agreement includes separating recycling items at the street. Swensen also mentioned that McLeod County invested a large amount of money in their recycling facility and want to continue to utilize the five-sort method of recycling that is in place.

7) Open Forum.

Terry Ohm, property owner of 460 – 4th Street North was present. Ohm discussed two storm sewer drains located on 4th Street North, near her property, and also the property at 450 – 4th Street North. Ohm noted that they are the only drains located on the section of 4th Street North, between Albert Avenue, and Linden Avenue. If there is a large amount of rain, water is backed up on the street and flows over the curb and creates a stream between the properties listed previously. Ohm also mentioned that there are some trees with dead branches above the drains, which need to be trimmed. Ohm stated that the problem does not occur when the snow melts, only during intense rain storms.

Mareck stated that the Public Works department was looking at these specific storm sewer drains in the summer of 2009 and there were some concerns with pipe capacity.

Saulsbury stated that he did an evaluation of the drains and one solution is to upsize the pipe. He stated that installing more inlets would not solve the problem. Saulsbury also noted that this is a low area and there several properties that drain to this location.

Mareck stated that the Public Works department will trim the trees above the drains. Mareck also stated that storm sewer budgets have been cut because of Local Government Aid (LGA) cuts from the State of Minnesota. Saulsbury stated that potentially, this project could be added to the scope of the County Road 116 Turn-Back project with McLeod County and receive partial funding. The City Council instructed Saulsbury to research the issue with regards to the Turn-Back project.

8) Announcements.

Mareck stated that McLeod County has stepped up efforts to carry out the County Road 116 Turn-Back project. Saulsbury attended a workshop with McLeod County and stated that the county has a budgeted amount for improvements each year. He also stated that the County Engineer would like to make the County Road 116 Turn-Back project a 2010 project. The scope of the project includes adding curb and gutter on sections of 3rd Street, as well as the addition of sidewalk, and storm sewer drains. The total cost of the project is \$715,000. The cost to McLeod County would be \$580,000 and the remainder would be the city's portion. After completion of the project, McLeod County will turn the street back to the City of Winsted.

9) **Adjournment**

Quast motioned to adjourn. Mochinski seconded. Motion carried 3-0.

Respectfully submitted,

Amanda J. Zeidler
Utility Billing & Payroll Clerk