

City of Winsted
City Council Meeting
Council Chambers
April 20, 2010
6:00 p.m.

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

Staff Present: Brent Mareck, City Administrator
Deborah R. Boelter, City Clerk-Treasurer
Fran Eggert, City Attorney

1) **Mayor Stotko called the meeting to order at 6:05 p.m.**

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

2) **Consent Agenda**

Ollig motioned to adopt the Consent Agenda as presented. Wiemiller seconded. Motion carried 5-0.

a) **Minutes - City Council Work Session – April 6, 2010**

Accepted the minutes of the City Council Work Session of April 6, 2010.

b) **Minutes – Regular City Council Meeting – April 6, 2010**

Accepted the minutes of the Regular City Council Meeting of April 6, 2010.

c) **Minutes – City Council Special Meeting – April 13, 2010**

Accepted the minutes of the City Council Special Meeting of April 13, 2010.

d) **Resolution R-10-13 - Snow Plow Policy**

Adopted Resolution R-10-13 approving a Snow Plowing and Removal Policy for the City of Winsted.

e) **Sanitary Sewer Relocation – Winsted Industrial Park**

Authorized Machtemes Construction to perform work necessary to complete a sanitary sewer relocation project in the Winsted Industrial Park for \$28,242 for the M&N Structures Project.

f) **Janitorial Contract – Notice of Termination**

Accepted a notice of termination from Laurie Campbell of her Janitorial Contract with the City of Winsted effective May 8, 2010.

g) **Janitorial Contract**

Approved the Janitorial Contract between the City of Winsted and Kim Brandenburg effective May 10, 2010.

h) **Salary Step Increase – Raquel Kirchoff**

Authorized a salary step increase for Raquel Kirchoff.

i) March, 2010 Financial Report

Approved the March, 2010 Financial Report.

j) March, 2010 Building Permit Report

Approved the March, 2010 Building Permit Report.

k) Claims

Approved the Claims List for April 20, 2010.

Special Presentation

a) Loyalty Day Proclamation

Mayor Stotko read a Proclamation declaring Tuesday, May 1, 2010 as Loyalty Day in the City of Winsted. Mayor Stotko stated that Loyalty Day is a day set aside for the reaffirmation of loyalty to the United States, for the recognition of the heritage of American freedom and to honor members of the United States armed forces and their family members.

3) No Public Hearings.

4) Old Business

a) Hazardous Property – 320 Westgate Circle

Mareck stated that at their November 17, 2009 meeting, the City Council ordered that the house at 320 Westgate Circle be removed from the property within sixty (60) days. The action was spurred by a report from the City's Building Inspector noting that the wood foundation of the house was not structurally sound. The Building Inspector also verified the existence of rotting siding and a window in need of replacement due to foundation shifts. In addition, the property owner obtained a report from an independent structural engineer, which verified the findings made by the Building Inspector. Throughout the investigation of the house by the City, the property owner has had the house on the market for sale.

At their January 19, 2010 meeting, the City Council tabled the issue to allow for Jeff Blouin of St. James, Minnesota, to close on the purchase of the property and begin the necessary repairs to the structure. Blouin was unable to close on the purchase of the property and the ownership of the property is now with Rural Development. A letter was sent to Rural Development notifying them of the City Council's intent to act on this matter at their April 20, 2010 meeting.

Mareck presented the following options for the City Council to consider:

1. Order Rural Development to have the house removed within thirty (30) days.
2. Order the City Attorney to begin condemnation proceedings on the residence at 320 Westgate Drive.
3. Begin both processes concurrently.
4. Consider a public nuisance action.

Mareck stated that he recently had been contacted by two (2) potential buyers of the property. Mareck stated that one (1) of the potential buyers, Tim Barth, was in attendance at the meeting.

Tim Barth, Fine-Line Foundations of New Germany, Minnesota addressed the City Council regarding his intention to purchase the house at 320 Westgate Circle and refurbish it under the guidelines and time frame approved by the City Council. Barth stated that he will refurbish the house so it is in compliance with the building code and

give it to a family member or sell it.

Barth stated he would close on the purchase of the property on April 27, 2010 and begin renovation work on the house immediately after that. Barth asked the City Council for two (2) months to refurbish the house. Wiemiller asked Barth if he would have the renovations completed by July 1, 2010. Barth stated yes.

Ollig motioned to allow Tim Barth sixty (60) days to make the corrections at 320 Westgate Drive contingent upon him closing on the purchase of the property within the next thirty (30) days. Quast seconded. Motion carried 5-0

b) Wastewater Facilities Operation – People Service, Incorporated

Mareck stated that at the April 6, 2010 meeting, the City Council requested a Service Agreement be prepared with People Service, Incorporated for the maintenance and operation of the Wastewater Treatment Plant and Lift Station facilities. The agreement is almost completely similar to the previous operations agreement, except for the following conditions:

1. The agreement is for two (2) years, rather than the previous five (5) year agreement.
2. The previous agreement had an annual consumer price index (CPI) increase built into the contract for People Service, Incorporated. The proposed agreement has a CPI increase only if the agreement is automatically renewed by the City and People Service, Incorporated after two (2) years. The agreement can be automatically renewed only if the City does not provide ninety (90) days written notice of its intent to terminate the contract, prior to the May 1, 2012 renewal date.
3. The City will be responsible for all electrical and propane utilities needed to run the facility.

Mareck stated that the estimated cost to operate the electrical and propane utilities is \$42,000. The proposed agreement provides People Service, Incorporated with \$94,800 in annual compensation for their services.

Ollig motioned to approve a two (2) year agreement with People Service, Incorporated to maintain and operate the City's Wastewater Treatment Plant and Lift Station facilities. Wiemiller seconded. Motion carried 5-0.

c) Skydiving Agreement – Joe Johnson

Mareck stated that in February, 2010, the City Council approved an agreement, pending Federal Aviation Administration (FAA) approval, with Joe Johnson to operate a Skydiving business at the Winsted Municipal Airport. Since that meeting, the FAA and the Flight Service Division of the FAA have submitted comments that raised safety concerns with the proposed location of the drop zone south of the hangars.

Johnson and the FAA worked together on an alternative drop zone location, which is west of the Winsted Municipal Airport office and south of the runway. The location has been reviewed by the City's engineer and has also been submitted to the FAA for additional comments. To date, the City has not received any formal comments on the alternate drop zone location.

Mareck continued by stating that another modification to the operations agreement has been made to remove any language that would infer that the property is being leased exclusively to Johnson. The FAA wanted the agreement adjusted so that Johnson did not have exclusive use of the drop zone and other skydivers are allowed to use the drop zone area.

Mareck stated that the agreement requires Johnson to pay an annual fee of \$4,500 for the use of the drop zone.

Mareck also stated that the Winsted Municipal Airport Commission recommended unanimously that the City Council approve the agreement.

Mareck presented an e-mail he received from the FAA addressing the location of the drop zone.

Mochinski motioned to authorize the execution of a Skydiving Operations Agreement with Joe Johnson. Ollig seconded. Motion carried 5-0.

5) New Business

a) Preliminary Engineering Proposal – Lift Station Repairs

The City of Winsted's engineer, Jake Saulsbury, Bolton and Menk, Incorporated, presented information on a Preliminary Engineering proposal for repairs to the City's lift stations.

Background:

Saulsbury stated that the recently completed Wastewater System Facility Plan (WWSFP) includes a recommendation that the Kingsley Lift Station be reconstructed as it is past its useful life and in very poor condition. The construction schedule in the Facility Plan recommends this project to be constructed in 2011. The Facility Plan also recommends near term improvements to lift station numbers Two (2), Three (3), and Four (4) which are the Westgate, Northgate, and Littfin lift stations.

Kingsley Lift Station-Number One (1):

Saulsbury stated that the WWSFP recommends construction of a new duplex submersible pump station with a separate valve manhole, similar to the City's newer lift stations. This would replace the present wet well/dry well type station. The existing dry well consists of a steel structure which has corrosion issues. The WWSFP used available information for the lift station and wastewater flows, supplemented with assumptions in formulating the recommendations and project cost estimate. This approach works for planning documents but more detailed and accurate information is needed prior to selecting the appropriate pumps and proceeding with the final design.

Bolton and Menk, Incorporated is proposing to do a Preliminary Engineering report for review and approval by the City prior to starting the final design and plan preparation. This initial phase would include the following tasks:

1. Topographic survey of lift station site.
2. Wetland delineation.
3. Pumping test to determine existing pump capacities.
4. Determination of forcemain size from station to wastewater treatment plant.
5. Preliminary site plan at new lift station location.
6. Project schedule and updated cost estimate.
7. Soil boring and geotechnical evaluation that would be invoiced separately.

Saulsbury stated that their estimated fee for providing this preliminary engineering report is \$6,500. All of the work performed will contribute to the final planning and design of the lift station reconstruction project. We also recommend obtaining a soil boring at the location of the new station which will be required prior to final design and construction. The estimated cost for the soil boring and geotechnical report is \$1,000; therefore, the total estimated cost to complete the preliminary steps for the Kingsley Lift Station is \$7,500.

Lift Station Numbers Two (2), Three (3), and Four (4):

Saulsbury stated that the WWSFP recommends pump replacement and the replacement of gate valves and check valves for these three (3) lift stations. The WWSFP also recommends adding valve manholes to number Two (2) and number Three (3), upgrading the control panels to number Three (3) and number Four (4), and adding a permanent generator to number Four (4).

The preliminary engineering report discussed above could be expanded to include these additional improvements. The following tasks would be required:

1. Topographic survey of lift station sites number Two (2) and number Three (3) only.
2. Pumping tests to determine existing pump capacities.
3. Project schedule and updated cost estimates.

Our estimated fee for providing these additional tasks is \$3,000. By including these improvements with the Kingsley Lift Station project, the City can expect lower project costs due to the economy of scale. These additional improvements would also complete the City's necessary lift station upgrades until approximately the Year, 2022; but, not including upgrades needed as a result of new developments and future growth.

Summary:

Saulsbury stated that the engineering report will confirm the scope of work and provide updated costs estimate for the lift station improvement project. The estimated fee to perform this work is \$10,500; but, only \$7,500 if the scope is reduced to only the Kingsley Lift Station. This work is recommended to be completed now even though the project may not commence this year. The wetland delineation work is required to be completed prior to the fall months. The topographic survey, forcemain size confirmation, and soil boring can be completed more cost effectively in the summer months. By completing these preliminary steps now the City will be ready to act in a timely manner in the event this project proceeds to the final design phase in winter, 2010 or spring, 2011. This will also allow for the City to have the option to include the desired improvements with a potential wastewater treatment facility upgrade project.

Mayor Stotko asked Mareck where the engineering expenses will come from in the budget. Mareck stated the Sewer Fund.

Mochinski asked about the purpose of the soil borings. Saulsbury stated that the soil borings determine the condition of the soil and will dictate the needs for construction of the new lift station.

Wiemiller asked how tall the proposed Kingsley Lift Station generator will be because the height of the existing lift station has been a concern for some of the area property owners. Saulsbury stated that the plan is to build it the same height and with the same aesthetics.

Mochinski asked Saulsbury if it would be feasible to move the Kingsley Lift Station outside of the City at the time of reconstruction. Saulsbury stated probably not because it would be very costly to move.

Mayor Stotko asked the City Council if they want to expend the money for engineering now if the project is not going to be completed until the Year, 2012. The City Council discussed and agreed that the preliminary engineering should be done now.

Quast motioned to authorized Bolton and Menk, Incorporated to prepare a Preliminary Engineering report on repairs to the City's Lift Station system for \$10,500. Mochinski seconded. Motion carried 5-0.

b) Winsted Byway – Luce Line Trail Signage Plan

Mareck stated that over the last year, the Park Commission has been working on a signage plan designed to get non-motorized, Luce Line Trail users into downtown Winsted. The "Winsted Byway" is a "U" shaped trail route that takes users from the east side of the Luce Line to the west side and vice-versa. This trail connection was a priority of the Trails Master Plan, due to the economic benefits it could provide to downtown businesses, while also providing a way to move trail users through Winsted with the

existing trail severance between McLeod County Road One (1) and McLeod County Road Nine (9).

The Winsted Byway signage plan will have two (2) kiosk signs (4 feet by 4 feet), one in Southview Park and one (1) on McLeod County Road One (1) south of Littfin's and nine (9) directional trail signs along the route. The directional signs are important to the trail, because initially the Winsted Byway will be more of a "route" to get through Winsted until an actual physical trail can be funded and constructed.

Mareck stated that the Winsted Byway project can be fully funded through grant funds and private sponsorships sold on each sign. The sponsorships would be good for two (2) years, with future year's revenues going toward future trail projects and/or sign maintenance. Eggert Law Office, Bolton and Menk, Incorporated, Mediacom, TDS Telecom, and the Minnesota Department of Natural Resources (MN DNR) have already committed to sponsorships for the project. The proposal includes a \$680 fee for sign installation, which could be waived with the installation of the signs provided by the City (less materials needed for installation).

Luce Line Byway Project	Costs	Revenues
Project Cost	\$4,193	
McLeod County SHIP Grant		\$2,400
Sign Sponsorships		\$2,290
	\$4,193	\$4,690

Mareck stated that the Park Commission unanimously recommended moving forward with the project.

Mochinski recommended that the sponsorship signs be installed directly under the actual sign so it is not being vandalized and/or damaged by snow removal.

Quast motioned to authorize the production of the Winsted Byway signage from Herald Journal Publishing for \$4,193. Wiemiller seconded. Motion carried 5-0.

6) Department Report

a) Winsted Volunteer Fire Department

Chad Engel, Chief of Winsted Volunteer Fire Department, reported on the following:

- The selection for the officers in 2010 was done according to the new Personnel Policy and the process went well.
- Reviewed the names of the new officers.
- There are currently twenty-six (26) members.
- In 2009, one (1) member resigned and one (1) member retired.
- In 2010, one (1) member has indicated that they may retire.
- In 2009, the Winsted Volunteer Fire Department responded to 162 calls.
 - 121 medicals
 - forty-one (41) fire
 - of the 162 calls, 109 were for the City of Winsted
- In 2010, the Fire Department has responded to forty-seven (47) calls.
 - forty (40) medicals
 - seven (7) fire
 - of the forty-seven (47) calls, thirty-five (35) were for the City of Winsted
- Planning and preparing for the annual Spaghetti Dinner held on the weekend of the Winstock Country Music Festival.
- Firefighter and Officer training.

Engel thanked Mareck for his guidance, support and help with the Winsted Volunteer Fire Department over the past three (3) years.

Mayor Stotko asked about the April 13, 2010 Fire Board meeting. Engel gave a brief overview of items discussed at the annual spring Fire Board meeting. Engel stated that he and the City are reviewing options with the City's engineer to repair some issues with the Fire Department parking lot. Mareck stated that Engel, the Public Works Department Maintenance Leads and Saulsbury will be discussing the parking lot issues and repair options with the City Council at their May 4, 2010 Work Session.

Engel also reviewed major vehicle repairs that have been completed in 2009 and 2010, and possible future repairs.

Mayor Stotko thanked Engel and the members of the Winsted Volunteer Fire Department for the many hours they volunteer and the fantastic job they do. He also thanked them for the invitation to attend their annual appreciation banquet.

7) **Open Forum**

a) **Kubasch Excavating – Bidding Process for Demolition of House**

Kubasch, Lenora of Kubasch Excavating, 210-6th Street North, addressed the City Council regarding the bidding process for the demolition of the house at 404 Westgate Drive.

Kubasch stated that contractor who completed the project, Henning Excavating, did not do the job according to the specifications in the bidding documents. She stated that the specifications required that the driveway remain and not be removed and Henning Excavating removed the driveway. Kubasch stated that Kubasch Excavating would have given a different bid price if they would have known that the driveway was going to be removed.

Mayor Stotko stated that Henning Excavating did do the job according to specifications. He stated that he went to visit the demolition site and Henning Excavating showed him that the driveway was damaged due to their equipment. Mayor Stotko stated that he directed them to remove the driveway due to the severity of the damage.

Mareck stated that he appreciated Kubasch's concerns but all contractors bid the demolition job according to the specification that the driveway remains. When Mayor Stotko went to visit the demolition site; he made the decision to have Henning Excavating remove the damaged driveway. Mareck stated that the bid remained the same for Henning Excavating and they have been informed that if the property owner wants the driveway reinstated, they are responsible for all costs associated with the reconstruction of the driveway.

Kubasch stated that she does not believe that the bidding process was handled properly for the demolition of the house at 404 Westgate Drive and she would hope that the City would handle all bidding processes in the future differently.

8) **Announcements**

a) **Winsted Municipal Airport – Hangar Number Thirty-Seven (37)**

Mareck stated that the past due Land Lease for hangar number thirty-seven (37) has been paid by the hangar owner Rod MacCharles.

b) **4th Street North – Drainage Issues**

Mareck stated that he and Saulsbury met with property owner, Doug Telecky, 450-4th Street North to discuss the drainage issues on 4th Street North.

9) **Adjournment**

Quast motioned to adjourn. Mochinski seconded. Motion carried 5-0.

Respectfully submitted,

Deborah R. Boelter
City Clerk-Treasurer