

**Minutes for a Regular Meeting
Of the Winthrop City Council
Monday, February 4th, 2013**

A regular meeting of the Winthrop City Council was called to order at 7 p.m. on Monday, February 4th, 2013 in the City Council Chambers of City Hall for the purposes of conducting the business of the city.

- I. CALL TO ORDER** The meeting was called to order by Mayor Dave Trebelhorn at 7:00 p.m.

- II. ROLL** Council members Jessica Wiborg, Colleen Dietz and Pete Machaiek were present. Mark Erickson, Don Lannoye, Dale Malheim, Noah Steiner, Lance Wiborg, Karen Johnson, Joe Ziegler and Mike Mattison were also present.

- III. APPROVAL OF AGENDA**
 - a.** Motion Dietz, and a second by Wiborg to add Minnesota Valley Action Council Request and approve the current agenda. Passed on a voice vote.

- IV. APPROVAL OF CONSENT AGENDA**
 - a.** Motion Machaiek, and a second Wiborg, to approve the consent agenda as presented. Passed on a voice vote.

- V. PUBLIC HEARINGS**

- VI. NEW BUSINESS**
 - a. Hahn's Liquor License Violation** – Lannoye informed the council that a Hahn's Restaurant employee was caught selling liquor to a minor. Because it is their first offense the county attorney's office has declined to prosecute. The city ordinance also gives the council the option to prosecute or not prosecute and provides up to a \$500 fine and one day suspension of liquor sales for a first offense. Machaiek said if they violated the law they should be punished. Lannoye also reported the Eagles Landing had a similar violation in 2010 and the council chose not to prosecute because it was their first offense. Eagles Landing was given a warning and a notice of what will happen the next time they are caught selling liquor to an minor. Trebelhorn and Dietz thought the city should treat it as a first offense and provide a letter of warning. Dietz added it wouldn't be fair to not punish Eagles and punish Hahn's for the same offense. Motion Dietz, second Machaiek to not prosecute Hahn's and send them a stern warning letter that if it happens again they will be prosecuted and if they are found guilty the city would levy a fine. Passed on a 2-1 vote with Machaiek

voting no. Lannoye will send a warning letter from the city. He added he would expect two more surprise compliance checks during 2013.

- b. Handheld radio for Emergency Management** – Emergency Management Director Ed Stoll asked the council to purchase a handheld radio for Emergency Management so he could communicate on the new radio system with law enforcement, fire and ambulance. The cost of the radio is \$2,488.33. Machaiek said the city should buy the radio and protest to the county as to why the city’s civil defense needs were excluded from the upgrade. Motion Machaiek, second Dietz to purchase the handheld radio from Alpha Wireless at a cost of \$2,488.33. Passed on a voice vote.
- c. Radio Interference at Filter Plant** – Water and Sewer Supt. Ziegler informed the council that the new Variable Frequency Drive motors at the filter plant on North Carver have caused AM radio interference for resident living just south of the plant. The city has worked with the home owner and purchased an external antenna to see if that would fix the problem. It did not. If a solution cannot be found the fix would be to replace the electrical lines going to the wells at a cost that could run into the tens of thousands of dollars. The council asked Ziegler if it was possible to schedule the wells to run only after midnight. He said he would check on what it would cost to have the programming changed. Malheim said he had a solution that would only cost \$90.
- d. Replacement of the Police Squad Car** – Police Chief Karen Johnson informed the council that it was time, according to a replacement schedule developed several years ago, to replace the older squad car. She presented quotes for state pricing for a new Explorer and a new Taurus. Chief Johnson requested the council consider the Explorer option. The gas mileage is nearly the same as the Taurus and there is more room in the vehicle not only for equipment but for the officer. She does not have a cost on adding the light bar, etc. to a new vehicle. The cost to purchase the vehicle is about \$26,000 and the city has more than \$35,000 budgeted. Lance Wiborg suggested the resale value of the Explorer would be higher than the Taurus. Motion Machaiek, second Wiborg to purchase the 2013 Explorer. Passed on a voice vote.
- e. Jetter/Vacuum Purchase with Gibbon and Gaylord** – Supt. Ziegler said the city currently shares a jetter with Gaylord and it is starting to wear out. He would like to purchase a jetter/vacuum so the debris that is collected with section of sewer are jetted can be removed. A jetter truck with a vacuum trailer would be easier to store and less expensive to purchase. Ziegler said he has talked to dealers who say that a good used jetter/vacuum truck and trailer would cost between \$80,000 and \$100,000. He and Erickson will talk with Gaylord and Gibbon about sharing and report back to the council.
- f. Purchase of Skid Loader** – Ziegler presented quotes to the council for the purchase of a new skid loader. With a broom, snow blower, forks and bucket attachment the total cost is \$41,719.00. Split between

five departments the cost per department is \$8,343.80. The skid loader would be used on a daily basis by all the departments. Motion Dietz, second Wiborg to purchase an S590 Bobcat Skid-Steer Loader with attachments from UFC for \$41,719.00 and split the cost between streets, parks, electric, water and sewer departments. Passed on a voice vote.

- g. Land for assisted living and Sibley Medical** – Erickson told the council that plans for a 16-unit assisted living complex and new Sibley Medical center are going ahead with construction planned this spring. He said Sibley Medical is requesting a small portion of land on the north side of the project for a settle pond and the EDA has agreed to provide a small section of land they own on the west side of the project area to accommodate sloping for the project. Motion Dietz to transfer the land needed to Ridgeview Medical at no cost. Passed on a voice vote. The city attorney will handle the land transfer with recording costs to be paid by Good Sam and Ridgeview.
- h. Write off of three utility accounts** – Erickson said staff was requesting the council write off three utility accounts that have been deemed uncollectable or unnecessary. Two of the accounts are uncollectable. The third account doesn't need to be on the books because it is part of restitution imposed by the court system. After discussion it was agreed to have the administration committee meet and discuss the situation and make a recommendation to the council.
- i. Approval of Union Contract** – Erickson said the union and the city negotiating committee had agreed on a new two-year contract that included a 2.25% raise for union employees. Machaiek was recommending the council approve the contract. Motion Machaiek, second Dietz to approve the contract. Lannoye asked if there were any other changes in the contract and if council members had reviewed the contract., Erickson stated there were no other changes and the entire council hadn't reviewed the contract. Lannoye said the council has approved several documents in the past two years that haven't been properly reviewed and suggested it be reviewed. Motion Machaiek, second Dietz to rescind the motion and take up approval at the next council meeting. Passed on a voice vote.
- j. Minnesota Valley Action Council CIP Program** – Erickson said that MCAC was asking the city to participate in an energy audit and reduction program for city residents that would use Conservation Improvement Program dollars. Machaiek asked how the funds would be utilized and suggested the council get more information before proceeding.
- k. Charter Commission Amendment** – Lannoye outlined the procedure for amending the City Charter as recommended by the Charter Commission at their December meeting. Following discussion on the duties of the City Administrator and City Clerk, Machaiek commented he would like to see the City Clerk take minutes so the City

Administrator could be more engaged in the meeting. Erickson said he liked to take minutes because it keep him focused on what he needed to get done between council meetings.

- 1. Sewer Back Up on North Brown** – Erickson said the League of Minnesota Cities Insurance Trust decided not to pay for the sewer back up on North Brown Street in December because the city was not negligent. The cost to Ashley Hubred to clean up her basement was \$2,992.66. Ziegler explained why he thought the city sewer backed up causing the problem. The city can have a company come in an clean the lines at a cost of between \$1,700 and \$4,000 a day. Leaking joints can be fixed for about \$2,000 a joint. Machaiek thought the city should run a camera down the lines first to determine the problem and then make a decision on whether to clean or fix the problem lines. Motion Machaiek, second Wiborg to pay the ServiceMaster bill of \$2,992.66 for cleaning up the Hubred basement following the back up in December. Passed on a voice vote.

VII. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

a. LEGAL DEPARTMENT

Lannoye informed the council the DNT Tree Grant obligation to the state had been completed. He told the council to pay attention to the governor's tax plan because he was proposing taxing service like legal work which would be an additional cost for the city.

b. WATER/SEWER DEPARTMENT

Ziegler reported there was a water main break on South Main the previous week (on the coldest day of the winter) and that Hjerpes came a fixed it. While city maps show the line as a 6" line it was actually a 4" line. There was also an inside leak at Minnesota Reload on January 22nd and it took longer than normal to isolate the leak because the water service connecting the building to the city main did not have a shut off valve. Machaiek said he has been asked about rusty water in the area of 3rd Street. Ziegler explained it is rusty because the line is not a dead end line because the city didn't fix a broken valve last year. He said he would like at fixing the valve in the spring.

c. ELECTRIC DEPARTMENT

Machaiek said there is a strong possibility of MMPA owning the Sibley Wind project west of town. He added that the LeSueur bio energy plant is under construction.

d. AMBULANCE DEPARTMENT

Lannoye reported the ambulance is scheduled to be replaced in two years and estimates the cost of a new ambulance at about \$160,000. He said the ambulance crew wants to stay with two rigs and has decided to trade in the older rig and purchase a new one at a cost of \$160,000.

The department has the option to trade in the newer ambulance at a cost of about \$40,000 or the older one at very little cost. Mayor Trebelhorn said he would like to see options provided at the annual Township meeting on February 28th. Lance Wiborg thought there should be money put aside already for the purchase.

- e. **RS FIBER UPDATE** – Erickson provided an RS Fiber update to the council.

The meeting was adjourned at 9:16 p.m.

Mayor

ATTEST:

City Clerk-Administrator