

The City Council of the City of St. Charles welcomes you to its Regular Meeting of Tuesday, December 8, 2015 at 6:00 p.m. at 830 Whitewater Avenue, City Council Chambers, St. Charles, Minnesota.

ITEM	ACTION REQUESTED
1. Call to Order	
2. Pledge of Allegiance	
3. December 8, 2015 Agenda	APPROVE
4. Meeting Minutes	APPROVE
-November 10, 2015	
-November 24, 2015	
5. December Payables	APPROVE
6. Notices and Communications (if applicable)	INFORMATION
7. Reports of Boards and Committees:	INFORMATION
7a. Administrator's Report, Nick Koverman	
7b. Public Works Superintendent Report, Kyle Karger	
7c. Chief of Police Report, Ken Frank	
7d. Library Board Report, Dave Braun (TBD)	
7e. Planning & Zoning, Wayne Getz	
7f. Park Board, Orv Dahl (TBD)	
7g. School Board, David Kramer (TBD)	
8. 2016 Truth In Taxation Presentation	INFORMATION
9. Ordinance #581 Storm Sewer Rates (1 st Reading)	APPROVE
10. Fire Department Candidates Nominations	APPROVE
11. UMMEG Rate Stabilization Fund	DISCUSS
12. Resolution #32-2015 Renewal of Home/Special Home Occ.	APPROVE
13. Resolution #33-2015 Renewal of Conditional Use Permits	APPROVE
14. Resolution #34-2015 Renewal of Liquor Licenses	APPROVE
15. Resolution #35-2015 Renewal of Cigarette Licenses	APPROVE
16. Library Board Nomination	APPROVE
17. Ordinance #583 Amending Language for Fencing Requirements (1 st)	APPROVE

UNSCHEDULED PUBLIC APPEARANCES: Members of the audience may address any item not on the agenda. State Statute prohibits the City Council from discussing an item that is not on the agenda, but the City Council does listen to your concerns and has staff follow up on any questions you raise.
ADJOURNMENT

***Attachment. Questions? Contact Nick Koverman at St. Charles City Hall at 932-3020 or by email at nkoverman@stcharlesmn.org.**



**MEMORANDUM for the CITY COUNCIL of St. Charles for
Tuesday, December 8, 2015**

8. 2016 Truth In Taxation Presentation. Kristine Engstrand will be present to provide the 2016 Truth In Taxation presentation for the Council.

9. Ordinance #581 Storm Sewer Rates (1st Reading). A proposed ordinance to increase storm water fees by \$0.71 is included for consideration.

10. Fire Department Candidate Nominations. Fire Chief Lyle Peterson will bring forth the names of four candidates including: Justin Slavin, Ryan Smith, Kristine Engstrand, and Jerod Hutsell for consideration. The candidates would be offered a position with the St. Charles Volunteer Fire Department pending a successful background check.

11. UMMEG Rate Stabilization Fund. Included is a memo from Richard Heinemann, the UMMEG attorney, that explains the concept of a rate stabilization fund with the expected proceeds that will be returned to the utilities due to the abnormally low market rates this past year. Wisconsin utilities are governed in a different fashion which is why they are looking to have UMMEG hold their earnings into an account to plan for any unexpected changes in rates. Staff recommends not participating in the mechanism at this time. By Wisconsin Public Utility Commission members, any rates returned to a utility must be returned to the customer. In addition, Wisconsin members will be facing a large STS transmission agreement over the next 2 years, which Minnesota utilities will not be subject to. For these reasons, we are recommending not participating in the mechanism.

12. Resolution #32-2015.Renewal of Home/Special Home Occupations. Please see attached.

13. Resolution #33-2015 Renewal of Conditional Use Permits. Please see attached.

14. Resolution #34-2015 Renewal of Liquor Licenses. Please see attached.

15. Resolution #35-2015 Renewal of Cigarette Licenses. Please see attached.

16. Library Board Nomination. A nomination will be brought forward Tuesday night.

17. Ordinance #583 Amending Language for Fencing Requirements (1st Reading). A proposed ordinance for revisions to the fencing requirements is included in the packet for consideration.

**MINUTES of the ST. CHARLES CITY COUNCIL
For Tuesday, November 10, 2015 held at 6:00 p.m. at
830 Whitewater Avenue
St. Charles, Minnesota**

MEMBERS PRESENT:

Councilmen:
David Kramer
Dave Braun
Orv Dahl
Wayne Getz
Mayor John Schaber

STAFF PRESENT:

Ken Frank (Police Chief), Matt Loken, Caleb Hohensee and Nick Koverman (City Administrator).

OTHERS IN ATTENDANCE: Cathy Groebner, Dan White, Kate Loken, Cherie Loken, Bob Loken, Steve Colvin, and Craig Hilmer (St. Charles Press).

1. ESTABLISH QUOROM/CALL TO ORDER

Quorum was established with Mayor Schaber calling the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL of the AGENDA:

Motion to approve: **Orv Dahl**
No discussion.
Motion carried.

4. MEETING MINUTES

-October 13, 2015

Motion to approve: **Dave Braun**
No further discussion.
Motion carried.

-October 27, 2015

Motion to approve: **Wayne Getz**
No further discussion.
Motion carried.

5. APPROVAL of NOVEMBER PAYABLES

Motion to approve: **David Kramer**
No further discussion.
Motion carried.

6. Notices and Communications. None.

7. Reports of Boards and Communications. Various reports were given.

8. Oath of Office—Police Officers Loken and Hohensee. Police Chief Ken Frank provided the Oath of Office for both part-time officers.

9. Fort Culvert. Mayor Schaber relayed his conversations with Skip Fort that he would be agreeable to vacating the property if the city continued to maintain and plow the street. Tom Fort was present and addressed the Council. He expressed that 50 percent of his business was retail sales and that deliveries to his business are crucial and that it has always been a city maintained road. He added that the city crews that have maintained it can complete the task in 3-4 minutes because of the type of equipment and experience they have plowing the road. He expressed that it is not feasible for him to maintain the slope coming directly off of Highway 74 and that he fears delivery trucks would not be able to complete their task and would stop making deliveries, thereby potentially shutting his business down. Clm. Braun asked how far it would be necessary for the city crews to plow. Tom expressed that getting semis up the steep road right off of 74 was his main concern. Clm. Getz asked about plowing the road and only being allowed to stay on the road and if that was a consideration. Tom expressed that he wasn't aware of this issue, but could not answer totally. Tom expressed that he has plowed the area for 30+ years and that he is still trying to figure out what has

changed because it never had the problem of freezing in the past. Clm. Braun expressed that he wanted to have the problem fixed but would need a signed agreement. Mayor Schaber offered the suggestion of doing the repairs and plowing the steep road up to the business from Highway 74 and vacating the culvert and the road heading to the south lot line. Clm. Kramer stated his relationship of being a first cousin as a matter of record to the Council and audience. Clm. Braun stated that Fort has been paying taxes and operating as a business for a lot of years and motioned to make the previously discussed repairs in exchange for vacating that portion of the roadway including the culvert running to the south property line. Admin. Koverman asked Tom who the current and rightful owner of the property was. Tom expressed that he was in the process of buying the business from his father and that it would take 4-6 weeks. Admin. Koverman recommended that any agreement would have both names present on the agreement. A friendly amendment was offered to direct staff to draft an agreement with the terms prior to beginning work to be brought back to the Council during the second meeting in November.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

10. Resolution #31-2015 Municipal Diesel and Gasoline Bids. Mayor Schaber briefly reviewed the resolution with proposals from two vendors for diesel and gas. A motion to approve the resolution was made.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

11. Janitorial Search. Admin. Koverman relayed that the resignation had been received by the janitor and that a new search was being conducted to fill the position and that a recommendation would be brought back to the Council at the next meeting.

UNSCHEDULED PUBLIC APPEARANCES

-Dan White at 730 Whitewater Avenue relayed to the Council that the Rolling Hills Transit service continues to be a valuable service to the community.

Motion to adjourn at 6:35 p.m.

Motion to approve: **Wayne Getz**

Motion declared carried.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

MINUTES of the ST. CHARLES CITY COUNCIL
For Tuesday, November 24, 2015 held at 6:00 p.m. at
830 Whitewater Avenue
St. Charles, Minnesota

MEMBERS PRESENT:

Councilmen:
David Kramer
Dave Braun
Orv Dahl
Wayne Getz
Mayor John Schaber

STAFF PRESENT:

Kristine Engstrand (City Accountant), Nick Koverman (City Administrator).

OTHERS IN ATTENDANCE: Dan White, Cathy Groebner, Bill Spitzer, Craig Hilmer (St. Charles Press).

1. ESTABLISH QUOROM/CALL TO ORDER

Quorum was established with Mayor Schaber calling the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL of the AGENDA: Addition 12a.) City Hall/Library Closing 24th/25th.

Motion to approve the agenda: **Dave Braun**

No discussion.

Motion carried.

4. Notices and Communications. Admin. Koverman highlighted a recent article that showcased the partnership between the City and Project Fine with our Parks and Recreation programs.

5. Review of Financials. No questions.

6. SE MN Together. Bill Spitzer provided a brief presentation on the work being conducted by Southeast Minnesota Together, which is a grant funded partnership with SMIF, to explore the impacts to workforce as a result of Destination Medical Center. Spitzer provide some general feedback from two of the events that had been held and promoted the upcoming December 3 event in Winona.

7. Fort Culvert Agreement. Mayor Schaber highlighted that the Forts had received the proposed agreement as had been verbally discussed with Tom Fort at the previous meeting. In a phone call earlier with Mr. Fort, Admin. Koverman relayed that he had not had a chance to sit down with his father, but had hoped to do so. The Council discussed their options and Admin. Koverman recommended approval of the agreement by the Council as written so that when the Forts sign, the project can move quickly given the time of season and weather conditions. Clm. Dahl expressed that he felt the Council should wait until they hear from the Forts before approving the agreement. A motion was made to approve the agreement as presented.

Motion to approve: **David Kramer**

No further discussion.

Nay: **Orv Dahl**

Motion carried.

8. Gathje Trail Agreement. Mayor Schaber discussed the verbal agreement that staff had developed with Mr. Gathje and that the agreement was put into a letter for adoption. He asked if Council had any questions, hearing none he called for a motion to approve the letter. A motion to approve the letter was made.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

9. 2016 Budget Discussion. Mayor Schaber highlighted the memo that was included in the packet for consideration. He relayed that the proposed increase and the budget reflected the 8.16 levy increase which is due to the EMS building levy. No other questions were asked. The Mayor asked for a motion to move forward with the budget to bring to Truth In Taxation at the next meeting. A motion was made to that effect.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

10. 2016 CEDA Contract. Mayor Schaber highlighted the contract with Community Economic Development Associates that provides the city's economic development services. The contract amount was to increase 2.5 percent over the previous year for a total of \$33,272. A motion was made to approve the renewal of the contract with CEDA. Clm. Braun asked about more marketing for I-90 to help sell the park. Clm. Getz explained that the EDA has been helping throughout the community and the I-90 park is one focus. Admin. Koverman added that it is also on the minds of the EDA as well and that additional conversations and opportunities have been discussed because of the I-90 investment and that it continues to be a long-term investment.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

11. DESCASD Board Term. A 2-year board term from Clm. Getz was expiring at the end of the year and the Sanitary District requested the city select a candidate. It was motioned to appoint Clm. Getz as the representative. Clm. Getz accepted the nomination.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

12. Custodian Recommendation. Admin. Koverman brought forward the name of Jim Huth as the most qualified candidate to fill the position of custodian as the most qualified applicant. No further questions were asked. A motion to approve Jim Huth was made.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

12a. City Hall/Library Closing. Mayor Schaber asked Council about closing City Hall and the Library both Christmas Eve day and Christmas Day. A motion to approve the closing was made.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

13. Closed Session—Real Estate Strategy under Minn. Stat 13 D. 05 subd. 3 (c)

Motion to close at 6:24 p.m.: **Orv Dahl**

No further discussion.

Motion carried.

The closed meeting was held at 6:29 p.m.

The closed portion ended at 6:35 p.m.

Motion to end closed portion: **Dave Braun**

No further discussion.

Motion carried.

The regular meeting was opened at 6:38 p.m.

A motion was made to have staff pursue the property in question.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

UNSCHEDULED PUBLIC APPEARANCES

None

Motion to adjourn at 6:39 p.m.

Motion to approve: **Wayne Getz**

Motion declared carried.

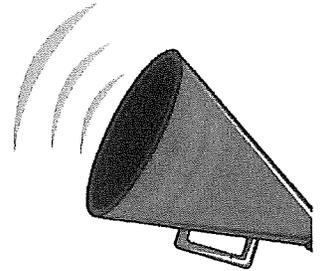
John Schaber, Mayor

Attest: _____

Nick Koverman, City Administrator



IMPORTANT
ANNOUNCEMENT!



Rolling Hills Transit your local public transportation wants to thank you for your support in 2015.

We look forward to Serving you in 2016.

Effective Jan 1st 2016 the following Fares for Rolling Hills Transit will go into effect:

Local One-Way In-Town Rides	\$1.50
Senior Dining (Round-Trip)	\$ 1.75
Out-Of-Town-Rides	
Community-to-Community	\$3.00
Outside of 8 Miles or Rochester	\$5.00





City Administrator's Report—November 2015

Nov. 5—Met with architects to select colors and finishes. Met with Benike Construction to discuss keying of building. Met with Post-Bulletin for EMS building article.

Nov. 9—Attended TAC committee meeting to look at routes and times of service for our area.

Nov. 10—Held final Blandin Training meeting in town and had final ceremony.

Nov. 13—Held conference call with SRTS group to discuss Letter Of Intent Infrastructure application.

Nov. 16—Held interviews for vacant janitor position.

Nov. 19—Attended Active Living Winona County meeting in Winona.

Nov. 20—Attended EDA meeting and held ribbon cutting for White Pebble Spa.

Nov. 24—Attended meeting in Rochester with Supt. of Schools Mark Roubinek and Winona County Highway Engineer David Kramer to discuss the upcoming SRTS application and TAP application.

Nov. 30—Held UMMEG conference call. UMMEG staff were working to evaluate a recent proposal by CMMPA and are having ongoing discussions with Dairyland regarding the possibility of long-term membership.

Public Works Report – November 2015

- Removed all trees and brush along the City Park's northern fence line; added four twelve inch culverts; seeded and matted water run
- Replaced bad underground secondary in alley between Dave's Small Engine & St. Charles Chiropractor and installed new primary and secondary on Springer Ave for new town homes
- Located City utilities around town for Gopher State One Call; installed temporary electric meters for housing construction; monthly substation and power plant reports; checked fire extinguishers and electrical rubber goods
- Street light repairs; add security light on Oakview Drive; monthly power plant run; repair damaged lines from falling tree at 1600 Bluff Ave
- 3rs Street powerline repairs – two poles broken off and primary and secondary lines replaced due to combine hitting cable TV lines
- Power outage on 4th Street – fuse replaced due to squirrel attack; set generator at fire hall; moved summer equipment to rental shed until fire hall completed
- City safety meeting; wire new transformer and metering CT's for Dollar General; fault locate - bad underground at 543 Church Ave and repaired bad wire
- Christmas decorations on Whitewater Ave; insulated and tin walled new Public Works shop; plowed and sanded streets; set new street light pole
- Rented dozer to level excess fill and old burn piles on the northern part of shop property; also needed for tree removal at City Park; checked electrical material inventory
- Bucket truck and Digger Derek yearly inspection and dielectric testing; notified HBC and Mediacom of pole transfers they needed to do to move their wires off of our old poles; replaced bad guy guard at 1337 East Ave
- Started yearly electrical inventory; replaced bad secondary pedestal on Oakview drive; electrical disconnects for City Hall; checked AED's for new battery replacements
- Swept streets for fall leaf problems; swept Elementary School lot and Dollar General lot; lift station inspections; finish mixing salt and sand at State shop for streets
- Winterized jet vac truck, sweeper, tar roller, water trailer and patching machine; dragged gravel alleys before winter; got plowing and sanding equipment ready for winter storms
- Checked catch basins and cleaned; pushed up brush and compost piles; hauled excess equipment to rental shed until fire hall completion; regular maintenance on fleet trucks and equipment

- Replaced street sign at 11th Street and Church Ave; checked wells, booster stations, and lift stations daily; chlorine maintenance in Well #3; water samples
- Flushed hydrants on Oakview Drive; degreaser added to Southfork lift station; handed out disconnect slips for City Hall
- Located property pins and curb stops; finals; shop cleaning and organizing

Sincerely,
Kyle Karger
Public Works Superintendent

City of St. Charles Police Department

Chief – Ken Frank #601

830 Whitewater Avenue

St. Charles, MN 55972

(507) 932-3020 · (507) 932-5301 FAX



December 4, 2015

- The last week of October 3 officers took part in a debriefing presented by the SE MN EMS in regards to significant and traumatic incidents they had been involved in the prior 2 weeks.
- The four new part-time officers have been continually in a field training program and their progress has been closely monitored. In addition to in-house trainings they have been attended presentations on Narcotics Recognition sponsored by the MN BCA, Report Writing sponsored by the League of MN Cities, Street Officer Response to Civil Law and Family Law Disputes sponsored by the MN Sheriff's Association.
- During the course of the year I, along with other Law Enforcement Administrators in Winona County developed a user manual for use with our Law Enforcement software LETG. In turn LETG put on a train the trainer program which we sent Officers Floerke & Loken along with Cassie Smith. They completed 16-20 hours of training and in mid-October presented 4 hours training to personnel from this department reference this record management system. This software system is complementing the department quite well in regards to incident record management. The focus of this training was to ascertain that information is entered uniformly and consistently by all users.
- A Department meeting is scheduled for December 16 and some of the topics we will cover will include:
 - Release conditions of intoxicated/drug impaired individuals.
 - We will discuss at length increasing officer's awareness and enforcement of the city code, i.e. parking including snow parking, 48 hour parking violation, animal, nuisance fires.
 - Review of the October LETG Training
 - Routine review of current incidents that have been occurring
 - An extensive training for the officers in regards to the new MN Crash (accident) reporting system. This is the first major change to accident reporting in 25 years.
 - Review and discuss the proposed Social host ordinance.
- Officers Floerke, Hewitt Agin and I will attend a workshop December 17, 2015 sponsored by Rochester PD and titled "You Can't Stop What You Don't Know." This will involve a presentation by a Utah State Trooper and will cover alcohol and drug trends in the United States. The workshop will include trends in alcohol and drug clothing, alcoholic energy drinks, alco-pops, alcohol and drug concealment methods and containers, drug paraphernalia, drug related music and groups, logos, stickers, new technology, youth party tendencies, social networking, dabbing, E-cigarettes and popular party drugs.

"Proud to Serve"



City of St. Charles Police Department

Chief – Ken Frank #601

830 Whitewater Avenue

St. Charles, MN 55972

(507) 932-3020 · (507) 932-5301 FAX



- Part-time officers have been contributing significantly to this department, in particular since July 1 the day Officer Pelaez went on Military Leave. Not only have they been filling the void left by his departure, they have filled a significant number of shifts/hours for vacation, comp and sick leave used by fulltime staff. Sick leave usage by staff is very minimal.

Respectfully Submitted,

Chief Ken Frank

“Proud to Serve”



Planning and Zoning Commission
Thursday, December 3, 2015
7:00 P.M.
City Council Chambers
Minutes

MEMBERS PRESENT:

Wayne Getz
Tim Jones
David Kramer
Nancy Heim
Jamie Bjerke
Terry Jones

MEMBERS ABSENT:

Bruce Dorman

STAFF PRESENT:

City Administrator Nick Koverman.

OTHERS IN ATTENDANCE: Leigh Campbell, Lew Overhaug, and Marti Mollenhauer.

ESTABLISH QUORUM/CALL TO ORDER

Quorum was established and Nancy Heim called the meeting to order at 7:00 p.m.

APPROVAL of AGENDA:

Motion to approve: **David Kramer**
Seconded by: **Jamie Bjerke**
Motion declared carried

APPROVAL of MINUTES-November 5, 2015

Motion to approve: **Wayne Getz**
Seconded by: **Terry Jones**
Motion declared carried

BUSINESS ITEMS:

4a. Public Hearing-Proposed Chicken Ordinance. A motion to open the public hearing at 7:03 p.m.

Motion to approve: **Wayne Getz**
Seconded by: **David Kramer**
No further discussion.
Motion carried.

Chairperson Heim invited anyone interested to speak on the proposed ordinance.

Leigh Campbell at 137 Richland Avenue addressed the Commission. She asked the following items:

Would the fee be prorated for the first year?

How the \$25.00 fee arrived at?

If you had only one chicken could the fee be prorated?

She inquired about the idea of the number of chickens based on the size of the lot.

She asked about the possibility of rolling coups?

She expressed that she felt the offense up to a misdemeanor with a maximum of up to \$1,000 and 90 days in jail was excessive.

The Commission thanked her for her time.

Heim called out three times for addition comment. Hearing none, she called for a motion to close the public hearing at 7:17 p.m.

Motion to approve: **David Kramer**

Seconded by: **Tim Jones**
No further discussion.
Motion carried.

The Commission discussed the questions in order.

The Commission discussed that a site visit would be required of each application and that more time would be required than that of a dog or cat license. The City is responsible for providing the banding. The Commission discussed the question of prorating either in the first year or for a lower number of chickens and it was the consensus that they were not interested in prorating in either case.

The Commission briefly discussed the number of chickens, but agreed that 3 was a good number to begin with. The Commission reviewed 92.073 (5) with respect to the language of no more than 3 chickens per residential lot and Mrs. Campbell's point that she owned two lots. The Commission expressed that their original intent was to allow 3 chickens per household or family versus someone owning multiple lots or larger lots. It was agreed that it would be difficult to base the number of allowed chickens on the size of a lot, and that it was their original intent of the stated maximum per family or household. They requested Admin. Koverman to seek clarification from the city attorney as to the best format for language. In reviewing the ordinance they also discussed a duplicate item 5 and agreed to remove the language of "Chickens shall only be allowed on single family home lots" as it was redundant. The Commission discussed the request of rolling coups and the Commission recounted past discussions. As part of the discussion, Clm. Kramer reviewed the language from the city attorney that discussed that the shelter shall be situated closer to the chicken owner's dwelling than to any of the neighboring dwellings. He gave an example of how this would be beneficial and then the idea of allowing rolling coups as long as they met all of the setbacks standards would be reasonable. The Commission discussed this provision and agreed to add the language as well as a provision to allow for rolling/moveable coups. The group then discussed the enforcement provision and Admin. Koverman expressed that he will double check with the city attorney, but that it is standard language with public nuisances. The Commission then reviewed the various language suggestions from the attorney and adopted various pieces and disregarded others, The committee then discussed their next course of action and agreed to make the changes and have it brought back at their next meeting before forwarding on to Council for consideration.

4c. City Bike/Walking Trail Plan—Lew Overhaug Winona County Planning. Lew Overhaug and Marti Mollenhauer presented information to the Planning Commission and sought their input with respect to how residents use trails and what the focus of bike/pedestrian use is within the community. The Commission provided feedback and helped to outline routes on maps for the planners.

4b. Public Hearing-Amending Ordinance for Fence Permits. A motion to open the public hearing at 8:45 p.m. was made.

Motion to approve: **Jamie Bjerke**
Seconded by: **Tim Jones**
No further discussion.
Motion carried.

No one was present at that time, but Chairperson Heim called three times for comment. Hearing none, she called for a motion to close the public hearing at 8:46 p.m.

Motion to approve: **Jamie Bjerke**
Seconded by: **Wayne Getz**
No further discussion.
Motion carried.

The Commission reviewed the ordinance with suggested recommended additions from the city attorney. A motion was made to accept the additional language proposed and recommend to City Council the adoption of the ordinance.

Motion to approve: **Terry Jones**
Seconded by: **David Kramer**
No further discussion.
Motion carried.

4d. Resolution #32-2015 Renewal of Home and Special Home Occupation Permits. Heim reviewed the list for the Commission and Tim Jones questioned if everyone had been contacted for renewal. Admin. Koverman expressed that he believed Deputy Dahl had made contact with all permit holders, but Jones expressed that he did not recount a call or letter. Admin. Koverman would look into his question. A motion was made to approve the resolution with the condition that it would clarified of who was contacted.

Motion to approve: **David Kramer**

Seconded by: **Wayne Getz**

No further discussion.

Motion carried.

4e. Resolution #33-2015 Renewal of Conditional Use Permits. Heim reviewed the names and expressed her concern with J&D Electric Carts noting that carts are being displayed on the grass versus the concrete pads. The number of allowable units was also questioned. Clm. Getz and Admin. Koverman recalled that part of the initial discussion surrounded carts that would be moved quickly. The Commission discussed the fact that not requiring all of the concrete pads reduced the amount of permeable surface, which was felt as a benefit. No further discussion was held and a motion was made to approve the resolution as presented.

Motion to approve: **Wayne Getz**

Seconded by: **Tim Jones**

No further discussion.

Motion carried.

Motion to adjourn at 9:04 p.m.: **David Kramer**

Seconded by: **Jamie Bjerke**

Motion declared carried.

City of St. Charles

Ordinance #581

**AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA AMENDING
ST. CHARLES CODE - SECTION
§50.10 KNOWN AS STORM WATER RATES**

THE CITY OF ST. CHARLES DOES ORDAIN (deleted material is enclosed in brackets and stricken; new material is underlined; subsections which are not being amended are omitted):

Section 1. Title V: Public Works, Chapter 50 General Public Works Provisions, of the City Code of St. Charles, Minnesota

§50.10 (C) RATES AND CHARGES

- 1) Residential customers will be billed ~~\$(5.00)~~5.71/month
- 2) Commercial customers will be billed ~~\$(12.18)~~12.89/month
- 3) Industrial customers will be billed ~~\$(22.18)~~22.89/month

Section 2: This Ordinance shall take effect thirty days after its publication or on January 20, 2016, whichever is later.

Adopted this 22nd day of December, 2015 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest: _____
Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain: _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Published:

Date: _____

UPPER MIDWEST MUNICIPAL ENERGY GROUP

Rate Stabilization

Purpose

The purpose of a UMMEG Stabilization Fund (RSF) is to establish a reserve account that can be utilized to mitigate the risks associated with energy prices and transmission delivery costs thereby stabilizing the member's retail electric rates. The energy prices under the wholesale power contracts with Dairyland Power Cooperative ("DPC") are tied to market prices which can expose UMMEG members to dramatic swings in market energy prices. Additionally, the price for renewable energy from the Cashton Greens Wind Farm is tied directly to the energy prices in the DPC contracts. Although the energy price for renewable energy from the Rugby Wind Farm are fixed by contract, the MISO delivery charges for Rugby energy expose participating UMMEG members to MISO congestion charges. Finally, transmission delivery costs, under the STS Agreement with DPC, further expose most UMMEG members to substantial cost variability.

Establishing an RSF can insure against future market price increases and thereby mitigate potential retail rate shock.

Implementation

At its Board meeting in July, 2015, the UMMEG Board of Commissioners authorized the establishment of a rate stabilization fund that would be held by UMMEG on behalf of its members, to be administered by the UMMEG Board of Commissioners. Member participation is optional.

The RSF account(s) could be funded through an RSF energy rate determined and adjusted from time-to-time by the UMMEG Board. UMMEG has used such an "adder" previously in collecting money to address the members' 2014 rate mitigation obligation to Dairyland. However, since members will now be receiving rate mitigation monies from Dairyland beginning in 2016 to alleviate DPC's obligation to the members for contract year 2015, they can fund the RSF by opting instead to authorize UMMEG to receive the rate mitigation monies from Dairyland and hold them in individual RSF subaccounts. A form resolution for that purpose has been provided to each UMMEG member. The Board can opt to use a rate adder approach at a future time if the need and desire arises.

At members' discretion, funds from past or future sales of renewable energy credits also may be included in the RSF accounts, including the monies currently being held by UMMEG from sales of 2013 and 2014 RECs.

Although rate stabilization accounts are not widely used in Wisconsin, there is precedent for them. Because they would be implemented by UMMEG as part of UMMEG's administration of member wholesale power contracts, we do not anticipate that the PSCW will need to authorize. The Minnesota and Iowa members, of course, are not subject to state commission jurisdiction.

City of St. Charles

Resolution #32-2015

**A Resolution Providing For The
Renewal of Home Occupation and Special Home Occupation Permits**

Whereas, certain resolutions require the annual review of Home Occupation Permits and Special Home Occupation Permits; and,

Whereas, the Planning and Zoning Commission on December 3, 2015 reviewed and found no objection to the following list of Home Occupation and Special Home Occupation Permits.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CHARLES, MINNESOTA that:

The following list of Home Occupation Permits and Special Home Occupation Permits have been reviewed and approved for 2016-2017:

Dan Schweitzer	373 West 1 st St.	Recording Studio
Tim Jones	378 West 12 th St.	Small Engine Repair
Greg Jenks	596 East 12 th St.	Mold Making
Pat & Wendy Heim	567 St. Charles Ave.	Photography Studio
Tim Johnston	2045 Wabasha Ave.	Accounting Services
Stephanie Nuttall	524 Wiskow Way	Photography Studio

Adopted this 8th day of December 2015 by the Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest: _____
Nick Koverman, City Administrator

City of St. Charles

Resolution #33-2015

**A Resolution Providing For The
Renewal of Conditional Use Permits**

WHEREAS, certain resolutions require the annual review of Conditional Use Permits; and,

WHEREAS, the Planning and Zoning Commission on December 3, 2015 reviewed and found no objection to the following list of Conditional Use Permits.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CHARLES, MINNESOTA THAT:

The following list of Conditional Use Permits have been reviewed and approved for 2016-2017.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CHARLES, MINNESOTA THAT:

The following list of Conditional Use Permits have been reviewed and approved for 2016-2017.

Daniel Christie	2032 Wabasha Ave.	2 nd Home within A-1 District
Rollie VerNess	1208 Whitewater Ave.	Allow residential use within an C-1 Central Business District
Joseph Schlichenmeyer	761 Whitewater Ave.	Conduct a retail sales business within an R-3 District
Michael Haley	636 West 6 th St.	Allow single family dwelling (apartment) within a C-2 Service Commercial District
Jerome Foods	763 West 1st Street	Turkey farm within A-1 District

Adopted this 8th day of December 2015 by the Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest: _____
Nick Koverman, City Administrator

Resolution #34-2015

A RESOLUTION APPROVING LIQUOR LICENSE

WHEREAS, the following businesses have applied to the City of St. Charles for liquor licenses for the year 2016:

Moose Lodge #1114, 166 West 11th Street – Club On-Sale, Sunday Licenses
Patriot’s Pub LLC, 1148 Whitewater Avenue – ON-Sale, Sunday Licenses
Good Sport Liquor, 149 East 6th Street – On-Sale, Off-Sale, Sunday Licenses
DJ Liquor, 1415 Whitewater Avenue – Off-Sale License
CHS, 518 West 6th Street – 3.2 Malt Liquor License

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CHARLES, MINNESOTA that:

1. The Council of the City of St. Charles hereby approves the Liquor Licenses for the above named businesses.

Adopted by the Council of the City of St. Charles, Minnesota this 8th day of December, 2015.

John Schaber, Mayor

Attest: _____
Nick Koverman, City Administrator

Resolution #35-2015

A RESOLUTION APPROVING CIGARETTE LICENSES

WHEREAS, the following businesses have applied to the City of St. Charles for cigarette licenses for the year 2016:

Kwik Trip #754, 160 East 6th Street
CHS, 518 West 6th Street
Mike's Food Center, 1337 Whitewater Avenue
Amish Market Square, 2850 Whitewater Avenue

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CHARLES, MINNESOTA, that:

1. The Council of the City of St. Charles hereby approves the Cigarette Licenses for the above named businesses.

Adopted by the Council of the City of St. Charles, Minnesota this 8th day of December, 2015.

John Schaber, Mayor

Attest: _____
Nick Koverman, City Administrator

CITY OF ST. CHARLES

ORDINANCE #582

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE FENCE STANDARDS.

THE CITY OF ST. CHARLES DOES ORDAIN (deleted material is enclosed in brackets and lined out; new material is underlined; subsections which are not being amended are omitted):

Section 1. Title XV: Land Usage, Chapter 152: Zoning, Section 152.41 Regulations; General, of the City Code of St. Charles, Minnesota, be amended as follows:

§ 152.41 REGULATIONS; GENERAL.

(F) *Vision clearance.*

(1) Fences, walls or accessory structures in front yard:

(a) In any residential district, no fence, wall, accessory structure or shrub planting shall be over ~~(3 feet)~~ 36 inches in height within 20 feet of any street corner, except for trees with branches and foliage removed a height of eight (8) feet above the ground, so as to interfere with traffic visibility across the corner; and

(b) No fence, wall, accessory structure or shrub planting shall be over ~~(3 feet)~~ 36 inches in height with an opacity over 50 percent, but may be 48 inches in height with an opacity under 50 percent (e.g. wrought iron, chain link, split-rail, vinyl, or board) within 25 feet of the front property line.

(2) Fences, walls or accessory structures in side and rear yard:

(a) In any residential district, no fence, wall or accessory structure, other than a retaining wall, shall be over 6 feet in height along the side or rear lot line; and

(b) The side lot line will be considered that area of a lot which extends along the side line of the lot from the rear property line to a point 25 feet from the front property line.

(3) Fences may be used to locate property lines with the required front, side and rear yards within a residential district.

(4) No fence, wall, shrub planting or accessory structure shall be erected within a public easement and/or right-of-way.

(5) The finished side shall face the abutting property or street right-of-way.

(6) Fences shall not be constructed of chicken wire, welded wire, pallets, barbed wire, snow fence, branches, animal gates, farm fence materials or materials originally intended for other purposes, unless approved by the Zoning Administrator.

(7) A Certificate of Survey may be required if property lines cannot be located as the city does not have licensed surveyors on staff to perform this service. If the zoning administrator in his or her sole judgement and discretion, notifies the property owner/applicant that a survey is required, no permit will

be issued until a survey is provided to the City by the owner/applicant as signed by a licensed surveyor and that such survey is at the property owner's/applicant's sole cost and expense. Further, it is the responsibility of the property owner/applicant to contact the surveyor and arrange the survey.

(8) All fences shall have at least one external access gate.

(9) The permit fee shall be as set by Ordinance of the City Council. The permit fee shall be paid at the time of application.

(10) A permit is required for all fences within any residential district.

(11) All fences shall be properly maintained with respect to appearance and safety.

Section 2: This Ordinance shall take effect thirty days after its publication.

Adopted this ____ day of _____, 2015 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Published:

Date: _____

CITY OF ST. CHARLES
APPLICATION FOR ZONING PERMIT FOR FENCE

Owner's Name _____

Address _____

Please attach drawing of proposed fence location in relation to property lines and residence.

Contact Gopher State One Call at 1-800-252-1166 for location of utilities prior to construction.

Zoning Ordinance #152.41(F). Fences in Residential (R-1) Locations of the City of St. Charles:

1. No fence, wall, shrub planting or accessory structure shall be erected within a public easement and/or right-of-way.
2. The finished side shall face the abutting property or street right-of-way.
3. Fences shall not be constructed of chicken wire, welded wire, barbed wire, pallets, snow fence, branches, animal gates, farm fence materials or materials originally intended for other purposes, unless approved by the Zoning Administrator.
4. A Certificate of Survey may be required if property lines cannot be located as the city does not have licensed surveyors on staff to perform this service. If the zoning administrator in his or her sole judgement and discretion, notifies the property owner/applicant that a survey is required, no permit will be issued until a survey is provided to the City by the owner/applicant as signed by a licensed surveyor and that such survey is at the property owner's/applicant's sole cost and expense. Further, it is the responsibility of the property owner/applicant to contact the surveyor and arrange the survey.
5. All fences shall have at least one external access gate.

Fences, walls or accessory structures in side and rear yard:

1. In any residential district, no fence, wall or accessory structure, other than a retaining wall, shall be over 6 feet in height along the side or rear lot line; and
2. The side lot line will be considered that area of a lot which extends along the side line of the lot from the rear property line to a point 25 feet from the front property line.

Fences in front yards must comply with the following:

1. In any residential district, no fence, wall, accessory structure or shrub planting shall be over 36 inches in height within 20 feet of any street corner, except for trees with branches and foliage removed at a height of eight (8) feet above the ground, so as to interfere with traffic visibility across the corner; and
2. No fence, wall, accessory structure or shrub planting shall be over 36 inches in height with an opacity over 50 percent, but may be 48 inches in height with an opacity under 50 percent (e.g. wrought iron, chain link, split rail) within 25 feet of the front property line.

NOTE 1: Some properties in the city are governed by homeowner associations/covenants/bylaws that require certain property improvements. Please check to see whether this may apply to you.

I acknowledge that I will ensure that the fence is constructed and installed properly and in accordance with the regulations set forth in the City of St. Charles Zoning Code Ordinance.

Applicant's Signature

Date

A fee of \$25.00 shall be paid upon approval of the permit.

.....
(FOR ZONING ADMINISTRATOR USE)

Existing Zone Classification _____ Date _____

Comments: _____

(Zoning Administrator)