



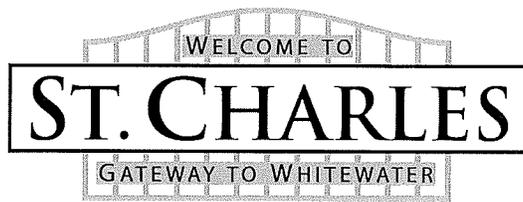
The City Council of the City of St. Charles welcomes you to its Regular Meeting of Tuesday, January 12, 2016 at 6:00 p.m. at 830 Whitewater Avenue, City Council Chambers, St. Charles, Minnesota.

ITEM	ACTION REQUESTED
1. Call to Order	
2. Pledge of Allegiance	
3. January 12, 2016 Agenda	APPROVE
4. Meeting Minutes -December 8, 2015 -December 22, 2015	APPROVE
5. January Payables	APPROVE
6. Notices and Communications (if applicable)	INFORMATION
7. Reports of Boards and Committees:	INFORMATION
7a. Administrator's Report	
7b. Public Works Superintendent Report	
7c. Chief of Police Report, Ken Frank	
7d. Library Board Report, Dave Braun	
7e. Park Board, Orv Dahl	
7f. Planning & Zoning, Wayne Getz	
7g. School Board, David Kramer	
8. Public Hearing – Social Host Ordinance	HOLD
9. Ordinance #586 Social Host Ordinance (1 st Reading)	APPROVE
10. Ordinance #584 Allowing For Chickens (1 st Reading)	APPROVE
11. Ordinance #583 Renaming Brubaker Dr. to Geib Blvd. (1 st Reading)	APPROVE
12. Resolution #01-2016 Replat of a Portion of Southfork Subdivision	APPROVE
13. Resolution #02-2016 Approving Cigarette License	APPROVE
14. Request to Allow Link to St. Charles Area Community Foundation	APPROVE
15. Winona County RFP for Recycling	DISCUSS

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, January 12, 2016**

- 8. Public Hearing – Social Host Ordinance.** A public hearing will be held for the consideration of a social host ordinance.
- 9. Ordinance #586 Social Host Ordinance (1st Reading).** Please see the attached proposed ordinance. The ordinance has been adapted from a sample provided by the Whitewater Coalition as well as several other city's models. It has been reviewed by the City Attorney as well.
- 10. Ordinance #584 Allowing for Chickens (1st Reading).** Please see the proposed ordinance.
- 11. Ordinance #583 Renaming Brubaker Drive to Geib Blvd. (1st Reading).** The P&Z reviewed the proposed change to a portion of Brubaker Drive that was proposed in the original plat as Geib Blvd. During the final platting process, the name was changed. Please see the enclosed memo for more information.
- 12. Resolution #01-2016 Replat of a Portion of Southfork Subdivision.** A proposed map and request from SEMMCHRA is included for consideration. The City Engineer reviewed the proposed change and approved. The prior plat was one large lot, which is why the owner requested splitting the lot for the purpose of future twin homes. Please see the enclosed Request for Council Action.
- 13. Resolution #02-2016 Approving Cigarette License.** An approval for a cigarette license for Dollar General is included in the packet for consideration.
- 14. Request to Allow Link/Button to the St. Charles Area Community Foundation.** Please see the enclosed Request For Council Action.
- 15. Winona County RFP for Recycling.** Please see the enclosed Request for Council Action.

MINUTES of the ST. CHARLES CITY COUNCIL
For Tuesday, December 8, 2015 held at 6:00 p.m. at
830 Whitewater Avenue
St. Charles, Minnesota

MEMBERS PRESENT:

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

STAFF PRESENT:

Ken Frank (Police Chief), Kristine Engstrand (Accountant), Lyle Peterson (Fire Chief), and Nick Koverman (City Administrator).

OTHERS IN ATTENDANCE: Dan White, Bryan Todd (Post Bulletin), and Heather E. Klason (Whitewater Coalition).

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: **Dave Braun**
No discussion.
Motion carried.

4. MEETING MINUTES

-November 10, 2015

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

-November 24, 2015

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

5. APPROVAL of DECEMBER PAYABLES

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

6. Notices and Communications. None.

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

8. Truth In Taxation Presentation. Kristine Engstrand provided the presentation. Questions were fielded by Engstrand and Admin. Koverman. Clm. Kramer asked for staff to develop a one-page summary of the history, costs, upgrades, benefits of the generators for St. Charles. Clm. Braun added that he has been questioned about selling the electric utility. The Council discussed all of the benefits with respect to ownership including: proceeds distributed to the General Fund in lieu of tax, reduced outage times, the ability of the city to determine projects/upgrades/community improvements, ability to control rates within factors that the city has the ability to control, ability to have power restored within a shorter period of time, increased response times, ability of crew to serve in other capacities, etc.

9. Ordinance #581 Storm Sewer Rates (1st Reading). Mayor Schaber reviewed the ordinance and explained the increase of \$.71 in order to allow for the increasing storm water maintenance projects as recommended by Mike Bubany. A motion was made to approve the 1st reading.

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

Motion carried.

10. Fire Department Candidate Nominations. Fire Chief Lyle Peterson addressed the Council and presented four names for consideration to the department: Justin Slavin, Ryan Smith, Kristine Engstrand, and Jerod Hutsell. Chief Peterson also presented the officers for 2 year terms: Matt Wiskow (Secretary), Keith Zanto (1st Assistant), and Aaron Carlson (Training Officer). Motion to approve the four candidates as presented.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

Motion to approve officers as listed.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

11. UMMEG Rate Stabilization Fund. Admin. Koverman briefly reviewed the letter from UMMEG attorney Richard Heinemann. Koverman summarized that for Wisconsin utilities various factors influenced how rates were returned to customers, which ultimately must be approved by the Wisconsin Public Utility Commission. In 2017, Wisconsin utilities are facing large STS transmission increases due to projects that were being planned for that time period. It is the goal of the UMMEG for Wisconsin utilities to create a fund in order to help to offset future increases rather than returning the money and then requesting a rate increase to cover those expenses. For Minnesota utilities like St. Charles, local units of government are more effectively able to maintain their rate structure and do not report to a PUC as with Wisconsin. For those reasons expressed, it is staff's recommendation to not participate in the rate stabilization fund. Koverman added that the approximate \$85,579 will be reduced through the same mechanism that the utility paid Dairyland Power the previous year. It would be returned over 6 months in the form of a reduction to the DPC bill. Council was in agreement and agreed with staff recommendation and a motion was made to decline participation in the UMMEG rate stabilization fund.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

12. Resolution #32-2015 Renewal of Home Occupation/Special Home Occupation Permits. A motion was made to approve the resolution as presented.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

13. Resolution #33-2015 Renewal of Conditional Use Permits. A motion was made to approve the resolution as presented.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

14. Resolution #34-2015 Renewal of Liquor Licenses. A motion was made to approve the resolution as presented.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

15. Resolution #35-2015 Renewal of Cigarette Licenses. A motion was made to approve the resolution as presented.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

16. Library Board Nomination. Mayor Schaber expressed that the recommendation of Pam Tesch was brought forward from the Library board. Clm. Braun expressed that there were three names presented and while all were very qualified, the board felt Pam Tesch would be a great addition at this time. A motion was made to approve the recommendation.

Motion to approve: **Dave Braun**

No further discussion.

Mayor Schaber abstained citing family connection.

Motion carried.

17. Ordinance #582 Amending Language for Fencing Requirements (1st Reading). Clm. Kramer briefly cited the work the Planning Commission had done on an update to the fencing requirements. A motion was made to approve the first reading.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

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. He also expressed that the Christmas caroling would take place December 22 and he had about 65 people signed up.

Motion to adjourn at 6:46 p.m.

Motion to approve: **Wayne Getz**

Motion declared carried.

John Schaber, Mayor

Attest: _____
Janell Dahl, Deputy City Clerk

MINUTES of the ST. CHARLES CITY COUNCIL
For Tuesday, December 22, 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:

Nick Koverman (City Administrator).

OTHERS IN ATTENDANCE: Dan White, Cathy Groebner, Scott Krohse, Sam Krohse, John Castillo, Melissa LaStillo, Mitzi Storm, Nathan Storm, Matthew Storm, Calvin Zickrick, Nick Wolter, David Braun, Evan Timm, Christian Wolter, Bryan Todd, 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: Addition 18.) January 4, 2016 meeting

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

No discussion.

Motion carried.

4. Notices and Communications. None.

5. Review of Financials. No questions.

6. Board Reports. Reports were given for School Board and Park Board.

7. Ordinance #581 Storm Water Rates (2nd Reading). The second reading for a \$0.71 storm water fee increase was read. A motion to approve the reading was made.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

8. Ordinance #582 Amending Fence Standards (2nd Reading). The second reading was reviewed by Mayor Schaber. No further comments were made. A motion to approve the resolution was made.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

9. Ordinance #583 Setting Administrative Fines and Fees. (1st Reading). Admin. Koverman reviewed for the Council the few changes to the schedule and outlined several presented by the police department. No questions were asked. A motion to approve the first reading was made.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

10. Resolution #36-2015 Approve Final Levy Collectible 2016. The proposed levy reflects an 8.16 percent increase as discussed. No further questions were asked. A motion to approve the resolution as presented was made.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

11. Resolution #37-2015 Establishing 2016 Budget. No discussion was held. A motion to approve the resolution as presented was made.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

12. Resolution #38-2015 Amending Advanced Disposal Garbage Rates. The resolution was presented for consideration that reflected a 3 percent increase. A motion was made to approve the increase.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

13. Resolution #39-2015 Resolution of Support 2015 TAP Application. Admin. Koverman presented the Council with an updated resolution for the upcoming Transportation Administration Program application. The Council was required to approve a resolution of support for the application/project. A motion was made to approve the resolution.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

14. Resolution #40-2015 Resolution of Support 2015 SRTS Application. A resolution of support for the Safe Routes To School application was also drafted to accompany the application. A motion was made to approve the resolution of support for the January 8, 2016 SRTS application.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

15. December 31, 2015 Closing 3p.m. Admin. Koverman highlighted that city hall has closed at 3 p.m. in order to allow for a closing of accounts and transition to the next year's work flow. A motion to approve the closing at 3 p.m. was made.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

16. City contribution to Medical Flex Spending Account. Admin. Koverman briefly reviewed a memo that highlighted a request to contribute the maximum of \$2,550 to a Flex Spending Medical account in lieu of a Health Savings Account contribution of \$3,920 (family contribution) as new rules prohibit contribution to HSAs when retirement age is met. Other alternatives were looked at, but a Flex Medical account was determined to be the best alternative. A motion was made to approve the contribution.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

17. Administrator Time Off Request. A request for time off was reviewed and a motion to approve that request was made.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

18. January 4, 2016 meeting. Mayor Schaber expressed that a date for the first Council meeting in 2016 was necessary. The Monday, January 4, 2016 was reviewed with a 5 p.m. time. All Councilmen were in favor of the date and time. A motion to approve the discussed date and time was made.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

UNSCHEDULED PUBLIC APPEARANCES

Dan White at 730 Whitewater Avenue thanked the Council and Mayor for their service. He gave a brief report on the public bus service.

Motion to adjourn at 6:16p.m.

Motion to approve: **David Kramer**

Motion declared carried.

John Schaber, Mayor

Attest:

Janell Dahl, Deputy City Clerk



City Administrator's Report—December 2015

Dec. 3--Attended the SE MN Together meeting in Winona. Attended the area administrators meeting in the afternoon at the Winona County Government Center.

Dec. 9—Met with contractor at EMS building to review various parts of the project. Attended Gladiolus Days meeting that evening to discuss how to grow the community festival.

Dec. 11—Met with Supt. of Schools Mark Roubinek to review the TAP and SRTS application.

Dec. 14—Attended the Beyond The Yellow Ribbon meeting in Winona to look at next steps for the group and to review the plan.

Dec. 16—Held annual fire budget meeting with the surrounding townships with Fire Chief Lyle Peterson.

Dec. 18—Supt. Karger and I participated in phone conference with UMMEG to review information presented to the electrical cooperative regarding possible energy alternatives.

Public Works Report – December 2015

- Locates; unload new catalists and material for power plant project; met with Ziegler and contractor about scope and expectations of the engine conversions
- Rubber goods inspections and testing; ran power plant for monthly exercise and monthly power plant and substation inspection reports
- Ordered fuel for power plant; hung Christmas lights in town; worked on watermain break on Sunset Drive
- Check on fire hall generator and replaced battery; dug in permanent electric service at 505 Brook Ave and repaired street lights
- Plowed snow and sanded streets; disconnected temporary service for Benike Construction trailer; installed flush mount secondary pedestal at fire hall
- MMUA safety meeting; sent in three phase meter for repairs; checked new blocking for electric dept. to see about the recall; working on electric inventory
- Cleaned and restocked electric trucks; checked list of three phase meters for billing program; restocked and organized the enclosed electric dept. emergency trailer
- Found wiring problems at Del's Café and informed them to get an electrician; checked locate ticket for underground Mediacom project with no permit to dig
- Checked electrical mapping to have updated; flood ice rink for Park Dept.
- Crew finished insulation and steel liner in new Public Works shed; worked on air handlers; filters and emergency lighting at City Hall
- Repaired barricade lights; repaired mud flaps on street pickup truck; change oil on numerous vehicles, greased and inspected City fleet
- Checked finals for City Hall; added degreaser chemicals to lift stations; found and shut curb-stop off at Ag Specialist; picked up books, tables and cardboard at Library
- Daily well inspections; updated paperwork for sewer jetting; made up inspection list and checked car hoist; mounted and balanced park truck tires
- Cleaned up shop ; filled community sand/salt pile; worked on South Fork lift station valves; cleaned catch basins; closed Old Valley Road for the winter
- Cleaned tar tank; graded pot holes on West 1st Street; pushed up brush pile; fixed jack on tandem plow truck; hooked up drain hose to air compressor

- Upper Midwest Municipal Energy Group meeting to discuss future energy pricing, long term contracts and other requests for proposed power supplies
- Cleaned City Park trails; cleaned Main Street with MNDOT; repaired chlorine feeder in Well #3; picked up trash at 7th Street & St. Charles Ave
- Delivered late slips for City Hall; water samples for the State; water dept. inventory; repaired Christmas lights with new wires and plugs; picked up broken hydrant off Whitewater Ave

Sincerely,
Kyle Karger
Public Works Superintendent

PARK BOARD
MINUTES
Monday, January 4th, 2016
7:00 pm

MEMEBRS PRESENT:

Jamie Bjerke, Kris Slavin, Mark Maloney, Greg Gall & Jim Abbott.

MEMEBRS ABSENT:

Laura Schaber, Mike Schultz, Orv Dahl & Dan Leistikow.

AGENDA:

The Board approved the January 4th, 2016 Agenda on a motion by M. Maloney, seconded by K. Slavin. Motion declared & carried.

DECEMBER MINUTES:

The Board approved the December 14th, 2015 Minutes on a motion by J. Abbott, seconded by G. Gall. Motion declared & carried.

PARK ACTIVITIES:

R. Schaber reported that the Ice Rinks are being flooded & that the new hockey boards have been installed. R. Schaber also reported that the Sliding Hill has been very busy.

RECREATION ACTIVITES:

R. Schaber reported that Open Gym started on January 3rd & that all winter programs are now underway.

BIKE TRAIL:

No report.

2015 APPRECIATION DINNER:

R. Schaber reminded the Board that the Annual Appreciation Dinner is this Friday, January 8th, 2016.

YOUTH BASKETBALL COACHES REQUEST:

The Board was asked to review the 6th grade boys coach's request to wave his sons players fee. The Board decided to refuse the request on a motion by M. Maloney, seconded by J. Abbott. Motion declared & carried.

2016 MOWING BID AD:

The Board approved the 2016 Mowing Bid Ad on a motion by J. Bjerke, seconded by G. Gall. Motion declared & carried. See attached sheet.

ADJOURNMENT:

Motion to adjourn by G. Gall, seconded by J. Abbott. Motion declared & carried. The meeting adjourned at 7:30 pm.

CITY OF ST. CHARLES

ORDINANCE #586

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE TO ESTABLISH A SOCIAL HOST ORDINANCE

THE CITY OF ST. CHARLES DOES ORDAIN:

Section 1. Title XIII: General Offenses, Chapter 130: General Offences of the City Code of St. Charles, Minnesota, be amended to add the following new sections and read as follows:

SOCIAL HOST

§ 130.20 SOCIAL HOST.

(A) Purpose and Findings.

(1) The St. Charles City Council intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to impose criminal penalties on those person(s) who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting or allowing the event or gathering supplied the alcohol.

(2) The St. Charles City Council finds that:

(a) Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of 21 are harmful to those persons and constitute a potential threat to public health, safety, and welfare requiring prevention or abatement.

(b) Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdoses or alcohol related traffic collisions.

(c) Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.

(d) Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present, and condone the activity, and in some circumstances provide the alcohol.

(e) Even though giving or furnishing alcohol to an underage person is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.

(f) A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption of alcohol occurs.

(B) *Definitions.* For purposes of this section, the following terms have the following meanings:

ADULT. Any person 18 years of age or older.

ALCOHOL. Ethyl alcohol, hydrated oxide of ethyl or spirits of wine, liqueur, cordials, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.

ALCOHOLIC BEVERAGE. Alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine or beer and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances.

EVENT OR GATHERING. Any group of three or more persons assembled or gathered together for a social occasion or other activity.

HOST OR ALLOW. To aid, conduct, entertain, organize, supervise, control or permit an event or gathering regardless of whether or not the host is present.

PARENT. Any person having legal custody of a juvenile as a natural parent, adoptive parent, step parent, legal guardian, or a person to whom legal custody has been given by order of the court.

PERSON. Any individual, partnership, co-partnership, corporation, or any association of one or more individuals. A person does not include any city, county or state agency.

REASONABLE STEPS. Steps taken by a person hosting an event or gathering in order to prevent underage possession or consumption of alcohol or alcoholic beverages. Reasonable steps may include, but are not limited to the following:

- (a) Controlling access to alcohol and alcoholic beverages in such a manner that no underage person has access to the alcohol or alcoholic beverages at the gathering or event;
- (b) Directly supervising the activities of underage persons at the gathering or event either in person or through a responsible adult;
- (c) Checking the identification of the attendees of the event or gathering in order to determine age; and
- (d) Other actions taken by a person hosting an event or gathering in order to prevent underage possession or consumption of alcohol or alcoholic beverages.

RESIDENCE OR PREMISES. Any location, including a house, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, yard, field, land, park, or any other place of assembly, private or public, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or residence or specifically for a social or business function, and whether owned, leased, rented or used with or without permission or compensation.

UNDERAGE PERSON. Any person under 21 years of age.

(C) *Prohibited Acts.*

(1) It is unlawful for any person(s) to:

(a) host or allow an event or gathering at any residence or premises, or on any other public property or private property where alcohol or alcoholic beverages are present; and

(b) when the person knows or reasonably should know that:

1. Alcohol or an alcoholic beverage is possessed with the intent to consume or is being consumed by an underage person; and
2. The person failed to take reasonable steps to prevent such possession or consumption by an underage person.

(2) It is a violation of paragraph C (1) if any person intentionally aids, advises, hires, counsels or conspires with another or otherwise procures another to commit the prohibited act.

(3) A person who hosts or allows an event or gathering does not have to be present at the event or gathering to be criminally responsible for a violation of this section.

(D) *Exceptions.*

(1) This section does not apply to conduct of an underage person specifically authorized by his or her parent while present in the parent's household.

(2) This section does not apply to legally protected religious observances.

(3) This section does not apply to retail intoxicating liquor or 3.2 percent malt liquor licenses, municipal liquor stores or bottle club permit holders who are regulated by Minn. Stat. §340A.503.

(4) This section does not apply to law enforcement activities supervised by a law enforcement agency.

(5) This section does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

(6) This section does not apply to a landlord, mortgagee, college, university, hotel or motel owner, or operator who has not actually participated in hosting or allowing an event or gathering where alcohol is present.

(E) *Penalty.* A violation of this section is a misdemeanor. The court may order restitution paid to any public agency for the costs of the emergency response resulting from the actions constituting a violation of this section, not exceeding five hundred dollars per public agency for each such response. A public agency seeking such restitution shall consult with the prosecuting attorney regarding the expenses incurred by the public agency, and the prosecuting attorney shall include the expenses in the statement of restitution pursuant to Minn. Stat. § 611A.04.

(F) *Enforcement.* This section can be enforced by any person with a Minnesota Peace Officer’s License with jurisdiction in the city of St. Charles.

(G) *Severability.* If any section, subsection, sentence, clause, phrase, word, or other portion of this ordinance is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

(H) *Authority.* This section is enacted pursuant to Minn. Stat. § 145A.05 and 340A.509.

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

Adopted this ____ day of _____, 2016 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

**City of St. Charles
Ordinance #584**

**AN ORDINANCE TO AMEND
CHAPTER 92 OF THE ST. CHARLES
CITY CODE TO ALLOW FOR THE KEEPING OF BACKYARD CHICKENS IN
AREAS ZONED R-1, R-3, R1-M, PUD-R, A-1 (AG) DISTRICTS, UNDER
CERTAIN CIRCUMSTANCES**

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

Section 1. Title IX: General Regulations, Chapter 92; Animals, is amended as follows:

(A) §92.070 DEFINITIONS OF URBAN CHICKENS

- (1) Brooding The period of chicken growth when supplemental heat must be provided, due to the bird's inability to generate enough body heat.
- (2) Chicken A domesticated bird of the scientific name Gallus domesticus that serves as a source of eggs or meat.
- (3) Coop The structure for the keeping or housing of chickens permitted by the ordinance.
- (4) Fowl/Poultry Other members of the Galliformes order, including turkeys, ducks, geese, pheasants, partridge, and quail.

(A) §92.071: PURPOSE OF CHICKENS

- (1) It is recognized that the ability to cultivate one's own food is a sustainable activity that can also be a rewarding past time. Therefore, it is the purpose and intent of this ordinance to permit the keeping and maintenance of chicken hens for eggs and meat sources in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety, and welfare of the community.

(A) §92.072: PERMITTING.

- (1) Permits shall be issued by the City Clerk. Applications for permits shall be made on forms provided by the Clerk.
- (2) A chicken permit shall be valid for one (1) year beginning January 1 of each year. No reduction of permit fee shall be made because of expiration of a portion of the permit period time and no refund of any portion of the permit fee shall be made at any time for any purpose. Submission of a site plan or sketch shall be required with the permit.
- (3) The annual chicken permit fee shall be as set by Ordinance of the City Council. The permit fee shall be paid at the time of application.

(A) §92.073: GENERAL PERMIT REQUIREMENTS.

No person shall own, keep, harbor, or have custody of any live chickens without first obtaining a permit from the City, subject to the following conditions:

- 1 The owner of the chickens shall live in the dwelling on the property.
- 2 The keeping of any poultry besides chickens is prohibited.
- 3 All chicken coops and runs must meet the requirements of the building and zoning codes; including electrical permits if applicable.
- 4 No person shall keep roosters, or adult male chickens, on any property within the City.
- 5 Chickens are specifically limited to the following designated zoning districts: R-1, R-3, R1-M, PUD-R, or A-1 (Ag).
- 6 No more than three (3) chickens shall be housed or kept per household in any area of the city zoned R-1, R-3, R1-M, PUD-R, or A-1 (Ag).
- 7 Permits may be revoked due to cruelty to the chickens, if the chickens become a nuisance, or any violation or non-compliance of this ordinance
- 8 Outdoor slaughtering of chickens in city limits is prohibited.
- 9 Chicken fighting shall not be allowed within city limits.
- 10 Leg banding of all chickens is required and the bands will be provided by the City. The bands will have an identifying number that will correspond to the owner's name, address, and telephone number on record at City Hall.
- 11 Chickens shall not be housed in a residential house.
- 12 Chickens must be confined at all times in a chicken coop or chicken run. Chicken coops and runs shall comply with the following requirements:
 - a.) Chicken coops must not exceed 12 square feet (by outside dimensions); which is four (4) square feet per chicken or six feet in height. Coops must be elevated with a clear open space of at least 24 inches between the ground and the floor or framing of the coops. Construction shall be adequate to prevent access by rodents.
 - b.) Located in the side or rear yard.
 - c.) The shelter shall be situated closer to the chicken owner's dwelling than to any of the neighboring dwellings.
 - d.) Any mobile coup or rolling coup must meet all of the required setbacks at all times.

- e.) Meet the setback of at least 25-feet from any residential dwelling on any adjacent lot and at least 10-feet from the property lines.
- f.) Chicken runs must not exceed 30 square feet; which is ten (10) square feet per chicken or six feet in height, and may be enclosed with wood or woven wire.

13 All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surroundings must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.

14 All food shall be stored in an enclosed, rodent proof containers.

15 Dead chickens shall be disposed of according to the Minnesota Board of Animal Health rules, which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting.

(A) §92.074: RUNNING AT LARGE

- (1) No owner of any chicken, whether kept, harbored, or maintained within or without the city, shall permit or suffer such chicken to run or move at large at any time within the city. For the purpose of this section, every such chicken at large shall be deemed at large with the permission and at the sufferance of its owner, and in the event of a violation of the provisions of this section, it shall be no defense that the offending chicken escaped or is otherwise at large without the permission or sufferance of its owner.
- (2) Penalty. A first time violation of this section shall be fined \$50.00. Numerous violations of this section shall be deemed a petty misdemeanor.

A §92.075: ENFORCEMENT

- (1) Warning of Violation. The animal control officer, police officer, or other official of the City, is authorized to issue a written notice of violation of any provisions(s) of this section, therein stating that a citation may be issued if the violation continues.
- (2) Issuance of Citations Any police officer or any other authorized representative of the law may issue a citation to any person, firm, or entity for any alleged violations of this ordinance and any other ordinance or statute which provides the basis for prosecution of violations of this ordinance. Nothing within this ordinance shall be construed to limit the authority of police officers to enforce any provisions of this ordinance or related statutes or ordinances. The animal control officer, police officer, or other official of the City, is authorized to issue a citation to any person, group, or organization for any alleged violation of this ordinance as often as each day the violation persists.
- (3) Unless otherwise specified, any person violating the provisions of this section shall be guilty of a petty misdemeanor.
- (4) Severability If any provision of this ordinance or the application of any provision to

a particular situation is held to be invalid by a court of competent jurisdiction, the remaining portions of this ordinance and the application of the ordinance to any other situation shall not be invalidated.

Section 3. _____ This ordinance shall become effective 30 days after its publication.

Adopted by the Council of the City of St. Charles, Minnesota this ___th day of _____ 2016.

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 CHICKEN PERMIT

Applicant Name: _____

Address: _____

PID#: _____

Phone: _____

Email: _____

_____ PERMANENT COUP: Include diagram indicating pen dimensions and location, including distance from adjoining structures and property lines.

_____ NUMBER OF HENS (LIMIT 3)

_____ \$25 PERMIT FEE PER YEAR

I will at all times keep the chickens in accordance with the City of St. Charles Ordinance #584 and understand failure to obey such conditions will constitute a violation of the provisions of this ordinance and be grounds for cancellation of the permit. If I will no longer be keeping chickens, any pen must be removed upon expiration of the permit or within 30 days of ceasing to use the coup, whichever is earlier. Premises subject to private restrictions and/or covenants that prohibit the keeping of fowl shall void any permit issued.

This permit may be revoked or suspended for violation of Ordinance # 584, following written notice and allowing applicant opportunity to appeal the revocation to the City Council.

Signature of Applicant: _____ Date: _____

*****FOR OFFICIAL USE ONLY*****

Inspection Date: _____ Approved _____ Denied _____

Permit Fee Paid: _____ Check: _____ Cash: _____

Inspector Signature: _____

Permit Expiration: December 31, _____

ORDINANCE # 585

**AN ORDINANCE RENAMING CERTAIN STREETS WITH
THE ST. CHARLES CITY CODE.**

THE CITY COUNCIL OF THE CITY OF ST. CHARLES DOES ORDAIN:

Section (1). The City finds that it is in the best interest of the citizens of St. Charles that a portion of Brubaker Drive street name be changed. The portion of the street to be changed abuts up to Geib Blvd on the east of Geib Blvd and runs parallel with Block 1, Meadow View Estates Fifth Subdivision. This portion of the street name be changed as indicated:

<u>Existing Street Name</u>	<u>Changed To</u>
1. Brubaker Drive	Geib Boulevard

Section (2). The City also finds that it is in the best interest of the citizens of St. Charles that the following addresses within the Meadowview Estates 5th Subdivision be changed as indicated:

<u>Name</u>	<u>Old Address</u>	<u>New Address</u>
JNM Development, INC	801 Brubaker Dr.	821 Geib Boulevard (29.073.0010) Sect-18 Twp-106 Range-010 MEADOW VIEW ESTATES 5TH SUBD Lot-001 Block-001
Peter J and Stacy A Haag	803 Brubaker Dr.	803 Geib Boulevard (29.073.0040) Sect- 18 Twp-106 Range-010 MEADOW VIEW ESTATES 5TH SUBD Lot-004 Block-001
Phyllis A Ruzek	803 Brubaker Dr	807 Geib Boulevard (29.073.0032) Sect-18 Twp-106 Range-010 MEADOW VIEW ESTATES 5TH SUBD .18 AC PART OF LOT 3 IN BLOCK 1 OF MEADOW VIEW ESTATES FIFTH SUBDIVISION BEG NW COR OF LOT 3, N 87 DEG E ALONG N LINE 54.8 TO POB, S 01 DEG E 143.17 TO S LINE OF LOT 3, N 88 DEG E ALONG S LINE 55.2 TO SE COR OF LOT 3, N 01 DEG W ALONG E LINE OF LOT 3 143.93 TO NE COR, S 87 DEG W 55.21 TO POB
ISA EAGLE ENTERPRISES, LLC.	803 Brubaker Dr.	809 Geib Boulevard (29.073.0030) Sect- 18 Twp-106 Range-010 MEADOW VIEW ESTATES 5TH SUBD Lot-003 Block-001 .18 AC PART OF LOT 3 BLOCK 1 BEG AT NW COR, N 87 DEG E ALONG N LINE 54.80, S 01 DEG E 143.17 TO S LINE, S 88 DEG W ALONG S LINE 54.80 TO SW COR, N 01 DEG W ALONG W LINE FOR A PLATTED DISTANCE OF 142.41 TO POB

JNM DEVELOPMENT, INC

815 Brubaker Dr.

815 Geib Boulevard (29.073.0020) Sect-
18 Twp-106 Range-010 MEADOW VIEW
ESTATES 5TH SUBD Lot-002 Block-001

Section (3) Effective Date. This ordinance shall become effective 30 days after its publication.

Adopted by the Council of the City of St. Charles, Minnesota this ___th day of _____ 2016.

John Schaber, Mayor

Attest: _____

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____

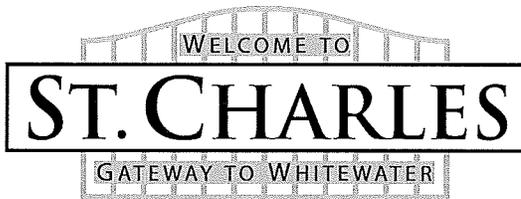
Nays: _____

Absent: _____

Abstain _____

Published:

Date: _____

**Request for City Council Action**

Date: January 8, 2016

Requested Council Date: January 12, 2016

Originating Department: P&Z Commission

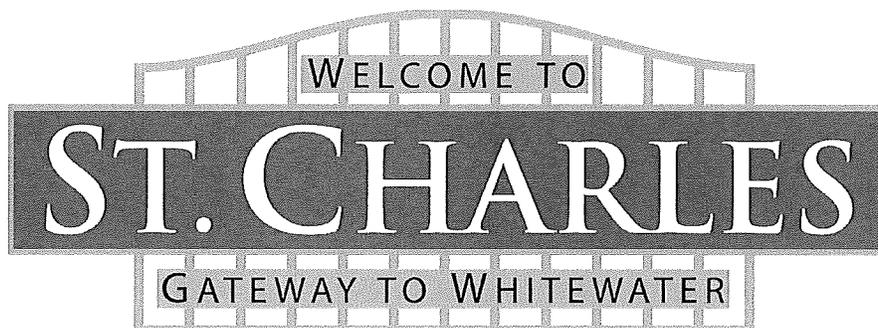
Council Action Requested: Ordinance #585 Renaming portions of Brubaker Drive to Geib Boulevard

P&Z Recommendation: Remain with original Brubaker Address and install sign at south end of Manheim to direct drivers. (Due to incorrect numbering, numbers would still need to be changed in the County Auditor/Treasurer's system).

Background Information: As part of the new townhome being built in 2015, it was brought to our attention the numbering of 803 Brubaker and the County's system that showed two 803 Brubaker Drives. In trying to resolve the issue, it was determined that the numbering should be 807/809 because of the twin home. It was then brought to our attention that the Recorder's information showed 801 Brubaker Drive, which was out of sequence. Mahlon Geib in working with his buyers and homeowners approached the City about renaming Brubaker to Geib Boulevard as had been his original intention, but was recorded as Brubaker. According to Mr. Geib, a former city administrator required him to change his plat from Geib Blvd., which is shown in the plat to Brubaker Drive. Because Mr. Geib expressed that the two streets would most likely never connect, the move to change the name to Geib Blvd. was reasonable. The numbers associated with the former system were also kept.

Attached is the Original Addressing and plat as well as the address numbering system. The County Recorder provided the information that was in their system. In working with both the developer and home owners, the request to change the name to Geib was acceptable as it was what they had intended.

As part of the discussion at the Planning & Zoning, the name change from Brubaker to Geib was acceptable; however, it was believed that the numbering should be consistent with that of a block running east/west and beginning with a lower number and increasing,





Request for City Council Action

rather than keeping the original 800 series. A map that provides the proposed numbering is also included.

It was discussed that the numbers on three of the homes had already been established and that he would not be in favor of changing out the numbers. The current plat and addressing impacts the 5 lots as seen in the map.

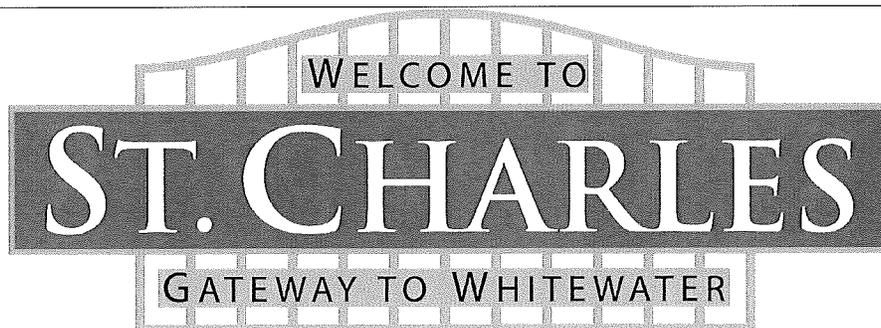
After discussion of the pros and cons of not changing the numbers to be more in line with the proper addressing, a motion was made to recommend keeping the Brubaker name and changing the current street sign that states Geib Blvd and posting a sign at the south end of Manheim to direct drivers.

A vote was taken and it passed with a vote of the following:

- 5 in favor
- 1 abstaining
- 1 against

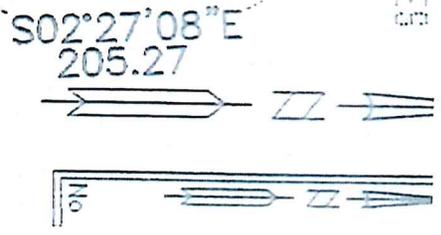
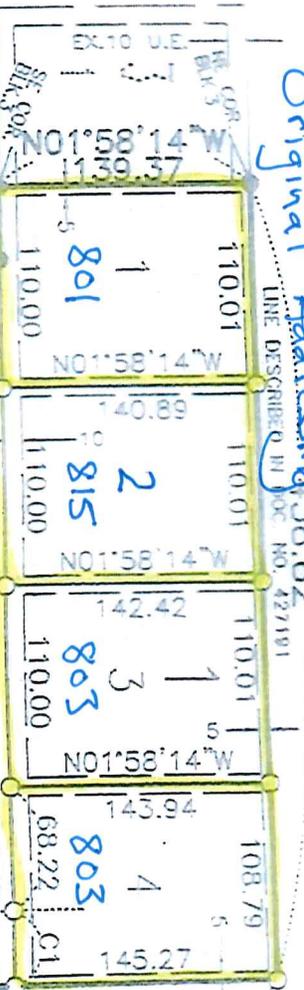
A letter of appeal by Mr. Geib is included in the packet regarding the P&Z's recommendation.

In speaking with the County Auditor Treasurer, to rectify the numbering issue to correct them, staff can simply submit the request to the office of the Auditor Treasurer. However, name changes by home owners would need to place.



UNPLATTED
LIMITS OF ST. CHARLES

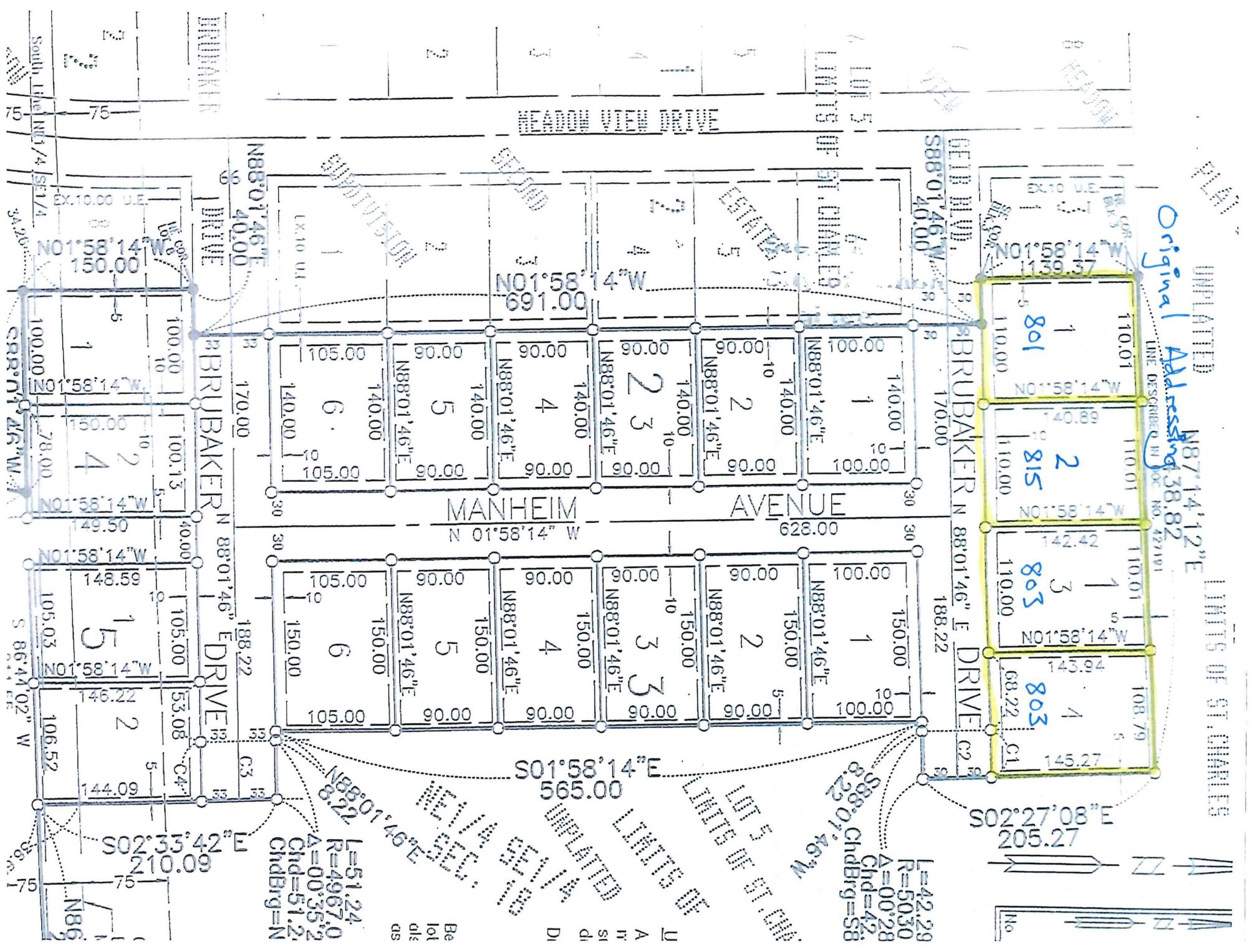
Original Addressing 38.82
LINE DESCRIBED BY DOC NO. 427191



L=42.29
R=50.30
A=00°28'
Chd=42.8
S88°01'46"W
ChdBrig=S88°01'46"W

L=51.24
R=49.67
A=00°35'2
Chd=51.2
ChdBrig=N88°01'46"E

Be
lot
d/c
ds



South Line N83°/4 S/E1/4
EX.10.00 U.E.
34.20
CRR°01'46"W
S 86°44'02" W
N86°

R 26887 R 29.073.0020

2015 Mod? Calc thru: 10/07/2015 MP#:

Taxpayer I06077 Total: EMV TMV Deeded acres

JNM DEVELOPMENT INC 28,500 28,500

21577 GEIB RD Dist: 2901 TIF Dist:

ST CHARLES MN 55972 Plat: 29073 MEADOW VIEW ESTATES 5TH SUBD

Alternate Sect Twnshp Range Lot Block

18 106 010 002 001

Escrow Subd:

NON-HSTD - RES 1-3 UNITS

Prop Address 815 BRUBAKER DR ST CHARLES MN 55972-

T 10/15/2015 Original Adj/Chg Payments Unpaid Bal

Net Tax 378.00 189.00- 189.00

Special Asmt

Tot before P&I 378.00 189.00- 189.00

Penalty

Interest

Fees

* *Totals 378.00 189.00- 189.00

F2=Tier F14=Legal F16=Notes F17=APINs F19=OtherNames F24=MoreKeys

A=GS B=ASM C=DQ E=TR F=SP H=THST I=PRASC J=COJ P=PA R=ADJ U=CAMA Y=CMP

R 26888 R 29,073.0030

2015 Mod? Calc thru: 10/07/2015 MP#:

Taxpayer I06077 Total: EMV TMV Deeded acres

JNM DEVELOPMENT INC 28,500 28,500

21577 GEIB RD Dist: 2901 TIF Dist: Plat: 29073 MEADOW VIEW ESTATES 5TH SUBD

ST CHARLES MN 55972 Sect Twnshp Range Lot Block

Alternate 18 106 010 003 001

Subd:

Escrow

NON-HSTD - RES 1-3 UNITS

Prop Address

803 BRUBAKER DR ST CHARLES MN 55972-

T	10/15/2015	Original	Adj/Chg	Payments	Unpaid Bal
	Net Tax	378.00		189.00-	189.00
	Special Asmt				
	Tot before P&I	378.00		189.00-	189.00
	Penalty				
	Interest				
	Fees				
	* *Totals	378.00		189.00-	189.00

F2=Tier F14=Legal F16=Notes F17=APINs F19=OtherNames F24=MoreKeys
A=GS B=ASM C=DQ E=TR F=SP H=THST I=PRASC J=COJ P=PA R=ADJ U=CAMA Y=CMP

Janell / City of st charles stated
this appears should be 807

R 26889 R 29.073.0040

2015 Mod? Calc thru: 10/07/2015 MP#:

Taxpayer T06077 Total: EMV TMV Deeded acres

JNM DEVELOPMENT INC 28,500 28,500

21577 GEIB RD Dist: 2901 TIF Dist: Plat: 29073 MEADOW VIEW ESTATES 5TH SUBD

Sect Twnshp Range Lot Block
18 106 010 004 001

Alternate

Subd:

Escrow

NON-HSTD - RES 1-3 UNITS

Prop Address

803 BRUBAKER DR ST CHARLES MN 55972-

T	10/15/2015	Original	Adj/Chg	Payments	Unpaid Bal
	Net Tax	378.00		189.00-	189.00
	Special Asmt				
	Tot before P&I	378.00		189.00-	189.00
	Penalty				
	Interest				
	Fees				
	* *Totals	378.00		189.00-	189.00

F2=Tier F14=Legal F16=Notes F17=APINs F19=OtherNames F24=MoreKeys
A=GS B=ASM C=DQ E=TR F=SP H=THST I=PRASC J=COJ P=PA R=ADJ U=CAMA Y=CMP

Location Map



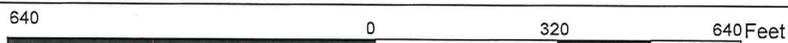
Legend

- ParcelLines
- County Boundary

Notes

Revision # :

SCALE 1: 3,838



PROJECTION: WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Creation Date: 1/8/2016 12:30:39 PM

Map Auto-generated by Winona County
(GIS Department Map Server).

January 7, 2016

To the City Planning & Zoning Commission

And

City Council Chambers

JNM Development, Inc. is appealing your decision on the ordinance #585.

In May or June Mahlon Geib talked to Nick, the city administrator, asking about the street name if it is going to stay Geib Boulevard and the numbering system. He stated that the street would remain Geib Boulevard and the numbers will stay the same. We proceeded forward on this statement. The money has been spent and the house numbers and the street name are in place. The street sign, Geib Boulevard has been up for many years.

If the street we are talking about cannot remain Geib Boulevard, then we are requesting the street named Brubaker Drive be changed to Geib Boulevard.

JNM Development has put approximately 16 million dollars in taxable real estate into the city of St. Charles since 1993. Now we have a planning and zoning commission that states we cannot use our name, Geib Boulevard, on a street because the house numbers would be backwards. I fully understand your concern, but the numbers do not mean anything. Go into other towns and look around, there is no consistency to numbering systems either. All of these numbers to these townhomes are in the brick or stone and cannot be removed without major expense. A solution to this problem is to change the street name on the south side to Geib Boulevard and eliminate Brubaker Drive entirely.

There is much more to the naming of this street to stay Geib Boulevard. This is the family name of the developer and we had planned to build a retirement home on this street. We will not live on Brubaker Drive, there are reasons beyond what you people would ever understand why we would not live on Brubaker Drive.

The planning and zoning commission and the city council chambers have no authority to change the name of a street without notifying the people that live there.

If you cannot do what we ask because of GPS mapping, please do not do anything – leave it as it is. Leave the street as Geib Boulevard – leave the sign alone.

Thank You,

JNM Development, Inc.

December 17, 2015

The following is as requested concerning the renaming of the street.

In the original Platt, the street was named Geib Boulevard. On a subsequent Platt in later years, the street was named Brubaker Drive supposedly a continuation of the street to the south of it.

We are requesting this change back to Geib Boulevard (which is what the street sign states), because the street will probably never continue forward and join up with Brubaker Drive. People using GPS cannot locate the people that live on Geib Boulevard.

Thank you for making this change in your records to state the street as Geib Boulevard.

JNM Development, Inc.

Mahlon Geib, President

**Request for City Council Action**

Date: January 8, 2016

Requested Council Date: January 12, 2016

Originating Department: P&Z

Council Action Requested: P&Z recommendation to replat a portion of Southfork contingent upon the installation of sidewalk along Trout Avenue.

Background Information: Joe Wheeler, Executive Director of Southeast Minnesota Multi-County Housing and Redevelopment Authority, presented a request to the P&Z Commission for a replat of a portion of the Southfork Subdivision to allow for 6 residential lots. Two lots are being used to develop affordable twin homes and if the project goes well, will continue throughout a greater portion of the development.

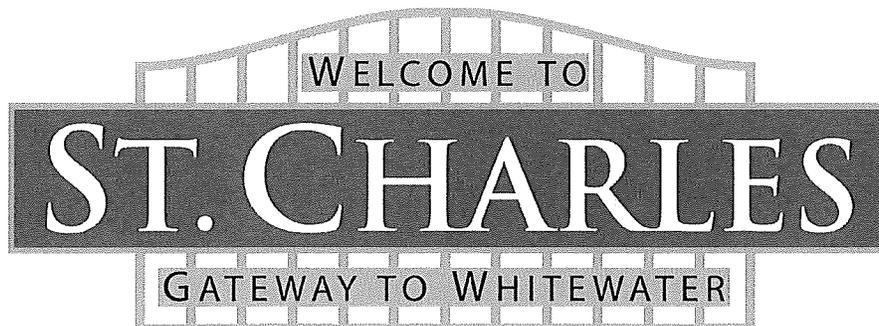
The Planning & Zoning Commission discussed the request and through the process expressed a desire for an additional sidewalk to be added along Trout Avenue.

According to the 2010 Development Policies and Standards for Subdivisions, *every new phase of a development to be approved needs a bike path or sidewalk linked to a city path/park, or street in that area.* However, because it was not a new phase there is no current policy that requires sidewalk, and thus, staff treated the replat request as such when working with Mr. Wheeler. It can also be witnessed along Brownell Street in the same development that there was not a requirement for sidewalk.

The Commission discussed that perhaps it is a larger policy discussion for future developments in order to allow for better connectivity for neighborhoods. Safety was also discussed as a reason for the Commission's desire.

According to the City Attorney, the City could impose a temporary moratorium before approving the plat. However, he cautioned that the developer did follow the current guidelines instituted by the City.

A motion was made to recommend approving the replat with the stipulation that sidewalk would be installed along Trout Avenue.





Request for City Council Action

A large, empty rectangular box with a thin black border, intended for the main content of the request for city council action.



**City of St. Charles
Resolution #01-2016**

**A RESOLUTION APPROVING THE REPLAT
OF A PORTION OF SOUTHFORK ADDITION
TO THE CITY OF ST. CHARLES, MINNESOTA**

WHEREAS, the Replat of a portion of Southfork Addition Subdivision to the City of St. Charles, Minnesota has been duly reviewed by the Planning and Zoning Commission on January 7, 2016; and,

WHEREAS, the Replat of a portion of Southfork Addition to the City of St. Charles, Minnesota has been duly reviewed by the City Council on January 12, 2016.

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

1. Upon the recommendation of the Planning and Zoning Commission and in consideration of the lack of reasonable objection to the replat, the replat of a portion of Southfork Addition is hereby approved.

Adopted by the Council of the City of St. Charles, Minnesota this 12th day of January, 2016.

John Schaber, Mayor

Attest: _____
Janell Dahl, Deputy City Clerk

City of St. Charles
Attention: Nick Koverman
830 Whitewater Avenue
St. Charles, MN 55972

RE: Southfork Second Replot

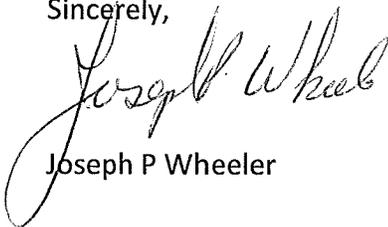
Dear Nick,

We are requesting an approval to replat Blk 5, Lot 1 Southfork Addition. The enclosed Final Plat called Southfork Second is adding 6 lots.

SEMMCHRA will be installing sidewalk down Brownell Avenue, from Springer Avenue to Trout Avenue in the spring of 2016.

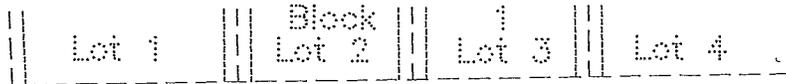
Please let me know the date and time we would be placed on Planning and Zoning Meeting.

Sincerely,



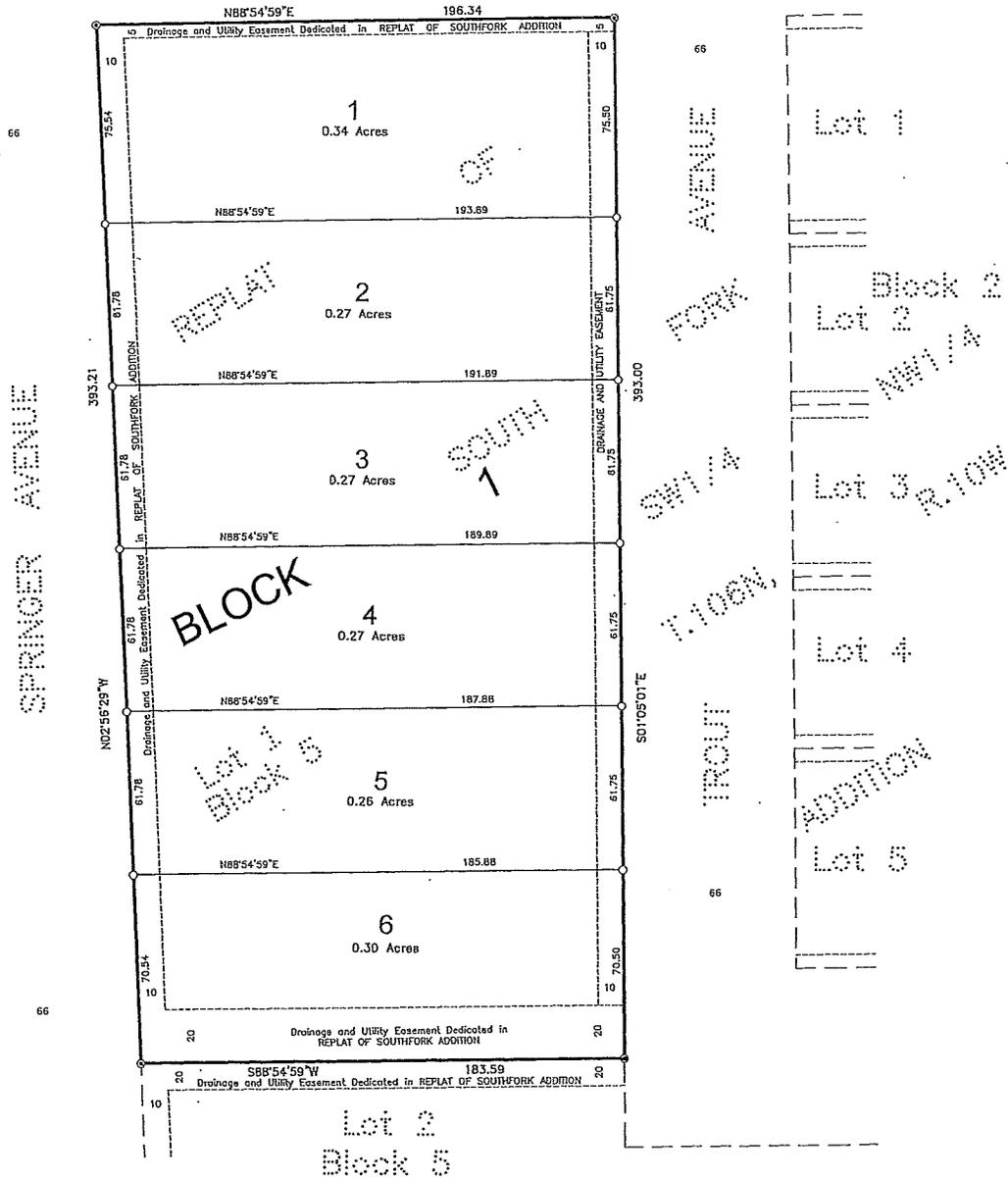
Joseph P Wheeler

RK SECOND



66 BROWNELL STREET 66

plot.



The bearings shown hereon are based on the Original Plat of REPLAT OF SOUTHFORK ADDITION



1"=30'
Scale in Feet

- Denotes a placed 1" by 10" iron pipe having a plastic cap bearing land surveyor license no. 46559.
- Denotes a found 1" iron pipe.

JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
 4240 West 5th Street, Wadena, MN 55387
 (507)454-4134, FAX(507)454-2544
 brianw@jstsmall.com

Resolution #02-2016

A RESOLUTION APPROVING CIGARETTE LICENSES

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

Dollar General 1354 Whitewater Ave.

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

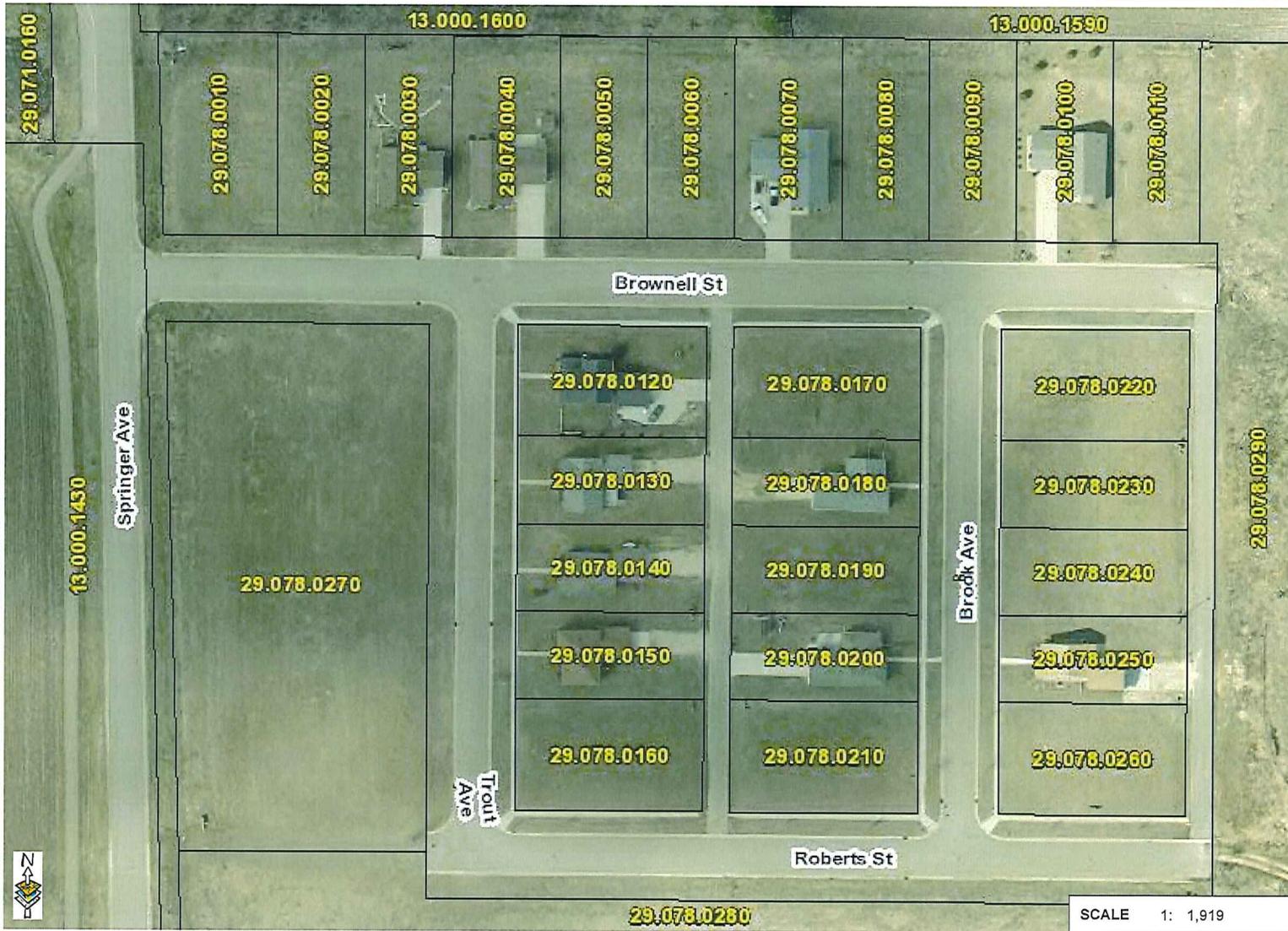
1. The Council of the City of St. Charles hereby approves the Cigarette Licenses for the above named businesses.

Adopted by the Council of the City of St. Charles, Minnesota this 12th day of January, 2016.

John Schaber, Mayor

Attest: _____
Janell Dahl, Deputy City Clerk

Location Map

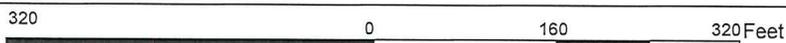


Legend

- ParcelLines
- County Boundary

Notes

Revision # :



PROJECTION: WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Creation Date: 1/8/2016 12:28:57 PM

Map Auto-generated by Winona County
(GIS Department Map Server).



Request for City Council Action

Date: January 5, 2016

Requested Council Date: January 12, 2016

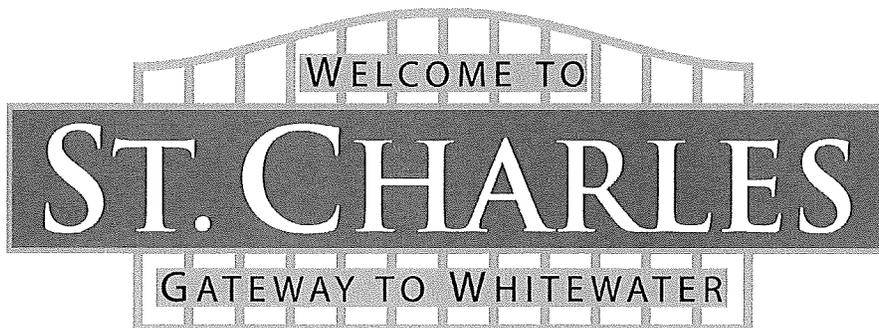
Originating Department: Administration

Council Action Requested: Approve promotion through City website with a link/button to the St. Charles Area Community Foundation.

Background Information: The St. Charles Area Community Foundation board has requested that the City permit a link/button on the City's website to help promote the foundation which will ultimately help to better the community/region.

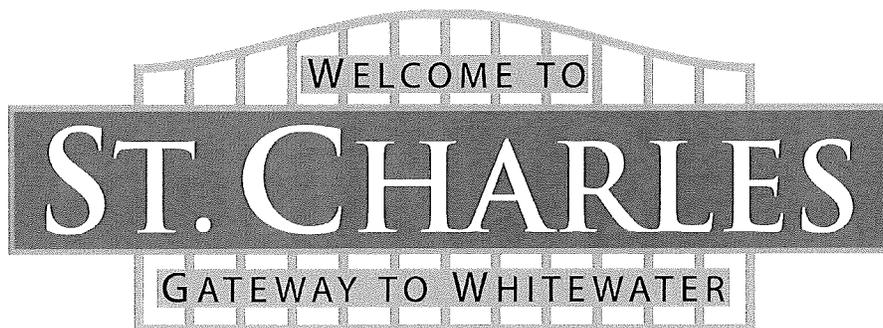
The SCACF board continues to work on promotional materials, event planning, and fundraising.

The proposed link would provide more exposure for the collaboration.





Request for City Council Action





Request for City Council Action

Date: January 4, 2016

Requested Council Date: January 12, 2016

Originating Department: Administration

Council Action Requested: No participation in Winona County RFP for Recycling

Background Information: As St. Charles looked to renew its garbage and recycling contract with Advanced Disposal in 2015, staff began holding discussions with Winona County about the possibility of being added to a future contract. The St. Charles contract was amended to allow for this possibility. Anne Morse, the Winona County Recycling Coordinator, has now asked for clarification by the Council of whether or not we would like to be included in the upcoming Request For Proposals for 2017 service.

Currently, residents are charged \$3.25/month for recycling service. The County's recycling charge (\$16.00 annually) has been removed from residential property owner's tax statement. The County's current contract rate for recycling is \$3.33 and Morse does not anticipate the rate to be cheaper with the new contract.

In speaking with Advanced Disposal's General Manager, David Meyer, while the two services of garbage and recycling are considered separate, a discount is provided due to the two services the City utilizes. A reduction in services could impact future garbage rates if recycling is not a factor in the City's negotiations with haulers/operators.

In addition, the County's carts were paid for through the service charge over the course of the contract. Because the RFP will only focus on the service to be provided, the cost of the carts would be the responsibility of the City, which is estimated at \$60,000.

One of the main drawbacks discussed in 2014 was the City's inability to help customers with complaints as all calls would be forwarded to the County. Another point of discussion was the change of service on holidays as they would now become a Saturday pickup versus the day immediately following the holiday.

To summarize, the City would lose both the ability to determine which hauler is the best for our customers as well as a potential competitive price advantage with any future refuse contract due to only offering one service. In addition, staff would no longer be able to effectively assist in complaints with service. In short, it does not seem as though there is any real value of moving to the County's service at this time. If the City did not already provide this service to its customers at a competitive price, it may be a different story.





Request for City Council Action

A large, empty rectangular box with a thin black border, intended for the content of the request for city council action.

