

**MINUTES of the ST. CHARLES CITY COUNCIL  
For Tuesday, February 12, 2013 held at 7:00 p.m. at  
830 Whitewater Avenue  
St. Charles, Minnesota**

**MEMBERS PRESENT:**

Councilmen:

John Schaber

Dave Braun

Orv Dahl

Wayne Getz

Mayor Bill Spitzer

**STAFF PRESENT:**

Nick Koverman (City Administrator), Interim Police Chief Chris Lennon, Public Works Supt. Kyle Karger, Jeff Schrock, Robbie Floerke, and Chris Hood (City Attorney).

**OTHERS IN ATTENDANCE:** Dan Jones, Bruce Dorman, Gene Steward, Elizabeth Lommen, Mike Knutson, Al Timm, Jan Timm, James McCormick, Nancy McCormick, George Schwoboda, Sandra Troendle, Fred Troendle, Jason Gilman (Winona County Planner), Deb Fort, Skip Fort, Tom Slavin, Deb Slavin, Connie Fox, Mike Worke, Travis Lange, Dan Hursch, Jim Ruhberg, Ron Ganrude (WC Sheriff's Dept.), Mike Jaszewski, Dan White, Cory Chuchna, Muriel Douglas, Barb Johnson, Chris Hoan, Richard Pagel, Bob Christie, Marilyn Christie, Cathy Groebner, Nathan Lien, Renee Ready, Vince Ready, Jim Huth, Tom Muschler, and Craig Hilmer (St. Charles Press).

**1. ESTABLISH QUOROM/CALL TO ORDER**

Quorum was established with Mayor Spitzer calling the meeting to order at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL of the AGENDA**

Motion to approve the agenda: **John Schaber**

No discussion.

Motion carried.

**4. MEETING MINUTES**

**-January 3, 2013**

**Motion to approve: Orv Dahl**

**No discussion.**

**Motion carried.**

**-January 8, 2013**

**Motion to approve: Dave Braun**

**No discussion.**

**Motion carried.**

**APPROVAL of the FEBRUARY PAYABLES**

Motion to approve payables: **John Schaber**

**6. Notices and Communications.** None.

**7. Reports of Boards and Committees:** Various reports were given by Council.

**8. St. Charles Township-Jim Ruhberg.** Jim Ruhberg, the St. Charles Township Supervisor and chairman, discussed the events and a timeline to the Council that brought him to the meeting. After reviewing his timeline and the discussions, he relayed the decision by the St. Charles Township to approve a resolution that opposed annexation and any use of industrial silica sand. He read that the resolution was proposed by Tom Muschler and seconded by

Jim Ruhberg that the St. Charles Township opposes the annexation of township governed property for use in the mining, loading, unloading, storage, washing, transferring, or processing of frac sand. The resolution passed unanimously. Mr. Ruhberg stated that because the County performs the planning and zoning for the township, they received legal advice that the annexation was the only issue that the Township could address.

**9. Resolution #02-2013 Data Request Policy/Retention Schedule.** City Attorney Chris Hood presented the Council with a proposed data request policy as well as retention schedule for consideration. Mr. Hood discussed the various types of data requests and the process that would be entailed as well as charges that are permitted through State Statute as a recovery of those services. The policy was adapted from the model provided by the Minnesota Department of Administration. With no further questions a motion was made to approve Resolution #02-2013 Data Request Policy/Retention Schedule.

Motion to approve: Wayne Getz

No further discussion.

Motion declared carried.

**10. St. Charles Recycling Program** Winona County Planner Jason Gilman was present to discuss the proposal by the Winona County Board as a rebate for 2012 and potential resolution moving into 2013 and 2014. Mr. Gilman reviewed the memo that was included in the packet that would provide 100 percent of the per parcel fee to each resident who would have been charged the fee. In addition, 100 percent of the County's SCORE funds would also be reimbursed back to the property tax owner. This total reimbursement would represent 65 percent of the cost of service of the recycling no sort program. Mr. Gilman highlighted that this would be the same as any other city. The Council thanked Mr. Gilman for his time and felt that the resolution was fair to the residents. An agreement would need to be drafted and a process to return the funds would need to be discussed as to the most efficient and effective manner. The Council gave consensus that it would move forward in the process and Admin. Koverman will return at a future date with the agreement.

**11. 2012 St. Charles Electric Rate Study.** Tom Nigon of Star Energy Services was present to discuss and review a rate and cost of service study. Mr. Nigon explained that it was a more indepth study from years prior as he looked at the various classes and broke down each individual cost of service input. Mr. Nigon was contacted after the city was able to renegotiate their wholesale power contract with their wholesale provider Dairyland Power through the Upper Midwest Municipal Power Agency of which St. Charles is a member. Mr. Nigon explained that with the reduction in the contract the utility will be able to reduce rates by an overall 8 percent. However, after reviewing the various rate classes he determined that a greater reduction would be provided within the commercial 3-Phase customer class whereas the residential rate would not see as big of a decrease. Mr. Nigon also highlighted the proposed capital improvement plan and explained how the utility must continue to update the system in addition to proposing a reserve fund amount of 50 percent of the utility's operating revenue. He also recommended that annually the utility should retain \$200,000-\$300,000 in revenues as part of the annual operations. Mr. Nigon then highlighted various options afforded to the Council with respect to a proposed shift in how the utility collects its revenues. He recommends the shift to the cost of service model because it will sustain changes in usage more moderately. He presented various base and energy charge options to the Council. To mirror what many of the other area utilities are doing, he offered a new summer and non-summer rate. The Council thanked Mr. Nigon for his time and would discuss the item further at the next Council meeting. Admin. Koverman additionally offered that if summer and non summer rates were not something that the Council was interested in, staff would prepare an average rate with proposed base option for the next meeting.

**12. Franklin Energy Services-2012 Review/2013 Plan.** Dean Laube, Regional Manager for Franklin Energy, presented the results from the programs that the City instituted throughout the year for Energy Conservation. Mr. Laube relayed that in total the City saved approximately 185,861 kilowatt hours/year with 355,114 gallons of water. He highlighted that 101 apartments units, and 8 businesses were helped in 2012 with 19,081 kwh savings coming from Energy Star savings. He then outlined the 2013 plan for the Council. No questions were asked. A motion was made to approve the review of the 2012 plan and the 2013 plan.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

**13. 2013 SEMCAC Low Income Contract.** Admin. Koverman reviewed the SEMCAC low income guidelines stipulated by the State of Minnesota with respect to spending .02 percent of the Conservation Improvement Funds allocated to low income. SEMCAC was able to help two residents in town and Admin. Koverman recommended increasing the groups funds from \$2,500 to \$3,100 due to funds not being expended in 2012. The Council agreed that it was a good program and organization and motioned to approve the 2013 contract.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

**14. St. Charles Police Department Options.** Admin. Koverman reviewed the information presented to Council that highlighted the first option of contracting with the Winona County Sheriff's Department. He went through the various steps and contacts he had made to determine whether it was in the Council's ability to explore this avenue legally. After identifying that it could be sought out, he outlined for the Council the potential costs of disbanding the department. He estimated that between benefit payouts and unemployment at 26 weeks of 60 percent of the officer's salaries that it would cost approximately \$62,000. The County offered a fixed 2-year contract that would utilize the city's vehicles at just over \$387,000 with 5 fulltime officers. However, Assistant Deputy Sheriff Ron Ganrude explained that there would be open times of coverage. Admin. Koverman showed various projections and options to the Council that outlined the current 2013 budget with existing staff and even matching the County's staffing level of 5 fulltime officers and projected out various growth rates of budgets. In keeping with the current staffing levels, there would be minimal savings to the city. In reviewing a projection that looked out at 3 contract periods, or a total of 6 years, the city would not see any real savings until the second contract period. Admin. Koverman did also highlight for the Council several area departments and their annual budgets and staffing levels in comparison to give the Council an idea of how St. Charles compared relatively. It demonstrated that for the size of community, St. Charles spends less for police protection than even its Chatfield neighbor who has approximately 1,000 less residents. Admin. Koverman then presented an updated Chief of Police job description and information pertaining to salary surveys from the League of Minnesota Cities and neighboring communities. He highlighted that if the Council chose to maintain its current department with a Chief that consideration should be given to this topic if proceeding to find the best candidate possible. Interim Chief Lennon was addressed by the Council and he provided reasoning and values of the current department acknowledging that he was biased. The Council questioned Deputy Ganrude on a few items of the proposed contract. After holding these discussions, the Council agreed that maintaining the existing department at this time was in the best interest of the city. Councilmembers highlighted the control factor, ability to call out additional help in light of disaster responses, and that the projected cost savings was not enough to justify disbanding the department. All Councilmen agreed and a motion was made to maintain the existing department and advertise for a Chief of Police.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

A brief discussion was held with respect to the proposed job description and salary range with a motion to approve the job description and salary range as presented.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

A recommendation for an interview committee will be brought back to the Council.

**15. Safe Routes to School.** Admin. Koverman updated the Council on discussions held between staff and the St. Charles School District administration and Board of Education with the idea of potentially acquiring the Downtown Motel and adjacent property for the possible inclusion into the Safe Routes to School grant program. A rough sketch had been designed to allow for better pedestrian facilities, safer automobile traffic in front of the elementary, as well as additional parking spaces. The grant would pay 100 percent up to \$300,000 with a cost share match which could be the property acquisition. After prices were confirmed with land owners the Motel was offered at \$90,000 while the appraised value of the adjacent residential property was \$111,000. The school district had targeted between \$50K-\$75K, but without a guarantee of the grant was less inclined to participate. The City Council discussed the option and agreed that at this time it was not feasible. A motion was made to decline moving forward with the project option.

Motion to approve: **John Schaber**  
No further discussion.  
Motion carried.

**16. Ordinance #560 Administrative Fines and Fees.** Mayor Spitzer asked if anyone had questions with the 2<sup>nd</sup> reading of the ordinance. Hearing none he called for a motion to approve.  
Motion to approve: **Wayne Getz**  
No further discussion.  
Motion carried.

**17. Ordinance #561 Amending Accessory Building Definition.** Admin. Koverman reviewed the proposed changes to the accessory building definition and uses and provided reasoning for each change that the Planning & Zoning Commission had developed. After reviewing the proposed language the Council was asked for input. Hearing none a motion was called for approval of the first reading.  
Motion to approve: **Orv Dahl**  
No further discussion.  
Motion carried.

**18. Proclamation-February 7-14 Congenital Heart Defect Awareness Week.** Mayor Spitzer read the proclamation aloud. He called for a motion to approve the proclamation.  
Motion to approve: **Dave Braun**  
No further discussion.  
Motion carried.

**19. SEMCAC Senior Dining Agreement.** Admin. Koverman presented the agreement for consideration. In prior years a similar agreement was in place with SEMCAC for the use of the senior dining site, but had not been renewed for some time. Minor additions were made according to Admin. Koverman. The city attorney had not reviewed the agreement according to Admin. Koverman. When asked if the Council was comfortable, no opposition was voiced. A motion to approve the contract as presented was made.  
Motion to approve: **Wayne Getz**  
No further discussion.  
Motion carried.

**20. Ambulance Personnel Hire.** It was the recommendation to approve the hiring of Danielle Hoff to the St. Charles Volunteer Ambulance. A motion was made to that effect.  
Motion to approve: **John Schaber**  
No further discussion.  
Motion carried.

**21. Resolution #03-2013 One Day 3.2 Malt Liquor License Library Fundraiser.** A motion was made to approve the annual fundraising liquor license.  
Motion to approve: **Dave Braun**  
No further discussion.  
Motion carried.

**22. Strategic Planning Session-April 13, 2013.** Admin. Koverman reminded the Council as part of their 2013 goals to hold a strategic planning session April 13, 2013. After discussion with the council everyone was able to attend. A motion to approve the session for April 13, 2013 was made.  
Motion to approve: **John Schaber**  
No further discussion.  
Motion carried.

#### **UNSCHEDULED PUBLIC APPEARANCES**

-Jan Timm-Expressed concerns about silica sand, dust, semi-traffic  
-Travis Lange-Presented 116 more signatures to the Council of which he expressed brings the total to 1,055 names. He also requested for Council time for Dr. Wayne Feyereisn.

- George Schwoboda
- Dan Hirsch-Would like to know what he can do to convince the city to act.
- Chris Hoan-Asked council to error on the side of caution with respect to the proposed frac sand project.
- Fred Troendle-Requested that the public forum be moved to the front of the meeting.

Motion to adjourn at 9:31 p.m.

Motion to approve: **John Schaber**

Motion declared carried.

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**William J. Spitzer, Mayor**

Attest: \_\_\_\_\_  
**Nick Koverman, City Administrator**