

MINUTES of the ST. CHARLES CITY COUNCIL
For Tuesday, May 22, 2012 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).

OTHERS IN ATTENDANCE: Monica Hill (St. Charles Press), Aimee Finley, Dave Redig, Fred Troendle, Sandra Troendle, Nathan Liam, Maurice Ploetz, Judy Ploetz, Nola Dunn, Gary Dunn, Gerald K. Melby, Scott Seinola, Barbara Melby, Geri Seinola, Wayne Feyereisn, Johanna Rupprecht, Collin Johnson and Tom Jacobson.

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. Notices and Communications. Mayor Spitzer provided a brief update on the construction at the Dover Eyota St. Charles Area Sanitary District.

5. REVIEW OF FINANCIALS.

6. Public Hearing-Noise Ordinance Revision. A motion to open the public hearing to take comment on the proposed noise ordinance change was opened at 7:02 p.m.

Motion to approve: **Orv Dahl**

No discussion.

Motion carried.

Mayor Spitzer called for comment once, twice, three times. Hearing none, he called for a motion to close the public hearing at 7:04 p.m.

Motion to approve: **Wayne Getz**

No discussion.

Motion carried.

7. Ordinance #553 Noise Amendment. Clm. Schaber began the discussion by reporting the two calls that he had taken against the ordinance revision. Clm. Getz stated a citizen contacted him about the hours as well. Mayor Spitzer added that a resident also contacted him about the time change. Clm. Dahl referenced the past discussion of the various shifts of today's workforce. Clm. Braun added that roofers like start before 7 a.m. because of the nature of the work in order to avoid the heat. A discussion of the domestic tools and construction activities took place. The Council discussed a compromise for an 8 a.m. start time. Clm. Getz motioned to approve the 8 a.m. start time and 10 p.m. for all activities, but the motion indicated that it would allow 8 a.m. for seven days rather than the change to the weekends and holidays. The mayor called for the vote indicating that if it was voted down a new vote would simply be taken.

Motion to approve: **Wayne Getz**

No further discussion.
4 nays were recorded. Motion failed.

It was then rediscussed with the 8 a.m. to 10 p.m. on weekends and holidays for domestic power equipment. The refuse and garbage moving from 7 a.m. to 10 p.m. remained unchanged.

After the Council agreed on the time changes, a motion was made to approve the 8 a.m. to p.m. on weekends and holidays for domestic power equipment and refuse and garbage hauling from 7 a.m. to 10 p.m. on weekends and holidays.

Motion to approve: **Wayne Getz**

No further discussion.

Motion declared carried.

A discussion was then held to stay consistent with construction activities and to allow construction activities from 8 a.m. to 10 p.m on the weekend and holidays.

Motion to approve: **John Schaber**

No further discussion.

Motion declared carried.

Motion was made to approve the 1st reading of #553

Motion to approve: **John Schaber**

No further discussion.

Motion declared carried.

8. Farm2Rail. Mr. Geoff Griffin was present to provide a powerpoint presentation regarding the proposed rail site that would service a 304 acre parcel east of town inside St. Charles Township. Included in the packet were three petitions for annexation that allowed for the contiguous connection to the corporate limits. Mr. Griffin outlined the project and his discussions with township officials. Following the presentation City Council members asked various questions with respect to traffic, sand, property values grain and the facility. Concerns of the semi trucks using downtown Highway 74 as a route was expressed as a major concern. Concerns were also expressed from the corner of the Catholic Church with site lines, etc. It was expressed by Council how in the past the City has always had good annexations and that working with the township officials and the residents was a priority. It was discussed how the various tools available to the city could help mitigate risks and concerns from an Environmental Assessment Worksheet, to planning and zoning pieces such as conditional use process, and even a development agreement could be utilized to help. Council thanked Mr. Griffin for his time and expressed that it would need time to consider the request as outlined. A discussion was also held with respect to an adhoc committee to discuss the project, process, and concerns from both the township and the residents of Cherokee Rd. Council agreed that this would be a useful tool and Mr. Griffin pledged his support of the process. Admin. Koverman requested that a motion to enter into a disbursement agreement with Farm2Rail to provide funds for the city to study and research various components of the project at no expense or obligation to the City was requested. He added that this request was discussed early on by staff with Farm2Rail and that they were in agreement. A motion was made to enter into the disbursement agreement with Farm2Rail to ensure that any expenses to gather information and study the project would be paid by Farm2Rail and not the City.

Motion to table: **John Schaber**

No further discussion.

Motion carried.

Admin. Koverman stated that he would attend the June meeting to gauge their interest in the ad hoc committee.

9. Resolution #14-2012 Interfund Loan Electric to Sewer. The Council reviewed the proposed interfund loan to the sewer department in the amount of \$60,000. The loan will be repaid on August 1, 2014 and the interest charged was 0 percent. A motion to approve the resolution was made.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

10. 2012 Budget Amendment. The Council reviewed the budget amendment as previously discussed and a motion was made to approve the amendment.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

11. DEED Declaration of Public Infrastructure. Admin. Koverman presented the information to the Council and showed the areas that would be in public ownership as a result of the grant from DEED. The Declaration helped to substantiate the ownership. A motion was made to approve the declaration.

Motion to approve: **Wayne Getz**

No further discussion.

Motion declared carried.

12. Winona County Lean Program Participation. Mayor Spitzer discussed the Lean program that is being initiated by Winona County to investigate how to more efficiently operate between agencies. There would be no cost to the city, but a representative would need to take part in the process. Cassie Leppien has taken part in a similar process with her former employer. Her participation would take place during the week of June 11-15 8 a.m. to 5 p.m. The Council agreed that working more efficiently with the County and the County attorney's office would be provide added benefits to the City. A motion was made to participate in the Lean program and send Cassie Leppien as the representative in the process.

Motion to approve: **Dave Braun**

No further discussion.

Motion declared carried.

13. SEMLM Board seat. Admin. Koverman presented information for the Southeast Minnesota League of Municipalities board. He explained how the organization was looking for a Winona County partner and they hoped St. Charles would take part. The Council asked about the term length and it was also suggested that perhaps Admin. Koverman take part. More discussion will be held at a follow up meeting.

14. Winona County K-9 Unit. Mayor Spitzer referenced the letter sent from the Winona County Sheriff's Department requesting funds for the new K-9 unit. The funding source for a \$1,000 donation was identified as \$500 from the police department and \$500 from Emergency Services. The Council agreed that it was worth the investment in that the total cost of the officer was about \$20,000 and the benefits of that K-9 officer were very helpful to the community. A motion to approve the \$1,000 donation was made.

Motion to approve: **Orv Dahl**

No further discussion.

Motion declared carried.

PUBLIC APPEARANCES

None

Motion to adjourn at 8:34 p.m.: **Wayne Getz**

No further discussion.

Motion declared carried.

William J. Spitzer, Mayor

Attest: _____
Nick Koverman, City Administrator

CERTIFICATION

I, Nick Koverman, do hereby certify that I am the City Administrator of the City of St. Charles, and that the foregoing is a true, complete, and correct copy of the minutes of a meeting of the City Council of the City of St. Charles held on the 22nd day of May, 2012, that a quorum was present at said meeting, that a majority of those present voted for the motion and that the motion is set forth in the minutes of said meeting and has not been rescinded or modified.

IN WITNESS WHEREOF, I have hereunder subscribed my name and the City Seal this 23rd day of May, 2012.

Nick Koverman, City Administrator

SEAL