

**MINUTES of the ST. CHARLES CITY COUNCIL**  
**For Tuesday, September 25, 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:**

Janell Dahl, Cassie Leppien, Kyle Karger (Public Works Superintendent), and Nick Koverman (City Administrator).

**OTHERS IN ATTENDANCE:** Nancy Heim, Dale and Veronica Gathje, Cathy Groebner, Mike Jaszewski, Jeremy Becher, Daniel Chavez 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: 15). Bonfire Permit Request.**

Motion to approve the agenda: **Wayne Getz**

No discussion.

Motion carried.

**4. Notices and Communications.** Mayor Spitzer gave the Council an update on the Kwik Trip Compressed Natural Gas meeting.

**5. REVIEW OF FINANCIALS.** No questions.

**6. Public Hearing-Ordinance 556 Street Renaming Cottonwood Drive.** A motion was made to open the public hearing at 7:03 p.m.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

The mayor discussed the proposed ordinance and the street renaming. He called for comment from the audience. He called one, two, three times. Hearing no comment he called for a motion to close the meeting at 7:04 p.m.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

**7. Ordinance #556 1<sup>st</sup> Reading Renaming a Street Cottonwood Drive.** No comments or questions were taken with respect to the renaming. Clm. Schaber expressed that two residents were present during the planning and zoning meeting and that they were in favor of the renaming. A motion was made to approve the 1<sup>st</sup> reading.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

**8. Resolution #28-2012 Variance Dale and Veronica Gathje.** Admin. Koverman highlighted the variance requests by Mr. and Mrs. Gathje for a height variance and front yard setback variance for their proposed garage

structure. The P&Z Commission had reviewed the variances and forwarded a favorable recommendation for a 4'6" height variance as well as allowing the structure to be located in the front yard. He briefly highlighted the three part test of the practical difficulty standard set by the State of Minnesota that is in effect. He read the Findings of Fact as recommended by the Planning and Zoning. Clm. Schaber added that there was no opposition expressed during the public hearing, it fit the scope and size of the proposed parcel and met all the criteria outlined in the standards. A motion was made to accept the Findings of Fact.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

A motion was made to accept Resolution #28-2012.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

**9. Resolution #27-2012 Sump Pump Inspection Program.** Admin. Koverman presented a resolution that had been reviewed by the city attorney. He added that a resident who is one of the connections discussed by WHKS contacted him about the proposed language and that modifications had been made. However, in discussing the matter with the city attorney it was his opinion that while it was the intent of the Council to not seek corrective action against these connections, but that holding the current or future Council to a standard that may change beyond their control was inappropriate. The Council discussed the role of the attorney. Mayor Spitzer discussed how providing additional language within the resolution to address the idea of closing the program and accepting the nonconforming site characteristics was the intent of approving the recommendation from WHKS. Discussion was held with respect to additional language clauses that may help to clarify the point and take out the uncertainty left for homeowners. Mike Jaszewski was present and cited his concern with the attorney's position and the proposed language. He offered several suggestions including amending the ordinance to which the mayor and council agreed would be more cumbersome and not potentially correct the problem they were looking to solve. The Council in conclusion determined that to effectively close the program and citing that no further nonconforming connections would occur in the future, that they would approve the resolution presented by the mayor.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

**15. Homecoming Bonfire Request.** Jeremy Becker presented the request from the high school to hold the homecoming bonfire and to have support from the EMS services as well as waive the fee. A brief discussion was held with the students. A motion was made to waive the fee and provide support if possible.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

**10. Purple Heart Memorial.** Richard Lande was present to discuss his idea of the Purple Heart memorial. Discussion was held on the needs of the structure and responsibilities of the organization. The Council agreed that it was a good project and the west lot of City Hall that had been proposed as a memorial park in the past was still a good location. Mr. Lande expressed that two other offers are on the table and will let the Council know the group's decision. He said the total project was anticipated at \$130,000. A motion to move forward with the park.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

**11. Ambulance Personnel Hires.** The St. Charles Ambulance Director recommended the hiring of two personnel who were REMT certified and would cost the city nothing to add to the list. A motion was made to hire Kyle Holmberg and Todd Eckel.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

**12. Water Service Line.** Admin. Koverman presented a potential proposal that addressed passed discussions of the water service lateral ownership. One of the main points taken away from the discussion was the idea of the unforeseen costs of the breaks associated with the water line. A proposal was brought forward to provide a potential way for residents who have paid water base charges to access those fees and to help offset unexpected bill associated with a water break between the main and the easement/city boulevard. A proposal for a 50/50 grant program was suggested as a way to pay for half of the break that may take place in the area that is owned by the resident. It was discussed how this was seen as a potential solution to the concern of certain materials including lead goosenecks in the older parts of town. Unfortunately, it was also reviewed that potentially it would only affect those homes 1940 or older, while newer homes would not be as open to the risk; therefore an additional charge seemed impractical. Cost sharing would help to protect both the homeowner as well as the city from repair costs/charges. A cost breakdown for repairs based on passed discussion was included to show the potential effects on a water increase with the grant program versus taking over ownership and being responsible to make repairs was also discussed. It was discussed how the budgeting of the item would work and that it could be its own separate item or be rolled into a repair/maintenance line item of the water budget. It was Admin. Koverman's hope that it would simply be absorbed into the budget, but Mike Bubany of David Drown & Associates would review the CIP plan and additional factors to make a final recommendation. All Councilmen agreed it was a good compromise and offer all residents help. No formal action was taken, but the consensus of the Council was to move forward with structuring the idea.

**13. Dog Ordinance Discussion.** A concern was addressed to several Councilmen regarding the policy of dog licenses, which has owners purchasing a 2 year license on even years. The adopted ordinance stipulates that no prorating or discounting of the license was allowed and that if the Council chose to change the policy that could be the discussion. Information was provided to show a comparison of almost a dozen cities to show that the fees charged are in line with surrounding communities. Additional data showed that for a 5 year history, the fees produced \$1,100 in revenue before staff costs, mailings, tags, or police time. The reasoning for switching to a 2 year licensing timeframe was discussed as it followed suit with the local veterinarian clinic to make it easy for the customer. Cassie Leppien outlined the timeline on renewals of cats and dogs and how in a 2 year it takes a considerable amount of staff time to ensure that all residents are licensed. Both Deputy Clerk Janell Dahl and Cassie Leppien were present to answer any questions of the process. In their opinion the 2 year license worked well and discouraged moving back to a 1 year license. The question was raised about prorating and no suggestions were offered. After discussion, the consensus was to keep the ordinance as is with no changes. No action was necessary.

**14. Community Center Improvements.** Admin. Koverman brought forward two proposals for a community center improvement based on requests from users of the facility for an overhead projector as well as ceiling mounted speakers for sound. A number of meetings are held in the center and the request has been heard from the past several years, but has always been pushed off. Between the two quotes a quote received from Digicom for a total of \$4,900 could be split between a city hall budget and the electric department. A motion was made to approve the bid from Digicom.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

#### ***PUBLIC APPEARANCES***

None

Motion to adjourn at 8:27 p.m.: **Wayne Getz**

No further discussion.

Motion declared carried.

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**William J. Spitzer, Mayor**

Attest: \_\_\_\_\_

**Nick Koverman, City Administrator**