



The City Council of the City of St. Charles welcomes you to its
 Regular Meeting of Tuesday, December 27, 2022 at 6:00 p.m.
 at 830 Whitewater Avenue, City Council Chambers, St. Charles, Minnesota.

ITEM	ACTION REQUESTED
1. Call to Order	
2. Pledge of Allegiance	
3. December 27, 2022 Agenda	APPROVE
4. Notices and Communications	
5. Meeting Minutes	APPROVE
a. September 27, 2022	
b. October 11, 2022	
c. October 25, 2022	
d. November 9, 2022	
e. November 22, 2022	
6. Review of Financials	
7. Resolution #54-2022 Approving Final Levy Collectible 2023	APPROVE
8. Resolution #55-2022 Establishing 2023 Budget	APPROVE
9. Resolution #56-2022 Approving Liquor License – WW Pub	APPROVE
10. Second Readings of the following Ordinances:	
a. Ord. #645 CBD Mixed Use (2nd Reading)	APPROVE
b. Ord. #646 Downtown Parking (2nd Reading)	APPROVE
c. Ord. #647 Downtown Residential Parking (2nd Reading)	APPROVE
d. Ord. #648 Accessory Structures (2nd Reading)	APPROVE
e. Ord. #649 Apartment Zoning District (2nd Reading)	APPROVE
11. Approval of Pay Request 1 – 2022 Sanitary Sewer Lining	APPROVE
12. RCA – Commercial Rehab Request 2	APPROVE
13. RCA – Leave Time Carryover	APPROVE

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

ADJOURNMENT

CITY OF ST. CHARLES

Resolution #54-2022

**A Resolution Approving Final 2022
Tax Levy Collectible in 2023**

WHEREAS, the City of St. Charles requires revenue to meet its expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CHARLES that the following sum of money be levied for the current year, collectible in 2023, upon the property in said City of St. Charles, for the following purposes:

FUND	<u>2023</u>
2019A Bond Fund	\$ 73,956
2018A Bond Fund	\$ 81,165
Advertising Fund	\$ 17,500
Capital Improvement Fund	\$ 140,000
Celebration/Public Safety Fund	\$ 7,000
Fire	\$ 75,300
General Fund	\$ 628,820
Library Fund	\$ 194,940
2021A GO Fund	\$ 502,914
2021B GO Refunding	\$ 79,081
2022A Equipment GO	<u>\$ 29,666</u>
Total Final Levy	\$1,830,342

The City Administrator is hereby authorized to transmit a copy of this resolution to the County Auditor of Winona County, Minnesota.

Adopted this 27th day of December 2022 by the Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest: _____
Richard Almich, Interim City Administrator

**City of St. Charles
Resolution #55-2022**

**A RESOLUTION ESTABLISHING THE 2023 BUDGET
OF THE CITY OF ST. CHARLES, MINNESOTA**

WHEREAS, the proposed budget has been duly noticed and publicly examined by the City Council; and,

WHEREAS, the required truth-in-taxation hearing has been duly noticed and heard;

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

The Council of the City of St. Charles hereby resolves that the 2023 Budget of the City of St. Charles is established at \$9,632,377.00 is hereby approved.

The City Administrator is hereby directed to have on file and available for public inspection the executed “form” copy of the 2023 Budget.

Adopted this 27th day of December 2022 by the Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest: _____
Richard Almich, Interim City Administrator

Resolution #56-2022

A RESOLUTION APPROVING LIQUOR LICENSE

WHEREAS, the following business has applied to the City of St. Charles for a liquor license for the year 2023:

Whitewater Pub, 1148 Whitewater Avenue – On-Sale License

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

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

Adopted by the Council of the City of St. Charles, Minnesota this 27th day of December, 2022.

John Schaber, Mayor

Attest: _____
Rick Almich, Interim City Administrator

CITY OF ST. CHARLES

ORDINANCE NO. 2022-645

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA,
AMENDING CHAPTER 152 OF ITS CODE OF ORDINANCES ESTABLISHING MIXED
USE AS A PERMITTED USE IN THE CENTRAL BUSINESS DISTRICT

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

Section 1. § 152.02: DEFINITIONS.

MIXED USE DOWNTOWN: A building that includes a combination of office, retail, residential or commercial uses within one structure or building.

Section 2. § 152.22: CENTRAL BUSINESS DISTRICT.

(B) *Permitted principal uses.* The following uses shall be permitted:

(40) Mixed Use Downtown, subject to the following:

a. Exclusive of required entrances, the residential use may occupy no portion of the front 50% of the first story floor area along the front building line. For corner lots or lots that abut an alley, the standard shall be applied to one street frontage as determined by the Zoning Administrator.

b. Residential uses shall be provided separate entrances and separately identified parking stalls.

~~(40)~~ (41) Mortuary or undertaking establishments;

~~(41)~~ (42) Motels and hotels;

~~(42)~~ (43) Newsstands and tobacco shops;

~~(43)~~ (44) Offices, professional;

~~(44)~~ (45) Optical stores;

~~(45)~~ (46) Paint and wallpaper stores;

~~(46)~~ (47) Parking lots, ramps and garages other than those accessory to a principal use the parking and storage of private passenger vehicles only;

~~(47)~~ (48) Pet shops;

~~(48)~~ (49) Phonographs, record and sheet music stores;

~~(49)~~ (50) Photography studios;

~~(50)~~ (51) Physical culture and health services, reducing salons and masseurs;

- ~~(51)~~ (52) Public parks, pedestrian malls and recreation areas and structures;
- ~~(52)~~ (53) Post offices;
- ~~(53)~~ (54) Plumbing sales stores;
- ~~(54)~~ (55) Public safety and utility buildings and structures, community centers;
- ~~(55)~~ (56) Radio and television sales and repair stores;
- ~~(56)~~ (57) Restaurants, excluding drive-in restaurants;
- ~~(57)~~ (58) Schools: music, business, technical and vocational;
- ~~(58)~~ (59) Sewing machine sales and service shops;
- ~~(59)~~ (60) Shoe sales and repair shops;
- ~~(60)~~ (61) Sporting goods stores;
- ~~(61)~~ (62) Souvenir and rock shops;
- ~~(62)~~ (63) Stock and brokerage firms;
- ~~(63)~~ (64) Tourist information center and displays;
- ~~(64)~~ (65) Telephone and telegraph offices, telephone booths;
- ~~(65)~~ (66) Theater, excluding drive-in theaters;
- ~~(66)~~ (67) Ticket agencies;
- ~~(67)~~ (68) Travel bureaus and transportation ticket offices;
- ~~(68)~~ (69) Variety, gift, notion and soft good stores; and
- ~~(69)~~ (70) Vending machines which are coin or car operated, only when incorporated into a structure.

(D) *Conditional uses.* The following uses may be permitted subject to the issuance of a conditional use permit as provided in §152.43:

- ~~(3) Dwelling units where accessory and attached to a principal use as listed in division (B) above, or second floor dwelling units unsuitable for commercial use; and~~

Section 3. This Ordinance shall take effect thirty days after its publication.

Adopted this ____ day of _____, 2022 by the City Council of the City of St. Charles, Minnesota.

Mayor John Schaber

Attest:

Richard Almich, Interim City Administrator

First Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain _____

Second Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain _____

Published:

Date: _____

CITY OF ST. CHARLES

ORDINANCE NO. 2022-646

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA,
AMENDING CHAPTER 152 OF ITS CODE OF ORDINANCES EXEMPTING THE
CENTRAL BUSINESS DISTRICT FROM PARKING REQUIREMENTS

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

Section 1. § 152.41: REGULATIONS; GENERAL

(L) Off-street parking and loading-unloading space requirements.

- (1) *Parking space requirements.* The required parking and loading spaces shall be provided on the premises of each use. Each parking space shall contain a minimum area of not less than 300 square feet including access drives, and a width of not less than 9 feet, and a depth of not less than 20 feet. The minimum number of required off-street parking spaces for various uses shall be as follows: except for the Central Business District where all non-residential uses shall be exempt from the following parking requirements:

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

Adopted this ____ day of _____, 2022 by the City Council of the City of St. Charles, Minnesota.

Mayor John Schaber

Attest:

Richard Almich, Interim City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Published:

Date: _____

CITY OF ST. CHARLES

ORDINANCE NO. 2022-647

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA,
AMENDING CHAPTER 152 OF ITS CODE OF ORDINANCES RELATING TO
RESIDENTIAL PARKING REQUIREMENTS IN THE CENTRAL BUSINESS DISTRICT

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

Section 1. § 152.41: REGULATIONS; GENERAL

(L) Off-street parking and loading-unloading space requirements.

(1)(a) Apartments: 1-1/2 parking spaces for each apartment, except housing for the elderly projects, which shall provide 3/10 parking space for each dwelling unit; and any dwelling unit in the CBD district which requires 1 (one) designated parking stall per unit;

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

Adopted this ____ day of _____, 2022 by the City Council of the City of St. Charles, Minnesota.

Mayor John Schaber

Attest:

Richard Almich, Interim City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain _____

Published:

Date: _____

CITY OF ST. CHARLES

ORDINANCE NO. 2022-648

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA,
AMENDING CHAPTER 152 OF ITS CODE OF ORDINANCES ESTABLISHING SIZE
REQUIREMENTS FOR ACCESSORY STRUCTURES

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

Section 1. § 152.41: REGULATIONS; GENERAL

(C) *Accessory Buildings.*

(3) (a) A detached accessory building shall not be located in any required front yard. Detached accessory buildings in residential districts shall not exceed 1 story or 16 feet in height and shall not be greater than 1,000 square feet in area and cannot occupy more than 10% of the lot area. The total square footage of all detached accessory structures shall not be equal to or greater than the footprint of the principal structure.

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

Adopted this ____ day of _____, 2022 by the City Council of the City of St. Charles, Minnesota.

Mayor John Schaber

Attest:

Richard Almich, Interim City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Published:

Date: _____

CITY OF ST. CHARLES

ORDINANCE NO. 2022-649

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA,
AMENDING CHAPTER 152 OF ITS CODE OF ORDINANCES ESTABLISHING AN R-
4 MULTIPLE FAMILY APARTMENT ZONING DISTRICT

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

Section 1. § 152.19.5 – MULTIPLE-FAMILY APARTMENT DISTRICT.

- (A) Purpose. The R-4 District is intended to permit multi-family dwelling units of 12-40 units housed in one structure.
- (B) Permitted principal uses. Within an R-4 District, unless otherwise provided by this chapter, no building or land shall be used except for the following:
- (1) Apartment buildings consisting of 12-40 dwelling units.
- (C) Dimensional standards.
- (1) Maximum density of 16 units per acre.
 - (2) Front yard setback of at least 30 feet for the principal structure.
 - (3) Side yard setback of at least 10 feet, or 25 feet for corner side yards for the principal structure.
 - (4) Setbacks from structures in R-1, R-1M, R1-O districts shall be 30 feet from district lines.
 - (5) Rear yard setback of at least 30 feet for the principal structure.
 - (6) Maximum height of 45 feet.
 - (7) Building coverage shall not exceed 45% of the lot area.
 - (8) Shall provide 1.5 parking spaces per dwelling unit.
 - (9) Required parking shall have a 10 foot setback from any property line.
- (D) Performance standards.
- (1) Buildings shall be constructed of high-quality materials. Primary materials allowed are as follows:
 - (a) Brick
 - (b) Natural Stone
 - (c) Wood consisting of horizontal lap siding with a painted surface
 - (d) Precast concrete units and concrete block, provided that surfaces are molded, serrated or treated with a textured material.
 - (e) Transparent glass
 - (f) Vinyl or fiberboard siding
 - (g) Other materials as approved by the Planning Commission.
 - (3) The following materials are prohibited:

- (a) Plain or painted concrete block
- (b) Plain precast concrete panels
- (c) Prefabricated steel or sheet metal panels
- (d) Aluminum, fiberglass or asphalt siding.

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

Adopted this ____ day of _____, 2022 by the City Council of the City of St. Charles, Minnesota.

Mayor John Schaber

Attest:

Richard Almich, Interim City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Published:

Date: _____

2905 South Broadway
 Rochester, MN 55904
 Phone 507-288-3923



PARTIAL PAYMENT ESTIMATE
 FOR CONSTRUCTION WORK COMPLETED

Project: 2022 Sanitary Sewer Lining
 Project No.: 5985.22
 Location: St. Charles, MN
 Contractor: Visu-sewer

Bid Price: \$50,387.00
 Date: Nov. 16, 2022
 Estimate #: 1
 % Complete: 48%

Item No.		Contract Quantity	Unit	Unit Price	Quantity Completed Previous Estimates	Quantity Completed This Estimate	Quantity Completed to Date	Total
1	Mobilization	1	LS	\$3,000.00	0.00	1.00	1.00	\$3,000.00
2	Traffic Control	1	LS	\$500.00	0.00	1.00	1.00	\$500.00
3	8" Lining	924	LF	\$32.50	0	537	537	\$17,452.50
4	Heavy Cleaning	200	LF	\$1.00	0	0	0	\$0.00
5	Root Cutting	200	LF	\$1.00	0	200	200	\$200.00
6	Root Cut/Ream in Services	4	EA	\$900.00	0	0	0	\$0.00
7	Cut Intruding Taps	4	EA	\$280.00	0	4	4	\$1,120.00
8	Reinstate 4"/6" Service	17	EA	\$150.00	0	8	8	\$1,200.00
9	Air Test Service	17	EA	\$510.00	0	0	0	\$0.00
10	Grout Failed Service	17	EA	\$1.00	0	0	0	\$0.00
11	Pre- and Post-Lining Televising Records	1	LS	\$500.00	0.0	1.0	1.0	\$500.00

Subtotal \$23,972.50
 Less 5% Retainage \$1,198.63
 Less Previous Payments \$0.00
Net Payment this Estimate \$22,773.88

ST. CHARLES
REQUEST FOR CITY COUNCIL ACTION

Meeting Date: December 27, 2022

General: X

Department: EDA

Item Requested: Approval of Commercial Rehab Fund Request

_____

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Summary of the Issue

Existing commercial building owner has requested a forgivable loan from the EDA Commercial Rehabilitation Fund

Background

The applicants would like to make significant long-term improvements to their buildings to enhance their business.

Based on the Committee's review of the documentation, they determined the project for the Good Sport Bar and Grill building met the eligibility requirements of the St. Charles Commercial Rehabilitation Fund. The funds will be used towards replacing the awnings on both sides of the building. The total project costs were \$10,800 therefore the request is \$5000. Because the project meets all eligibility requirements for the program and there is remaining 2022 funding in the program, Council's approval would be contingent on final review by the EDA at their next meeting.

Funding

Approval will require \$5000 from the EDA Funds. Council action will serve to authorize the loan. Loan will be structured as a 5 year forgivable loan with 20% forgiven each year.

Recommendation

The EDA approved by motion, the following recommendations:

1. To approve Request # _____ contingent on final review by the EDA as requested and described above.
2. To authorize the staff to prepare all necessary loan documents.