



The City Council of the City of St. Charles welcomes you to its Regular Meeting of Tuesday, August 10, 2021 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. August 10, 2021 Agenda | APPROVE |
| 4. Meeting Minutes
-July 13, 2021 | APPROVE |
| 5. August Payables | APPROVE |
| 6. Notices and Communications (if applicable) | INFORMATION |
| 7. Reports of Boards and Committees: | INFORMATION |
| 7a. Administrator's Report, Nick Koverman | |
| 7b. Public Works Superintendent Report, Kyle Karger | |
| 7c. Chief of Police Report, Jose Pelaez | |
| 7d. Library Board Report, David Kramer (TBD) | |
| 7e. Park Board, Dave Braun (TBD) | |
| 7f. Planning & Zoning, Wayne Getz | |
| 7g. School Board, John Steffel (TBD) | |
| 8. Public Hearing-Nuisance Abatement 943 Wabasha Ave. | HOLD |
| 9. Resolution #38-2021 Abatement of Nuisance-943 Wabasha Ave. | DISCUSS/APPROVE |
| 10. Resolution #37-2021 Preliminary Plat-Pine Ridge Second | APPROVE |
| 11. Ordinance #633 Utility/Drainage Easement Vacation-South
Fork Addition (First Reading) | APPROVE |
| 12. Police Sergeant-Internal Posting | APPROVE |
| 13. Police Department Patch Design | APPROVE |
| 14. Resolution #39-2021 Accepting a Donation-Bremer Bank | APPROVE |
| 15. Ambulance Hiring—EMTs/EMRs | APPROVE |
| 16. Pay Request No. 2—Zenke (Chattanooga Pond) | APPROVE |
| 17. Pay Request No. 4—Maguire Iron, Inc. (Water Tower) | APPROVE |
| 18. Pay Request No. 2—Zenke (Chattanooga 2 nd) | APPROVE |
| 19. Pay Request No. 1—Snow Contracting (Trails) | APPROVE |
| 20. 2021 Glad Days Schedule | APPROVE |
| 21. Fall Park & Rec Brochure | APPROVE |
| 22. Accept Resignation of JD Purl –P&Z, Public Works, Public Safety | APPROVE |
| 23. 2022 Budget Process | INFORMATION |

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

Please Note: Some or all councilmembers may participate by telephone or other electronic means as permitted through Minn. Stat. 13D.021.
To attend the conference call please dial 1-320-460-1726 and the
conference ID: 412 683 142#



MEMORANDUM for the CITY COUNCIL of St. Charles for
Tuesday, August 10, 2021

- 8. Public Hearing-Nuisance Abatement 943 Wabasha Avenue.** A public hearing will be held.
- 9. Resolution #38-2021 Abatement of Nuisance-943 Wabasha Avenue.** Please find the enclosed resolution for consideration.
- 10. Resolution #37-2021 Preliminary Plat-Pine Ridge Second.** Please see the enclosed resolution for consideration.
- 11. Ordinance #633 Utility/Drainage Easement Vacation-South Fork Addition (First Reading).** A first reading of the proposed vacation will be held.
- 12. Police Sergeant-Internal Posting**—Please see the enclosed Request For Council Action.
- 13. Police Department Patch Design.** Chief Pelaez will present a proposed redesign of the department patch. The former patch has been active for over 10 years and would be retired.
- 14. Resolution #39-2021 Accepting a Donation-Bremer Bank.** Enclosed is a resolution for consideration. Staff have been working with Bremer Bank over the years to potentially partner on the addition of parking space for City Hall. Potentially, approximately 12 additional spaces can be added for events at City Hall and the green space.
- 15. Ambulance Hiring—EMTs/EMRs.** Please see the enclosed Request For Council Action.
- 16. Pay Request No. 2—Zenke (Chattanooga Pond).** Please see enclosed request.
- 17. Pay Request No. 4—Maguire Iron (Water Tower).** Please see enclosed request.
- 18. Pay Request No. 2—Zenke (Chattanooga 2nd).** Please see enclosed request.
- 19. Pay Request No. 1—Snow Contracting (Trails).** Please see enclosed request.
- 20. 202 Glad Days Schedule.** The Park Board will be reviewing the Glad Days schedule for approval at their Monday meeting.
- 21. Fall Park & Rec Brochure.** Park Board will be reviewing the Glad Days schedule for approval at their Monday meeting.
- 22. Accept Resignation J.D. Purl**—P&Z, Public Works, Public Safety.
- 23. 2022 Budget Process.** Please find the enclosed budget process/timeline.

MINUTES of the ST. CHARLES CITY COUNCIL
for Tuesday, July 13, 2021 held at 6:00 p.m. at
830 Whitewater Avenue,
St. Charles, Minnesota

MEMBERS PRESENT:

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

Note: Due to COVID-19 pandemic, Council previously authorized a local emergency resolution allowing the use of teleconferencing to observe Governor Tim Walz Executive Order 20-20, which called for sheltering in place.

STAFF PRESENT: Mike Flaherty, (City Attorney-Flaherty & Hood) Nick Koverman (City Administrator).

OTHERS IN ATTENDANCE(Others via teleconference unless noted): Andrew Buck (GGG Engineering), and Larry and Jessica Sholes.

1. ESTABLISH QUORUM/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 the agenda.
Motion to approve: **Wayne Getz**
No further discussion.
Motion carried.

4. Meeting Minutes

June 8, 2021
Motion to approve: **John Steffel**
No further discussion.
Motion declared carried.

June 22, 2021
Motion to approve: **David Kramer**
No further discussion
Motion declared carried.

5. July Payables. No questions were asked.

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

6. Notices and communications: Admin. Koverman highlighted a discussion that was brought to the city's attention following a response call whereby County services had a difficult time finding an address on East Lane Street. Through discussion with the Winona County GIS, Auditor-Treasurer, Recorder's Office, Law Enforcement Center and the Highway Department, it was recommended that because East Lane *Street* was inconsistent and nonstandard, for clarity purposes and safety, the word street should be dropped from the name. In talking with Bob Bambenek the County Recorder, he also recommended

approval of this change. Admin. Koverman relayed that in the utility billing system it was already listed as East Lane and dependent on the search conducted, most time it was East Lane only. A letter was also generated that would be sent to the nine affected residents as well as a letter to the County Recorder's Office. Street signs would also be ordered. Mayor Schaber called for a motion to approve the change to delete "Street" from East Lane and the letters to be sent.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

7. Reports of Boards and Committee:

Various reports were given.

9. Resolution #32-2021 Approving Final Plat-South Fork Additions Third. Admin. Koverman relayed the discussions that took place at the Planning & Zoning Commission meeting July 8th. One of the primary area of concerns related to a private drainage easement behind Lots 1-6. P&Z relayed questioned how homeowners would be relayed that the private 25 foot drainage easement would be relayed to future homeowners and that the easement would not be disturbed and that no building or construction or filling would take place. In talking with Bob Bambenek, the County Recorder, he had offered an option with proposed language for a Natural State Area that could be placed on the plat. This would protect that area and signify on the plat and deed this restriction. Through reading the language submitted, which was also submitted to the owner's engineers and the owner, the idea accomplished what was expressed as a concern. However, Clm. Kramer questioned if it was too restrictive and didn't allow the homeowner to mow the area, which was not our intent. Admin. Koverman relayed that he would recommend approval of the plat contingent on, first providing all of the documentation necessary outlined in the development agreement and the recording of the plat, but that he had arranged a call with the city attorney to review the idea. He relayed that he would look to receive that review of both the process and language and would move forward if agreeable to the city attorney, indicating though that there may be changes. Mr. Buck understood and agreed that he would relay that to the owner, but felt this made sense. A motion was made to approve Resolution #32-2021 contingent on the final approved language and process by the city attorney in addition to the required documents and items being submitted.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

10. Resolution #33-2021 Approving Development Agreement – Whitewater Properties, INC. Admin. Koverman relayed that since it has been a long time since a development of this size has been reviewed in St. Charles, he reached out to legal counsel as far as a development agreement. In working with Flaherty & Hood and WHKS, several templates were reviewed and staff agreed to follow the form provided by the City Attorney. He relayed that to provide city taxpayers and the City additional assurances, various provisions were included as protections. The purpose of the agreement was to outline expectations and requirements by developers. He called out several provisions including requirements for securities/warranties for 2 years for the work performed as well as a security in form of a letter of credit or cash escrow during the construction. He also outlined how stormwater facilities were being proposed to be maintained as this has been an issue in past developments. In addition to engineering administration costs, construction observation costs were additional fees that would be borne by the developer. As part of past conversations, water and sewer availability charges were being deferred along with parkland dedication. Page 25 of the agreement outlined all of the required cash payments due to the city as well. Admin. Koverman noted that whatever changes to the plat were requested, would also be highlighted in the development agreement and would be amended. Hearing no other questions, a motion to approve resolution #33-2021 approving the development agreement with the forthcoming language additions with respect to the stormwater drainage piece discussed as part of approval of Resolution #32-2021 was moved.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

11. Pay Request No. 3. –Water tower-Maguire Iron, Inc. The pay request was reviewed by WHKS and recommended for approval in the amount of \$96,425.00. A motion was made to approve the request.
Motion to approve: **David Kramer**
No further discussion.
Motion carried.

12. Pay Request No. 1 Chattanooga Pond-Zenke. A pay request for Zenke, Inc. was reviewed by WHKS and recommended for approval in the amount of \$75,245.22. Hearing no other questions, a motion was made to approve the request.
Motion to approve: **John Steffel**
No further discussion.
Motion carried.

13. Pay Request No. 1 Chattanooga 2nd Addition-Zenke. A pay request for Zenke, Inc. was reviewed by WHKS and recommended for approval in the amount of \$254,561.47. Hearing no other questions, a motion was made to approve the request.
Motion to approve: **Wayne Getz**
No further discussion.
Motion carried.

14. Pay Request No. 2 Sidewalks-Chippewa Concrete. A pay request for Chippewa Concrete was reviewed by WHKS and recommended for approval in the amount of \$534,091.67. Hearing no other questions, a motion was made to approve the request.
Motion to approve: **David Kramer**
No further discussion.
Motion carried.

15. Resolution #35-2021 Limited Use Permit-MnDOT. Admin. Koverman relayed that he received the request to update our limited use permit for the city sign located on the I-90 corridor. This gives the city permission to keep and utilize the existing sign. A motion was made to approve the resolution as presented.
Motion to approve: **Wayne Getz**
No further discussion.
Motion carried.

16. Resolution #36-2021 Accepting ARPA Funds-Assurances of Compliance with Civil Rights and U.S. Dept. of Treasury Award Terms and Conditions. Admin. Koverman relayed that the provided resolution was recommended by the League of MN Cities. The final amount of the funds is not known at this time, but it was recommended to approve the resolution and related supported documents in order to receive the funding. The City has until December 31, 2024 to expend the funds and more details on permitted uses of the funds are being released. He relayed that he would recommend moving cautiously on the determination of the funds, but that he was also having conversations with County partners as potential partnerships especially as it relates to housing and the need in Winona County. Hearing no further questions, a motion was made to approve the resolution as presented.
Motion to approve: **David Kramer**
No further discussion.
Motion carried.

17. SMIF Small Town Grant Application. Admin. Koverman highlighted the proposed grant that he had worked on with a member of the WOW committee as well as John Steffel, president of the Lions. The grant request would be for \$1,777.00 for four large flower planters for the corners of 11th and Whitewater. The required 25 percent cost match would be paid for by the Lions and the WOW/Farm to Table group. It was agreed that this could be the impetus for additional planters through memorials or donations and also help to spur volunteerism for the Lions to help with the watering project. A motion to approve the grant application submission was moved.
Motion to approve: **John Steffel**

No further discussion.
Motion carried.

9. Nuisance Violations-943 Wabasha Avenue. Mike Flaherty of Flaherty & Hood was present via teleconference. After sending the property owner of 943 Wabasha Avenue a corrective action letter to clean up the property of the various items and the property still not being in compliance, Mr. Flaherty met with staff to discuss next steps which include citation and abating the nuisance. He briefly outlined for Council the necessary steps to abate the nuisance and after reviewing the options and potentials costs, Council agreed that pursuing both options was necessary at this time. A motion to direct the city attorney to work with staff to pursue nuisance abatement and citing the property owner was motioned.

Motion to approve: **John Steffel**

No further discussion.

Motion carried.

Unscheduled Public Appearances. Jessica Sholes at 407 Whitewater addressed the Council to relay that they were planning to receive final numbers of the damage estimate for the tree that fell on their house. She relayed that her and her husband understand it was an accident, but relayed that the process has required them to take off of work and created stress. She appreciated everything the city was doing, but wanted to share that information.

18. Administrator's Review—Minn. Stat. 13D.05 Subd. 3(a). Mayor Schaber read a statement regarding the matter of the administrator review and that the meeting would be closed pursuant to Statute 13D.05 Subd. 3(a). He called for a motion to close the regular meeting.

Motion to close at 6:48 p.m.: **David Kramer**

No further discussion.

Motion carried.

The session was opened at 6:56 p.m. on a motion: **John Steffel**

No further discussion.

Motion carried.

Only Administrator Koverman was present at the time.

A motion to close the closed session and go into open session was moved at 7:35 p.m.

Motion to approve: **John Steffel**

No further discussion.

Motion carried.

Motion to adjourn at 7:36 p.m.: **Wayne Getz**

No further discussion.

Motion carried.

ATTEST

John Schaber, Mayor

Nick Koverman, City Administrator



City Administrator's Report—July 2021

July 1—Met with WOW representative to discuss SMIF grant application.

July 8—Met with business representative for Amazon to discuss our account. Met with Southeast Service Cooperative representative to discuss potential healthcare options for the city.

July 12—Cris Gastner and I met with Winona County Commission Steve Jacob to discuss potential County partnership and initiatives surrounding housing challenges.

July 13—Attended a start up group of the SE MN Suicide Prevention Coalition that will help Veterans. The meeting was to learn more about the group's intentions and structure.

July 14—Attended the UMMEG quarterly meeting via phone conference.

July 15—Cris Gastner and I met with potential business owners looking at St. Charles.

July 19—Attended the Professional Leadership Growth development group.

July 20—Mike Bubany met with Melissa to review TIF reporting.

July 21—Held a conference call with Ambulance scheduling program, Aladtec. Held a phone conference with MNDOT representatives to continue discussions on high school access and speed zone options. Attended Friends of whitewater meeting.

July 23-30—vacation.

City of St. Charles Police Department

Chief – Jose Pelaez #601

830 Whitewater Avenue

St. Charles, MN 55972

(507) 932-8020 · (507) 932-8701 FAX



August 10, 2021

- July 2nd, Officers participated in the Hwy 14 Border-to-Border Speed Saturation Campaign. The campaign is one of the initiatives from the Minnesota Towards Zero Deaths (TZD) Program to reduce traffic fatalities in the State. On that day, our Officers conducted 18 traffic stops, gave 8 warnings, and issued 3 citations for speed.
- July 3rd, Officers assisted with traffic control during the Whitewater Kids Triathlon. No incidents were reported.
- July 4th, St. Charles Officers and the Minnesota State Patrol assisted with vehicle and pedestrian traffic during the 4th of July Fireworks display. No incidents were reported.
- Jul6 6th – July 11th, Officers provided security at the Winona County Fair and noticed several safety concerns specifically related to the trailer races. These concerns involved the consumption of alcohol in the pits area, intoxicated race-car drivers, non-pit-crew individuals allowed into the pit areas to watch the races, including children in strollers, lack of adequate protective barricades in certain sections of the racetrack, not enough staff to monitor safety in the pits area, and overcrowding. I, along with Winona County Sheriff, Ron Ganrude, Winona County Emergency Management Director, Ben Klinger, and heads of emergency services attended the County Fair Board meeting on July 26 and expressed these and other safety concerns to the board. We also suggested ways to improve public safety at future county fairs. The Winona County Fair Board appeared to be receptive to our concerns and recommendations and will be creating a safety committee to further address our concerns.
- July 14, we spoke with members of the youth groups of GRAB (Girls Reaching Above and Beyond) and FORCE (Focus, Overcome, Respect, Connect, Excel) and talked about a career in law enforcement. We answered questions about the police job application process, education paths, and general police work. GRAB and FORCE are youth programs spearheaded by Project FINE to help youth from refugee and immigrant families develop the skills needed to adapt and prosper in their new communities, gain knowledge of the education system, and help them pursue their goals.
- July 26th, hosted Sgt. Tyler Struck with the Minnesota State Patrol who taught a Speed Radar Re-Fresher Class to our officers. This training is not mandated by the POST Board; however, it will enhance our officers' ability to perform proactive speed enforcement, it will better prepare them to testify in court, and ultimately, it will help us make our roadways safer.

"Proud to Serve"



City of St. Charles Police Department

Chief – Jose Pelaez #601

830 Whitewater Avenue

St. Charles, MN 55972

(507) 932-8020 · (507) 932-8701 FAX



- July 28th, Officer Hewitt and I participated at Story Time at the St. Charles Library and read books for the kids in attendance.
- July 30th, Officers of this department completed their yearly POST mandated 50-rounds Rifle Qualification Course.
- Through the month, Officers conducted targeted speed enforcement in the area of Sunset Dr. and Hillcrest Dr. due to a resident's complaint on vehicles speeding in the area while kids are present. The fastest speed observed by our officers was 28MPH in a 30MPH zone. The concern resident also recommended lowering the speed limit city-wide.

Respectfully submitted,

Chief, Jose Pelaez

"Proud to Serve"



PUBLIC WORKS REPORT – July 2021

- Utility locates, monthly rubber goods, new primary riser and transformer basement on east ave; installed new street light pole on 13th st; working with safety instructor and electrical engineer on substation settings & correlation with solar farm; Installed new three phase junction on east 7th & swimming pool; substation and power plant reports; ran cities 40 small gensets; replaced a bad water valve; worked on checking electrical phasing and map updates; installed 20 street lights 13th and Morse & 7th and Richland; pulled old wood poles behind rest home and faith Lutheran church and power outage at Doane Grain / replaced blown fuse.
- Covered service wire at 1336 Wabasha for roofing crew, replaced old poles on east ave line; relabeled transformers; replaced fuse; cutout and pole transformer from lighting strikes on Wabasha Ave; Tested grounds and hot line sticks; hooked up electric service at 106 E 15th St; isolated electric primary from pole to pole for house burn on west 12th; Water city trees; water grass behind City Hall; cones and barricades to pool for triathlon; swept streets; hung street banners; reinstalled street lights & signs for sidewalk project; dropped electric service for house burn; installed new pump meter at swimming pool; cleaned up concrete and racks by city shop and reconnected electric at lot 7 Lawrence Ln.
- Help Mi-Energy install electrical data logger at swimming pool to check voltage fluctuations; reset Bozo dialer in well 5 and also lift station on Hwy 14; hooked up service at 626 Manheim dr; repair underground service at 830 church Ave; Fairground meter reads for City Hall; electric meter disconnects; customer half-power – installed overhead temp service; meet electrician 53 church ave – new breaker needed; emergency locate for gas; checked damaged wire hit by Century Link; splice new underground repair wires on E 15th st; worked on gravel alleys; haul dirt to retaining wall on whispering hills; Put up no parking signs for Fair; clean up after fireworks on whispering hills; repair two storm pipes on east 5th St; checking inventory for catch basin repairs; took down temporary fence at Braun's; repaired two catch basins; back dragged alleys; and dug up repaired water service 3rd & Church.
- Repaired catch basin on east ave & 7th st; Stained wood poles for deck lighting behind City Hall; reinstalled street signs; installed 20 stop signs at Loves truck stop; new air filters & checked lights at City Hall and Library; Swept streets; Cut branch above City sidewalks; repaired leak in well 3; finals for City Hall; flushed and exercised well 4; tested valves before new industrial park expansion; repaired chlorine injector in well 3; repaired culvert on church ave. worked on curb stop map; water samples; checked booster and lift stations checked for water leak at Johnstons; cleaned water truck; repaired curb stops; did property pins; fence permits & lot descriptions read meters & raised Conlin curb stop; 106 east 15th dug wire; weed sprayed park and park & ride lots; charged new water main at high school; and handed out late slips.

Sincerely,
Kyle Karger, Director of Public Works

**CITY OF ST. CHARLES
RESOLUTION #38-2021**

**FINDINGS, CONCLUSIONS AND ORDER
OF ST. CHARLES CITY COUNCIL ON HEARING REGARDING NUISANCE
CONDITIONS AT 943 WABASHA AVENUE, ST. CHARLES, MN 55972**

WHEREAS, the property at 943 Wabasha Avenue, St. Charles, MN 55972 (the "Property") is owned by Stephen Conlin (the "Owner"); and

WHEREAS, the St. Charles Police Department personally served a formal notice on the Owner on June 11, 2021 notifying the Owner of certain nuisance conditions existing at the Property and requiring abatement of those nuisance conditions no later than June 30, 2021; and

WHEREAS, the St. Charles Police Department served the Owner with a notice of the City's intent to hold a public hearing before the St. Charles City Council on August 10, 2021, that the City would consider issuing an order to abate the nuisance conditions on the Property, and the City's intent to pursue civil and criminal enforcement against the Owner if the nuisance conditions are not abated. The notice letter was dated and personally served on the Owner on August 3, 2021 and is attached hereto and incorporated herein by reference as **Exhibit A**; and

WHEREAS, the St. Charles Police Department visually inspected the Property on August 6, 2021 and confirmed the following nuisance conditions remain at the Property:

1. The exterior of the Property contains an abundance of garbage in violation of in St. Charles City Code Sections 90.15(A), 90.18(P) and 90.20(B)(3).
2. The exterior of the Property contains an abundance of old tents, junk, debris, and construction material in violation of St. Charles City Code Sections 90.15(A), 90.18(P) and 90.20(B)(3).
3. The exterior of the Property contains a junk vehicle that is clearly not operable, contains graffiti painted on the sides of the vehicle, and does not have license plates affixed in violation of St. Charles City Code Sections 90.15(A), 90.18(P) and 90.20(B)(3); and

WHEREAS, photographs of the nuisance conditions at the Property are attached hereto and incorporated herein by reference as **Exhibit B**; and

WHEREAS, St. Charles City Code Section 90.23(B) provides the following abatement procedures available to the City:

(B) Procedure.

(1) Whenever a peace officer or designated person determines that a public nuisance is being maintained or exists on the premises in the city, the officer or person designated shall notify in writing the owner of record or occupant of the premises of the fact and order that the nuisance be terminated or abated.

(2) The notice of violation shall specify the steps to be taken to abate the nuisance and the time within which the nuisance is to be abated. If the notice of violation is not complied with within the time specified, the officer or designated person shall report that fact forthwith to the City Council.

(3) Thereafter, the City Council may, after notice to the owner or occupant and an opportunity to be heard, determine that the condition identified in the notice of violation is a nuisance and further order that if the nuisance is not abated within the time prescribed by the City Council, the city may seek injunctive relief by serving a copy of the City Council order and notice of motion for summary enforcement or obtain an administrative search and seizure warrant and abate the nuisance.

; and

WHEREAS, St. Charles City Code Section 90.24 provides the following regarding personal liability of the Owner:

(A) Personal liability. The owner of premises on which a nuisance has been abated by the city shall be personally liable for the cost to the city of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the Deputy Clerk or other official shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the Deputy Clerk.

; and

WHEREAS, all required notices have been made regarding the public hearing on August 10, 2021 at 6:00 p.m. at the City Council Chambers at City Hall, and said notices were duly made to the Owner by personal service.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, MINNESOTA, that based upon the record, testimony and evidence presented at said hearing, the City Council makes the following:

FINDINGS

1. A list of the persons testifying at the public hearing on August 10, 2021 is attached hereto as **Exhibit C**.
2. The Owner owns the property at 943 Wabasha Avenue, St. Charles, Minnesota.
3. On August 6, 2021 St. Charles, Minnesota Police Chief Pelaez visually inspected the Property and observed the following nuisance conditions:
 - a. Garbage and other junk are located on the exterior of the Property
 - b. Multiple tents are erected at the Property with junk materials located in and around the tents.

- c. A junk vehicle with sprayed graffiti exists on the exterior of the Property.
4. The photos contained in **Exhibit B** accurately represent the current state of the Property.
5. Notice letters informing the Owner of the finding of nuisance conditions were served on the Owner on June 11 and August 2, and the nuisance conditions have not been abated as of the date of this Order. The Owner was personally served with notice of the public hearing on August 10, 2021.
6. The conditions depicted in the photos in Exhibit B constitute a public nuisance pursuant to St. Charles City Code §90.15(A), §90.18(P) and §90.20(B)(3).
7. The City may order the nuisance conditions at the Property abated and may enter the property pursuant to this Order or an administrative search and seizure warrant.
8. The Owner is responsible to pay the City's costs in enforcing this Order, including the costs of abatement of the nuisance conditions and administrative costs.
9. Any amount of costs of abatement, including administrative costs, billed to the Owner that go unpaid may be assessed against the Property pursuant to St. Charles City Code §90.24(b) and Minn. Stat. §429.061.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, MINNESOTA, that based upon the record, testimony and evidence presented at said hearing and the above findings, the City Council makes the following:

CONCLUSIONS AND ORDER

1. That the conditions observed by the City of St. Charles Police Department and depicted in the photographs incorporated herein as **Exhibit B** constitute a public nuisance under St. Charles City Code §90.15(A), §90.18(P) and §90.20(B)(3).
2. That this Order shall be served on the Owner in a manner described in City Code Chapter 90 or by personal service.
3. **The Owner shall immediately abate the nuisance conditions described in paragraph 2(a) through (c) of the Findings contained herein.**
4. That if the nuisance conditions remain on the Property seven (7) days after this Order is served, the City Administrator, City Police Chief, and City Attorney shall take all necessary steps to enter onto the Property and abate the nuisance conditions, including but not limited to hiring contractors or other consultants to perform the work necessary for abatement, to dispose or store any junk or property in an appropriate manner, and to obtain an administrative search and seizure warrant as may be necessary.

5. That the City Administrator shall charge all costs of abatement against the Owner, including administrative costs, and to include any unpaid balances of the costs charged on the Owner in a special assessment process pursuant to Minn. Stat. §429.061.

Dated this 10th day of August, 2021

Mayor John Schaber

Attest:

Nick Koverman, City Administrator

EXHIBIT A

August 2, 2021 Notice Letter Follows this Page

City of St. Charles
830 Whitewater Avenue
St. Charles, MN 55972

Phone (507) 932-3020
FAX (507) 932-5301

www.stcharlesmn.org



MAYOR: JOHN SCHABER, COUNCIL: DAVID BRAUN, WAYNE GETZ, DAVID KRAMER, JOHN STEFFEL ADM.: NICK KOVERMAN

August 2, 2021

Stephen Conlin
943 Wabasha Avenue
St. Charles, MN 55972

VIA PERSONAL SERVICE

Re: NOTICE AND ORDER TO TERMINATE AND ABATE NUISANCE –
IMMEDIATE CORRECTIVE ACTION REQUIRED: City Ordinance Violations at
943 Wabasha Avenue, St. Charles, MN 55972

Dear Mr. Conlin,

I am writing to inform you that the St. Charles City Council will hold a public hearing regarding the nuisance conditions at your property located at 943 Wabasha Avenue (the "Property") on August 10, 2021 at St. Charles City Hall. The Council will also address an order to abate those nuisance conditions pursuant to St. Charles, MN Code Section 90.23 and 90.24. A description of the nuisance conditions on the Property, what must be done by you to avoid enforcement actions, and the City's authority to forcibly abate the nuisance conditions are described in the remainder of this letter.

Police Chief Pelaez previously served you with a notice letter drafted by the City Attorney on June 11, 2021. Pursuant to City Code Section 90.23, this letter serves as an additional notice and an order to you to immediately terminate, abate and correct the City Code violations and nuisance conditions that exist on the Property identified herein.

I. Relevant Code Provisions

The following provisions of City Code have been violated with respect to the Property:

City Code Section 90.15 (A)

"Whoever by his or her act or failure to perform a legal duty, intentionally does any of the following, is guilty of maintaining a public nuisance, which is a misdemeanor: (A) Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals comfort or repose of any considerable number of members of the public."

City Code Section 90.18 (P)



“Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies or other material in a manner conducive to the harboring of rats, mice, snakes or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health or safety hazards from accumulation;”

City Code Section 90.20(B)(1)

“The unsheltered storage of unused, stripped or junked automobiles not in good and safe operating condition, and of any other vehicles, machinery, implements, equipment, junk or personal property of any kind which is no longer safely usable for the purposes for which it was manufactured is hereby declared to be a nuisance.”

Section 90.20(B)(3) defines “junk” as, “worn out or discarded material of little or no value including, but not limited to, household appliances or parts thereof, tools, discarded building materials, tin cans, broken glass, broken furniture, mattresses, box springs, boxes, crates, cardboard, tires or any other unsightly debris the accumulation of which has an adverse effect upon neighborhood or city property value, health, safety or general welfare.”

II. Nuisance Conditions Present at 943 Wabasha Avenue

1. There are full garbage bags, old furniture, old tents, brush, debris, and unused and discarded household goods and construction materials on the property. These materials are defined as “Junk,” under Section 90.20(B)(3) of the City Code. As such, the presence of these materials constitutes a nuisance.
2. There is a junk vehicle parked at the property. The vehicle is clearly inoperable. Vehicle is a white Jeep Grand Cherokee-Laredo with no license plates and multiple graffiti that appears to have been spray painted, all over the vehicle (one of the graffiti states “Don’t tell the wife I’m here”). Additionally, the vehicle is missing the front bumper and is extensively damaged.

III. Corrective Actions Required

If you wish to avoid enforcement actions by the City, please correct and abate the City Code violations and public nuisance conditions on the Property by doing the following:

1. Clean up the garbage located on the Property;
2. Remove all junk, debris, construction materials, tents and similar items from outdoor areas;
3. Remove the white Jeep Grand Cherokee-Laredo with no license plates and multiple graffiti that appears to have been spray painted all over the vehicle (one of the graffiti states “Don’t tell the wife I’m here”).

In the event you need more information regarding the needed correction action, you may call the City Police Chief Jose Pelaez to discuss the issues as the Property.

IV. Enforcement Action

The St. Charles City Council will conduct a public hearing to consider the above-described violations of the zoning code at its regular City Council meeting **on August 10, 2021, at 6:00 p.m. at St. Charles City Hall.**

This public hearing is your opportunity to be heard on this matter and to present any evidence or arguments you believe the City Council should consider regarding the above-described ordinance violations. Should the City Council issue an Order that you do not comply with, the City Police Department will enter your property to correct the violations pursuant to St. Charles Code Section 90.23(B)(3). If you cannot attend the public hearing, you can mail me a letter that explains your position on this matter, and I will forward the same to the City Council for their review and consideration.

Pursuant to St. Charles Code Section 90.24, you are personally liable for the costs of abatement of the nuisance conditions at the Property, including administrative costs. Any costs incurred by the City to enforce the relevant code violations described herein will be charged to you and any unpaid charges will be assessed against the Property.

Please take notice that pursuant to City Code Section 10.99, each day that nuisance conditions persist at the Property constitute a separate criminal violation. The City will also issue a criminal citation to you and may issue additional citations if the condition at the Property persists.

Feel free to contact me with any questions or to discuss this matter.

Sincerely,



Nick Koverman
St. Charles City Administrator

cc: Michael Flaherty, City Attorney
Jose Pelaez, City Police Chief

EXHIBIT B

Photos of Nuisance Conditions Follow this Page

**Request for City Council Action**

Date: Aug. 5, 2021

Requested Council Date: Aug. 10, 2021

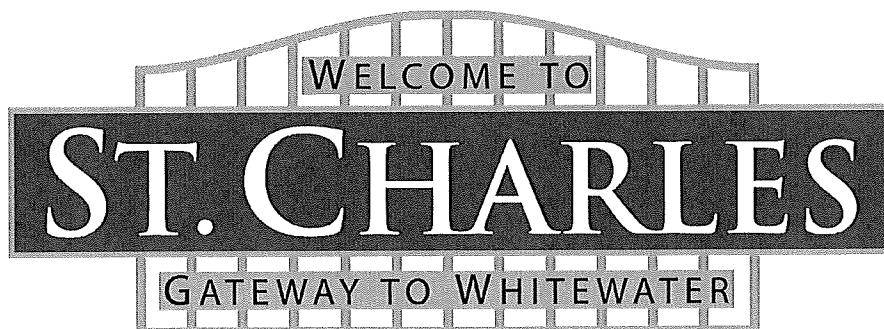
Originating Department: Police Department

Council Action Requested: Internal Posting—Police Sergeant

Background Information: With Officer Kyler Nesbit hired and now working full-time, the department is looking to fill the vacant Police Sergeant position in order to maintain a chain of command structure in addition to providing an overnight supervisor. The Police Sergeant position is an integral part of operations and serves as the Chief of Police's second in command.

Chief Pelaez feels confident that within the department, there are many qualified candidates and he would like to promote one of the existing personnel to the position he formerly held himself.

It is requested to post the position until Wednesday, September 1, 2021. An interview committee will be sought and it is the desire to bring a recommendation for the September 14th Council meeting, if possible.





**CITY OF ST. CHARLES, MINNESOTA
RESOLUTION #39-2021**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST.
CHARLES, MINNESOTA, APPROVING THE DONATION OF REAL PROPERTY IN
ST. CHARLES, MINNESOTA, AND DISPENSING WITH REVIEW OF THE
DONATION BY THE ST. CHARLES PLANNING COMMISSION**

WHEREAS, Bremer Bank, National Association, desires to donate to the City of St. Charles (City) certain real property located in St. Charles, Minnesota, legally described as:

**Part of Lots 3, 6 and 7, of Block 47, ORIGINAL PLAT of St. Charles
and of IVES & FOX'S ADDITION to St. Charles, described as
follows:**

**Commencing at the Southeasterly corner of said Lot 3; thence
Northerly and along the Easterly line of said Lot 3 a distance of 16
feet to the place of beginning; thence at right angles Westerly a
distance of 45 feet; thence at right angles Southerly a distance of 58
feet; thence at right angles Westerly a distance of 10 feet; thence at
right angles Southerly a distance of 134.7 feet; thence at right angles
Easterly a distance of 55 feet; thence Northerly at right angles and
along the Easterly line of said Lots 7, 6 and 3, a distance of 192.7 feet
to the point of beginning.**

, referred to herein as the "Property"; and

WHEREAS, the Property contains .226 acres, which after acceptance of the donation by the City will become the City's property to operate and maintain in the future; and

WHEREAS, a draft quit claim deed has been prepared and is attached hereto as Exhibit A; and

WHEREAS, Minnesota Statutes, Section 465.03 provides that the City may accept a grant of real property and maintain the same for the benefit of its citizens in accordance with the terms prescribed by the Donor, and that acceptance of such grant is subject to a resolution of the City Council adopted by a two-thirds majority of its members, expressing the terms of the grant in full; and

WHEREAS, Bremer Bank is expressly donating the Property to the City contingent on the City allowing the bank to use a portion of the vacant lot to store excess snow during the winter months so long as Bremer Bank owns the adjacent parcel of land (Winona County Parcel Id 29.060.2830); and

WHEREAS, the City and Bremer Bank, National Association, expressly understand and agree that the donation of the Property is contingent upon approval by the City Council of the City of St. Charles; and

WHEREAS, Minnesota Statutes, Section 462.356, subdivision 2 states that no publicly owned interest in real property within a city shall be acquired or disposed of until after the planning commission has reviewed the proposed acquisition or disposal and reported in writing to the city council its findings as to compliance of the proposed acquisition or disposal with the comprehensive plan; and

WHEREAS, the same statute further states, however, that the city council may, by resolution adopted by two-thirds vote, dispense with the requirements of this subdivision when in its judgment it finds that the acquisition or disposal of real property has no relationship to the comprehensive plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT: The City Council hereby finds that the proposed donation of the Property by Bremer Bank, National Association, and the acquisition thereof by the City of St. Charles through acceptance of the donation, has no relationship to the City's Comprehensive Plan, and therefore review of the proposed donation/acquisition by the St. Charles Planning Commission is not required under Minn. Stat. § 462.356, Subd. 2, and is hereby dispensed with as allowed by that statute.

BE IT FURTHER RESOLVED THAT: The City Council hereby: 1) accepts the grant/acquisition of the Property by Bremer Bank to the City; 2) accepts the grant/acquisition of the Property upon the express condition that the City allow the Bank to deposit snow on the Property until such time as Bremer Bank no longer owns the adjacent parcel of land (29.060.2830) approves the attached quit claim deed, Exhibit A, as to form; 4) authorizes and directs City staff to seek execution of the same by Bremer Bank, National Association, and to execute such other documentation as is necessary to accomplish the donation to and acquisition of the Property by the City; and 5) authorizes and directs City staff to record the same in the Office of the Winona County Recorder.

PASSED by the City Council of the City of St. Charles on this ____ day of _____, 2021.

ATTEST

Nick Koverman, City Administrator

John Schaber, Mayor

VOTE: ____ SCHABER ____ BRAUN ____ GETZ ____ STEFFEL
 ____ KRAMER

EXHIBIT A

(Top 3 inches reserved for recording data)

QUIT CLAIM DEED

Business Entity to Business Entity

eCRV number: N/A

DEED TAX DUE: \$ 1.65

DATE: _____, 2021

FOR VALUABLE CONSIDERATION, Bremer Bank, National Association, successor by merger to Eastwood ("Grantor"), hereby conveys and quitclaims to the City of St. Charles, a municipal corporation under the laws of the State of Minnesota, ("Grantee"), real property in Winona County, Minnesota, legally described as follows:

Part of Lots 3, 6 and 7, of Block 47, ORIGINAL PLAT of St. Charles and of IVES & FOX'S ADDITION to St. Charles, described as follows:

Commencing at the Southeasterly corner of said Lot 3; thence Northerly and along the Easterly line of said Lot 3 a distance of 16 feet to the place of beginning; thence at right angles Westerly a distance of 45 feet; thence at right angles Southerly a distance of 58 feet; thence at right angles Westerly a distance of 10 feet; thence at right angles Southerly a distance of 134.7 feet; thence at right angles Easterly a distance of 55 feet; thence Northerly at right angles and along the Easterly line of said Lots 7, 6 and 3, a distance of 192.7 feet to the point of beginning.

together with all hereditaments and appurtenances belonging thereto, and subject to the following restriction:

The Grantee shall allow the Grantor to use the property described in this deed to deposit snow during the winter months for as long as the Grantor owns the property.

The total consideration for this transfer is \$500.00 or less.

☒ The Seller certifies that the Seller does not know of any wells on the described real property.

Grantor

BREMER BANK, NATIONAL ASSOCIATION

By: _____

Jon C. Fahning

Its: Senior Vice President

STATE OF MINNESOTA)
) ss.
COUNTY OF WINONA)

This instrument was acknowledged before me on _____, 2021, by Jon C. Fahning as Senior Vice President of Bremer Bank, National Association, on behalf of the bank.

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

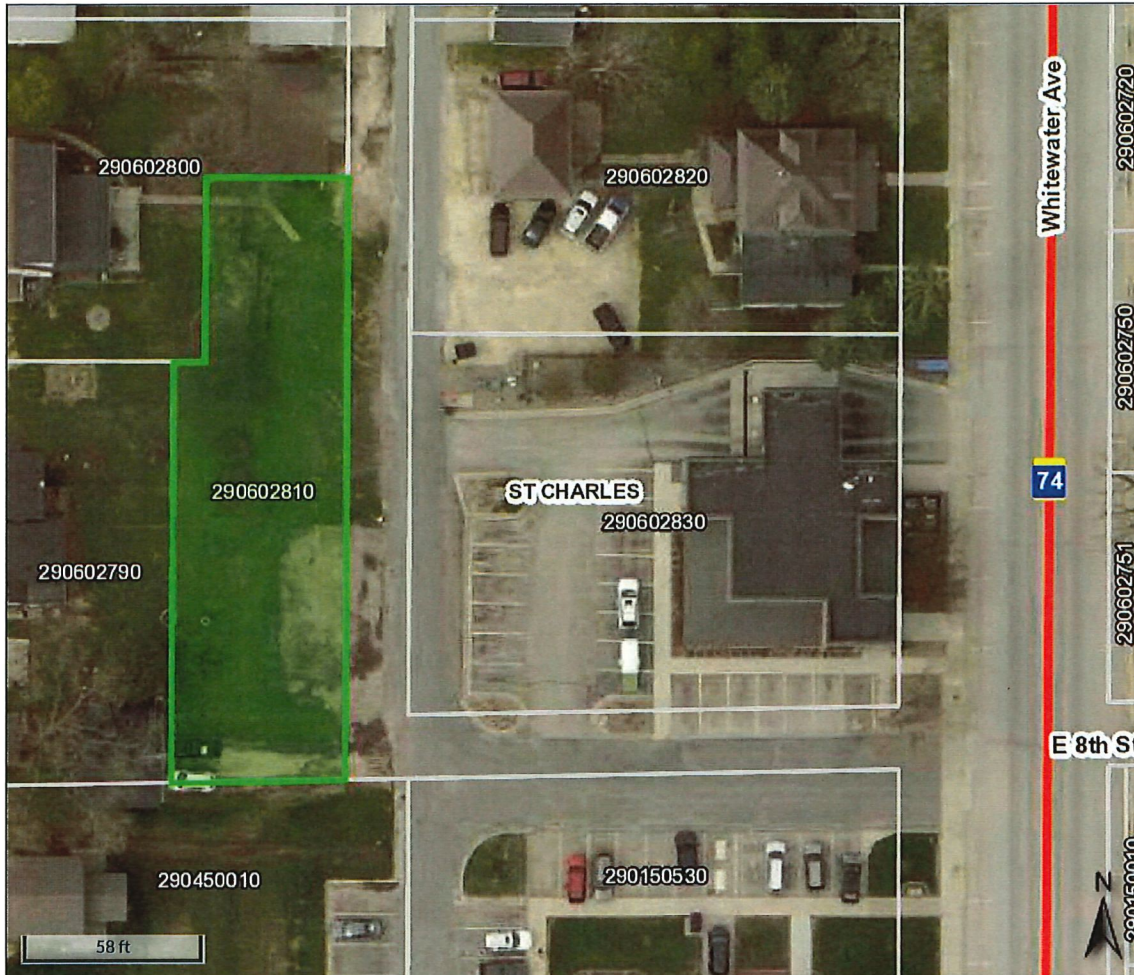
My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:

FLAHERTY & HOOD, P.A.
525 Park Street, Suite 470
St. Paul, MN 55103
(651) 225-8840

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

City Administrator
City of St. Charles
830 Whitewater Avenue
St. Charles, MN 55972-1129



Overview



Legend

Roads

-  Other
-  Interstate
-  US/State Highway
-  City Streets
-  County Road
-  Township Road
-  Private Drive
-  Municipalities
-  Winona Boundary
-  Parcel

Parcel ID	290602810	Alternate ID	n/a	Owner Address	EASTWOOD BANK
Sec/Twp/Rng	19-106-010	Class	233 - COMM LAND & BLDGS		5125 HWY 52 N
Property Address	752 ST CHARLES AVE	Acreage	n/a		ROCHESTER, MN 55901
	ST CHARLES				

District SAINT CHARLES CITY

Brief Tax Description Sect-19 Twp-106 Range-010 ORIGINAL PLAT Lot-003 Block-047 THAT PART OF LOTS 3 & 7 ORIGINAL PLAT & OF IVES & FOX ADDITION COMMENCING AT SE'LY CORNER LOT 3, THENCE NLY ALONG ELY LINE OF LOT 3, 16' TO BEG. THENCE WEST 45', S 58', W 10', S 134.7', E 55', NORTH ALONG EAST LINE OF LOTS 7, 6, & 3, 192.7' TO BEG

(Note: Not to be used on legal documents)

Note: This map is created from data contained in Winona County GIS and is for reference purposes only. While significant effort has been invested to depict boundary extents as accurately as possible per existing records, this map should not be considered a replacement for professional land survey.

Date created: 8/4/2021

Last Data Uploaded: 8/4/2021 3:22:53 AM

Developed by  **Schneider**
GEOSPATIAL

**Request for City Council Action**

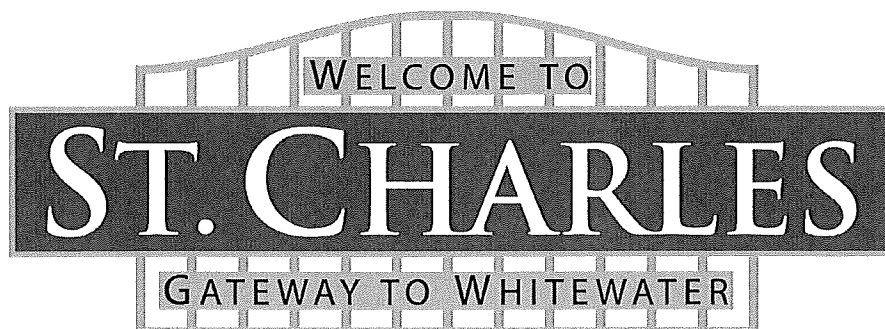
Date: Aug. 5, 2021

Requested Council Date: Aug. 10, 2021

Originating Department: Ambulance

Council Action Requested: Hiring of EMTs/EMRs

Background Information: The ambulance is recommending the rehiring of Justin Slavin, Bria Majerus, and hiring of Tiana Ramer as EMTs as well as Kenny Loftus and Scott Schossow as EMRs to the St. Charles Volunteer Ambulance Service.



2905 South Broadway
Rochester, MN 55904-5515
Phone: 507.288.3923
Email: rochester@whks.com
Website: www.whks.com



July 30, 2021

Mr. Kyle Karger
Public Works Director
City of St. Charles
830 Whitewater Avenue
St. Charles, MN 55972

RE: St. Charles, MN
Chattanooga 2nd Pond Construction
Pay Request No. 2

Dear Kyle:

Enclosed is Pay Request No. 2 for work on the above referenced project. We recommend payment in the amount of \$18,301.75 to:

Zenke, Inc.
87 Main St. #5
La Crescent, MN 55947

Please contact me if you have any questions.

Sincerely,

WHKS & co.

A handwritten signature in black ink, appearing to read "D. Sikkink", written over a horizontal line.

Daren D. Sikkink, P.E.

DS/cf

Enclosure

cc: Nick Koverman, City of St. Charles
Travis Zenke, Zenke, Inc.

[https://whkscwza.sharepoint.com/sites/ROCHESTERCONSTRUCTION/Projects/St.
Charles/9159 - Chattanooga 2nd Subdivision/Pond Construction/Pay Request/City PR_.docx](https://whkscwza.sharepoint.com/sites/ROCHESTERCONSTRUCTION/Projects/St.Charles/9159-Chattanooga2ndSubdivision/PondConstruction/PayRequest/CityPR_.docx)

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



PARTIAL PAYMENT ESTIMATE
FOR CONSTRUCTION WORK COMPLETED

Project: Chattanooga 2nd Pond Construction
Project No.: 9159.00
Location: St. Charles, MN
Contractor: Zenke, Inc.

Bid Price: \$126,749.00
Date: Jul. 29, 2021
Estimate #: 2
% Complete: 78%

Item No.		Contract Quantity	Unit	Unit Price	Quantity Completed Previous Estimates	Quantity Completed This Estimate	Quantity Completed to Date	Total
1.	Mobilization	1	L.S.	\$5,200.00	0.8		0.8	\$4,160.00
2.	Clearing and Grubbing	1	L.S.	\$1,500.00	1		1	\$1,500.00
3.	Common Excavation (P)	8,900	C.Y.	\$3.10	3,560	2,000	5,560	\$17,236.00
4.	Restore Aggregate Road	125	S.Y.	\$14.90	125		125	\$1,862.50
5.	Topsoil Stripping (P)	5,525	C.Y.	\$3.80	4,420		4,420	\$16,796.00
6.	Remove 36" CMP Culvert	48	L.F.	\$15.00	48		48	\$720.00
7.	F&I 30" RCP Storm Sewer	17	L.F.	\$84.00	16		16	\$1,344.00
8.	F&I 36" RCP Storm Sewer	200	L.F.	\$108.25	192		192	\$20,784.00
9.	F&I 36" RCP Apron	1	Each	\$1,530.00	1		1	\$1,530.00
10.	Construct Structure, Type 4 (72")	1	Each	\$4,016.00	1		1	\$4,016.00
11.	Construct Structure, Pond Outlet Structure	1	Each	\$8,944.00	1		1	\$8,944.00
12.	Ditch Check Type 5	6	Each	\$1,200.00		3	3	\$3,600.00
13.	Rip Rap, Class 4	60	C.Y.	\$68.00	45		45	\$3,060.00
14.	Filter Diaphragm	1	L.S.	\$5,100.00	0.5	0.5	1	\$5,100.00
15.	Erosion Control Blanket, Category 3	7,485	S.Y.	\$1.50	468		468	\$702.00
16.	Turf Establishment, Seed	1.8	Acre	\$1,000.00			-	\$0.00
17.	Silt Fencing, Type Machine Sliced	250	L.F.	\$1.70	30	50	80	\$136.00
18.	Inlet Protection	2	Each	\$90.00			-	\$0.00
19.	Temporary Rock Construction Entrance	1	Each	\$1.00			-	\$0.00
20.	Traffic Control	1	L.S.	\$300.00	0.5	0.5	1	\$300.00
21.	Material testing allowance \$1,000	1	L.S.	\$1,000.00		0.73	0.73	730
	4" tile with geotextile fabric	450	LF	\$11.40		450	450	\$5,130.00
	Common Borrow from subdivision	1,000	C.Y.	\$8.20		100	100	\$820.00
Total Work Completed								\$98,470.50

Less 5% Retainage \$4,923.53
Less Previous Payments \$75,245.22

Net Payment this Estimate \$18,301.75

2905 South Broadway
Rochester, MN 55904-5515
Phone: 507.288.3923
Fax: 507.288.2675
Email: rochester@whks.com
Website: www.whks.com



July 28, 2021

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

RE: St. Charles, MN
Chattanooga Water Tower
Pay Request 4

Dear Mr. Koverman :

Enclosed is Pay Request No. 4 for work on the above referenced project. We recommend payment in the amount of \$80,750.00 to:

Maguire Iron, Inc.
P.O. Box 1446
Sioux Falls, SD 57101

Please contact me if you have any questions.

Sincerely,

WHKS & co.

A handwritten signature in cursive script, appearing to read 'Eric Tourdot'.

Eric Tourdot, P.E.

EAT/et

Enclosures

cc: Kyle Karger, City of St. Charles, MN
Bret Teymer, Maguire Iron, Inc.

2905 South Broadway
Rochester, MN 55904-5515
Phone: 507.288.3923
Email: rochester@whks.com
Website: www.whks.com



July 29, 2021

Mr. Kyle Karger
Public Works Director
City of St. Charles
830 Whitewater Avenue
St. Charles, MN 55972

RE: St. Charles, MN
Chattanooga 2nd Addition
Pay Request No. 2

Dear Kyle:

Enclosed is Pay Request No. 2 for work on the above referenced project. We recommend payment in the amount of \$181,621.43 to:

Zenke, Inc.
87 Main St. #5
La Crescent, MN 55947

Please contact me if you have any questions.

Sincerely,

WHKS & co.

A handwritten signature in black ink, appearing to read "D. Sikkink", is written over a horizontal line.

Daren D. Sikkink, P.E.

DS/cf

Enclosure

cc: Nick Koverman, City of St. Charles
Travis Zenke, Zenke, Inc.

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



PARTIAL PAYMENT ESTIMATE
FOR CONSTRUCTION WORK COMPLETED

Project: 2021 Chattanooga 2nd Addition
Project No.: 9159.00
Location: St. Charles, MN
Contractor: Zenke, Inc.

Bid Price: \$997,354.58
Date: Jul. 29, 2021
Estimate #: 2
% Complete: 46%

Item No.		Contract Quantity	Unit	Unit Price	Quantity Completed Previous Estimates	Quantity Completed This Estimate	Quantity Completed to Date	Total
1.	Mobilization	1	L.S.	\$24,200.00	0.8		0.8	\$19,360.00
2.	Topsoil Stripping (P)	33,260	C.Y.	\$4.25	26,608	4,392	31,000	\$131,750.00
3.	Common Excavation (P)	16,591	C.Y.	\$3.10	13,273	1,727	15,000	\$46,500.00
4.	Geotextile Fabric Type 5 (P)	7,100	S.Y.	\$1.50			-	\$0.00
5.	Subgrade Preparation 12"	14	RD STA	\$300.00			-	\$0.00
6.	Aggregate Base Class 5 (P)(CV)	1,978	C.Y.	\$28.20			-	\$0.00
7.	Breaker Run Stabilizing Aggregate	260	C.Y.	\$27.80			-	\$0.00
8.	Type SP 12.5 Wearing Course Mix (2:B)	586	Ton	\$77.17			-	\$0.00
9.	Type SP 12.5 Non Wear Course Mix (2:B)	1,560	Ton	\$76.51			-	\$0.00
10.	Concrete Curb & Gutter, Design B618	2,800	L.F.	\$11.57			-	\$0.00
11.	Concrete Apron	19	S.Y.	\$77.76			-	\$0.00
12.	Aggregate For Pipe Foundation(CV)	308	C.Y.	\$46.00			-	\$0.00
13.	Remove Bituminous Pavement	192	S.Y.	\$5.00			-	\$0.00
14.	F&I 6" PVC Pipe Service	400	L.F.	\$38.60	137	96	233	\$8,993.80
15.	F&I 8" PVC Pipe Sewer	1,290	L.F.	\$41.50	720	570	1,290	\$53,535.00
16.	F&I 8" x 6" PVC Wye	9	Each	\$295.00	4	5	9	\$2,655.00
17.	Construct Structure, Type 3, (48") (Adjusted)	5	Each	\$3,650.00	3	2	5	\$18,250.00
18.	Connect to Existing Sanitary Sewer	1	Each	\$500.00	1		1	\$500.00
19.	F&I 8" Water Main	430	L.F.	\$32.60		430	430	\$14,018.00
20.	F&I 8" Water Main	1,246	L.F.	\$35.80		1,246	1,246	\$44,606.80
21.	F&I 6" Gate Valve & Box	14	Each	\$1,570.00		14	14	\$21,980.00
22.	F&I 8" Gate Valve & Box	3	Each	\$2,160.00		3	3	\$6,480.00
23.	F&I 6" Hydrant	4	Each	\$4,160.00		4	4	\$16,640.00
24.	F&I Watermain Fittings	1,208	Pound	\$9.80		1,208	1,208	\$11,838.40
25.	Connect to Existing Watermain	1	Each	\$1,200.00		1	1	\$1,200.00
26.	F&I 15" RCP Storm Sewer	125	L.F.	\$48.20			-	\$0.00
27.	F&I 18" RCP Storm Sewer	543	L.F.	\$52.80			-	\$0.00
28.	F&I 30" RCP Storm Sewer	763	L.F.	\$82.60			-	\$0.00
29.	F&I 30" HDPE Storm Sewer	721	L.F.	\$59.50			-	\$0.00
30.	Construct Structure, Type 4 (48")	2	Each	\$2,440.00			-	\$0.00
31.	Construct Structure, Type 4 (60")	7	Each	\$3,940.00			-	\$0.00
32.	Construct Structure, Type 4 (72")	1	Each	\$4,900.00			-	\$0.00
33.	Construct Structure, Type 4 (84")	1	Each	\$7,290.00			-	\$0.00
34.	Construct Structure Type 1	10	Each	\$1,946.00			-	\$0.00
35.	F&I 30" RCP Apron	1	Each	\$1,120.00			-	\$0.00
36.	Ditch Check Type 2	3	Each	\$1,545.00			-	\$0.00
37.	Traffic Control	1	L.S.	\$300.00	0.5	0.3	0.8	\$240.00
38.	Erosion Control Blanket, Category 3	2,470	S.Y.	\$2.10			-	\$0.00
39.	Turf Establishment, Seed & Mulch	16	Acre	\$1,000.00	5	5	10	\$10,000.00
40.	Silt Fencing, Type Machine Sliced	2,358	L.F.	\$1.90	1,959		1,959	\$3,722.10
41.	Inlet Protection	11	Each	\$90.00			-	\$0.00
42.	Stabilized Vehicle Exit	1	L.S.	\$10.00	1		1	\$10.00
43.	4" PVC Conduit	344	L.F.	\$15.00			-	\$0.00
44.	4" Insulation	1,240	SF	\$3.90		1,000	1,000	\$3,900.00
45.	Trench Rock Excavation	1,290	L.F.	\$26.00	720	280	1,000	\$26,000.00
46.	Material testing allowance \$1,000	1	L.S.	\$1,000.00			-	\$0.00
Materials on Hand								
	30" HDPE pipe from Core & Main invoice 6/14/21	740	LF	\$22.92	740		740	\$16,960.80
	Sanitary Manhole structures	5	Each	\$1,004.02	2	-2	-	\$0.00

Total Work Completed \$459,139.90

Less 5% Retainage \$22,957.00
Less Previous Payments \$254,561.47

Net Payment this Estimate **\$181,621.43**

2905 South Broadway
Rochester, MN 55904-5515
Phone: 507.288.3923
Fax: 507.288.2675
Email: rochester@whks.com
Website: www.whks.com



July 21, 2021

Mr. Kyle Karger
Public Works Director
City of St. Charles
830 Whitewater Avenue
St. Charles, MN 55972

RE: St. Charles, MN
2021 Trails Improvements
Pay Request No. 1

Dear Kyle:

Enclosed is Pay Request No. 1 for work on the above referenced project. We recommend that the City accept the project and make payment in the amount of \$144,163.26 to:

Snow Contracting, LLC
684 Marcus Place NE
Byron, MN 55920

Please contact me if you have any questions.

Sincerely,

WHKS & CO.

A handwritten signature in black ink, appearing to read 'D. Sikkink', is written over a horizontal line.

Daren D. Sikkink, P.E.

DDS/jm

Enclosure

cc: Nick Koverman, City of St. Charles
Dalton Snow, Snow Contracting

2905 South Broadway
Rochester, MN 55904
Phone: 507.288.3923



PARTIAL PAYMENT REQUEST FOR CONSTRUCTION WORK COMPLETED

Project: 2021 Trail Improvements
Project No.: 9158
Location: St. Charles, MN
Contractor: Snow Contracting

Bid Price: \$389,441.25
Date: Jul. 16, 2021
Estimate #: 1
% Complete: 39.0%

Item No.	Description	Unit	Unit Price	Quantity	Quantity Completed Previous Estimates	Quantity Completed This Estimate	Quantity Completed to Date	Total
Alternate Bid Schedule A - Overlay Existing Trail in City Park								
1	Mobilization	L.S.	\$7,000.00	1		0.00	0.00	\$ -
2	Type SP 12.5 Wearing Course Mix SPWEB240B (1.5") Overlay	Ton	\$84.00	525		0.00	0.00	\$ -
3	Traffic Control	L.S.	\$1,500.00	1		0.00	0.00	\$ -
4	Material Testing Allowance \$500	L.S.	\$500.00	1		0.00	0.00	\$ -
Alternate Bid Schedule B - Trail Extension at Fairgrounds								
Alternate Bid Schedule B removed from project with change order 1. Added City Park Trail - see below.								
Alternate Bid Schedule C - Trail Extension along Church and Richland Avenues								
1	Mobilization	L.S.	\$15,000.00	1		0.50	0.50	\$ 7,500.00
2	Remove Bituminous Pavement	S.Y.	\$10.00	270		275.00	275.00	\$ 2,750.00
3	Remove Concrete Curb and Gutter	L.F.	\$12.00	100		102.00	102.00	\$ 1,224.00
4	Remove Bituminous Driveway Pavement	S.Y.	\$10.00	65		53.33	53.33	\$ 533.33
5	Topsoil Borrow (LV)	C.Y.	\$30.00	200		0.00	0.00	\$ -
6	Common Borrow (LV)	C.Y.	\$15.00	400		0.00	0.00	\$ -
7	Common Excavation (P)	C.Y.	\$17.00	750		750.00	750.00	\$ 12,750.00
8	Type SP 12.5 Wearing Course Mix SPWEB240B (3")	Ton	\$88.00	480		0.00	0.00	\$ -
9	Bituminous Roadway Patching	S.Y.	\$27.00	270		0.00	0.00	\$ -
10	Aggregate Base Class 5	C.Y.	\$25.00	500		588.00	588.00	\$ 14,700.00
11	3" Aggregate Shouldering	C.Y.	\$28.00	100		0.00	0.00	\$ -
12	Concrete B624 Curb and Gutter	L.F.	\$35.20	100		110.00	110.00	\$ 3,872.00
13	6" Concrete Walk	Sq. Ft.	\$11.50	460		200.00	200.00	\$ 2,300.00
14	Truncated Domes	Sq. Ft.	\$55.00	60		39.00	39.00	\$ 2,145.00
15	3" Bituminous Driveway	S.Y.	\$90.00	20		0.00	0.00	\$ -
16	12" Reinforced Concrete Pipe	L.F.	\$60.00	16		8.00	8.00	\$ 480.00
17	30" Reinforced Concrete Pipe	L.F.	\$110.00	8		0.00	0.00	\$ -
18	48" Corrugated Metal Pipe	L.F.	\$75.00	12		0.00	0.00	\$ -
19	12" Reinforced Concrete Apron	Each	\$950.00	1		1.00	1.00	\$ 950.00
20	30" Reinforced Concrete Apron	Each	\$1,400.00	1		0.00	0.00	\$ -
21	48" Corrugated Metal Apron	Each	\$1,000.00	1		0.00	0.00	\$ -
22	Temporary Rock Construction Entrance	Each	\$1,000.00	1		1.00	1.00	\$ 1,000.00
23	Seeding	Acre	\$3,000.00	1		0.00	0.00	\$ -
24	Traffic Control	L.S.	\$1,500.00	1		0.50	0.50	\$ 750.00
25	4 inch Solid Line	L.F.	\$6.00	600		0.00	0.00	\$ -
26	Ditch Check, Type 2	Each	\$250.00	5		5.00	5.00	\$ 1,250.00
27	Silt Fence	L.F.	\$2.25	1300		1300.00	1300.00	\$ 2,925.00
28	Material Testing Allowance \$500	L.S.	\$500.00	1		0.00	0.00	\$ -
29	Stabilizing Aggregate, Breaker Run	C.Y.	\$31.00			33.00	33.00	\$ 1,023.00
Revised Alternate Bid Schedule D - Trail Extension along Springer Avenue north of Whispering Hills								
1	Mobilization	L.S.	\$10,000.00	1		0.5	0.5	\$ 5,000.00
2	Remove Bituminous Pavement	S.Y.	\$50.00	5		0	0	\$ -
3	Common Excavation	C.Y.	\$17.00	530		530	530	\$ 9,010.00
4	Common Borrow	C.Y.	\$15.00	150		0	0	\$ -
5	Type SP 12.5 Wearing Course Mix SPWEB240B3	Ton	\$88.00	205		0	0	\$ -
6	Aggregate base, Class 5	C.Y.	\$28.00	220		155	155	\$ 4,340.00
7	6" Concrete Walk	S.F.	\$10.50	100		76	76	\$ 798.00
8	Truncated Domes	S.F.	\$55.00	20		15	15	\$ 825.00
9	18" HDPE Storm Sewer	L.F.	\$60.00	157		177	177	\$ 10,620.00
10	6" Drain tile w/Sock	L.F.	\$25.00	40		50	50	\$ 1,250.00
11	Junction Box	Each	\$3,500.00	1		1	1	\$ 3,500.00
12	Storm Manhole	Each	\$5,000.00	1		1	1	\$ 5,000.00
13	Ditch Check	Each	\$150.00	4		4	4	\$ 600.00
14	Seeding	Acre	\$3,000.00	0.35		0	0	\$ -
15	Silt Fence	L.F.	\$2.25	525		525	525	\$ 1,181.25
16	Grading	Hr	\$330.00			8	8	\$ 2,640.00
Alternate Bid Schedule E - Pave Existing Gravel Trail to Catholic Church								
1	Mobilization	L.S.	\$15,000.00	1		0.5	0.5	\$ 7,500.00
2	Clear & Grub Tree	Each	\$1,000.00	1		0	0	\$ -
3	Topsoil Borrow (LV)	C.Y.	\$30.00	100		0	0	\$ -
4	Type SP 12.5 Wearing Course Mix SPWEB240B (3")	Ton	\$88.00	500		0	0	\$ -
5	Aggregate Base Class 5	C.Y.	\$28.00	150		342	342	\$ 9,576.00

Item No.	Description	Unit	Unit Price	Quantity	Quantity Completed Previous Estimates	Quantity Completed This Estimate	Quantity Completed to Date	Total
6	3" Aggregate Shouldering	C.Y.	\$28.00	120		0	0	\$ -
7	6" Concrete Walk	Sq. Ft	\$10.50	155		145	145	\$ 1,522.50
8	Truncated Domes	Sq. Ft	\$55.00	40		30	30	\$ 1,650.00
9	24" Reinforced Concrete Pipe	L.F.	\$80.00	40		40	40	\$ 3,200.00
10	24" Reinforced Concrete Apron	Each	\$1,275.00	4		4	4	\$ 5,100.00
11	Seeding	Acre	\$3,000.00	0.4		0	0	\$ -
12	Ditch Check, Type 2	Each	\$150.00	3		0	0	\$ -
13	Material Testing Allowance \$500	L.S.	\$500.00	1		0	0	\$ -
City Park Trail								
1	Mobilization	L.S.	\$12,000.00	1		0.5	0.5	\$ 6,000.00
2	Silt Fence	L.F.	\$2.50	525		0	0	\$ -
3	Clearing and Grubbing	Each	\$550.00	1		0	0	\$ -
4	Remove Concrete	S.Y.	\$15.00	10		10	10	\$ 150.00
5	Type SP 12.5 Wearing Course Mix SPWEB240B3	Ton	\$92.00	200		0	0	\$ -
6	Class 5	C.Y.	\$28.00	210		155	155	\$ 4,340.00
7	Topsoil Borrow	C.Y.	\$30.00	100		0	0	\$ -
8	Common Excavation	C.Y.	\$17.00	305		305	305	\$ 5,185.00
9	Seeding	Acre	\$4,000.00	0.25		0	0	\$ -
Pipe Material								
1	12" RCP Pipe	L.F.	\$16.64			8	8	\$ 133.12
2	24" RCP Pipe	L.F.	\$28.80			48	48	\$ 1,382.40
3	24" RCP Apron	Each	\$480.96			2	2	\$ 961.92
4	30" RCP Pipe	L.F.	\$46.80			16	16	\$ 748.80
5	30" RCP Apron	Each	\$677.28			1	1	\$ 677.28
6	Galvanized Ties	Each	\$32.88			16	16	\$ 526.08
7	48" CMP Pipe	L.F.	\$91.76			12	12	\$ 1,101.12
8	48" CMP Apron	Each	\$1,080.00			1	1	\$ 1,080.00

Total Schedule A	\$	-
Total Schedule C	\$	56,152.33
Total Schedule D	\$	44,764.25
Total Schedule E	\$	28,548.50
Total City Park Trail	\$	15,675.00
Total Pipe Material	\$	6,610.72

Subtotal Construction Amount	\$	151,750.80
Less 5% Retained Amount	\$	7,587.54
Less Previous Payments	\$	-

Net Payment this Estimate	\$	144,163.26
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2022 Budget Timeline and Process

The City of St. Charles budget timeline and process fosters collaboration and partnership to help better achieve the City's goals and directives, while maintaining fiscal responsibility utilizing historical trend analysis and prioritizing the needs and desires of the community and Council. A two-step process that divides the budget into two focal points is utilized.

First, all funds associated with the governmental administration of the City of St. Charles as it relates directly to the certified levy and taxation of the City's residents is completed. The following funds are reviewed as part of that process: administration, park, recreation, street, library, fire, swimming pool, police, bond issuance payments, TIF and Economic Development.

In the second part of the budget process, all funds associated with the City of St. Charles as Enterprise Funds, which include electric, water, sewer, garbage, stormwater and ambulance are all reviewed. In addition, Mike Bubany of David Drown & Associates provides additional analysis of the Capital Improvement Plan and an analysis of utility rates as they relate to current and future spending needs as identified by department heads and administration.



2022 Budget Timeline and Process

Timeline

Governmental Funds

August 2, 2020 – August 20, 2021
August 24, 2021
September 14, 2021
September 28, 2021

Enterprise Funds

October 12, 2021
October 26, 2021
November 9, 2021
December 14, 2021

Process

City administrator/accountant to meet with department heads
Copy of preliminary budget and proposed Capital Improvement Plan
Discuss Governmental Levy Budget
Certify Preliminary Governmental Levy to Winona County

Preliminary Enterprise Fund Budgets
Discuss Enterprise Budget Changes, CIP (Mike Bubany)
Finalize Enterprise Budget
Truth In Taxation. Allows public input. Finalize and approve 2019 budget

Can utilize special meeting date of Tuesday, December 28, 2021 if needed.