



The City Council of the City of St. Charles welcomes you to its Special Meeting of Wednesday, August 17, 2022 at 5:00 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 17, 2022 Agenda	APPROVE
4. Meeting Minutes	APPROVE
-July 12, 2022 (TBD)	
-July 26, 2022 (TBD)	
5. August Payables	APPROVE
6. Notices and Communications (if applicable)	INFORMATION
7. Reports of Boards and Committees:	INFORMATION
7a. Administrator's Report, Nick Koverman (TBD)	
7b. Public Works Superintendent Report, Kyle Karger	
7c. Chief of Police Report, Jose Pelaez	
7d. Ambulance Director, Josh Smith	
7e. Library Board Report, David Kramer	
7e. Park Board, Dave Braun	
7g. School Board, John Steffel	
8. Interim Administrator Search Update/Interview	APPROVE
9. Administrator Search Committee	APPROVE
10. Ordinance #640 Amending the Zoning Map (1 st Reading)	APPROVE
11. Resolution #37-2022 Approving Preliminary/Final Plat-Southfork Fourth	APPROVE
12. Ambulance Rig Replacement Proposal	APPROVE
13. Ambulance Staffing Proposal/Assessment Review	APPROVE
14. Resolution #38-2022 Accepting City Park Scoreboard Donation	APPROVE
15. Property Pin Policy Review/Adoption	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

***Attachment. Questions? Contact Nick Koverman at St. Charles City Hall at 932-3020 or by email at nkoverman@stcharlesmn.org.**

MEMORANDUM for the CITY COUNCIL of St. Charles
Wednesday, August 17, 2022

- 8. Interim Administrator Search Update/Interview.** A proposal is included for consideration for an interim administrator.
- 9. Administrator Search Committee.** The search committee names will be presented for approval.
- 10. Ordinance #640 Amending the Zoning Map (1st Reading).** The proposed ordinance will be presented for consideration.
- 11. Resolution #37-2022 Approving Preliminary/Final Plat-Southfork Fourth.** The proposed resolution for approval of Southfork Fourth will be presented following the P&Z Commission meeting, Monday August 15.
- 12. Ambulance Rig Replacement Proposal.** Included is a proposal for a replacement ambulance from Premier Ambulance. Insurance proceeds from totaled approximately \$56,000. A trade-in value of \$15,000 is being allowed. The remaining funds for the purchase would be utilized from ARPA funds.
- 13. Ambulance Staffing Proposal/Assessment Review.** A staffing proposal from Ambulance Director Josh Smith is included for consideration. Mayor Schaber, Director Smith, EMSRB representative Holly Jacob will be meeting Monday to discuss the recent assessment performed. In addition, discussion of the recent corrective orders will take place. A proposal may be presented as a result of that discussion.
- 14. Resolution #38-2022 Accepting City Park Scoreboard Donation.** A resolution will be presented for approval of a donation of two scoreboards for City Park.
- 15. Property Pin Policy Review/Adoption.** Enclosed is a proposed property pin policy as reviewed and drafted by Flaherty & Hood.

GLADIOLUS DAYS

August 21st – 28th, 2022

Schedule of Events

August 21st – Sunday

8:00 am – Noon	SC Ambulance & Fire Dept. Pancake Breakfast	Fire Hall
5:00 pm	Little Miss & Jr Miss Gladiolus Days Pageant	SCES Theater

August 22nd – Monday

8:00 am	Children's Theatre Auditions/Rehearsals	SCES Theater
8:00 am	Treasure Hunt (16 & Under)	City Hall
7:00 pm	Teen Miss Gladiolus Days Pageant	SCES Theater

August 24th – Wednesday

5:00 pm – 8:00 pm	What's on Wednesday's (Sponsored by the St. Charles Chamber of Commerce)	City Hall Park
	<ul style="list-style-type: none"> • The Reunion Band • Market Vendors • Inflatables • Food Trucks 	
5:00 pm – 8:00 pm	Ice Cream Sundaes/Cones	City Hall Park
7:00 pm	Bucket Brigade Contest (Fire Dept.)	City Hall Park
7:00 pm	American Flag Retirement Service	City Hall Park
7:00 pm – 10:00 pm	Teen Dance	Moose Lodge

August 25th – Thursday

7:30 pm	Moose Lodge Comedy Show	Moose Lodge
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August 26th – Friday

8:00 am – 4:00 pm	City Wide Rummage Sales	Throughout the City
9:00 am – 10:30 am	Kids Sidewalk Chalk Fun	Senior Center
10:00 am – 5:00 pm	Sidewalk Sales	Main Street
Noon	Window Contest Voting	Main Street
1:30 pm	"500" Card Party (\$5 = Lunch & Prizes)	Senior Center
4:30 pm	Trilogy Challenge (Kids Disc Golf)	Jessens Park
5:00 pm	Food Vendors	Fairgrounds
5:00 pm – 7:00 pm	Inflatable Bounce Houses	Fairgrounds
5:00 pm	Tractor Parade	Main Street
7:00 pm	Children's Theatre "Cinderella"	SCES Theater

August 27th – Saturday

8:00 am – 3:00 pm	1 st Annual Smoke-Off Competition	City Hall Park
8:00 am – 4:00 pm	City Wide Rummage Sales	Throughout the City
8:00 am	Co-Ed Volleyball Tournament	City Park
8:00 am	Men's Softball Tournament	City Park
8:00 am	3 rd Annual Whitewater Open (Disc Golf Tourney)	Jessens Park
9:00 am	3 Mile Run/Walk Race	SCHS Track

9:00 am – 7:00 pm	14 th Annual Tractor Show	Fairgrounds
9:00 am – 5:00 pm	Model Train Railroad Show	Fairgrounds
10:00 am – 5:00 pm	Craft/Vendor Show	Fairgrounds
10:00 am – 4:00 pm	Rural Heritage Museum Open House	Fairgrounds
10:00 am	“Markie Fun Run” (Field Events)	SCHS Track
10:30 am	“Markie Fun Run” (Races)	SCHS Track
11:00 am	Food Vendors	Fairgrounds
11:00 am – 8:00 pm	Inflatable Bounce Houses	Fairgrounds
11:00 am – 7:00 pm	Grilled Chicken Dinner	Del's Cafe
Noon & 1:30 pm	1860s Baseball Game	Fairgrounds
Noon	Petting Zoo	Fairgrounds
1:00 pm	Children's Theatre “Cinderella”	SCES Theater
1:00 pm – 3:00 pm	Family Bingo	Moose Lodge
1:30 pm – 3:30 pm	Ravensfire Band (Celtic Folk)	Fairgrounds
4:15 pm – 6:15 pm	Bandanas	Fairgrounds
8:30 pm – 12:30 am	Street Dance “Kong-Monsters of Rock”	Moose Lodge Parking Lot

August 28th – Sunday

8:00 am – Noon	Lions Club Pancake Breakfast	Fairgrounds
8:00 am	Men's Softball Tournament	City Park
9:00 am – 4:00 pm	14 th Annual Tractor Show	Fairgrounds
9:00 am – 4:00 pm	Model Train Railroad Show	Fairgrounds
9:00 am – 3:00 pm	6 th Annual Car & Motorcycle Show	Fairgrounds
9:00 am – 3:00 pm	Hot Wheel Races	Fairgrounds
9:30 am – 10:30 am	Community Church Service	4H Building/Fairgrounds
10:00 am	Kids Pedal Tractor Pull	Fairgrounds
10:00 am – 4:00 pm	Rural Heritage Museum Open House	Fairgrounds
10:00 am – 4:00 pm	Craft/Vendor Show	Fairgrounds
11:00 am – 5:00 pm	Food Vendors	Fairgrounds
11:00 am – 7:00 pm	Grilled Chicken Dinner	Del's Cafe
11:00 am	Queen's Tea Party	City Hall
Noon – 5:00 pm	Inflatable Bounce Houses	Fairgrounds
1:00 pm	GRAND PARADE	High School/Route
3:00 pm	Horse Show/Games	Fairgrounds Horse Arena
3:00 pm – 4:00 pm	Turkey River All-Stars	Fairgrounds
4:00 pm	“Kiss the Pig” Contest	Fairgrounds

Event Prices

Gladiolus Days Pageants	\$ 5.00
(Sunday & Monday Night)	(Free with a Button)
Teen Dance	\$ 5.00
(Wednesday Night)	(Free with a Button)
Moose Lodge Comedy Show.....	Advanced Tickets\$10.00
(Thursday Night)	At the Door.....\$15.00
Street Dance - “Kong-Monsters of Rock”	\$5.00
(Saturday Night)	(Free with a Button)



HARMONICA WORKSHOP



Learn to play the harmonica, as well as a brief history of the instrument, in this fun workshop for beginners of all ages. Participants will receive a FREE harmonica.

Friday, September 2, 5 PM
St. Charles Public Library

Presented By:
Whitewater Music Fest

LAURA MACKENZIE

"The Irish Piper"

A music-filled retelling of the Pied Piper story, based on Minnesota author Jim Latimer's delightful children's book "The Irish Piper." This program features many different instruments, a good story and wonderful illustrations.



Wednesday, August 10, 2 PM
St. Charles Public Library



MINNESOTA
LIBRARY LEGACY



CLEAN
WATER
LAND &
LEGACY
AMENDMENT



This program is made possible by a Library Legacy Grant. All programs are free.

PUBLIC WORKS REPORT – July 2022

- Electrical mapping; Monthly substation and power plant reports; exercise and run power plant; cut trees and pickup brush on Wabasha Ave; Power plant maintenance & repairs; city utility locates; checking phasing on electrical system; fix outages on East Ave & west 5th street; spray weeds at substation & power plant; Ran & tested four small City generators around town; ground cable testing at shop with MMUA safety instructor; and replaced streetlights with LED
- Trimmed electrical house service; checked HBC line at power plant and substation; checking water valves and flow meter on hydrants; cones, barricades, no parking signs for triathlon; Push up brush pile; working on equipment maintenance & mowing ditches; water leak at 763 W 1st street shut off curb stop; Safety barrels to fairgrounds; cleaned up after fireworks & fourth of July weekend; cutting trees and bushes around stop signs & blind spots; removed Blvd. tree at 7th and Wabasha; mowing new phase on I-90; and re-labeling electric cabinets.
- Cleaned brush & mud out at Wabasha Pond; checking sewer lining project with engineer; worked on 2020 & 2021 electrical tax rebates, Inspection on new solar 149 Pearson Dr; Installed temporary electric service on Brownell St; trim trees on Sherwood Rd; Check wells, booster stations, water towers, and lift stations; finals for City Hall; put up no parking signs for fair; cut down trees in south fork, meadow view, and Wabasha Ave; raised service 1344 St. Charles Ave; patched sidewalks around City Hall; repaired bathroom door at City Hall; Safety Training.
- Remove and rebuild three storm sewer catch basins; rip rap drainage ditch in Sherwood Park; Sweep Streets; haul compost to Braun's pit; Cut & spray trees on Wabasha Pond; water samples; worked on emergency dialer at South Fork lift station; new water valve box installed by elementary school; serviced dump truck; new chlorine sign installed at pool; hauled rock for catch basin repairs; flushed water mains at Loves; fixed plugged chlorine line at well 3; replaced water meters; took care of high water pressure complaint in Pearson subdivision off 20th street

Sincerely,
Kyle Karger, Director of Public Works

St. Charles Police Department
830 Whitewater Ave.
St. Charles, MN 55972
Chief, Jose Pelaez #601
(507) 932-8020



August 17, 2022

- Through the month of July, Officers completed POST-mandated *Preventing In-Custody Suicide* PATROL training. This course will help officers become familiar with the warning signs that an arrestee or inmate may be at a heightened risk of suicide and will provide suggestions about how to minimize the risk of suicide for individuals in custody.
- Through the month of July, Officers completed POST-mandated *serving those with autism spectrum disorder* (Part 2 of 4) PATROL training. This course will help Officers understand how demographic differences may result in some people being more disadvantaged by autism than others; and how to use strategies and practices that promote safe, effective, and positive outcomes in situations involving persons with ASD.
- Through the month of July, Officers completed department-policy daily training bulletins (LEXIPOL).
- On July 2nd, Officers provided traffic control for the Whitewater Kids Triathlon.
- July 4th Fireworks Show: Officers assisted with traffic control and taking calls during the event. No emergencies reported during the event. Thank you to the Minnesota State Patrol for sending two State Troopers to help us with traffic control during the event.
- On July 12th, Chief Pelaez attended the Region 10's quarterly meeting in the city of Rochester. One of the main topics discussed during the meeting was the legalization of cannabinoid edibles and drinks in the State of Minnesota. There are concerns about product testing, sales, and compliance. Chief Pelaez and City Administrator Koverman have been in talks with the city and county attorney on these matters. (*Please see attached document from the League of Minnesota City*)
- On July 26th and 27th, Officers successfully completed POST-mandated *firearms training* (50-round pistol and rifle qualifications). Thank you to John Brogan for letting us use his firing range for free. The St. Charles Police Department was paying \$600 to the Winona County Sheriff's Office to use their range located just outside Winona city limits.
- On July 27th, Officers participated in Story Time at the St. Charles Library.
- On July 28th, Officers attended a *Medical Helicopter Landing Zone Training*. The training was hosted by Winona County Emergency Management and was instructed by Gundersen Air (Gundersen Health System).
- New patrol cars update: Currently the department has one of the 4 new squad cars, fully upfitted and marked, and should be ready for duty in the next week. Hail damage on 3 of the new squad cars caused about a month delay on the upfitting process, however, as of August 8th, EATI (Upfitting company) started working on the squad cars again, so we expect the 3 new squad cars will be ready for duty by the end of August.

Respectfully submitted,

Chief, Jose Pelaez

INTEGRITY – RESPECT – EXCELLENCE – HONOR - COMPASSION



Cities and Regulation of Edible Cannabinoid Products

Published: July 15, 2022

A new law was enacted at the end of the 2022 legislative session that allows certain edible and beverage products infused with tetrahydrocannabinol (THC) to be sold. Since the enactment of the law, the League of Minnesota Cities has been researching and collecting information from state agencies and stakeholders to answer questions pertaining to local regulatory authority, law enforcement, taxing, and employment. The following frequently asked questions (FAQ) aim to provide information to cities on the new law to assist local governments in making decisions related to the law. The League will continually update the information below as necessary.

(Updated July 28, 2022)

Get answers to FAQs regarding the new law allowing certain edible and beverage products containing THC extracted from hemp to be sold.

General information

Q1. What does the new law do?

Q2. Under the new law, where are edible cannabinoids allowed to be sold? *(Updated July 20, 2022)*

Q3. Could my city's municipal liquor store sell the edible cannabinoid products? *(Updated July 20, 2022)*

Q4. What regulations are in place for packaging for edible cannabinoids?

Q5. Are these products legal under federal regulations? *(Updated July 22, 2022)*

Q6. Where do the edible cannabinoid products come from?

Q7. How are the new products taxed?

Enforcement and public safety

Q8. How is the new law enforced? *(Updated July 28, 2022)*

Q9. What are penalties for someone who violates?

Q10. How do our officers determine if a driver is under the influence of these new products?

Q11. Could cities prohibit the sale of edible cannabinoids entirely? *(Updated July 19, 2022)*

Q12. Is our city required to adopt regulations under the new law?

City Licensing

Q13. What authority do cities have regarding licensing the sale of edible cannabinoids?

Q14. What types of restrictions should we consider in regulating cannabinoids? (Updated July 19, 2022)

Q15. Can a city add edible cannabinoid products to its existing tobacco licensing program?

Q16. If our city licenses edible cannabinoid products, how much can we charge as a license fee?

Zoning

Q17. What authority do cities have regarding zoning for where the products could be sold? (Updated July 19, 2022)

Q18. Could cities adopt a moratorium prohibiting the sale, manufacturing or, distribution of cannabinoids so it can study the issue?

City employment and personnel issues

Q19. Does the new Minnesota legal cannabinoid law change anything about how we do drug testing for CDL holders? (Updated July 22, 2022)

Q20. Does the new law change anything related to employees who carry a firearm? (Updated July 22, 2022)

Q21. Are there now “acceptable” limits of cannabinoids for non-CDL employees for purposes of drug testing at work (i.e., those we test under state drug and alcohol testing law)?

Q22. Can we still prohibit employees from being under the influence of cannabinoids while at work? Does the League have a model policy with updated language?

Q23. Can employees be in possession of edibles or other cannabinoid products while at work?

Q24. Do we need to change anything in our collective bargaining agreement with regard to discipline of employees who use cannabinoid products?

Q25. Can employees use cannabinoid products off-duty?

Q26. How does this impact the requirements of the Drug-Free Workplace Act?

Q27. Should my city still continue to include marijuana as a pre-employment panel screen for my Non-DOT employees? (Updated July 19, 2022)

General information

Q1. What does the new law do?

A1. It is now legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC), the cannabis ingredient extracted from hemp.

The new law was passed by the Legislature as part of [Chapter 98](#). Article 13 makes several changes to [Minnesota Statutes, section 151.72](#) regarding the sale of certain cannabinoid (CBD) products. The changes took effect on July 1.

The new law amends the scope of sale of any product that contains cannabinoids extracted from hemp and that is an edible cannabinoid product or is intended for human or animal

consumption.

Previous law authorized a product containing nonintoxicating cannabinoids to be sold, but the authority to sell edible CBD products was unclear. The new law expands the authority to include nonintoxicating cannabinoids, including edible cannabinoid products, provided they do not contain more than 0.3% of any THC. An edible cannabinoid product also cannot exceed more than five milligrams of any THC in a single serving, or more than a total of 50 milligrams of any THC per package.

Q2. Under the law, where are edible cannabinoids allowed to be sold?

A2. The new law does not limit where edible cannabinoids products may be sold. However, certain businesses by their nature maybe be limited on their ability to sell the products. Liquor stores, for example, are limited to selling specific items set by Minnesota Statute, section 340A.412, subd. 14. The Alcohol and Gambling Enforcement Division (AGE) of the Minnesota Department of Public Safety has advised the League of Minnesota Cities that products containing CBD, hemp, or THC are not allowed for sale at an exclusive liquor store. In addition, AGE has informed LMC that a liquor store's ability to sell food pursuant to Minnesota Statute, section 340A.412, subd. 14 (b), does not include edible cannabinoid products.

Q3. Could my city's municipal liquor store sell the edible cannabinoid products?

A3. Liquor stores are limited to selling specific items set by Minnesota Statute, section 340A.412, subd. 14. The Alcohol and Gambling Enforcement Division (AGE) of the Minnesota Department of Public Safety has advised the League of Minnesota Cities that products containing CBD, hemp, or THC are not allowed for sale at an exclusive liquor store. AGE has advised LMC that CBD, hemp, or THC infused beverages are not intended to be mixed with alcoholic beverages and are not considered soft drinks. In addition, AGE has informed LMC that a liquor store's ability to sell food pursuant to Minnesota Statute, section 340A.412, subd. 14 (b), does not include edible cannabinoid products. Due to this guidance, LMC recommends cities refrain from selling such products at their municipal liquor stores.

Q4. What regulations are in place for packaging for edible cannabinoids?

A4. Along with testing and labeling requirements, an edible cannabinoid must meet several requirements, including that it:

- Not bear the likeness or contain cartoon-like characteristics.
- Not be modeled after a brand of products primarily consumed or marketed to children.
- Not be made by applying an extracted or concentrated hemp-derived cannabinoid to a commercially available candy or snack food item.
- May not contain an ingredient, other than a hemp-derived cannabinoid, that is not approved by the federal Food and Drug Administration.
- May not be packaged in a way that resembles any commercially available food product.
- Must not be packaged in a container that could reasonably mislead any person to believe that it contains anything other than an edible cannabinoid product.

Q5. Are these products legal under federal regulations?

A5. The 2018 Farm Bill made several changes to federal law related to hemp. Under the law, hemp was removed from the controlled substance act, including derivatives, extracts, and cannabinoids, provided those substances contained less than 0.3% THC concentration. If a product contains more than 0.3% THC it is considered marijuana and not hemp. Pursuant to the Farm Bill, Minnesota has legalized the production of hemp through its [industrial hemp program](#).

Although hemp extracts that meet the mandated THC level are no longer controlled substances, the Farm Bill did not alter the authority of other federal agencies, including the Food and Drug Administration (FDA) from regulating hemp and hemp byproducts. Under current [FDA regulations](#), CBD or THC products cannot be sold as a dietary supplement and cannot be added to food for humans or animals.

Q6. Where do the edible cannabinoid products come from?

A6. Under current law, these products can be manufactured in Minnesota but also imported from other states. Growing hemp in Minnesota is governed by the Department of Agriculture, though the MDA Hemp Program does not regulate cannabis extracts, development and manufacturing of cannabis extracts, or the retail and marketing of cannabinoid products. Cities may want to consider zoning implications for manufacturing and production of cannabinoid products.

Q7. How are the new products taxed?

A7. It is the understanding of LMC that edible cannabinoid products legalized under the new law are subject to Minnesota sales tax. LMC is waiting for more guidance from the Minnesota Department of Revenue to determine if any exemptions apply. The new law does not authorize cities to tax the products in their communities, however LMC is waiting on more information as to whether the products would be subject to a local food and beverage tax.

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Enforcement and public safety

Q8. How is the new law enforced?

A8. The Minnesota Board of Pharmacy has regulatory authority over drug products that are implicitly or explicitly intended for human or animal consumption. This includes products regulated in the new law. If a product does not meet all the requirements of the new law, the product may be considered [misbranded](#) or [adulterated](#). The sale of a misbranded or adulterated product is a [misdemeanor-level crime](#) which is to be prosecuted by the [county attorney](#) where the offense took place. Questions regarding whether a specific product deviates from the requirements of the new law should be forwarded to the [Minnesota Board of Pharmacy](#). The Board of Pharmacy has provided a [form to file complaints against licensed or unlicensed cannabis businesses \(pdf\)](#) and an [inspection checklist to assist law enforcement \(pdf\)](#).

In addition, the new law limits the sale of CBD and THC products to persons over the age of 21. The sale of CBD and THC products to a person under the age of 21 is a misdemeanor-level crime which is to be prosecuted by the county attorney where the offense took place. Cities will need to work with local law enforcement and the county attorney to determine how to enforce this requirement.

If cities desire to further regulate CBD and THC products within their jurisdiction, they will need to work with their city attorney to adopt local regulations.

The League is working with the Minnesota Chiefs of Police Association and Minnesota Sheriff's Association to understand potential implications for law enforcement and identify additional questions pertaining to the enforcement of these new products along with employment related questions for law enforcement.

Q9. What are penalties for someone who violates?

A9. A violation of the new law is a misdemeanor. In most cases, the county attorney is charged with prosecuting these violations.

Q10. How do our officers determine if a driver is under the influence of these new products?

A10. The new law does not change the current rules relating to driving under the influence of a cannabinoid. Officers should use the same process to determine sobriety as they have used if they suspected a driver was under the influence of marijuana.

Q11. Could cities prohibit the sale of edible cannabinoids entirely?

A11. In most states that have adopted adult use cannabis legislation, local governments are given the option to either opt-in or opt-out of cannabis in their communities. This framework helps to maintain local control of the cannabis issue. The new Minnesota law does not provide such an option. Therefore, the new law makes the new cannabinoid products legal in every city throughout the state.

Without a clear opt-out option, the question as to whether a city could completely prohibit the sale of edible cannabinoids is an open question. One potential approach would be to follow the Minnesota House Research's suggestion to LMC that it may be possible for a city to classify cannabis edibles containing THC as an intoxicating cannabinoid and therefore would not be allowed under the new law.

Arguments have also been made that a city may be able to prohibit the sale of edible cannabinoids products under its authority to provide for the health safety and welfare of its community. If a city were to attempt to prohibit edible cannabinoids under this authority, it would need to work with its city attorney to develop findings that clearly show the dangers of edible cannabinoids products and the need to prohibit the products. Cities may want to look at communities that have banned the sale of flavored tobacco products as a model for such prohibitions.

Q12. Is our city required to adopt regulations under the new law?

A12. The new law does not require cities to take action in regulating the new products. If a city chooses not to adopt additional regulations, the sale and production of these new products will be governed by the city's existing zoning and other regulations. In addition, the new law gives local law enforcement power to enforce violations as a misdemeanor.

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City licensing

Q13. What authority do cities have regarding licensing the sale of edible cannabinoids?

A13. A city's authority to license comes from either a specific grant of authority from the Legislature or from its authority to provide for its general health, safety, and welfare. When a city official proposes local licensing of any activity or occupation, a city first must determine whether the state already licenses that activity and, if so, whether the law forbids or allows a local license.

Q14. What types of restrictions should we consider in regulating cannabinoids?

A14. If a city decides to regulate edible cannabinoids or other cannabinoid products, the types of regulations can vary from city to city. Some items a city may consider when drafting these regulations include:

- What areas of the city edible cannabinoids may be sold or manufactured or distributed.
- What business should be allowed to sell edible cannabinoids.
- Age of person selling the product.
- Location of products within retail establishment.
- Pop-up sales.
- Transient merchants.
- Vending machines.
- Distance from other uses (schools, parks, residential, etc.).
- Distance between retailers.
- Delivery services.
- Online sales.
- Limit number of establishments within the city.
- Age verification.
- Hours.
- Background checks.

Q15. Can a city add edible cannabinoid products to its existing tobacco licensing program?

A15. The requirements and legal authority for tobacco products are unique to those products. While some aspects of tobacco regulations may be used when regulating edible cannabinoid products, the products and the authority to regulate them are quite different. If a city chooses to license edible cannabinoid sellers, it would be best to do so separately from tobacco regulations or be sure to carefully draft new language in an existing ordinance that follows the unique requirements of the new law.

Q16. If our city licenses edible cannabinoid products, how much can we charge as a license fee?

A16. When setting fees, cities should consider a number of things. First, cities should not view municipal licensing as a significant source of revenue. License fees must approximate the direct and indirect costs associated with issuing the license and policing the licensed activities. License fees that significantly exceed these costs are considered unauthorized taxes.

This means a license fee may not be so high as to be prohibitive or produce any substantial revenue beyond the actual cost to issue the license and to supervise, inspect, and regulate the licensed business.

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Zoning

Q17. What authority do cities have regarding zoning for where the products could be sold?

A17. Nothing in the new law limits a city's zoning authority related to CBD and THC products. No Minnesota court has interpreted the limits on zoning authority in this context, but at least one court in another state has ruled that a state law related to cannabis did "not nullify a municipality's inherent authority to regulate land use under [state] law so long as the municipality does not prohibit or penalize all medical marijuana cultivation ... and so long as the municipality does not impose regulations that are unreasonable and inconsistent with regulations established by state law." *DeRuiter v. Township of Byron*, 505 Mich. 130, 949 N.W.2d 91 (2020). It is unknown if a Minnesota court would come to the same conclusion.

Cities should be thoughtful and intentional about how zoning regulations related to cannabinoid products affect their communities and work with their city attorney to determine what, if any, zoning restrictions should be adopted. Cities will need to consider not only zoning regulations related to retail sales of CBD and THC products but also the manufacturing and production of the products within the city. Unless specifically differentiated in a zoning ordinance, a city's general manufacturing and production zoning provisions will likely apply to CBD and THC production as well.

Q18. Could cities adopt a moratorium prohibiting the sale, manufacturing or, distribution of cannabinoids so it can study the issue?

A18. A moratorium is a tool cities use to pause specific uses in order that the city may study the issue in anticipation of future regulations. A moratorium is limited to a period of one year. To adopt a moratorium, a city must follow the procedures in [Minnesota Statute, section 462.355, subd. 4](#). The statute specifies the specific instances where a city may adopt a moratorium. If a

city were to adopt a moratorium prohibiting the sale or manufacturing of edible cannabinoid products, it should work with its city attorney to clearly state the legal justification for the moratorium.

If a city does adopt a moratorium, it must actually review and study the issue or meet one of the other requirements of the statute. More information on moratoriums can be found in the [LMC Zoning Guide for Cities](#).

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City employment and personnel issues

Q19. Does the new Minnesota legal cannabinoid law change anything about how we do drug testing for CDL holders?

A19. No, cities with positions requiring an employee to hold a commercial driver's license (CDL) will recall these positions are regulated by federal law, and those regulations are supervised by the Federal Department of Transportation (DOT). Federal law preempts state law related to cannabinoid use; in fact the DOT states in its [DOT Recreational Marijuana Notice](#) it does not authorize the use of Schedule I drugs, including marijuana, for any reason. As a result, cities should continue to follow their drug-testing procedures related to CDL holders and may enforce prohibitions against any use of cannabinoids for CDL holders, regardless of state law protections.

Although there is a legal difference between marijuana and hemp, [DOT warns](#) CDL drivers the hemp products could lead to a positive marijuana test; therefore CDL holders are ultimately responsible if those products lead to a positive marijuana test.

Cities can find more information on the effects of the new law on drug testing in the [LMC Drug and Alcohol Testing Toolkit](#), starting on page 22.

Q20. Does the new law change anything related to employees who carry a firearm?

A20. No. Public safety employees who carry a firearm cannot lawfully use marijuana under federal law. [Federal law](#) prohibits cities from providing firearms or ammunition to an employee it knows or has reason to think is using marijuana. Although there is a legal difference between marijuana products and hemp products, it is the understanding of LMC that it may not be possible to differentiate the products in a drug test. Officers should be mindful of any substance they ingest because they are ultimately responsible if those products lead to a positive marijuana test.

Q21. Are there now “acceptable” limits of cannabinoids for non-CDL employees for purposes of drug testing at work (i.e., those we test under state drug and alcohol testing law)?

A21. There isn't a clear answer, since THC can remain in the body for several weeks after usage (and long after any intoxicating or impairing effects have since disappeared), so positive test results may not indicate any wrongdoing on the employee's part and may just be evidence of an

employee's lawful actions done outside of work. The League of Minnesota Cities recommends that employers thoroughly document any suspicions of an employee being under the influence and to work closely with their city attorney(s) before taking any action against the employee. With this new area of law, a city may want to avoid relying on the results of traditional tests that detect metabolites remaining in a person's body (for many days or weeks after using marijuana) and instead focus on implementing reasonable-suspicion drug-testing protocols to detect marijuana intoxication based on behavioral observations. Keep in mind, employers may prohibit all employees from being under the influence while the employee is working. That would include employees who operate vehicles. Employers may want to revise their policies to clarify that employees still may not be under the influence of cannabis, legal or otherwise, while at work.

The [National Drug-Free Workplace Alliance](#) offers a toolkit to help employers work through the complex and confusing issue of marijuana and the workplace.

Q22. Can we still prohibit employees from being under the influence of cannabinoids while at work? Does the League have a model policy with updated language?

A22. Yes, employers can continue to prohibit employees from being under the influence of cannabinoid products, including edibles, while at work. Although employers' obligations and restrictions related to marijuana use vary widely across the states, there is no law we are aware of that requires employers to allow cannabinoid use during work hours or to allow an employee to report to work impaired. Thus, employers may continue to maintain drug-free policies at the workplace and discipline employees who use cannabinoids during working hours or who report to work impaired. In fact, one could argue that under the [Occupational Safety and Health Administration's \(OSHA\) General Duty Clause](#) of the Occupational Safety and Health Act, employers are required to furnish a workplace free from recognized hazards that are likely to cause serious physical harm. This provision of the Act is typically used in accident cases where toxicology screens are positive.

OSHA's new electronic recordkeeping rule, [clarified on 10/11/2018](#), states "If the employer chooses to use drug testing to investigate the incident, the employer should test all employees whose conduct could have contributed to the incident, not just employees who reported injuries," with respect to using drug testing to evaluate the root cause of a workplace incident that harmed or could have harmed employees. Thus, if a city has a non-DOT drug-testing policy in place, a protocol following this guidance is important.

The League has a [Non-DOT Drug and Alcohol Testing and Drug-Free Workplace Act model policy](#) that has been updated initially, and will be continually updated as the League learns more.

Q23. Can employees be in possession of edibles or other cannabinoid products while at work?

A23. Cities may enact policies prohibiting employees from bringing cannabinoid products, including edibles, to work.

Q24. Do we need to change anything in our collective bargaining agreement with regard to discipline of employees who use cannabinoid products?

A24. No, but ensure your city's drug-testing policy has been updated and your supervisors are trained on the behavioral signs and symptoms associated with impairment. Of course, if the collective bargaining agreement includes language that policy changes need to be negotiated, then there would need to be a meeting with the union if the city's policy changes.

Q25. Can employees use cannabinoid products off-duty?

A25. It depends. Certain types of employees, such as law enforcement officers and other employees issued firearms and ammunition as part of their jobs, are subject to regulations from the federal Bureau of Alcohol, Tobacco and Firearms, which prohibits firearms and ammunitions to be given to individuals who do or are believed to use illegal drugs. As noted above, city positions required to hold a commercial driver's license are subject to Department of Transportation regulations and are not authorized for the use of Schedule I drugs, including marijuana, for any reason. Thus, these types of employees could be prevented from using cannabinoid products both on and off duty. Other employees who are not subject to that or other federal regulations would likely be able to use cannabinoid products while they are off duty, as there is nothing under Minnesota law which prohibits certain classes of employees from using cannabinoid products off duty, as long as they are not impaired at work.

If there are any questions regarding whether an employee could be prevented from using cannabinoid products while off-duty due to federal regulations, please consult your city attorney before any action is taken.

Q26. How does this impact the requirements of the Drug-Free Workplace Act?

A26. It does not. The Drug-Free Workplace Act of 1988 (DFWA) requires federal grantees and contractors to implement a drug-free workplace policy and establish a drug-free awareness program as a precondition for receiving a federal grant or a contract. However, the DFWA does not require covered employers to test employees for drugs or terminate them for drug-related violations, so the new Minnesota state law does not impact the DFWA directly. Minnesota law allows employers to prohibit employees from bringing legal cannabinoid products to work and permits employers to prohibit employees from being under the influence while at work. It would be best practice for cities with drug-free work policies to keep those in effect. If a city wishes to do so, it can update its policy to include lawful cannabinoid products within its scope.

Q27. Should my city still continue to include marijuana as a pre-employment panel screen for my Non-DOT employees?

A27. That is for each city to decide for itself. Because currently there are no devices or blood tests available that measure marijuana impairment, and because a best practice approach for Non-DOT marijuana drug testing is to base testing on behavioral observations, some employers are excluding marijuana from their pre-employment Non-DOT drug screens. Some states even prohibit an employer from refusing to hire an applicant simply because of a positive drug test,

but Minnesota is currently not one of these states at this time. Any city that chooses to continue to test for THC for Non-DOT positions must be aware of the fact that these substances may remain in an individual's system for weeks after the impairing effect of the drug has worn off. Thus, it will be difficult, if not impossible, to determine whether the positive test indicates usage in violation of the city's drug-free workplace policy or indicates lawful usage during an employee's time-off from work. Cities should consult with their city attorneys prior to taking any action based upon a positive drug test for THC.

[Return to top of page](#)

Your LMC Resource

Research & Information Service staff members are ready to help you apply their broad knowledge to the issues you're dealing with today.

[Access online form to submit a question](#), or call us: (651) 281-1200 or (800) 925-1122

MEMORANDUM

TO: St. Charles Planning & Zoning Commission
Nick Koverman, City Administrator

FROM: Daren Sikkink, P.E.
WHKS & Co.

DATE: August 12, 2022

RE: South Fork 4th Addition
St. Charles MN

The Southeastern Minnesota Multi-County Housing and Redevelopment Authority (SEMMCHRA) is the current owner of Lot 2, Block 5 of the Replat of South Fork subdivision. SEMMCHRA has teamed up with Habitat for Humanity (Habitat) to create a 12-lot subdivision along Robert Street. Robert Street was originally developed as part of the Replat of South Fork subdivision. The street currently contains sanitary sewer, storm sewer, watermain, curb & gutter and bituminous pavement.

Habitat has indicated they intend to construct the townhomes using students from the Southeast Minnesota Technical College to keep costs low.

WHKS was hired by the City to provide engineering design services for the proposed development. The City will be reimbursed for the engineering by Habitat through the development agreement.

Attached to this memo are the final plat and plans. The final plat has been prepared by Johnson & Scofield Surveying which worked with SEMMCHRA on previous attempts to develop this parcel. The subdivision shows 12 lots which would contain six townhome buildings. The parcel contains a public trail easement along Trunk Highway 14 which was completed last year. The parcel also contains a drainage and utility easement adjacent to the public trail. This drainage easement conveys the Trunk Highway 14 drainage to the natural drainageway east of this parcel.

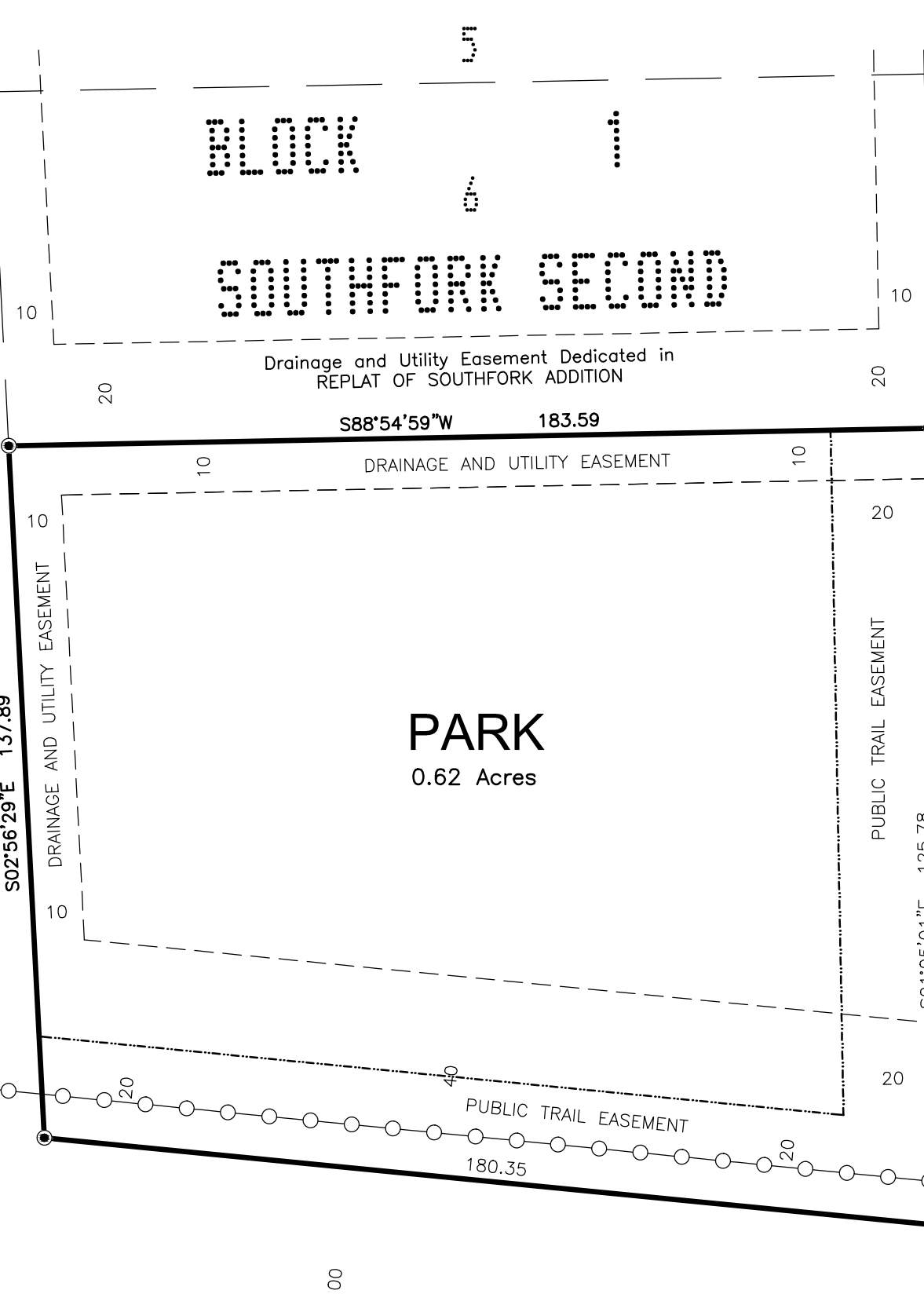
The proposed plans show adding 12 individual sanitary and water services to serve the new townhomes. The existing street will require four bituminous patches and replace the curb & gutter to make the service connections to the existing sanitary sewer and watermain. Four services will be connected to the sanitary sewer and watermain that was originally stubbed into the lots.

The majority of the new stormwater runoff will be collected in the storm sewer system and directed to the existing stormwater management basin located on the adjacent property. This parcel was included in the stormwater management basin design of the original subdivision.

Preliminary & final plat, water & sewer impact and subdivision inspection fees may apply to this subdivision. City staff will need to determine if these fees were previously paid as part of the original subdivision.

REPLAT OF SOUTH FORK ADDITION

REPLAT OF SOUTH FORK ADDITION



PRELIMINARY

REPLAT OF ROBERTS

PRELIMINARY

REPLAT OF SOUTH FORK ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That the Southeastern Minnesota Multi-County Housing and Redevelopment Authority, a Minnesota Municipal Corporation, owner and proprietor, of the following described property located in the City of St. Charles, County of Winona, State of Minnesota, to wit:

Lot 2, Block 5, REPLAT OF SOUTH FORK ADDITION, according to the plat thereof on file in the Office of the County Recorder, Winona County, Minnesota.

AND

That part of Outlot A, REPLAT OF SOUTH FORK ADDITION, according to the plat thereof on file in the Office of the County Recorder, Winona County, Minnesota, described as follows:

Beginning at the southeast corner of Lot 2, Block 5, said REPLAT OF SOUTH FORK ADDITION; thence North 01 degrees 05 minutes 01 seconds West, oriented with the original plat of said REPLAT OF SOUTH FORK ADDITION, along the east line of said Lot 2, a distance of 193.19 feet to the northeast corner of said Lot 2; thence North 88 degrees 54 minutes 59 seconds East, along the easterly extension of the north line of said Lot 2, a distance of 28.00 feet; thence South 01 degrees 05 minutes 01 seconds East, a distance of 196.47 feet to the southerly line of said Outlot A; thence North 84 degrees 24 minutes 30 seconds West, along said southerly line, a distance of 28.19 feet to the point of beginning.

Has caused the same to be surveyed and platted as SOUTH FORK THIRD, and does hereby dedicate to the public for public use the drainage and utility easements as created by this plat, and does hereby donate to the City of St. Charles the park as shown on this plat.

In witness whereof said Southeastern Multi-County Housing Authority, has caused these presents to be signed by its proper officers this _____ day of _____, 201__.

Joseph P. Wheeler, Executive Director

Jack L. Roberts, Chairperson

STATE OF _____, COUNTY OF _____

This instrument was acknowledged before me on _____ by Joseph P. Wheeler and Jack L. Roberts.

Notary Public, _____ County, Minnesota

My Commission Expires _____

PRELIMINARY

I, Brian Wodele, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been correctly set; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 201__.

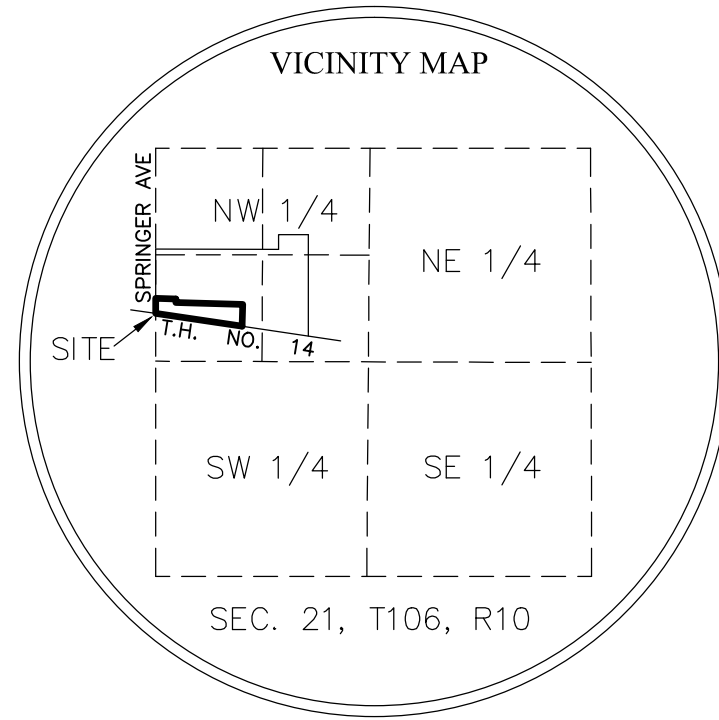
Brian K. Wodele, Licensed Land Surveyor
Minnesota License Number 46559

STATE OF _____, COUNTY OF _____

This instrument was acknowledged before me on _____ by Brian K. Wodele, Licensed Land Surveyor, Minnesota License Number 46559.

Notary Public, _____ County, Minnesota

My Commission Expires: _____



CITY COUNCIL, CITY OF ST. CHARLES, MINNESOTA

This Plat of SOUTH FORK THIRD was approved and accepted by the City Council of the City of St. Charles, Minnesota at a regular meeting thereof held this _____ day of _____, 20__, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03.

By: _____, City Clerk

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20__.

Brian Wodele, Winona County Surveyor
Minnesota License No. 46559

COUNTY AUDITOR/TREASURER, WINONA COUNTY, MINNESOTA

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20__ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20__.

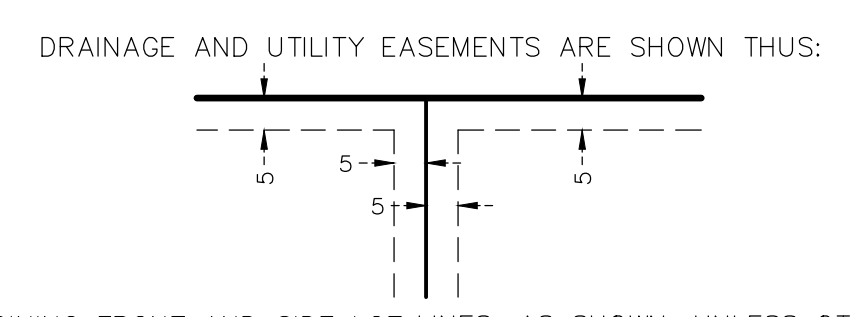
Sandra J. Suchla, Winona County Auditor/Treasurer

COUNTY RECORDER, COUNTY OF WINONA, STATE OF MINNESOTA

I hereby certify that this plat of SOUTH FORK THIRD was filed in the office of the County Recorder for public record on this _____ day of _____, 20__, at _____ o'clock ____ M. and was duly filed as Document No. _____.

Robert J. Bambenek, Winona County Recorder

By _____, Deputy



PRELIMINARY

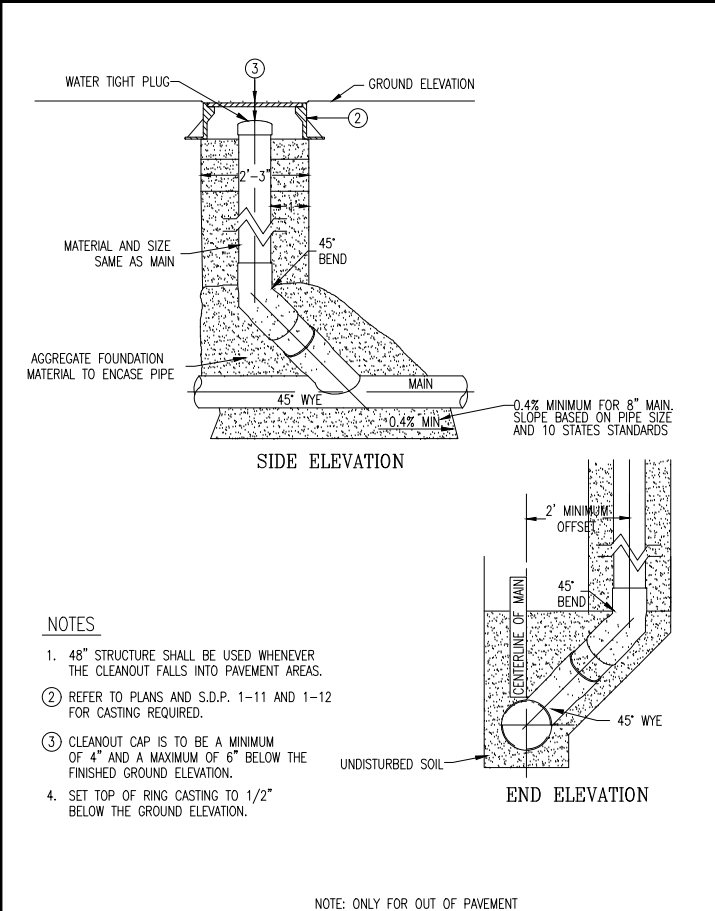
The bearings shown hereon are based on the Original Plat of REPLAT OF SOUTH FORK ADDITION

○ Denotes a placed 1" by 18" iron pipe having a plastic cap bearing land surveyor license no. 46559.

● Denotes a found 1/2" iron pipe.

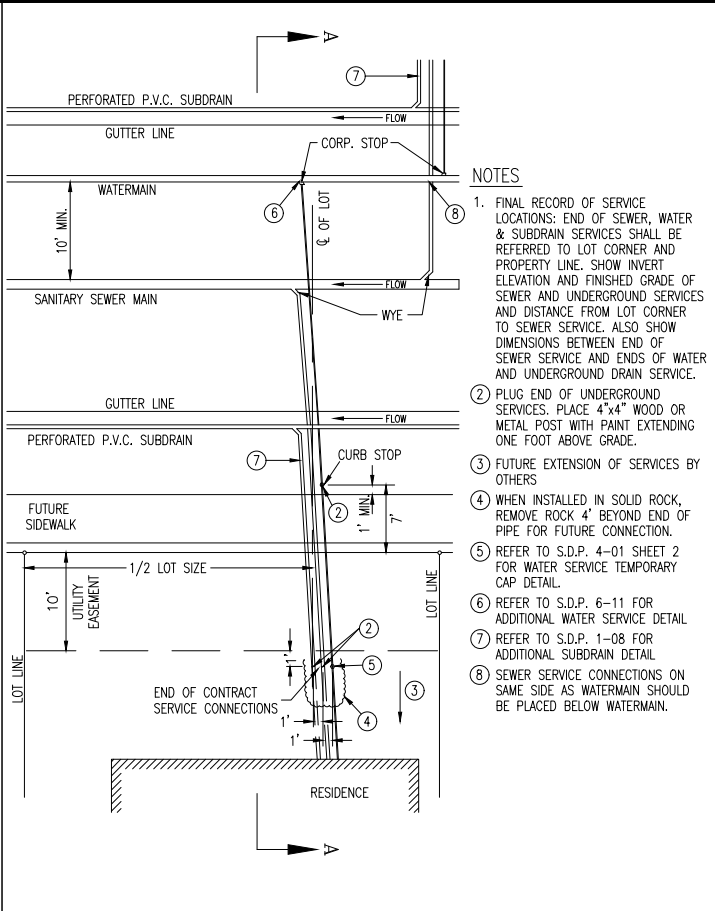
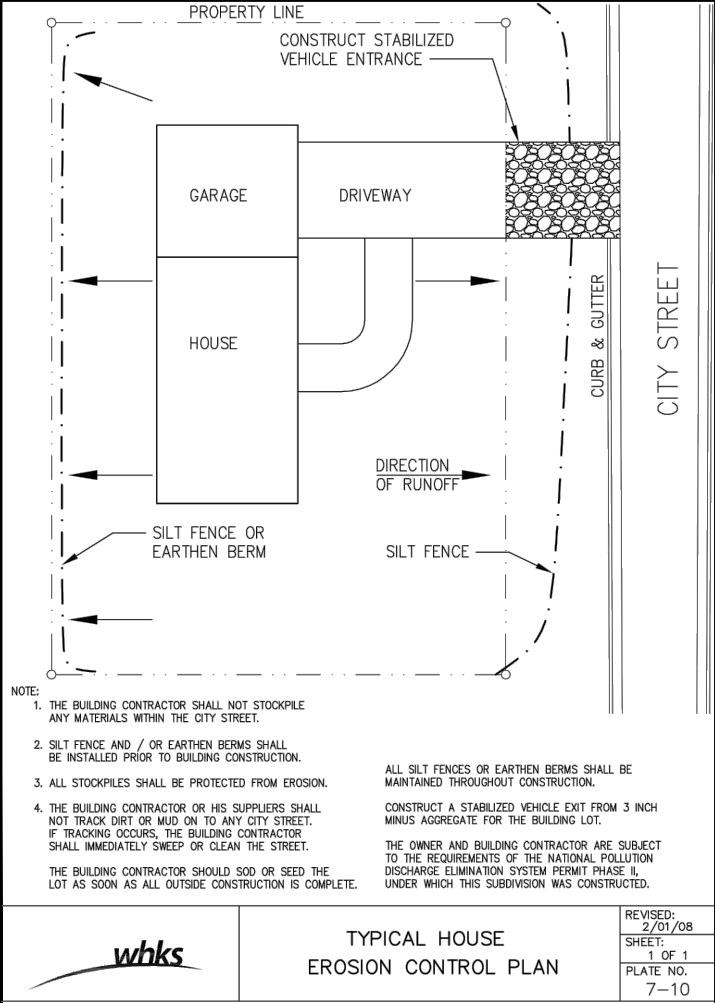
1"=30'
Scale in Feet

JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
4240 West 5th Street, Winona, MN 55987
(507)454-4134. FAX(507)454-2544
brianw@jssmail.com



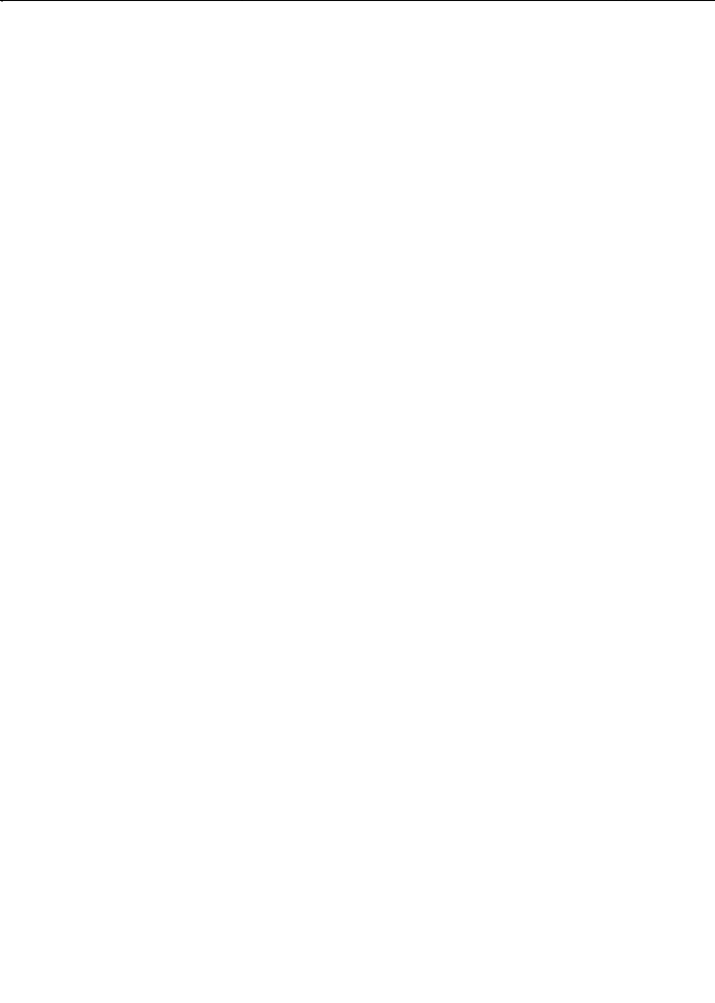
REVISIONS:

NO.	DATE	DESCRIPTION



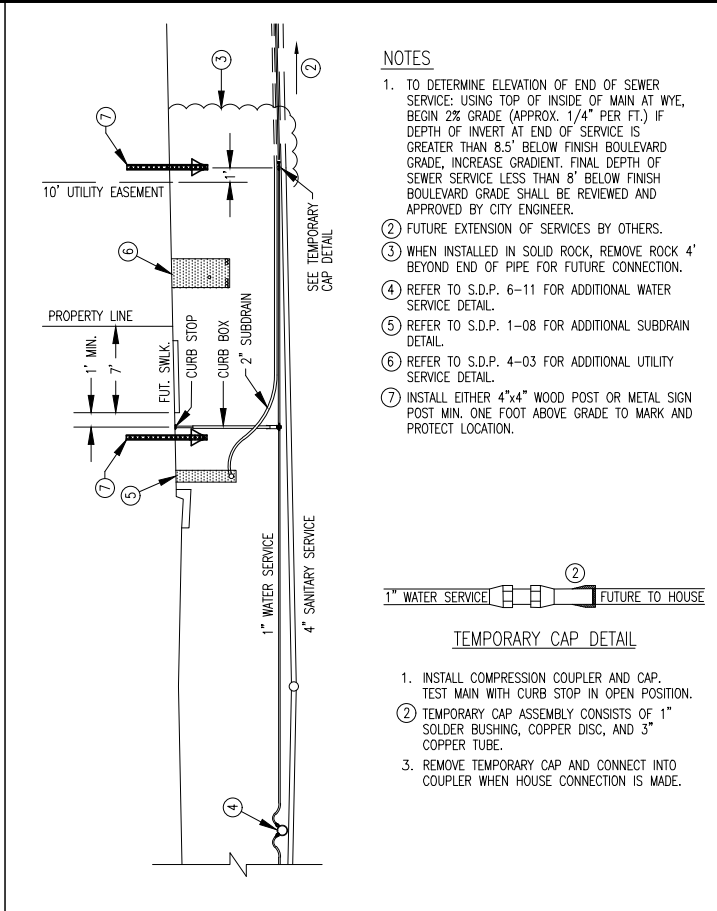
REVISIONS:

NO.	DATE	DESCRIPTION



REVISIONS:

NO.	DATE	DESCRIPTION



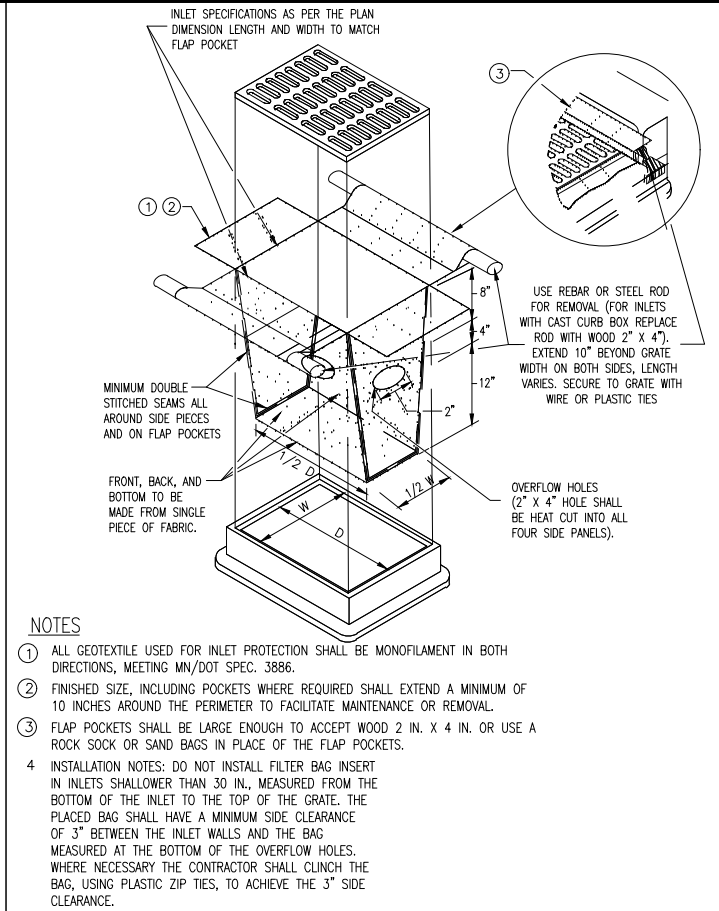
REVISIONS:

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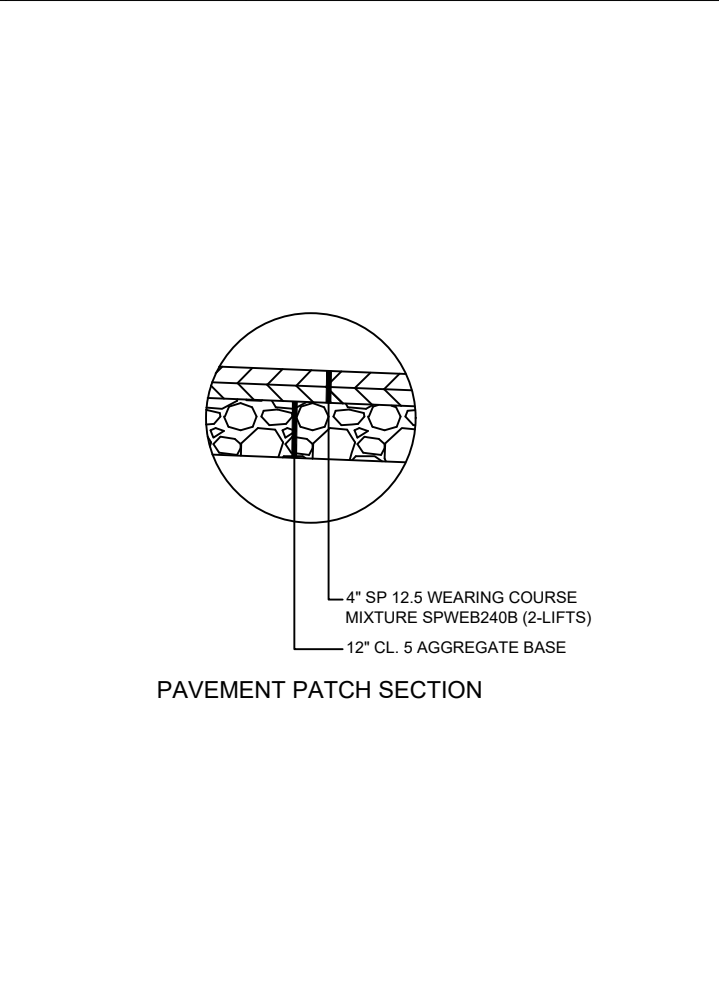
REVISIONS:

NO.	DATE	DESCRIPTION




REVISIONS:

NO.	DATE	DESCRIPTION



REVISIONS:

NO.	DATE	DESCRIPTION



engineers + planners + land surveyors

I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

Name _____ Date _____ License No. _____

REVISIONS		
NO.	DATE	DESCRIPTION

DETAILS

UTILITY SERVICES FOR SOUTH FORK 4TH ST. CHARLES, MINNESOTA 2022

SCALE: AS SHOWN

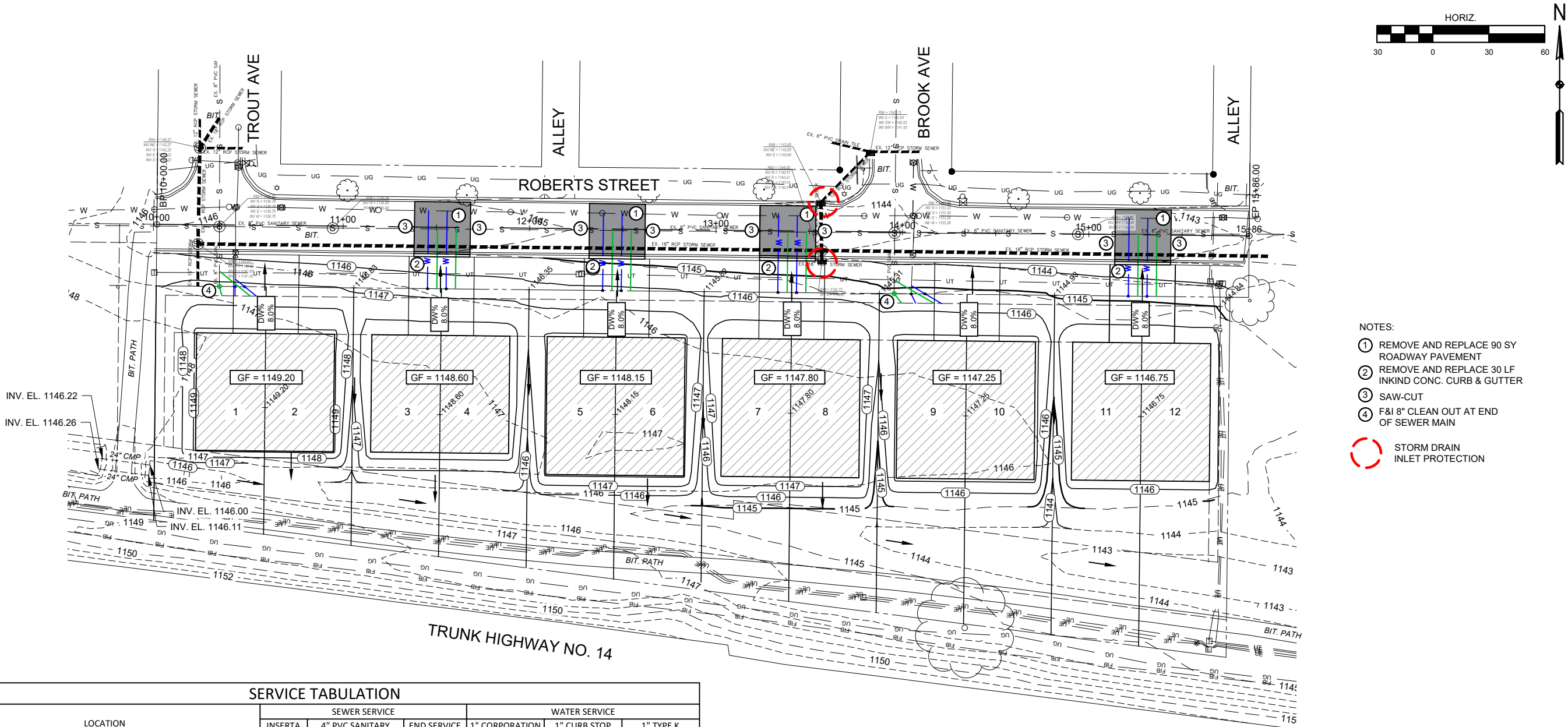
WHKS PROJECT NO. 9569

DRAWN BY: DJO

CHECKED BY: DS

SHEET 1 OF 2

FILE PATH: S:\Jobs\St. Charles\9569 - South Fork 4thDrawings\9569_DESIGN.dwg PLOT DATE: 8/12/2022 10:42 AM



NOTES:

- 1 REMOVE AND REPLACE 90 SY ROADWAY PAVEMENT
- 2 REMOVE AND REPLACE 30 LF INKIND CONC. CURB & GUTTER
- 3 SAW-CUT
- 4 F&I 8" CLEAN OUT AT END OF SEWER MAIN

STORM DRAIN INLET PROTECTION

SERVICE TABULATION


LOCATION						SEWER SERVICE			WATER SERVICE		
						INSERTA TEE	4" PVC SANITARY SERVICE PIPE LIN FT	END SERVICE ELEVATION	1" CORPORATION STOP EACH	1" CURB STOP AND BOX EACH	1" TYPE K COPPER PIPE LIN FT
LOT NO.	STATION	OFFSET	TO	STATION	OFFSET	EACH					
1	10+33.93	33.00'RT		10+35.25	38.00'RT	1	5	1140.20			
1	10+42.32	33.00'RT		10+42.32	38.00'RT				1	1	5
2	10+33.85	24.82'RT		10+50.55	38.00'RT	1	21	1140.20			
2	10+42.32	28.96'RT		10+53.77	38.00'RT				1	1	15
3	11+50.64	0.89'RT		11+50.50	33.00'RT	1	32	1139.00			
3	11+45.68	8.80'LT		11+45.50	33.00'RT				1	1	42
4	11+60.64	0.87'RT		11+60.50	33.00'RT	1	32	1139.00			
4	11+55.68	8.75'LT		11+55.50	33.00'RT				1	1	42
5	12+44.50	0.72'RT		12+44.50	33.00'RT	1	32	1138.50			
5	12+39.50	8.42'LT		12+39.50	33.00'RT				1	1	42
6	12+54.50	0.70'RT		12+54.50	33.00'RT	1	32	1138.50			
6	12+49.50	8.42'LT		12+49.50	33.00'RT				1	1	42
7	13+38.50	0.55'RT		13+38.50	33.00'RT	1	32	1138.20			
7	13+33.50	8.22'LT		13+33.50	33.00'RT				1	1	42
8	13+48.50	0.54'RT		13+48.50	33.00'RT	1	33	1138.20			
8	13+43.50	8.22'LT		13+43.50	33.00'RT				1	1	42
9	13+95.92	33.00'RT		13+99.84	38.00'RT	1	6	1137.60			
9	14+04.97	33.00'RT		14+07.48	38.00'RT				1	1	6
10	13+95.89	25.82'RT		14+17.32	38.00'RT	1	25	1137.60			
10	14+05.12	28.76'RT		14+21.37	38.00'RT				1	1	19
11	15+26.50	0.26'LT		15+26.50	33.00'RT	1	34	1137.10			
11	15+21.50	8.86'LT		15+21.50	33.00'RT				1	1	42
12	15+36.50	0.37'LT		15+36.50	33.00'RT	1	34	1137.10			
12	15+31.50	8.86'LT		15+31.50	33.00'RT				1	1	42
TOTALS						12	318		12	12	381

GOVERNING SPECIFICATIONS

THE 2020 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" AND ANY SUPPLEMENTAL SPECIFICATIONS SHALL GOVERN, EXCLUDING DIVISION I.

NOTES:

- 1. WHERE PUBLIC UTILITY FIXTURES OR FACILITIES ARE SHOWN AS EXISTING ON THE PLANS OR ENCOUNTERED WITHIN THE CONSTRUCTION AREA, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE OWNERS OF THESE UTILITIES PRIOR TO THE BEGINNING OF ANY CONSTRUCTION INVOLVING EXCAVATION. THE CONTRACTOR SHALL AFFORD ACCESS TO THESE FACILITIES FOR NECESSARY MODIFICATION OF SERVICES OR RELOCATION. UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS AND UTILITY OPERATOR LOCATION MARKINGS THAT WERE REQUESTED THROUGH GOPHER STATE ONE CALL; THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. TYPE, SIZE AND GENERAL LOCATION OF THE FACILITIES WERE REQUESTED OF THE OPERATORS AND SHOWN ON THE PLANS, AND IF NECESSARY, UPDATED WITHIN 90 DAYS OF COMPLETION OF THE FINAL PLANS. IT IS POSSIBLE THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION AND TO AVOID DAMAGE THERETO. NO CLAIMS FOR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR ANY INTERFERENCE OR DELAY CAUSED BY THE WORK.
- 2. GOPHER STATE ONE CALL TELE: 1-800-252-1166.
- 3. CONTRACTOR SHALL COORDINATE UTILITY RELOCATIONS WITH THE UTILITY COMPANIES, THIS SHALL BE INCIDENTAL TO THE PROJECT.
- 4. CITY OF ST. CHARLES STANDARD SPECIFICATION APPLIES FOR ALL WATER AND SANITARY SERVICE MATERIALS, APPURTENANCES, AND INSTALLATION.
- 5. ALL SANITARY SEWER SERVICE PIPE AND FITTINGS SHALL BE 4", SDR 26. PIPE JOINTS AND FITTING CONNECTIONS SHALL HAVE RUBBER GASKETS. ALL JOINTS SHALL BE ASSEMBLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATION. SANITARY SEWER SERVICE CONNECTIONS TO THE MAIN SHALL BE WITH AN INSERT-A-TEE OR APPROVED EQUAL CONNECTION.



engineers + planners + land surveyors

I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

Name _____ Date _____ License No. _____

REVISIONS		DESCRIPTION	
NO.	DATE		

UTILITY PLAN

UTILITY SERVICES FOR SOUTH FORK 4TH ST. CHARLES, MINNESOTA

2022

SCALE: AS SHOWN

WHKS PROJECT NO. 9569

DRAWN BY: DJO

CHECKED BY: DS

SHEET

2 OF 2



08/03/22

Mr. Nick Koverman
St Charles Ambulance
201 W 3rd St
St Charles, MN. 55972

PRICE QUOTATION

2022 HORTON EMERGENCY VEHICLES

Type III Ambulance – **Remount 2011 Body**

CHASSIS

2022 Ford E 450 RV Cutaway Chassis

158" Wheelbase
Mileage – [New – Delivery Miles Only](#)
7.3 Liter V8 Gasoline Engine
6 Speed Automatic Overdrive Transmission
Cab Interior Color - Gray
Radial Tires
Intermittent Wipers
Tilt Steering Wheel
AM-FM Digital Stereo Radio with Bluetooth
High Back Cloth Captains Chairs
Cruise Control
Electric Locks
Electric Windows
Anti-Lock Brakes
Handling Package
Heavy Duty Alternator
Cab Air Bags

MODULAR BODY

Builder = Horton Emergency Vehicles 2011
Model = Type III, - 553 Horton Remount

CHASSIS UNIT PRICE = \$ 39,707.00

HORTON TYPE III AMBULANCE BODY = \$ 15,000.00

Base Remount Conversion of Type III Body**\$ 52,999.00**

(Includes wiring harnesses for new chassis, chassis tie downs, seals, gaskets, chassis frame prep, original heat/ac unit, transfer of compatible lights, new siren speakers, new stainless steel wheel simulators, complete new interior upholstery, all new exterior door handles, original switch panels, re-install chassis cab console, original interior flooring)

ADDITIONAL OPTIONAL ITEMS INCLUDED ON THIS UNIT

Customer Graphics Stripe/Chevrons	\$ 5,800.00
Complete Body Repaint (base color white)	\$ 14,850.00
Remove Curbside Window – Weld in Structure for HOPS System – Refinish	\$ 453.00
Dri Dek Installed in All Exterior Compartments and Shelves	\$ 325.00
Install New Rear Mud Flaps	\$ 136.00
Replace Rear Bumper Step on Rear of Vehicle	\$ 1,189.00
Replace Rear Module Diamond Plate Corner Guards (4)	\$ 193.00
Replace the Diamond Plate Rear Riser Skirt	\$ 157.00
Replace Front Stone Guards	\$ 158.00
Replace Stainless Steel Rub Rails (4)	\$ 815.00
Replace Rear Fenders, Polished Aluminum	\$ 437.00
Aluminum Diamond Plate Star Punched Running Boards	\$ 554.00
Replace Fuel Fill Polished Bezel	\$ 99.00
Replace Grabber Rear Door Hold Opens	\$ 76.00
Upgrade Ext. Door Handles to new Tri-Mark Free Floating with chrome finish	STD
Replace Gas Piston Door Checks on all Exterior Doors	\$ 333.00
Install Emergency Latch Release System on all Entrance Doors	\$ 463.00
Replace License Plate Mount and light	\$ 92.00
Replace Front & Rear ICC Lights with LED's	\$ 289.00
Replace Exterior Compartment Lights with LED's (8)	\$ 396.00
Replace Side Marker Lights with Whelen 700 Series LED's	\$ 241.00
Replace Tail Light Cluster with Whelen 600 Series LED Brake, Tail, Turn, B/U	\$ 891.00
Replace All Whelen 900 Series Load/Scene Lights with LED Scene Lights (6)	\$ 2,550.00
Replace All Ext. Compt. Lights with LED Compt. Lights	\$ 432.00
Change Interior Dome Lights to LED (6)	\$ 409.00
Install LED Upgrade Kits in existing Fluorescents (3)	\$ 321.00
Replace Stepwell Light with LED	\$ 67.00
Replace Rear Heat / AC System – Pro-Air	\$ 1,143.00
Replace Side Halogen Flashers with Whelen 900 Series LED Lights (4)	\$ 1,462.00
Replace Front Wall Flashers with Whelen 900 Series Split LED's R/B (4)	\$ 1,512.00
Replace Front Wall Flashers with Whelen 900 Series LED Lights (2)	\$ 731.00
Replace Front Wall Center White Halogen with Whelen 900 Series LED Light 1	\$ 365.00
Replace Rear Wall Halogen Flashers with Whelen 900 Series LED Lights (2)	\$ 731.00
Replace Rear Wall Window Level Flashers with 900 Series Split LED's R/B (2)	\$ 756.00
Replace Rear Wall Center KKK Flasher with 600 Series LED – Amber	\$ 96.00
Replace Grill Lights with Whelen TIR3 LED's (2)	\$ 191.00
Replace Front Intersection Lights with Whelen 700 Series Split LED Lights (2)	\$ 428.00
Replace Rear Intersection Lights with Whelen 700 Series Split LED Lights (2)	\$ 428.00
Install Electric Locks to All Exterior Module Doors (7 Doors Total)	\$ 909.00
Install Hidden Switch in Grill Area to Unlock Module Doors	\$ 113.00
Wire Module Compt. Electric Door Locks to the chassis door lock switches	\$ 84.00

Replace Exhaust Fans in Patient Compartment	\$ 68.00
Install In Power Battery Timer Switch	\$ 440.00
Install Voyager 2 Camera System with Monitor	\$ 1,243.00
Install Front Console Extension with Drink Holders & Note Book Slots	\$ 450.00
Replace Back Up Alarm	\$ 54.00
Pre-Wire for Fog Lights	\$ 87.00
Re-Install Power Inverter	STD
Install New Kussmaul 20 Amp Auto Eject Shoreline	\$ 516.00
Install Shoreline Indicator Light	\$ 90.00
ADD (1) 125 Volt Outlet	\$ 103.00
Replace Gas Strut Hold Opens on all Interior Cabinets	\$ 45.00
Replace Solid Surface Counter Tops	\$ 1,002.00
ADD Slide Out Drawer in Main Wall Cabinet below Telemetry Counter	\$ 201.00
Apply Stainless to Back Wall of Action Area & CPR Seat	\$ 488.00
ADD Vertical Rail with Storage Pouch to Head End of Squad Bench	\$ 1,048.00
Replace Curbside Wall Panel to accommodate 4-point belts	\$ 158.00
Replace Captains Chair Attendant Seat, w/USSC 4-point restraint, & child seat	\$ 2,177.00
Install HOPS 4-point restraint system on Squad Bench & CPR Seat with Vests	\$ 4,909.00
Replace Existing Flooring with Loncoin Onyx Flooring	\$ 1,198.00
Replace Power Load Floor Plate	\$ 95.00
Replace Suction Canister System	\$ 172.00
Replace Oxygen Tank Bracket Straps	\$ 78.00
Replace Rear Stainless Threshold at rear doors	\$ 207.00
Replace Entrance Door Panels (3)	\$ 361.00
Replace Rear Radio Speakers	\$ 78.00
Replace Windows in Rear Doors	\$ 370.00
Replace Window in Curbside Entry Door	\$ 246.00
Install Intellitec Digital LED Clock Above Rear Doors	\$ 415.00
Replace Interior Upholstery	\$ 317.00
Front End Alignment – Prior to Delivery	\$ N/C

TOTAL PRICE OF ABOVE OPTIONS	\$ 57,291.00
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Transportation to AEV, and returned to PSV	\$ 5,000.00
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NET PRICE DELIVERED TO ST. CHARLES, MN.	\$ 169,997.00
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Less Trade of Your Crashed 2009 Horton Type III E-450 Ambulance -	\$ 15,000.00
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TOTAL PRICE DELIVERED TO ST. CHARLES, MN.	\$ 154,997.00.
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Delivery of this Vehicle Would Be Approximately 200 Days.

Respectfully Submitted,

Mark Rethwisch
Sales Manager

ST. CHARLES AMBULANCE SERVICE

STAFFING PROPOSAL

Overview

In order to provide consistent local ambulance services to City of St. Charles residents, at least two additional full-time EMT staff must be hired to provide weekday daytime coverage. In addition, increasing hourly pay for volunteers will further incentivize coverage of nights and weekends, to minimize and/or eliminate the need for coverage by Lewiston.

My recommendation is to hire two paid EMT positions for 36-40 hours per week at a rate of \$22 per hour, as well as to increase the on-call pay rate for volunteers to \$5 per hour. This proposal will provide data regarding the current state of staffing for the St. Charles Ambulance Service and the basis for the proposal, as well as an estimate as to the cost of implementation.

Current State of St. Charles Ambulance Service Staffing

The St. Charles Ambulance Service does not have enough staff (Director and volunteers) to provide 24/7 coverage for the City. We have been granted a variance that allows us to have the Lewiston Ambulance Service cover our service area for up to twelve hours per day, but we are required to cover at least twelve hours or our service will be discontinued. Coverage requires that we staff an ambulance with at least one EMT and one EMR (it should be two EMTs, but there are some exceptions to allowing an EMT/EMR pairing). Providing the minimum coverage remains a daily struggle, and we have not been able to meet this requirement on several occasions.

The current member database shows eighteen volunteers, in addition to the paid Director. One would think that number of active volunteers should be sufficient to provide consistent coverage, but the actual data shows otherwise. In reality, only a handful of volunteers are providing significant coverage, and coverage outside of nights has been an ongoing struggle.

Service Area Coverage Data

Data from the scheduling software was used to analyze the time that St. Charles Ambulance Service covers its service area. It was grouped by date of the week and hour of the day, with the percentage of those times covered by St. Charles indicated in the grid. Times where St. Charles covered more than 75% of the shifts were shaded green. Yellow indicates where St. Charles covered less than 50% of shifts, and Red indicates times St. Charles covered less than 25% of shifts.

As can be seen below, between January 1, 2022 and July 31, 2022, the volunteers have done an excellent job covering nights (6:00 p.m. – 6:00 a.m.) nearly all the time. Prior to the start of the Director, the volunteers were nearly perfect covering nights and weekends, with Lewiston covering weekdays and some weekend hours.

January 1, 2022 – March 30, 2022

	AM											PM											AM				
	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5			
Mon	7.7%	7.7%	7.7%	7.7%	7.7%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	15.4%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%			
Tue	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	15.4%	15.4%	15.4%	15.4%	30.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%			
Wed	0.0%	0.0%	7.7%	7.7%	7.7%	7.7%	7.7%	0.0%	0.0%	0.0%	0.0%	38.5%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%			
Thu	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	38.5%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%			
Fri	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	33.3%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%			
Sat	69.2%	76.9%	76.9%	76.9%	69.2%	69.2%	61.5%	61.5%	61.5%	61.5%	61.5%	61.5%	92.3%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%			
Sun	92.3%	100.0%	100.0%	100.0%	100.0%	100.0%	92.3%	92.3%	92.3%	92.3%	92.3%	92.3%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	92.3%			

Weekday daytime coverage has improved some with the addition of the Director position since April 1, but the addition of a single position does not provide the coverage needed during those hours, because there is not the volunteer coverage for the additional person required in the ambulance. However, there has been some increase to the daytime coverage provided by St. Charles as a result, as shown here.

April 1, 2022 – July 31, 2022

	AM												PM																
	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5					
Mon	23.5%	29.4%	41.2%	35.3%	41.2%	35.3%	35.3%	35.3%	35.3%	35.3%	35.3%	52.9%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%					
Tue	23.5%	23.5%	29.4%	29.4%	35.3%	35.3%	29.4%	29.4%	17.6%	23.5%	17.6%	23.5%	88.2%	94.1%	94.1%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%					
Wed	41.2%	41.2%	47.1%	47.1%	52.9%	52.9%	64.7%	64.7%	70.6%	70.6%	70.6%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%					
Thu	41.2%	47.1%	52.9%	47.1%	41.2%	47.1%	47.1%	41.2%	47.1%	47.1%	47.1%	58.8%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%					
Fri	61.1%	61.1%	61.1%	61.1%	55.6%	61.1%	50.0%	44.4%	33.3%	33.3%	38.9%	55.6%	55.6%	55.6%	83.3%	88.9%	94.4%	94.4%	94.4%	94.4%	94.4%	94.4%	94.4%	94.4%					
Sat	61.1%	61.1%	61.1%	66.7%	66.7%	61.1%	50.0%	55.6%	55.6%	55.6%	50.0%	50.0%	83.3%	83.3%	83.3%	83.3%	88.9%	88.9%	94.4%	94.4%	94.4%	94.4%	94.4%	94.4%					
Sun	44.4%	44.4%	38.9%	38.9%	50.0%	50.0%	50.0%	55.6%	55.6%	55.6%	50.0%	50.0%	77.8%	83.3%	94.4%	94.4%	94.4%	94.4%	88.9%	88.9%	88.9%	88.9%	88.9%	88.9%					

Of note is that the St. Charles coverage for nights and weekends has actually declined in recent months, as volunteers have picked up fewer hours. The data above includes a number of night and weekend shifts that were picked up by the Director to fill out the schedule and meet staffing requirements. Reliance on the Director to cover shifts on nights and weekends, as well as the entirety of the weekdays, is not a viable long-term solution to staffing the ambulance service. If the Director's hours outside of the contract (6:00 a.m. to 6:00 p.m., Monday – Friday) are removed, the difference is even more significant, with Lewiston covering the majority of daytime hours (both weekday and weekend).

April 1, 2022 – July 31, 2022 without Director hours outside regular contract

	AM												PM											AM				
	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5				
Mon	23.5%	29.4%	41.2%	35.3%	41.2%	35.3%	35.3%	35.3%	35.3%	35.3%	35.3%	52.9%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	94.1%	94.1%	94.1%	94.1%	94.1%	94.1%				
Tue	23.5%	23.5%	29.4%	29.4%	35.3%	35.3%	29.4%	29.4%	17.6%	23.5%	17.6%	23.5%	88.2%	94.1%	94.1%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%				
Wed	41.2%	41.2%	47.1%	47.1%	52.9%	52.9%	64.7%	64.7%	70.6%	70.6%	70.6%	94.1%	76.5%	76.5%	82.4%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%				
Thu	41.2%	47.1%	52.9%	47.1%	41.2%	47.1%	47.1%	41.2%	47.1%	47.1%	47.1%	58.8%	94.1%	94.1%	94.1%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%	88.2%				
Fri	61.1%	61.1%	61.1%	61.1%	55.6%	61.1%	50.0%	44.4%	33.3%	33.3%	38.9%	55.6%	44.4%	44.4%	77.8%	83.3%	88.9%	88.9%	88.9%	88.9%	88.9%	88.9%	88.9%	88.9%				
Sat	44.4%	44.4%	44.4%	50.0%	50.0%	44.4%	33.3%	27.8%	22.2%	22.2%	27.8%	27.8%	83.3%	83.3%	83.3%	83.3%	88.9%	88.9%	94.4%	94.4%	94.4%	94.4%	94.4%	94.4%				
Sun	27.8%	33.3%	22.2%	22.2%	22.2%	27.8%	33.3%	27.8%	33.3%	33.3%	33.3%	33.3%	77.8%	83.3%	94.4%	94.4%	88.9%	88.9%	83.3%	83.3%	83.3%	83.3%	83.3%	83.3%				

The data shown by this coverage analysis is significant. Not only because it demonstrates the struggles St. Charles has in meeting staffing needs, but also because of the lost Ambulance Service revenue when the service area is covered by Lewiston. According to Lewiston, they billed more than \$100,000 for services provided to the St. Charles service area in the first 6 months of 2022. Extrapolated, this comes to more than \$200,000 per year that St. Charles is

losing out on by having external coverage. Those funds could be used to provide local service area coverage.

Actual Volunteer Hours Data

Although there are eighteen names on the volunteer roster, many of those pick up few, if any, hours on the schedule. From January through July, 2022, the 14 EMTs on the roster have signed up for an average of 633.04 combined hours per month and the 4 EMRs have signed up for 317.25 (full coverage would require an average of 1,461 hours per month). Each EMT averages 45.22 hours per month and each EMR averages 79.31 hours per month. The following grid shows the Total hours per month and Average per person hours per month, with EMT and EMR subsets.

	January	February	March	April	May	June	July	Total	Average
TOTAL	1157.50	948.00	1060.00	1239.00	852.00	751.50	996.50	7004.50	1062.61
EMT	682.00	560.00	607.50	740.50	645.00	459.50	538.50	4233.00	633.04
EMR	325.50	253.00	347.00	328.00	116.00	254.00	378.50	2002.00	317.25

	January	February	March	April	May	June	July	Total	Average
AVERAGE	44.52	36.46	40.77	47.65	32.77	28.90	49.83	241.53	36.64
EMT	56.83	46.67	50.63	61.71	53.75	32.82	41.42	302.36	45.22
EMR	108.50	84.33	115.67	109.33	38.67	63.50	126.17	500.50	79.31

Based on averages over the past seven months, three EMTs and two EMRs are consistently covering the bulk of the schedule. Their commitment has been tremendous and should be recognized. But the service cannot continue to survive on the volunteer commitment of just a handful of individuals. The remaining eleven EMTs average less than 20 hours per month each (with half of them averaging less than 10 hours per month).

Difficulties of Volunteer Staffing & Recruitment

A volunteer ambulance service staffed by local individuals that are committed to providing care to their neighbors is a wonderful thing. Unfortunately, it is becoming a thing of the past. Generally, volunteers have full time jobs and commit their time to a volunteer service outside of that. With jobs and families, there just are not a lot of hours that they can provide to the community. As can be seen from the data above, volunteer hours drop off some during the summer as those family obligations take priority. Weekend days receive less coverage, and overall coverage hours declines.

In addition, it is difficult to have a reliable schedule. Volunteers sign up for shifts if and when they want to – there is no requirement that they provide a set number of hours and there is no regular schedule. The service relies on volunteers to choose to pick up time, and it is their priorities that govern whether the service succeeds or fails.

Adding volunteers to the roster can help alleviate some of the burden on the existing service members, but even that does not provide a guarantee of coverage. Just because a name is added does not mean they pick up hours. And in a small community, finding EMTs or EMRs that are willing to volunteer their time is a struggle.

Training those willing to volunteer is also not a reliable guarantee for filling out a schedule. The City hosted an EMT class in an endeavor to bring more members to the service. That class started with 8 members in May, and at this point only 3 remain. There is no guarantee that those three individuals will provide volunteer hours to the St. Charles Ambulance Service upon their completion. In addition, training takes significant time. An individual that completes the course has a basic education, but is not prepared to actually pick up hours and be an EMT. Several months of additional training and work are generally needed before they can respond to calls as part of a crew.

Proposal

With 5 additional full-time staff, the ambulance service could move to a 24/48 schedule and cover 100% of the city. However, the cost of moving to a completely full-time staff is unlikely to be approved at this point. Given the data regarding coverage supplied by volunteers, it is believed that the majority of the schedule could be covered with the addition of two full-time positions, receiving annual wages between \$42,000-\$45,000.

There are a couple of ways these positions could be structured, and the best fit for the City could be determined at a later date. Below are two potential options, though there are others that can be considered as well.

Option 1: These two positions would be responsible for EMT coverage from 6:00 a.m. to 6:00 p.m. 3 days per week each, with the ability to sign up for an additional 4 hours per week (36-40-hour work week) at the proposed \$22 hourly rate. It is expected that one EMT would work Monday-Wednesday, the other would work Wednesday-Friday. The Director would also serve as an EMT Monday/Tuesday/Thursday/Friday, and sign up for 12 hours of on-call outside of weekday hours to fill in gaps in the schedule on nights and weekends. Volunteers would remain covering the bulk of nights and weekend hours. The downside of this option is that the City may find itself paying overtime on a regular basis, if those positions work over the 40 hour allotment.

Option 2: The two positions would work 54-hour shifts, with the remainder of the week off. One EMT would work 6:00 a.m. Monday through noon on Wednesday, the other would work noon Wednesday through 6:00 pm. Friday. Not only would this cover the weekday daytime hours, but Monday-Thursday nights would have one guaranteed EMT on the schedule, with the remaining position covered by a volunteer. The proposed pay rate for this option would be \$14 per hour, which would be a rate of \$21 per hour after the first 40 hours worked. The downside of this option is that it may be more difficult to fill the positions.

Either of these options would provide the necessary weekday daytime coverage at approximately the same cost, and alleviate the majority of scheduling issues. Secondary to that would be an increase to the on-call volunteer pay, from \$2 per hour to \$5 per hour. This increase would incentivize current volunteers to prioritize the St. Charles Ambulance Service and pick up additional night and weekend hours to potentially provide full local coverage by the service.

Cost

Two Full-Time Paid EMT Positions (Option 1)

A \$22 per hour pay rate is proposed for the EMT positions, though this may be negotiable. At \$22 per hour the positions would be competitive and draw EMTs from Rochester and Winona to this service. According to Indeed.com, the average pay rate for an EMT in Rochester is \$20.22 and in Winona it is \$18.69. To bring people from those areas, we need to pay more. At the proposed rate, with an estimated 30% benefits ratio, each position would cost the City \$53,529 - \$59,488, depending on hours (36-40), for an estimated maximum total of \$118,976.

Two Full-Time Paid EMT Positions (Option 2)

A \$14 per hour pay rate is proposed for the EMT positions. This would be \$14 per hour for 40 hours, plus \$21 per hour for hours beyond 40 (anticipated at 14 hours overtime per week, with the proposed schedule. This option would cost the City approximately \$57,730 per position (including the 30% benefits ratio), for an estimated total of \$115,461.

Paid Staff Schedule Coverage Projection

Based on past coverage rates, the anticipated St. Charles coverage would be nearly all done by St. Charles Ambulance Service. With either option, weekday daytime hours would be guaranteed. Depending on the scheduling route taken, weeknights and weekends could have some variation, but improvement to coverage is expected with the addition of any paid staff. The following projection does not include the 12 hours of flexible time the Director would use to fill in gaps in the schedule each week with Option 1 – it simply assumes St. Charles coverage Monday-Friday 6:00 a.m. – 6:00 p.m. by paid staff, with the same night/weekend coverage going forward. It is likely that the weekday night coverage would be at or close to 100% with Option 2, given that one ambulance seat would be guaranteed and only one volunteer would be needed.

[illegible]

Increased Volunteer On-Call Pay

Regarding the volunteer on-call pay, an increase to \$5 per hour to incentivize volunteers to pick up additional night and weekend hours would add approximately \$7,000 - \$14,000.

At \$2 per hour for volunteers with just the Director as paid staff, the City could pay approximately \$30,000 in hourly pay for volunteers (about 15,000 hours per year). Given the estimated 300 calls per year, call pay would be approximately \$21,000. This is a total estimated \$51,000.

At \$5 per hour for volunteers, with paid staff covering weekday daytime, the hourly pay for volunteers would be \$53,000 (about 10,600 hours per year based on the paid EMTs working 36-hour weeks), and the estimated call pay would be around \$12,000 (paid EMTs would not receive call pay). This is a total estimated \$65,000.

If Option 2 for paid staff were pursued, the anticipated volunteer pay would be reduced, as paid staff would be covering 28 more hours per week, which would be about \$7,000 per year in on-call pay at \$5 per hour (an estimated total of \$58,000 per year for volunteers, with estimated call pay).

Costs Recouped

As noted above, Lewiston received approx. \$100,000 in the first 6 months from calls covered from St. Charles – Est. \$200,000 per year. Hiring 2 EMTs for between \$107,000 - \$119,000 and increasing on-call pay to \$5 per hour (\$58,000 - \$65,000 including call response pay), would be \$165,000 - \$184,000. Without the investment, St. Charles will likely not recoup the billing received by Lewiston because the staffing to cover calls will not be there. Essentially, it comes down to either the City of St. Charles does this, or the City of Lewiston gets paid more to. If the billing can be brought back to St. Charles, it will cover the proposed costs of the additional staffing.

RESOLUTION FOR POLICY RELATED TO CITY STAFF Finding Setbacks within the City Limits

City of St. Charles, Minnesota

WHEREAS, A “Setback” is defined in St. Charles City Code § 152.02 as the shortest horizontal distance between the lot line and the foundation walls of a building or the allowable building line as defined by § 152.41(E).

WHEREAS, the City Council of the City of St. Charles, Minnesota (the “City”), has determined that it is occasionally necessary for City staff to locate property setbacks with a metal locator and a map as a guide in relation to enforcing City Code provisions; and

WHEREAS, City of St. Charles staff who are not licensed as land surveyors are prohibited by Minnesota Statute § 326.02 Subd. 4 from the practice of land surveying; and

WHEREAS, According to Minnesota Statute § 326.02 Subd. 4 land surveying “means the application of the principles of mathematics, physical and applied sciences and law to measuring and locating lines, angles, elevations and natural or artificial features in the air, on the surface of the earth, underground and on the beds of bodies of water;” and

WHEREAS, Because this practice does not require the application of the principles of mathematics, physical or applied sciences and law to measuring and locating lines, angles, elevations, and natural or artificial features, it is not in conflict with the requirements of Minnesota Statute § 326.02 Subd. 4.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Charles, Minnesota, as follows:

1. City staff may utilize a metal locator and a map to locate setbacks when necessary for code enforcement, provided they do so in a manner not in conflict with Minnesota Statute § 326.02 Subd. 4.
2. When a determination of property lines is needed for City staff to process a setback request, a certificate of survey by a licensed surveyor will be required at the owner’s expense.
3. If City staff has located a setback for enforcement of the city code and a property owner chooses to rely on staff opinion about the location of the setback, they do so at their own risk. It is City policy that a property owner should always seek the services of a professional land surveyor at their own cost to determine property lines. When appropriate, a locator and map may also be offered to the resident as an alternative.

Adopted and signed this ____ of August, 2022

John Schaber, Mayor

ATTEST:

Nick Koverman, City Administrator