



The City Council of the City of St. Charles welcomes you to its Regular Meeting of Tuesday, January 11, 2022 at 6:00 p.m. at 830 Whitewater Avenue, City Council Chambers, St. Charles, Minnesota.

ITEM	ACTION REQUESTED
1. Call to Order	
2. Pledge of Allegiance	
3. January 11, 2022 Agenda	APPROVE
4. Meeting Minutes	APPROVE
-December 14, 2021	
-December 28, 2021	
5. January 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. EDA, Wayne Getz (TBD)	
7f. School Board, John Steffel	
8. Ordinance #636 Amending Electric Rates (2 nd Reading)	APPROVE
9. Library Fine Free Policy Presentation	INFORMATION
10. Blue Earth Estoppel	APPROVE
11. Ambulance Director Position/Posting	APPROVE
12. Resolution #02-2022 Support of 2021-2022 SRTS Application	APPROVE
13. Resolution #01-2022 Accepting a Donation to the SC Ambulance	APPROVE
14. VITA-2022 Building Use MOU	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 for
Tuesday, January 11, 2022

8. Ordinance #636 Amending Electric Rates (2nd Reading). Please see enclosed ordinance for consideration.

9. Library Fine Free Policy Presentation. Library Director Jill Veerkamp will be present to provide a summary of the St. Charles Library Board determination to proceed with a fine free policy. No action is required, but a motion to support the adoption could be considered.

10. Blue Earth Estoppel. Please see the enclosed review letter from Boardman Clark Attorney Richard Heinemann, who represents UMMEG and St. Charles in matters of electric agreements, regarding the proposed estoppel. Recommendation is to approve the proposed revised agreement.

11. Ambulance Director Position/Posting. A proposed job description along with proposed points/grades in relation to the City's Base Pay Structure will be presented Tuesday evening for consideration. The ambulance department will review the description at their January 12 meeting and contingent approval is recommended by Council upon review and approval of department members. A draft has been previously presented for consideration. An interview committee and process will be discussed and implemented along with advertisement. A councilmember is requested for this department head appointment as a committee of five members will be put together.

12. Resolution #01-2022 Accepting a Donation to the SC Ambulance. A donation from Dover Township was received and presented for consideration.

13. Resolution #02-2022 Support of 2021-2022 SRTS Application. An application to the Safe Routes To School program for \$125,000 will be submitted January 14th. Minor changes were made to the initial Letter of Intent submitted in 2021 as a result of feedback from MnDOT staff.

14. VITA-2022 Building Use MOU. The City worked with VITA staff in 2021 to arrange for tax services to be provided to qualifying individuals. The location and reception of the service was appreciated and thus VITA would like to continue the service and partnership with the City.

**MINUTES of the ST. CHARLES CITY COUNCIL
for Tuesday, December 14, 2021 held at 6:00 p.m. at
830 Whitewater Avenue,
St. Charles, Minnesota**

MEMBERS PRESENT:

Councilmen:

Mayor John Schaber

Dave Braun

John Steffel

Wayne Getz (absent)

David Kramer

STAFF PRESENT: Melissa Krusmark (City Accountant), Kyle Karger (PW Director) and Nick Koverman (City Administrator).

OTHERS IN ATTENDANCE: Cindy and Bradly Spear, and Javon White.

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: **Dave Braun**

No further discussion.

Motion carried.

4. Meeting Minutes

November 9, 2021

Motion to approve: **David Kramer**

No further discussion.

Motion declared carried.

November 23, 2021

Motion to approve: **John Steffel**

No further discussion.

Motion declared carried.

5. December Payables. No questions were asked.

Motion to approve: **Dave Braun**

No further discussion.

Motion declared carried.

6. Notices and communications: None.

7. Reports of Boards and Committee:

Various reports were given. Clm. Kramer reported that the library approved several policies and that the library board discussed moving to a fine free policy. Through information provided, Library Director Jill Veerkamp relayed that libraries that eliminate fines create better accessibility for their clients. The library board moved forward with a fine free policy.

8. 2022 Truth In Taxation Presentation. Melissa Krusmark, city accountant, opened the presentation and relayed the statutory reasons for the Truth In Taxation hearing. Krusmark proceeded through the presentation that highlighted the sources and uses for the various funds. Krusmark relayed that the levy

will be 26.43 percent, which is primarily due to the 2021 Street/Sidewalk/Trail bond and that if not for the street bond, the levy would have reflected a negative 7 percent levy. It was also discussed that of the general fund expense, only 23 percent is generated through tax dollars. Local Government Aid (LGA) pays for 54 percent of the general fund expense. The enterprise funds were also reviewed and minor adjustments will be made prior to adoption at the December 28th meeting. The proposed tax rate will be 47.12 percent which represents a 5 percent increase over 2021, but in comparison to other surrounding communities, Krusmark relayed St. Charles remains the lowest with a per capita cost of \$392 per resident. Mayor Schaber thanked her for the presentation and asked the public on hand if there were any questions. Hearing none, the Council thanked staff for their time and work.

9. 2022 Budget / 2022 Electric Rates. Mayor Schaber presented the information that had been asked for at the previous Council meeting that demonstrated the difference between a \$15 cost of service charge versus a \$20 cost of service charge. Gary Price of UMMEG who conducted the rate study had also provided a lesser kwh charge and indicated in his memo that while the adjusted option moved in the right direction, it was still only recovering about 50 percent of the fixed costs through the adjusted model. The difference between the proposed option A of a \$20 cost of service charge with a lower kwh rate versus the adjusted option of the \$15 rate equated to approximately \$5/month for a customer consuming 250 kwh. It was noted that the more kwh that customers used (1,000 kwh+) they may see a slight decrease in their bill because of the lower kwh rate. Clm. Kramer relayed that he would support either of the rates, but noted that while the adjusted rate provided a minor savings, he did not feel the option A of the \$20 cost of service charge would be out of line, especially because the kwh rate was more advantageous for customers who use more electricity. Council discussed how if the residential adjusted rate was used it could be implemented over a 3-year timeframe and/or could be extended. However, after consideration of the overall impacts with the lower kwh rate, it was agreed that moving forward with option A would provide the best option of working toward balancing the cost of service with supporting the fixed costs. They agreed that perhaps over the years, more minor adjustments could have been implemented, but it was understood that market rates had been favorable and that no need for adjustments were absolutely necessary. The favorable market prices over the years had allowed the rates to remain unchanged since 2013. However, higher purchase power and transmission costs due to higher market costs impacted the wholesale provider's costs, which also ultimately impact the city. With the proposed rate structures presented, fixed costs will be closer to being recovered, while a projected deficit will be resolved. A motion was made to proceed with the proposed Option A rates.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

10. Resolution #56-2021 Accepting a Library Donation (Peoples Cooperative). Mayor Schaber presented the resolution that received a donation of \$1,000 toward the purchase of AED for the library. A motion to approve the resolution was moved.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

11. Resolution #57-2021 Accepting and Awarding the 2022 Gas/Diesel Bids. Mayor Schaber relayed that two bids were received and that the award would go to Kwik Trip for gasoline and Cenex for diesel. A motion was made to approve the resolution as presented.

Motion to approve: **John Steffel**

No further discussion.

Motion carried.

12. Minor Subdivision—Rinn. Mayor Schaber relayed that the information was included in the packet that was recommended for approval. A motion was made to approve the minor subdivision.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

13. Revolving Loan Request #03-2021. The revolving loan request was reviewed for \$25,000 contingent upon the three items listed in the memo. Mayor Schaber relayed that it would be a good loan that would keep an existing business in town and open up the building for a new business. Council agreed and a motion to approve the loan was motioned contingent upon the three items listed.

Motion to approve: **John Steffel**

No further discussion.

Motion carried.

14. Reappointments/Appointments to boards. The following names were presented for approval: Terry Jones (1-year P&Z), Pat Heim (3-year P&Z), Bill Spitzer (6-year EDA), Jon Marley (6 year EDA), Cathy Prudoehl (3-year Library), Mary Polly (3-year Library), and Sheri Thesing (3-year Library) provisional approval. A motion was made to approve the appointments as stated by Mayor Schaber.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

15. Thank you Lewiston Ambulance. Mayor Schaber presented a letter for consideration to thank the Lewiston Ambulance crew for the service to our community and area. Council agreed and thanked them as well and a motion was made to approve the letter.

Motion to approve: **John Steffel**

No further discussion.

Motion carried.

16. Pay Requests. Three pay requests from Maquire Iron (No. Chattanooga Water Tower \$1,960.00), Municipal Pipe and Tool (Sanitary Sewer Lining-\$39,077.30), and Snow Contracting (2021 Trail Improvements-\$18,532.70) was moved for approval as they had been reviewed and approved by WHKS.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

Unscheduled Public Appearances. None

17. Closed Session-Labor Negotiations Strategies. Mayor Schaber read a script that called for a closed session under Minn. Stat. 13D.03 for the purpose of labor negotiations and strategies. He called for a motion to close the public meeting at 6:46 p.m.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried

The closed meeting was held with City Administrator Nick Koverman, Clm. Dave Braun, Clm. John Steffel, and Mayor Schaber present.

A motion was made to reopen the closed meeting at 7:11 p.m.

Motion to approve: **John Steffel**

No further discussion.

Motion carried.

Mayor Schaber relayed that discussions were ongoing and no action was presented to be taken.

Motion to adjourn at 7:12 p.m.: **Dave Braun**

No further discussion.

Motion carried.

ATTEST

John Schaber, Mayor

Nick Koverman, City Administrator

**MINUTES of the ST. CHARLES CITY COUNCIL
for Tuesday, December 28, 2021 held at 6:00 p.m. at
830 Whitewater Avenue,
St. Charles, Minnesota**

MEMBERS PRESENT:

Councilmen:

Mayor John Schaber

Dave Braun

John Steffel

Wayne Getz

David Kramer

STAFF PRESENT: Nick Koverman (City Administrator).

OTHERS PRESENT: None.

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: Addition 12.) 2022 Council Meeting Schedule

Motion to approve the agenda.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

4. Notices and Communications. None.

5. Review of Financials: No questions were asked.

6. Resolution #58-2021 Approving Final Levy Collectible 2022. Mayor Schaber asked if there were any questions regarding the final levy and resolution presented. Hearing none, he called for a motion to approve.

Motion to open: **Wayne Getz**

No further discussion.

Motion declared carried.

7. Resolution #59-2021 Establishing 2022 Budget. Mayor Schaber asked if there were any questions. Hearing none, he called for a motion to approve as presented.

Motion to approve: **David Kramer**

No further discussion.

Motion declared carried.

8. Resolution #60-2021 Approving the Labor Contract with LELS. Mayor Schaber asked if there were any questions regarding the contract. Hearing none, he called for a motion to approve the resolution as presented.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

9. Approving 2022 Base Pay Structure (BPS). Mayor Schaber highlighted the annual Base Pay Structure (BPS) for the organization. The new structure reflected a 3 percent increase to steps and grades. A motion was made to approve the BPS as presented.

Motion to approve: **David Kramer**

No further discussion.
Motion carried.

10. Ordinance #636 Amending Electric Rates (1st Reading). Mayor Schaber presented the first reading of the ordinance for amending the electric rates that had been discussed through previous Council meetings. A motion was made to approve the first reading of Ordinance #636.

Motion to table: **Dave Braun**

No further discussion.

Motion declared carried.

11. Cash Receipting Policy. Admin. Koverman presented a policy memo regarding the city's cash receipting procedure and general guidelines. It reviewed the practice and safeguards in place with respect to the new Caselle system implemented earlier in the year. City Accountant Melissa Krusmark drafted the policy memo that was then sent and discussed with Smith Schaefer Senior Auditor Jason Boynton, which was then recommended for approval. Mayor Schaber asked for any questions and hearing none he called for a motion to approve as presented.

Motion to approve: **John Steffel**

No further discussion.

Motion declared carried.

12. 2022 Council Meeting Schedule. Admin. Koverman presented the 2022 meeting schedule dates and Council discussed the January 3, 2022 meeting to be held at 5 p.m. which is customary. The meeting time on the 3rd was satisfactory and the date schedule was approved. A motion was made to approve the schedule and set time for the third.

Motion to approve: **Wayne Getz**

No further discussion.

Motion declared carried.

Unscheduled Public Appearances. None.

Motion to adjourn at 6:04 p.m.: **Wayne Getz**

No further discussion.

Motion carried.

ATTEST

John Schaber, Mayor

Nick Koverman, City Administrator



2021 Annual Report to the Community

*In celebration of our partnership and
achievements in 2021 our Board of
Directors and staff cordially invite you
and a guest to join us for our
Annual Report to the Community*

**February 16, 2022, 5-7pm
Saint Mary's University
President's Room, Toner Center
5pm Social Hour, Light Dinner &
Cash Bar; 5:45pm Short Program**

*Please RSVP by February 1, 2022 via
Phone: 507-452-4100
Email: katie@projectfine.org*

Emergency Management Training for
Elected and Senior Officials
Roles and Responsibilities in Disaster Situations



Tuesday April 26th, 2022 4:00 p.m. to 6:30 p.m.
Winona County Historical Society

Minnesota Homeland Security and Emergency Management (HSEM) Director Joe Kelly is traveling to counties throughout the state to present an HSEM course specifically designed for elected officials. The training aims at helping local officials better understand their roles during and after a disaster. Director Kelly will reinforce how elected and senior officials contribute as policy makers, ensuring that resources are coordinated and that the public is confident the incident is being managed effectively.

Topics covered include:

- Role of elected/senior officials (policy group) relative to the incident command system (ICS).
- Major responsibilities of policy group officials during an incident.
- Common policy group issues during an incident.
- State and federal disaster assistance programs.
- How policy group members can prepare for emergencies.

HSEM Director Joe Kelly has the overall responsibility to ensure coordination of state agency preparedness and emergency response to all types of emergencies and disasters in Minnesota. A native of Olivia, Minn., before joining HSEM, Joe served 31 years in the United States Army and Minnesota National Guard and is a veteran of Operation Iraqi Freedom. He achieved the rank of Brigadier General and his last military assignment was as the Assistant Adjutant General for the state of Minnesota. Joe was involved in planning, coordinating, and executing military operations in support of civil authorities for more than 17 years, including serving as the joint military task force commander during the 2008 Republican National Convention. He holds a bachelor's degree from Saint John's University, a master's degree from the United States Army War College and is a Minnesota Certified Emergency Manager.

For further information: contact Winona County EM Director Ben Klinger
507-457-6598 bklinger@co.winona.mn.us



City Administrator's Report—December 2021

Dec. 2—Worked with American Red Cross to host blood drive held at the EMS building. Took part in online Winona County PartnerSHIP meeting to review 2022 goals and budgets.

Dec. 3—Attended a meeting with EDA director Cris Gastner to explore a potential housing project. Met with another potential developer exploring infrastructure improvements as it may relate to housing. Public Works Director Karger and Daren Sikkink from WHKS also attended. Met with Gary Price of UMMEG to discuss electric rate study.

Dec. 6—Held a conference call with Flaherty & Hood consultants regarding the ambulance director job description and job analysis questionnaire.

Dec. 7—Met with St. Charles Postmaster to review mailing options and utility bill dissemination and process.

Dec. 8—Mayor Schaber, Clm. Steffel, F&H Attorney Brandon Fitzsimmons, and I met with IBEW representatives to continue ongoing negotiations. Attended ambulance meeting in the evening along with St. Charles Area Community Foundation.

Dec. 9—Attended professional leadership development meeting in Rochester.

Dec. 15—Chief Pelaez and I attended the St. Charles ministerial committee meeting to offer any partnership and assistance.

Dec. 20—Mayor Schaber, Clm. Getz, EDA Director Cris Gastner and I met with Dan Pearson to continue discussion of development agreement and possible assistance opportunities.

Dec. 21—Continued IBEW negotiations with labor negotiations committee.

Dec. 22—Met with WHKS Engineer Daren Sikkink to work on SRTS draft application and map out process/completion timelines for attachments.

Continued to have bi-weekly Winona County Emergency Management/Ambulance meetings. Began monitoring St. Charles Ambulance schedule in December, sending notifications of open slots, and providing communication with Winona County LEC on weekly basis. Provided support to service as possible.

St. Charles Police Department

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



January 11, 2022

- In December, officers completed "Implicit Bias" PATROL training (part 2 of 2). This course provides officers with suggestions for reducing the impact of implicit bias on law enforcement decisions and police-community relationships.
- In December, officers completed "Duty to Intervene" PATROL training. This course provides practical best practices in an effort to produce policies and promote a culture that supports and practices ethical intervention during critical moments.
- In December, officers completed POST-mandated "25-Round Inclement Weather and Low Light Firearms Qualifications).
- On December 10, Sgt. Jones graduated from the Minnesota Chiefs of Police Association's (MCPA) Leadership Academy.
- The Minnesota BCA's Criminal Justice Information System (CJIS) Audit is now complete. The BCA conducts this audit every 3 years and checks for compliance in the use and access to Criminal History data bases, as well as policies regarding information security of computer networks used to access CJIS databases. The St. Charles Police Department is compliant (see attached preliminary and final audit results).

Respectfully submitted,

Chief, Jose Pelaez

"Proud to Serve"



**City of St. Charles
Ordinance #636**

**AN ORDINANCE AMENDING ELECTRICAL
RATES AND REPEALING ORDINANCE #562**

THE CITY OF ST. CHARLES DOES ORDAIN (deleted material is stricken and enclosed in brackets; new material is underlined; subsections which are not being amended are omitted):

THE COUNCIL OF THE CITY OF ST. CHARLES DOES ORDAIN:

Electric utility rates shall be amended as follows:

	FROM	TO	
Residential			
Fixed Charge	(\$10.00)	<u>\$20.00</u>	month
Energy First 500 kWh	(\$0.118)	<u>\$0.115</u>	/kWh
Excess of 500 kWh	(\$0.138)	<u>\$0.135</u>	/kWh
Single Phase Commercial			
Fixed Charge	(\$12.00)	<u>\$25.00</u>	month
Energy Charge			
First 500 kWh	(\$0.115)	<u>\$0.115</u>	/kWh
Excess	(\$0.13)	<u>\$0.115</u>	/kWh
Three Phase Commercial			
Fixed Charge	(\$40.00)	<u>\$91.50</u>	month
Energy Charge			
First 500 kWh	(\$0.115)	<u>\$0.115</u>	/kWh
Excess	(\$0.135)	<u>\$0.115</u>	/kWh
Large Power			
Fixed Charge	(\$45.00)	<u>\$91.50</u>	month
Demand	(\$9.00)	<u>\$12.19</u>	kw-mo.
Energy	(\$0.079)	<u>\$0.079</u>	/kWh
Large Industrial			
Fixed Charge	(\$80.00)	<u>\$91.50</u>	month
Demand	(\$9.00)	<u>\$12.19</u>	kw-mo.
kVAr	\$0.25	\$0.25	kVAr
Energy	(\$0.079)	<u>\$0.079</u>	/kWh
Security Lighting			
Fixed Charge	(\$7.00)	<u>\$14.00</u>	month

These rates will go into effect 30 days after publication or February 17, 2022 whichever is later.
Passed and adopted by the Council of the City of St. Charles, Minnesota this 11th day of January, 2022.

John Schaber, Mayor

Attest: _____
Nick Koverman, City Administrator

First Reading:

Eliminating Fines at the St. Charles Public Library

On December 13, the St. Charles Library Board approved a motion to remove fines on library items, and to waive all fines on patrons' cards. Below is the information Library Director Jill Veerkamp presented to the Board to encourage them to waive fines at library.

Why Eliminate Fines?

Over the past few years, academics have studied the growing trend in public libraries of eliminating fines. Two of the most popular recent academic articles are "Removing Barriers to Access: Eliminating Library Fines and Fees on Children's Materials" by Meg Johnson Depriest, prepared for the Colorado State Library; and "Overdue Fines: Advantages, Disadvantages, and How Eliminating Them Can Benefit Public Libraries," by Sabrina Unrein, School of Information Studies, Syracuse University. The following information has been collected from these two studies, plus from a conversation between Veerkamp and SELCO consultant Steve Harsin.

Fines create barriers to accessing library services. We want to eliminate these barriers to give people more access.

A goal of the public library is to provide resources to as many people as possible. Fines can create roadblocks to meeting this goal. First of all, if a patron has more than \$10 in fees on his or her card, the card is no longer in 'good standing' and the patron is unable to use it to check out items, use the computers, or request items from MNLink. Furthermore, a high amount of fines can create a mental barrier for people using the library. They feel embarrassed to owe so much, simply because they were unable to return items on time, and decide not to visit the library.

Fines disproportionately affect segments of the population that can afford them the least.

The patrons that are most likely to rack up fines are also the least likely to have the funds to pay them, such as kids, parents with kids, or people that cannot afford Internet/streaming services and rely on library DVDs for their entertainment. Therefore, fines have the side effect of causing the library to fail its goal of providing equal access to resources. Eliminating fines essentially promotes equitability in library usage. Families should be encouraged to check out large stacks of books for their kids to read – not feel fear that they will rack up a large bill if they don't return the items on time.

Patrons are more likely to return items if there are no fines.

Studies have shown that libraries that eliminate fines are more likely to see their items returned. Essentially, fines can cause patrons anxiety – and rather than return the items and face up to the fines, they would rather keep the items and never return to the library. The library thus both loses an item and loses a library patron.

Fines are not the best incentive to get people to return items, anyway.

In the past, the thought has been that libraries have fines because fines encourage people to return their items on time. Recent studies have shown that is not really the case. Instead, for

those that can afford fines, the fines are not a substantial enough motivator to get people to return items on time. For those that can't afford fines, the fines create a barrier to library usage.

There have been a few libraries that have reported they actually have seen items get returned quicker with no fines. While this might not happen in St. Charles, essentially we have to decide if it is more important for us to get items returned on time, or to create equal access to library materials. As Unrein quoted in her report, "overdue fines do not turn irresponsible patrons into responsible ones, they only distinguish between patrons who can afford to pay the common mistake of late returns and those who cannot."

Eliminating fines is great PR for the library.

A great way to generate new community interest and enthusiasm in the public library is to eliminate fines. If the St. Charles Public Library eliminates fines, we will launch a marketing campaign to get the word out and get people excited about the library.

Also, eliminating fines helps promote positive interactions between patrons and staff. Rather than staff forced into negative transactions with people by telling them they owe the library money, staff have positive transactions as they thank people for returning items so the next person can use them.

Some studies show that it costs more money to collect fines than charge fines.

According to the study prepared for the Colorado State Library, the costs of the staff time involved in alerting patrons to their fines and collecting the fines is more than the revenue generated by the fines. Even if that might not be true for us, it would streamline work at the circulation desk, as the process of checking people out would not be halted by the necessity of collecting the money for fines, recording them in the daily ledger, and removing them from the borrower's account.

In any case, fine collection over the past few years has been negligible. Fines and fees are the same category in our ledger, so we cannot determine how much we have brought in for each. As of the start of December, we have brought in \$656.75 in fines and fees in 2021. In 2020, wherein fines were waived during the pandemic, we brought in \$133.76 in fines and fees. In 2019, we brought in \$809.55 in fines and fees.

Staff are in favor of eliminating fines.

Due to the arguments made above, staff at the St. Charles Public Library are in favor of eliminating fines. We feel it would be a positive step for the library, encouraging new people to come and old patrons to return. Also, we feel we should eliminate as many barriers as possible for people in using the library, especially those that would benefit from library services the most, such as low-income persons or families with kids. We also feel it is more important to get items returned, than for items to be returned on time.

Also, as more and more SELCO libraries go fine free, we do not want to be the last library in the area to still charge fines. People will instead go to the libraries that are fine free and avoid our library.

January 4, 2022

Dear Mayor and City Council:

I have reviewed the estoppel agreement and accompanying letter. The estoppel is required for a mortgage which Butter Solar is seeking through the Rural Utility Service. It is similar in scope to the estoppel executed by the City in 2019 when BluEarth Renewables acquired the lease from OneEnergy.

The only material change is referenced in the cover letter, and that is an extended 120 day cure period which is an RUS requirement (section 16). A 120-day cure period is more than reasonable, particularly given all the supply chain issues confronting the construction industry these days, and is in the City's interest anyway to ensure project viability. Otherwise, the estoppel requires the City to in essence vouch for the continued accuracy of the representations it originally made to OneEnergy, including status of title to the property, non-existence of any other encumbrances, absence of any litigation or ongoing disputes with BluEarth or any contractors/subcontractors. The estoppel affirms the lessee's continued payment obligations and does not in any way modify the terms of the lease, or any of the power purchase rights and obligations of either the City or BluEarth. If you have questions or concerns about the City's ability to make these representations, let me know. Otherwise, the estoppel is ok for approval by the council, execution and delivery. Please note that BluEarth is requested triplicate originals.



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ATTORNEY

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1 S PINCKNEY ST STE 410
PO BOX 927
MADISON, WI 53701-0927



BUTTER SOLAR, LLC
C/O 850 NEW BURTON ROAD, SUITE 201
DOVER, DE 19904
T 403.668.1575 blueearthrenewables.com

December 23, 2021

VIA COURIER AND E-MAIL

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

Dear Nick Koverman;

Re: Land Lease and Solar Easement between City of St. Charles ("you") and Butter Solar LLC ("we" or "Butter") (the "Agreement")

And Re: Landowner and Estoppel Certificate and Agreement (the "Estoppel")

We are writing to advise you that we are in the process of obtaining a mortgage for the solar project located on your lands through the Rural Utilities Service (RUS). The loan application process began shortly after the construction of the solar project; however, we have been in the queue with RUS until just recently.

As you will recall, a similar estoppel certificate was required in 2019 confirming a number of representations in the Agreement. The attached Estoppel is substantially the same as what was signed in 2019, with a notable exception being Section 16 which extends the timeframe for RUS to remedy a default under the Agreement on behalf of Butter. As a condition of obtaining the mortgage, RUS requires that the time period for them to remedy such a default be extended from thirty (30) days to one hundred and twenty (120) days. Granting this extension ensures that RUS has sufficient time and opportunity to find and implement a solution on our behalf in the unlikely event of a default under the Agreement. This will enable the project to continue operating and paying rents as intended under the Agreement. We also note that our obligations to you, and the period in which we are required to remedy a default under the Agreement, will remain unchanged.

Enclosed is a copy of the Estoppel for your review and signature. Kindly date and sign all 3 copies of page 5 of the Estoppel. Please return all copies in the enclosed envelope and I will ensure you receive a fully executed copy in due course. RUS does require original ink signatures on the Estoppel.

Please contact Shelly Sochr-Joyce at shelly@bluearth.ca or 587-324-2738 if you have any questions or concerns.

Regards,
Butter Solar, LLC


Sheri Wise
Chief Financial Officer

PLEASE FORWARD A COPY OF ALL CORRESPONDENCE TO
BLUEARTH RENEWABLES
214 11TH AVENUE SW STE 400
CALGARY AB T2R 0K1
CANADA

City of St. Charles
RESOLUTION #02-2022
Resolution of Support for the 2021-2022 Safe Routes To School application and Declaration of Safe
Routes to School
Program (SRTS) Eligibility from the City of St. Charles, Minnesota

WHEREAS, the City of St. Charles and St. Charles School District supports the grant application for the St. Charles High School crossing grant to the Minnesota State Safe Routes to School Program; and

WHEREAS, the Minnesota legislature has given notice that the funding of \$8 million in SRTS funding is available, with a minimum of \$50,000 and a cap of \$500,000 for each project; and

WHEREAS, the City of St. Charles declares that it has adopted subdivision regulations that require safe routes to school infrastructure in developments authorized on or after June 1, 2016 according to Minnesota Statute 174.40, subd. 4a; and

WHEREAS, the SRTS funds can be used to reimburse construction costs on SRTS eligible items, and that construction costs above the SRTS award are secured and will be provided as local funding by the City and School; and

WHEREAS, the implementation of the proposed project to be constructed in 2023 as identified in the application will mitigate the walking and biking hazards identified which impact not only priority populations, but all district youth and students as well as community guests and residents as well as provide advanced warning signals to motorists; and

WHEREAS, the 2015 SRTS plan identifies the St. Charles High School crossing within the City of St. Charles as a high priority project and;

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

1. The City of St. Charles and St. Charles School District 858 supports the construction of the project and agrees to maintain such improvements.
2. The City of St. Charles and St. Charles School District 858 supports submittal of the SRTS application.
3. The City of St. Charles and St. Charles School District 858 assures that all costs associated with the project beyond the SRTS grant award will be paid for by the project partners.
4. The City of St. Charles and St. Charles School District 858 has sought and received the support by resolution of the Winona County Board of Commissioners and the Winona County Highway Engineer to act as the "project sponsor" should the project be awarded and that such sponsorship will include all applicable responsibilities.

Adopted this 11th day of January 2022 by the Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

City of St. Charles
Resolution #01-2022

**RESOLUTION ACKNOWLEDGING THE DONATION TO THE ST. CHARLES VOLUNTEER
AMBULANCE FROM DOVER TOWNSHIP**

WHEREAS, the City of St. Charles is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statute 465.03 for the benefit of its citizens; and

WHEREAS, the St. Charles Volunteer Ambulance has received a donation in the amount of \$2,500.00 from Dover Township to be used by the St. Charles Volunteer Ambulance Association.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ST. CHARLES, MINNESOTA THAT: the City Council of the City of St. Charles acknowledges and accepts the \$2,500.00 donation from Dover Township.

BE IT FURTHER RESOLVED THAT: the City Council of the City of St. Charles expresses its thanks and appreciation for the donation.

Adopted this 11th day of January, 2022 by the City Council of the City of St. Charles.

CITY OF ST. CHARLES

John Schaber, Mayor

ATTEST:

Nick Koverman, City Administrator

Building Use Memorandum of Understanding 2021-22

For Space Use Between the city of St Charles (St CH), St Charles Senior Center (SCSC) and VITA of Winona, a program of Catholic Charities of Southern MN

This Memorandum of Understanding (MOU) outlines the understanding between SCSC and VITA regarding the terms and conditions of SPACE use.

Purpose:

- Use of space complements the mission of SCSC to provide assistance to those in need in the St Charles community
- VITA will provide free preparation and filing Federal and state income taxes for individuals in the St Charles area who meet the income thresholds established.

Criteria for use of SCSC space:

This MOU communicates and confirms the following:

- Program description:
Free preparation and filing of Federal, MN, and/or WI income taxes for taxpayers whose incomes fall below locally set guidelines.
- Schedule:
Specific schedule dates and times between early January and mid-April 2022 will be mutually agreed upon by SCSC and VITA as needed for set up, tax preparation, and tear down.
- Copy of Certificate of Insurance and/or waivers will be provided before using the space

Specific facilities use understanding for VITA:

SCSC will provide:

- Space in Senior Center at mutually agreed upon times, not conflicting with SCSC scheduled activities
- Use of tables and chairs already existing in the space
- A lockable storage area with access controlled by SCSC and locked at all times authorized users are not present
- A key to access the space and storage will be made available for VITA to pick up and return during the agreed upon usage times
- Cleaning equipment

St CH will provide:

- A wireless internet connection dedicated and password protected for VITA use
- Water, Electric and Heat utilities.
- Snow removal for sidewalks and parking.

VITA will provide:

- Trained and certified Volunteer Income Tax Preparers who will prepare and file Federal and state income tax returns for individuals in the St Charles area who meet the income thresholds established.
- All computers, printers, supplies, and any special furnishings needed to prepare and file taxes.
- At least one filtered air work station (approx. 4'X7') to be left in the common area unless removal is requested for an event with which it would interfere
- Clean up after use to return the space to as found condition, any consumable supplies needed will be provided or replenished by VITA
- Notification to SCSC of any damages or incidences that occur to/in the provided space

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from SCSC and VITA. This MOU shall become effective upon signature by the authorized officials from SCSC and VITA and will remain in effect until modified or terminated by any one of the partners by mutual consent. Use of the space is planned to commence the week of January 24th, 2022. In the absence of mutual agreement by the authorized officials from SCSC and VITA this MOU shall end on or before April 30, 2022.

Contact Information:

St Charles Senior Center
Norma Stephens
830 Whitewater Avenue, St. Charles, MN 55972
507-932-4072

(Signature) St Charles Senior Center Date: _____

St Charles City Administration
Nick Koverman, City Administrator
830 Whitewater Avenue, St. Charles, MN 55972
507-932-3020
nkoverman@stcharlesmn.or

(Signature) St Charles Date: _____

Partner Name: VITA
Partner Representative - Walter Carpenter
115 W Mill St, Winona, MN 55987
612-867-3947
walt.phase2@gmail.com

(Partner signature) VITA Date: _____

Sponsor: Catholic Charities of Southern MN
Sue Degallier, Director of Active Aging Programs
PO Box 379, Winona, MN 55987
507-450-0287
sdegallier@ccsomn.org

(Signature) Catholic Charities Date: _____