

**MINUTES of the ST. CHARLES CITY COUNCIL
for Tuesday, August 9, 2011 at 7:00 p.m.
830 Whitewater Avenue
St. Charles, MN 55972**

MEMBERS PRESENT:

Councilmen:
John Schaber
Dave Braun
Orv Dahl
Wayne Getz
Mayor Bill Spitzer

STAFF PRESENT:

Nick Koverman, City Administrator
Kyle Karger, PW Superintendent
Bill Eckles, Chief of Police
Kristine Huinker, City Accountant

OTHERS IN ATTENDANCE: Toby Brummer.

1). ESTABLISH QUORUM/CALL TO ORDER

Quorum was established with Mayor Bill Spitzer calling the meeting to order at 7:00 p.m.

2). PLEDGE OF ALLEGIANCE

3). APPROVAL of the AGENDA: 22A Resolution #29-2011 2-Day Intoxicating Liquor License

Motion to approve the agenda: Wayne Getz

Motion carried.

4). Meeting Minutes

-July 12, 2011

Motion to approve: John Schaber

No further discussion.

Motion declared carried.

-July 26, 2011

Motion to approve: Orv Dahl

No further discussion.

Motion declared carried.

5). August Payables.

Motion to approve: Wayne Getz

No further discussion.

Motion declared carried.

6). NOTICES AND COMMUNICATIONS. Discussed the minutes from the Whitewater Country Coalition briefly.

7). Reports of Boards and Commissions. Various reports were given by Council.

8). Administrator Review Letter. At the last Council meeting a closed session was held with regard to the administrator's annual review. The Council reviewed a summary of the review and a motion was made to approve the letter to be placed in his personnel file.

Motion to approve: John Schaber

No further discussion.

Motion declared carried.

9). Public Hearing Ninth Street Vacation. A motion to open the public hearing was made at 7:17 p.m.

Motion to open: Orv Dahl

No further discussion.

Motion declared carried.

Admin. Koverman highlighted the project of the school district to vacate a portion of Ninth street west of Richland Avenue in order to expand the green space area. In addition, the school would look at moving the bus parking situation and make no parking in front of the school's west side on Church Avenue in order to alleviate congestion. Notice had been given to all residents within 300 feet and to date Admin. Koverman had not received any negative comments about the project. Mayor Spitzer called for any public comment. Called once, twice, three times. Hearing none he called for a motion to close the public hearing at 7:25 p.m. and open the regular meeting at 7:26 p.m.

Motion to close the public and reopen the regular meeting: Wayne Getz

No further discussion.

Motion declared carried.

10. Ordinance #547 Ninth Street Vacation. A motion was made to accept the first reading of Ordinance #547 on the vacation: John Schaber

No further discussion.

Motion declared carried.

11. HBC Antenna Request. Toby Brummer, a representative from HBC, was present to request that HBC be allowed to put four antennas on the Whispering Hills water tower which will provide Wi-Fi service for an 8-10 mile radius. He expressed that compensation ranged from \$100 a month to Altura to \$350/month for Lewiston. Admin. Koverman highlighted that HBC has been a valued business partner as they have offered various supports to the City. Mayor Spitzer added that instead of a dollar option perhaps there were other services or considerations that may be worked out. Admin. Koverman did highlight that a lease agreement would need to be adopted and that the one proposed needed additional indemnity pieces in order to protect the City. Mr. Brummer expressed that he would return to the 23rd Council meeting to discuss various options with the City.

12. Ordinance #546 Variance Amendment. Admin. Koverman highlighted that a public hearing had been noticed and held at the Planning and Zoning meeting held August 4, 2011 and that the Ordinance revision was with respect to the new variance language that was approved by the MN State Supreme Court. Municipalities were now incorporating those changes into their city codes. A first reading was held for Council to review the language that was drafted by the city attorney.

Motion to approve the first reading: John Schaber

No further discussion.

Motion declared carried.

13. 2011 Budget Amendment. Administrator Koverman highlighted that few changes were included in this amended budget other than the transfers approved for the purchase of the I-90 land, in addition to the LGA reduction by the state. A motion to amend the 2011 budget to reflect the recent changes was made.

Motion to approve: John Schaber

No further discussion.

Motion declared carried.

14. General Fund Budget Review. City Accountant Kristine Huinker reviewed the proposed 2012 general fund budget with the Council. She highlighted that very few changes were made to the budget with only slight increases in a few departments. The greatest portion of the budget increase was due to the planned bond expense for the I-90 project. Of the 7.8 percent project levy increase, 5.24 percent was due to the bond, while only the remaining 2.56 percent was due to the combination of all general fund budgets including police, fire, library, council, senior center, advertising, celebration, administration, park, recreation, pool, compost, capital improvement fund and forestry. Besides an increase of \$13,000 to the Capital improvement Fund on a recommendation from Mike Bubany the fire department's increase in their training budget was the other additional increase which was due to the certification of firemen. The council held a brief discussion and would wait for additional detail at the next meeting.

15. Total Patcher 2011/2012. Supt. Karger presented a video and additional information on a Total Patcher piece of equipment. He highlighted the 2010 Street Maintenance Plan that highlighted the various grades and degrees of the streets. After investigating various options, he and his staff concluded that the

proposed piece of equipment would help to maintain streets that were falling victim of potholes, cracks, failing at the ends against concrete and general deterioration. After making several patches this past summer and trying differing methods his staff recommended this piece of equipment. In addition, he contacted the neighboring community of Rochester as well as other communities who currently have used the machine for several years. Their reports provided the additional support of the machine. The total cost of the machine was \$55,204.40 of which he had \$20,000 remaining in his budget in 2011. After speaking with the consultant, it was agreed that the company would allow him to pay the remainder Jan. 1 2012 which would be part of his regular operating budget within the street department. Clm. Dahl expressed how he liked how it paid for itself, while Clm. Schaber expressed that it allows faster response time. This was a strong concern of Supt. Karger's as his crew was always waiting for hot mix; this machine will allow the crew to complete projects on a timelier manner. The Council agreed that it provided an added efficiency while staying in budget. A motion was made to approve the purchase of \$55,204.40 plus tax with \$20,000 to be used from his existing 2011 budget and the remainder to come from 2012.

Motion to approve: John Schaber

No further discussion.

Motion declared carried.

16. Resolution #15-2011 Approving an Interfund loan to I-90. In April Council had approved an interfund loan from the electric department for a land purchase for I-90. In conjunction, depending on the LGA situation was a similar interfund loan for \$50,000 from the general fund. Following the conclusion of the state budget decision and the reduction of the LGA, the City was still able to finish the transfer. A motion to approve Resolution #15-2011 was made.

Motion to approve: Wayne Getz

No further discussion.

Motion declared carried.

17. Winona County GIS Pictometry. Clm. Schaber highlighted the benefits of the added service by partnering with Winona County to be included in the upcoming GIS mapping service. Mayor Spitzer added that in addition to the P&Z applications, law enforcement also utilizes the technology for a number of reasons. The cost of the service is \$2,400 with the majority coming from the existing planning budget with the remainder coming from other professional services. A motion to approve the contract for \$2,400.

Motion to approve: John Schaber

No further discussion.

Motion declared carried.

18. Request for Council Action-Krenzke Meats. The Council reviewed the recommendation from EDA for Krenzke Meats for a \$25,000 for 7 years at 2 percent with the first year to be interest only. It was discussed how it was an emergency situation and how the funds would be used to support the business. A motion to approve the request was made.

Motion to approve: John Schaber

No further discussion.

Motion declared carried.

19. Park and Rec Fall brochure. The Council briefly reviewed the park and rec brochure and a motion was made to approve the piece.

Motion to approve: Dave Braun

No further discussion.

Motion declared carried.

20. Dog Park-August 13, 2011. The information was reviewed for the dog walk fundraiser being held by the Lions. Various questions were asked.

21. Rebecca Littlefield Library Board appointment—The application was reviewed and a motion was made to approve the board appointment.

Motion to approve: John Schaber

No further discussion.
Motion declared carried.

22. Resolution #28-2011 Setting a Public Hearing for the Alternative Energy Ordinance. A resolution to approve the setting of a public hearing for Sept. 8, 2011 for the alternative energy ordinance at the Planning & Zoning meeting was reviewed. A motion to approve the resolution was made.

Motion to approve: John Schaber
No further discussion.
Motion declared carried.

22a. Resolution #29-2011 2-Day Intoxicating Liquor License Fighting Saints Touchdown Club. Admin. Koverman briefly highlighted the need for the resolution, which will supersede two previous resolutions as the club elected to serve intoxicating beer in cans versus 3.2 malt liquor. A motion to approve Resolution #29-2011 was made.

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

Unscheduled Public Appearances. None.

23. Closed Session for Union Strategy Discussion. Mayor Spitzer stated this portion of the regular meeting is consideration of strategy for labor negotiations pursuant to Minnesota Statutes, section 13D.03, subdivision 1; I will now entertain a motion to close the meeting. A motion to close the meeting at 8:47 p.m. was made.

Motion to close at 8:47 p.m.: John Schaber
No further discussion.
Motion declared carried.

Mayor Spitzer stated that the City Council will now go into a closed session here in the City Council Chambers.

The time is 8:47 p.m..

Only the officials and consultants of the City who reasonably require access to this data may be in attendance at any portion of the meeting for this agenda item.

The closed portion of this meeting is being tape-recorded pursuant to Minnesota Statutes, section 13D.03, subdivision 2.

Members of the Council, following the completion of our business in closed session, we will now adjourn into open session, and I will entertain a motion to adjourn the closed portion of the meeting and go back into open session.

Motion to adjourn the closed portion of the meeting at 9:39 p.m.: John Schaber
NO further discussion.
Motion declared carried.

Motion to reopen into the open session at 9:40 p.m. was made: Orv Dhal
No further discussion.
Motion declared carried.

A motion to adjourn the meeting at 9:41 p.m.

Motion to approve: Dave Braun
Motion declared carried.

William J. Spitzer, Mayor

Attest: _____
Nick Koverman, Administrator