

MINUTES of the ST. CHARLES CITY COUNCIL
For Tuesday, January 8, 2013 held at 7:00 p.m. at
830 Whitewater Avenue
St. Charles, Minnesota

MEMBERS PRESENT:

Councilmen:

John Schaber

Dave Braun

Orv Dahl

Wayne Getz

Mayor Bill Spitzer

STAFF PRESENT:

Nick Koverman (City Administrator), Interim Police Chief Chris Lennon, and d Chris Hood (City Attorney).

OTHERS IN ATTENDANCE: Dakota Gerden, Cody Howen, Sara Howen, Wayne Feyereisn, George Schwoboda, Eric Manley, Annette Henderson, Bob Christie, Travis Lange, Eric Williamson, Dan Hursh, Harold Fort, Deb Fort, Cathy Groebner, and Craig Hilmer (St. Charles Press).

1. ESTABLISH QUOROM/CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. APPROVAL of the AGENDA

Motion to approve the agenda: **Wayne Getz**

No discussion.

Motion carried.

4. OATH OF OFFICE-MAYOR

5. APPROVAL of the JANUARY PAYABLES

Motion to approve payables: **Dave Braun**

6. Notices and Communications. None.

7. Reports of Boards and Committees: Various reports were given by Council.

10. Citizen Petition. City Attorney Chris Hood was present to update the Council on petition received by the Concerned Citizens of St. Charles. He briefly reviewed the nature of the petition and relayed that the fundamental question still remained with the jurisdiction question. He reviewed the lack of positions by the Township, except with the motion of not allowed the city to annex the property. He called any action premature with several points being made as to the stance. Clm. Schaber questioned the use of a moratorium and Mr. Hood stated that it was certainly the city's right to entertain that direction if it so chose to, but that without a project request to consider, the city's stance may be premature. Mr. Hood read a proposed motion for consideration. "_____ moves that the City of St. Charles take no action with respect to ordinance changes, regulatory framework, the petition for annexation, development review, or otherwise regarding the MN Proppant proposed multi-modal silica sand transportation project until after the City receives and gathers all such information pertaining to the proposed project that the City deems necessary or appropriate to adequately evaluate and consider the merits of the proposed project, including the opportunity to request positions thereon from St. Charles Township and Winona County."

Clm. Schaber expressed a desire to be ready in case the project was to move forward. Mayor Spitzer expressed that spending staff time and resources may be premature because the project may never materialize. A brief discussion was held on the use of a moratorium if a project proposal would come forward. Clm. Schaber then questioned that if St. Charles rejects the proposal and the County votes in favor of the sand mines if the trucks could in fact travel through St. Charles? Mr. Hood concurred that that could be a possibility. It was discussed that Planning and Zoning

could review the current ordinances in place. Clm. Dahl questioned the reasoning for that action given that the project may not move forward. Mayor Spitzer proposed an additional statement, “ In addition, the Planning & Zoning should place the review of ordinances pertaining to the mining operations in St. Charles.”

All were in agreement and a motion was made to include the proposed motion as read by Mr. Hood with the additional language proposed by Mayor Spitzer.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

9. Wells Fargo Investment. Admin. Koverman presented information about an investment opportunity that staff had been researching since mid-summer with the help of representatives from Wells Fargo. Staff have been less than pleased with the performance of existing investments given the market trends. In addition, the support received from the current firm seemed less proactive as perhaps it could be. Ian Scheerer, Anna Milbach, and another representative provided information to the Council on the potential change in management style within the regulatory framework that meets all of the state statutes and guidelines. Mr. Scheerer provided a discussion of trust vs. brokering and the fiduciary platform offered through Wells Fargo. After hearing the presentation, no questions were asked, but it was stated that having a local presence and exploring this opportunity that other communities have used, was of interest to the council. A motion was made to continue to investigate the Wells Fargo strategy looking to implement the next steps.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

10. Police Chief Vacancy. Admin. Koverman presented the Council with three options in light of the vacancy: hire from within, advertise externally, and contract with the County’s Sheriff’s Department. In brief conversations with fellow administrators, the option of county services was brought up and for those communities it posed advantages. Admin. Koverman would need to contact the County to check for interest but at that time Admin. Koverman had no data to share. The Council agreed that all options should be available and asked if it would be possible to have some of the information at the February 12th Council meeting. Admin. Koverman expressed that he would begin working on that information and would seek additional support from Interim Chief Lennon with the various options. A motion was made to explore all possible options including the county services.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

11. State Agreement-Richland Avenue. Mayor Spitzer reviewed the agreement for upgraded rail facilities on Richland Avenue and the project cost share by the city for approximately \$23,000 while the total project would cost approximately \$250,000. A motion was made to approve Resolution #01-2013.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

12. Sewer Lining Project award. Admin. Koverman presented the information related to the sewer lining estimates received for the proposed 2013 I&I project. He reminded the Council that the city had agreed to conduct these I&I projects as part of an agreement with MPCA and the sanitary district. According to the city’s engineer, given the minimal quantity of the project, the amounts reflect that of a larger project. Visu-Sewer was the lowest most responsible bid and hence the project should be awarded to the proposed company for \$51,925. A motion was made to award the contract to Visu-sewer in the amount of \$51,925.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

13. District Request for Curbside Student Pickup. Admin. Koverman reviewed a recent request by the St. Charles School District as the Zoning Administrator to approve the locations of: 446 W 5th Street and 215 Northern Hills

Trails as official bus stops. Admin. Koverman had reviewed the locations and deemed them appropriate. Clm. Schaber discussed the school board's intention and motioned to approve the request.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

14. Christie Minor Subdivision. Admin. Koverman reviewed the information presented to the Planning and Zoning Commission as well as the recommendation to approve the minor subdivision based on the staff report, and the information provided by the petitioner. After reviewing the data, a motion was made to approve the minor subdivision and the findings of fact.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

15. Park Board Appointment. Mayor Spitzer presented the name of Dan Leistikow for approval to the Park & Recreation Board.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

16. Library Board Appointment. Mayor Spitzer presented the name of Tim Jones for approval to the Library Board.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

UNSCHEDULED PUBLIC APPEARANCES

-Annett Henderson

-Eric Williamson

-Dan Hursh

-Eric Manley

-Travis Lange

-Bob Christie (Winona County)

(Above residents spoke in opposition of proposed silica sand processing plant. Mr. Lange provided additional names to be added to the petition).

Motion to adjourn at 8:28 p.m.

Motion to approve: **Orv Dahl**

Motion declared carried.

William J. Spitzer, Mayor

Attest: _____
Nick Koverman, City Administrator