

MINUTES of the ST. CHARLES CITY COUNCIL
For Tuesday, July 22, 2014 held at 5:00 p.m. at
830 Whitewater Avenue
St. Charles, Minnesota

MEMBERS PRESENT:

Councilmen:

John Schaber

Dave Braun

Orv Dahl

Wayne Getz (absent)

Mayor Bill Spitzer

STAFF PRESENT:

Nick Koverman (City Administrator) and Rick Engstrom (WHKS-City Engineer).

OTHERS IN ATTENDANCE: Mike Ellsworth, Dan White, Terry Soppa, Lyle Peterson (St. Charles Fire Chief), and Cathy Groebner.

1. ESTABLISH QUORUM/CALL TO ORDER

Quorum was established with Mayor Spitzer calling the meeting to order at 5:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL of the AGENDA:

Motion to approve the agenda: **John Schaber**

No discussion.

Motion carried.

4. Notices and Communications. None

6. Review of Financials. No discussion.

7. Fort Culvert Project. Admin. Koverman began the discussion highlighting the memo and recommendation from Neil Britton of Wiseth, Smith, Nolting (WSN). He began by highlighting the review of the I-90 business park pond. It outlined in his review of the park and pond structure, that the design met all the required criteria and that the "allowable discharge rate of the pond for the water quality volume for the ultimate development of the entire site is less than the maximum allowable discharge rate for the water quality volume." In addition, that the flow was not increased, but rather decreased the runoff rates to any downstream waterways and culverts stating, "The overflow weir design along with the larger pond size result in lower discharge rates from the pond, and therefore should decrease the runoff rates to any downstream waterways and culverts." Mayor Spitzer reiterated the point for clarification that according to the review by Mr. Fort's engineer, the city's pond did not increase the flow to Mr. Fort's culvert. City engineer Rick Engstrom acknowledged that statement in the affirmative. Mr. Engstrom continued to provide a general review of the recommendation from WSN. He highlighted the various options that included replacing the existing 36" pipe, lowering the depth and constructing an overflow swale by reshaping the gravel lot. The second option is replace the 36" pipe with a 48" culvert at a lower depth, construct aprons, reshape the lot to provide an overflow swale for emergency overflow. After reviewing the options, the final recommendation from WSN was to utilize the option with the enlarged 48" culvert, reshaping the road and adding aggregate as necessary, in addition to adding a 15" centerline culvert to convey water from the east side of the road to the west side of the road.

Mr. Engstrom provided his estimates for both the 36" culvert replacing and constructing overflows at approximately \$28,500, while upsizing the pipe to a 48" culvert with the overflow swale he estimated at approximately \$40,000 using a smoothed-wall pipe. He did not have estimates for the reshaping or the additional 15" pipe. It was asked if it would be possible to utilize the existing 36" pipe what type of savings that would be and estimated it might save \$6000. Clm. Braun expressed that he still believed that the issue was not the flow of water, but rather the issue of the freezing of the pipe because of the lack of flow. Mr. Engstrom added that his office has asked Mr. Britton to clarify

if MnDOT has been provided the information on the possibility of a larger culvert. He stressed his concern for impacting the flows downstream by potentially moving to a larger culvert and that MnDOT would want to review the data that could potentially affect their ditches. In speaking with Mr. Britton, Admin. Koverman relayed that it was his recommendation that a further discussion of the pros and cons of the project be sent to a subcommittee of the Public Works Committee. Mayor Spitzer expressed that following Mr. Fort's last appearance at the City Council where he stated that he felt the process was not moving fast enough and that the Council was not doing their job concerned him and that he wanted to make sure this project continued to move forward. Mayor Spitzer questioned if the Council agreed with his statement and they acknowledged their agreement to continue the process forward. Clm. Dahl expressed that he would like a cost estimate for the 15" culvert and the reshaping of the road. A motion was made to table the item until the next meeting August 14th, but to propose the project to MnDOT for possible approval, receive cost estimates for the additional recommendations.

Motion to approve: John Schaber

No further discussion.

Motion carried.

7. St. Charles Fire Relief Property.

Fire Chief Lyle Peterson informed the Council that through the St. Charles Fire Relief, which is not under the city's umbrella and separate from the city's budget, that the original 1928 Waterous fire truck that was part of St. Charles' fire company was purchased and returned to St. Charles. The truck was purchased by private funds and the Fire Relief will hold a fundraiser to help in repayment of that purchase. He stressed that no tax dollars would be used toward the maintenance of the truck, but according to Chief Peterson, was something that the entire department felt strongly about acquiring. He asked if the Council had any comment or questions. The Council thanked Chief Peterson for sharing the information and commended the Fire Relief.

8. EMS Building Advertising. Admin. Koverman updated the Council regarding the ambulance option for the Downtown Motel. According to Director Jeff Hardtke, the ambulance association elected not to pursue an extension of the option agreement for the downtown motel. Koverman had contacted the School District and learned that approximately \$3,000.00 was spent toward producing financial projects, materials, mailings, etc. However, it did not cover Supt. Roubinek's time to attend approximately 10-15 meetings as well as other staff time. In discussing the issue with city attorney Chris Hood, cities are able to provide factual information related to referendums, however the Attorney General's opinion differs on the supporting of such promotional actions. Mr. Hood expressed that having clubs or organizations conduct those types of campaigns would be best with the city simply providing information related to the facts of the potential vote. Similarly, Stewartville's administrator shared the same information whereby the fire auxiliary and relief association conducted most of the campaigning with the city remaining neutral.

9. Resolution #25-2014 Public Transit New Service Area. Admin. Koverman highlighted that the resolution presented represented the vote taken during the June 24, 2014 meeting as an update for MNDOT. A motion to approve the resolution was made.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

10. Resolution #26-2014 1-Day Intoxicating Malt Liquor-St. Charles Wrestling. The proposed resolution pertained to Gladiolus Days that the St. Charles Wrestling historically conducts. Clm. Schaber expressed that they have always done a nice job and motioned for approval.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

11. Environmental Assessment Worksheet-Trail Waiver. Admin. Koverman reviewed for the Council as part of the DNR Trails contract, the Local Government Unit is to consider the application of an Environmental Assessment Worksheet (EAW). Given the scope of the project, WHKS engineers have informed the City that an EAW is not required, but a motion must accompany the application to the DNR for this waiver.

The motion for consideration was as follows: *The City of St. Charles has reviewed the bike trail project and considering the scope, impact, and that several of the items in the Environmental Review Worksheet have been reviewed and prepared as part of the existing grant process, the project does not warrant an EAW.*

After consideration, a motion was made to waive the EAW and accept the motion as presented.

Motion to approve: Dave Braun

No further discussion.

Motion carried.

12. UMMPA Update. Admin. Koverman highlighted a memo regarding the recent UMMPA meeting. He highlighted the various topics discussed. Clm. Getz asked about the mitigation pricing that was related to the unexpected market cost inflation experienced in the first quarter of the year due to the extreme temperatures. Admin. Koverman reminded Council when Gary Price, the financial advisor for UMMPA, visited with the council he discussed how due to the change in the contract to a market cost influence in pricing that the Day LMP pricing exceeded estimates, which resulted in the necessity to begin collecting a percentage for a true-up agreement for the end of the year. While prices have almost dropped in half, the net effect will still result in a true-up cost to its member cities. No more questions were asked.

13. Urban Deer Population. Admin. Koverman reviewed a letter from a concerned citizen regarding the urban deer population and the effects these deer have had in one neighborhood. He relayed that Chief of Police Ken Frank, Park & Rec Director Rick Schaber and himself had a discussion with DNR Conservation Officer Mitch Boyum to understand what options are afforded to communities. Various other communities like Rushford and Red Wing are also dealing with the issue and various strategies have been looked into as far as the use of a deer repellent, policy prohibiting feeding of deer, in addition to permitted deer hunts in town with bow. More information is being collected and the issue has been referred to both the Public Safety Commission and the Park and Rec Board. Koverman also will contact the representative of the concerned citizen group to hold a meeting and ask what it is they would like to see done.

14. Administrator Annual Review-Closed Session. Mayor Spitzer read pursuant to Minn. Statute 13 D.05 Subd. 3 (A) that the personnel meeting for the annual review of administrator Koverman would be closed.

A motion to close the meeting at 5:45 p.m. was made.

Motion to close: **John Schaber**

No further discussion.

Motion carried.

The closed portion of the meeting was started at 5:48 p.m.

A motion to reopen the regular meeting was made at 6:24 p.m.

Motion to approve: **John Schaber**

No further discussion.

Motion carried.

UNSCHEDULED PUBLIC APPEARANCES

-None

Motion to adjourn at 6:26

Motion to approve: **John Schaber**

Motion declared carried.

William J. Spitzer, Mayor

Attest: _____

Nick Koverman, City Administrator

