

**MINUTES of the ST. CHARLES CITY COUNCIL**  
**For Tuesday, June 9, 2015 held at 6:00 p.m. at**  
**830 Whitewater Avenue**  
**St. Charles, Minnesota**

**MEMBERS PRESENT:**

Councilmen:  
David Kramer  
Dave Braun  
Orv Dahl  
Wayne Getz (absent)  
Mayor John Schaber

**STAFF PRESENT:**

PW Supt. Kyle Karger, Police Chief Ken Frank and Nick Koverman (City Administrator).

**OTHERS IN ATTENDANCE:** Rick Engstrom (WHKS), Cindy Cox-Thorland, Dan White, Bryan Todd and Craig Hilmer.

**1. ESTABLISH QUOROM/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: **Orv Dahl**  
No discussion.  
Motion carried.

**4. MEETING MINUTES**

-May 12, 2015

Motion to approve: **Dave Braun**  
No further discussion.  
Motion carried.

-May 26, 2015

Motion to approve: **David Kramer**  
No further discussion.  
Motion carried.

**5. APPROVAL of JUNE PAYABLES**

Motion to approve: **Orv Dahl**  
No further discussion.  
Motion carried.

**6. Notices and Communications.** None.

**7. Reports of Boards and Communications.** Various reports were given.

**8. Boy Scout Presentation of Appreciation to City of St. Charles.** Cindy Cox-Thorland presented a certification of appreciation to the City of St. Charles for allowing the Boy Scouts to utilize the community center as a meeting space. She presented the certificate to Mayor Schaber and the Council with their gratitude.

**9. Fort Culvert Discussion.** Mayor Schaber relayed to the Council that he was contacted by Mr. Fort and was seeking permission to have Council members be contacted by Mr. Fort to discuss the replacement of his culvert. According to Mayor Schaber he is also requesting that the roadway be regraded to allow for better drainage that has silted in. He is asking to be able to show the Councilmembers what he feels is the problem in order to find a resolution. Clm. Braun asked if it was possible if the silting was caused by the City. Rick Engstrom, city engineer with WHKS, explained that if the silting has occurred since the city installed the berm at the city's property boundary almost 3 years ago then more than likely not. Clm. Braun then asked that if a resolution was accepted would the city vacate the property that he feels is a private drive? Clm. Kramer restated the question regarding the vacation of the roadway for clarification and all councilmen present agreed with the statement that all felt the roadway as it exists today serves in a private capacity and should be vacated. Mayor Schaber expressed that he had relayed to Mr.

Fort that he would ask permission for Mr. Fort to contact fellow Councilmen and that the issue would be addressed at the first meeting in July. Mayor Schaber would relay the information to Mr. Fort.

**10. Ordinance #578 Amending the Zoning Map (1<sup>st</sup> Reading).** Admin. Koverman reviewed the proposed amendment with the Council and reviewed the Findings of Fact within the memo and read aloud as:

1. That the property at issue (Subject Property) located at 1279 St. Charles Avenue and legally described in Exhibit A and Parcel 29.010.1180 in the City of St. Charles, Minnesota, is approximately 2.9 acres in area and is attached hereto and incorporated herein by reference.
2. That the Subject Property is owned by Rod L. Hamby and is currently zoned I-1 (Light Industry) and the Planning Commission has recommended rezoning the property to C-1 (Downtown Commercial).
3. Given that the C-1 Downtown Commercial District directly abuts the property the proposed amendment would neither arbitrarily nor negatively impact the neighborhood.
4. The proposed and current use of a retail space as stated by the owner is defined as permitted within the proposed C-1 District.
5. The proposed plan and use would not negatively impact property values.
6. The proposed plan does not constitute spot zoning.
7. Potential future development would more closely resemble the adjacent C-1 (Downtown Commercial) District in terms of height, setbacks and internal site design.
8. The current infrastructure would complement the future C-1 zoning designation.
9. The proposed rezoning is consistent with the districts that are contiguous to the area proposed to be rezoned.
10. The proposed rezoning is both reasonable and consistent with the City's comprehensive plan.

He discussed the concerns that were heard during the meeting as far as the general concern of a business locating at that location. He relayed that the proposed zoning of the Commercial Downtown was less intensive than that of the Light Industry District and that it was simply an extension of the adjacent zoning. He relayed to Council that the new owner's representative would relay the additional concerns of noise, lighting, construction. Hearing no further questions a motion was made to approve the first reading of Ordinance #578 as presented.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

**11. Ordinance #579 Amending the Parking Requirement (1<sup>st</sup> Reading).** Admin. Koverman reviewed the changes with the parking language that update the current parking requirements as past language was more restrictive and in some instances too restrictive. Admin. Koverman also relayed that as part of a review of a potential parking plan, the petitioner would have sought a variance to the code. However, after consultation with the planning advisor and reviewing language changes that had been discussed previously by the Planning & Zoning Commission, it was agreed that it was an appropriate time to review the parking requirements. Hearing no other questions a motion was made to approve the first reading of Ordinance #579.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

**12. Hiring of Colton Herman and Jacob Braun-Part-time Officer.** Police Chief Ken Frank presented two names for consideration for hiring Chief Frank reviewed each candidate's qualifications and expressed that both candidates passed the physical and agility test, as well as the written test, psychological and background investigation. He expressed that he will be recommending two additional candidates for consideration in July. Clm. Kramer questioned whether the hires were within his budget and Chief Frank acknowledged that the expenditure would fall within his scope. Clm. Braun expressed that due to his relationship with one of the candidates that he would abstain from the vote. A motion was made to approve the hiring of Colton Herman and Jacob Braun.

Motion to approve: **Orv Dahl**

**Clm. Braun abstained.**

No further discussion.

Motion carried.

**13. Rochester Water Reclamation Plant Approval.** Admin. Koverman relayed that through correspondence with the Rochester Water Reclamation Plant a simple request approving the sending of the city's wastewater not collected through the Dover Eyota St. Charles Area Sanitary District was requested by the plant operator. Admin. Koverman contacted the DESCASD plant operator to inquire about wastewater trucks bringing their material to the plant and he expressed that they no longer accept that material as they cannot determine what the material may or may not contain. The DESCASD plant was fine with sending material to the Rochester Water Reclamation Plant. Hearing no further question, a motion to approve the request to the RWRP was made.

Motion to approve: **Dave Braun**  
No discussion.  
Motion carried.

**14. Resignation from Public Works Board-Braun.** Admin. Koverman relayed that Jim Braun who has served on the Public Works board respectfully submitted his resignation for approval.

Motion to approve: **Orv Dahl**  
No further discussion.  
Motion carried.

**15. Resolution #16-2015 High Watson Post 190 Off-Site Gambling Permit.** The annual request for off-site gambling for the 2015 Winona County Fair was presented for the Hugh Watson Post 190. A motion was made to approve the resolution as presented.

Motion to approve: **David Kramer**  
No further discussion.  
Motion carried.

#### **UNSCHEDULED PUBLIC APPEARANCES**

-Dan White addressed the Council relayed the good work that Rolling Hills Transit was doing.

Motion to adjourn at 6:33 p.m.  
Motion to approve: **Orv Dahl**  
Motion declared carried.

---

**John Schaber, Mayor**

Attest: \_\_\_\_\_  
**Nick Koverman, City Administrator**