

**MINUTES of the ST. CHARLES CITY COUNCIL  
for Tuesday, September 13, 2016 held at 6:00 p.m. at  
830 Whitewater Avenue,  
St. Charles, Minnesota**

**MEMBERS PRESENT:**

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

**STAFF PRESENT:** Fire Chief Lyle Peterson and Nick Koverman (City Administrator).

**OTHERS IN ATTENDANCE:** Jason Giem, Shane Kastenschmidt, Paul Kreidermacher, Terry Soppa, Red Soppa, Mark Hottel, and Jill Veerkamp (St. Charles Press).

**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: **Orv Dahl**  
No discussion.  
Motion carried.

**4. Meeting Minutes**

-August 10, 2016  
Motion to approve: **Wayne Getz**  
No discussion  
Motion carried.

-August 23, 2016  
Motion to approve: **Dave Braun**  
No discussion.  
Motion carried.

**5. August Payables.**

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

**6. Notices and communications:** Admin. Koverman reminded Council about the Library's Cupcakes for Kids event that coming Saturday.

**7. Reports of Boards and Committee:**

Reports were given.

**8. Resolution #20-2016 Approving Preliminary Levy.** Mayor Schaber discussed that the preliminary levy of 8.07 was a starting point for Council to work with. Mayor stated that the proposed increase would in effect increase the city's tax rate 2.5 percent and add \$40 to a \$200,000 home. No further questions were asked. A motion to approve the resolution as presented was made.

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

Motion carried.

**9. Resolution #21-2016 Approving EDA Levy Request.** Mayor Schaber presented the proposed EDA levy for consideration. The proposed amount to be collected in 2017 was \$36,024. A motion to approve the levy as presented was made.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

**10. Ordinance #588 Amending the Zoning Map (1<sup>st</sup> Reading).** Admin. Koverman highlighted the amendment for the Council for the property located 213 West 13<sup>th</sup> Street. Koverman highlighted the Findings of the P&Z and presented them to the Council as follows:

1. That the property at issue (Subject Property) located at 213 W. 13<sup>th</sup> Street and legally described in Exhibit A and B as Parcels 29.010.0110 and 29.010.0100 in the City of St. Charles, Minnesota, is approximately 0.575 acres in area and is attached hereto and incorporated herein by reference.
2. That the Subject Property is owned by Shane Kastenschmidt and Jason Giem 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 use of an automotive repair shop as stated by the owners is defined as a Conditional Use 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.

No further questions were asked. A motion was made to accept the Findings as presented and approve the first reading of Ordinance #588.

Motion to open: **Wayne Getz**

No further discussion.

Motion carried.

**11. Resolution #19-2016 Approving J&S Automotive CUP.** Admin. Koverman highlighted the information in the packet that discussed the proposal from J&S Automotive. Koverman presented the four Findings from the P&Z to the Council for consideration as follows:

1. The conditional use will not be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the neighborhood, because the subject property has a history of accommodating commercial/industrial uses without eroding the character of the neighborhood.
2. The request will not be detrimental to the public welfare or to property or improvements in the neighborhood because Section #152.22(D) (1) recognizes the C-1 District can permit uses of the same general nature without compromising the integrity of the District.
3. A grain/feed business previously existed at the site and there have been no known complaints.
4. The owner is not proposing any intensification of the previous use.

No further questions were asked and a motion to accept the findings as presented and approve the resolution as presented was made.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

**12. Solar proposal for RMTD/Assisted Living.** Terry Soppa of RMTD LLC addressed the Council highlighting his request to put solar units in a separate location from the Assisted Living facility that RMTD operates. Initially the proposal was to install two 40kw units on property located out behind the Chattanooga Innovation Park. However, he added that he would like to revise the request to two 35kw systems. He explained that putting the solar array is an option on top of the roof at the facility, but that it would be more complicated and that putting on lawn would not be esthetically pleasing to the residents. The proposal highlighted a 3-phase system to match their service at the Assisted Living. He highlighted how he hoped to invest in the business and keep his electrical costs lower in order to remain competitive. Clm. Getz expressed that he liked the site with respect to not hindering anyone's view. Clm. Kramer asked if it was located next to a waterway and Mr. Soppa expressed that it would be far enough away that it would not be an issue. Paul Kreidermacher of Minn Solar addressed the Council and added that it would reduce the City's demand during high peak times and that net metering would allow the business to take the credit. Clm. Kramer then asked Admin. Koverman if Tri-County had been contacted regarding the proposal as they may be the City's potential wholesale provider. He explained that he had not been in discussion with them, but that Tom Nigon, the City's electrical engineer, had been out on vacation and that he could attend the next meeting if there were additional questions. Mayor Schaber agreed with Clm. Kramer and thought it would also be beneficial to seek Dairyland input as a solar array of this size is new to the city and that he felt it was important to do our due diligence as we investigate the project. A motion was made to table any decision until staff was able to seek input from both Tri-County and Dairyland Power regarding the off-site proposal and request to net-meter two 35 kw solar arrays.

Motion to table: **David Kramer**

No further discussion.

Motion carried.

**13. Resolution #22-2016 JPA with BCA.** Police Chief Ken Frank highlighted the agreement with the Council as a 5-year renewable contract to allow an exchange of information between the Bureau of Criminal Apprehension, the St. Charles Police Department and the Winona County Attorney's office. A motion was made to approve the resolution as presented.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

**14. St. Charles PD Recommendation.** Chief Frank presented the recommendation to hire Colton Herman as a full-time officer for the St. Charles Police Department starting at the second step of the scale at \$47,345.21 to begin October 1, 2016. He highlighted his part-time service with the department and the qualifications Officer Herman demonstrated. A motion to hire Mr. Herman at the requested step was made.

Motion to approve: **Orv Dahl**

No further discussion.

Motion carried.

**15. MN OSHA Inspection Review.** Admin. Koverman briefly highlighted that a random program review was conducted Thursday August 25-Friday August 26. He reviewed programming, facilities, and conducted independent interviews with staff members. Minnesota Municipal Utility Association Safety Coordinator Mark Hottel was present during the inspection and relayed to the Council that the successful review was because of a commitment from the staff, department heads, and Council to safety. Hottel explained that in talking with the inspector, he relayed that he felt this was one of the best inspections he had ever completed and that the City is doing everything right. Only two citations were issued for a fee of \$420. Hottel explained that several recommendations were also given and in working with department heads, they will be completed as soon as possible.

#### **UNSCHEDULED PUBLIC APPEARANCES**

None.

Motion to adjourn at 6:52 p.m.

Motion to approve: **Orv Dahl**

Motion declared carried.

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**John P. Schaber, Mayor**

ATTEST

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**Nick Koverman, City Administrator**