

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
JANUARY 13, 2014

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of January was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, January 13, 2014, followed by the Pledge of Allegiance.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Bernie Buehler, John Graf, Greg Husmann, Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller, City Attorney Skip Wieser and City Engineer Tim Hruska.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

ITEM 1 – CONSENT AGENDA

At this time, the Mayor read the following items to be considered as part of the Consent Agenda, including additional bills, for this regular meeting:

- 1.1 MINUTES – DECEMBER 23, 2013
- 1.2 MINUTES – JANUARY 6, 2014
- 1.3 BILLS PAYABLE THROUGH JANUARY 9, 2014

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Buehler made a motion, seconded by Member Graf, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.1 – OAK STREET PROJECT REVIEW

City Engineer Tim Hruska gave an overview to Council regarding the proposed Oak Street/South 14th Street improvement project. Council reviewed two side walk alternatives for the south end of Oak Street, a proposed project schedule and two financing options. The first option is a bond for \$1,690,000 and does not include State aid funds to reduce the overall project cost. The second option is a bond for \$1,185,000 and includes State aid

funds to reduce the size of the bond issue. Council also reviewed whether the project should be completed as a single project, or phased over the next few years as funds are available. The City Engineer will prepare a professional services agreement to reflect the scope of the project and present it at the January 27, 2014 Council meeting. Following an extensive discussion, Member Buehler made a motion, seconded by Member Husmann, as follows:

MOTION TO AUTHORIZE THE CITY ENGINEER TO PREPARE A PROFESSIONAL SERVICES AGREEMENT TO PREPARE THE PLANS AND SPECIFICATIONS FOR THE OAK STREET/SOUTH 14TH STREET IMPROVEMENT PROJECT AND TO BEGIN WORK ON COLLECTING SURVEY INFORMATION AS PART OF PROJECT DEVELOPMENT.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.2 – UTILITY EXTENSION REQUEST

City Engineer Tim Hruska gave an overview to Council regarding the extension of City services to the Kinder Road area in Crescent Valley. This included a site plan and cost estimate. Following discussion, it was the consensus of Council to authorize WHKS and City Administrator Waller to send a letter to the property owners regarding the extension of City services. No action taken.

ITEM 3.3 – ONE TIME SHOWING CONTRACT REQUEST

Council reviewed a One Time Showing Contract for the Timm property owned by the City that is adjacent to Veterans Park. The Contract is proposed by Dan Brodigan of Edina Realty. It was recommended to Council that prior to taking action on this request, to call for and coordinate a public meeting of the City Council, Planning Commission and the La Crescent-Hokah School Board. This is due to the number of projects that are currently being contemplated by the City. Following discussion, Member Buehler made a motion, seconded by Member Husmann, as follows:

MOTION TO CALL FOR A SPECIAL CITY COUNCIL MEETING ON FEBRUARY 6, 2014 AT 6:00 PM FOR THE LA CRESCENT CITY COUNCIL, THE LA CRESCENT CITY PLANNING COMMISSION AND THE LA CRESCENT-HOKAH SCHOOL BOARD TO DISCUSS THE VARIOUS PROJECTS BEING CONTEMPLATED IN THE CITY OF LA CRESCENT.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.4 – TEMPORARY STRUCTURE AGREEMENT

Council reviewed an Agreement with Truss Specialists that allows for the placement of temporary structures on the City owned land that is leased to Truss Specialists. It was recommended to Council to approve a one year extension to the Agreement. Following discussion, Member Husmann made a motion, seconded by Member Graf, as follows:

MOTION TO APPROVE A ONE YEAR EXTENSION TO THE AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND TRUSS SPECIALISTS THAT ALLOWS FOR THE PLACEMENT OF TEMPORARY STRUCTURES ON THE CITY OWNED LAND THAT IS LEASED TO TRUSS SPECIALISTS.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.5 – 2014 LICENSE RENEWALS

Council reviewed a listing presented at the meeting for additional license renewals for 2014. All licenses appear to be in order and it is recommended the City Council approve the licenses as presented. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PRESENTED LIST OF LICENSE RENEWALS FOR 2014 FOR SOFT DRINK TO SUBWAY #12992-15 AND GAS INSTALLERS TO THE FOLLOWING: WINONA HEATING AND VENTILATING; DENNIS PRIEBE PLUMBING, INC.; AND ADVANCED COMFORT SPECIALISTS.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.6 – 2013 GENERAL FUND BUDGET ADJUSTMENTS

Council reviewed a list of suggested budget adjustments for the revenues and expenditures for 2013 and explanations of these from City Finance Director, Debra Shimshak. After a thorough discussion, Member Husmann introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 01-14-02

**A RESOLUTION APPROVING CERTAIN ADJUSTMENTS TO THE
2013 GENERAL FUND BUDGET**

WHEREAS, the City Council has been presented with proposed expenditure and revenue adjustments to the 2013 General Fund Budget by the Finance Director, and

WHEREAS, the City Council deems it in the best interest of the City to approve these adjustments as presented.

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the budget adjustments for the revenues and expenditures for 2013 as presented by the City Finance Director and as attached to these Minutes and marked as Exhibit 3.6.

Adopted this 13th day of January, 2014.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Graf and upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

ITEM 3.7 – RETIREMENT NOTICE – TIM IRWIN

Council reviewed a letter from Tim Irwin announcing his retirement from the La Crescent Police Department effective January 31, 2014. It was recommended to Council to accept Mr. Irwin’s retirement notice. Following discussion, Member Buehler made a motion, seconded by Member Graf, as follows:

MOTION TO ACCEPT TIM IRWIN’S RETIREMENT NOTICE FROM HIS POSITION ON THE LA CRESCENT POLICE DEPARTMENT.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

A letter of thanks will be sent to Mr. Irwin for his years of service on the Police Department.

ITEM 3.8 – ANNUAL APPOINTMENTS

Council took up discussion of the annual appointments for 2014 following which Member Husmann made a motion, seconded by Member Buehler, to approve the following motion:

A MOTION TO APPROVE DALE WILLIAMS AS THE ACTING MAYOR

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Upon recommendation of Finance Director Debbie Shimshak, Member Buehler made a motion, seconded by Member Graf, to approve the following motion:

A MOTION DESIGNATING THE FOLLOWING DEPOSITORIES FOR ALL CITY BANKING FUNCTIONS AND INVESTMENTS:

All Banking Functions: **Wells Fargo**
 Merchants Bank, La Crescent
 Home Federal Savings, La Crescent
 State Bank, La Crescent
 Lynn Reynolds of Edward Jones
 Northland Securities, Inc.
 4M Fund (sponsored by the League of Minnesota Cities)
 Morgan Stanley Smith Barney
 Institutional CD's Inc/ICD Securities, Inc. – Broker
 Floridian – Custody Service
 Altra Federal Credit Union, La Crescent
 Multi-Banks Securities
 Peninsula Bank – Custody Service

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Regarding the Official Newspaper, Member Husmann made a motion, seconded by Member Williams, to approve the following motion:

A MOTION APPOINTING THE HOUSTON COUNTY NEWS AS THE OFFICIAL NEWSPAPER FOR THE CITY OF LA CRESCENT

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Regarding Assistant Weed Inspector, Member Buehler made a motion, seconded by Member Husmann, to approve the following motion:

A MOTION APPOINTING PAUL KENAGA AS ASSISTANT WEED INSPECTOR FOR THE CITY OF LA CRESCENT

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Member Husmann then introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 01-14-03

A RESOLUTION APPOINTING A RESPONSIBLE AUTHORITY AND ASSIGNING DUTIES, STATE OF MINNESOTA

WHEREAS, Minnesota Statutes, Section 13.02 Subdivision 16, as amended, requires that the City of La Crescent appoint one person as the Responsible Authority to administer the requirements for collection, storage, use, and dissemination of data on individuals, within the City, and

WHEREAS, the City Council shares concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively qualified Responsible Authority as required under the statutes,

BE IT RESOLVED, that the City Council of La Crescent appoints Debbie Shimshak as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, Chapter 13, as amended, and with rules as lawfully promulgated by the Commissioner of Administration.

FURTHER BE IT RESOLVED, the Responsible Authority shall require the requesting party to pay the actual costs of making, certifying, and compiling copies and of preparing summary data.

ADOPTED this 13th day of January, 2014.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Graf and upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

ITEM 3.9 – ADVISORY COMMISSION APPOINTMENTS

ITEM 3.10 – CITY COUNCIL APPOINTMENTS

The balance of the appointments will be held until the next Council Meeting. No action taken.

ITEM 3.11 – 2014 FEE SCHEDULE

Council reviewed the updated 2014 fee schedule which reflects the changes that have been recently proposed. Following discussion of the proposed changes, Member Husmann introduced the following Ordinance and moved its passage and adoption:

ORDINANCE NO. 483

**AN ORDINANCE OF THE CITY OF LA CRESCENT AMENDING
THE MASTER FEE SCHEDULE FOR THE CITY OF LA CRESCENT
AS SET FORTH IN ORDINANCE NO. 404**

The City Council of the City of La Crescent, Houston County, Minnesota hereby ordains:

1. The La Crescent City Code established on March 8, 2004, stated that certain fees may be set from time to time by the City Council.
2. The City staff has reviewed the fees which the City currently charges and is recommending that the fee schedule be amended as follows:

ADMINISTRATION

<u>ADMINISTRATION</u>	2014
Refuse Haulers License – Commercial - Yearly	\$ 500.00

GOLF

MEN AND WOMEN'S DAY AT THE COURSE
MEN'S DAY – 9 HOLES \$8.50, 18 HOLES \$14.00 OR \$25.00 W/RIDING CART
WOMEN'S DAY – 9 HOLES \$8.50, 18 HOLES \$14.00 OR \$25.00 W/RIDING CART

HOCKEY ARENA

This fee schedule is deleted in its entirety.

PARKS

PARKS	2014
Old Hickory Park – per each half of shelter	\$45.00

POLICE

POLICE	2014
Ordinance Violation Fine Schedule	
Petty Misdemeanors and Misdemeanors: Fine Amount + <u>\$75.00 surcharge</u> - The Surcharge Fee is Determined By The Court System.	

RECREATION

RECREATION	2014	
	CITY/TWN	OUT OF
<u>POOL ADMISSION</u> – per entry	\$3.00	\$4.00
<u>POOL MEMBERSHIPS</u>		
FAMILY	\$125.00/\$1.50 EACH PHOTO	\$165.00/\$1.50 EACH PHOTO
ADULT	\$60.00/\$1.50 EACH PHOTO	\$80.00/\$1.50 EACH PHOTO
YOUTH	\$60.00/\$1.50 EACH PHOTO	\$80.00/\$1.50 EACH PHOTO

SANITARY SEWER

SANITARY SEWER	2014
Wastewater hookup fee	\$255.00
Grinder Pump connection Fee	\$1,000.00
Rates	See below

	2014	SEWER MIN. CHARGE	ADD'L SEWER CHARGE
<u>Commercial</u>			
rate code #14	5/8"	60.37	.33/thous.
rate code #15	3/4"	60.37	.33/thous.
rate code #16	1"	60.37	.33/thous.
rate code #17	1 1/4"	60.37	.33/thous.
rate code #18	1 1/2"	60.37	.33/thous.
rate code #19	2"	60.37	.33/thous.
rate code #20	3"	60.37	.33/thous.
rate code #21	4"	60.37	.33/thous.
rate code #22	6"	60.37	.33/thous.
rate code #23	8"	60.37	.33/thous.
rate code #38	sewer only	60.37	.00
governmental			

THERE IS AN ADDITIONAL SEWER CHARGE IF SPRING QUARTER IS OVER 30,000 GALLONS

	2014	SEWER MIN. CHARGE	ADD'L SEWER CHARGE
<u>Residential:</u>			
rate code #1	5/8"	60.37	.26/thous.
rate code #2	3/4"	60.37	.26/thous.
rate code #3	1"	60.37	.26/thous.
rate code #4	1 1/4"	60.37	.26/thous.
rate code #5	1 1/2"	60.37	.26/thous.
rate code #6	2"	60.37	.26/thous.
rate code #7	3"	60.37	.26/thous.
rate code #8	4"	60.37	.26/thous.
rate code #9	6"	60.37	.26/thous.
rate code #10	8"	60.37	.26/thous.
rate code #11	metered wells	60.37	.26/thous.
rate code #12	sewer only	60.37	.26/thous.
rate code #25	2 units	120.74	.26/thous.
rate code #27	3 units	181.11	.26/thous.
rate code #31	4 units	241.48	.26/thous.
rate code #28	5 units	301.85	.26/thous.
rate code #34	6 units	362.22	.26/thous.
rate code #36	8 units	482.96	.26/thous.
rate code #35	10 units	603.70	.26/thous.
rate code #30	12 units	724.44	.26/thous.
rate code #33	16 units	965.92	.26/thous.
rate code #32	20 units	1,207.40	.26/thous.
rate code #29	34 units	2,052.58	.26/thous.

THERE IS AN ADDITIONAL SEWER CHARGE IF SPRING QUARTER IS OVER 30,000 GALLONS

SOLID WASTE

SOLID WASTE	2014
Price Per Bag	\$2.50
Recycling	\$3.20 per month

WATER

WATER	2014
Rates	See pages 21 and 22.

WATER USAGE	RATE
0-5,000 GALLONS	\$4.93 PER THOUSAND GALLONS
5,001 – 10,000 GALLONS	\$6.28 PER THOUSAND GALLONS
10,001 – 25,000 GALLONS	\$6.33 PER THOUSAND GALLONS
25,001 – 35,000 GALLONS	\$6.38 PER THOUSAND GALLONS
GREATER THAN 35,000 GALLONS	\$6.58 PER THOUSAND GALLONS
RESIDENTIAL SEWER	MINIMUM, - \$54.76 ADD'L .26 CENTS PER THOU. GAL OF WTR (OVER 30,000 GAL.) USED IN SPRING QTR.
COMMERCIAL SEWER	MINIMUM \$54.76 ADD'L .33 CENTS PER THOU. GAL. OF WTR (OVER 30,000 GAL.) USED IN SPRING QTR.

These fees shall become effective from and after due passage and enactment and publication according to law.

ADOPTED this 13th day of January, 2014.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Buehler and upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The ordinance was declared duly passed and adopted.

City Attorney reviewed with Council the Summary Ordinance for publication. The Council made the following findings of facts: that publication of the summary informs the public of the intent and effect of the Ordinance.

Member Graf then made a motion, seconded by Member Buehler as follows:

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 483 BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE CITY AND WITH “OFFICIAL COPY” SO MARKED BE KEPT ON FILE IN THE OFFICE OF THE CITY ADMINISTRATOR

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.12 – REVIEW CITY COUNCIL BYLAWS

As a matter of procedure, Council reviewed the City Council Bylaw and discussed if any changes were needed. City Attorney Wieser gave an overview. No changes were suggested to the existing Bylaws. No action taken.

ITEM 7.1 – CORRESPONDENCE – MINNESOTA LAND TRUST – ANNUAL MONITORING

Council reviewed the December 18, 2013 correspondence from Minnesota Land Trust regarding the annual monitoring of property in Houston County. No action taken.

ITEM 7.2 – LIBRARY BOARD MEETING MINUTES – 10/8/2013

Council reviewed the Minutes from the October 8, 2013 La Crescent Public Library Board Meeting. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

No comments from the Chamber of Commerce.

There being no further business to come before the Council at this time, Member Husmann made a motion, seconded by Member Williams, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:02 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator