

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
FEBRUARY 23, 2015

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of February was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, February 23, 2015, 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, Ryan Hutchinson, Brian Krenz, Dale Williams and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller and City Attorney Skip Wieser.

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 – FEBRUARY 9, 2015
- 1.2 BILLS PAYABLE THROUGH FEBRUARY 19, 2015

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 Hutchinson made a motion, seconded by Member Buehler, 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
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.1 – MSA – PROFESSIONAL SERVICES AGREEMENT

City Attorney Wieser reviewed with City Council a Professional Services Agreement with MSA Professional Services relating to the City's comprehensive plan, along with the scope of services and general terms and conditions of service. The general terms and conditions contain stricken and additional language as proposed by the City Attorney's office and MSA has agreed to these changes. Following discussion, Member Krenz made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH MSA PROFESSIONAL SERVICES RELATING TO THE CITY’S COMPREHENSIVE PLAN, ALONG WITH THE SCOPE OF SERVICES AND GENERAL TERMS AND CONDITIONS OF SERVICE.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.2 – MONTE CARLO ROAD ACQUISITION

City Attorney Wieser reviewed with City Council the acquisition of Monte Carlo Road. The negotiation has been ongoing due to the filing of a Lis Pendens as part of collateral litigation between adjoining property owners. The City has now received the partial release of the Lis Pendens and can move forward with the transaction. It was recommended to Council to finalize the acquisition of Monte Carlo road for the purchase price of \$28,000.00, to authorize the City Administrator and City Mayor to sign all closing documents, to authorize the City Attorney to approve all closing documents, and to amend the General Fund Budget to reflect the purchase price. Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

MOTION TO FINALIZE THE ACQUISITION OF MONTE CARLO ROAD FOR THE PURCHASE PRICE OF \$28,000.00, TO AUTHORIZE THE CITY ADMINISTRATOR AND CITY MAYOR TO SIGN ALL CLOSING DOCUMENTS, TO AUTHORIZE THE CITY ATTORNEY TO APPROVE ALL CLOSING DOCUMENTS, AND TO AMEND THE GENERAL FUND BUDGET TO REFLECT THE PURCHASE PRICE.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 2.0 – PUBLIC HEARING – VACATION OF A PORTION OF TWILITE STREET

At 5:35 PM the City Council held a public hearing to consider the vacation of a portion of Twilite Street as requested by Wieser Brothers. City Attorney Wieser reviewed with City Council the process of vacating a street and how the process varies, depending on whether the right-of-way is dedicated as part of a plat, or is

owned in fee title. Brian Wieser of Wieser Brothers reviewed with Council their plans to expand their existing building with a 76' x 40' addition. City Administrator Waller reviewed with Council the tax increment financing that took place in 1998 when Wieser Brothers constructed a new office/warehouse facility. There is approximately \$23,099 in surplus tax increment funds in this district that could be expended now to assist with the proposed expansion. A memo from Northland Securities reviewed this, along with a proposal to modify the existing TIF Agreement. It was proposed that the balance of the TIF funds, minus the cost to amend the plan, be used to offset the cost of relocating the storm sewer that is in the current street right-of-way. The remaining balance of the TIF funds could be used to offset the costs of relocating the natural gas service and the existing overhead electric service to the facility. It was recommended to Council that at the conclusion of the Public Hearing, to continue the Public Hearing on the street vacation until the April 13, 2015 City Council Meeting, which would coincide with the Public Hearing on the proposed TIF amendment and to accept the proposal from Northland Securities to amend the TIF plan, with the costs to be included in the TIF amendment, and would be offset with funds from the current TIF district. It was also suggested the City Council require, as part of this process, that in an addition to the parcel of property that Wieser Brothers are proposing to exchange with the City, that Wieser Brothers also include an additional 40' strip of property from the adjoining property to the west. After meeting with the City's Engineer and a DNR representative on site, it is believed the City will be able to develop a canoe/kayak access to the backwaters at this site. Mayor Poellinger opened the meeting for public comment with Dewey Severson voicing support for the project and Dave Hanifl voicing opposition. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO CONTINUE THE PUBLIC HEARING ON THE VACATION OF A PORTION OF TWILITE STREET UNTIL 6:00 P.M. ON APRIL 13, 2015 AND TO ACCEPT THE FINANCIAL PLANNING AGREEMENT BY AND BETWEEN THE CITY OF LA CRESCENT AND NORTHLAND SECURITIES, INC. TO AMEND THE TAX INCREMENT FINANCING DISTRICT NO. 1-7 AND CONTINUE NEGOTIATIONS WITH WIESER BROTHERS TO INCLUDE ADDITIONAL PROPERTY.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

After the motion was passed, the Council reconvened with the schedule of the Regular City Council Meeting.

ITEM 3.3 – FIREFIGHTER RETIREMENT NOTICE

City Council reviewed a letter of retirement from James A. Buehler as Assistant Fire Chief of the La Crescent Fire Department effective March 15, 2015. Following discussion, Member Williams made a motion, seconded by Member Krenz, as follows:

MOTION TO ACCEPT THE LETTER OF RETIREMENT FROM JAMES A. BUEHLER AS ASSISTANT FIRE CHIEF OF THE LA CRESCENT FIRE DEPARTMENT EFFECTIVE MARCH 15, 2015.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.4 – PERSONNEL COMMITTEE RECOMMENDATIONS

The Personnel Committee made the following recommendations to City Council:

1. That effective February 23, 2015, move Mary Loeffler to step 5 and Tammy Ferrier to step 4 in the union contract. Ms. Loeffler is currently at step 3 and Ms. Ferrier is at a step 2 in the union contract.
2. Adjust the wage for licensed police officers that work part time in the Police Department. The present wage is step 1 of the union contract. It is proposed that the rate of pay be set at 90% of step 1 of the union contract.

Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE MOVING LICENSE BUREAU EMPLOYEES MARY LOEFFLER TO STEP 5 AND TAMMY FERRIER TO STEP 4 IN THE UNION CONTRACT AND TO ADJUST THE WAGE FOR LICENSED POLICE OFFICERS THAT WORK PART TIME IN THE POLICE DEPARTMENT TO BE SET AT 90% OF STEP 1 OF THE UNION CONTRACT.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.5 – 2015 MTU OPERATIONS AGREEMENT & VEHICLE LEASE

City Attorney Wieser reviewed with City Council the 2015 transit agreement with the City of La Crosse to provide public bus transportation to the City of La Crescent. He also reviewed a motor vehicle lease agreement

for the new bus that the City has purchased and was delivered last week. It was recommend to Council to adopt the 2015 Operations Agreement and motor vehicle lease as proposed. Following discussion, Member Hutchinson made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE 2015 OPERATIONS AGREEMENT BETWEEN THE CITY OF LA CROSSE AND THE CITY OF LA CRESCENT, MINNESOTA PERTAINING TO PUBLIC TRANSPORTATION BY BUS AND THE 2015 MOTOR VEHICLE LEASE BETWEEN THE CITY OF LA CRESCENT AND THE LA CROSSE MUNICIPAL TRANSIT UTILITY FOR THE 2015 ARBOC BUS.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

City Council also discussed the need for Saturday service to the City of La Crescent. Following discussion, Member Williams made a motion, seconded by Member Krenz, as follows:

MOTION TO DIRECT THE CITY ADMINISTRATOR TO COMMUNICATE WITH LA CROSSE MUNICIPAL TRANSIT UTILITY REGARDING EXPANDING TO SATURDAY SERVICE.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.6 – LIQUOR LICENSE APPLICATION

Council reviewed an one day “on sale 3.2” liquor license application for the 3 River Throwdown to be held at the La Crescent Community Arena on April 25, 2015. The application appears to be order and it was recommended to Council for approval. Following discussion, Member Williams made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE A ONE DAY “ON SALE 3.2” LIQUOR LICENSE FOR THE 3 RIVER THROWDOWN EVENT AT THE LA CRESCENT COMMUNITY ARENA ON APRIL 25, 2015.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.7 – RESOLUTION – WAGON WHEEL PHASE 2 APPLICATION

City Council reviewed a proposed Resolution in Support of Phase 2 of the Wagon Wheel Trail. This Resolution is needed to submit a grant application to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. After discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 02-15-04

A RESOLUTION IN SUPPORT OF PHASE 2 OF THE WAGON WHEEL TRAIL

WHEREAS, the City of La Crescent supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to construct one (1) mile of paved trail (Phase 2) of the Wagon Wheel Trail. The trail system is located within the City of La Crescent; and

WHEREAS, the City of La Crescent recognizes that it has secured \$314,000 in matching funds for this project and must provide a twenty-five percent (25%) cash match.

NOW, THEREFORE, BE IT RESOLVED, if the City of La Crescent is awarded a grant by the Minnesota Department of Natural resources, the City of La Crescent agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. The City of La Crescent will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement; and

BE IT FURTHER RESOLVED, the City Council of the City of La Crescent names the fiscal agent for the City of La Crescent for this project as:

Bill Waller
City Administrator
City of La Crescent
315 Main Street
La Crescent, MN 55947

BE IT FURTHER RESOLVED, the City of La Crescent hereby assures the Wagon Wheel Trail will be maintained for a period of no less than 20 years.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LA CRESCENT THIS 23RD DAY OF FEBRUARY, 2015.

SIGNED:

Mike Poellinger – MAYOR

ATTEST:

Bill Waller – City Administrator

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	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 3.8 – ROTARY CLUB BIKE RIDE

Council reviewed a request from the La Crescent Rotary Club to use the Community Arena lobby for registration and as the start & finish location for the 3rd Annual Apple Blossom Bike Tour on Sunday, June 28, 2015. They would be out of the Arena by approximately 3:00 p.m. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE LA CRESCENT ROTARY CLUB TO USE THE COMMUNITY ARENA LOBBY FOR REGISTRATION AND AS THE START & FINISH LOCATION FOR THE 3RD ANNUAL APPLE BLOSSOM BIKE TOUR ON SUNDAY, JUNE 28, 2015 UNTIL APPROXIMATELY 3:00 P.M.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.9 – CHAMBER OF COMMERCE – AMAZING SLICE

City Council reviewed a correspondence from the La Crescent Chamber of Commerce regarding hosting the “2nd Amazing Slice of La Crescent” to be held on Saturday, June 27, 2015. The event is a smaller scale scavenger hunt for teams of families and friends. The participants will be on sidewalks and some roadways as they move from site to site. The Chamber is requesting that a small portion of Walnut Street be closed to traffic for the morning from approximately 7:15 a.m. to 11:00 a.m. It would involve North Walnut Street from the corner of Main Street to the corner of North First Street. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE CLOSURE OF NORTH WALNUT STREET FROM THE CORNER OF MAIN STREET TO THE CORNER OF NORTH FIRST STREET FROM 7:15 A.M. TO 11:00 A.M. ON SATURDAY, JUNE 27, 2015 FOR THE LA CRESCENT CHAMBER OF COMMERCE EVENT “THE AMAZING SLICE OF LA CRESCENT.”

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Dale Williams	Yes
Mike Poellinger	Yes

Member Krenz abstained from voting and none voted against the same. The motion was declared duly carried.

ITEM 3.10 – CELL TOWER PROPOSAL

City Council reviewed a proposal from Landmark Dividend regarding the cell tower that is located on City owned property adjacent to South 14th Street. City Attorney Wieser reviewed the specifics with Council. Following discussion, it was the consensus of City Council to table this until the 1st Council Meeting in March for reviewing the proposal as to the use of funds and plans to modify the cell tower to bring it into compliance with the conditional use permit. No action taken.

ITEM 6.1 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – LIBRARY BOARD MINUTES – DECEMBER 19, 2014

City Council reviewed the Minutes from the December 9, 2014 La Crescent Public Library Board Meeting. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

Dewey Severson of the La Crescent Chamber of Commerce reported that they will be having their annual meeting on February 28, 2015 and the annual fish boil will be held on March 13, 2015.

Member Bernie Buehler would like to add the following items to the next meeting agenda: Ash Tree Removal and price for a chipper.

There being no further business to come before the Council at this time, Member Buehler made a motion, seconded by Member Hutchinson, 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
Ryan Hutchinson	Yes
Brian Krenz	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 6:36 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator