

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
MARCH 27, 2017

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of March was called to order by Acting Mayor Dale Williams at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, March 27, 2017, 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, and Dale Williams. Absent: Mayor Mike Poellinger - Excused. Also present was City Administrator Bill Waller and City Attorney Skip Wieser.

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

- 1.1 MINUTES – MARCH 13, 2017
- 1.2 BILLS PAYABLE THROUGH MARCH 23, 2017
- 1.3 CASH BALANCE ACTIVITY REPORT – JANUARY 2017
- 1.4 LIBRARY REPORT – JANUARY 2017

At the conclusion of the reading of the Consent Agenda, Acting Mayor Williams 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 Hutchinson, 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

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

ITEM 3.1 – LANCER LEO'S RECYCLING PROJECT

Representatives from the Lancer Leos reviewed with City Council the recycling program that they are proposing to install in City Parks. The Leos are the youth organization affiliated with the Lions Club. The Lancer Leos were established 4 years ago, and currently have approximately 20 members. The Leos are proposing to purchase and install recycling containers at Old Hickory Park, Frank J. Kistler Memorial Park, Abnet Field, Veterans Park, and Valley South Park. This is a project that would benefit the City, and is

consistent with one of the best practices included in the City's GreenStep program. The City maintenance department would be responsible for emptying and maintaining the recycling containers. City Council endorsed the project and thanked the Lancer Leos for their support of the community. This item was informational and no action was taken.

ITEM 3.2 – LIQUOR LICENSE APPLICATION

City Council reviewed a temporary liquor license application from the Crucifixion Church for an event to be held on May 13, 2017. The application appears to be order and it was recommended to City Council for approval and authorize that it be forwarded to the Minnesota Department of Public Safety. Following discussion, Member Hutchinson made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE A TEMPORARY LIQUOR LICENSE FOR CRUCIFIXION CHURCH FOR AN EVENT TO BE HELD ON MAY 13, 2017 AND TO AUTHORIZE THAT IT BE FORWARDED TO THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY.

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

Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

Member Bernie Buehler abstained from voting. The motion was declared duly carried by a 3-0 vote.

ITEM 3.3 – PLANNING COMMISSION MINUTES – MARCH 7, 2017

Don Smith, Planning Commission Chairman, reviewed with City Council the Planning Commission Minutes for the February 7, 2017 meeting, which included the following:

- An update on the Downtown Planning process which will be discussed at the next Planning Commission meeting on April 4, 2017, to include a working session with the Economic Development Committee.
- An update on the Shoreland Plan. It is recommended to update the Floodplain Ordinance at the same time as the City updates the Shoreland Ordinance. It was the consensus of City Council to amend the plan by \$800.00 to incorporate the Floodplain Ordinance review into process.
- To call for a Special Informational Planning Commission meeting on April 18, 2017 to discuss the Floodplain/Shoreland Ordinance, Shore Acres report, and Wagon Wheel Project.
- Reviewed updated housing demographics.

This item was informational and no action was taken.

ITEM 3.4 – DATA PRACTICES POLICY

City Attorney Wieser reviewed with City Council the Data Practices Policies that were attached to Council packet as Attachments No. 1, 2, and 3. City Council authorized the preparation of these documents at the March 13, 2017 Council meeting. These documents were prepared in order to provide compliance with Minnesota Statute Sections 13.03(2), 13.05(5) and (8), 13.025(2) and (3). The purpose of the policies is to establish procedures consistent with Minnesota Data Practices Act. At the City's annual meeting, the City

Finance Director, Debbie Shimshak, was appointed the responsible authority for the City in 2017. It was recommended to City Council that the policies reflect that the City Attorney be appointed the City's Compliance Officer and the current policy be rescinded. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPOINT CITY ATTORNEY, SKIP WIESER, AS THE COMPLIANCE OFFICER FOR THE CITY OF LA CRESCENT FOR 2017 AND TO RESCIND THE CURRENT DATA PRACTICES POLICIES.

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

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

ITEM 3.5 – POWER PURCHASE/FACILITY LEASE/ACCESS AGREEMENT – SOLAR PROJECT AT COMMUNITY BUILDING

City Attorney Wieser reviewed with City Council a draft of the Lease and Power Purchase Agreement (PPA) for the solar project located at the Fire Station. City Council reviewed copies that were attached to Council packet as Attachments No. 4 and 5. It was recommended to City Council that approval of the Lease and PPA subject to the following conditions being satisfied prior to the April 10, 2017 City Council Meeting:

1. That the Energy Performance Guaranty be updated.
2. That the parties agree, to extent permitted, the fair market value of system in year 10.
3. That any future real or personal property taxes imposed after the installation are paid by the Developer.
4. That the Developer provides the required insurance.
5. That the Developer provides sufficient financial guarantees for the removal of the system upon termination.
6. That the City Building Official secures confirmation that existing warranties of the roof remain in place after installation of the "system."

City Council also reviewed a financial summary prepared by Northland Security. It was recommended to City Council to approve the Lease and PPA subject to conditions stated above being satisfied prior to the April 10, 2017 City Council Meeting. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE LEASE AND POWER PURCHASE AGREEMENT FOR THE SOLAR PROJECT LOCATED AT THE FIRE STATION SUBJECT TO CONDITIONS STATED ABOVE BEING SATISFIED PRIOR TO THE APRIL 10, 2017 CITY COUNCIL MEETING.

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

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

ITEM 3.6 – PERSONNEL COMMITTEE RECOMMENDATION

City Attorney Wieser reviewed with City Council the proposed revised language to the LELS contract covering January 1, 2017 through December 31, 2019. The purpose of this addition is to bring the existing LELS contract into compliance with Minnesota Statute § 181.9413. The Personnel Committee is recommending adoption of the revised language. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE REVISED LANGUAGE TO THE LELS CONTRACT COVERING JANUARY 1, 2017 THROUGH DECEMBER 31, 2019 TO BRING THE EXISTING LELS CONTRACT INTO COMPLIANCE WITH MINNESOTA STATUTE § 181.9413.

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

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

ITEM 3.7 – APPLEFEST – RUN TO THE EDGE

City Council reviewed a request from the Race Directors of the Applefest Scenic 5K Run/Walk and La Crescent Police Chief Doug Stavenau to hold their 22nd Annual 5K Run/Walk on Saturday, September 16, 2017, starting at 8:30 a.m. The race will start on Main Street across from Merchant's Bank and finish near the intersection of North Elm Street and McIntosh. The race route will remain the same as last year. They also requested the assistance from La Crescent Police Department and First Responders and stated they had added protection of liability insurance. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE RACE ROUTE FOR THE 22nd ANNUAL APPLEFEST SCENIC 5K RUN/WALK ON SEPTEMBER 16, 2017 WITH APPROVAL OF ASSISTANCE FROM LA CRESCENT POLICE DEPARTMENT AND FIRST RESPONDERS.

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

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

ITEM 3.8 – AGENDA REQUEST FORM

City Council reviewed an Agenda Request Form from Bruce Bauer regarding City Council allowing the public to speak about specific agenda items at the time Council is discussing agenda item. It was the consensus of City Council to have the City Administrator and City Attorney bring back options at a future meeting. This item was informational and no action was taken.

ITEM 3.9 – NEW LICENSE APPLICATION

City Council reviewed a new license application from Airmid Massage for a therapeutic massage business and technician license. The application appears to be in order and it was recommended to City Council to approve the license. Following discussion, Member Hutchinson made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE A NEW LICENSE APPLICATION FROM AIRMID MASSAGE FOR A THERAPEUTIC MASSAGE BUSINESS AND TECHNICIAN LICENSE.

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

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

ITEM 3.10 – CITY COUNCIL MEETING PACKETS

City Administrator Waller reviewed with City Council the amended agenda format which includes an additional heading for attachments to the City Council packets. At the last City Council meeting, the creation of City e-addresses for City Council members and Planning Commission members was approved. Related to each of those e-addresses, there is also a \$10 per month charge for outlook, the spam filter, storage, and an anti-virus. It was recommended that the City Council approve this expenditure. Following discussion, Member Hutchinson made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE EXPENDITURE OF \$10 PER MONTH FOR OUTLOOK, THE SPAM FILTER, STORAGE, AND AN ANTI-VIRUS FOR THE E-ADDRESSES FOR CITY COUNCIL MEMBERS AND PLANNING COMMISSION MEMBERS.

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

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

There was continued discussion on ownership of devices for City Council and Planning Commission to access the agenda for their respective meetings with one of the options being some sort of Chromebook, with prices ranging from \$200 - \$300 per unit.

ITEM 6 – ATTACHMENTS

6.1 – CITY OF LA CRESCENT – POLICY

6.2 – GUIDE TO REQUEST INFORMATION

6.3 – GUIDE TO REQUEST INFORMATION ON YOU

6.4 – SOLAR ENERGY LEASE AGREEMENT

6.4 – SOLAR POWER PURCHASE AGREEMENT

ITEM 7 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – None

ITEM 8.1 – CORRESPONDENCE – POLICE DEPARTMENT

Correspondence from Police Chief Stavenau regarding the donation of two Medtronic Defibrillators to the La Crescent Police Department from the Radisson Hotels. The Defibrillators were excess property from a recent remodeling project and Tri-State Ambulance has donated time and materials inspecting the equipment for placement into emergency service. Chief Stavenau wished to thank both organizations.

ITEM 9 – CHAMBER OF COMMERCE

The La Crescent Chamber gave an update on their Trivia Night, Twins Game and Slice donation.

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

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:30 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator