

MINUTES, REGULAR MEETING  
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA  
APRIL 13, 2015

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of April was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, April 13, 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, City Attorney Skip Wieser, 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 – MARCH 23, 2015
- 1.2 BILLS PAYABLE THROUGH APRIL 9, 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 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
Mike Poellinger	Yes

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

**BOARD OF APPEAL AND EQUALIZATION**

At 5:30 PM the City Council convened the annual Board of Appeal and Equalization meeting. Representatives from both Houston County and Winona County Assessor's office were present. Carl Ask of the Houston County Assessor's office reviewed La Crescent sales. Mayor Poellinger then opened the meeting to the public. No action taken.

**ITEM 3.1 – POLICE OFFICER SWEARING IN**

Doug Stavenau, Chief of the La Crescent Police Department, conducted the official swearing in of Ryan J. Quanrud as Officer for the City of La Crescent Police Department. No action taken.

**ITEM 3.2 – EAGLE SCOUT PROJECT REVIEW**

Eagle Scout candidate Wil McLellan gave an overview to City Council the Eagle Scout project that he will be completing for the City. The project consists of building new trail signage and informational signage for various City parks. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

**MOTION TO AUTHORIZE AND ACCEPT THE EAGLE SCOUT PROJECT OF WIL MCLELLAN TO BUILD NEW TRAIL SIGNAGE AND INFORMATIONAL SIGNAGE FOR VARIOUS CITY PARKS.**

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 3.3 – RESOLUTION TO DECLARE A PROPERTY HAZARDOUS**

City Attorney Skip Wieser reviewed with City Council various documents and a Resolution declaring the property at 1423 Grandview Court hazardous. It was recommended to Council to proceed with the Resolution. After discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

**RESOLUTION NO. 04-15-08**

**CITY OF LA CRESCENT  
RESOLUTION ORDERING THE RAZING OF A HAZARDOUS BUILDING  
LOCATED AT 1423 GRANDVIEW COURT, LA CRESCENT, MINNESOTA**

WHEREAS, pursuant to Minn. Stat. §§ 463.15 and 463.261, the City Council of La Crescent finds the building located at 1423 Grandview Court, La Crescent, Minnesota, and shown on the Exhibits herein, to be a hazardous building for the following reasons:

1. The building is unoccupied.
2. The building is unsecured.
3. The building is badly deteriorated.

4. The building has holes in the walls and ceilings.
5. The owner has disconnected from City water and sewer.
6. The building has no electricity.
7. The building has many damaged or destroyed windows and window sashes.
8. There are weeds and a cut off tree blocking a person's clear view of traffic approaching.
9. The garage wall facing the west is leaning and is structurally unsafe.
10. Inadequate maintenance creating a hazard to the public safety and welfare.
11. The garage has no door and is unsecure.
12. Soffits and fascia are rotten deteriorating.
13. Increased fire hazard as property is unsecured.

WHEREAS, the conditions listed above are more fully documented in the photographs prepared by Building Official Shawn Wetterlin on March 11, 2015, copies of which are attached as Exhibits A1-A12.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LA CRESCENT, MINNESOTA, AS FOLLOWS:

1. That pursuant to the foregoing findings and in accordance with Minn. Stat. §§ 463.15 and 463.261, the Council orders the record owners of the above hazardous building or their representatives to make the following corrections on the property at 1423 Grandview Court, La Crescent, Minnesota:

- a. Secure the vacant, hazardous building, including but not limited to, installation of locks, repairing and replacing of windows and doors, boarding windows and doors, posting "no trespassing" signs, fencing the property, and installing an alarm or other security system consistent with Minn. Stat. § 463.251.
- b. Repair or replace the deteriorating soffits and fascia.
- c. Repair west facing garage wall to be structurally sound.

2. That the repairs listed above must all be made within thirty (30) days after the order is served upon the property owner. The repairs must be completed in compliance with all applicable codes and regulations, pursuant to proper permits from the City.

3. That if repairs are not made within the time provided in paragraph 2, the building is ordered to be razed, the foundations filled, and the property left free of debris, in compliance with all applicable codes and regulations, pursuant to proper permits from the City. This must be completed within thirty (30) days after the initial time period provided in paragraph 2 has expired.

4. That a motion for summary enforcement of the order will be made to the District Court of Houston County in which the hazardous building or property is situated unless corrective action is taken, or unless an answer is filed within the time specified in Minn. Stat. § 463.18, which is twenty (20) days.

5. That in accordance with Minn. Stat. § 463.24, the owner or occupant must remove all personal property and/or fixtures that will reasonable interfere with the work within thirty (30) days. If the property and/or fixtures are not removed and the City enforces this order, the City may sell personal property, fixtures and/or salvage materials at a public auction after three days posted notice.

6. That if the City must take actions to enforce this order, all enforcement costs will be specially assessed against the property and collected in accordance with Minn. Stat. §§ 463.22, 463.161 and 463.21.

7. That the City Attorney is authorized to serve this order upon the owner of the premises at 3229 12<sup>th</sup> Avenue W, Dickinson, North Dakota 58601, and all lienholders of record.

8. That the City Attorney is authorized to proceed with the enforcement of this order as provided in Minn. Stat. §§ 463.15 and 463.261.

Adopted by the City Council of the City of La Crescent on April 13, 2015.

Approved:

\_\_\_\_\_  
Mayor

Attested:

\_\_\_\_\_  
City Administrator

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

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

Member Hutchinson abstained from voting. The motion was declared duly carried by a 4-0 vote and the resolution duly passed and adopted.

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

**MOTION TO AMEND PARAGRAPH 1 OF RESOLUTION 04-15-08 TO INCLUDE ADDITIONAL ITEMS BASED ON INFORMATION THAT BUILDING OFFICIAL, SHAWN WETTERLIN, OBTAINS AFTER PERSONAL INSPECTION OF THE PROPERTY.**

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

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

Member Hutchinson abstained from voting. The motion was declared duly carried by a 4-0 vote.

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

At 6:00 PM the City Council held a continuation of the 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 continuation of the previous public hearing. Mayor Poellinger opened the meeting for public comment with Dave Hanifl and Shawn Allen commenting. Mayor Poellinger closed the public hearing at 6:10 PM and Council will take action after the second public hearing. Council reconvened with the schedule of the Regular City Council Meeting.

**ITEM 3.4 – WELLHEAD PROTECTION ENGINEERING PROPOSAL**

City Engineer, Tim Hruska, reviewed with City Council an engineering proposal to complete the second phase of the wellhead protection plan. The agreement includes federal mandated work by the EPA. It was recommended to City Council to accept the proposal submitted by WHKS and authorize that the work be completed. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

**MOTION TO ACCEPT THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND WHKS & CO. RELATING TO THE PROJECT DESCRIBED AS WELLHEAD PROTECTION PLAN PART 2 AND PART 1 ADDENDUM.**

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 – OAK STREET IMPROVEMENT PROJECT**

City Administrator Waller gave an overview to City Council regarding the consideration of adding South 9<sup>th</sup> Street and South 10<sup>th</sup> Street, between Oak Street and Elm Street, to the Oak Street Improvement Project. Both of these streets would be eligible to be included in the City’s municipal state aid system, and could be reconstructed utilizing MSA funds. It was also recommended to request the City Engineer to consider alternatives to reduce the width of these two streets, and other design alternatives. A portion of the construction costs for this project will come from MSA funds and in July of 2015 the City will receive the State Demographers population estimate and if that number is greater than 5,000, it is recommended that City Council proceed with the Oak Street project for construction in 2016. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO INCLUDE SOUTH 9<sup>TH</sup> STREET AND SOUTH 10<sup>TH</sup> STREET, BETWEEN OAK STREET AND ELM STREET, TO THE OAK STREET IMPROVEMENT PROJECT AND TO PROCEED WITH THE OAK STREET PROJECT FOR CONSTRUCTION IN 2016 IF THE STATE DEMOGRAPHERS POPULATION ESTIMATE IS GREATER THAN 5,000, WITH THE CITY ENGINEER TO CONSIDER ALTERNATIVES TO REDUCE THE WIDTH OF THESE TWO STREETS, AND OTHER DESIGN ALTERNATIVES.**

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 – MODIFICATION TO TAX INCREMENT FINANCING PLAN**

At 6:15 PM the City Council held a public hearing to modify the tax increment financing district that was created in 1998 when Wieser Brothers constructed their facility. The modification will allow the City to reimburse Wieser Brothers \$20,000 in surplus tax increment funds for the costs associated with relocating utilities that are impacted by the expansion of their facility. Council reviewed a Resolution to modify the tax increment financing plan and information presented to the Planning Commission as part of the process for the City to dispose of real property. The Planning Commission has made their finding that the street vacation is consistent with the City’s Comprehensive Plan. Mayor Poellinger opened the meeting for public comment and there was none. Mayor Poellinger closed the public hearing at 6:17 PM. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

**CITY OF LA CRESCENT  
CITY COUNCIL  
HOUSTON COUNTY, MINNESOTA  
RESOLUTION NO. 04-15-09**

**ADOPTING A MODIFICATION OF THE TAX INCREMENT FINANCING PLAN FOR  
TAX INCREMENT FINANCING DISTRICT NO. 1-7 IN MUNICIPAL DEVELOPMENT  
DISTRICT NO. 1**

*WHEREAS*, the City of La Crescent, Minnesota (the “City”) has heretofore on May 26, 1998 adopted Tax Increment Financing District No. 1-7 (the “District”) in Municipal Development District No. 1 and it has been proposed that the City adopt a modification of the Tax Increment Financing Plan for the District pursuant to Minnesota Statutes, Sections 469.174 to 469.1794, as amended (the “TIF Act”);

*WHEREAS*, the City proposes modification to the original TIF Plan for the District to amend the original TIF Plan for the District to modify the line item project costs and increase the total estimated project and financing costs to be paid from tax increment from the District (the “Modification”); and

*WHEREAS*, the City has investigated the facts and has caused to be prepared the Modification to the TIF Plan for the District.

*NOW, THEREFORE, BE IT RESOLVED*, by the City Council of the City of La Crescent as follows:

1. The City Council finds, determines and declares that with respect to the Modification:
  - a) The Modification is not modifying the boundaries of the District;
  - b) The Modification is increasing the budget previously authorized and is reallocating expenditures among the total estimated project and financing costs to be paid from tax increment from the District;
  - c) The City Council affirms the findings previously made with respect to the District.
  - d) The Modification conforms to the general plan for the development of the City as a whole.
  - e) The TIF Act requires notice and a public hearing on the Modification and the City met the notification requirements and a public hearing was held on April 13, 2015.
2. The Modification is set forth in Attachment 1 to this resolution and is hereby approved and adopted.
3. The City Administrator is hereby authorized and directed to transmit a certified copy of the City Council’s resolution approving and adopting the Modification together with Attachment 1 to the Office of the State Auditor, the Minnesota Department of Revenue, and Houston County.

Approved this 13<sup>th</sup> day of April, 2015, by the City Council of the City of La Crescent.

Approved:

\_\_\_\_\_  
Mayor

Attested:

\_\_\_\_\_  
City Administrator

The foregoing motion was duly seconded by Member Krenz and upon a roll call vote taken and tallied by the City Administrator, the following 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.

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

**MOTION TO AUTHORIZE THE CITY ATTORNEY TO FINALIZE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH WIESER BROTHERS AND TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE THE DEVELOPMENT AGREEMENT.**

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 then reviewed the Resolution regarding the vacation of Twilite Street. The adoption of the Resolution would be based on the following Planning Commission Findings at its March 24, 2015 meeting:

1. Vacating Twilite Street south of its intersection with Strupp Avenue is in the best interest of the City of La Crescent. The City will reserve and retain necessary utility and access easements to protect the City's interest.
2. The City of La Crescent will be retaining the south 30 feet of Twilite Street adjoining Blue Lake. This reservation will provide the City access to the perpetual easement for the bicycle/pedestrian trail and in accordance with the Twilite Street Redevelopment Agreement dated November 23, 2011.

Member Buehler introduced the following resolution and moved its passage and adoption, with the adoption of the above findings:

**RESOLUTION NO. 04-15-07**

**A RESOLUTION VACATING A PORTION OF TWILITE STREET UPON A PETITION OF A MAJORITY OF ABUTTING LANDOWNERS**

**THE CITY COUNCIL OF THE CITY OF LA CRESCENT, MINNESOTA DOES HEREBY RESOLVE  
AS FOLLOWS:**

WHEREAS, a petition signed by the majority of property owners abutting a portion of Twilite Street in the City of La Crescent was received by the City Administrator on the 5<sup>th</sup> day of November, 2014;

WHEREAS, the petition requested that the City Council pursuant to Minnesota Statute §412.851 vacate a portion of street between Twilite Street lying south of the intersection of Strupp Avenue legally described as:

A STRIP OF LAND 40 FEET IN WIDTH BEING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 11, TOWNSHIP 104 NORTH, RANGE 4 WEST, THENCE EAST 1156.8 FEET ALONG THE QUARTER SECTION LINE; THENCE AT A DEFLECTION ANGLE TO THE RIGHT OF 89°43', A DISTANCE OF 187.7 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF THE RIGHT OF WAY OF MINNESOTA U.S. HIGHWAYS, NO. 14, 16 AND 61; THENCE AT A DEFLECTION ANGLE TO THE LEFT 90° AND ALONG THE SOUTH BOUNDARY OF SAID HIGHWAY RIGHT OF WAY, A DISTANCE OF 325 FEET; THENCE AT A DEFLECTION ANGLE TO THE RIGHT OF 90° A DISTANCE OF 238 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE TO BE DESCRIBED; THENCE CONTINUING SOUTH ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 363 FEET AND THERE TERMINATING, HOUSTON COUNTY, MINNESOTA.

EXCEPT THE SOUTHERLY 30 FEET THEREFROM.

WHEREAS, the City Administrator reviewed and examined the signatures on said petition and determined that said such signatures constituted a majority of the landowners butting upon the portion of Twilite Street to be vacated;

WHEREAS, a public hearing to consider the vacation of such street was held on the 23<sup>rd</sup> day of February, 2015 and continued on the 13<sup>th</sup> day of April, 2015, before the City Council in the City Hall located at 315 Main Street, La Crescent, MN, at 5:35 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Attorney on the 29<sup>th</sup> day of January, 2015 all interested and affected persons were given an opportunity to voice their concerns and be heard;

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because: the City of La Crescent has no interest in the road. Vacation of the road will provide for the expansion of industry and employment opportunities within the City. The City will be acquiring additional property that will provide additional recreational opportunities within the City.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LA CRESCENT, COUNTY OF HOUSTON, MINNESOTA,** that such petition for vacation is hereby granted and the portion of street described as follows is hereby vacated:

A STRIP OF LAND 40 FEET IN WIDTH BEING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 11, TOWNSHIP 104 NORTH, RANGE 4 WEST, THENCE EAST 1156.8 FEET ALONG THE QUARTER SECTION LINE; THENCE AT A DEFLECTION ANGLE TO THE RIGHT OF 89°43', A DISTANCE OF 187.7 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF THE RIGHT OF WAY OF MINNESOTA U.S. HIGHWAYS, NO. 14, 16 AND 61; THENCE AT A DEFLECTION ANGLE TO THE LEFT 90° AND ALONG THE SOUTH BOUNDARY OF SAID HIGHWAY RIGHT OF WAY, A DISTANCE OF 325 FEET; THENCE AT A DEFLECTION ANGLE TO THE RIGHT OF 90° A DISTANCE OF 238 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE TO BE DESCRIBED; THENCE CONTINUING SOUTH ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 363 FEET AND THERE TERMINATING, HOUSTON COUNTY, MINNESOTA.

EXCEPT THE SOUTHERLY 30 FEET THEREFROM.

**BE IT FURTHER RESOLVED**, that the Mayor and City Administrator are hereby authorized to sign all documents necessary to effectuate the intent of this Resolution.

Adopted by the Council this 13<sup>th</sup> day of April, 2015.

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator

The foregoing motion was duly seconded by Member Krenz and upon a roll call vote taken and tallied by the City Administrator, the following 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.

Following further discussion, the following Motions were made regarding the vacating of Twilite Street:

In support of the land exchange, the Planning Commission made the following Findings of Fact at their March 24, 2015 meeting.

1. The Comprehensive Plan seeks to improve recreation opportunities in the City of La Crescent, including access to Blue Lake.
2. The December 2012 Park and Recreation Plan and the 2008 Minnesota Design Team suggested completion of a canoe/kayak launch amenities in the Twilite Street area. The Design Team also recommended establishing a parking area for Blue Lake.
3. The proposed exchange will provide an opportunity to allow for parking and a pedestrian access to Blue Lake.
4. The exchange will promote and encourage industry and provide employment opportunities within the City.

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

**MOTION TO APPROVE THE QUIT CLAIM DEED TO DEED THAT PORTION OF TWILITE STREET TO WIESER BROTHERS; AND TO ADOPT THE FINDINGS STATED IN THE MARCH 24, 2015 PLANNING COMMISSION MINUTES REGARDING THIS LAND EXCHANGE.**

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.

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

**MOTION TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE THE QUIT CLAIM DEED TO DEED THAT PORTION OF TWILITE STREET TO WIESER BROTHERS.**

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.

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

**MOTION TO ACCEPT THE CONVEYANCE FROM WIESER BROTHERS TO THE CITY OF LA CRESCENT FOR PARCEL 25.1255.006 AND APPROXIMATELY THE EAST 40 FEET OF PARCEL 25.1255.000.**

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 – SHELTER FEE WAIVER REQUESTS**

City Council reviewed two (2) shelter fee waiver requests. The first was from Home Runners 4-H Club to use the west facing shelter at Old Hickory Park on May 13, 2015 from 12:00-3:00 PM for their spring picnic. The second request was from Prince of Peace Church for shelter in Veterans Park on May 17, 2015 for a fundraiser to bring awareness of safe drinking water to La Crescent and the area. Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO WAIVE THE SHELTER FEE FOR THE HOME RUNNERS 4-H CLUB TO USE THE WEST FACING SHELTER AT OLD HICKORY PARK ON MAY 13, 2015 FROM 12:00-3:00 PM AND FOR PRINCE OF PEACE CHURCH FOR VETERANS PARK ON MAY 17, 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 – APPLICATION TO OPERATE GOLF CART**

City Council reviewed a Memo from La Crescent Police Chief Doug Stavenau regarding an application from Paul Flatten to Operate a Motorized Golf Cart/Four-Wheeled All-Terrain Vehicle on Public Thoroughfares of the City of La Crescent. Mr. Flatten has submitted an application, proof of insurance and a physician's report as required by La Crescent City Ordinance #70.11. Chief Stavenau recommended Council approval of this application. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

**MOTION TO APPROVE THE APPLICATION FROM PAUL FLATTEN TO OPERATE A MOTORIZED GOLF CART/FOUR-WHEELED ALL-TERRAIN VEHICLE ON PUBLIC THOROUGHFARES OF THE CITY OF LA CRESCENT.**

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

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

Member Williams abstained from voting. The motion was declared duly carried by a 4-0 vote.

**ITEM 3.8 – PERSONNEL COMMITTEE RECOMMENDATION**

The Personnel Committee made a recommendation to City Council that a conditional offer of employment be extended to Anthony Holloway for the laborers position created by Steve Welke’s retirement. The Committee is proposing that Mr. Holloway start at Step 3 in the union contract and that pursuant to the terms and conditions of the AFSCME contract that Mr. Holloway serve a 6 month probationary period. Following discussion, Member Williams made a motion, seconded by Member Krenz, as follows:

**MOTION TO APPROVE THE CONDITIONAL EMPLOYMENT OF ANTHONY HOLLOWAY FOR THE LABORERS POSITION WITH MR. HOLLOWAY STARTING AT STEP 3 IN THE UNION CONTRACT AND THAT PURSUANT TO THE TERMS AND CONDITIONS OF THE AFSCME CONTRACT HE SERVE A 6 MONTH PROBATIONARY PERIOD.**

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 - SECOND CITY COUNCIL MEETING DATE IN MAY**

Due to the Memorial Day holiday, it was recommended to Council to change the date for the second City Council Meeting in May to either Tuesday, May 26 or Wednesday, May 27, 2015, at 5:30 PM. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

**MOTION TO APPROVE CHANGING THE DATE OF THE SECOND LA CRESCENT CITY COUNCIL MEETING IN MAY TO TUESDAY, MAY 26, 2015 AT 5:30 PM DUE TO THE MEMORIAL DAY HOLIDAY ON MONDAY, MAY 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 3.10 – ANNEXATION AGREEMENT**

City Attorney Wieser reviewed with City Council the three (3) Joint Resolutions resolving the three contested annexation matters pending with the Office of Administrative Hearings regarding La Crescent Township. It was recommended to Council to approve the Resolutions and to authorize the Mayor and City Administrator to execute same and to also authorize the City Attorney to finalize the documents with the Office of Administrative Hearings. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

**MOTION TO APPROVE THE THREE (3) JOINT RESOLUTIONS RESOLVING THE THREE CONTESTED ANNEXATION MATTERS PENDING WITH THE OFFICE OF ADMINISTRATIVE HEARINGS REGARDING LA CRESCENT TOWNSHIP AND TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE SAID RESOLUTIONS AND TO ALSO AUTHORIZE THE CITY ATTORNEY TO FINALIZE THE DOCUMENTS WITH THE OFFICE OF ADMINISTRATIVE HEARINGS.**

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 3.11 – PLANNING COMMISSION MINUTES – MARCH 24, 2015**

City Council reviewed the Minutes of the March 24, 2015 Planning Commission. This was informational and no action was taken.

**ITEM 3.12 – LIQUOR LICENSE & GAMBLING LICENSE APPLICATION**

City Council reviewed a liquor license application and gambling license application from the Lions Club for a softball tournament to be held at Abnet Field on May 30-31, 2015. Following discussion, Member Williams made a motion, seconded by Member Krenz, as follows:

**MOTION TO APPROVE A LIQUOR LICENSE APPLICATION AND GAMBLING LICENSE APPLICATION FROM THE LIONS CLUB FOR A SOFTBALL TOURNAMENT TO BE HELD AT ABNET FIELD ON MAY 30-31, 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 3.13 – TREE PROPOSALS**

City Administrator Waller reviewed with City Council the proposal received from Hoffman & McNamara to provide 140 trees that will replace the ash trees that have been removed this spring. The proposal includes five different varieties of trees, at a total cost of \$27,990. The City has received a \$51,300 grant from the Minnesota Department of Natural Resources to remove and replace ash trees. The number of trees the City acquires will need to be adjusted slightly as they have been able to remove approximately 30 more ash trees than were included in the original scope of the project. The total project cost will be approximately \$59,000, with the balance of the costs not covered by the grant to be coming from the City’s general fund budget. It is recommended to Council to accept the proposal submitted by Hoffman & McNamara. Following discussion, Member Hutchinson made a motion, seconded by Member Williams, as follows:

**MOTION TO APPROVE THE PROPOSAL RECEIVED FROM HOFFMAN & MCNAMARA FOR \$27,900 TO PROVIDE 140 TREES, WHICH INCLUDES FIVE DIFFERENT VARIETIES OF TREES, TO REPLACE THE ASH TREES THAT HAVE BEEN REMOVED THIS SPRING.**

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 3.14 – COMMUNITY ENTRANCE SIGN**

City Administrator Waller gave an overview to City Council regarding the La Crescent Rotary Club and the La Crescent Chamber of Commerce working to develop and construct a new community entrance sign. The

project is being coordinated by MnDOT and as part of the process the City will be required to get a permit from MnDOT to allow for the sign to be located in this intersection due to it being located in MnDOT right-of-way. It is the intent to present a design and specifications for the proposed sign at the first City Council Meeting in May. City Council should be aware that while Rotary and Chamber have both committed funds to the project, there will be a need for the City to also contribute financially. Also a possibility exists that MnDOT may require that one of the other two community entrance signs be removed as there is a limit to the number of community entrance signs that a City can have in MnDOT right-of-way. No action taken.

**ITEM 3.15 – STREET CLOSURE/PARADE REQUEST**

City Council reviewed a memo from La Crescent Police Chief Doug Stavenau regarding a request for a temporary street closure/parade permit for the National Special Olympics Torch Relay that will be coming through the City of La Crescent on June 17, 2015. It is tentatively planned the relay will be traveling from the City of La Crosse through the City of La Crescent between the hours of 7:00 and 10:00 AM. The temporary road closure would occur at Walnut and South 3<sup>rd</sup> Street through the downtown district to Main Street. The planned course would be for the event to travel westbound Hwy 14/16/61 onto Walnut turning again west on Main Street and then north on Elm. The procession would leave the City limits via Apple Blossom Scenic Drive. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

**MOTION TO APPROVE THE TEMPORARY ROAD CLOSURE FOR THE NATIONAL SPECIAL OLYMPICS TORCH RELAY THAT WILL BE COMING THROUGH THE CITY OF LA CRESCENT ON JUNE 17, 2015 BETWEEN THE HOURS OF 7:00 AND 10:00 AM WITH THE TEMPORARY ROAD CLOSURE TO OCCUR AT WALNUT AND SOUTH 3<sup>RD</sup> STREET THROUGH THE DOWNTOWN DISTRICT TO MAIN STREET.**

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 6.1 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – FIRE COOPERATIVE MEETING MINUTES – MARCH 31, 2015**

Mayor Poellinger reviewed with City Council the minutes from the March 31, 2015 La Crescent Community Fire Cooperative meeting. No action taken.

**ITEM 8 – CHAMBER OF COMMERCE**

The La Crescent Chamber of Commerce reported they will be organizing a trip to the Twins game on June 6, 2015.

There being no further business to come before the Council at this time, Member Williams made a motion, seconded by Member Krenz, 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 6:34 PM.

APPROVAL DATE: \_\_\_\_\_

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator