

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
APRIL 14, 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 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 14, 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 and City Attorney Skip Wieser.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. It was requested to add #3.15 – Apple Blossom II and #3.16 – Elm Tree Removal. Member Graf made a motion, seconded by Member Buehler, as follows:

A MOTION TO APPROVE AFOREMENTIONED ADDITION TO THE PRINTED AGENDA

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 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 24, 2014
- 1.2 BILLS PAYABLE THROUGH APRIL 10, 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 Williams, 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 – ANNUAL BOARD OF APPEAL/EQUALIZATION MEETING

At 5:30 PM the City Council convened the annual Board of Appeal meeting. Carl Ask of the Houston County Assessor’s office addressed the property owners present for the meeting and gave an overview of the appeal process and the handout for appeals. Bruce Bauer and Jerry Steffes addressed the City Council regarding the valuations of their property. The County Assessor will review this and report back to the City Council. Mayor Poellinger then opened the meeting to the public. No action taken.

ITEM 3.2 – EVENT CENTER UPDATE – DICK WIESER

Dick Wieser was present to give an update to Council on the Community Event Center. Mr. Wieser reported the project is moving forward and the Event Center group has an option on the 444 Chestnut Street property. No action taken.

ITEM 3.3 – NORTH CHESTNUT STREET RIGHT-OF-WAY LEASE

City Attorney Wieser reviewed with Council a proposed Lease Agreement for the real property located in front of the property at 444 Chestnut Street. The Agreement provides for a ten-year lease at \$10.00 per year and provides the owner of the property for a period of three years to purchase the property from the City for \$1.00, plus all costs of the sale. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE LEASE AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND OWNER OF THE PROPERTY AT 444 CHESTNUT STREET IN 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 Graff	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 – REDEVELOPMENT CONCEPT PLANS

City Administrator Waller reviewed with Council the redevelopment concept plans for Veterans Park and the Elementary School site. The Planning Commission reviewed the concept plans at their April 8, 2014 meeting. It was suggested that if interest, a public meeting be coordinated with the School District for the purpose of

presenting these plans, along with the School District's plans/option for the Elementary School. Following discussion, it was the consensus of Council to proceed with the special meeting with the School District. No action taken.

ITEM 3.5 – ELEMENTARY SCHOOL SITE REVIEW

Council reviewed a memo from the City Engineer regarding an engineering and traffic investigation as it relates to the Elementary School site. The City Engineer has indicated that the engineering and traffic investigation will cost between \$5,000 and \$6,000, and will take approximately 2-3 months to complete. City Attorney Wieser also reviewed with Council information regarding the engineering and traffic investigation. Following discussion, it was the consensus of Council to have the City Administrator and City Attorney meet with WHKS to see what can be done administratively without the need for a formal study. No action taken.

ITEM 3.6 – WEED ORDINANCE – JACK HAASE

City Resident, Jack Haase, submitted an Agenda Request Form regarding the enforcement of the Weed Ordinance. Mr. Haase would like the City to be more proactive in the enforcement of the Ordinance. No action taken.

ITEM 3.7 – PERSONNEL COMMITTEE RECOMMENDATIONS

Council reviewed the following recommendations from the Personnel Committee:

- Tyler Benish has successfully completed his first 6 months of employment with the City as a Utility Maintenance Worker. It is recommended that Mr. Benish's status be converted from probationary to a regular employee.
- The proposed Memorandum of Agreement between the City and the International Union of Operating Engineers Local 49 representing the Pine Creek Golf Course unit be approved. The agreement is proposed for payroll purposes, and defines when the work week begins and ends.
- The position of part-time License Bureau Clerk be offered to Tammy Ferrier. Pursuant to the terms and conditions of the union agreement, Ms. Ferrier would serve a 6 month probationary period.
- The position of Clubhouse Manager be offered to Theresa Pierce. Pursuant to the terms and conditions of the union agreement, Ms. Pierce would serve a 120 day probationary period.
- The position of Lead Worker at Pine Creek Golf Course be approved to be advertised.

It was recommended to Council to adopt a separate motion to accept the above recommendations. Following discussion, the following Motions were made:

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

MOTION TO APPROVE THE STATUS OF TYLER BENISH WITH THE CITY OF LA CRESCENT AS A UTILITY MAINTENANCE WORKER BE CONVERTED FROM PROBATIONARY TO A REGULAR EMPLOYEE.

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.

Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 49 REPRESENTING THE PINE CREEK GOLF COURSE UNIT.

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.

Member Husmann made a motion, seconded by Member Graf, as follows:

MOTION TO APPROVE THE POSITION OF PART-TIME LICENSE BUREAU CLERK BE OFFERED TO TAMMY FERRIER AND PURSUANT TO THE TERMS AND CONDITIONS OF THE UNION AGREEMENT, MS. FERRIER WOULD 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
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 Graf made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE POSITION OF CLUBHOUSE MANAGER BE OFFERED TO THERESA PIERCE AND PURSUANT TO THE TERMS AND CONDITIONS OF THE UNION AGREEMENT, MS. PIERCE WOULD SERVE A 120 DAY 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
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 Williams made a motion, seconded by Member Husmann, as follows:

MOTION TO AUTHORIZE THE POSITION OF LEAD WORKER AT PINE CREEK GOLF COURSE BE ADVERTISED.

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 3.8 – ONE DAY ON-SALE LIQUOR LICENSE APPLICATION

Council reviewed an application for a one day temporary on-sale liquor license from Applefest for Spring Into Fest event on May 17, 2014 at the La Crescent Community Arena. The City Administrator informed the Council that the application appears to be in order and would recommend approval and authorize it be submitted to the Minnesota Department of Public Safety. Following discussion, Member Buehler made a motion, seconded by Member Husmann, as follows:

MOTION TO GRANT A ONE DAY TEMPORARY ON-SALE LIQUOR LICENSE FOR THE SPRING INTO FEST EVENT ON MAY 17, 2014 AT THE LA CRESCENT COMMUNITY ARENA AND AUTHORIZE THE APPLICATION BE SUBMITTED TO THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY.

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

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

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

ITEM 3.9 – LA CRESCENT ROTARY CLUB BIKE TOUR

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 2nd Annual Apple Blossom Bike Tour on Sunday, May 18, 2014. They would need the Arena from about 6:30 a.m. until approximately 1:00 p.m. Following discussion, Member Buehler made a motion, seconded by Member Williams, 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 2ND ANNUAL APPLE BLOSSOM BIKE TOUR ON SUNDAY, MAY 18, 2014 FROM 6:30 A.M. UNTIL APPROXIMATELY 1:00 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
John Graff	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.10 – AMEND AGENDA FOR APRIL 21 CITY COUNCIL MEETING

Council discussed adding the review option(s) to acquire the Monte Carlo Road to the April 21, 2014 Special City Council Meeting agenda. It was the consensus of Council to add this item. No action taken.

ITEM 3.11 – XCEL ENERGY AGREEMENT

Council reviewed a proposed Encroachment Agreement with Xcel Energy relating to the Wagon Wheel Trail project. The agreement is necessary, as part of the trail goes underneath an Xcel tower as the trail approaches Shore Acres Road. The plan is to go underneath the tower. The agreement has been reviewed by the City Engineer and City Attorney. It was recommended for Council to approve the agreement with the changes and to authorize the City Administrator and Mayor to execute the document with any additional non-substantive changes as approved by the City Engineer and City Attorney. Following discussion, Member Buehler made a motion, seconded by Member Husmann, as follows:

MOTION TO APPROVE THE ENCROACHMENT AGREEMENT BETWEEN XCEL ENERGY AND THE CITY OF LA CRESCENT RELATING TO THE WAGON WHEEL PROJECT WITH THE CHANGES AND TO AUTHORIZE THE CITY ADMINISTRATOR AND MAYOR TO EXECUTE THE DOCUMENT WITH ANY ADDITIONAL NON-SUBSTANTIVE CHANGES AS APPROVED BY THE CITY ENGINEER AND CITY ATTORNEY.

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

Bernie Buehler	Yes
John Graff	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 – AMEND 2014 STREET IMPROVEMENT PROJECT

City Administrator Waller gave an overview to Council regarding an amendment of the 2014 Street Improvement project due to the conditions of the soil borings presenting a different alternative for reconstruction of the pavement. This was informational and no action taken.

ITEM 3.13 – WELLHEAD PROTECTION PUBLIC MEETING

Council reviewed correspondence from the Minnesota Department of Health regarding the Wellhead Protection Plan. As part of the process, the City is required to hold a public informational meeting at which the approved wellhead protection areas, drinking water supply management areas, and vulnerability assessments are available for review by the public. It is suggested that this be included on the agenda for the May 12th City Council Meeting. This was informational and not action taken.

ITEM 3.14 – LIABILITY COVERAGE WAIVER

The Council reviewed renewing its general liability insurance coverage with the League of Minnesota Cities Insurance Trust and adopting a liability coverage waiver form. The City's insurance agent recommended the City Council not waive the monetary limits as it has done in the past. Following discussion, Member Husmann made a motion, seconded by Member Graf, as follows:

MOTION TO ADOPT THE LIABILITY COVERAGE WAIVER FORM NOT WAIVING THE MONETARY LIMITS FOR THE CITY OF LA CRESCENT'S 2014 GENERAL LIABILITY INSURANCE COVERAGE WITH THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST.

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.

ITEM 3.15 – APPLE BLOSSOM II

Council had a discussion regarding the road on Apple Blossom II is a private road and not a public street. No action taken. The correct name for this development is Apple Blossom Pointe.

ITEM 3.16 – ELM TREE REMOVAL

Member Buehler acknowledged that he meant Ash Tree Removal and not Elm Tree when asked item to be added to agenda. Council discussed the removal of Ash trees in the City. No action was taken.

ITEM 5.1 – MAYOR’S COMMENTS – PLANNING COMMISSION APPOINTMENTS

Mayor Poellinger recommended the appointment of Patti Dockendorff and Mani Edpuganti to the City of La Crescent Planning Commission. Following discussion, Member Graf made a motion, seconded by Member Husmann, as follows:

MOTION TO APPROVE THE APPOINTMENT OF PATTI DOCKENDORFF AND MANI EDPUGANTI TO THE CITY OF LA CRESCENT PLANNING COMMISSION.

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.

ITEM 5.1 – MAYOR’S COMMENTS – LIBRARY BOARD APPOINTMENT

Mayor Poellinger recommended the appointment of Dale Williams to the Library Board as a voting member. Following discussion, Member Graf made a motion, seconded by Member Husmann, as follows:

MOTION TO APPROVE THE APPOINTMENT OF DALE WILLIAMS TO THE LIBRARY BOARD AS A VOTING MEMBER.

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.

ITEM 6.1 – GOLF COMMISSION MINUTES – FEBRUARY 5, 2014

Council reviewed the Minutes of the Golf Commission Meeting held on February 5, 2014. No action taken.

ITEM 6.2 – LIBRARY BOARD MINUTES – FEBRUARY 11, 2014

Council reviewed the Minutes of the La Crescent Public Library Board Meeting held on February 11, 2014. No action taken.

ITEM 7.1 – CORRESPONDENCE – 2014 HOUSTON COUNTY EDA SUMMIT

Council reviewed information regarding the 2014 Houston County EDA Summit to be held on May 8, 2014 at Corky’s in La Crescent. No action taken.

ITEM 7.2 – CORRESPONDENCE – JASON LUDWIGSON

Council reviewed correspondence from Jason Ludwigson contributing an additional idea of establishing native plant communities to the Old Hickory Park. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber of Commerce gave an update regarding a change in their meeting date to April 30, 2014. Also, they will be sponsoring a sign competition for the La Crescent signs.

There being no further business to come before the Council at this time, Member Graf 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 6:20 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator