

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
JUNE 8, 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 June was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, June 8, 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 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 – MAY 26, 2015
- 1.2 BILLS PAYABLE THROUGH JUNE 4, 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.

ITEM 3.1 – CRESCENT VALLEY UTILITY PROJECT

City Engineer Tim Hruska reviewed with City Council the plans and specifications for the sanitary sewer extension project at 32 Crescent Avenue and 100 Kinder Road. In the past week, the City has received 2 other annexation petitions from property owners in this area and potential interest from another. In addition to annexing the properties, it will be necessary for the City to annex the balance of Valley Lane, and all of Crescent Avenue. Also, as part of the second phase of the Wagon Wheel project, it is recommended to Council to annex the Sportsman’s boat landing and the road access to the site. Annexing this from the Township will

allow for the development of the project. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO AUTHORIZE WHKS TO PREPARE AN AMENDED PLAN TO THE SANITARY SEWER EXTENSION PROJECT TO INCLUDE ADDITIONAL SANITARY SEWER EXTENSIONS AND PREPARE AN UPDATED COST ESTIMATE FOR THE PROJECT WITH THE UNDERSTANDING THAT THE STREET IMPACTED BY THE PROJECT WILL BE IN ROCK OVER THE WINTER AND SEAL COATED IN 2016 WITH AMENDMENT TO INCLUDE WATER.

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 – STORMWATER PROJECT REVIEW

City Engineer Tim Hruska reviewed with City Council the Claudia Avenue stormwater structure. Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

MOTION TO AUTHORIZE WHKS TO AMEND THE CLAUDIA AVENUE STORMWATER PROJECT TO INCLUDE STORMWATER IMPROVEMENTS IN WEST BANK, AND BRING BACK QUOTATIONS FOR THE WORK AT A FUTURE 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
Mike Poellinger	Yes

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

ITEM 3.3 – ANNEXATION PETITION

City Council reviewed a memo from City Attorney Wieser regarding a property owner Petition requesting annexation of the property located at 1265 Cty Hwy 6. The property currently abuts the City limits so can be annexed by Ordinance. Prior to adopting an Annexation Ordinance, the City will need to hold a Public Hearing and prior to the Hearing will need to give the Township and contiguous property owners a 30 day written notice. It was recommended to Council to accept the Petition for Annexation and call for a Public Hearing on July 27, 2015 at 5:35 PM. It was also recommended to Council to authorize the City Administrator, City

Attorney and City Engineer to take all actions necessary to provide this notice and any other action necessary to complete the annexation. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO CALL FOR A PUBLIC HEARING ON JULY 27, 2015 AT 5:35 PM REGARDING THE PROPERTY OWNER PETITION REQUESTING ANNEXATION OF THE PROPERTY LOCATED AT 1265 CTY HWY 6.

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
Dale Williams	Yes
Mike Poellinger	Yes

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

Also, Member Hutchinson made a motion, seconded by Member Buehler, as follows:

MOTION TO AUTHORIZE THE CITY ADMINISTRATOR, CITY ATTORNEY AND CITY ENGINEER TO PROVIDE APPROPRIATE NOTICE TO THE TOWNSHIP AND THE CONTIGUOUS PROPERTY OWNERS OF THE ANNEXATION PETITION AND TO COMPLETE ANY OTHER ACTION NECESSARY FOR THE ANNEXATION.

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
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.4 – SPRINGBROOK VILLAGE DEVELOPMENT AGREEMENT

City Council reviewed a memo from City Attorney Wieser regarding the Development Agreement with SpringBrook Village. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH SPRINGBROOK VILLAGE AND TO AUTHORIZE THE CITY ATTORNEY, MAYOR AND CITY ADMINISTRATOR TO NEGOTIATE ANY MINOR CHANGES TO THE AGREEMENT AND ANY SUBSTANTIVE CHANGES TO THE AGREEMENT WOULD BE BROUGHT BACK FOR CONSIDERATION BY THE CITY COUNCIL.

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 – COMPUTER SUPPORT AGREEMENT RENEWAL

City Administrator Waller reviewed with City Council an agreement with EOJohnson to provide computer support service to the City. The City’s existing three year agreement is expiring and EOJohnson, formerly Locknet, has provided this service to the City for the past six years. It was recommended to City Council to approve a new three year agreement. The cost has increased from \$22,000.00 per year to \$29,000.00 per year. This is due to the Fire Department being included in this service now and also due to the service being expanded to include additional fire wall protection. There are funds in the City’s general fund budget for this expenditure. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THREE YEAR AGREEMENT WITH EOJOHNSON TO PROVIDE COMPUTER SUPPORT SERVICE TO THE CITY OF LA CRESCENT AT THE COST OF \$29,000.00 PER YEAR, WITH FUNDS COMING FROM THE GENERAL FUND BUDGET.

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 – APPLEFEST PARADE REQUEST

City Council reviewed a request from the Applefest Parade Chair for approval of the route for the 2015 Applefest Grande Day Parade to be held on Sunday, September 20, 2015 at 1:00 PM. The parade route has not changed but the Judging Stand will be positioned on S. 2nd Street facing south, which will alleviate the public sidewalk blockage of the past. A map was attached for review regarding the route. Following discussion, Member Williams made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE ROUTE FOR THE 2015 APPLEFEST GRANDE DAY PARADE TO BE HELD ON SUNDAY, SEPTEMBER 20, 2015 AT 1:00 PM.

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 – AUTHORIZE CAPITAL EQUIPMENT ACQUISITION

City Council reviewed a recommendation to authorize the purchase of a Case 72” construction brush grapple to be used with the City’s loader. The grapple will be used to clean up trees and brush that are removed by the City’s maintenance department. The cost is \$3,100.00 and would be purchased from Titan Machinery. It was also recommended that the 2013 capital equipment certificate be amended to reflect this expenditure. Following discussion, Member Hutchinson made a motion, seconded by Member Krenz, as follows:

MOTION TO AUTHORIZE A CAPITAL EQUIPMENT EXPENDITURE TO PURCHASE A CASE 72” CONSTRUCTION BRUSH GRAPPLE TO BE USED WITH THE CITY’S LOADER FOR \$3,100.00 FROM TITAN MACHINERY, WITH THE 2013 CAPITAL EQUIPMENT CERTIFICATE AMENDED TO REFLECT THIS EXPENDITURE.

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 3.8 – PERSONNEL COMMITTEE RECOMMENDATION

On June 10, 2015, Angie Boettcher will have completed her six month probationary period as an Office Assistant for the City of La Crescent. It was recommended to City Council that Ms. Boettcher’s status as a probationary employee be removed on June 10, 2015, at which time she would be classified as a regular City employee. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THAT THE STATUS AS A PROBATIONARY EMPLOYEE FOR ANGIE BOETTCHER AS OFFICE ASSISTANT FOR THE CITY OF LA CRESCENT BE REMOVED ON JUNE 10, 2015 AND MS. BOETTCHER BE CLASSIFIED AS A REGULAR CITY EMPLOYEE.

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 – BUILDING DEDICATION

City Council was informed that the dedication of the Michael E. Albrecht Water Treatment Plant will be at 5:30 PM on Wednesday, June 17, 2015 at the facility at 722 North Second Street. No action taken.

ITEM 3.10 – ANNEXATION PETITION

City Administrator Waller reviewed with City Council a property owner Petition requesting annexation for 110 Crescent Avenue which currently does not abut the City. Also reviewed was information regarding the property referred to as the “Boat Landing” just west of the West Channel Bridge. In order to initiate these annexations, the Council will need to pass a Resolution accepting the Petition for 110 Crescent Avenue and including therein that part of Crescent Avenue lying north of County Highway 25 and south of the intersection of Valley Lane and also that portion of Valley Lane not currently in the City. The Resolution should also authorize the Mayor and City Administrator to sign all necessary documents and authorize the City Administrator and City Attorney to prepare all documents necessary to effectuate the same. City Council was also informed that prior to the filing of any Notices with the Office of Administrative Hearings, representatives of La Crescent Township Board, along with the Township Attorney, will be contacted in order to propose an orderly annexation agreement. This would save time and expense in the process. Regarding the Boat landing property, a Resolution authorizing the Mayor and City Administrator to sign all necessary documents and authorization for the City Administrator and City Attorney to prepare all documents necessary to effectuate the same would also be needed. Again, the Township would be contacted regarding permitting the annexation in order to be done by orderly annexation agreement. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 06-15-11

RESOLUTION TO ACCEPT PETITION FOR ANNEXATION FOR 110 CRESCENT AVENUE, LA CRESCENT, MINNESOTA

WHEREAS, on June 8, 2015 the City Council for the City of La Crescent reviewed the property owner Petition for 110 Crescent Avenue, La Crescent, Minnesota, regarding annexation of unincorporated areas outside of the City limits, including therein that part of Crescent Avenue lying north of County Highway 25 and south of the intersection of Valley Lane and also that portion of Valley Lane not currently in the City;

WHEREAS, on June 8, 2015, the City Council for the City of La Crescent authorized the City Mayor and City Administrator to sign all necessary documents regarding the annexation proceedings for 110 Crescent Avenue;

WHEREAS, on June 8, 2015, the City Council for the City of La Crescent authorized the City Administrator and City Attorney to prepare all documents regarding the annexation proceedings for 110 Crescent Avenue; and

WHEREAS, the City Council for the City of La Crescent finds that it is in the best interest of the City to move forward with said annexation.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of La Crescent hereby approves the following:

1. That the Property Owner Petition for Annexation from the property owners of 110 Crescent Avenue, La Crescent, Minnesota, attached hereto, is hereby approved by the City Council.
2. That in addition to the property at 110 Crescent Avenue, the City will also include therein that part of Crescent Avenue lying north of County Highway 25 and south of the intersection of Valley Lane and also that portion of Valley Lane not currently in the City;
3. That the City Mayor and City Administrator are authorized to sign all necessary documents regarding the annexation proceedings for 110 Crescent Avenue; and
4. That the City Administrator and City Attorney are authorized to prepare all documents regarding the annexation proceedings for 110 Crescent Avenue
5. That the Petition for Annexing Unincorporated Property by Chief Administrative Law Judge's Order in the Matter of the Petition of the City of La Crescent for Annexation of Unincorporated Abutting Property to the City of La Crescent, Minnesota Pursuant to Minnesota Statutes § 414.031, attached hereto, is hereby approved by the City Council.
6. Upon the expiration of the 30 day Notice of Intent, the City Administrator and City Attorney are hereby authorized to file the Petition for Annexation with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit and to do all other things ancillary thereto to continue the annexation process.

ADOPTED this 8th day of June, 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, 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 and the resolution duly passed and adopted.

Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 06-15-12

RESOLUTION TO INITIATE ANNEXATION PROCEEDINGS FOR LAND COMMONLY KNOWN AS “BOAT LANDING”, LA CRESCENT, MINNESOTA

WHEREAS, on June 8, 2015 the City Council for the City of La Crescent reviewed annexation of unincorporated areas outside of the City limits, commonly known as the “Boat Landing”, La Crescent, Minnesota;

WHEREAS, on June 8, 2015, the City Council for the City of La Crescent authorized the City Mayor and City Administrator to sign all necessary documents regarding the annexation of land commonly known as the “Boat Landing”, La Crescent, Minnesota;

WHEREAS, on June 8, 2015, the City Council for the City of La Crescent authorized the City Administrator and City Attorney to prepare all documents regarding the annexation of land commonly known as the “Boat Landing”, La Crescent, Minnesota; and

WHEREAS, the City Council for the City of La Crescent finds that it is in the best interest of the City to move forward with said annexation.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of La Crescent hereby approves the following:

1. That it is in the best interest of the City to move forward with said annexation of land commonly known as the “Boat Landing.”
2. That the City Mayor and City Administrator are authorized to sign all necessary documents regarding the annexation proceedings of land commonly known as the “Boat Landing.”
3. That the City Administrator and City Attorney are authorized to prepare all documents regarding the annexation proceedings of land commonly known as the “Boat Landing.”

4. That the Petition for Annexing Unincorporated Property by Chief Administrative Law Judge's Order in the Matter of the Petition of the City of La Crescent for Annexation of Unincorporated Abutting Property to the City of La Crescent, Minnesota Pursuant to Minnesota Statutes § 414.031, attached hereto, is hereby approved by the City Council.

5. Upon the expiration of the 30 day Notice of Intent, the City Administrator and City Attorney are hereby authorized to file the Petition for Annexation with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit and to do all other things ancillary thereto to continue the annexation process.

ADOPTED this 8th day of June, 2015.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Williams and 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 and the resolution duly passed and adopted.

ITEM 6.1 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – PLANNING COMMISSION MINUTES – MAY 19, 2015

City Council reviewed the Minutes from the Planning Commission Meeting on May 19, 2015. No action taken.

ITEM 6.2 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – PLANNING COMMISSION MINUTES – JUNE 2, 2015

City Council reviewed the Minutes from the Planning Commission Meeting on June 2, 2015. No action taken.

**ITEM 6.3 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – DEVELOPMENT
COMMISSION MINUTES – MAY 13, 2015**

City Council reviewed the Minutes from the Development Commission Meeting on May 13, 2015. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber of Commerce did not have a report. reported on the ribbon cutting for the Wagon Wheel Project and reviewed June activities.

City Council heard from Dave Hanifl regarding the power loading of bass boats on the West Channel of Mississippi River. It was suggested to post the landing upon the completion of the boat landing annexation. No action taken.

There being no further business to come before the Council at this time, Member Buehler 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 recessed at 6:02 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator