

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
SEPTEMBER 23, 2013

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of September was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, September 23, 2013, 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 amend #3.10 to add a second part to include Monte Carlo Road. Member Buehler made a motion, seconded by Member Graf, as follows:

A MOTION TO APPROVE AFOREMENTIONED CHANGES 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 for this regular meeting:

- 1.1 MINUTES – SEPTEMBER 9, 2013
- 1.2 BILLS PAYABLE THROUGH SEPTEMBER 19, 2013

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 Husmann 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 – WAGON WHEEL PROJECT BIDS

City Engineer Tim Hruska reviewed the status of the project with Council along with the bid results. The City is currently awaiting a memorandum of understanding from the U.S. Fish & Wildlife Service regarding the project. Completion date is set for June, 2014. Zenke Inc. submitted a bid in the amount of \$559,228.75. Following discussion, Member Williams made a motion, seconded by Member Graf, as follows:

MOTION TO AWARD THE CONTRACT TO ZENKE INC. IN THE AMOUNT OF \$559,228.75 FOR THE WAGON WHEEL IMPROVEMENT PROJECT CONTINGENT UPON A WETLAND PERMIT FROM THE DEPARTMENT OF NATURAL RESOURCES AND A MEMORANDUM OF UNDERSTANDING FROM THE U.S. FISH & WILDLIFE SERVICE.

Upon a roll call vote taken and tallied by the City Administrator, the following 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 3.2 – CRESCENT VALLEY PROJECT UPDATE

City Engineer Tim Hruska gave an overview and status of the Crescent Valley Project which will be done in October, 2013. Mr. Hruska addressed questions from City Council and City resident, Keith Nedegaard, commented on the project. No action taken.

ITEM 3.3 – DUMPSTERS IN RESIDENTIAL AREAS

City Attorney Wieser gave an overview of the Policy Statement Regarding Containers in Residential Districts. The Ordinance passed in May of 2013 restricts container size in residential districts to 96 gallons and prohibits dumpsters, frontload and rear-load containers in the residential district. The Policy Statement addresses those properties that will be in violation of the Ordinance provisions. City Attorney addressed questions from Council Members and Council Members commented on policy. Following discussion, Member Husmann made a motion to grandfather existing dumpsters in residential areas but to not allow new dumpsters. Motion failed for lack of a second. No action taken.

ITEM 3.4 – PAY EQUITY REVIEW

City Attorney Wieser reviewed with Council the City’s pay equity non-compliance ruling from July, 2013 regarding the City’s pay equity report not meeting certain requirements. At that time the City Council authorized a request for reconsideration and authorized that Flaherty & Hood assist the City with preparing a report to bring the City into compliance. Flaherty & Hood recommended the following: that the salary for the Golf Course Clubhouse Manager be increased by \$145.00 per month; and that the comparable worth points for the Building Official be increased from 300 to 305 points. These two changes should bring the City back into compliance with the Office of Minnesota Management & Budget. It was recommended to Council to adopt these recommendations. Council reviewed a copy of the Memorandum of Understanding with the Operating Engineers Union that would need to be approved. Following discussion, Member Williams made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE AND AUTHORIZE THE EXECUTION OF THE MEMORANDUM OF UNDERSTANDING WITH THE OPERATING ENGINEERS UNION THAT THE SALARY FOR THE GOLF COURSE CLUBHOUSE MANAGER BE INCREASED BY \$145.00 PER MONTH AND THAT THE COMPARABLE WORTH POINTS FOR THE BUILDING OFFICIAL BE INCREASED FROM 300 TO 305 POINTS BASED ON THE RECOMMENDATIONS OF FLAHERTY & HOOD.

Upon a roll call vote taken and tallied by the City Administrator, the following 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 3.5 – 2014 GENERAL FUND BUDGET REVIEW

City Administrator Waller reviewed with Council two items regarding the 2014 general fund budget. The first item was the contribution to Houston County to offset a portion of the cost associated with the Victim Services Program. The 2013 general fund budget included \$5,000 for this. For 2014, it is suggested this figure be reduced to \$3,500 which is consistent with the original request submitted by Houston County. Following discussion, it was the consensus of Council to approve this.

The second item discussed was the library’s request that the 2014 library levy be increased to \$124,072. As presented, the proposed 2014 general fund budget sets the library levy at \$120,458. Council reviewed the 2012 Library Director salaries. Library Director, LaVonne Beach, addressed the Council and informed them the library will be at or under budget in 2013. Following discussion, it was the consensus of Council to have the City Attorney update the Council on the Minnesota State Statute regarding Library’s and their Boards. No action was taken on this item.

ITEM 3.6 – CHANGE FIRST MEETING DATE IN NOVEMBER

Due to the second Monday in November being when the Veteran’s Holiday is observed, it was recommended to Council that the first City Council Meeting in November be held on Tuesday, November 12, 2013. Following discussion, Member Buehler made a motion, seconded by Member Graf, as follows:

MOTION TO APPROVE THE FIRST CITY COUNCIL MEETING IN NOVEMBER, 2013 BE HELD ON TUESDAY, NOVEMBER 12, 2013 DUE TO THE SECOND MONDAY IN NOVEMBER BEING WHEN THE VETERAN’S HOLIDAY IS OBSERVED.

Upon a roll call vote taken and tallied by the City Administrator, the following 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 3.7 – AUTHORIZE SALE OF EQUIPMENT

City Administrator Waller gave an overview regarding the sale of the City’s 1997 Caterpillar 140H motor grader. This piece of equipment still has value but is not used enough by the City to justify the investment. It is recommended that the funds from the sale would be used to offset a portion of the costs of a new snow plow truck, the cost of which would be included in the capital equipment certificate. It is recommended to Council to approve the sale through Zenke Auction & Realty, Inc. The equipment would be listed on a worldwide on-line auction. There is a \$500.00 listing price that is non-refundable and 2 ½% commission that is based on the sale price. It was suggested to Council to set a reserve of \$95,000 on the sale of the equipment. Following discussion, Member Buehler made a motion, seconded by Member Graf, as follows:

MOTION TO AUTHORIZE THE SALE OF THE CITY OF LA CRESCENT’S 1997 CATERPILLAR 140H MOTOR GRADER THROUGH ZENKE AUCTION & REALTY, INC. WITH A RESERVE SET OF \$95,000 ON THE SALE OF THE EQUIPMENT.

Upon a roll call vote taken and tallied by the City Administrator, the following 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 – LA CRESCENT FIRE RELIEF ASSOCIATION REQUEST

Tim Moore from the La Crescent Fire Relief Association reviewed with Council a request that the yearly pension benefit be increased from \$1,600 to \$1,650 per year. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO AUTHORIZE THE INCREASE IN THE LA CRESCENT FIRE RELIEF ASSOCIATION YEARLY PENSION BENEFIT FROM \$1,600 TO \$1,650 PER YEAR.

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

John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes

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

ITEM 3.9 – LIQUOR LICENSE APPLICATION

Council reviewed a 1 day to 4 day temporary on-sale liquor license from the La Crescent Fireman’s Relief Association for the Fireman’s Dance on October 8, 2013. Administrator Waller stated the application appears to be in order and recommended approval. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE TEMPORARY ON-SALE LIQUOR LICENSE APPLICATION FROM THE LA CRESCENT FIREMAN’S RELIEF ASSOCIATION FOR THE FIREMAN’S DANCE ON OCTOBER 8, 2013.

Upon a roll call vote taken and tallied by the City Administrator, the following 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 3.10 – LETTER OF INTENT TO PURCHASE PROPERTY

The City of La Crescent has received a letter of intent to purchase the approximately 2 acre parcel that the City acquired from MnDOT as surplus right-of-way. It is recommended that City Council authorize the City Attorney and City Administrator to meet with the interested party, review the proposal, suggest modifications and then present a recommendation to Council. Following discussion, Member Graf made a motion, seconded by Member Buehler, as follows:

MOTION TO AUTHORIZE CITY ATTORNEY WIESER AND CITY ADMINISTRATOR WALLER TO MEET WITH INTERESTED PARTY TO REVIEW THE PROPOSAL, SUGGEST MODIFICATIONS AND THEN PRESENT A RECOMMENDATION TO COUNCIL REGARDING THE APPROXIMATELY 2 ACRE PARCEL THAT THE CITY ACQUIRED FROM MNDOT AS SURPLUS RIGHT-OF-WAY.

Upon a roll call vote taken and tallied by the City Administrator, the following 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.

As an added item to the Agenda, City Attorney Wieser also reviewed with the Council that the owner of Monte Carlo Road has expressed his desire to sell this property to the City. The City previously had an Option to Buy this property but the Option expired. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO AUTHORIZE CITY ATTORNEY WIESER AND CITY ADMINISTRATOR WALLER TO NEGOTIATE A PURCHASE AGREEMENT WITH THE OWNER OF MONTE CARLO ROAD FOR THE CITY TO PURCHASE THIS 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
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 8.1 – CHAMBER OF COMMERCE

The Chamber of Commerce had nothing to report.

ITEM 3.11 – CLOSED SESSION – UNION NEGOTIATIONS

City Attorney Wieser reviewed with Council the process to have a closed session to discuss negotiation strategies for the upcoming union negotiations. Member Husmann made a motion, seconded by Member Graf, as follows:

MOTION TO CLOSE THE PUBLIC MEETING OF THE CITY COUNCIL OF THE CITY OF LA CRESCENT PURSUANT TO MINNESOTA STATUTE §13D.03 ON SEPTEMBER 23, 2013 TO DISCUSS NEGOTIATION STRATEGIES FOR THE UPCOMING UNION NEGOTIATIONS.

Upon a roll call vote taken and tallied by the City Administrator, the following 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.

At 6:25 PM, roll call was taken and all Members were present, along with City Administrator Waller and City Attorney Wieser. Session was closed.

At 6:58 PM, Member Husmann made a motion, seconded by Member Graf, as follows:

MOTION TO RE-OPEN THE PUBLIC MEETING OF THE CITY COUNCIL OF THE CITY OF LA CRESCENT ON SEPTEMBER 23, 2013.

Upon a roll call vote taken and tallied by the City Administrator, the following 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 7.1 – CORRESPONDENCE – ACTIVE LIVING COMMUNITY ASSESSMENT

Council reviewed the Active Living Community Assessment. No action taken.

There being no further business to come before the Council at this time, Member Williams made a motion, seconded by Member Husmann, 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 7:00 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator