

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
SEPTEMBER 26, 2016

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 26, 2016, 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 and Police Chief Doug Stavenau.

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 for this regular meeting:

- 1.1 MINUTES – SEPTEMBER 12, 2016
- 1.2 BILLS PAYABLE THROUGH SEPTEMBER 23, 2016

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. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

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 – APPLEFEST PARADE REVIEW

City Police Chief, Doug Stavenau, requested this item be placed on the agenda. Chief Stavenau gave an overview to City Council addressing the alternatives to the placement of items in the right-of-way in advance of the Applefest parade. It was recommended to draft a policy that would treat the items left out as abandoned property and it be posted accordingly. Following discussion, Member Hutchinson made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE A POLICY BEING DRAFTED THAT WOULD STATE ITEMS LEFT OUT IN THE RIGHT-OF-WAY IN ADVANCE OF THE APPLEFEST PARADE WOULD BE TREATED AS ABANDONED PROPERTY AND TO BRING THIS POLICY BACK TO THE NEXT COUNCIL MEETING FOR APPROVAL.

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 – RELOCATE OAK STREET WATER MAIN

City Administrator Waller gave an overview to City Council regarding the quotes to relocate a section of the water main located under P&T Electric on Oak Street. The City received three (3) quotes. The low bid was received from Wieser Septic and Excavating in the amount of \$19,948.00. It was recommended to City Council to award the contract to Wieser Septic for this project. There are funds in the 2016 improvement bond for this project. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO ACCEPT THE BID FROM WIESER SEPTIC AND EXCAVATING IN THE AMOUNT OF \$19,948.00 TO RELOCATE A SECTION OF THE WATER MAIN LOCATED UNDER P&T ELECTRIC ON OAK STREET WITH FUNDS IN THE 2016 IMPROVEMENT BOND.

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 – ENGINEERING PROPOSAL – SHORE ACRES ROAD

City Administrator Waller gave an overview to City Council regarding the second segment of the Wagon Wheel improvement project scheduled for 2017. The City has received a \$314,210 transportation enhancement grant and a \$400,000 grant from the Greater Minnesota Parks and Trails Commission for the costs associated with this improvement. It was recommended to City Council that since this work will be completed in 2017, alternatives to improve the existing Shore Acres Road should be considered. A proposal from the City’s Engineer to prepare a preliminary engineering report regarding improvements to Shore Acres Road was

reviewed. It was recommended that City Council approve the engineering proposal as presented. Following discussion, Member Krenz made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND WHKS & CO. FOR PROFESSIONAL SERVICES RELATING TO THE PROJECT DESCRIBED AS SHORE ACRES ROAD REPORT.

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 3.4 – ELECTION JUDGE RESOLUTION

City Council reviewed a resolution that appoints the election judges for the November 8, 2016 election, including alternative judges. Following discussion, Member Hutchinson introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-16-17

RESOLUTION APPOINTING ELECTION JUDGES FOR 2016 ELECTIONS

Be it resolved by the City Council of the City of La Crescent as follows:

1. The persons below named are hereby appointed judges for the 2016 elections to be held in the City of La Crescent, November 8, 2016. The judges appointed, the chairperson of the election board of each precinct designated and precinct and voting are as following:

A. First Precinct.....Community Building
To serve from 7:00 AM to 8:00 PM.

Bill Goff, Chair
Rose Albrecht
Cherryl Jostad
Barb Hammes
Steve Oliver
Jan Schild
Jan Koljord
Peg Wansley

B. Second Precinct.....Ice Arena
To serve from 7:00 AM to 8:00 PM

Judy Lehmann, Chair
Suzanne Harm
JoAnn Olson
Rosanne Buehler
Catherine Acevedo
Judy Graf
Carolynn Devine
Greg Schild

C. Third Precinct.....Ice Arena
To serve from 7:00 AM to 8:00 PM

Sara Goff, Chair
Lois Mullally
Darlene Erickson
Jeanne Baures
Deb Oliver

D. Fourth Precinct.....Mailed Ballot

ADOPTED this 26th day of September, 2016.

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 Members present voted in favor thereof, viz;

Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

with Member Buehler abstaining and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted by a 4-0 vote.

ITEM 3.5 – 2017 TRANSPORTATION RESOLUTION

City Council reviewed a resolution to approve the State Transit Operating Assistance application for 2017. The resolution is adopted and submitted to MnDOT each year. In 2017 the City will receive approximately \$211,000 in Federal and State funds to operate the local bus service. For 2017, the City's share of the local bus service is \$30,701. MnDOT is currently working to revise the unmet survey need requirements which will

need to be completed prior to Saturday bus service being implemented. This work will be completed in the fall of 2106 and early 2017, which will delay the implementation of Saturday bus service until 2018. It was recommended that City Council adopt the Resolution and authorize it be forwarded to the State of Minnesota. Following discussion, Member Williams introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-16-18

**RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LA CRESCENT
ENTERING INTO AN AGREEMENT WITH THE STATE OF MINNESOTA TO PROVIDE PUBLIC
TRANSPORTATION IN THE CITY OF LA CRESCENT**

WHEREAS, the City of La Crescent, Minnesota, enters into an Agreement with the State of Minnesota to provide public transportation in the City of La Crescent.

FURTHER RESOLVED that the City of La Crescent, Minnesota agrees to provide (20%) percent of the total operating cost from local funds and (20%) percent of the total capital costs.

FURTHER RESOLVED that authorization to execute the aforementioned Agreement and any amendments thereto is hereby given to the Mayor or the City Clerk/Administrator.

FURTHER resolved that the City Administrator or Transit Manager is hereby authorized to execute requests for reimbursement to the Minnesota Department of Transportation.

ADOPTED this 26th day of September, 2016.

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.

ITEM 3.6 – 2016 CONCRETE WORK PROPOSALS

City Council reviewed a memo from City Administrator Waller regarding the proposals to remove and replace damaged and defective concrete sidewalk and curb and gutter at various locations throughout the community. The City received two proposals. It was recommended to City Council to accept the low bid from Voss & Sons in the amount of \$8,128.00. There are funds in the 2016 general fund budget for this expenditure. Following discussion, Member Hutchinson made a motion, seconded by Member Buehler, as follows:

MOTION TO ACCEPT THE PROPOSAL FROM VOSS & SONS IN THE AMOUNT OF \$8,128.00 TO REMOVE AND REPLACE DAMAGED AND DEFECTIVE CONCRETE SIDEWALK AND CURB AND GUTTER AT VARIOUS LOCATIONS THROUGHOUT THE COMMUNITY AND TO USE FUNDS IN THE 2016 GENERAL FUND BUDGET FOR 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 3.7 – MIGHTY DUCKS GRANT RESOLUTION

City Council reviewed a memo from Terry Erickson regarding a Mighty Ducks grant application to the Minnesota Amateur Sports Commission to replace the ice resurfacing machine and edging equipment at the Community Arena. The total project cost is \$156,465. The Mighty Ducks grant would pay 50% of the cost, with the balance of the costs being split between the City and Lancer Youth Hockey. The City's portion of the project cost would come from either the proceeds from the sale of the cell tower easement, or from the 2017 capital equipment certificate. The proposed new units are battery operated, which would eliminate the need to conduct the air quality monitoring that is presently required at the ice arena. In order to proceed, it was recommend to City Council to adopt the Resolution reviewed, and authorize that the grant application be forwarded to the Minnesota Amateur Sports Commission. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION 09-16-19

RESOLUTION FOR JAMES METZEN MIGHTY DUCKS GRANT APPLICATION

WHEREAS, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides for general funds to assist political subdivisions of the State of Minnesota for the fulfillment of the purpose and goals of the Mighty Ducks Grant Program, and

WHEREAS, the City of La Crescent desires to complete its project named City of La Crescent Ice Arena Project – Zamboni and Edging Equipment at the La Crescent Community Ice Arena located at 520 S 14th Street La Crescent MN 55947.

RESOLVED:

- 1) That the total cost of completing the project shall be \$156,465.00 and City of La Crescent is requesting \$78,233.00 from the James Metzen Mighty Ducks Grant Program and the City of La Crescent will assume responsibility for one-half (1/2) of a matching contribution of \$78,233.00 in the amount of \$39,117.00, with the Lancer Hockey Association assuming one-half (1/2) in the amount of \$39,117.00.
- 2) The City of La Crescent agrees to own, assume 100 percent operational costs for the facility, and will operate the facility for its intended purpose for the functional life of the facility which is estimated to be 30 years.
- 3) The City of La Crescent agrees to enter into necessary and required agreements with the MASC for the specific purpose of completing the project.
- 4) That a request for reimbursement be made to the MASC for the amount awarded after the completion of the project.
- 5) That Bill Waller and/or City of La Crescent is authorized and directed to execute said application and serve as the official liaison with the MASC.

ADOPTED this 26th day of September, 2016.

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.

ITEM 3.8 – HOMECOMING PARADE REQUEST

City Council reviewed a request from Chief Douglas Stavenau of the La Crescent Police Department for the La Crescent School District to have a Homecoming Parade on October 7, 2016 with parade floats and student band participation in the event. The parade would start at the La Crescent Middle School parking lot at approximately 12:40 p.m. and would travel north on Lancer to South 11th Street, north on Elm Street and then circle the Elementary School building returning to the High School parking lot by the same route. The La Crescent Police Department would provide assistance by marking the front and rear of the procession with emergency lighting. Following discussion, Member Hutchinson made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE ROUTE FOR THE LA CRESCENT SCHOOL DISTRICT HOMECOMING PARADE ON OCTOBER 7, 2016 AT 12:40 P.M. AND TO HAVE THE LA CRESCENT POLICE DEPARTMENT PROVIDE ASSISTANCE BY MARKING THE FRONT AND REAR OF THE POSSESSION WITH EMERGENCY LIGHTING.

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 – STATE JOINT POWERS AGREEMENT

City Attorney Wieser reviewed with City Council the proposed Joint Powers Agreement and Court Data Services Subscriber Amendment to CJDN Subscriber Agreement between the City of La Crescent and the Minnesota Bureau of Criminal Apprehension (BCA). The Agreement relates to information and data that the BCA obtains in support of criminal justice. The Agreement appears to be in order and it was recommended to City Council to approve by Resolution. The Resolution approves the Agreement and allows for City Attorney Al Wieser, III and Police Chief Doug Stavenau to be designated as Authorized Representatives to execute the Agreement and Amendment. Following discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-16-20

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF LA CRESCENT ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT

WHEREAS, the City of La Crescent on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State’s criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City

with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of La Crescent on behalf of its Prosecuting Attorney and Police Department are hereby approved.

2. That the Chief of Police, Douglas Stavenau, or his successor, is designated the Authorized Representative for the La Crescent Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Wieser Law Office, P.C., Al Wieser, III is appointed as the Authorized Representative's designee.

3. That Wieser Law Office, P.C., Al Wieser, III, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Wieser Law Office, P.C., Al Wieser, III is appointed as the Authorized Representative's designee.

4. That Mike Poellinger, the Mayor for the City of La Crescent, and Bill Waller, the City Administrator for the City of La Crescent, are authorized to sign the State of Minnesota Joint Powers Agreements.

ADOPTED this 26th day of September, 2016.

SIGNED:

Mike Poellinger, Mayor

ATTEST:

Bill Waller, City Administrator

The foregoing motion was duly seconded by Member Hutchinson 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 3.10 – 2017 GENERAL FUND BUDGET/LEVY

City Administrator Waller gave an extensive overview to City Council and explained the process for the proposed 2017 general fund budget and the proposed Resolution that sets the preliminary levy at a 6.7% increase. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION 09-16-21

**RESOLUTION MAKING FINAL GENERAL LEVIES FOR
COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE
CALENDAR YEAR 2017**

BE IT RESOLVED by the City Council of the City of La Crescent, Minnesota as follows:

1. It is hereby determined and declared that there shall be and there is hereby levied upon all taxable property within the City for the general purposes of the City, as provided by law, to be collected in the year 2017 as part of the general taxes due and payable in the year 2017 a direct ad valorem tax in the amount of \$1,786,533.00 as provided by State law to be levied and collected in the manner provided by law.
2. Be it also hereby determined and declared that there shall be and there is hereby levied upon taxable property within the City of La Crescent for public library service, a tax in the amount of \$134,200.00 to be collected in the year 2017, as authorized by Minnesota Statutes, Section 134.33 and 134.34.
3. It is hereby found, determined, and declared that the amounts set forth in a column at the right to be levied with taxes to be collected in the calendar year 2017, in conjunction with the various bonds issued and sinking funds described below:

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2017
101	2012	Tax Abatement – Walnut St. Prop.	\$7,200.00
325	2011B	G.O. Recreational Facility Bonds	\$210,510.00
322	2015A	G.O. Refunding Bonds	\$107,854.00
324	2011A	G.O. Improvement Bonds	\$34,000.00
326	2013A	G.O. Equipment Certificate	\$145,000.00
327	2016A	G.O. Improvement Bonds - Oak St.	\$115,800.00
		TOTAL DEBT SERVICE LEVY	\$620,364.00

4. Total levy for the City of La Crescent for collection in 2017 is \$2,541,097.00.

ADOPTED this 26th day of September, 2016.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Hutchinson 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 3.11 – 2016 PROJECT REVIEW/UPDATE

City Administrator Waller reviewed with City Council a Memo from City Engineer, Tim Hruska, a summary of the 2016 roadway projects that are currently under construction. This item was informational and no action was taken.

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber gave an update on their Dinner at the Depot and a Candidates Forum on October 18, 2016.

There being no further business to come before the Council at this time, Member Williams made a motion, seconded by Member Buehler, 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 6:20 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator