

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
OCTOBER 14, 2013

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of October was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, October 14, 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. 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 23, 2013
- 1.2 BILLS PAYABLE THROUGH OCTOBER 10, 2013
- 1.3 CASH BALANCE/ACTIVITY REPORT – AUGUST 2013
- 1.4 LIBRARY REPORT – AUGUST 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 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 – CLARA HOUSE REQUEST

Chief Todd Nelson of the La Crescent Police Department spoke to Council regarding a request by the Clara House to have a handicapped parking spot in front of their facility on South 2nd Street. Chief Nelson

recommends granting this request due to the number of handicapped and older residents at the facility. Following discussion, Member Husmann made a motion, seconded by Member Buehler, as follows:

MOTION TO ACCEPT THE RECOMMENDATION OF CHIEF TODD NELSON OF THE LA CRESCENT POLICE DEPARTMENT TO PLACE A HANDICAP PARKING SIGN ON THE WEST SIDE OF THE SIDEWALK IN FRONT OF THE CLARA HOUSE BUILDING ON SOUTH 2ND STREET AND ALSO TO EXTEND THE CURB CUT IN THIS AREA IF NECESSARY TO MEET REQUIREMENTS.

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 – HIRING RECOMMENDATION – POLICE DEPARTMENT

Chief Todd Nelson gave an overview regarding a candidate the personnel committee would like to recommend for hiring for the position of police officer in response to a retirement. The applicant is Christopher Frick. A background check on Mr. Frick resulted in very good reviews, no criminal record and a valid Class A driver's license with no violations. The hiring would be contingent on Mr. Frick passing a routine drug screen along with handgun and shotgun qualifications. Following discussion, Member Husmann made a motion, seconded by Member Graf, as follows:

MOTION TO APPROVE THE HIRING OF CHRISTOPHER FRICK FOR THE POSITION OF POLICE OFFICER OF THE LA CRESCENT POLICE DEPARTMENT SUBJECT TO THE PASSING OF A PRE-EMPLOYMENT DRUG SCREEN ALONG WITH HANDGUN AND SHOTGUN QUALIFICATIONS.

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 3.3 – APPLEFEST PARADE RESTRICTIONS

Member Williams requested this item be placed on the agenda and addressed the issue with Council. Council reviewed information presented last year regarding this matter. Following discussion, it was the consensus of Council to have Attorney Wieser and Chief Nelson come back to Council with recommendation at a future meeting. No action taken.

ITEM 3.4 – OPTION TO PURCHASE PROPERTY

City Attorney Wieser reviewed with Council a proposed Option Agreement for City-owned property located south of the former BP gas station. The specifics of the Option Agreement are as follows: the purchase price of the property is \$100,000.00; the period of the option is through May 16, 2014 with purchaser paying a \$1,000.00 non-refundable option fee; option can be renewed up to 90 days at Buyer’s discretion for an additional \$1,000.00; option is contingent upon the completion and negotiation of the Development Agreement with the City; and the Development Agreement would address the specifics of the project. Following discussion, Member Buehler made a motion, seconded by Member Graf, as follows:

MOTION TO APPROVE THE OPTION AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND I & B OF LA CROSSE, LLC FOR THE CITY-OWNED PROPERTY LOCATED SOUTH OF THE FORMER BP GAS STATION.

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 – PLANNING COMMISSION MINUTES – 9/17/13 & 10/1/13

Council reviewed the Planning Commission Minutes for their meetings on September 17, 2013 and October 1, 2013. No action taken.

ITEM 3.6 – FRIENDS OF THE LIBRARY

City Administrator Waller gave an overview to Council regarding the Friends of the Library needing to find a new location in which to operate their monthly used book sale. It was recommended to Council to allow the Friends of the Library to use the back conference room at City Hall until such time an alternate location can be obtained. The conference room can be set up in such a way that it will still function for City meetings, while also providing an area for the Friends of the Library to continue their fund raising activities. In 2012, the Friends of the Library donated over \$6,000.00 to the La Crescent Public Library. Following discussion, Member Husmann made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE REQUEST FROM THE FRIENDS OF THE LIBRARY TO OPERATE THEIR MONTHLY USED BOOK SALE IN THE BACK CONFERENCE ROOM AT CITY HALL UNTIL SUCH TIME AN ALTERNATE LOCATION CAN BE OBTAINED.

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 – LIBRARY BOARD STATUTE REVIEW

City Attorney Wieser reviewed with Council the Minnesota State Statute regarding Library Boards. No action taken.

ITEM 3.8 – MEMO OF UNDERSTANDING – U.S. FISH & WILDLIFE

Council reviewed a Memorandum of Understanding between the City of La Crescent and U.S. Fish and Wildlife Service to facilitate continued cooperation between the two for the construction, administration, and maintenance of Phase I of the Wagon Wheel Trail located in the City, from Sycamore Street to Shore Acres Road. It was recommended to approve this Memorandum of Understanding as proposed, and authorize the required signatures. Council also reviewed the Public Waters Work Permit from the Minnesota DNR, which was the other condition upon which the Council authorized proceeding with the project. Following discussion, Member Buehler made a motion, seconded by Member Husmann, as follows:

MOTION TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LA CRESCENT AND U.S. FISH AND WILDLIFE SERVICE TO FACILITATE CONTINUED COOPERATION BETWEEN THE TWO FOR THE CONSTRUCTION, ADMINISTRATION, AND MAINTENANCE OF PHASE I OF THE WAGON WHEEL TRAIL LOCATED IN THE CITY, FROM SYCAMORE STREET TO SHORE ACRES ROAD AND AUTHORIZE THE REQUIRED SIGNATURES.

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 3.9 – BOULEVARD TREE TRIMMING

Member Buehler requested this item be placed on the agenda and addressed the issue with Council. City staff has reviewed all of the streets north on Main Street, and letters have been mailed to those property owners requesting that they trim their boulevard trees in accordance with City standards. City staff will continue to work on this throughout the fall. No action taken.

ITEM 3.10 – BUSINESS ASSOCIATE AGREEMENT

City Attorney Wieser reviewed with Council a Business Associate Agreement between Brown & Brown of Wisconsin, Inc. and all of the Health Plans of Plan Sponsor to facilitate compliance with the HIPAA Rules. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE BUSINESS ASSOCIATE AGREEMENT BETWEEN BROWN & BROWN OF WISCONSIN, INC. AND ALL OF THE HEALTH PLANS OF PLAN SPONSOR TO FACILITATE COMPLIANCE WITH THE HIPAA RULES.

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 3.4 – OPTION TO PURCHASE PROPERTY – Returned to this Agenda Item

It was the consensus of City Council to have City Attorney Wieser obtain a Preliminary Title Report for the property at the approximate cost of \$250.00 - \$350.00.

ITEM 6.1 – GOLF COMMISSION MINUTES – JUNE 20, 2013

Council reviewed the Minutes of the Golf Commission Meeting held on June 20, 2013. No action taken.

ITEM 6.2 – FIRE COOPERATIVE MINUTES – SEPTEMBER 24, 2013

Council reviewed the Minutes of the La Crescent Community Fire Cooperative Meeting held on September 24, 2013. No action taken.

ITEM 7.1 – CORRESPONDENCE – MINNESOTA MANAGEMENT AND BUDGET

Council reviewed correspondence dated September 26, 2013 from Minnesota Management and Budget regarding compliance with the Local Government Pay Equity Act. No action taken.

ITEM 8.1 – CHAMBER OF COMMERCE

The Chamber of Commerce reported that the Holiday Train would be coming to La Crescent on December 10, 2013 at 8:45 p.m.

There being no further business to come before the Council at this time, Member Buehler made a motion, seconded by Member Graf, 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 6:00 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator