

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
OCTOBER 22, 2018

Pursuant to due call and notice thereof, the second 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 22, 2018, 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, City Zoning/Building Official Shawn Wetterlin and Community Development Director Terry Erickson.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. It was requested to add a third contract extension to Item 3.1 – 2018 Project Review – Contract Extension. Member Buehler made a motion, seconded by Member Krenz, 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
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 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 – OCTOBER 8, 2018
- 1.2 BILLS PAYABLE THROUGH OCTOBER 18, 2018

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 Krenz 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, 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 3.1 – 2018 PROJECT REVIEW – CONTRACT EXTENSION

City Administrator Waller and City Attorney Wieser reviewed with City Council three requests for contract extensions due to the weather this summer and fall. The first was from McHugh Excavating for an extension to June 15, 2019 for the 2018 Street and Utility Improvement Project. McHugh Excavating plans to complete work on the streets that have already experienced construction as part of their project. Those roads will be completed with final restoration occurring in 2018. The roads that have not been started will be put on hold until the spring of 2019. Due to the time of year that construction would begin, there is a higher probability that these roads would not be able to be completed due to cold weather, creating a maintenance problem for the City. It was recommended that the warranty period for the entire project not start until the work is completed on all streets. The second request was from Griffin Construction for an extension to November 30, 2018 for the Veteran's Park Parking Lot project. They are still attempting to meet the specified construction completion date and have been working on the project when the site conditions have been accommodating for work. The third request was from Zenke, Inc. for an extension to November 9, 2018 for the South 3rd Street Infrastructure Improvement project. The paving base should be completed by October 30, with landscaping to begin immediately after the pavement is complete. The final lift of blacktop extension would be to June 15, 2019.

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

MOTION TO APPROVE THE CONTRACT EXTENSION TO MCHUGH EXCAVATING TO JUNE 15, 2019 FOR THE 2018 STREET AND UTILITY IMPROVEMENT PROJECT, WITH THE WARRANTY PERIOD BEGINNING UPON THE COMPLETION OF THE ENTIRE PROJECT.

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.

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

MOTION TO APPROVE THE CONTRACT EXTENSION TO GRIFFIN CONSTRUCTION COMPANY, INC. TO NOVEMBER 30, 2018 FOR THE VETERAN'S PARK PARKING LOT PROJECT.

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.

Following discussion, Member Krenz made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE CONTRACT EXTENSION TO ZENKE, INC. TO NOVEMBER 9, 2018 FOR THE PAVING OF THE BASE AND LANDSCAPING AND TO JUNE 15, 2019 FOR THE FINAL LIFT OF BLACKTOP FOR THE SOUTH 3RD STREET INFRASTRUCTURE IMPROVEMENT PROJECT.

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 3.2 – SOLID WASTE CONTRACT AMENDMENT

City Attorney Skip Wieser reviewed with City Council that Hilltopper Refuse has requested that the City consider an Irrevocable Letter of Credit provided by Merchants Bank in lieu of previously agreed upon Performance Bond. The Irrevocable Letter of Credit from Merchants Bank was reviewed by the City Attorney. The remaining portions of the service contract would remain the same, including the insurance requirements. It was recommended to City Council to substitute the Irrevocable Letter of Credit in lieu of a Performance Bond and for City Council to approve the Solid Waste Contract with replacing previously adopted paragraph 6.2 with the following:

6.2 Irrevocable Letter of Credit. The Contract shall specify requirements for an Irrevocable Letter of Credit in the case of the Contractor's failure to perform contracted services. The City shall be identified as the beneficiary of the Irrevocable Letter of Credit. The Irrevocable Letter of Credit shall be for a minimum amount of Two Hundred Thousand 00/100 Dollars (\$200,000). Said Irrevocable Letter of Credit to be renewed annually and verification of the ability to maintain said Irrevocable Letter of Credit will be provided to the City no later than December 15th of each year of this contract for the preceding year.

All other terms of the contract that were provided to the Council at the previous meeting would remain unchanged. Following discussion, Member Krenz made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE AN AMENDMENT TO THE SOLID WASTE CONTRACT BY SUBSTITUTING AN IRREVOCABLE LETTER OF CREDIT IN LIEU OF A PERFORMANCE BOND AND FOR CITY COUNCIL TO APPROVE THE SOLID WASTE CONTRACT WITH REPLACING PREVIOUSLY ADOPTED PARAGRAPH 6.2 AS OUTLINED ABOVE.

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 3.3 – LANCER YOUTH HOCKEY LEASE AGREEMENT

No action was taken on this item and it was requested to add to the next City Council Meeting agenda.

ITEM 3.4 – SOLID WASTE ORDINANCE AMENDMENTS

City Attorney Wieser reviewed with City Council a proposed Ordinance for an amendment to Ordinance No. 481. The proposed amendment to the Solid Waste Ordinance is in regard to Recycling Containers. The intent of the change is to make the Ordinance consistent with the proposed Agreement.

Section 1.7, Section D, shall be amended as follows:

D. *Recycling Containers.* The licensed hauler to provide recycling services shall provide to the owner or occupant of each Residential Property a container for the separation and Collection of Recyclable Materials. The owner or occupant of each Residential Property shall leave the recycling containers at the premises upon relocation and shall maintain the recycling containers in good condition.

Following discussion, Member Williams introduced the following Ordinance, and moved its passage and adoption:

ORDINANCE NO. 527

**AN ORDINANCE AMENDING ORDINANCE NO. 481 ADOPTED ON MAY 13, 2013, AND TITLED
“AN ORDINANCE PROVIDING FOR THE ORDERLY AND EFFICIENT COLLECTION AND
MANAGEMENT OF SOLID WASTE WITHIN THE CITY OF LA CRESCENT”**

The City Council of La Crescent ordains as follows:

SECTION I: Section 1.7(D) of Ordinance No. 481, adopted on May 13, 2013, and titled “An ordinance providing for the orderly and efficient collection and management of solid waste within the City of La Crescent” is amended to read as follows:

Section 1.7 (D)

D. *Recycling Containers.* The licensed hauler to provide recycling services shall provide to the owner or occupant of each Residential Property a container for the separation and Collection of Recyclable Materials. The owner or occupant of each Residential Property shall leave the recycling containers at the premises upon relocation and shall maintain the recycling containers in good condition.

All other provisions of Ordinance No. 481 and Ordinance No. 482 not previously amended, or amended herein, shall remain in full force and effect.

SECTION II: This Ordinance No. 527 shall become effective from and after due passage and enactment and publication according to law.

PASSED AND ENACTED this 22nd day of October, 2018.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Buehler 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 ordinance was declared duly passed and adopted.

ITEM 3.5 – AUTHORIZE CAPITAL EXPENDITURE

City Administrator Waller reviewed with City Council that the 2017 capital equipment certificate includes funds to purchase a new Bobcat. It was recommended to City Council to approve the purchase of a new 2018 S595 Bobcat from Bobcat of the Coulee Region, Dresbach, from the Minnesota State contract for \$37,649.22.

It was also recommended to City Council to approve the purchase of a swing boom cutter attachment for \$8,500 from Bobcat of the Coulee Region. There are funds in the 2017 capital equipment certificate for this expenditure. The City currently has a 1994 Bobcat 742B at the golf course, and a 2009 Bobcat S185 in the City maintenance department. As proposed, the new Bobcat would be used in the City's maintenance department, the 2009 Bobcat would move to the golf course, and the 1994 Bobcat would be sold on MinBid. Following discussion, Member Hutchinson made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PURCHASE OF A NEW 2018 S595 BOBCAT FROM BOBCAT OF THE COULEE REGION, DRESBACH, FROM THE MINNESOTA STATE CONTRACT FOR \$37,649.22 AND THE PURCHASE OF A SWING BOOM CUTTER ATTACHMENT FOR \$8,500 FROM BOBCAT OF THE COULEE REGION USING FUNDS IN THE 2017 CAPITAL EQUIPMENT CERTIFICATE AND ALSO TO AUTHORIZE THE SALE OF THE 1994 BOBCAT 742B ON MINBID.

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 3.6 – AUTHORIZE COUNCIL CHAMBERS SPEAKER SYSTEM

City Zoning/Building Official Wetterlin reviewed with City Council the need for a speaker system in City Council chambers for meetings. It was recommended to City Council to authorize the purchase of a Wireless Microphone system from Musicians Friend in the amount of \$764.00. There are funds available in the 2018 General fund budget for this building improvement. Following discussion, Member Krenz made a motion, seconded by Member Williams, as follows:

MOTION TO AUTHORIZE THE PURCHASE OF A WIRELESS MICROPHONE SYSTEM FOR CITY COUNCIL CHAMBERS FROM MUSICIANS FRIEND IN THE AMOUNT OF \$764.00 USING FUNDS AVAILABLE IN THE 2018 GENERAL FUND BUDGET FOR THIS BUILDING IMPROVEMENT.

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 3.7 – FIREFIGHTER RESIGNATION

City Council reviewed a memorandum from Tom Paulson, La Crescent Fire Department Chief, regarding the resignation of Fire Fighter William Tippery from the La Crescent Fire Department effective October 4, 2018. Mr. Tippery has served as a fire fighter and first responder for nearly 3 years of service. He intends to move out of La Crescent for job and family commitments. The La Crescent Fire Department has accepted his resignation. Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE THE RESIGNATION OF FIRE FIGHTER WILLIAM TIPPERY FROM THE LA CRESCENT FIRE DEPARTMENT EFFECTIVE OCTOBER 4, 2018.

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.

At 5:57 PM, the Joint Meeting with City Council, the Planning Commission, and Development Commission convened.

The following Planning Commission Members were present: Dave Hanifl, Patti Dockendorff, Jason Ludwigson, Dick Wieser, Anna Stoecklein, and Jerry Steffes. Member absent from the Planning Commission: Linda Larson.

The following Economic Development Commission Member was present: Eileen Krenz. Members absent from the Economic Development Commission: Larry Stryker, Steve Bissen, Troy Nolop, Travis Minegar, Al Voss and Brett Kemmer. A quorum of the Economic Development Commission was not present.

ITEM 3.8 – FLOODPLAIN ORDINANCE REVIEW

City Attorney Wieser reviewed with City Council and the Commissions a proposed Floodplain Ordinance. The Minnesota DNR and Federal Emergency Management Agency (FEMA) is requiring that Floodplain Ordinances be updated to incorporate the flood insurance study of Houston County. The ordinance needs to be adopted prior to December 7, 2018. If the ordinance is not adopted by that time, FEMA will suspend the City of La Crescent from the National Flood Insurance Program (NFIP). Part of the approval process will be to approve the NFIP maps. The purpose of this item was to provide notice to the City Council and Planning Commission members of the contemplated following approval dates. The Planning Commission will conduct its public hearing on November 7, 2018. The City Council will consider the matter at its November 13, 2018 meeting. Also reviewed was a conditional approval letter from the DNR and maps. This item was informational, and no action was taken.

ITEM 3.9 -2019 WORK PLANS

This item was included in the agenda with the intent of opening discussions between the City Council and the Planning and Development Commissions regarding the working relationships between each of the three entities. City Administrator Waller gave an overview. It was suggested to have two joint meetings a year in April and October. The meetings would include the three entities, along with the Park and Recreation Commission, the GreenStep Committee and the Library Board. No action was taken.

ITEM 3.10 – COMMUNITY BRANDING PROJECT – GRANT AWARD

Terry Erickson, Community Development Director, reviewed with City Council a Grant Commitment from the Southern Minnesota Initiative Foundation (SMIF) in the amount of \$10,000.00 for the La Crescent Community Branding Project. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE GRANT COMMITMENT FROM THE SOUTHERN MINNESOTA INITIATIVE FOUNDATION (SMIF) IN THE AMOUNT OF \$10,000.00 FOR THE LA CRESCENT COMMUNITY BRANDING PROJECT.

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 3.11 – DOWNTOWN DEVELOPMENT PROJECT

City Administrator Waller reviewed with City Council a letter from VSC/Quillin's regarding their interest in developing a new store in downtown La Crescent. The following items were also discussed as part of this topic:

1. A map of the block which identifies the 5 properties that are owned by the City.
2. The section from the City's Downtown Vision and Strategic Plan related to the block.
3. The substandard building determination for City Hall.
4. The substandard building determination for the property at 337 Main Street which was done prior to the structure being demolished.
5. An appraisal for City Hall.
6. A programming review of space at the current City Hall, and space recommendations for a new City Hall.

This item was informational, and no action was taken.

ITEM 3.12 – OPTIONS TO FINANCE A NEW CITY HALL/LIBRARY

City Administrator Waller gave an overview to City Council regarding the options to finance the construction of a new City Hall/Library. This information was presented at Special City Council meeting on September 12, 2017. The information was presented as the basis for beginning a discussion on the options available to the City. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO AUTHORIZE THE CITY ADMINISTRATOR AND CITY ATTORNEY TO NEGOTIATE A DEVELOPMENT AGREEMENT WITH VSC/QUILLIN’S REGARDING THEIR INTEREST IN DEVELOPING A NEW STORE IN DOWNTOWN LA CRESCENT.

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.

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

MOTION TO SOLICIT A PROPOSAL FROM DAVE HOLSTROM OF CONSTRUCTION EXPRESS INC. REGARDING THE CONSTRUCTION OF A NEW CITY HALL/LIBRARY.

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 6.1 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – LIBRARY BOARD MINUTES – AUGUST 14, 2018

City Council reviewed the Minutes from the August 14, 2018 La Crescent Library Board meeting. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber of Commerce reported that the Holiday Train will be in La Crescent on December 5, 2018. The Candidates Forum is scheduled for October 23, 2018 at 6:30 PM and there will be a chili cook-off to support the Event Center at the Sport Hub.

There being no further business to come before the Council at this time, Member Buehler made a motion, seconded by Member Hutchinson, to adjourn the meeting. 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 and the meeting duly adjourned at 6:50 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator