

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
DECEMBER 10, 2018

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of December was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, December 10, 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, 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 for this regular meeting:

- 1.1 MINUTES – NOVEMBER 26, 2018
- 1.2 BILLS PAYABLE THROUGH DECEMBER 6, 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 Hutchinson made a motion, seconded by Member Krenz, 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 – 2019 GENERAL FUND BUDGET AND LEVY

City Administrator Waller reviewed with City Council the information that was presented at the November 26, 2018 City Council meeting when this item was first considered. This past week City Officials met with two members of the County Board and the County Assessor to discuss the increase in market values. The following are answers provided by the County to questions that were asked: 1) There is no limit to how much a property's

market value can increase in one year; 2) There is no provision or allowance to phase in an increase in market values; and 3) There is nothing that the County can do at this point in time to evaluate or adjust market values. The following scenarios were reviewed where the proposed levy is reduced, and the corresponding impact on 2019 property taxes. For a property that's taxable market value increased from \$149,100 to \$197,500, and the total property taxes increased from \$2,672 to \$3,640, a reduction in the City levy of \$50,000 would reduce the City portion of the taxes from \$1,367 to \$1,344, a reduction of \$23. For a property that's taxable market value increased from \$223,900 to \$260,200, and the total property taxes increased from \$3,974 to \$4,660, a reduction in the City levy of \$50,000 would reduce the City portion of the taxes from \$1,761 to \$1,731, a reduction of \$30. For a property that's taxable market value remained the same at \$158,500 from one year to the next, and the total property taxes increased from \$2,836 to \$2,878, a reduction in the City levy of \$50,000 would reduce the City portion of the taxes from \$1,073 to \$1,054, a reduction of \$19. It was the consensus of the City Council to authorize the City Attorney to draft a correspondence to the County regarding their evaluation process and to present to City Council at the next Council meeting. Following discussion, Member Hutchinson made a motion, seconded by Member Williams, as follows:

MOTION TO REDUCE THE LEVY BY \$50,000.00 AND TO ADOPT THE 2019 GENERAL FUND BUDGET, EXCLUDING THE \$1,500.00 FOR THE SE MINNESOTA HISTORIC BLUFF COUNTY MEMBERSHIP.

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.

Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE \$1,500.00 FOR THE SE MINNESOTA HISTORIC BLUFF COUNTY MEMBERSHIP.

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
Dale Williams	Yes
Mike Poellinger	Yes

Member Brian Krenz abstained from voting and none voted against the same. The motion was declared duly carried by a 4-0 vote.

Following review and discussion of the above information, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION 12-18-29

**RESOLUTION MAKING FINAL GENERAL LEVIES FOR
COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE
CALENDAR YEAR 2019**

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 2019 as part of the general taxes due and payable in the year 2019 a direct ad valorem tax in the amount of \$1,851,364 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 \$155,001 to be collected in the year 2019, 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 2019, in conjunction with the various bonds issued and sinking funds described below:

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2019
101	2012	Tax Abatement – Walnut St. Prop.	\$7,200.00
325	2011B	G.O. Recreational Facility Bonds	\$198,650.00
322	2015A	G.O. Refunding Bonds	\$103,005.00
324	2011A	G.O. Improvement Bonds	\$34,000.00
326	2013A	G.O. Equipment Certificate	\$144,200.00
327	2016A	G.O. Improvement Bonds – Oak St.	\$112,370.00
328	2017A	G.O. Equipment Certificate	\$120,050.00
329	2018A	G.O. Improvement Bonds	\$141,200.00
		TOTAL DEBT SERVICE LEVY	\$860,675.00

4. Total levy for the City of La Crescent for collection in 2019 is \$2,867,040.00.

ADOPTED this 10th day of December, 2018.

SIGNED:

Mayor

ATTEST:

City Administrator

The motion for the adoption of the foregoing resolution 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 3.2 – HILLVIEW BLVD WATERMAIN/STREET REPAIRS

City Engineer Hruska reviewed with City Council that during construction of the Hotel/Event Center project, it was discovered that a watermain was located near the proposed hotel building location. It was decided to relocate the watermain under the existing curb. The site contractor's underground subcontractor, Zenke, Inc., presented a plan to relocate the watermain using directional drilling techniques. Zenke has submitted an invoice to the City. The City Engineer has reviewed that invoice for \$12,639.14 and feels it is reasonable for the scope of the project. It should be noted that the pavement disturbed to tie into the main will be paid for by the hotel contractor. The watermain was required to be moved to build the hotel in its current design and location. The relocation of the watermain follows similar criteria for the storm sewer that was required to be relocated as part of the event center building. It was recommended to City Council to consider following the previous practice of cost participation in utility relocation costs for this development. Following discussion, Member Williams made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE PAYMENT OF \$12,639.14 TO ZENKE, INC., TO RELOCATE THE WATERMAIN LOCATED NEAR THE PROPOSED HOTEL BUILDING LOCATION USING DIRECTIONAL DRILLING TECHNIQUES FOR THE HOTEL/EVENT CENTER PROJECT WITH FUNDS FROM THE CONTINGENCY FUND FOR THE 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 3.3 – PROJECT REVIEW/UPDATE

City Engineer Tim Hruska reviewed with City Council the current engineering projects for the City. These projects included the following: Wagon Wheel Phase 2; Utility Extensions to Annexed Parcels; MS4 Permit; Street Inventory / 5-year CIP; Train Whistle; Boat/Kayak Launch Sites; Shore Acres Road Improvements; 2018 Street Project; Wagon Wheel Phase 3; County 6 Utility Extension; Veterans Park; Storm Water Review; South 7th Street Crossing; Horse Track Meadows; and Sanitary Sewer Agreement. This item was informational, and no action was taken.

ITEM 3.4 – WAGON WHEEL PROJECT – PHASE 3 REVIEW

City Administrator Waller and City Engineer Hruska reviewed with City Council a handout that was prepared for the Wagon Wheel project, along with a site plan for the bicycle/pedestrian bridge that is the third phase of the overall Wagon Wheel improvement project. The City has received a \$1 million Transportation Alternatives Program grant from MnDOT for the third phase of the project. These funds can only be spent on construction and cannot be used for engineering related to the preparation of the plans and specifications for the project. In addition, the 2018 State of Minnesota bonding bill included \$2.5 million for the third phase of the project. City Council also reviewed the legislation from the bonding bill. This is the first project that the City has worked with that includes bond funds. The bond funds are currently held in the Minnesota Office of Management and Budget but will be administered by the MN Department of Natural Resources. The City is working to have those funds released to the MN Department of Natural Resources so that a grant agreement can be prepared, and the City can begin to access those funds for costs associated with the improvement project. Also discussed were the partners in the project, which include MnDOT, the MN DNR, and the MN Office of Management and Budget, and what will need to happen in order to continue to move the project forward. City Engineer Hruska reviewed the project schedule with City Council. This item was informational, and no action was taken.

ITEM 3.5 – AGENDA REQUEST FORM – JENNIFER TORNSTROM

City Council reviewed an Agenda Request Form from Jennifer Tornstrom regarding the licensing requirements for massage therapists and business owners who are non-licensed and still pay a licensing fee to the City. Ms. Tornstrom addressed City Council on this issue. City Attorney Wieser reviewed with City Council the licensing process. Following discussion, it was the consensus of City Council to have the City Attorney and Chief of Police review and bring back recommendations to the Council. No action taken.

ITEM 3.6 – 2019 LICENSE RENEWALS

City Council reviewed a list of proposed license renewals for 2019. The applications appear to be in order and it was recommended to City Council to approve the license renewal applications. Following discussion, Member Buehler made a motion, seconded by Hutchinson, as follows:

MOTION TO APPROVE THE PRESENTED LIST OF LICENSE RENEWALS FOR 2019 FOR THE FOLLOWING:

CIGARETTES – PUMP 4 LESS/SOUTHSIDE CORNER

**LIQUOR OFF- SALE – LA CRESCENT WINE & SPIRITS; MINEGAR’S SPORTS HUB;
PUMP 4 LESS/SOUTHSIDE CORNER**

LIQUOR ON-SALE – MINEGAR’S SPORTS HUB

LIQUOR SUNDAY - MINEGAR’S SPORTS HUB

GAS INSTALLERS – BAGNIEFSKI HEATING & AIR CONDITIONING; PRIME SOURCE PLUMBING & HEATING; RISCH HEATING & AIR CONDITIONING; BOB’S APPLIANCE SERVICE; MIDWEST TV & APPLIANCE

SOLID WASTE – HARTER’S TRASH & RECYCLING

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 – BIRD CITY USA – NATURAL RESOURCES GROUP

City Administrator Waller gave an overview to City Council regarding the Bird City USA program. The City's Park and Recreation Commission and the City's GreenStep Committee are recommending that the City seek designation as a Bird City USA. In order to proceed, it was recommended that City Council approve seeking designation as a Bird City USA. The first step in the process is for the City Council to establish a Natural Resource Advisory Group. It was recommended for the Natural Resource Advisory Group to be chaired by Jim Nissen, and include the following members: Phyllis Feiock, Randy Urich, Jason Ludwigson, Ruth Nissen, Brian Krenz, Reid Smith, Janelle Ramaker, and Tyler Ramaker. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

MOTION FOR THE CITY TO PROCEED WITH DESIGNATION AS A BIRD CITY USA AND TO APPOINT THE NATURAL RESOURCE ADVISORY GROUP AS DESIGNATED 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 3.8 - PROFESSIONAL SERVICES AGREEMENTS

City Administrator Waller reviewed with City Council the 2019 professional service agreements/contracts with WHKS & Co. for engineering, Wieser Law Office for legal, and Terry Erickson for community development for the City of La Crescent. It was recommended to City Council to approve the 2019 fee schedules for WHKS & Co. and Wieser Law Office. It was also recommended to City Council to approve an increase in the fee charged by Terry Erickson from \$32 per hour to \$34.50 per hour for Community Development. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE 2019 FEE SCHEDULES WITH WHKS & CO. AND WIESER LAW OFFICE, P.C. AS PRESENTED AND TO INCREASE THE HOURLY FEE OF TERRY ERICKSON FOR COMMUNITY DEVELOPMENT TO \$34.50 PER HOUR.

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 – PERSONNEL COMMITTEE RECOMMENDATIONS

City Administrator Waller gave an overview to City Council regarding the following recommendations from the Personnel Committee:

1. On December 31, 2018, Shawn Wetterlin will have completed his one-year probationary period as the Assistant Fire Chief. Effective December 31, 2018, the Personnel Committee is recommending that Mr. Wetterlin's probationary status be removed and that he be classified as a regular City of La Crescent employee. City Council reviewed a letter from the Fire Chief regarding this recommendation.
2. That the City Council approve a tentative agreement with the AFSCME union. City Council reviewed a summary of the provisions of the tentative agreement. The agreement is for 2 years, ending December 31, 2020. The agreement includes an increase to the reimbursement for carrying a pager and modifications to the vacation schedule. There is no increase to the City's contribution for insurance in 2019, and the City's contribution for insurance increases in 2020 to \$919 per month single and \$1,701 per month family. Compensation is increased by 3.8% for 2019 and 3.0% for 2020.

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

MOTION TO APPROVE THE PROBATIONARY STATUS BE REMOVED ON DECEMBER 31, 2018 FOR SHAWN WETTERLIN AS ASSISTANT FIRE CHIEF FOR THE LA CRESCENT FIRE DEPARTMENT AND THAT MR. WETTERLIN BE CLASSIFIED AS A REGULAR CITY EMPLOYEE.

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

Bernie Buehler	Yes
Brian Krenz	Yes
Dale Williams	Yes

Member Ryan Hutchinson and Mayor Mike Poellinger abstained from voting and none voted against the same. The motion was declared duly carried by a 3-0 vote.

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

MOTION TO APPROVE A TENTATIVE AGREEMENT WITH THE AFSCME UNION FOR A 2-YEAR LABOR AGREEMENT THROUGH DECEMBER 31, 2020.

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 3.10 – GAMBLING PERMIT APPLICATION

City Council reviewed a gambling permit applications from the American Legion for an event on January 1, 2019 at the Sports Hub and from the La Crescent Fireman’s Relief Association for an event to be held March 20, 2019, at the La Crescent Fire Station. City Administrator Waller stated the applications both appear to be in order and recommended approval and authorize that they be forwarded to the Minnesota Gambling Control Board. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE A GAMBLING PERMIT APPLICATION FROM THE AMERICAN LEGION FOR AN EVENT ON JANUARY 1, 2019 AT THE SPORTS HUB AND TO AUTHORIZE IT BE FORWARDED TO THE MINNESOTA GAMBLING CONTROL BOARD.

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.

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

MOTION TO APPROVE A GAMBLING PERMIT APPLICATION FROM THE LA CRESCENT FIREMAN’S RELIEF ASSOCIATION FOR AN EVENT TO BE HELD MARCH 20, 2019, AT THE LA CRESCENT FIRE STATION AND TO AUTHORIZE IT BE FORWARDED TO THE MINNESOTA GAMBLING CONTROL BOARD.

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

Bernie Buehler	Yes
Brian Krenz	Yes
Dale Williams	Yes

Member Ryan Hutchinson and Mayor Mike Poellinger abstained from voting. The motion was declared duly carried by a 3-0 vote.

ITEM 3.11 – GREENSTEP MINUTES – POLLINATOR RESOLUTION

City Administrator Waller reviewed with City Council the minutes from the November 28, 2018 GreenStep Committee. City Council reviewed a proposed pollinator Resolution which the GreenStep Committee would like the City to adopt for the community. It was recommended to City Council to adopt the pollinator resolution, with the understating that the majority of the work related to this item is contingent upon the City proceeding to fill the sustainability coordinators position that is included in the proposed 2019 general fund budget. Following discussion of the above information, Member Krenz introduced the following resolution and moved its passage and adoption:

RESOLUTION 12-18-31

RESOLUTION DECLARING CITY OF LA CRESCENT A POLLINATOR-FRIENDLY COMMUNITY AND ENCOURAGING RESIDENTS AND BUSINESSES TO ADOPT POLLINATOR PROTECTION PRACTICES

WHEREAS, the City of La Crescent values it’s parks and open spaces, which contribute to La Crescent’s quality of life and to La Crescent’s Tourism Economy; and

WHEREAS, pollinators are a necessary component of a healthy ecosystem and food system, providing essential pollination of plants in order to grow vegetables, herbs, and fruits; and

WHEREAS, pollinator populations are in sharp decline due to an ongoing loss of habitat as a result of human land use practices, coupled with a simultaneous large-scale expansion of pesticide use by homeowners, landscapers, property managers, and farmers; and

WHEREAS, neonicotinoid and other systemic pesticides have been shown to cause illness and death to bees and other pollinators; and

WHEREAS, local food production is needed to improve the health and food security of La Crescent residents and insect pollination is an essential component of local food production; and

WHEREAS, alternative land management practices are available that dramatically increase pollinator forage while decreasing maintenance costs; and

WHEREAS, the monetary and social cost of maintaining pollinator-friendly landscapes can be less expensive than the costs associated with maintaining chemically -treated monocrop landscapes; and

WHEREAS, the State of Minnesota preempted any powers of local governments to regulate any and all matters concerning the registration, labeling, distribution, sale, handling, use, application, or disposal of pesticides; and

WHEREAS, many La Crescent residents and businesses are pledging to manage their land in a pollinator-friendly way;

NOW, THEREFORE, IT BE RESOLVED the city of La Crescent is hereby declared a Pollinator-Friendly community. The city celebrates policies and practices that protect and support pollinator health including:

1. The City shall undertake its best efforts to become a Bee-Safe City by undertaking best management practices in the use of plantings and pesticides in all public places within the City.
2. The City shall refrain from the use of systemic pesticides on La Crescent City property including pesticides from the neonicotinoid family.
3. The City shall undertake its best efforts to plant flowers favorable to bees and other pollinators in the City's public spaces.
4. The City shall designate Bee-Safe areas in which future City plantings are free from systemic pesticides including neonicotinoids.
5. The City shall undertake best efforts to communicate to La Crescent residents the importance of creating and maintaining a pollinator-friendly habitat.
6. The City shall publish a Bee-Safe City Progress Report on an annual basis.

BE IT FURTHER RESOLVED that the City of La Crescent urges all La Crescent property owners, residents, businesses, institutions, and neighborhoods to become more pollinator-friendly by adopting practices including:

1. Committing to not use pesticides, including systemic insecticides, on their property;
2. Avoiding planting flowering plants that are treated with systemic insecticides;
3. Discontinuing the sale of pesticides and plants that are treated with systemic insecticides; and

- Planting more pollinator forage on their property and organic or chemical-free lawn and landscaping practices.

ADOPTED this 10th day of December, 2018.

SIGNED:

Mayor

ATTEST:

City Administrator

The motion for the adoption of the foregoing resolution 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 motion was declared duly carried and the resolution duly passed and adopted.

ITEM 6.1 – STAFF CORRESPONDENCE/COMMITTEE UPDATES – FIRE COOPERATIVE MEETING MINUTES – 11/30/18

City Council reviewed the Minutes from the November 30, 2018 La Crescent Community Fire Cooperative meeting. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

There was no updated from the La Crescent Chamber of Commerce.

There being no further business to come before the Council at this time, Member Hutchinson made a motion, seconded by Member Williams, 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 6:33 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator