

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
DECEMBER 12, 2016

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 12, 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 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 28, 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 – PLANNING COMMISSION MINUTES – DECEMBER 6, 2016

Donald Smith, Planning Commission Chairman, reviewed with City Council the minutes of the December 6, 2016 Planning Commission Meeting. Chairman Smith gave an overview of goals accomplished in 2016. This was informational and no action was taken.

ITEM 3.2 – ENGINEERING PROPOSAL – RACE TRACK PROPERTY

City Engineer Hruska reviewed with City Council the engineering proposal that was requested at the last City Council meeting. Also reviewed was a memo describing the alternatives available for the City to purchase the property, should there be a desire to do so in the future. Following questions and discussion, it was the consensus of City Council to combine Items 3.2 and 3.3 of the Agenda for review.

ITEM 3.2 ABOVE AND 3.3 – RACE TRACK PROPERTY OPTION

City Attorney Wieser reviewed with City Council the Option Purchase Agreement regarding the race track property that was presented at the last City Council Meeting. Following additional questions and discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO TABLE ITEM 3.2 – ENGINEERING PROPOSAL – RACE TRACK PROPERTY AND ITEM 3.3 – RACE TRACK PROPERTY OPTION OF THE 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.

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

MOTION TO CALL FOR A CLOSED SESSION AT THE DECEMBER 19, 2016 CITY COUNCIL MEETING AND TO DO REQUIRED NOTICES TO DISCUSS PURCHASE OF RACE TRACK PROPERTY IN CLOSED SESSION.

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 – ORDERLY ANNEXATION AGREEMENT

City Attorney Wieser reviewed with City Council an Orderly Annexation Agreement between the City of La Crescent and La Crescent Township which identifies three (3) areas of La Crescent Township. The agreement

would provide for immediate annexation for the areas as indicated on the map on the following dates: April 1, 2020; April 1, 2021; and April 1, 2026. The Agreement would be forwarded to the Township with adoption at a future meeting. Prior to adoption, notice and a public hearing would be required. It was the consensus of City Council to forward the Orderly Annexation Agreement to La Crescent Township for review. No action taken.

ITEM 3.5 – POWER PURCHASE AGREEMENT – SOLAR PROJECT

City Attorney Wieser gave an overview to City Council regarding the ongoing discussions regarding the installation of solar panels at the Fire Station. City Attorney Wieser reviewed a summary of the framework of how a Lease arrangement would work relating to the roof of the Fire Station along with a Solar Power Purchase Agreement. This item was informational and no action was taken. This item will be added to the January 9, 2017 City Council Meeting agenda.

ITEM 3.6 – CELL TOWER UPDATE

City Attorney Wieser reviewed with City Council the most current draft of the Cell Tower Easement Agreement. The discussions with Crown Castle are ongoing. It is contemplated that this transaction will close on or about December 21, 2016. The easement is in perpetuity and will only be executed upon receipt of the agreed upon easement amount of \$370,000.00. The cell tower is also asking for an access easement to Grandview Terrace, which is on City owned property adjacent to the ice arena. The terms of the easement were also reviewed. It was recommended that City Council approve the Easement Agreement and authorize the City Administrator and City Attorney to make any changes to the Agreement as necessary and for the Mayor, City Administrator and City Attorney to sign all documents necessary to effectuate the closing. Following discussion, Member Hutchinson made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE GRANT OF EASEMENT AND ASSIGNMENT OF LEASE BETWEEN THE CITY OF LA CRESCENT AND GLOBAL SIGNAL ACQUISITIONS IV LLC FOR THE CELL TOWER EASEMENT AND TO AUTHORIZE THE CITY ADMINISTRATOR AND CITY ATTORNEY TO MAKE ANY CHANGES TO THE AGREEMENT AS NECESSARY AND FOR THE MAYOR, CITY ADMINISTRATOR AND CITY ATTORNEY TO SIGN ALL DOCUMENTS NECESSARY TO EFFECTUATE THE CLOSING.

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 – TRANSPORTATION ALTERNATIVES PROGRAM RESOLUTIONS

City Administrator Waller reviewed with City Council the prior discussions relating to the City’s TAP letter of interest that has been reviewed by MnDOT. The third phase of the Wagon Wheel Project has been determined to be eligible for funding and at a point of readiness to submit a full application. The third phase of the Wagon

Wheel Project is a bike/pedestrian bridge over US Highway 61. The total project cost is estimated to be \$2,700,000, with \$1,000,000 available through the TAP application process. The application is due January 13, 2017, with funding available in 2021. One of the requirements of the grant application process is that the City Council adopts two Transportation Alternatives Program Resolutions, which City Council reviewed. In order to proceed with the application process, it was recommended to City Council to adopt these Resolutions. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 12-16-32

A RESOLUTION FOR CITY OF LA CRESCENT TO ACT AS SPONSORING AGENCY FOR THE TRANSPORTATION ALTERNATIVES PROJECT IDENTIFIED AS WAGON WHEEL TRAIL – PHASE 3

BE IT RESOLVED that the City of La Crescent agrees to act as sponsoring agency for a “Transportation Alternatives” project identified as Wagon Wheel Trail – Phase 3 and has reviewed and approved the project as proposed. Sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations.

BE IT FURTHER RESOLVED that the Sponsoring Agency will make available sufficient funds to cover the estimated local share of costs plus any additional project costs in the event that the project exceeds the estimated total cost of the project as reflected in the project application.

BE IT FURTHER RESOLVED that the City of La Crescent is hereby authorized to act as agent on behalf of this sponsoring agency.

Adopted this 12th day of December, 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 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.

Following further discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 12-16-33

**A RESOLUTION FOR CITY OF LA CRESCENT TO MAINTAIN FACILITY FOR THE
TRANSPORTATION ALTERNATIVES PROJECT IDENTIFIED AS
WAGON WHEEL TRAIL – PHASE 3**

WHEREAS, the Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way or property ownership acquired without prior approval from the FHWA; and

WHEREAS, Transportation Alternatives projects receive federal funding; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with alternative funds, this requirement should be applied to the project sponsor; and

WHEREAS, the City of La Crescent is the Sponsoring Agency for the Transportation Alternatives project identified as Wagon Wheel Trail – Phase 3.

THEREFORE BE IT RESOLVED that the Sponsoring Agency hereby agrees to assume full responsibility for the operation and maintenance for the property and facilities related to the aforementioned Transportation Alternatives project.

BE IT FURTHER RESOLVED that the Sponsoring Agency has received assurance that the Agency receiving the facility will retain responsibility for maintenance. Failure to adequately maintain the facility will result in the Recipient Agency being ineligible for further funding under this or similar federal or state funded programs.

Adopted this 12th day of December, 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 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 – PERSONNEL COMMITTEE RECOMMENDATIONS

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

1. The 2017 general fund budget includes an increase in the meeting allowance for Planning Commission meetings. In 2016 the meeting allowance was \$25 per meeting attended, and the 2017 general fund budget includes an increase in the meeting allowance to \$40 per meeting attended. The Personnel Committee is recommending that the meeting allowance be increased to \$50 per meeting, effective January 1, 2017.
2. That effective January 1, 2017, Alison Bettin’s rate of pay as the City’s GreenStep Program Intern be increased from \$10 to \$14 per hour. There are funds in the general fund budget for this increase.
3. A tentative agreement has been reached with the AFSCME Union on a two year contract agreement that covers 2017 and 2018. The agreement includes an increase in the City’s contribution to insurance and an increase in wages. In both 2017 and 2018 the City’s contribution to the family coverage would increase by \$70 per month, and the City’s contribution to single coverage would increase by \$30 per month. The tentative agreement also includes a revised salary schedule, with an adjustment in the salary schedule. The 2017 increase would be approximately 3%, and the 2018 increase would be approximately 3.8%. There are funds in the general fund budget for this increase.

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

MOTION TO APPROVE THAT THE MEETING ALLOWANCE FOR THE PLANNING COMMISSION MEETINGS BE INCREASED TO \$50 PER MEETING EFFECTIVE JANUARY 1, 2017.

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 Hutchinson, as follows:

MOTION TO APPROVE THAT EFFECTIVE JANUARY 1, 2017, ALISON BETTIN'S RATE OF PAY AS THE CITY'S GREENSTEP PROGRAM INTERN BE INCREASED TO \$14 PER HOUR WITH FUNDS IN THE GENERAL FUND BUDGET FOR THIS INCREASE.

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

MOTION TO APPROVE THE AFSCME UNION TWO YEAR CONTRACT AGREEMENT THAT COVERS 2017 AND 2018 WHICH INCLUDES AN INCREASE IN THE CITY'S CONTRIBUTION TO INSURANCE TO THE FAMILY COVERAGE BY \$70 PER MONTH AND AN INCREASE TO SINGLE COVERAGE BY \$30 PER MONTH IN BOTH 2017 AND 2018, AND ALSO A REVISED SALARY SCHEDULE, WITH AN ADJUSTMENT IN THE SALARY SCHEDULE OF AN INCREASE OF APPROXIMATELY 3% FOR 2017, AND AN INCREASE OF APPROXIMATELY 3.8% FOR 2018, WITH FUNDS IN THE GENERAL FUND BUDGET FOR THESE INCREASES.

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 – CHAMBER OF COMMERCE REQUEST

City Council reviewed a request from the La Crescent Chamber of Commerce to the City for assistance with tourism postage. This is similar to the request that the City Council approved in previous years. There are funds in the discretionary portion of the City Council general fund budget for this expenditure. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE CONTRIBUTION OF \$1,500.00 FROM THE DISCRETIONARY PORTION OF THE CITY COUNCIL GENERAL FUND BUDGET TO THE LA CRESCENT CHAMBER OF COMMERCE AS REIMBURSEMENT FOR A PORTION OF THE FUNDS THE CHAMBER HAS SPENT ON TOURISM POSTAGE FOR THE CITY OF LA CRESCENT IN 2016.

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. The motion was declared duly carried by a 4-0 vote.

ITEM 3.10 – 2017 LICENSE RENEWALS

City Council reviewed an amended list of proposed license renewals for 2017 presented at the meeting. The applications appear to be in order and it was recommended to City Council to approve the license renewal applications. Following discussion, Member Hutchinson made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE THE PRESENTED AMENDED LIST OF LICENSE RENEWALS FOR 2017 FOR THE FOLLOWING:

GAS INSTALLERS – HORMAN HVAC, LLC; NIEBUHR PLUMBING/HEATING.

MASSAGE BUSINESS AND MASSAGE TECHNICIAN – MAIN STREET MASSAGE, LLC; SIMPLE PLEASURES YOGA/MASSAGE.

SOFT DRINK, LIQUOR ON-SALE; LIQUOR SUNDAY – AMERICAN LEGION POST 595.

SOLID WASTE – HARTER’S TRASH AND RECYCLE.

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 3.11 - 7 – AUTHORIZE MOTOR VEHICLE EXPENDITURE

City Council reviewed a memo from City Building Official and City Finance Director regarding the State of Minnesota phasing in the Minnesota Licensing and Registration System project. In January 2017 the migration will begin to process Driver and Vehicle Services operations at the point of contact. This will mean that all information will be entered and processed during the customers visit to the City’s office. As part of this change the City will be required to have the computers located on the counters. Therefore, remodeling in the City’s License Bureau office to accommodate the relocation of the current computer and a new workstation will be required. Also lack of privacy and the need for a handicapped accessible counter area needs to be addressed. The City reviewed two proposals adding one additional DMV work station and bringing the reception counter up to ADA standards. It was recommended to approve the proposals from Wieser Brothers (labor) and Midwest Millwork & Casework (materials) in the amount of \$7,664.00. There are funds in the License Bureau reserves for this expenditure. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PROPOSALS FROM WIESER BROTHERS (LABOR) AND MIDWEST MILLWORK & CASEWORK (MATERIALS) IN THE AMOUNT OF \$7,664.00 FOR ADDING ONE ADDITIONAL DMV WORK STATION AND BRINGING THE RECEPTION COUNTER UP TO ADA STANDARDS IN THE CITY’S LICENSE BUREAU OFFICE WITH FUNDS FROM THE LICENSE BUREAU RESERVES 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 6.1 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – ECONOMIC DEVELOPMENT COMMISSION MINUTES – 11/14/2016

City Council reviewed the Minutes from the November 14, 2016 La Crescent Economic Development Commission meeting. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber did not have an update.

There being no further business to come before the Council at this time, Member Williams made a motion, seconded by Member Hutchinson, 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 6:25 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator