

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
JUNE 25, 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 June was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, June 25, 2018, followed by the Pledge of Allegiance.

Upon a roll call taken and tallied by the City Building/Zoning Official, 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 Attorney Skip Wieser, City Engineer Tim Hruska, and City Building/Zoning Official Shawn Wetterlin.

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 – JUNE 11, 2018
- 1.2 BILLS PAYABLE THROUGH JUNE 21, 2018
- 1.3 CASH BALANCE ACTIVITY REPORT – APRIL 2018
- 1.4 LIBRARY REPORT – APRIL 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 Buehler 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 Building/Zoning Official, 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 – POLICE OFFICER RECOGNITION

La Crescent Police Chief, Doug Stavenau, presented Officer Ryan Quanrud and Officer Christopher Frick a Certificate of Valor and pin in recognition of their professionalism for their actions during the early morning

hours of July 31, 2017. This incident immersed without warning into a violent confrontation and the Officers were able to resolve the incident without serious injury. No action taken.

ITEM 2.0 – PUBLIC HEARING – ANNEXATION – 155 CRESCENT AVENUE

At 5:35 PM the City Council held a public hearing to consider input on the proposed annexation of the property located at 155 Crescent Avenue that the owners had requested to be annexed and the adoption of Ordinance No. 522 annexing this property. City Attorney Wieser reviewed the map and findings for the Ordinance. Mayor Poellinger opened the meeting for public comment. There were no public comments. Following further discussion, Member Buehler introduced the following Ordinance, and moved its passage and adoption:

ORDINANCE NO. 522

AN ORDINANCE OF THE CITY OF LA CRESCENT, MINNESOTA ANNEXING LAND LOCATED IN LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of La Crescent, Minnesota, was duly presented to the Council of the City of La Crescent on the May 14, 2018; and

WHEREAS, said property is unincorporated and abuts the City of La Crescent on its northerly, westerly and a portion of the easterly boundaries; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is currently residential and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of La Crescent held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on June 25, 2018, following thirty (30) days written notice by certified mail to the Town of La Crescent and to all landowners within and contiguous to the area legally described herein, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA CRESCENT HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of La Crescent, Minnesota, are hereby extended to include the following described property, said land abutting the City of La Crescent and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

LOT SEVEN (7), BLOCK TWO (2), CRESCENT VALLEY SUBDIVISION, TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

The above described property consists of a total of 0.475 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. The City of La Crescent, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Town of La Crescent in accordance with the following schedule:

- a. In the first year following the year in which the City of La Crescent could first levy on the annexed area, an amount equal to \$620.65; and
- b. In the second and final year, an amount equal to \$620.65.

5. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

6. That the City Administrator of the City of La Crescent is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Houston County Auditor, and the La Crescent Township Clerk.

7. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of La Crescent, Minnesota, this 25th day of June, 2018.

Mayor

ATTEST:

City Administrator

In approving the above Motion, the City Council made the following findings of facts:

1. The property owners signed a Petition requesting that the property be annexed to the City of La Crescent;
2. The property is not presently served by public sewer facilities and public sewer facilities are not otherwise available;
3. The property is currently residential;
4. Minnesota Statutes § 414.033 Subd. 13 is not applicable as there will be no change in the electric utility service provider; and
5. More than 30 days written notice was provided to La Crescent Township and to contiguous landowners by certified mail.

The foregoing motion was duly seconded by Member Krenz and upon a roll call vote taken and tallied by the City Building/Zoning Official, 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.

City Attorney Wieser then reviewed with Council the Summary Ordinance for publication. The Council made the following findings of facts: that publication of the summary informs the public of the intent and effect of the Ordinance.

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

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 522 BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE CITY AND WITH “OFFICIAL COPY” SO MARKED BE KEPT ON FILE IN THE OFFICE OF THE CITY ADMINISTRATOR

Upon a roll call vote taken and tallied by the City Building/Zoning Official, 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.

After the adoption of the Ordinance, the Council reconvened with the schedule of the Regular City Council Meeting.

ITEM 3.2 – VETERANS PARK PROJECT BID RESULTS

ITEM 3.5 – VETERANS PARKING LOT BID RECOMMENDATION

City Engineer Hruska reviewed with City Council the bid results for the Veterans Park parking lot/storm water improvement project. Also reviewed was a previous memo that included information on how the project will be financed, and how the costs of the project will be allocated. City Council also reviewed and discussed the trail extension, the storm water pond and other project additions. The completion date for the project is set for October 31, 2018. Following review of the Bidder’s List, it was recommended to City Council to award the contract to Griffin Construction in the amount of \$871,117.78. Griffin Construction was the low responsive, responsible bidder. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

MOTION TO ACCEPT THE PROPOSAL FROM GRIFFIN CONSTRUCTION FOR \$871,117.78 FOR THE VETERANS PARK PARKING LOT/STORM WATER IMPROVEMENT PROJECT.

Upon a roll call vote taken and tallied by the City Building/Zoning Official, 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.

Jeff Henthorne filed an Agenda Request regarding Veteran Park concerns and addressed City Council regarding his concerns. No action was taken.

ITEM 3.3 – PLANNING COMMISSION MINUTES – JUNE 5, 2018

City Building/Zoning Official Wetterlin reviewed with City Council the Planning Commission Minutes for the June 5, 2018 meeting. This item was informational, and no action was taken.

ITEM 3.4 – 2018 CONCRETE PROPOSALS

City Building/Zoning Official Wetterlin reviewed with City Council the proposals to remove and replace damaged and defective concrete sidewalk and curb/gutter at various locations throughout the community. Following review of the proposals, it was recommended to City Council to accept the proposal submitted by Voss & Sons in the amount of \$19,862.00. There are funds in the City's 2018 general fund budget for this expenditure. Following discussion, Member Williams made a motion, seconded by Member Buehler, as follows:

MOTION TO ACCEPT THE PROPOSAL FROM VOSS & SONS IN THE AMOUNT OF \$19,862.00 FOR THE 2018 CONCRETE PROJECT USING FUNDS IN THE CITY’S 2018 GENERAL FUND BUDGET FOR THIS EXPENDITURE.

Upon a roll call vote taken and tallied by the City Building/Zoning Official, 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 3.6 LOCKNET IT SERVICES CONTRACT RENEWAL

City Council reviewed a memorandum from City Finance Director, Debbie Shimshak, regarding the Locknet Proposal for the next 36 months of IT Services for the City. The annual increase of \$2,500 from last year is made up of \$1,500 due to adding two computers, four Wi-Fi access points and 16 new emails in 2017. The remaining balance of \$1,000 is due to a general price increase. It was recommended to City Council to approve the contract renewal with Locknet for the next thirty-six months. Following discussion, Member Hutchinson made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE THE CONTRACT RENEWAL WITH LOCKNET FOR THE NEXT THIRTY-SIX MONTHS FOR IT SERVICES FOR THE CITY.

Upon a roll call vote taken and tallied by the City Building/Zoning Official, 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 – SOLAR REQUEST FOR PROPOSALS

City Attorney Wieser reviewed with City Council a recommendation to authorize the City Administrator and City Attorney to develop a request for proposals for installation of solar facility at the following City owned properties: Animal Rescue Building at 523 South Chestnut Street; Aquatic Center at 608 South 7th Street; City Maintenance Facility; Radium Treatment Plant at 722 North 2nd Street; and Public Library at 321 Main Street. The work will be done with the involvement of the City's Green Step Program. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

MOTION TO AUTHORIZE THE CITY ADMINISTRATOR AND CITY ATTORNEY TO DEVELOP A REQUEST FOR PROPOSALS FOR INSTALLATION OF SOLAR FACILITY AT THE FOLLOWING CITY OWNED PROPERTIES: ANIMAL RESCUE BUILDING AT 523 SOUTH CHESTNUT STREET; AQUATIC CENTER AT 608 SOUTH 7TH STREET; CITY MAINTENANCE

FACILITY; RADIUM TREATMENT PLANT AT 722 NORTH 2ND STREET; AND PUBLIC LIBRARY AT 321 MAIN STREET.

Upon a roll call vote taken and tallied by the City Building/Zoning Official, 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 3.8 – PERSONNEL COMMITTEE RECOMMENDATION

City Attorney Wieser reviewed with City Council an Employee Separation Agreement between the City of La Crescent, International Operating Engineers No. 49, and the City's Golf Course Manager. Also reviewed was the employee's Letter of Resignation. It was recommended to City Council to approve the Separation Agreement and accept the employee's resignation. City Attorney Wieser reviewed the purpose of Agreement pursuant to Minn. Stat. §13.43 subd. 2 (a)(6) and recommended City Council adopt the following findings of fact:

1. The Agreement is in best interest of the City of La Crescent and Pine Creek Golf Course;
2. The Agreement avoids the expenditure of significant time and expense;
3. The Agreement avoids the risks of litigation/union grievances; and
4. The Agreement fully resolves disputes among the parties regarding the employment relationship.

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

MOTION TO ADOPT THE FINDINGS OF FACT AS STATED ABOVE REGARDING THE EMPLOYEE SEPARATION AGREEMENT BETWEEN THE CITY OF LA CRESCENT, INTERNATIONAL OPERATING ENGINEERS NO. 49, AND THE CITY'S GOLF COURSE MANAGER.

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

Bernie Buehler	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and Member Ryan Hutchinson voted against the same. The motion was declared duly carried by a 4-1 vote.

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

MOTION TO ACCEPT THE RESIGNATION OF THE CITY’S GOLF COURSE MANAGER.

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

Bernie Buehler	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and Members Ryan Hutchinson and Brian Krenz voted against the same. The motion was declared duly carried by a 3-2 vote.

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

MOTION TO APPROVE THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE BETWEEN THE CITY’S GOLF COURSE EMPLOYEE, THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL #49 AND THE CITY OF LA CRESCENT AND TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO SIGN.

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

Bernie Buehler	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and Member Ryan Hutchinson voted against the same. The motion was declared duly carried by a 4-1 vote.

ITEM 8 – CHAMBER OF COMMERCE

Eileen Krenz of the La Crescent Chamber of Commerce thanked the City for its support of the Block Party held on June 23, 2018.

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 Building/Zoning Official, 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 5:58 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator