

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
SEPTEMBER 11, 2017

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of September was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, September 11, 2017, 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 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, including additional bills, for this regular meeting:

- 1.1 MINUTES – AUGUST 28, 2017
- 1.2 BILLS PAYABLE THROUGH SEPTEMBER 7, 2017
- 1.3 CASH BALANCE/ACTIVITY REPORT – JULY 2017
- 1.4 LIBRARY REPORT – JULY 2017

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 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 – SEPTEMBER 5, 2017

Don Smith, Planning Commission Chairman, reviewed with City Council the Planning Commission Minutes for the September 5, 2017 meeting. The Planning Commission has one item that requires consideration by the City Council. The Planning Commission recommended that the City send a letter to MnDOT regarding the

incorrect placement of the recently installed rumble strips and the need for access for bicycles from and to the sidewalks on the West Channel Bridge from the shoulder on HWY 14/61. MnDOT has agreed to remove the rumble strips and install mumble strips at the edge of the fog line but no commitment date. The concern is that with no commitment date that the work might not be completed prior to the end of the 'construction season' and the closure of the asphalt plants. It is recommended that City Council request a specific date by which the committed work will be completed. Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

MOTION TO AUTHORIZE SENDING A LETTER TO MnDOT REGARDING THE RUMBLE STRIPS ON HWY 14/61 AND THE EXTENSION OF GUARD RAILS ON THE WEST CHANNEL BRIDGES AND TO REQUEST A DATE WHEN THE WORK WILL BE COMPLETED AND ALSO TO THANK MnDOT FOR THEIR WORK AND PROMPT ATTENTION.

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 3.2 – POLICE DEPARTMENT STAFFING

La Crescent Police Chief Doug Stavenau reviewed with City Council the placement of Officers Chris Frick and Ryan Quanrud on Administrative Leave on July 31, 2017 pursuant to La Crescent Police Department Policy 304.8.5, regarding Use of Force. The assignment of Administrative Leave is dictated by policy and should not be interpreted to imply or indicate the Officers acted improperly. The Minnesota Bureau of Criminal Apprehension (BCA) is currently investigating the incident. It is anticipated this investigation could take several months before it is concluded. Once concluded, the BCA findings are forwarded to an assigned County Attorney for review. This review could take an additional month. It was recommended to the City Council to approve that Officers Chris Frick and Ryan Quanrud be returned to regular employment status with the City of La Crescent. Chief Stavenau referenced the following Findings of Fact:

1. The Administrative Leave has caused significant impact for the Department; and
2. Both Officers Frick and Quanrud have successfully completed the requirements to return to duty.

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

MOTION TO RETURN OFFICERS CHRIS FRICK AND RYAN QUANRUD TO REGULAR EMPLOYMENT STATUS ON THE LA CRESCENT POLICE DEPARTMENT AND TO ADOPT THE FINDINGS STATED ABOVE.

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 3.3 – AUTHORIZE EXPENDITURE – POLICE DEPARTMENT

La Crescent Police Chief Doug Stavenau reviewed with City Council and requested permission to proceed with the purchase of three WatchGuard 4RE In-Squad Cameras with integrated Body Cameras. Chief Stavenau also requested City Council to adopt a reimbursement resolution as the funds are included in the 2017 Capital Equipment Certificate. The Police Department currently owns three Digital Ally Units, two DVM500s, which are at the end of their useful life, and a DVM800 that the Department continues to have operational issues with. The 2017 Ford F150 squad truck was equipped with a WatchGuard 4RE as the previous emergency vehicle did not have a camera system. It was recommended to City Council to authorize the purchase of the remaining three units at a cost of \$29,770.00, which would outfit the rest of the fleet. Following discussion, Member Hutchinson made a motion, seconded by Member Krenz, as follows:

MOTION TO AUTHORIZE THE EXPENDITURE OF \$29,700.00 FOR THE PURCHASE OF THREE WATCHGUARD 4RE IN-SQUAD CAMERAS WITH INTEGRATED BODY CAMERAS FOR THE LA CRESCENT POLICE DEPARTMENT AND TO ADOPT A REIMBURSEMENT RESOLUTION TO INCLUDE FUNDS IN 2017 CAPITAL EQUIPMENT CERTIFICATE.

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 – RESOLUTIONS TO ACCEPT DONATIONS

City Administrator Waller reviewed with City Council two (2) Resolutions regarding donations to the City. The first donation is from the Evening Star Chapter 71 who would like to donate \$500.00 to the La Crescent Fire Department and \$500.00 to the La Crescent Police Department for equipment needs. The second donation is from Eunice and Phil Dahlen who wish to donate \$20,000.00 for improvements at Pine Creek Golf Course in memory of Phil, a long-time community volunteer who maintained park areas and the West Channel Bridge landing, and planted numerous trees throughout the City and at Pine Creek Golf Course. It was recommended to City Council to adopt the Resolutions accepting the donations. Following discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-17-15

RESOLUTION ACCEPTING DONATION FROM EVENING STAR CHAPTER 71

WHEREAS, the Evening Star Chapter 71 wishes to donate \$500.00 to the La Crescent Fire Department and \$500.00 to the La Crescent Police Department for equipment needs in both the Fire and Police Departments.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of La Crescent hereby accepts the donation from the Evening Star Chapter 71 in the amount of \$1,000.00.

ADOPTED this 11th day of September, 2017.

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 motion was declared duly carried and the resolution duly passed and adopted.

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

RESOLUTION NO. 09-17-16

RESOLUTION ACCEPTING DONATION OF \$20,000.00 FROM PHIL AND EUNICE DAHLEN FOR IMPROVEMENTS AT PINE CREEK GOLF COURSE

WHEREAS, Eunice Dahlen wishes to donate \$20,000.00 for improvements at Pine Creek Golf Course in memory of Phil Dahlen, a long-time community volunteer who maintained park areas and the West Channel Bridge landing, and planted numerous trees throughout the City and at Pine Creek Golf Course.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of La Crescent hereby accepts the donation of \$20,000.00 from Phil and Eunice Dahlen for improvements at Pine Creek Golf Course.

ADOPTED this 11th day of September, 2017.

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 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 3.5 – RESOLUTION – CERTIFICATE OF INDEBTEDNESS

City Administrator Waller reviewed with City Council the information that was presented at the last meeting regarding the capital equipment certificate. Also included was additional information supplied by Northland Securities, along with a resolution approving the issuance of general obligation certificate of indebtedness. It was recommended to City Council to approve the Resolution approving the issuance of General Obligation Certificate of Indebtedness, Series 2017A. Following discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-17-17

RESOLUTION APPROVING THE ISSUANCE OF GENERAL OBLIGATION CERTIFICATE OF INDEBTEDNESS, SERIES 2017A

BE IT RESOLVED by the City Council of the City of La Crescent, Minnesota (herein, the “City”), as follows:

1. The City Council hereby finds and declares that it is necessary and expedient for the City to sell and issue its fully registered general obligation certificate of indebtedness in the approximate principal amount of \$897,000 (herein, the "Certificate"). The proceeds of the Certificate will be used to finance the purchase of various pieces of capital equipment and the costs of issuing the Certificate.
2. The City Council desires to proceed with the sale of the Certificate as a private placement with Northland Securities, Inc. ("NSI") as Placement Agent. NSI will seek to place the Certificate for the City with a purchaser in an arm's-length commercial transaction with the City.
3. The Preliminary Bank Term Sheet (the "Term Sheet"), attached hereto as Exhibit A, prepared to facilitate placement of the Certificate is hereby approved.
4. NSI is hereby authorized to use the Term Sheet to offer the Certificate for sale to potential lenders.

ADOPTED this 11th day of September, 2017.

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 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 3.6 – RESOLUTION – TRANSPORTATION PROGRAM GRANT

City Administrator Waller reviewed with City Council a resolution of support for the Transportation Economic Development Infrastructure grant that is recommended to be approved and submitted to the Minnesota Department of Employment and Economic Development. The application would be submitted for additional funding for the third phase of the Wagon Wheel Project, which is the construction of the bicycle/pedestrian

bridge over State Highway 61/14. In order to proceed, it is recommended that the City Council approve the resolution, authorize the signatures and the submittal of the grant application. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-17-18

**RESOLUTION FOR TRANSPORTATION ECONOMIC DEVELOPMENT INFRASTRUCTURE
(TEDI) PROGRAM APPLICATION**

BE IT RESOLVED, that the City of La Crescent act as the legal sponsor for project(s) contained in the Transportation Economic Development Infrastructure (TEDI) Program Application to be submitted on September 15, 2017 and that the Mayor and City Administrator are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of The City of La Crescent.

BE IT FURTHER RESOLVED, that the City of La Crescent has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure matching funds, adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED, that the City of La Crescent has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED, that upon approval of its application by the state, the City of La Crescent, may enter into an agreement with the State of Minnesota for the above-referenced project(s), and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED, that the City of La Crescent has secured \$1,000,000 towards local match for the project.

BE IT FURTHER RESOLVED, that the City of La Crescent will repay the grant if milestones are not realized by the completion date identified in the Application. The City of La Crescent certifies that it will comply with all applicable laws, regulations, and rules of the Application.

BE IT FURTHER RESOLVED, that the sources and uses, private investors, equity, and other financing commitments represented in the attached document are accurate.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and the City Administrator, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

ADOPTED this 11th day of September, 2017.

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 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 3.7 – PERSONNEL COMMITTEE RECOMMENDATION

City Administrator Waller gave an overview to City Council regarding the recommendation from the Personnel Committee to approve the hiring of Kimberly Voshart, as the part-time Vehicle License Bureau Clerk. Pursuant to the terms of the AFSCME union contract, Ms. Voshart would serve a six month probationary period. It was recommended that Ms. Voshart start at Step 1 in the union contract. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE HIRING OF KIMBERLY VOSHART AS A PART-TIME VEHICLE LICENSE BUREAU CLERK FOR THE CITY WITH MS. VOSHART STARTING AT STEP 1 IN THE SALARY SCHEDULE FOR THE POSITION AND THAT PURSUANT TO THE TERMS OF THE AFSCME CONTRACT, MS. VOSHART WOULD SERVE A SIX MONTH PROBATIONARY PERIOD.

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 3.8 – DECEMBER CITY COUNCIL MEETING SCHEDULE

City Administrator Waller reviewed with City Council that the fourth Monday in December this year is December 25th, Christmas Day. Based on this, it was recommended that the City Council approve holding only one City Council meeting in December, and that it be held on Monday, December 18, 2017. Following discussion, Member Hutchinson made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE HOLDING ONLY ONE CITY COUNCIL MEETING IN DECEMBER, 2017 AND THAT THE MEETING BE HELD ON MONDAY, DECEMBER 18, 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.

ITEM 3.9 – XCEL ENERGY STREET LIGHT UPDATE

City Administrator Waller reviewed with City Council an update on the Xcel Energy street light conversion to LED. This item was information and no action was taken.

ITEM 8.1 – CORRESPONDENCE – SENATOR JEREMY MILLER

City Council reviewed a correspondence from Senator Jeremy R. Miller congratulating the City and the City of La Crescent staff on being chosen to receive a Minnesota Small Cities Development grant. No action taken.

ITEM 9 – CHAMBER OF COMMERCE

There was no Chamber report.

There being no further business to come before the Council at this time, Member Buehler made a motion, seconded by Member Krenz, 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 5:50 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator