

MINUTES, REGULAR MEETING  
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA  
SEPTEMBER 25, 2017

Pursuant to due call and notice thereof, the second 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 25, 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 for this regular meeting:

- 1.1 MINUTES – SEPTEMBER 11, 2017
- 1.2 MINUTES – SEPTEMBER 12, 2017
- 1.3 BILLS PAYABLE THROUGH SEPTEMBER 20, 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 Krenz made a motion, seconded by Member Buehler, 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 12, 2017**

Don Smith, Planning Commission Chairman, reviewed with City Council the Planning Commission Minutes for the September 12, 2017 meeting. The Planning Commission had one item that required consideration by the City Council. The Planning Commission recommended granting a Conditional Use Permit to First Evangelical Church at 400 Main Street for the construction of a childcare center on Lot 14, Block 5, of the La Crescent Plat,

Parcel No. 25.025.9000. The Planning Commission referenced the following findings of fact and conditions for City Council to consider:

Findings of Fact:

1. Childcare is a conditionally permitted use in the Central Business District.
2. The lot on which the Childcare building is to be constructed is in the Central Business District.
3. The requested use does not alter the essential character of the neighborhood as childcare services are already provide in the main structure on the church and construction will be achieved with materials similar in look to the adjacent and connected First Evangelical Church.
4. The property owner proposes to use the property in a reasonable manner for childcare as permitted by the zoning ordinance.
5. The request is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan.
6. The Church parking lot to be constructed on Church property, west of the Church, is a permitted use in a RI-B Residential District and the Church is a permitted place of assembly in a RI-B Residential District.

Conditions of approval:

1. That the applicant replaces and expands available parking by providing for a minimum of 33 parking places as shown on the plan.
2. That the parking lot grading is designed to slope away from the adjacent property and the storm water plan is approved by the City Engineer.
3. That the parking space closest to the street (not including small 'hammerhead' for pulling out of the first space) is a minimum of 20 feet from the sidewalk and that the property between the sidewalk and the parking lot be initially sodded and continually maintained as green space.
4. That there are no plantings along the common property line with 434 Main Street for the first 20 feet measured from the sidewalk and that the next 40 feet be planted and maintained with materials that create a hedge like buffer between the properties.
5. That the construction is consistent with the plans presented to the Planning Commission and dated August 8th, 2017.
6. That the childcare facility complies with all applicable regulations.

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

**MOTION TO APPROVE THE CONDITIONAL USE PERMIT TO FIRST EVANGELICAL CHURCH AT 400 MAIN STREET FOR THE CONSTRUCTION OF A CHILDCARE CENTER ON LOT 14, BLOCK 5, OF THE LA CRESCENT PLAT, PARCEL NO. 25.025.9000 WITH THE ABOVE STATED CONDITIONS AND TO ADOPT THE FINDINGS STATED ABOVE AND AS STATED IN THE SEPTEMBER 12, 2017 PLANNING COMMISSION MINUTES.**

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 – FINANCIAL PLANNING AGREEMENT – TIF PROJECT**

City Administrator Waller reviewed with the City Council a financial planning agreement between Northland Securities and the City of La Crescent to establish the tax increment financing district for the hotel/event center project. The developers have paid \$5,000 towards the costs associated with this agreement, and it was recommended that the City Council agree to pay the balance of the costs to complete the agreement. City Council also reviewed the handout from the September 12, 2017 Special City Council meeting. It was recommended to City Council to approve the financial planning agreement with Northland Securities, and amend the 2017 general fund budget to reflect this expenditure. Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

**MOTION TO APPROVE THE FINANCIAL PLANNING AGREEMENT BETWEEN NORTHLAND SECURITIES AND THE CITY OF LA CRESCENT TO ESTABLISH THE TAX INCREMENT FINANCING DISTRICT FOR THE HOTEL/EVENT CENTER PROJECT AND TO AMEND THE 2017 GENERAL FUND BUDGET TO REFLECT 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 3.3 – CALL FOR PUBLIC HEARING – TIF DISTRICT**

City Administrator Waller reviewed with the City Council a resolution to call for a public hearing on the establishment of a tax increment financing district for the hotel/event center project. It was recommended to the City Council to approve the resolution. Member Krenz introduced the following resolution and moved its passage and adoption:

**CITY OF LA CRESCENT  
RESOLUTION NO. 09-17-19**

**RESOLUTION CALLING PUBLIC HEARING ON THE PROPOSED MODIFICATION  
OF THE DEVELOPMENT PROGRAM FOR MUNICIPAL DEVELOPMENT DISTRICT  
NO. 1, THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING  
DISTRICT NO.  
1-8 WITHIN THE DEVELOPMENT DISTRICT, THE PROPOSED ADOPTION OF A  
TAX INCREMENT FINANCING PLAN RELATING TO THERETO, AND THE  
PROPOSED ADOPTION OF A BUSINESS SUBSIDY**

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

1. Public Hearing. This Council shall meet on December 18, 2017, at approximately 5:30 p.m., to hold a public hearing on the proposed modification of the Development Program for Municipal Development District No. 1, the proposed establishment of Tax Increment Financing District No. 1-8 within the Development District, the proposed adoption of a Tax Increment Financing Plan relating to thereto, and the proposed adoption of a business subsidy, all pursuant to Minnesota Statutes, Sections 469.124 through 469.133 and Minnesota Statutes, Sections 469.174 through 469.1794, both inclusive, as amended (the "Act"), and Minnesota Statutes, Sections 116J.993 to 116J.995.

2. Notice of Hearing; Filing of Program and Plan. The City Administrator is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto as Exhibit A, to be published as required by the Act and by Minnesota Statutes, Section 116J.994, and to place a copy of the proposed modified Development Program, the proposed Tax Increment Financing Plan and the proposed business subsidy on file in the City Administrator's Office at City Hall and to make such copies available for inspection by the public.

3. Consultation with Other Taxing Jurisdictions. The City Administrator is hereby directed to mail a notice of the public hearing and a copy of the proposed Tax Increment Financing Plan for Tax Increment Financing District No. 1-8 to the Houston County Auditor and the Clerk of Independent School District No. 300 informing those taxing jurisdictions of the estimated fiscal and economic impact of the establishment of the proposed Tax Increment Financing District No. 1-8.

Adopted by the City Council of the City of La Crescent, Minnesota, this 25<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
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 3.4 – ENGAGEMENT LETTER – 2018 BOND ISSUE**

City Administrator Waller reviewed with City Council an engagement letter between Northland Securities and the City of La Crescent. The engagement letter relates to the proposed 2018 bond issue. The 2018 bond issue will/may include the following: the hotel/event center/Veteran's Park parking lot/ tax increment project, the 2018 street improvement project, and a capital equipment certificate for the Fire Department. It was recommended to the City Council to approve the engagement letter with Northland Securities. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO APPROVE AN ENGAGEMENT LETTER BETWEEN NORTHLAND SECURITIES AND THE CITY OF LA CRESCENT WHICH RELATES TO THE PROPOSED 2018 BOND ISSUE.**

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 3.5 – ENGINEERING AGREEMENT – 2018 STREET PROJECT**

City Administrator Waller reviewed with City Council an engineering agreement from WHKS for the 2018 street improvement project. City Council also reviewed an updated memo from the City Engineer that has been expanded to include Oak Street, from North 1<sup>st</sup> to North 2<sup>nd</sup>. It was recommended to City Council not include this one block section of Oak Street in the 2018 street improvement project and recommended that Oak Street, from Main to North 2<sup>nd</sup>, be added to the 2020 street improvement project. It was also recommended that the project be expanded to include the reconstruction of the street by narrowing the width of the street, adding sidewalks to both sides of the street, and possibly the extension of a new sanitary sewer. Based on the above, it was recommended that the City Council approve the engineering agreement for the 2018 street improvement project and to include Oak Street between Main and North 2<sup>nd</sup> in the 2020 street improvement project. Following discussion, Member Williams made a motion, seconded by Member Buehler, as follows:

**MOTION TO APPROVE THE ENGINEERING AGREEMENT FOR THE 2018 STREET IMPROVEMENT PROJECT AND TO INCLUDE OAK STREET BETWEEN MAIN AND NORTH 2<sup>ND</sup> IN THE 2020 STREET IMPROVEMENT PROJECT.**

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 3.6 – REIMBURSEMENT RESOLUTION**

City Administrator Waller reviewed with City Council a reimbursement resolution. The reimbursement resolution relates to the proposed 2018 bond issue. The 2018 bond issue will/may include the following: the hotel/event center/Veteran's Park parking lot/ tax increment project, the 2018 street improvement project, and a capital equipment certificate for the Fire Department. Costs related to these projects which are incurred prior to the issuance of the bond can then be included and reimbursed through the proceeds from the bond sale. It was recommended to the City Council to approve the reimbursement resolution. Following discussion, Member Hutchinson introduced the following resolution and moved its passage and adoption:

**CITY OF LA CRESCENT, MINNESOTA**

**RESOLUTION NO. 09-17-20**

**DECLARING THE OFFICIAL INTENT OF THE  
CITY OF LA CRESCENT TO REIMBURSE  
CERTAIN EXPENDITURES FROM THE PROCEEDS  
OF BONDS TO BE ISSUED BY THE CITY**

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City of La Crescent, Minnesota (the “City”), expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a tax-exempt bond;

WHEREAS, the City has determined to make this declaration of official intent (the “Declaration”) to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA CRESCENT AS FOLLOWS:

1. The City proposes to undertake the following projects in the approximate amounts (together, the “Project”):

- (a) Tax Increment Financing (\$360,000);
- (b) Improvement Projects (\$720,000);
- (c) Equipment Acquisition (\$515,000); and
- (d) Street Reconstruction (\$1,025,000).

2. The City reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of bonds in an estimated maximum principal amount of \$2,620,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) “preliminary expenditures” up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the project for which the preliminary expenditures were incurred. The term “preliminary expenditures” includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraph 2 are consistent with the City’s budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City’s budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Approved by the City Council of the City of La Crescent this 25th day of September, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

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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 – STREET CLOSURE/PARADE REQUEST**

City Council reviewed a memo from Police Chief Stavenau regarding a request from the La Crescent PTO for a temporary street closure for an elementary “fun run” called the Great Green Run and Roll, scheduled for October 6, 2017 from 8:30 a.m. to 12:00 p.m. The course is scheduled the same as last year starting in front of the building on Oak Street, traveling South to 6<sup>th</sup> Street, along the sidewalk on Elm and returning to the elementary school building and ending on South 4<sup>th</sup> Street. The Police Department is requesting permission to barricade South 6<sup>th</sup> Street and South 4<sup>th</sup> Street between Oak and Elm Street for the event. They would also like to temporarily post the east side of Oak Street, in front of the elementary school building as “No Parking” the day of the event and setting temporary barricades in the parking area on the west side of the street after school drop off has concluded that morning. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

**MOTION TO APPROVE THE REQUEST FROM THE LA CRESCENT POLICE DEPARTMENT AND LA CRESCENT PTO FOR A TEMPORARY STREET CLOSURE FOR AN ELEMENTARY “FUN RUN” CALLED THE GREAT GREEN RUN AND ROLL SCHEDULED FOR OCTOBER 6, 2017 FROM 8:30 AM TO 12:00 PM CLOSING SOUTH 6<sup>TH</sup> STREET AND SOUTH 4<sup>TH</sup> STREET BETWEEN OAK AND ELM STREET FOR THE EVENT AND TEMPORARILY POST THE EAST SIDE OF OAK STREET, IN FRONT OF THE ELEMENTARY SCHOOL BUILDING AS “NO PARKING” THE DAY OF THE EVENT AND SETTING TEMPORARY BARRICADES IN THE PARKING AREA ON THE WEST SIDE OF THE STREET AFTER SCHOOL DROP OFF HAS CONCLUDED THAT MORNING.**

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 – COMMISSION/BOARD APPOINTMENTS**

City Administrator Waller reviewed with City Council the following recommendations for Commission and Board appointments: appoint Reid Smith to the Park and Recreation Commission, to replace Sue Howe, and to



appoint a member of the City Council to serve on the La Crescent Animal Rescue (LAR) Board of Directors. LAR meets the first Tuesday of each month at 6:30. LAR is in the process of updating their bylaws, and this appointment would be similar to the City Council appointment to the Library Board. This appointment would not be an ex-officio appointment, rather this appointment would have voting authority on the La Crescent Animal Rescue Board. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO APPROVE THE APPOINTMENT OF REID SMITH TO THE PARK AND RECREATION COMMISSION.**

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

**MOTION TO APPROVE THE APPOINTMENT OF MEMBER HUTCHINSON TO THE LA CRESCENT ANIMAL RESCUE (LAR) 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
Mike Poellinger	Yes

Member Ryan Hutchinson abstained and none voted against the same. The motion was declared duly carried by a 4-0 vote.

**ITEM 3.9 – 2017 LICENSE APPLICATION**

City Council reviewed three license applications from K & S Heating, A/C & Plumbing; Canton Heating and Cooling, LLC; and Replacement Pros, LLC, for gas installer licenses. The applications appear to be in order and it was recommended to City Council to approve the new license applications. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

**MOTION TO APPROVE NEW LICENSE APPLICATIONS FROM K & S HEATING, A/C & PLUMBING, CANTON HEATING AND COOLING, LLC AND REPLACEMENT PROS, LLC FOR GAS INSTALLER LICENSES.**

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 – 2018 PROPOSED LIBRARY BUDGET**

La Crescent Library Director, LaVonne Beach, reviewed with City Council the proposed 2018 budget for the La Crescent Library requesting a 10% city levy increase. This item was informational and no action taken.

### **ITEM 3.11 – 2018 PROPOSED GENERAL FUND BUDGET/LEVY**

City Administrator Waller gave an extensive overview to City Council and explained the process for the proposed 2018 general fund budget and the proposed Resolution that sets the preliminary levy at a 6.5% increase. Following discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

#### **RESOLUTION 09-17-21**

#### **RESOLUTION MAKING PRELIMINARY GENERAL LEVIES FOR COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE CALENDAR YEAR 2018**

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 2018 as part of the general taxes due and payable in the year 2018 a direct ad valorem tax in the amount of \$1,821,378 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 \$147,200 to be collected in the year 2018, 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 2018, in conjunction with the various bonds issued and sinking funds described below:

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2018
101	2012	Tax Abatement – Walnut St. Prop.	\$7,200.00
325	2011B	G.O. Recreational Facility Bonds	\$212,140.00
322	2015A	G.O. Refunding Bonds	\$110,250.00
324	2011A	G.O. Improvement Bonds	\$34,000.00
326	2013A	G.O. Equipment Certificate	\$145,000.00
327	2016A	G.O. Improvement Bonds – Oak St.	\$114,100.00
328	2017A	G.O. Equipment Certificate	\$115,000.00
		TOTAL DEBT SERVICE LEVY	<b>\$737,690.00</b>

4. Total levy for the City of La Crescent for collection in 2018 is \$2,706,268.00.

ADOPTED this 25<sup>th</sup> 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.

**ITEM 8 – CORRESPONDENCE**

City Council reviewed a thank you card from the La Crescent High School Cross County teams for the use of Pine Creek Golf Course for their annual “Crazy Buffalo” Invitational meet. No action taken.

**ITEM 9 – CHAMBER OF COMMERCE**

The La Crescent Chamber reported that their Dinner at the Depot is coming up.

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 6:06 PM.

APPROVAL DATE: \_\_\_\_\_

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator