

CITY OF LA CRESCENT
AGENDA
REGULAR MEETING
LA CRESCENT COMMUNITY BUILDING
336 SOUTH FIRST STREET
JANUARY 8, 2024
5:00 P.M.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
ACTION TO CHANGE AGENDA

1. CONSENT AGENDA

All items listed under the consent agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- 1.1 MINUTES – DECEMBER 18, 2023
- 1.2 BILLS PAYABLE THROUGH JANUARY 5, 2024
- 1.3
- 1.4

2. PUBLIC HEARING/MEETING

3. ITEMS FOR CONSIDERATION

- 3.1 ANNUAL APPOINTMENTS
- 3.2 ADVISORY COMMISSION APPOINTMENTS
- 3.3 CITY COUNCIL APPOINTMENTS
- 3.4 REVIEW CITY COUNCIL RULES AND PROCEDURES
- 3.5 REVIEW CITY CODE OF CONDUCT
- 3.6 REVIEW SOCIAL MEDIA POLICY
- 3.7 CALL FOR SPECIAL CITY COUNCIL MEETING – 1/29/2024
- 3.8 REVIEW PUBLIC SAFETY AID FUNDS RECEIVED IN 2023
- 3.9 AUTHORIZE EXPENDITURE – EMERGENCY SIREN
- 3.10 AUTHORIZE EXPENDITURE – POLICE CAR UPFITTING
- 3.11 RESOLUTION – MnDEED REDEVELOPMENT GRANT
- 3.12 RESOLUTION – MIGHTY DUCKS GRANT
- 3.13 TRANSPORTATION ALTERNATIVES GRANT
- 3.14 ILJA TECHNICAL ASSISTANCE GRANT
- 3.15 2024 LICENSE RENEWALS
- 3.16 GAMBLING PERMIT APPLICATION

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4. UNFINISHED BUSINESS

4.1

5. MAYOR'S COMMENTS

5.1

6. STAFF CORRESPONDENCE/COMMITTEE UPDATES

6.1

6.2

6.3

6.4

7. CORRESPONDENCE

7.1

7.2

7.3

8. HOUSTON COUNTY

8.1

9. CHAMBER OF COMMERCE

9.1

10 ITEMS FOR NEXT AGENDA

11. ADJOURNMENT

1.1

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
DECEMBER 18, 2023

Pursuant to due call and notice thereof, the second 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 5:00 PM in the La Crescent Community Building, La Crescent, Minnesota, on Monday, December 18th, 2023.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Ryan Hutchinson, Cherryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present were City Attorney Skip Wieser, City Administrator Bill Waller, City Engineer Tim Hruska (via Zoom), Sustainability Coordinator Jason Ludwigson (via Zoom), and Deputy Clerk Angie Boettcher.

Also present was Mike Temp from Tostrud & Temp S.C., Certified Public Accountants

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented.

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 – DECEMBER 11, 2023
- 1.2 BILLS PAYABLE THROUGH – DECEMBER 15, 2023
- 1.3

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. Prior to the council meeting, City Council was provided with a revised bills payable with the payment to EO Johnson being reduced from \$13,154.00 to \$485.00 for the period ending December 15th, 2025.

Member Hutchinson made a motion, seconded by Member O'Donnell-Ebner, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA WITH A REVISION TO THE BILLS PAYABLE ENDING DECEMBER 15TH TO EO JOHNSON REDUCING THE AMOUNT FROM \$13,154.00 TO \$485.00.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

PUBLIC HEARING/MEETING

5:00 – ANNEXATION – 1755 COUNTY ROAD 6

At 5:00 p.m. Mayor Poellinger recessed the regular Council Meeting for the Public Hearing of the Annexation of 1755 County Road 6.

City Attorney Wieser reviewed with City Council the Ordinance annexing the parcel. The Ordinance provides reimbursement for property taxes for two (2) years to the Township of La Crescent. The findings that support the Ordinance are as follows:

1. The property owner 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.

No one from the public wished to speak.

Mayor Poellinger closed the Public Hearing. Following discussion, Member O'Donnell-Ebner introduced the following ordinance and moved its passage and adoption:

ORDINANCE NO. 580

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 November 13, 2023; and

WHEREAS, said property is unincorporated and abuts the City of La Crescent on its northeasterly, southwesterly and westerly boundaries, and the City's northerly boundary of County 6; 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 December 18, 2023, 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:

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 104, RANGE 4, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 9, AS MONUMENTED BY A HOUSTON COUNTY MONUMENT; THENCE SOUTH 89 DEGREES 52 MINUTES 36

SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, 577.32 FEET; THENCE SOUTH 26 DEGREES 27 MINUTES 28 SECONDS WEST, 223.48 FEET; THENCE NORTH 55 DEGREES 31 MINUTES 17 SECONDS WEST, 468.04 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT; THENCE NORTH 55 DEGREES 53 MINUTES 13 SECONDS WEST, 230.25 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT AND THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE NORTH 34 DEGREES 00 MINUTES 51 SECONDS EAST, 190.97 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT; THENCE NORTH 60 DEGREES 26 MINUTES 26 SECONDS WEST, 93.84 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT; THENCE NORTH 28 DEGREES 24 MINUTES 19 SECONDS EAST, 183.67 FEET TO THE CENTER LINE OF HOUSTON COUNTY HIGHWAY NO. 6; THENCE NORTH 59 DEGREES 42 MINUTES 30 SECONDS WEST, ALONG SAID COUNTY HIGHWAY CENTER LINE, 199.21 FEET TO THE INTERSECTION OF THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF THE PROPERTY DESCRIBED IN BOOK 165 OF DEEDS, PAGE 206, HOUSTON COUNTY, MINNESOTA; THENCE SOUTH 00 DEGREES 20 MINUTES 16 SECONDS EAST, ALONG SAID LAST INTERSECTED EXTENDED LINE, AND ALONG SAID EASTERLY LINE OF THE PROPERTY DESCRIBED IN BOOK 165 OF DEEDS, PAGE 206, A DISTANCE OF 429.51 FEET TO THE INTERSECTION OF A LINE BEARING NORTH 56 DEGREES 53 MINUTES 13 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 56 DEGREES 53 MINUTES 13 SECONDS EAST, ALONG SAID LAST INTERSECTED LINE, 67.94 FEET TO THE POINT OF BEGINNING.

SUBJECT TO THE RIGHT OF WAY OF SAID COUNTY HIGHWAY NO. 6 ON THE NORTHEAST.

The above described property consists of a total of 1.302 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 \$578.38; and
- b. In the second and final year, an amount equal to \$578.38.

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 18th day of December, 2023.

Mayor

ATTEST:

City Administrator

(City Seal)

The foregoing motion was duly seconded by Member Jostad and upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

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

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 580 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 Administrator, the following Members present voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.1 – MIKE TEMP – 2022 AUDIT REVIEW

Mike Temp from Tostrud & Temp S.C., Certified Public Accountants, gave an overview to the City Council of the 2022 City audit. City Council Members were provided with a copy of the audit to review prior to the meeting. Following questions, Member Williams made a motion, seconded by Member Hutchinson, as follows:

MOTION TO ACCEPT THE INDEPENDENT AUDITOR'S REPORT FROM TOSTRUD & TEMP, S.C. FOR THE CITY OF LA CRESCENT DATED DECEMBER 31, 2022 AS PRESENTED.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.2 – PROFESSIONAL SERVICE AGREEMENTS - 2024

City Administrator Waller reviewed with City Council the 2024 professional service agreements/contracts regarding WHKS & Co. for engineering, Wieser Law Office for legal, Jason Ludwigson for Sustainability Coordinator, and Prologue Planning Group, LLC to provide Community/Economic Development services to the City of La Crescent. It was recommended to City Council to approve the 2024 fee schedules for

WHKS & Co. and Wieser Law Office. It was also recommended to City Council to approve the contract with Jason Ludwigson which included an increase in his fee for 2024 from \$33.28 per hour to \$38.00 per hour. Lastly, it was recommended City Council approve the contract with Prologue Planning Group, LLC which included a fee increase for 2024 from \$41.60 per hour to \$43.26 per hour. City Council reviewed revised agreements for the Sustainability Coordinator and Community Development Director. Following discussion, the following Motions were made:

Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE 2024 FEE SCHEDULE WITH WHKS & CO. AS PRESENTED FOR ENGINEERING SERVICES.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Member Hutchinson made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO APPROVE THE 2024 FEE SCHEDULE WITH WIESER LAW OFFICE, P.C. AS PRESENTED FOR LEGAL SERVICES.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE A CONTRACT WITH JASON LUDWIGSON FOR SUSTAINABILITY COORDINATOR SERVICES WHICH INCLUDES AN INCREASE IN THE HOURLY FEE TO \$38.00 PER HOUR.

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

Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

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

MOTION TO APPROVE A CONTRACT WITH PROLOGUE PLANNING GROUP, LLC FOR COMMUNITY/ ECONOMIC DEVELOPMENT SERVICES WHICH INCLUDES AN INCREASE IN THE HOURLY FEE TO \$43.26 PER HOUR.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

5:30 – ANNUAL STORMWATER MEETING

At 5:30 p.m. Mayor Poellinger recessed the regular Council Meeting for the Annual Stormwater Meeting.

City Sustainability Coordinator Jason Ludwigson and City Engineer Tim Hruska were in attendance via Zoom and reviewed with City Council the NDPES permit requirements and the Public Education, Outreach, and Public Involvement Program Implementation Plan. The public meeting satisfies one of the requirements of the public participation/involvement sections of the stormwater permit.

No one from the public wished to comment.

Mayor Poellinger closed the Public Meeting and resumed the regular Council Meeting.

ITEM 3.3 – LIONS CLUB CANDLELIGHT HIKE REQUEST

City Council reviewed a letter from Police Chief Ahlschlager regarding a request from the La Crescent Lions Club to host their third annual Frozen Apple Candlelight Trail Hike on Saturday, February 17th from 5:30 PM to approximately 8:00 PM at Veterans Park and utilizing the Eagle Bluff Access Trail(s). Chief Ahlschlager is requesting approval from Council for City Police Department officers and the Reserve Unit to assist with traffic control, parking management, and barricades at the upper parking lot of Vets Park. The Lion's Club would also like permission to have City Public Works refrain from plowing the Eagle Bluff Access Trail for at least one month before the event and provide three garbage cans and 3-4 gallon pails of sand. Lastly, the Lion's Club would like permission to run a UTV during the event to assist with event setup including clearing the trail and placement of luminaria. Chief Ahlschlager does not anticipate any public safety concerns and any potential disruption to traffic, bicycle or pedestrian traffic would be minimal. Following discussion, Member Hutchinson made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE THIRD ANNUAL LIONS CLUB FROZEN APPLE CANDLELIGHT TRAIL HIKE AT VETERANS PARK AND UTILIZING THE EAGLE BLUFF ACCESS TRAIL(S) ON SATURDAY, FEBRUARY 17TH, FROM 5:30 PM TO APPROXIMATELY 8:00 PM WITH ASSISTANCE FROM THE POLICE DEPARTMENT OFFICERS, RESERVE UNIT, CITY PUBLIC WORKS AS STATED, AND THE USE OF A UTV DURING THE EVENT TO ASSIST WITH EVENT SETUP INCLUDING CLEARING THE TRAIL AND PLACEMENT OF LUMINARIA.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and Member O'Donnell-Ebner abstained. The motion was declared duly carried by a 4-0 vote.

ITEM 3.4 – PERSONNEL COMMITTEE RECOMMENDATION

City Council reviewed for approval the following Personnel Committee recommendations:

1. The Personnel Committee is recommending that effective January 1, 2024, the City Council remove Vernon Bridwell, Christopher Fruechte, Abigail Kerska, and Ryan Steffes from probationary status and

classify each of them as regular City of La Crescent Firefighters. A letter from the Fire Chief was included. Following discussion, Member Jostad, made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PROBATIONARY STATUS OF FIREFIGHTERS VERNON BRIDWELL, CHRISTOPHER FRUECHTE, ABIGAIL KERSKA, AND RYAN STEFFES EFFECTIVE JANUARY 1, 2024.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.5 – LICENSE RENEWALS - 2024

City Council reviewed a list of proposed license renewals for 2024. The applications appear to be in order, and it was recommended that City Council approve the license renewal applications. Following discussion, Member Jostad made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE THE PRESENTED LIST OF LICENSE RENEWALS FOR 2024 FOR THE FOLLOWING:

GAS INSTALLERS:

7 Rivers Mechanical LLC, Savage Heating & Air LLC

SOLID WASTE:

Harter's Quick Clean-Up

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.6 – GAMBLING PERMIT APPLICATION

City Council reviewed a memo from City Administrative Assistant Chris Fortsch for approval of a Gambling Permit application from ABLE, Inc. for April 19, 2024, at the La Crescent Area Event Center. The application appears to be in order, and it was recommended that City Council approve the application and authorize Ms. Fortsch to forward the application to the Minnesota Gambling Control Board. Following discussion, Member Hutchinson made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO APPROVE THE GAMBLING PERMIT FOR ABLE, INC. FOR APRIL 19, 2024 AT THE LA CRESCENT AREA EVENT CENTER AND AUTHORIZE CITY ADMINISTRATIVE ASSISTANT CHRIS FORTSCH TO FORWARD THE APPLICATION TO THE MINNESOTA GAMBLING CONTROL BOARD.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.7 – AUTHORIZE FINAL PROJECT PAYMENTS

City Council reviewed a memo from WHKS for authorization of the final project payment in the amount of \$12,512.36 to Zenke, Inc. for Wieser Park Improvements. The acceptance by City Council will initiate the start of the two-year maintenance bond, as specified in the contract documents with Zenke, Inc. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson as follows:

MOTION TO AUTHORIZE THE FINAL PROJECT PAYMENT TO ZENKE, INC. IN THE AMOUNT OF \$12,512.36 FOR WIESER PARK IMPROVEMENT, INITIATING THE START OF THE TWO-YEAR MAINTENANCE BOND AS SPECIFIED IN THE CONTRACT DOCUMENTS WITH ZENKE, INC.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

6. STAFF CORRESPONDENCE/COMMITTEE UPDATES

City Council reviewed the Park and Recreation Minutes from December 4, 2023.

9. CHAMBER OF COMMERCE

Chamber of Commerce representative Kim Siegersma was in attendance and gave an update.

At 5:47 p.m., Mayor Poellinger recessed the regular City Council meeting until 6:00 p.m.

6:00 – 2024 GENERAL FUND BUDGET/LEVY

It being 6:00 p.m., Mayor Poellinger opened the public meeting on the 2024 General Fund Budget and Levy. City Administrator Waller circulated a sign-up sheet and gave an overview of the process. As a point of clarification, in April of each year, the City Council holds the Board of Appeal and Equalization meeting, at which time property owners can ask questions about their proposed property value and property classification. Questions about property value and property classification will need to wait until the Board of Appeal and Equalization meeting which will be held in April of 2024. The item City Council reviewed for consideration was the proposed resolution setting the 2024 levy and the adoption of the 2024 General Fund budget. The Mayor then asked if anyone present in the audience wished to comment or had questions. Comments and questions were received from those in attendance. Representatives from the Houston County Assessors Office were present at the meeting and presented a general overview of the process to review and set estimated market values. The public meeting was then closed.

Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO ADOPT THE 2024 GENERAL FUND BUDGET AS PRESENTED.

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Following discussion, Member Hutchinson introduced the following resolution and moved its passage for adoption:

RESOLUTION 12-23-53

RESOLUTION MAKING FINAL GENERAL LEVIES FOR COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE CALENDAR YEAR 2024

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 2024 as part of the general taxes due and payable in the year 2024 a direct ad valorem tax in the amount of \$2,431,002.00 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 \$188,520.00 to be collected in the year 2024, 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 2024, in conjunction with the various bonds issued and sinking funds described below:

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2024
325	2016A	G.O. Refunding Rec. Fac. Bonds - Aquatic Center	\$196,700.00
327	2016A	G.O. Improvement Bonds - Oak St. Recon.	\$114,000.00
328	2017A	G.O. Equipment Certificates	\$120,700.00
329	2018A	G.O. Improvement Bonds - Streets/Veterans Park	\$144,900.00
330	2019A	G.O. Equipment Certificates - Fire Truck	\$48,000.00

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2024
331	2019B	G.O. Improvement Bonds – Street Recon.	\$35,000.00
332	2020A	G.O. Improvement Bonds – HTM	\$178,000.00
333	2020A	G.O. Bonds – Tax Abatement - Ice Arena	\$16,000.00
334	2022A	G.O. Imp. Bonds/Equip. Cert. & CIP Bonds	\$228,300.00
		TOTAL DEBT SERVICE LEVY	\$1,081,600.00

4. Total levy for the City of La Crescent for collection in 2024 is \$3,701,122.00

ADOPTED this 18th day of December 2023.

SIGNED:

Mayor

ATTEST:

City Administrator

The motion for the adoption of the foregoing resolution was duly seconded by Member O'Donnell-Ebner and upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	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.

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, the following Members present voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	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 P.M.

APPROVAL DATE: _____.

SIGNED:

Mayor

ATTEST:

City Administrator

#1.2



TO: Honorable Mayor and City Council Members
FROM: Bill Waller, City Administrator *BW*
DATE: January 4, 2024
RE: Bills Payable

The bills payable will be e-mailed out separately.

3.1



TO: Honorable Mayor and Council Members
FROM: Bill Waller, City Administrator *Bill*
DATE: January 3, 2024
RE: Annual Appointments

The following appointments are due for the year 2024 and will require a separate motion for each appointment:

1. Acting Mayor. - **MOTION**
2. On the recommendation of Finance Director Kara Tarrence, the following are the recommended official depositories: **RESOLUTION - Copy Attached.**

All Banking Function:	Merchants Bank - La Crescent Home Federal Savings - La Crescent Northland Securities, Inc. 4 M Fund (Sponsored by League of Minnesota Cities) Institutional CD's Inc/CD Securities, Inc. - Broker Multi-Banks Securities Eitzen State Bank - La Crescent
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3. Official Newspaper: Houston County News - **MOTION**
4. Assistant Weed Inspector - Shawn Wetterlin - **MOTION**
5. Responsible authority to administer the requirements for collection, storage and use and dissemination of data on individuals within the City. Angie Boettcher was appointed to this position in 2022 and I would recommend that she continue in this capacity. **RESOLUTION - Copy Attached.**

RESOLUTION NO. 01-24-01

**A RESOLUTION DESIGNATING, AS A DEPOSITORY OF THE CITY OF
LA CRESCENT FUNDS, ONE OR MORE FINANCIAL INSTITUTIONS**

WHEREAS, Minn. Stat. § 118A.02, subd. 1 and Minn. Stat. §§ 427.01-.12, require that the City of La Crescent designate, as a depository of its funds, one or more financial institutions within 30 days of the start of the City's fiscal year.

BE IT RESOLVED, that the City Council of the City of La Crescent designates the following financial institutions as official depositories for the City of La Crescent for all City banking functions and investments:

Merchants Bank - La Crescent
Home Federal Savings - La Crescent
Northland Securities, Inc.
4M Fund (sponsored by the League of Minnesota Cities)
Institutional CD's Inc./CD Securities, Inc. – Broker
Multi-Banks Securities
Eitzen State Bank – La Crescent

ADOPTED this 8th day of January, 2024.

SIGNED:

Mayor

ATTEST:

City Administrator

RESOLUTION NO. 01-24-02

**A RESOLUTION APPOINTING A RESPONSIBLE AUTHORITY AND
ASSIGNING DUTIES, STATE OF MINNESOTA**

WHEREAS, Minnesota Statutes, Section 13.02 Subdivision 16, as amended, requires that the City of La Crescent appoint one person as the Responsible Authority to administer the requirements for collection, storage, use, and dissemination of data on individuals, within the City, and

WHEREAS, the City Council shares concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively qualified Responsible Authority as required under the statutes,

BE IT RESOLVED, that the City Council of La Crescent appoints Angie Boettcher as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, Chapter 13, as amended, and with rules as lawfully promulgated by the Commissioner of Administration.

FURTHER BE IT RESOLVED, the Responsible Authority shall require the requesting party to pay the actual costs of making, certifying, and compiling copies and of preparing summary data.

ADOPTED this 8th day of January, 2024.

SIGNED:

Mayor

ATTEST:

City Administrator

CITY OF LA CRESCENT
STANDING COMMISSIONS
2024

PLANNING COMMISSION

1. – 2026
2. Greg Husmann – 2025
3. Dave Hanifl – 2025
4. Mike Welch – 2024
5. Chris Langen – 2026*
6. Ryan Stotts – 2024
7. Jerry Steffes – 2024

PARK AND RECREATION COMMISSION

1. Jon Steffes – 2025
2. Paul McLellan – 2025
3. Patricia Martell – 2025
4. Marge Loch-Wouters – 2026*
5. Sarah Wetterlin – 2026*
6. Diana Adamski – 2024
7. Maseray Bangura -2024

GOLF COMMISSION

1. Gary Hill – 2025
2. Tom Jones – 2024
3. Larry Ernst – 2025
4. Bill Dockendorff – 2026*
5. Scott Yeiter – 2026*

HISTORIC BLUFF COUNTRY COMMISSION

- 1.

LIBRARY BOARD

1. Teresa O'Donnell-Ebner – 2024*
2. Jess Denny – 2026^
3. Kelsey Bolton – 2025
4. Susan Amble – 2024
5. Sara Docan-Morgan – 2025
6. Kristi Moulton – 2026*
7. Erica Myhre – 2024

ECONOMIC DEVELOPMENT COMMISSION

- 1.
2. Sarah DeLacy – 2026*
3. Mike Welch – 2024
4. Troy Nolop – 2026*
5. Lori Kadlec – 2024
6. Al Voss – 2025
7. Brett Kemmer – 2024

GREENSTEP COMMITTEE

1. Jim Nissen – 2024
2. Jason Ludwigson -2024
3. Michael Alfieri – 2024
4. Tyler Benish – 2024
5. Bob Spencer -2024
6. Lauren Rislov - 2024
7. Jeremy Wise - 2024

NATURAL RESOURCE ADVISORY GROUP

1. Jim Nissen – 2024
2. Ruth Nissen – 2024
3. Betsy Knowles – 2024
4. Randy Urich – 2024
5. Marge Loch-Wouters – 2024
- 6.
- 7.

BICYCLE/PEDESTRIAN COMMITTEE

1. Jason Ludwigson - 2024
2. Linda Larson - 2024
3. Maseray Bangura – 2024
4. Kristen Willow Arden – 2024

Indicates Reappointed*

Indicates New Appointment^

3.3



TO: Honorable Mayor and City Council Members
FROM: Bill Waller, City Administrator *Bill*
DATE: January 3, 2024
RE: City Council Commission Appointments

At the direction of the Mayor, the proposed Commission assignments for 2024 are as follows:

Planning Commission – Cherryl Jostad
Emergency Services Commission – Mike Poellinger
Library Board – Teresa O'Donnell Ebner
Golf Commission – Ryan Hutchinson
Park and Recreation Commission – Teresa O'Donnell Ebner
Personnel Committee – Mike Poellinger and Dale Williams
La Crescent Animal Rescue –
Fire Cooperative – Mike Poellinger and Cherryl Jostad
Economic Development Commission – Cherryl Jostad
Fire Department Relief Association – Dale Williams
Explore La Crosse – Cherryl Jostad
GreenStep Committee – Teresa O'Donnell Ebner

The La Crescent Animal Rescue appointment is open for now, as we are in the process of finalizing a lease agreement between the City and La Crescent Animal Rescue that would eliminate the need for a City Council appointment to this organization.

This will be reviewed and discussed, and assignments can be adjusted at the meeting.

3.4 / 3.5 / 3.6



WIESER LAW OFFICE, P.C.

ATTORNEYS AT LAW
WIESER PROFESSIONAL BUILDING
33 SOUTH WALNUT - SUITE 200
LA CRESCENT, MN 55947

KELLY M. IVERSON
AL "SKIP" WIESER, III

PHONE: (507) 895-8200
FAX: (507) 895-8458

AL WIESER, JR.
Emeritus

TO: Honorable Mayor and City Council Members

CC: Bill Waller, City Administrator

FROM: Skip Wieser, City Attorney

DATE: January 3, 2024

RE: Annual Reviews

The City's Rules for Organization and Procedure of the City Council, Code of Conduct, and Communication/Social Media policies are on the agenda for an annual review. At this time, we are not suggesting any changes to these documents. The attached will be reviewed at the upcoming meeting.

RESOLUTION NO. 02-13-03

A RESOLUTION ESTABLISHING RULES FOR THE ORGANIZATION AND PROCEDURE OF THE CITY COUNCIL OF THE CITY OF LA CRESCENT

The City Council of the City of La Crescent resolves as follows:

WHEREAS, the City Council of the City of La Crescent has power to regulate its own procedure under Minn. Stat. § 412.191, Subd. 2.

WHEREAS, the purpose of this policy on city council meetings is to set the ground work for orderly and respectful communication between and among council members, city staff and citizens to promote the efficient working of the public's business at city council meetings.

NOW, THEREFORE, the city council of the City of La Crescent has determined that its rules of organization and procedure are as follows:

Section 1. Open Meetings

The Open Meeting Law, Minn. Stat. Ch. 13D, generally requires all meetings of the council to be open to the public.

Subd. 1. Regular Meetings. Regular meetings of the city council shall be held on the second and fourth Monday of each calendar month at 5:30 p.m. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place. The deputy clerk shall maintain a schedule of regular meetings. This schedule shall be available for public inspection during regular business hours at the city clerk's office. All meetings, including special, emergency meetings, shall be held in the city hall, unless otherwise designated.

Subd. 2. Special Meetings. The mayor or any two members of the council may call a special meeting of the council upon at least twenty-four (24) hours written notice to each member of the council. This notice shall be delivered personally to each member, or left at the member's usual place of residence with some responsible person. Similar written notice shall be mailed at least three (3) days before the meeting date to those who have requested a notice of such special meetings. This request must be in writing and be filed with the deputy clerk, designating an official address where notice may be mailed. Such request will be valid for one (1) year.

Subd. 3. Emergency Meetings. The mayor or any two (2) council members may call an emergency meeting when circumstances require the immediate consideration of a matter by the council. Notice may be in writing personally delivered to council members or may be in the form of personal telephone communication. Notice must include the date, time, place, and purpose of such a meeting. Where practical, the deputy clerk shall make an effort to contact news gathering organizations that have filed a request to receive notice of special meetings.

Subd. 4. Closed Meetings. The Minnesota Open Meeting Law allows some meetings to be closed to the public for defined purposes. When a meeting is closed, the presiding officer at the

First Adopted by Council: December 1975

Amended by Council: January 12, 2015; December 12, 2022

Reviewed by Council: February 25, 2013; May 27, 2014; January 12, 2015; January 11, 2016; January 9, 2017.

January 8, 2018; January 14, 2019; January 13, 2020; January 11, 2021; January 10, 2022; January 9, 2023; January 8, 2024

council meeting will state the reason for closing the meeting on the record and cite the state statute that permits closure.

Subd. 5. Recessed or Continued Meetings. When a meeting is recessed or continued, the presiding officer shall state the time and place for the next meeting to occur pursuant to Minn. Stat. § 13D.04, subd. 4. The time and place shall be noted in the minutes. If the time and place are stated in the minutes, no additional notice of the meeting is required. However, if the time and place is not stated, the notice procedures for special meeting shall be required.

Subd. 6. Initial Meeting/Organizational Meetings. The council will conduct its organizational meeting concurrent with the first regular council meeting in January of each year to:

1. Appoint an acting mayor pursuant to Minn. Stat. § 412.121.
2. Select an official newspaper pursuant to Minn. Stat. § 412.831.
3. Select an official depository for city funds. This must be done within thirty (30) days of the start of the City's fiscal year pursuant to Minn. Stat. §§ 427.01-.02; 118A.02, subd. 1; 427.09.
4. Review council's bylaws and make any needed changes.
5. Assign committee duties to members.

Subd. 7. Public Meetings. Except as otherwise provided in the open meeting law, all council meetings, including special, emergency, and adjourned meetings and meetings of all council committees shall be open to the public.

Subd. 8. Interactive Technology. The City Council may broadcast their meeting(s) through interactive technology and allow the observation of public meetings. Interactive technology will not be used by the City Council for accepting public comment or testimony. This subdivision does not apply to employees, appointed officers, or consultants of the City.

Section 2. Presiding Officer

Subd. 1. Who Presides. The presiding officer shall be the mayor. In the absence of the mayor, the acting mayor shall preside. In the absence of both, the city administrator shall call the meeting to order and shall preside until the council members present at the meeting choose one of their number to act temporarily as presiding officer.

Subd. 2. Procedure. The presiding officer shall preserve order, enforce the rules of procedure herein prescribed and determine without debate, subject to the final decision of the council on appeal, all questions of procedure and order. The presiding officer shall determine which member has the right to speak and may move matters to a vote once the officer has determined that all members have spoken. The presiding officer may determine whether a motion or proposed amendment is in order and may call members to order. Except as otherwise provided by statute or by these rules, the proceedings of the council shall be conducted in accordance with *Robert's Rules of Order, Newly Revised, 11th Edition, as revised*.

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Subd. 3. Appeals. Any member may appeal to the council from a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely on the question involved and the presiding officer may explain his or her ruling, but no other council member shall participate in the discussion. Once both the maker of the motion and the presiding officer have spoken, the matter must be voted upon by the council as a whole. The appeal shall be sustained if it is approved by a majority of the members present.

Subd. 4. Rights of Presiding Officer. Whenever the presiding officer desires to speak on any question or to make or second any motion, the presiding officer shall vacate the chair, designate the acting mayor, or in their absence, some other council member, to preside temporarily, and shall not resume the chair until the matter under consideration has been acted upon by the council.

Section 3. Minutes

Subd. 1. Who Keeps. Minutes of each council meeting shall be kept by the deputy clerk or in the deputy city clerk's absence, the city administrator, or his/her assigns. In the absence of both, the presiding officer shall appoint the city attorney as a secretary pro tem. Ordinances, resolutions, and claims need not be recorded in full in the minutes if they appear in other permanent records of the deputy clerk and can be accurately identified from the description given in the minutes.

Subd. 2. Approvals. The minutes of each meeting shall be reduced to typewritten form, shall be signed by the deputy clerk, and copies shall be delivered to each council member as soon as practicable after the meeting. At the next regular meeting following such delivery, approval of the minutes need not be read aloud, but the presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction, it may be made without a vote of the council. If there is an objection, the council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

Subd. 3. Publication. Minutes shall be published as required by Minn. Stat. §§ 412.191, 331A.08, subd. 3, 331A.01, subd. 10.

Section 4. Order of Business.

Subd. 1. Order Established. Each meeting of the council shall convene at the time and place appointed. Council business shall be conducted in the following order:

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Action to change agenda
5. Consent agenda
6. Public hearings
7. Items for consideration
8. Unfinished business
9. Mayor's comments
10. Staff correspondence

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11. Correspondence
12. Announcements
13. Items for next agenda
14. Adjournment

Subd. 2. Varying Order. The order of business may be varied by the presiding officer, but all public hearings shall be held at the time specified in the notice of hearing.

Subd. 3. Agenda. An agenda will be prepared for all regular council meetings by the city administrator. Agenda items may be placed by city council members and city staff. Members of the public wishing to place items on the agenda shall complete an agenda request form. When a special meeting is called, the agenda must be included in the request for the meeting and notice consisting of the date, time and purpose of the special meeting shall be posted by the City.

1. All requests to place an item on the agenda must be received by the city administrator/clerk by noon on the Wednesday prior to the next council meeting.
2. All requests to place an item on the agenda must be on the form prescribed by the city. The form should be completed with the goal of clearly describing the subject matter to be considered by council and any action requested or required. Supporting information may be attached to the form as necessary.
3. All requests to place an item on the agenda by city staff must be reviewed by the city administrator/clerk.
4. The agenda, along with information materials, will be mailed or delivered to all city council members and the city attorney at least three (3) days prior to the next council meeting.
5. No item of business shall be considered unless it appears on the agenda for the meeting or is approved for addition to the agenda by a unanimous consent of the Council Members present, unless extraordinary circumstances exist.

Section 5. Quorum and Voting.

Subd. 1. Quorum. At all council meetings a majority of the elected council members shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. The council may punish non-attendance by a fine not exceeding \$100.00 for each absence from any meeting unless a reasonable excuse is offered.

Subd. 2. Voting. The votes of the members on any question may be taken in any manner, which signifies that the intention of the individual members, and the votes of the members on any action taken shall be recorded in the minutes. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims and amounts fixed by statute. If any member is present but does not vote, the minutes, as to that member's name, shall be recorded as an abstention.

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Subd. 3. Votes Required. A majority vote of all members of the council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

Section 6. Decorum of Council Members.

Subd. 1. Aspirational Statement. All council members shall assist the presiding officer in preserving order and decorum and in providing for the efficient operation of the meeting.

Subd. 2. Aspirational Statement. No council member shall engage in conduct which delays or interrupts the proceeding or which hinders honest, respectful discussion and debate.

Subd. 3. Aspirational Statement. City council meetings shall be conducted in a courteous manner that recognizes the validity of differing points of view and promotes the ideal of democratic discussion and debate free of insult, slander, and personal attacks and threats.

Subd. 4. Aspirational Statement. To effectuate these aspirational goals, city council members shall conduct themselves at council meetings in a manner consistent with the following:

1. No council member shall engage in private conversation or pass private messages while in the chamber in a manner so as to interrupt the proceedings of the council.
2. No council member shall leave his or her seat or make any noise of disturbance while a vote is being taken and until the result of the vote is announced.
3. No council member shall use profane or obscene words or unparliamentary language or use language that threatens harm or violence toward another person during a council meeting.
4. No council member shall speak on any subject other than the subject in debate.
5. No council member shall speak without being recognized by the chair; nor shall any council member interrupt the speech of another council member.

Section 7. Ordinances, Resolutions, Motions, Petitions and Communications.

Subd. 1. Readings. Every ordinance and resolution shall be presented in writing. An ordinance or resolution need not be read in full unless a member of the council requests such a reading.

Subd. 2. Signing and Publication Proof. Every ordinance and resolution passed by the council shall be signed by the mayor, attested by the deputy clerk, and filed by the deputy clerk in the ordinance or resolution book. Proof of publication of every ordinance shall be attached and filed with the ordinance.

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Subd. 3. Repeals and Amendments. Every ordinance or resolution repealing a previous ordinance or resolution or a section or subdivision thereof shall give the number, if any, and the title of the ordinance or code number of the ordinance or resolution to be repealed in whole or in part. Each ordinance or resolution amending an existing ordinance or resolution or part thereof shall set forth in full each amended section or subdivision as it will read with the amendment.

Subd. 4. Motions, Petitions, Communications. Every motion shall be stated in full before the presiding officer submits it to a vote and shall be recorded in the minutes. Every petition or other communication addressed to the council shall be in writing and shall be read in full upon presentation to the council unless the council dispenses with the reading. Each petition or other communication shall be recorded in the minutes by title and filed with the minutes in the office of the deputy clerk.

Section 8. Committees.

Subd. 1. Committees Designated. The following committee shall be appointed by the council at the first regular council meeting in January of each year:

1. Personnel committee

Subd. 2. Referral and Reports. Any matter brought before the council for consideration may be referred by the presiding officer to the appropriate committee or to a special committee that the presiding officer appoints for a written report and recommendation before it is considered by the council as a whole. A majority of the members of the committee shall sign the report and file it with the deputy clerk prior to the council meeting at which it is to be submitted. Minority reports may be submitted. Each committee shall act promptly and faithfully on any matter referred to it.

Section 9. Suspension or Amendment of Rules.

These rules may be suspended or amended only by a two-thirds vote of the members present and voting.

Originally passed February 25, 2013 and Amended May 27, 2014, and on January 12, 2015, by the City Council of the City of La Crescent.

Mayor

City Administrator

CITY OF LA CRESCENT, MINNESOTA

Code of Conduct

Purpose.

The city council of the City of La Crescent determines that a code of conduct for its members, as well as the members of the various boards and commissions of the City of La Crescent, is essential for the public affairs of the city. By eliminating conflicts of interest and providing standards for conduct in city matters, the city council hopes to promote the faith and confidence of the citizens of La Crescent in their government and to encourage its citizens to serve on its council and commissions.

Standards of Conduct.

Subd. 1. No member of the city council or a city board or commission may knowingly:

- a. Violate the open meeting law.
- b. Participate in a matter that affects the person's financial interests or those of a business with which the person is associated, unless the effect on the person or business is no greater than on other members of the same business classification, profession, or occupation.
- c. Use the person's public position to secure special privileges or exemptions for the person or for others.
- d. Use the person's public position to solicit personal gifts or favors.
- e. Use the person's public position for personal gain.
- f. Except as specifically permitted pursuant to Minn. Stat. 471.895, accept or receive any gift of substance, whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form, under circumstances in which it could be reasonably expected to influence the person, the person's performance of official action, or be intended as a reward for the person's official action.
- g. Disclose to the public or use for the person's or another person's personal gain, information that was gained by reason of the person's public position if the information was not public data or was discussed at a closed session of the city council.
- h. Disclose information that was received, discussed, or decided in conference with the city's legal counsel that is protected by the attorney-client privilege unless a majority of the city council has authorized the disclosure.

Subd. 2. Except as prohibited by the provisions of Minn. Stat Sec. 471.87, there is no violation of subdivision 1 b. of this section for a matter that comes before the council, board, or commission if the member of the council, board, or commission publicly discloses the circumstances that would violate these standards and refrains from participating in the discussion and vote on the matter. Nothing herein shall be construed to prohibit a contract with a member of the city council under the circumstances described under Minn. Stat. Sec. 471.88, if proper statutory procedures are followed.

CITY OF LA CRESCENT, MINNESOTA

Complaint, Hearing.

Any person may file a written complaint with the city clerk alleging a violation of the standards of conduct. The complaint must contain supporting facts for the allegation. The city council may hold a hearing after receiving the written complaint or upon the council's own volition. A hearing must be held only if the city council determines (1) upon advice of the city attorney, designee, or other attorney appointed by the council, that the factual allegations state a sufficient claim of a violation of these standards or rise to the level of a legally-recognized conflict of interest, and (2) that the complaint has been lodged in good faith and not for impermissible purposes such as delay. The city council's determination must be made within 30 days of the filing of the allegation with the city clerk. If the council determines that there is an adequate justification for holding a hearing, the hearing must be held within 30 days of the city council's determination. At the hearing, the person accused must have the opportunity to be heard. If after the hearing, the council finds that a violation of a standard has occurred or does exist, the council may censure the person, refer the matter for criminal prosecution, request an official not to participate in a decision, or remove an appointed member of an advisory board or commission from office.

CITY OF LA CRESCENT COMMUNICATIONS POLICY

Policy No. 24

To better serve our citizens and give our workforce the best tools to do their jobs, the City of La Crescent continues to adopt and make use of new means of communication and information exchange. Many of our employees have access to one or more forms of electronic media and services, including, but not limited to, computers, e-mail, telephones, cellular telephones, pagers, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, social media, the Internet and the World Wide Web.

The City of La Crescent encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the City of La Crescent should remember that electronic media and services provided by the City of La Crescent are City of La Crescent property and their purpose is to facilitate and support City of La Crescent business. No expectation of privacy exists for employees in regard to use of the City of La Crescent's electronic communication systems in any respect related to accessing, transmitting, sorting, or communicating information via the system.

This policy cannot lay down rules to cover every possible situation. The purpose of this policy is to express the City of La Crescent's philosophy and set forth general guidelines governing the use of electronic media and services. By adopting this policy, it is the City of La Crescent's intent to ensure the electronic communication systems are used to their maximum potential for business purposes and not used in a way that is disruptive, offensive to others or contrary to the best interest of the City of La Crescent.

It is recognized that some personal use of communications is necessary, but all personal use should be kept as brief as possible during work time.

General

This policy applies to all full-time, regular part-time, part-time, and temporary employees, contractors, volunteers, customers, and all other individuals who are provided access to the City of La Crescent communication systems. This policy does not constitute a contract. Revisions may be made from time to time at the discretion of the City Administrator. All employees will be provided with a written copy of this policy, which will be signed, and the signature page placed in their personnel file.

Mail

The City of La Crescent employees may purchase postage at the City office for use on their personal mail items. Personal mail items may be included with the City's daily delivery of mail to the U.S. Post Office.

Telephone

Personal telephone calls shall be kept as brief as possible and shall be made during lunch breaks or rest breaks whenever possible. No charge will apply to local calls. All other long distance calls must be reimbursed to the City. Incoming personal calls may be answered by the employee, but they shall be kept as brief as possible. The City of La Crescent staff will take personal messages for employees. Employees should discourage callers from making personal calls on a regular basis. Employees may check for their messages during lunch breaks, rest breaks, or at the end of the workday. If an incoming message represents an emergency, the City staff will make every effort to contact the employee immediately.

Facsimile (Fax)

The City of La Crescent employees may use the City's fax machine on lunch breaks, rest breaks, before work hours, or after work hours to fax personal communications. No charge will apply to local faxes.

Cellular Phone & Camera

1. Purpose/Policy

- A. Purpose. This policy is intended to define acceptable and unacceptable uses of cellular telephones, cellular phone cameras, cellular phone video, and still and video photography (hereinafter "Cellular Technology." Its application is to insure that Cellular Technology usage is consistent with the best interest of the City of La Crescent without unnecessary restriction of employees in the conduct of their duties. It is recognized that some personal use of communications is necessary to enhance the efficiency of the employee's time. All personal use should be kept as brief as possible during work time. Employees are to use their Cellular Technology in a safe manner at all times. This policy will be implemented to prevent the improper use of or abuse of Cellular Technology and to insure that City of La Crescent employees exercise the highest standards of propriety in their use.
- B. Policy. Employees may not post or publish images of victims, images of emergency scenes, the interior of private dwellings, pictures of our residents, or any other non-public information on any websites of personal use such as but not limited to Facebook, MySpace, Instagram and/or other social media is prohibited.

2. General

This policy applies to all full-time, regular part-time, part-time, temporary employees, contractors, volunteers, customers, and other individuals who are provided access to City of La Crescent communication systems. This policy does not constitute a contract. Revision may be made from time to time at the discretion of the City Administrator.

3. Policy: Employee Cell Phone Per Diem Agreement/Policy

With City Council approval, certain Department Heads and Supervisors shall be entitled to a monthly payment representing a cellular phone allowance. To be eligible for this

allowance, a job-related necessity must exist requiring the Department Head/Supervisor to be available, outside of normal office hours. The cell phone allowance must also eliminate a City owned cell phone and/or the need for the Department Head/Supervisor to seek reimbursement for job-related toll charges made on their own personal phone.

This allowance shall be approved with the understanding that the employee will furnish his/her own cellular phone to be used for City business purposes related to his/her job duties. Such cellular phone number shall be readily available to other City Officials and employees, as well as members of the public, to the same extent as if the City were providing him/her with a cellular phone. All use for official City business purposes shall comply with all City of La Crescent policies and auditing/disclosure practices.

In accepting the monthly Per Diem, the Department Head/Supervisor is obligated/required to maintain a cellular phone and calling plan that is sufficient to meet the needs of their position. Factors determining sufficiency include, but are not limited to, adequate amount of minutes or calling time available, adequate phone battery life and adequate reception to be accessible throughout the City, as technology permits.

Effective June 1, 2013, the monthly Per Diem shall increase to \$50.00 per month for eligible Department Head/Supervisors. Said amount may be reviewed as needed by the Council at the first meeting in January each year hereafter or at other times as determined by the Council in the Council's discretion.

The Department Head/Supervisor is also obligated/required to safeguard any City information or conversations discussed on his/her cellular phone and maintain any City data stored or accessible on the cellular phone according to its classification under the Minnesota Government Data Practices Act (MGDPA).

Employees' use of cellular or wireless devices will comply with applicable Minnesota law including Minnesota Hands Free Law as found in Minnesota Statutes Section 169.475, as maybe amended.

Internet/Email

The City of La Crescent recognizes that the Internet offers a wealth of information that can improve the City's services and the productivity of the City's employees. The City of La Crescent recognizes that e-mail is an efficient and convenient form of communication for both business and personal applications. Confidential information shall not be transmitted via e-mail. E-mail users should be aware the e-mail is easily misdirected or forwarded by the recipient to untold numbers of persons, and the content is easily misconstrued or altered. E-mail and Internet users should also be aware that when they have deleted a message or document from their computer, it may not have been deleted from the entire system and may be stored on the computer's back-up system. E-mail is not a good form of communication with legal counsel when seeking legal advice or transmitting information concerning matters in litigation. Inadvertent disclosure or dissemination of the communication could waive the attorney-client privilege.

The same rules, which apply to record retention for other City of La Crescent documents, apply to e-mail. As a rule, e-mail is a public record whenever a paper message with the same content would be a public record.

The Internet and e-mail are to be accessed for business purpose only, during working hours. Employees may use the City's Internet access to reach sites of personal interest during lunch breaks, rest breaks, before work hours, or after work hours. Employees may receive personal e-mail communications during work hours but shall not respond to those communications during work-hours, except in the case of an emergency.

Only those employees or officials who are duly authorized to speak to the media, to analysts or in public gatherings on behalf of the city may speak/write in the name of the City to any news group or chat room. Other employees may participate in news groups or chats in the course of business when relevant to their duties, but they do so as individuals speaking only for themselves.

The City provides Internet access to employees for work on City business. Employees may use this access for work-related matters in a professional manner.

Occasional personal use of the Internet and e-mail is acceptable within the bounds of all City policies. The following considerations apply to all uses of the Internet whether business related or personal:

1. There is no quality control on the Internet. All information found on the Internet should be considered suspect until confirmed by another source.
2. Internet use during work hours must be limited to subjects directly related to job duties.
3. Personal use of the Internet during non-work hours (breaks, lunch hour, before or after work) is permitted. However, employees may not, at any time, access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races or religions, or in manners that otherwise violate City policies related to respectful workplace and harassment prevention. This prohibition includes information on social media sites such as Facebook and MySpace, blogs and microblogs such as Twitter.
4. No software or files may be downloaded from the Internet unless approved in advance by the technology department or City Administrator. This includes but is not limited to free software or downloads, maps, weather information, toolbars, music or photofiles, clipart, screensavers and games.
5. Employees may not participate in any Internet chatroom – an online meeting place to discuss a particular topic, sometimes in semi-privacy – unless the topic area is related to City business.
6. The City may monitor any employee's use of the Internet for any purpose without prior notice, as deemed appropriate by the City Administrator.
7. Employees may not post or publish images of victims, images of emergency scenes, the interior of private dwellings, pictures of our residents, or any other non-public information on any websites of personal use such as but not limited to Facebook, MySpace, Instagram and/or other social media.

Participation in On-Line Forums or Social Media

1. Employees should remember that any messages or information sent on City of La Crescent-provided facilities to one or more individuals via an electronic network (for example: Internet mailing lists, bulletin boards and on-line services) are statements identifiable and attributable to the City of La Crescent.
2. The City of La Crescent recognizes that participation in some forums might be important to the performance of an employee's job. For instance, an employee might find the answer to a technical problem by consulting members of a newsgroup devoted to the technical area.
3. Employees shall include the following disclaimer in all of their postings to public forums:

The views, opinions and judgments expressed in this message are solely those of the author. The message contents have not been reviewed or approved by the City of La Crescent.
4. Employees should note that even with a disclaimer, a connection with the City of La Crescent exists and a statement could be imputed legally to the City of La Crescent. Therefore, employees should not rely on disclaimers as a way of insulating the City of La Crescent from the comments and opinions they contribute to forums. Instead, employees must limit their discussion to matters of fact and avoid expressing opinions while using the City of La Crescent's systems or provided account.
5. Employees must receive authorization from their department head prior to participating in an online forum.

The Following Shall Apply to All Means of Communication:

1. Access Rules:

Employees shall only use software that is supplied by the City, including but not limited to, web browser and e-mail applications. Employees shall not install hardware or software on the City's system without the express permission of Information Management Specialists or City of La Crescent personnel so designated. Employees shall not access, intercept, record, read, modify, or delete the files belonging to others. Employees shall only use the usernames provided by the City. Employees may not subscribe to receive e-mail from news groups or list services without the permission of Information Management Services or the City of La Crescent personnel so designated.

Individual workstations are configured to operate in a complex, networked environment. Users shall not change their system's setup files. Users who believe their setup files are not configured correctly should contact Information Management System for assistance.

2. Security:

Every employee must maintain the security of the City of La Crescent's communication systems. Employees shall not divulge passwords or security protocols to anyone outside of the City of La Crescent. Employees shall not permit unauthorized users to use their password(s) or the City of La Crescent's Internet or e-mail access.

Unacceptable Use of The City of La Crescent's Communication Systems

At no time, during work hours or non-work hours, shall an employee use any of the City of La Crescent's communications system for any of the following purposes:

1. To access, transmit, upload, download, receive or distribute pornographic, obscene, abusive, or sexually explicit materials or materials containing unclothed or partially clothed people.
2. To transmit or receive obscene, abusive or sexually explicit language or profanity.
3. To violate any local, state or federal law or engage in any type of illegal activities.
4. To vandalize, damage or disable the property of another person or organization.
5. To access the materials, information, files or e-mail of another person or organization without permission or without a legitimate business reason.
6. To violate any applicable state, federal, or international copyright, trademark, or intellectual property laws or regulations, or otherwise use another person or organization's property without prior approval or proper attribution consistent with copyright laws, including unauthorized downloading or exchanging of pirated or otherwise unlawful software, or copying software to or from any of the City of La Crescent's computer.
7. To engage in any form of gambling, wagering, betting, or selling.
8. To engage in any type of harassment or discrimination, including but not limited to; sexual harassment, harassment, or discrimination based upon race, gender, sexual orientation, religion, national origin, marital status, status with respect to public assistance, disability or any other type of harassment or discrimination prohibited by law and by the City of La Crescent policy.
9. To engage in any type of commercial enterprise unrelated to the specific purposes and needs of the City of La Crescent.
10. To engage in any form of solicitation for private purpose that is not related to the business purpose of the City of La Crescent.
11. To promote any political or private causes or other activities that are not related to the business purpose of the City of La Crescent.
12. To enter into financial or contractual obligations without the prior express consent of the City Administrator.
13. To advocate or access information advocating any type of unlawful violence, vandalism or illegal activity.
14. To download large files, requiring the City of La Crescent's storage capacity, from the Internet for personal use.

15. To connect personal social media account names or e-mail addresses to the City of La Crescent.

16. To disclose private or non-public information.

Receipt of Inappropriate E-Mail or Access of Inappropriate Internet Sites

If an inappropriate and unsolicited e-mail message is received, it should be immediately deleted unless the message includes reference to an illegal activity as noted above. Messages referring to illegal activities should be immediately reported to the employee's Department Head. If an employee inadvertently accesses an Internet site which is inappropriate or prohibited, the employee shall immediately escape from such site. Employees should be aware that every transaction on the Internet leaves a trail that can be easily traced and timed.

Enforcement

Any employee who abuses the provisions of this policy will be subject to discipline, including discharge, for abuse of this policy and/or for any other related applicable policies, rules or state and federal laws. In addition, violations of the policy or misuse of the communication systems, which are of a criminal nature, may be referred for criminal prosecution.

Disclaimer/User Liability

While the City of La Crescent has adopted and shall enforce this policy to the extent practicable, it does not have the resources or technical capability to ensure complete compliance by its users, who shall be individually responsible for adhering to the terms of this policy. The City of La Crescent shall not assume, and hereby expressly disclaims, liability for the misuse of its communication systems, computers, equipment or Internet access, which violates this policy or any law.

CITY OF LA CRESCENT COMMUNICATIONS POLICY
ACKNOWLEDGEMENT OF RECEIPT OF COMMUNICATION POLICY

I, _____, an employee of the City of La Crescent,
acknowledge that I have received a copy of the City Communication Policy and understand that
this receipt will be filed with my personnel records.

Date: _____

Signature

Print Name

#3.7



TO: Honorable Mayor and City Council Members
FROM: Bill Waller, City Administrator *Bill*
DATE: January 3, 2024
RE: Call for Special City Council Meeting

We are suggesting that the City Council call for a special City Council meeting on Monday, January 29, 2024 at 5:00 pm, in the Community Room at the La Crescent Community Building, 336 South First Street.

The purpose of the meeting will be to review the preliminary conceptual plans for new City Hall/Public Library/Police Department facilities, including a review of current and proposed square footages in each facility. The meeting will include reviews of the Five-Year Capital Improvement Plans that were adopted in 2022 and 2023, and the Land Exchange Agreement that the City has with VSC Corporation. The meeting will also include a review of potential grant opportunities that may be available to off-set a portion of the total cost of the proposed improvement project.

The City Council will be asked to authorize additional architectural/engineering services necessary to submit preliminary grant applications, including the preparation of construction cost estimates related to the proposed improvement project.

#3.8



CITY OF LA CRESCENT

Department of Police

Chief Luke M. Ahlschlager



January 3, 2024

Honorable Mayor and City Council Members

City Administrator Bill Waller

RE: Public Safety Aid

The 2023 omnibus tax bill included \$210 million in one-time public safety aid that was distributed on December 26, 2023, to cities across the state. Unlike local government aid, this aid cannot be used for general purposes, but instead must be used to "provide public safety."

La Crescent was allocated **\$233,374 (per capita basis)** for the following eligible uses:

- Community violence prevention
- Community intervention programs
- Community engagement
- Mental health crisis response
- Victim services
- Training programs
- First responder wellness
- Equipment related to fire, rescue, and emergency services
- Other personnel or equipment costs

Ineligible uses are the following:

- Employer contribution to the Public Employees Retirement Association Police and Fire Plan if the local unit received police state aid in 2022.
- Any costs associated with alleged wrongdoing or misconduct.
- Purchase of armored or tactical vehicle or substantially similar vehicle.
- Purchase of tear gas, chemical munitions, or substantially similar items.
- Cost of construction, reconstruction, remodeling, expansion, or improvement of police station, including related facilities. "Related Facilities" includes access roads, lighting, sidewalks, and utility components on or adjacent to the property on which the police station is located that are necessary of access to and use of the building.

CITY OF LA CRESCENT

Department of Police

Chief Luke M. Ahlschlager

City administration involving police and fire departments have held discussions about the public safety aid money since summer/fall of 2023. Preliminary public safety aid expenditures have been developed with all to be handled similarly to Capital Expenditure requests, in that, council will be asked to approve each expenditure. The Public Safety Aid will also be tracked by the finance department similarly to the Capital Expenditure Account.

Sincerely,





CITY OF LA CRESCENT

Department of Police

Chief Luke M. Ahlschlager



December 26, 2023

Honorable Mayor and City Council Members

City Administrator Bill Waller

RE: Emergency Warning Siren – Reservoir Site

I am writing to discuss an important matter concerning the safety and emergency preparedness of our city. As the police chief and emergency manager for our community, I feel it is my duty to bring to your attention the need to add an additional warning siren to our city's emergency alert system.

Currently, we have a network of warning sirens (three) strategically located throughout the city to notify residents of impending natural disasters, severe weather events and other emergencies. However, as our community continues to grow, we must adapt and enhance our emergency preparedness measures to adequately protect our citizens.

Reasons for adding an additional warning siren:

1. **Improved Coverage:** The addition of a new warning siren will expand the coverage area of our emergency alert system and would improve the city's northern coverage. The current City of La Crescent siren map has sirens at the following locations:
 - Community Arena (hockey rink)
 - Chestnut Street/Sycamore Street
 - Veteran's Park
2. **Redundancy:** Redundancy is a crucial aspect of any emergency alert system. Having an extra siren will serve as a backup in case one of the existing sirens malfunctions or becomes unavailable due to maintenance or technical issues.
3. **Population Growth:** Our city has seen population growth over the past few years, leading to increased residential areas and commercial developments. To ensure that our emergency alert system remains effective, we need to adapt to the changing landscape and accommodate the needs of our expanding community.

CITY OF LA CRESCENT

Department of Police

Chief Luke M. Ahlschlager

4. Diverse Hazards: Our city faces a variety of potential hazards, including severe weather events, industrial accidents, and other emergencies. Having an additional siren will allow us to tailor warnings to specific areas and hazards more effectively.

Quotation – Federal Signal Corporation (Federal Warning Systems)

- **Siren/equipment - \$14,785.00**
- **Installation - \$11,110.00**

Funding:

I propose using funds from the Public Safety Aid package which the City of La Crescent received in late December, 2023.

In conclusion, the safety and well-being of our citizens should always be our top priority. By adding an additional warning siren to our emergency alert system, we can enhance our city's preparedness and response capabilities, ultimately saving lives and protecting our community.

Your support in this matter is vital, and together, we can take proactive steps to strengthen our emergency preparedness efforts.

Thank you for your time and consideration.

Sincerely,



Luke Ahlschlager

Chief of Police

La Crescent - Reservoir Site

SoundPLAN Map

JANUARY 16, 2020

Submittal By:



FEDERAL SIGNAL
Safety and Security Systems
Protecting people and our planet

2645 Federal Signal Drive
University Park, Illinois 60484
708-534-3400

SOUND PROPAGATION MODEL

Federal Signal Corporation utilized 'SoundPLAN', an internationally recognized noise modeling software, to estimate the Siren sound level. The SoundPLAN model is based on the International Standardization ISO 9613 and takes into account physical effects including geometrical divergence, atmospheric absorption, ground effect, reflection from surfaces, and screening by obstacles.

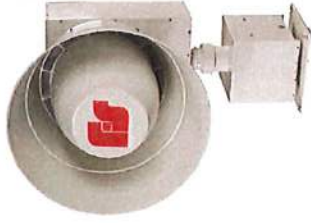
The environmental conditions applied in this noise model are based on the summertime daily averages for the area in interest include:

- Humidity 76.33 %
- Air Pressure 1014.00 mbar
- Temperature 62.67°F

Siren data for this noise model includes:

Siren	Longitude	Latitude	Height (ft)	Type
Reservoir site	-91.3151	43.8372	45	Equinox

Note: The technical specifications on the enclosed document are only estimates. This correspondence may contain confidential information intended for the use of the individual. If the reader of this is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying is strictly prohibited without written authorization from Federal Signal Corporation. Maps are generated by computer simulator which are approximate anticipated coverage for outdoor sirens, that are based on a variety of factors, and do not guarantee coverage.



La Crescent MN

Acoustic Analysis
Reservoir site

ISO9613-2

MAP 005

Lmax
in dB(C)



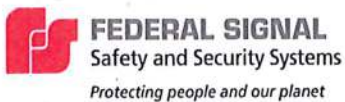
MISSION STATEMENT

We **serve** organizations that rely on critical communication solutions to connect and inform their employees, partners, customers, and stakeholders during emergency and routine operations.

We **listen** to customers and imagine ways to help them address emerging needs.

We **create** innovative solutions drawing upon the knowledge and talent of our employees, a rich portfolio of products and services, and our ability to blend these effectively with the most useful technologies, products and organizations found outside our walls.

We **deliver** consistent, profitable growth, enhanced earnings and cash flow for our stakeholders.



2645 Federal Signal Drive
University Park, Illinois 60484
708-534-3400

#3.10



CITY OF LA CRESCENT

Department of Police

Chief Luke M. Ahlschlager



December 26, 2023

Honorable Mayor and City Council Members

City Administrator Bill Waller

RE: Tesla Squad Upfitting

I am writing to formally request authorization from the city council for the police upfitting of our newly acquired Tesla vehicle. The upfitting includes but is not limited to all required common and necessary squad car equipment, decaling/graphics, and rifle.

Since this will be an additional squad car to the fleet it will require the purchasing and installation of all new equipment. Also since the Tesla is not a Police Package (vehicle built especially for law enforcement use) it will require addition labor costs. I estimate the cost of the upfitting may be between \$20,000 - \$30,000.

I propose using funds from the Public Safety Aid package which the City of La Crescent received in late December, 2023.

Thank you for your time and consideration.

Sincerely,

Luke Ahlschlager

Chief of Police

#3.11



MEMORANDUM

TO: Mayor, City Council Members
FROM: Larry Kirch, Community Development Director
DATE: January 8, 2024
SUBJECT: Resolution Supporting MnDEED Redevelopment Grant Application

The Minnesota Department of Employment and Economic Development (DEED) has a Redevelopment Grant program to assist cities in the redevelopment of blighted properties. The DEED grant has two application cycles each year with the next deadline of February 1, 2024. The city is applying to DEED for a grant to assist in the demolition and redevelopment of the laundromat building located on south Walnut Street. The city must be the applicant. The grant will fund up to 50 percent of eligible costs. In this case, the grant will be limited to building demolition, geotechnical soil stabilization, and public infrastructure costs. Public infrastructure is generally limited to water and sewer connection to the city's water and sewer mains. If the city is successful in receiving the grant, the developer will be paying for 50 percent of the eligible costs so there will be no cost to the city other than the administration of the grant. A resolution is attached for your consideration. The resolution is a model resolution provided by DEED.

Eligible Costs

Eligible Costs	Ineligible Costs
Building Demolition	Interior Demolition or Rehab Costs
Soil Stabilization (geotechnical)	Development or Construction costs
Public Infrastructure Improvements	Project/Grant Administration
Environmental Infrastructure (ponding)	Environmental Remediation
Interior Abatement (asbestos/lead)	Appraisal or other application costs
Public Acquisition (match only)	Streetscape (landscaping, benches, planters, etc.)
	Contingencies, Soft Costs, Contractor per diem

CITY OF LA CRESCENT
315 Main Street
P.O. BOX 142
La Crescent, MN 55947
P: (507) 895-2595
cityoflacrescent-mn.gov

RESOLUTION NO. 01-24-03

**A RESOLUTION APPROVING AN APPLICATION TO THE MINNESOTA
DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT FOR THE
REDEVELOPMENT GRANT PROGRAM AND COMMITTING THE LOCAL
MATCH AND AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO
SIGN CONTRACTS ON BEHALF OF THE CITY**

WHEREAS, the City of La Crescent, MN has created a Tax Increment Finance District for the redevelopment and revitalization of a portion of south Walnut Street which includes the laundromat building located at 31 South Walnut Street; and

WHEREAS, the redevelopment of Walnut Street is and has been a high priority for the city since the completion of the Comprehensive Plan, the Downtown Master Plan and the Walnut Street Corridor Plan.

IT IS RESOLVED, by the City Council that it has approved the Redevelopment Grant application to the Department of Employment and Economic Development (DEED) on January 8, 2024, by the City of La Crescent, MN for the Apple Blossom Laundromat/Dry Cleaners site.

IT IS FURTHER RESOLVED that the City of La Crescent, Minnesota act as the legal sponsor for the project contained in the Redevelopment Grant Program application to be submitted on February 1, 2024, and that the Community Development Director is hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of City of La Crescent, Minnesota.

IT FURTHER RESOLVED that City of La Crescent has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration.

IT FURTHER RESOLVED that the sources and amounts of the local match identified in the application are committed to the project identified.

IT FURTHER RESOLVED that if the project identified in the application fails to substantially provide the public benefits listed in the application within five years from the date of the grant award, the City of La Crescent may be required to repay 100 percent of the awarded grant per Minn. Stat. § 116J.575, Subd. 4.

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.

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, and that the City of La Crescent certifies that it will comply with all applicable laws and regulation as stated in all contract agreements.

NOW, THEREFORE IT FINALLY RESOLVED that the Mayor and the City Administrator are hereby authorized to execute such agreements as are necessary to implement the project on behalf of the City of La Crescent.

I CERTIFY THAT the above resolution was adopted by the City Council of the City of La Crescent on January 8, 2024.

SIGNED:

Mayor, January 8, 2024

SIGNED:

City Administrator, January 8, 2024

WITNESSED BY:

Deputy Clerk, January 8, 2024

3.12



MEMORANDUM

TO: Mayor, City Council Members
FROM: Larry Kirch, Community Development Director
DATE: January 8, 2024
SUBJECT: Resolution Supporting Minnesota Amateur Sports Commission James Metzen Mighty Ducks Grant Application

The Minnesota Amateur Sports Commission has offered a supplemental round of applications for grant funding which is due February 13, 2024. The James Metzen Mighty Ducks Grant program offers two types of grants, one for improving indoor air quality and the other for the elimination of R-22 ice systems. Producing R-22 refrigerant was banned by the EPA in 2020. The city's ice system is an R-22 system and is 26 years old and the grants help communities replace the ice systems with non-ozone depleting refrigerant systems. The grant ceiling is \$250,000 for "indirect" ice systems and the city's system is an indirect ice system. The city must match the grant with local funds. This application complements the city's request for State Bonding Bill funds for the ice system replacement.

A resolution is attached for your consideration. The resolution is a model resolution provided by the Minnesota Amateur Sports Commission.

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315 Main Street
P.O. BOX 142
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RESOLUTION NO. 01-24-04

**A RESOLUTION APPROVING AN APPLICATION TO THE MINNESOTA
AMATEUR SPORTS COMMISSION FOR THE JAMES METZEN MIGHTY DUCKS
GRANT PROGRAM AND COMMITTING THE LOCAL MATCH AND
AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE
GRANT AGREEMENTS ON BEHALF OF THE CITY**

WHEREAS, the Minnesota Amateur Sports Commission (MASC), via State Bonding funding, provides for general funds to assist political subdivisions of the State of Minnesota for the fulfillment of the purpose and goals of the James Metzen Mighty Ducks Grant Program; and

WHEREAS, the City of La Crescent desires to complete its R-22 Indirect Ice System Replacement at the La Crescent Community Ice Arena located at 520 S 14th Street, La Crescent, Minnesota.

IT IS RESOLVED:

- 1) That the total cost of completing the project shall be \$ 1,753,920 and the City of La Crescent is requesting \$250,000 from the James Metzen Mighty Ducks Grant Program and will assume responsibility for a matching contribution of \$250,000.
- 2) The City of La Crescent agrees to own, assume 100 percent operational costs for the facility or equipment, and will operate the facility or equipment for its intended purpose for the functional life of the facility or equipment which is estimated to be 25 years.
- 3) The City of La Crescent agrees to enter into necessary and required agreements with the MASC for the specific purpose of completing the project.
- 4) That a request for reimbursement be made to the MASC for the amount awarded after the completion of the project.
- 5) That City Administrator of The City of La Crescent is authorized and directed to execute said application and serve as the official liaison with the MASC.

CERTIFICATION

I hereby certify that the foregoing resolution is a true and correct copy of the resolution presented to and adopted by the City Council of the City of La Crescent, Minnesota at a duly authorized meeting thereof held on the 8th day of January, 2024, as shown by the minutes of said meeting in my possession.

SIGNED:

Mayor

ATTEST:

City Administrator

3.13



MEMORANDUM

TO: Mayor, City Council
FROM: Larry Kirch, Community Development Director
DATE: January 8, 2024
SUBJECT: MnDOT Transportation Alternatives Grant Application Update

Back on October 23rd, the City Council approved a resolution to authorize the submittal of a grant application to the Minnesota DOT for the Transportation Alternatives (TA) program. The city submitted a pre-application/Letter of Intent (LOI) which was approved by MnDOT District 6 staff. Approval of the LOI allows the city to proceed with a "Full Application." The Full Application is due on January 12th. The grant is a federal grant and requires a 20 percent city match. The project is for funding year 2028 and the project must be completed by the end of 2028. The application requests \$950,000 in federal funding. If the project is approved for funding by the Area Transportation Partnership (ATP), a function of the MnDOT District 6 staff later in the year, the city will have to begin engineering design. The city can also look for additional funding sources that are non-federal funds to assist the city with its 20 percent cost share. The city must pay the cost of engineering design, project administration, construction contingency as well as the 20 percent share of actual construction costs.

The TA application is for a 10' multi-use path south of the Wagon Wheel bridge along the east side of South Chestnut, south to 14th Street, crossing the highway and along the west side of Highway 16 to the Kistler Mobile Home Park. The city is referring to the project as "MRT/USBR45 – Root River Connection Trail Phase 1." The Mississippi River Trail is the bike route from Lake Itasca to Louisiana and U.S. Bike Route 45 follows the MRT. It is hoped that the city can construct a multi-use trail in the city limits that continues to build on the longer-term vision of the extension of the Root River Trail. This project would be Phase 1 of several projects to connect La Crescent with Hokah and Houston.

This application is supported by the recently adopted Active Transportation Action Plan and the Downtown Vision and Strategic Plan, Bicycle and Pedestrian Plan and Safe Routes 2 School plan.

CITY OF LA CRESCENT

315 Main Street

P.O. BOX 142

La Crescent, MN 55947

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#3.14



MEMORANDUM

TO: Mayor, City Council Members
FROM: Larry Kirch, Community Development Director
DATE: January 8, 2024
SUBJECT: IIJA Grant - Minnesota Department of Transportation

On October 6, 2023, city staff applied to the Minnesota Department of Transportation (MnDOT) for \$30,000 in state funds to hire a consultant to help identify and develop one or more federal discretionary grant applications. The application was approved on October 10th. The MnDOT program is called the IIJA Grants Technical Assistance program to assist local governments in readying federal application under the Infrastructure Investment and Jobs Act (IIJA). There is no match required for this grant, however this grant is a reimbursable grant after the city has expended the funds. The State Aid Project number for this grant is 236-589-001.

The city's application was a request to "hire a consultant to develop an application(s) for federal funds for the extension of the Root River Trail south of La Crescent, MN to Hokah, MN and Houston, MN. With the completion of the Active Transportation Action Plan for the Mn Hwy 16 Corridor from the Wagon Wheel Bike-Ped Bridge to Miller's Corner, the next step is to apply for federal funds to construct a multi-use path/trail along the Great River Road/MRT/U.S. Bike Route 45 to Miller's Corner approximately 2 miles."

The steps to move the technical assistance forward include:

- 1) State Aid will assign a State Aid Project (SAP) number after the application is approved for funding.
- 2) A force account agreement will need to be executed between MnDOT District State Aid and the grantee that documents consultant costs and scope. Only costs associated with identifying and applying for federal transportation-related discretionary grants will be eligible for reimbursement. The force account agreement is required before the funding letter can be issued.
- 3) After the SAP number has been assigned and the force account agreement has been executed, State Aid will issue a funding letter with further instructions. Eligible consultant costs incurred after the date of the funding letter will ultimately be eligible for reimbursement, though payment cannot be made until a grant agreement is executed.
- 4) A pre-award audit of the consultant, performed by MnDOT Audit, will be required before the grant agreement can be executed. State Aid staff will request the audit and will work with the grantee's consultant as necessary.

CITY OF LA CRESCENT

315 Main Street

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- 5) A state grant agreement will be required, which will generally follow the process outlined in the State fund grantee user guide. The grant agreement will be executed and the grantee can submit for payment of eligible costs. The grantee will need to obtain approval of the draft grant agreement from State Aid prior to bringing the resolution to the council or board and prior to obtaining local agency signatures on the grant agreement.

City staff will bring back a grant agreement and resolution as soon as steps 2-5 are complete.

State Funded IIJA Technical Assistance Program

Program Overview

In the 2023 legislative session (Chapter 68¹, Article 4 Section 110 and Article 1 Section 2 Subd. 5(a)), the legislature appropriated \$2 million in general funds that is available for grants to townships, small cities, state aid cities, counties, and tribal governments to hire consultants to provide technical assistance in identifying and applying for transportation-related federal discretionary grants². Of this amount, at least 15 percent must be reserved for grants to tribal governments and at least 15 percent must be reserved for grants to small cities. Technical assistance grants may not exceed \$30,000, and no more than one grant can be awarded to each local government in a calendar year. More than one grant may be awarded to a tribal government in a calendar year.

Guidance and Process

Guidance

State funded technical assistance grants are available primarily for hiring consultants to develop federal IIJA discretionary grant applications. Federal discretionary grants generally are those that require an application to be submitted directly to the federal government.

Some work types that are not eligible for this state funded technical assistance include:

- General planning studies and preliminary engineering for one or more corridors that may or may not result in applications for IIJA transportation related discretionary grant applications
- Applications to an MPO or ATP for Transportation Alternatives, Surface Transportation Block Grant, or other federal funds that are distributed through the MPO or ATP
- Applications that are submitted directly to US Senators or House of Representative seeking Congressionally Directed Spending (CDP)
- Applications for state programs such as Local Road Improvement Program, Safe Routes to School, Active Transportation, Local Partnership Program, Corridors of Commerce, State Park Road Account, etc.

Process

The local agency or tribe must submit an application for funding. The application can be found on the State Funded Programs for IIJA Discretionary Grant Assistance webpage³.

¹ <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/68/>

² <http://www.dot.state.mn.us/stateaid/iija-state.html> (list of discretionary grant opportunities. Note that this list may not be comprehensive.)

³ <http://www.dot.state.mn.us/stateaid/iija-state.html>

After applying for and being approved for funding, the following will be required in accessing **state funds** for IIJA technical assistance. State Aid will send “selection” emails to applicants with detailed instructions.

- A **state grant agreement** will be required, which will generally follow the process outlined in the State fund grantee user guide⁴.
- Grants to townships and small cities will require county sponsorship as documented in the state aid manual⁵, Chapter 5.3, section X. At a minimum, the county will need to act as the fiscal agent, with funds flowing from MnDOT to the county to the small city/township.
- State Aid will assign a State Aid Project (SAP) number after the application is approved for funding.
- A force account agreement will need to be executed between MnDOT District State Aid and the grantee that documents consultant costs and scope. Only costs associated with identifying and applying for federal transportation-related discretionary grants will be eligible for reimbursement. The force account agreement is required before the funding letter can be issued.
- After the SAP number has been assigned and the force account agreement has been executed, State Aid will issue a funding letter with further instructions.
 - Eligible consultant costs incurred after the date of the funding letter will ultimately be eligible for reimbursement, though payment cannot be made until a grant agreement is executed.
- A pre-award audit of the consultant, performed by MnDOT Audit, will be required before the grant agreement can be executed. State Aid staff will request the audit and will work with the grantee’s consultant as necessary.
- Finally, the grant agreement will be executed and the grantee can submit for payment of eligible costs. The grantee will need to obtain approval of the draft grant agreement from State Aid prior to bringing the resolution to the council or board and prior to obtaining local agency signatures on the grant agreement. Note that grant funds will be paid on a reimbursable basis.

Funding Summary

Funding for this project is summarized below.

Year	IIJA Tech Assistance Funds (millions)
2023	\$2.0

For More Information

See State funded programs for IIJA webpage⁶ or contact Marc Brieese, State Aid Programs Manager at marc.brieese@state.mn.us or 651-366-3802.

⁴ https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=19741585

⁵ <http://www.dot.state.mn.us/stateaid/manual.html>

⁶ <http://www.dot.state.mn.us/stateaid/ijja-state.html>

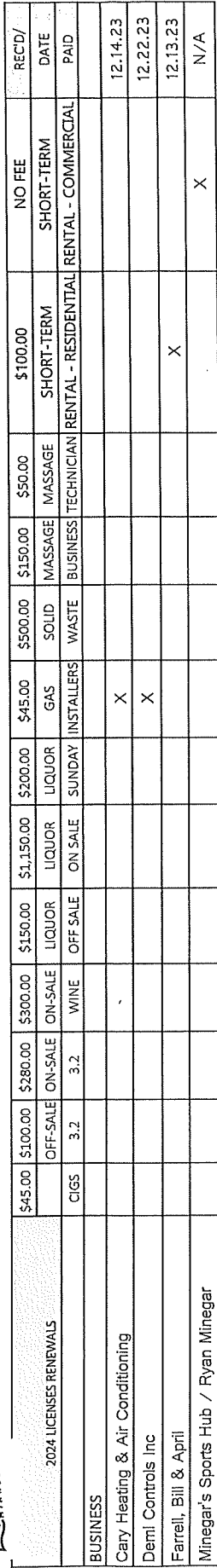
#3.15



TO: Honorable Mayor and City Council Members
FROM: Chris Fortsch, Administrative Assistant *Chris*
DATE: January 2, 2024
RE: 2024 License Renewals

The City has received the attached 2024 license renewals since the last City Council meeting.

The applications appear to be in order, and I would suggest that the City Council approve the license renewal applications for 2024.



3.16



TO: Honorable Mayor and City Council Members
FROM: Chris Fortsch, Administrative Assistant *Chris*
DATE: December 26, 2023
RE: Gambling Permit Application

The City has received the following gambling permit application:

1. Onalaska Foundation for Educational Excellence, Inc. – raffle date is January 20, 2024.

The application for the raffle drawing to be held at the La Crescent Area Event Center appears to be in order, and I would suggest that the City Council approve the application and authorize that it be forwarded to the Minnesota Gambling Control Board.