

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
APRIL 22, 2024

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of April was called to order by Mayor Mike Poellinger at 5:07 PM in the La Crescent Community Building, La Crescent, Minnesota, on Monday, April 22, 2024.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Ryan Hutchinson, Cheryl 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, Community Development Director, Larry Kirch (via Zoom), and City Clerk Angie Boettcher.

Also in attendance from the Houston County Assessors office were Luke Onstad, Joe Olson, and Kelly Petersen, and from the Winona County Assessors office were John Conway and Lindsay Brand.

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 – APRIL 8, 2024
- 1.2 BILLS PAYABLE THROUGH – APRIL 19, 2024

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion.

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

A MOTION TO APPROVE THE CONSENT AGENDA 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
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and Member Jostad abstained. The motion was declared duly carried by a 4-0 vote.

ITEM 3.1 – PLANNING COMMISSION MINUTES – APRIL 2, 2024 – RE: CONDITIONAL USE PERMIT

City Attorney Skip Wieser reviewed the April 2, 2024, Planning Commission minutes with City Council and recommendations regarding the Conditional Use Permit application submitted by Eriah Hayes, owner of Five7. The Conditional Use Permit is for a privately owned recreational building in a residential zoning district. The Planning Commission is recommending that City Council adopt the Conditional Use Permit based on their findings and conditions. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO ADOPT THE CONDITIONAL USE PERMIT APPLICATION SUBMITTED BY ERIAH HAYES, OWNER OF FIVE7 FOR A PRIVATELY OWNED RECREATIONAL BUILDING IN A RESIDENTIAL ZONING DISTRICT BASED ON THE FINDING OF FACTS INCLUDING THE STAFF FINDINGS AS FOLLOWS:

- A. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

Finding: The primary concern is for aesthetics and the surrounding residential character. The city staff has stated that it will not permit vehicle access to/from Grandview Terrace and that traffic and parking would be on the west side and in the Community Ice Area lot. Building design that is harmonious with the residential uses is recommended.

- B. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

Finding: The proposed use is compatible with the Comprehensive Plan Land Use designation and the property will be accessed from the west through the ice arena lot.

- C. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Finding: The current utilities, access roads, drainage, and facilities are sufficient to support the proposed conditional use.

- D. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Finding: The applicant is providing sufficient parking on-site and the ice arena has capacity as well for the proposed use.

- E. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. The use is consistent with the purposes of the zoning code and the purposes of the zoning district in which the applicant intends to locate the proposed use.

Finding: The site will not generate any odors, fumes, dust, noise or vibration and the applicant will control outdoor lighting. With a residential design character, the use is allowed as a conditional use in the R1-B residential zoning district.

- F. The use is not in conflict with the policies of the City of La Crescent.

Finding: The proposed use is not in conflict with the Comprehensive Plan's Land Use category which is Public and Institutional. The use, while commercial, is already existing within the Community Ice Arena and is compatible to what is already occurring at the ice arena.

- G. The use will not cause traffic hazards or congestion.

Finding: The proposed use will have all of its access from the ice arena parking lot and the use is not a significant traffic generator. Bicycle parking at the site should be installed to encourage community youth to get physical exercise on the way to the athletic training center.

- H. Existing uses will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare or general unsightliness.

Finding: The use is a commercial use but not a retail establishment therefore existing uses will not be negatively affected by excessive traffic or noise. With proper site planning and architectural design, there should not be noise, glare or general unsightliness. The applicant has agreed to keep the street frontage along Grandview Terrace landscaped and more subdued in terms of the architectural compatibility with the adjacent residential uses. The Planning Commission has reviewed the Comprehensive Plan along with the terms of the sale. The Planning Commission finds the sale is compliant with the Comprehensive Plan and the sale is in the best interest of the City of La Crescent.

STAFF FINDINGS IN SUPPORT OF CONDITIONAL USE PERMIT

City staff has reviewed the submitted application, the applicant's response to the CUP criteria, reviewed the city zoning district regulations for the R1-B Traditional Low Density Residential Zoning District, and the adopted Comprehensive Plan Economic Development Element, Goals and Objectives. The proposed use is compatible with the Economic Development Element.

1.3. Local startups and entrepreneurship will increase.

Goal 3 Tourism and associated local spending will grow in La Crescent

Strategies: 2. Respond promptly and collaboratively with existing businesses seeking to remodel, expand, or move to La Crescent.

The proposed use is consistent with the Goal and Objectives of the Natural Systems, Open Spaces and Recreation comprehensive plan element as it provides recreational opportunities.

Goal 4 There will be recreational opportunities for all ages and abilities, in support of the health and well-being of our community.

In the Neighborhood Residential section of the Land Use and Community Design element, the text states: *Though housing is the primary land use in most neighborhoods, healthy and balanced neighborhoods may also include other uses that support the needs of residents, including:* • Parks and recreational facilities.

Staff finds that the proposed use for an athletic training facility is compatible with the stated intent of the zoning district and the conditional uses found in the R1-A residential district. As long as the architectural character of the building leans toward residential in its design elements, it can meet the intent of the zoning code. With access from the west, negative impacts to the residential uses can be minimized greatly. The proposed project is consistent with the comprehensive plan Economic Development Element, the Natural Systems, Open Spaces and Recreation Element and the Land Use and Community Design Element.

Subd 1. PURPOSE AND INTENT. The purpose and intent of the R-1B, Traditional Single-Family Residential District is to provide for development of low-density neighborhoods in character with the original residential lot layout of the city.

A. Government buildings and structures; private recreational buildings for the exclusive use of residents and their guests, neighborhood or community centers, and public swimming pools.

The staff finds that the proposed use does meet the CUP criteria in Section 12.06, Subd. 4 of the Zoning Code and recommends approval of the CUP. The Planning Commission may have their own findings, recommend changes, or additional conditions which they feel may be applicable to the proposed project.

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

MOTION TO ADOPT THE CONDITIONAL USE PERMIT APPLICATION SUBMITTED BY ERIAH HAYES, OWNER OF FIVE7 FOR A PRIVATELY OWNED RECREATIONAL BUILDING IN A RESIDENTIAL ZONING DISTRICT BASED ON THE FOLLOWING CONDITIONS OF APPROVAL:

- 1) This CUP is conditionally approved pursuant to Chapter 12, ZONING ORDINANCE of the City of La Crescent, Minnesota, Section 12-06, Conditional Use Permits and the use shall be as set forth in accordance with the application and plans attached and associated to this case and all the provisions of the zoning ordinance and city codes applicable to this case.
- 2) Applicant will abide by the representations made by the applicant, or their agents, made during the permitting process, to the extent those representations were not negated by the Planning Commission or City Council and to the extent they are not inconsistent with spirit or letter explicit conditions of the Conditional Use Permit.
- 3) The applicant shall comply with the city's adopted building codes.
- 4) In accordance with Subd. 4 of Section 12.06, the Planning Commission can require berms, screening, landscaping or other facilities to protect adjacent or nearby property and require landscaping, fencing, screening, or other improvements to protect adjacent or nearby property. Residentially appropriate fencing, tree plantings, landscaping and vegetative screening improvements shall be planted to enhance the residential character of the area.

- 5) Any security and site lighting shall be “Dark Sky” compliant, wherein all light sources shall be down-lit, full cutoff fixtures and shielded, and the correlated color temperature (“CCT”) shall not exceed 2,700 Kelvins.
- 6) Access to the property shall be restricted to the west side of the property through the city-owned Community Ice Arena property.
- 7) The final site plan and final design of the building will contain elements that are residential in character including additional windows facing west and south. Signage shall be restricted to the west and south side of the building and any lighting for the signage shall be indirect lighting.
- 8) Applicant shall comply with all federal, state, and local regulations.

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 – AMEND PURCHASE AGREEMENT – CITY LOT

City Attorney Skip Wieser reviewed with City Council for approval an amendment to the purchase agreement with Eriah Hayes regarding the purchase of the City-owned lot adjacent to Abnet Field. The amendment would state that the City as the seller will pay for the title insurance policy as opposed to the buyer. Following discussion, Member Jostad made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO APPROVE AN AMENDMENT TO THE PURCHASE AGREEMENT BETWEEN THE CITY AND ERIAH HAYES FOR THE CITY-OWNED PROPERTY ADJACENT TO ABNET FIELD STATING THAT THE CITY AS THE SELLER WILL PAY FOR THE TITLE INSURANCE POLICY AS OPPOSED TO THE BUYER.

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.

It was recommended that City Council approve a Resolution for the sale of the property to Mr. Hayes and authorize Mayor Poellinger, City Administrator Waller, and City Clerk Angie Boettcher to sign the closing documents. Following discussion, Member Hutchinson introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 04 - 24 - 15

A RESOLUTION APPROVING THE SALE OF PROPERTY LOCATED ON GRANDVIEW TERRACE, LA CRESCENT TO ERIAH HAYES

WHEREAS, City of La Crescent and Eriah Hayes have entered into a purchase agreement described on Exhibit A of property located on Grandview Terrace, La Crescent.

WHEREAS, the City Planning Commission and the City Council have reviewed and approved the sale of property located on Grandview Terrace, La Crescent described on Exhibit A for the amount of Eighty-Two Thousand Five Hundred 00/100 Dollars (\$82,500.00).

WHEREAS, Minn. Stat. § 412.211 authorizes the sale of real property owned by the City.

NOW THEREFORE BE IT RESOLVED the following:

1. The City Council of La Crescent, Minnesota hereby approves the sale of property located on Grandview Terrace, La Crescent described on Exhibit A to Eriah Hayes.
2. Mayor, City Administrator, and City Clerk are hereby authorized to sign the deed and all requisite closing documents, and any further action necessary to implement this sale by the City.

Adopted this _____ day of _____, 2024.

SIGNED:

Mayor

ATTEST:

City Administrator

Exhibit A

THE SOUTH ONE-HALF OF THE FOLLOWING DESCRIBED PROPERTY:

STARTING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION FIFTEEN (15) IN TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST RUNNING THENCE WEST 866 FEET TO AN IRON PIPE, THENCE SOUTH 8° 30' EAST 434 FEET TO AN IRON PIPE, THENCE WEST 189.5 FEET, THENCE SOUTH 127.2 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED; THENCE SOUTH 254.4 FEET, THENCE WEST 200 FEET, THENCE NORTH 254.4 FEET, THENCE EAST 200 FEET TO THE PLACE OF BEGINNING.

INTENDING HEREBY TO DESCRIBE LOT FIFTEEN (15) OF THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION FIFTEEN OF THE PLAT DATED MAY 4, 1950 FROM SURVEY MADE BY ROBERT R. HENRY FOR THOMAS MCCAFFREY, TOGETHER WITH AN EASEMENT AS DESCRIBED IN DEED DATED DECEMBER 24, 2019, RECORDED AS DOCUMENT NO. 296708 IN THE OFFICE OF THE HOUSTON COUNTY RECORDER.

The motion for the adoption of the foregoing resolution was duly seconded by Member Williams 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.

It was recommended that City Council authorize Attorney Wieser to prepare an amendment with Lancer Youth Hockey stating the use of the hockey arena parking lot is non-exclusive. Following discussion, Member Jostad made a motion, seconded by Member Hutchinson as follows:

MOTION TO AUTHORIZE ATTORNEY WIESER TO PREPARE AN AMENDMENT WITH LANCER YOUTH HOCKEY STATING THE USE OF THE HOCKEY ARENA PARKING LOT IS NON-EXCLUSIVE.

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 3.3 – DEED REDEVELOPMENT GRANT AGREEMENT-31 S. WALNUT ST. PROJECT

Community Development Coordinator Larry Kirch (via Zoom) and Attorney Wieser reviewed with City Council for informational purposes a grant agreement with the Minnesota Department of Employment and Economic Development (MnDEED) for the redevelopment of the former laundromat building at 31 South Walnut Street, where the city created a Tax Increment Finance District with the Nolop's, owners of the property. The grant agreement and development agreement will be brought back to a future City Council meeting.

ITEM 3.4 – SMIF – BREMER PUBLIC ART AND PLACEMAKING GRANT APPLICATION

Community Development Director Larry Kirch (via Zoom) reviewed with City Council for informational purposes the SMIF and Otto Bremer Public Art and Placemaking Grant application. This was informational only, no action taken.

At this time Mayor Poellinger recessed the regular meeting and convened the annual Board of Appeal and Equalization meeting.

2. PUBLIC HEARING/MEETING

At 5:22 PM the City Council convened the annual Board of Appeal and Equalization meeting. Lucas Onstad, Kelly Petersen, and Joe Olson from the Houston County Assessor’s office were present as well as John Conway and Lindsay Brand from the Winona County Assessor’s office. Houston County Assessor Lucas Onstad reviewed the Board of Appeal and Equalization proceedings.

Mayor Poellinger opened the meeting to the public.

The following members of the public wished to address the City Council and representatives from the Houston County Assessor’s Office for Appeal:

Mike Kost – 523 North 1st Street had questions for the assessors and no request for appeal.

Reverend Mark Meier Sr. – 806 Cedar Drive, Unit A, representing the Applegate Condominium Homeowners Association for the 12 units located at 806 and 808 Cedar Drive and the common element land. Following discussion, Member Jostad made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO MAKE NO CHANGE TO THE ESTIMATED MARKET VALUE FOR THE 12 UNITS AND THE COMMON ELEMENT LAND MADE UP OF THE APPLGATE CONDOMINIUM HOMEOWNERS ASSOCIATION LOCATED AT 806 AND 808 CEDAR DRIVE.

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.

Dave Schroeder – 806 Cedar Drive, Unit E, addressed the assessors with some questions. This property is included in the appeal by the Applegate Condominium Homeowner Association that was mentioned in the previous motion.

Curt Murray – 574 Hickory Lane no questions or appeal request.

Dawn Callaway – 808 Cedar Drive, Unit C, the same motion applies as part of the Applegate Condominium Homeowners Association.

Jerry Steffes – 1145 Cedar Drive addressed the assessors with questions and no request for appeal.

Todd Wieser – 650 North 4th Street. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO MAKE NO CHANGE TO THE ESTIMATED MARKET VALUE FOR PROPERTY OWNED BY TODD WIESER AT 650 NORTH 4TH STREET.

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.

The following property owners appealed their valuation and have resolved the appeal with the Winona County Assessor’s Office prior to the meeting.

Tyler and Shelly Reining – 517 Red Apple Drive – value adjusted down from \$498,800 to \$464,800

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

MOTION TO ADOPT THE RECOMMENDATION OF THE WINONA COUNTY ASSESSOR AND REDUCE THE ESTIMATED MARKET VALUE OF THE PROPERTY OWNED BY TYLER AND SHELLY REINING AT 517 RED APPLE DRIVE.

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.

The following property owner appealed their valuation with the Houston County Assessor’s Office prior to the meeting.

Jeff Newman – 195 Eagle Bluff Road. Following discussion, Member Williams made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO MAKE NO CHANGE TO THE ESTIMATED MARKET VALUE FOR PROPERTY OWNED BY JEFF NEWMAN AT 195 EAGLE BLUFF ROAD.

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.

The following property owner appealed their valuation and have resolved the appeal with the Houston County Assessor’s Office prior to the meeting.

Dick Wieser – 610 Hillcrest Avenue – value adjusted down from \$693,200 to \$688,400

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

MOTION TO ADOPT THE RECOMMENDATION OF THE HOUSTON COUNTY ASSESSOR AND REDUCE THE ESTIMATED MARKET VALUE OF THE PROPERTY OWNED BY DICK WIESER AT 610 HILLCREST AVENUE.

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.

Adam Parochka – 128 McIntosh East – value adjusted down from \$505,600 to \$454,800

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

MOTION TO ADOPT THE RECOMMENDATION OF THE HOUSTON COUNTY ASSESSOR AND REDUCE THE ESTIMATED MARKET VALUE OF THE PROPERTY OWNED BY ADAM PAROCHKA AT 128 MCINTOSH EAST.

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

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

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

Josh Lieder – 610 3rd Street North – value adjusted down by \$2,200

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

MOTION TO ADOPT THE RECOMMENDATION OF THE HOUSTON COUNTY ASSESSOR AND REDUCE THE ESTIMATED MARKET VALUE OF THE PROPERTY OWNED BY JOSH LIEDER AT 610 3RD STREET NORTH.

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.

Windswept Options, LLC – 120 Hillview Boulevard – value adjusted down from \$317,900 to \$305,900

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

MOTION TO ADOPT THE RECOMMENDATION OF THE HOUSTON COUNTY ASSESSOR AND REDUCE THE ESTIMATED MARKET VALUE OF THE PROPERTY OWNED BY WINDSWEPT OPTIONS, LLC AT 120 HILLVIEW BOULEVARD.

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.

There being no further appeals to come before the Council at this time, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson to adjourn the Board of Appeal and Equalization 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.
At 6:31 PM Mayor Poellinger resumed the regular City Council meeting.

ITEM 3.5 – LEASE AGREEMENT – HEALTHY COMMUNITY PARTNERSHIP

City Administrator Bill Waller reviewed the 2024 Healthy Community Partnership Lease agreement for 333 Main Street. It was recommended that City Council approve the lease agreement with HCP with an expiration date of April 30, 2025. As part of extending the lease, it was recommended that the City Council provide HCP with notice that the lease will not be extended beyond April 30, 2025. It is intended to include funds in the 2025 general fund budget to have the house demolished, once the lease has expired. Following discussion, Member Jostad made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO APPROVE THE 2024 HEALTHY COMMUNITY PARTNERSHIP LEASE AGREEMENT FOR 333 MAIN STREET WITH THE INTENTION THAT THIS BE THE LAST YEAR OF THE LEASE AGREEMENT.

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

Ryan Hutchinson	Yes
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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- REVIEW LOCAL CONTROL OPTIONS REGARDING CANNABIS REGULATIONS

City Attorney Skip Wieser reviewed with City Council the local control options that are available to the City regarding cannabis regulations. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO AUTHORIZE ATTORNEY WIESER TO DRAFT A MODEL ORDINANCE REGULATING THE PROXIMITY TO SCHOOLS AND PARKS AS WELL AS THE TIME, PLACE, AND MANNER OF A CANNABIS BUSINESS WITHIN THE CITY.

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-BICYCLE TOUR – RIDE TO CURE DIABETES

City Council reviewed a letter from Police Chief Ahlschlager requesting permission for the La Crescent Police Department and the Reserve Unit to assist cyclists crossing Hwy 16 (northbound lanes) at South Chestnut Street for the 2024 Juvenile Diabetes Research Foundation (JDRF) Ride to Cure Diabetes to be held on Saturday, August 3, 2024. Following discussion, Member Hutchinson made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE LA CRESCENT POLICE DEPARTMENT AND RESERVE UNIT TO ASSIST WITH CYCLISTS CROSSING HWY 16 NORTHBOUND AT SOUTH CHESTNUT STREET FOR THE 2024 JUVENILE DIABETES RESEARCH FOUNDATION RIDE TO CURE DIABETES TO BE HELD ON SATURDAY, AUGUST 3, 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 3.8 – CALL FOR PUBLIC HEARING – SMALL CITIES GRANT

City Administrator Bill Waller reviewed the Small Cities Development Program that was approved in 2021 to provide assistance to 20 homeowners, up to \$24,000 per home, with a total application of \$552,000. As part of the process, the City is required to hold a public hearing for people to comment on the program. It was recommended that City Council call for the required public hearing at 5:00 pm, on Tuesday, May 28th, 2024. A notice of public hearing was included. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson as follows:

MOTION TO CALL FOR A PUBLIC HEARING ON TUESDAY, MAY 28TH AT 5:00 PM REGARDING THE SMALL CITIES DEVELOPMENT PROGRAM.

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 3.9 – GAMBLING PERMIT APPLICATION

City Council reviewed a memo from City Administrative Assistant Chris Fortsch regarding a Gambling Permit application from Surviving Valor, Inc. for a raffle to be held on Saturday, May 18, 2024, at the Swing Bridge Pub. The application appears to be in order and it was recommended that City Council approve the application and authorize that it be forwarded to the Minnesota Gambling Control Board. Following discussion, Member Williams made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE A GAMBLING PERMIT APPLICATION FROM SURVIVING VALOR, INC. FOR A RAFFLE TO BE HELD ON SATURDAY, MAY 18, 2024, AT THE SWING BRIDGE PUB AND AUTHORIZE THAT IT BE FORWARDED 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 3.10 – UPPER MISSISSIPPI RIVER WILDLIFE PROCLAMATION

City council reviewed a request to proclaim 2024 as Upper Mississippi River National Wildlife and Fish Refuge Year in celebration of 100 years. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO PROCLAIM 2024 AS UPPER MISSISSIPPI RIVER NATIONAL WILDLIFE AND FISH REFUGE YEAR IN CELEBRATION OF 100 YEARS.

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

6.1 CPK RAILROAD – STEAM TRAIN

City council reviewed a letter from CPKC railroad regarding the Steam Train tour dates.

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 6:51 P.M.

APPROVAL DATE: May 13, 2024.

SIGNED:

Mayor

ATTEST:

City Administrator