CITY OF LA CRESCENT



AGENDA REGULAR MEETING JANUARY 10, 2022 5:30 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 20, 2021
- 1.2 BILLS PAYABLE THROUGH JANUARY 6, 2022
- 1.3
- 1.4

2. PUBLIC HEARING

3. ITEMS FOR CONSIDERATION

3.1	ANNI	JAL A	PPC)IN	IMENTS

- 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 AUTHORIZE ICE ARENA REPAIRS
- 3.8 PLANNING COMMISSION MINUTES JANUARY 4, 2022
- 3.9 NO PARKING ORDINANCES
- 3.10 2022 LICENSE RENEWALS
- 3.11 DONATION RESOLUTION
- 3.12 CAPITAL EXPENDITURE RESOLUTION

CITY OF LA CRESCENT

AGENDA REGULAR MEETING JANUARY 10, 2022 5:30 P.M.

4. UNFINISHED BUSINESS

4.1

4.2

5. MAYOR'S COMMENTS

5.1

6. STAFF CORRESPONDENCE/COMMITTEE UPDATES

6.1

6.2

6.3

7. CORRESPONDENCE

7.1 SOLAR-READY HOME CERTIFICATION PROGRAM

7.2 XCEL ENERGY RATE INCREASE

7.3

8. CHAMBER OF COMMERCE

8.1

9 ITEMS FOR NEXT AGENDA

10. ADJOURNMENT



MINUTES, REGULAR MEETING CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA DECEMBER 20, 2021

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 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, December 20, 2021.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Cherryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: Member Ryan Hutchnson. Also present was City Administrator Bill Waller, City Attorney Skip Wieser, City Engineer Tim Hruska, City Sustainability Coordinator Jason Ludwigson, and City Administrative Assistant Angie Boettcher.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

ITEM 1 – CONSENT AGENDA

At this time, the Mayor read the following items to be considered as part of the Consent Agenda for this regular meeting:

- 1.1 MINUTES DECEMBER 13, 2021
- 1.2 BILLS PAYABLE THROUGH DECEMBER 16, 2021
- 1.3 CASH BALANCE/ACTIVITY REPORT NOVEMBER 2021
- 1.4 LIBRARY REPORT NOVEMBER 2021

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 O'Donnell-Ebner made a motion, seconded by Member Williams, 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;

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 by a 4-0 vote.

ITEM 2.0 – STORMWATER ANNUAL MEETING

City Engineer Hruska reviewed with City Council the Stormwater Pollution Prevention Program (SWPPP) report and the new MS4 Stormwater Permit. He was in attendance at the meeting to conduct the City's

annual stormwater meeting. This is one of the requirements of the City's stormwater permit, and the annual report that is submitted to the MPCA. The public meeting satisfies one of the requirements of the public participation/involvement sections of the stormwater permit. City Sustainability Coordinator Jason Ludwigson reviewed a public education, outreach and public improvement program for 2022 and City Council reviewed the proposed implementation plan. City Council also reviewed a copy of the City's current stormwater permit. Discussion and questions from City Council followed. Included in the discussion was Houston County's continued use of sand on County roads within the City limits. Mayor Poellinger opened the meeting for public comment and questions. There was no public input. The public comment portion was then closed. This item was informational, and no action was taken.

ITEM 3.1 – REVIEW ESTABLISHMENT OF STORMWATER UTILITY

City Engineer Hruska reviewed with City Council the establishment of a stormwater utility. This topic has been discussed periodically over the years. In 1997, the City Council went through the process to establish a stormwater utility, but in the end did not adopt the ordinance necessary to establish the utility. In 2021, the City completed 3 stormwater projects. These included the restoration of the Beacon Valley Road ditch, the storm sewer upgrades at the Wildwood development, and improvements to the drainage ditch by the High School. In addition, the City has discussed future stormwater projects. These include additional improvements to the drainage ditch by the High school, maintenance to the storm sewer between Park Street and Elm Street, and the continued expansion of the Redwood Drive storm sewer system to reduce localized flooding events that occur periodically throughout the community. City Council reviewed an informational document prepared by the City of Hermantown, Minnesota, regarding the establishment of a stormwater utility. Discussion ensued by City Council. It was recommended to move forward with a stormwater utility and to have the City Engineer work with the City Attorney to prepare a more detailed report for review and discussion at a City Council meeting in the summer of 2022. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE MOVING FORWARD WITH A STORMWATER UTILITY AND TO HAVE THE CITY ENGINEER WORK WITH THE CITY ATTORNEY TO PREPARE A MORE DETAILED REPORT FOR REVIEW AND DISCUSSION AT A CITY COUNCIL MEETING IN THE SUMMER OF 2022.

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

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 by a 4-0 vote.

ITEM 3.2 – ENGINEERING AGREEMENT – DNR GRANT

City Engineer Hruska reviewed with City Council that the City has received a \$128,105.83 State Park Road Account grant from the Minnesota Department of Natural Resources that will pay for 100% of the construction cost to reconstruct the Sportsman Landing Road. This project will improve the separation

between the road and the Wagon Wheel Trail and will also allow the City to plan for the connection of the trail to the West Channel Bridge. It was recommended to City Council to expand the scope of the engineering agreement to include the Monte Carlo Road. The Monte Carlo Road is in need of repair, and this may be an opportune time for the work to be completed. The 2022 budget does not presently include funds for the Monte Carlo Road portion of the project. City Council reviewed an engineering agreement for the project. The engineering costs are not grant eligible for reimbursement. There are funds in the 2022 general fund budget for this expenditure. In order to proceed with the project, it was recommended that City Council accept the engineering agreement with WHKS. Following discussion, Member Williams made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION TO ACCEPT THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND WHKS & CO. FOR THE SPORTSMAN'S LANDING ACCESS ROAD PROJECT TO INCLUDE THE MONTE CARLO ROAD AND TO USE FUNDS IN THE 2022 GENERAL FUND BUDGET FOR THIS EXPENDITURE.

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

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 by a 4-0 vote.

ITEM 3.3 – WAGON WHEEL PROJECT CHANGE ORDER

City Engineer Hruska reviewed with City Council a memo regarding a change order to the Wagon Wheel Phase 3, Bridge project. After the project was bid, the contractor was asked if any value engineering could be made to provide some cost saving to the job. The memo included modifications that have been recommended relating to the lights and electrical system. WHKS has reviewed the proposed changes and concluded that these modifications will not negatively impact the project from an engineering point of view. It was recommended to City Council to review and approve the proposed alterations as submitted by ICON Constructors, LLC. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PROPOSED CHANGE ORDER TO WAGON WHEEL PHASE 3, BRIDGE PROJECT AS SUBMITTED BY ICON CONSTRUCTORS, LLC RELATING TO THE LIGHTS AND ELECTRICAL SYSTEM.

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

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 by a 4-0 vote.

ITEM 3.4 – 2022 LICENSE RENEWALS

City Council reviewed a list of additional 2022 license renewal applications that were received following the last City Council meeting. The applications appear to be in order, and it was recommended to City Council to approve the license renewal applications. It was noted that La Crescent Wine & Spirit has provided the required insurance certificate. Following discussion, Member Jostad made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION TO APPROVE THE PRESENTED LIST OF LICENSE RENEWALS FOR 2022 FOR THE FOLLOWING:

LIQUOR OFF-SALE – APPLE VILLAGE LIQUOR; LA CRESCENT WINE & SPIRIT SOLID WASTE – HILLTOPPER REFUSE & RECYCLING; WASTE MANAGEMENT

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

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 by a 4-0 vote.

ITEM 3.5 - COMMUNITY DEVELOPMENT PROPOSAL

City Administrator Waller reviewed with City Council that the City received the two proposals to provide community/economic development services to the City of La Crescent. The first was from Larry Kirch - \$40.00 per hour; and the second from CEDA - \$89.00 per hour. It was recommended to accept the proposal submitted by Larry Kirch. Mr. Kirch was employed as the La Crosse Director of Planning and Development from 1993 - 2014, and is currently employed as the Development Services Director in Apache Junction, Arizona. Mr. Kirch would be able to work remotely in early 2022, and would be available in person beginning March of 2022. City Council reviewed a contract for professional services with Mr. Kirch. The contract has been expanded to include serving as staff to the Planning Commission. Given Mr. Kirch's extensive background and experience in this field, it would be extremely helpful and beneficial to the City to add this to the contract. Following discussion it was recommended to City Council to also approve the contract with the following additional changes: Larry Kirch be changed to Prologue Planning Group; and include that Mr. Kirch works with and attends and presents at the Development Commission Meetings. Following discussion, Member Jostad made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PROPOSAL SUBMITTED BY LARRY KIRCH TO PROVIDE COMMUNITY/ECONOMIC DEVELOPMENT SERVICES TO THE CITY OF LA CRESCENT INCLUDING THE ADDITIONAL CHANGES OF LARRY KIRCH BE CHANGED TO PROLOGUE PLANNING GROUP; AND INCLUDE THAT MR. KIRCH WORKS WITH AND ATTENDS AND PRESENTS AT THE DEVELOPMENT COMMISSION MEETINGS.

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

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 by a 4-0 vote.

ITEM 3.6 – 2022 PROFESSIONAL SERVICES AGREEMENTS

City Administrator Waller reviewed with City Council the 2022 professional service agreements/contracts with City Council regarding WHKS & Co. for engineering, Wieser Law Office for legal, and Jason Ludwigson for Sustainability Coordinator for the City of La Crescent. It was recommended to City Council to approve the 2022 fee schedules for WHKS & Co. and Wieser Law Office. It was also recommended to City Council to approve an increase in the fee charged by Jason Ludwigson for 2022 from \$28.00 per hour to \$32.00 per hour, and that the hours of the contract be expanded from 25 to 28 hours per week. City Council reviewed a revised agreement with the additional duties highlighted for the Sustainability Coordinator. Following discussion, the following Motions were made:

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

MOTION TO APPROVE THE 2022 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;

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 by a 4-0 vote.

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

MOTION TO APPROVE THE 2022 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;

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 by a 4-0 vote.

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

MOTION TO APPROVE A CONTRACT WITH JASON LUDWIGSON FOR SUSTAINABILITY COORDINATOR WHICH INCLUDES AN INCREASE IN THE HOURLY FEE TO \$32.00 PER HOUR, EXPANDS TO 28 HOURS PER WEEK AND INCLUDES ADDITIONAL DUTIES.

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 none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.7 – PERSONNEL COMMITTEE RECOMMENDATIONS

City Administrator Waller reviewed with City Council the following recommendations from the Personnel Committee:

- 1. That the City Council hire Nick Skree as a Police Officer for the City of La Crescent. This will fill the vacancy created by Justin Thorson's resignation. Pursuant to the terms and conditions of the LELS contract, Mr. Skree will serve a 12-month probationary period. For City Council information, Mr. Skree has worked as a part-time Police Officer for the City of La Crescent since August of 2021
- 2. Given the delay in filling the position of Bookkeeper, the following items will be delayed until January of 2022:
 - a. Establishment of a post-retirement healthcare savings plan for full-time City employees that are not represented by a bargaining unit.
 - b. A review of job descriptions for the Administrative Assistant and Office Assistant positions.
 - c. A phased retirement option for Debbie Shimshak.
 - d. A memorandum of understanding with the AFSCME Union regarding Kara Tarrence assuming certain responsibilities in the interim as the City's Finance Director.

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

MOTION TO ACCEPT THE HIRING OF NICK SKREE AS A POLICE OFFICER FOR THE CITY OF LA CRESCENT AND PURSUANT TO THE TERMS AND CONDITIONS OF THE LELS CONTRACT, MR. SKREE WILL SERVE A 12-MONTH PROBATIONARY PERIOD.

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 none voted against the same. The motion was declared duly carried by a 4-0 vote.

City Council reviewed the update on hiring of bookkeeper and items delayed until January, 2022. This item was informational, and no action was taken.

ITEM 3.8 - HAZARDOUS BUILDING ASSESSMENT

City Attorney Wieser reviewed with City Council the executed Order for Judgment and Judgment regarding the property at 226 3rd Street N. It was recommended to City Council to authorize that the Judgment amount be sent to the County Assessor to be included as an assessment on the 2022 taxes. Following discussion, Member Jostad made a motion, seconded by Member Williams, as follows:

MOTION TO AUTHORIZE THAT THE JUDGMENT AMOUNT ON THE PROPERTY AT 226 3RD STREET N PROPERTY BE SENT TO THE COUNTY ASSESSOR TO BE INCLUDED AS AN ASSESSMENT ON THE 2022 TAXES.

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 none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.9 – COVID-19 REPORT

City Administrator Waller informed City Council that the Covid-19 Review that Ryan Stotts is completing will be presented at the January 24, 2022 City Council Meeting. This item was informational, and no action was taken.

ITEM 3.10 – LA CRESCENT LIONS CLUB FROZEN APPLE HIKE

Member O'Donnell-Ebner stepped away as Council Member to address City Council regarding the La Crescent Lions Club Frozen Apple Hike. The Lions Club would like to host a new winter community event featuring one of La Crescent's nature trails to create a free candlelight hike suitable for all ages. They would request the following assistance from the City:

- 1. Reserve Vet's Park and the Eagle Bluff Access Trail for Saturday, February 12, 2022;
- 2. Placement of a couple barricades at the entrance to the upper parking lot;
- 3. Permission to run a UTV on the trail to assist with event setup, including placement of luminaria, firepit, and beverage station on the trail; and
- 4. Possible assistance with other miscellaneous items, such as barrels for garbage.

City Council reviewed a description and background for the hike. It was recommended to City Council to approve the hike. Following discussion, Member Williams made a motion, seconded by Member Jostad, as follows:

MOTION TO APPROVE THE LA CRESCENT LIONS CLUB FROZEN APPLE HIKE ON FEBRUARY 12, 2022 ON THE EAGLE BLUFF ACCESS TRAIL, ALONG WITH THE REQUESTED ASSISTANCE STATED ABOVE.

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

Cherryl Jostad	Yes
Dale Williams	Yes
Mike Poellinger	Yes

Member Teresa O'Donnell-Ebner abstained from voting, and none voted against the same. The motion was declared duly carried by a 3-0 vote.

ITEM 3.11 – DONATION RESOLUTION

City Council reviewed a Donation Resolution for Wieser Memorial Park. Following discussion, Member Jostad introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 12-21-44

RESOLUTION ACCEPTING DONATION MADE TO THE CITY OF LA CRESCENT FOR WIESER MEMORIAL PARK

WHEREAS, the City of La Crescent ("La Crescent") is required by Minn. Stat. § 465.03 to accept donations by Resolution;

WHEREAS, an anonymous donor would like to donate \$30,964.00 to Wieser Memorial Park to be used for the specific purpose of improvements to the park shelter and bathroom facilities.

WHEREAS, La Crescent agrees to accept the donation for Wieser Memorial Park subject to the conditions identified above.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of La Crescent hereby accepts the donation stated above for Wieser Memorial Park subject to the conditions identified above.

CICNIED.

ADOPTED this 20th day of December, 2021.

	SIGNED.	
TTEST:	Mayor	
ity Administrator	-	

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

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 by a 4-0 vote and the resolution duly passed and adopted.

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber of Commerce updated City Council on Chamber events and thanked the La Crescent Fire Department for the escort of Santa and Mrs. Claus at the Christmas in La Crescent event.

Houston County Commissioner, Dewey Severson, gave an update to City Council on the No Wake Zone for the West Channel of the Mississippi River that will be in place for the spring boating season.

There being no further business to come before the Council at this time, Member Williams made a motion, seconded by Member O'Donnell-Ebner, 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;

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

APPROVAL DATE:	
	SIGNED:
ATTEST:	Mayor
City Administrator	



TO: Honorable Mayor and City Council Members

FROM: Bill Waller, City Administrator

DATE: January 6, 2022

RE: Bills Payable

The bills payable will be e-mailed out separately.



TO: Honorable Mayor and Council Members

FROM: Bill Waller, City Administrator

DATE: January 5, 2022 RE: Annual Appointments

The following appointments are due for the year 2022 and will require a separate motion for each appointment:

1. Acting Mayor. - MOTION

2. On the recommendation of Finance Director Debbie Shimshak, the following are the recommended official depositories: **RESOLUTION - Copy Attached**.

All Banking Function:

Merchants Bank - La Crescent

Home Federal Savings - La Crescent

Edward Jones – La Crescent Northland Securities, Inc.

4 M Fund (Sponsored by League of Minnesota Cities) Institutional CD's Inc/CD Securities, Inc. - Broker

Altra Federal Credit Union La Crescent

Multi-Banks Securities

Eitzen State Bank - La Crescent

- 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. Debbie Shimshak was appointed to this position in 2004, but given her pending retirement we would recommend that Angie Boettcher be designated as the responsible authority.

 RESOLUTION Copy Attached.

RESOLUTION NO. 01-22-01

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
Edward Jones - La Crescent
Northland Securities, Inc.
4M Fund (sponsored by the League of Minnesota Cities)
Institutional CD's Inc./CD Securities, Inc. - Broker
Altra Federal Credit Union - La Crescent
Multi-Banks Securities
Eitzen State Bank - La Crescent

ADOPTED this 10th day of January, 2022.

	SIGNED:	
ATTEST:	Mayor	
City Administrator		

RESOLUTION NO. 01-22-02

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 10^{th} day of January, 2022.

	SIGNED:	
ATTEST:	Mayor	
City Administrator	,,	

#3.2

CITY OF LA CRESCENT STANDING COMMISSIONS 2022

PLANNING COMMISSION

- 1. Dave Coleman 2023
- 2. Greg Husmann 2022
- 3. Dave Hanifl 2022
- 4. Mike Welch 2024*
- 5. Anna Stoecklein 2023
- 6. Ryan Stotts 2024*
- 7. Jerry Steffes 2024*

PARK AND RECREATION COMMISSION

- 1. Jon Steffes 2022
- 2. Paul McLellan 2022
- 3. Patricia Martell 2022
- 4. Linda Gasper 2023
- 5. Sarah Wetterlin 2023
- 6. Diana Adamski 2024*
- 7. Eileen Krenz -2024*

GOLF COMMISSION

- 1. Gary Hill 2022
- 2. Tom Jones 2024*
- 3. Larry Ernst 2022
- 4. Bill Dockendorff 2023
- 5. Scott Yeiter 2023

HISTORIC BLUFF COUNTRY COMMISSION

1.

LIBRARY BOARD

- 1. Teresa O'Donnell-Ebner 2022*
- 2. Tina Ryan 2023
- 3. Kelsey Bolton 2022
- 4. Susan Amble 2024*
- 5. Logan Colby 2022
- 6. Kristi Moulton 2023
- 7. Erica Myhre 2024*

ECONOMIC DEVELOPMENT COMMISSION

- 1. Larry Stryker 2022
- 2. Sarah Danielson 2023
- 3. Mike Welch 2021
- 4. Troy Nolop 2023
- 5. Lori Kadlec 2024*
- 6. Al Voss 2022
- 7. Brett Kemmer 2024*

GREENSTEP COMMITTEE

- 1. Jim Nissen 2022
- 2. Jason Ludwigson -2022
- 3. Michael Alfieri 2022
- 4. Angie Boettcher 2022
- 5. Tyler Benish 2022
- 6. Bob Spencer -2022
- 7. Todd Bille 2022
- 8. Lauren Rislov 2022

NATURAL RESOURCE ADVISORY GROUP

- 1. Jim Nissen 2022
- 2. Ruth Nissen 2022
- 3. Phyllis Feiock 2022
- 4. Randy Urich 2022
- 5. Mary Thompson 2022
- 6. Craig Thompson 2022
- 7.

BICYCLE/PEDESTRIAN COMMITTEE

- 1. Jason Ludwigson 2022
- 2. Linda Larson 2022
- 3. Anna Stoecklein 2022
- 4. Maseray Severn 2022
- 5. Kristen Plummer 2022

Indicates Reappointed*



TO: Honorable Mayor and City Council Members

FROM: Bill Waller, City Administrator

DATE: January 5, 2022

RE: City Council Commission Appointments

At the direction of the Mayor, the proposed Commission assignments for 2022 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

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

3.4/3.5/3.6



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

KELLY M. IVERSON AL "SKIP" WIESER, III AL WIESER, JR. Emeritus

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

TO:

Honorable Mayor and City Council Members

CC:

Bill Waller, City Administrator

FROM

Skip Wieser, City Attorney

DATE:

January 4, 2022

RE:

Annual Reviews

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

#3.4

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 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.
- **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 council meeting will state the reason for closing the meeting on the record and cite the state statute that

1

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 shall be open to the public.

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.*
- **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 assigns. In the absence of both, the presiding offer 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
 - 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.
- **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 unparlimentary 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.
- **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.

	/s/	
	Mayor	
/s/		
Deputy Clerk		

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.

#3.6

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. <u>Purpose</u>. 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. <u>Policy</u>. 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 <u>information</u> 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 employers 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,acknowledge that I have received a copy of the City this receipt will be filed with my personnel records.	
Date:	
	Signature
	Print Name



TO: Honorable Mayor and City Council Members

FROM: Bill Waller, City Administrator

DATE: January 5, 2022

RE: Authorize Ice Arena Repairs

The fire suppression piping at the Ice Arena is original, and is now in need of replacement. In the past there have been a number of leaks in the system, and there is concern that a future leak could damage the ice and result in loss of programming and revenue.

The following proposals were received to replace approximately 1,365 feet of sprinkler pipe and associated sprinkler heads:

- Fireline \$23,500.00
- General Sprinkler \$25,864.00

We are suggesting that the City Council accept the proposal submitted by Fireline. Fireline's proposal is a time and material proposal, with a not to exceed figure of \$23,500.00. The possibility exists that the actual cost might be lower than the \$23,500.00 figure.

The costs of the improvement would be split equally between the City and Lancer Youth Hockey. There are funds in the City's 2022 general fund budget for this expenditure.

TO: City Council

FROM: Jason Ludwigson, Sustainability Coordinator

DATE: January 5th 2022

RE: Planning Commission Minutes

Attached are the minutes from the January 4th, 2022 Planning Commission meeting. At the October 5th meeting the Planning Commission voted to approved the variance application for 215 South Chestnut Street. The Planning Commission discussed text amendment changes for CD-1 primary building materials and the grading plans at the new elementary school.

TO: Planning Commission Members

Honorable Mayor and City Council members

FROM: Jason Ludwigson, Sustainability Coordinator

DATE: January 5th, 2022

RE: Meeting Minutes from January 4th, 2022

The Planning Commission met at 5:30 p.m., on Tuesday, January 4th 2022 in the City Council Chambers at City Hall. The following members were present: Ryan Stotts, Annie Stoecklein, Dave Coleman, and Jerry Steffes. City Sustainability Coordinator, Jason Ludwigson, Building/Zoning Official Shawn Wetterlin, were also in attendance. Mike Welch, Greg Husmann, and Dave Hanifl were absent.

Vice Chair Annie Stoecklein served as chairperson for the meeting in Chair Hanifl's absence.

1. The meeting was called to order by Chair Stoecklein who asked for a motion to approve the December 7th,

2021 minutes.

Following discussion Member Stotts made a motion, seconded by Steffes to approve the

minutes.

Upon a roll call vote, taken and tallied by the Sustainability Coordinator, all members present voted in

favor.

Stoecklein - Yes

Stotts - Yes

Steffes - Yes

Coleman - Yes

2. At 5:35 the Planning Commission held a Public Hearing to approve the Variance Application to install architectural metal siding as a primary building material at 215 South Chestnut Street.

Chair Stoecklein opened the meeting.

Jason Rouleau, representing City Door spoke in regards to the variance application.

Chair Stoecklein closed the public meeting.

Members discussed the variance application. Possible findings were presented. Member Stotts made a motion to approve the variance with the following findings. Member Coleman seconded the motion.

CRITERIA FOR GRANTING VARIANCE

Zoning Ordinance states the following:

A variance is a modification or variation of the provision of this zoning code as applied to a specific piece of property.

Subd. 2.

- A. Variances shall only be permitted
- 1. when they are in harmony with the general purposes and intent of the ordinance, and
- 2. when the variances are consistent with the comprehensive plan.
- B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.
- Subd. 3. "Practical difficulties," as used in connection with the granting of a variance, means that
- 1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- 2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
- 3. The variance, if granted, will not alter the essential character of the locality.
- 1. Is the request in harmony with the general purposes and intent of the ordinance?

The variance is in harmony with the purpose and intent of the zoning ordinance based on the following findings of the Planning Commission because: a building along the State and Federal highway corridors will be improved with higher quality materials and design.

2. Would granting the variance be consistent with the Comprehensive Plan?

Granting the variance is consistent with the Comprehensive Plan because: the variance allows for the use of sustainable building materials. The variance encourages infill development within the City.

Practical Difficulties Analysis

3. Does the property owner propose to use the property in a reasonable manner not permitted by the ordinance?

The property owner does propose to use the property in a reasonable manner not permitted by the ordinance, given the purpose of the protections because: the property owner does purpose to use the property in a reasonable manner. The property owner is advancing plans to improve the exterior of the building. The exterior building materials used will enhance the appearance of the building will improve the area in general.

4. Is the plight of the landowner due to circumstances unique to the property owner not created by the landowner?

There are circumstances unique to the property that would prevent compliance with the ordinance because: current ordinance does not permit primary materials to include corrugated metal siding. In recent history the Board of

Adjustment has granted similar variances. The use of metal accent materials has become more common in recent history.

5. Would granting the variance allow the essential character of the locality to stay the same?

Granting the variance will not alter the essential character of the locality because: the use of the property will stay the same. The underlying use of the property will remain unchanged. Granting the variance will improve the character of the locality and will compliment other commercial buildings in the area.

- 1. The Applicant will abide by all representations made by the Applicant or their agents made during the permitting process, to the extent those representations were not negated by the Board of Adjustment to the extent they are not inconsistent with the spirit of letter explicit conditions of the variance.
- 2. The Applicant complies with all applicable federal, state, and local regulations.

Upon a roll call vote, taken and tallied by the Sustainability Coordinator, all members present voted in

favor of granting the variance for 215 South Chestnut street.

Stoecklein - Yes

Stotts - Yes

Steffes - Yes

Coleman - Yes

- 3. The planning commission discussed text amendment changes for the commercial (CD-1) zoning district to allow architectural sheet metal as a primary building material. The commission asked staff to draft possible text amendments for presentation to the planning commission at a future meeting.
- 4. Member Steffes discussed grading issues he has observed with the ISD 300 Elementary school building construction. Member Steffes was advised to ask the building architect and school board about these issues. City engineer Tim Hruska will also review the grading plan and sidewalks for ADA compliance.
- 5. Meeting adjourned at 6:15 p.m.



TO: Honorable Mayor and City Council Members

FROM: Bill Waller, City Administrator

DATE: January 6, 2022 RE: No Parking Ordinances

Attached for review and consideration by the City Council are two no-parking ordinances that have been discussed in the past. The City Attorney will review this with the City Council at the meeting.

We would suggest that the City Council adopt each of the ordinances, along with a separate motion approving a summary publication for each of the ordinances.

ORDINANCE NO. 555

AN ORDINANCE OF THE CITY OF LA CRESCENT REGULATING PARKING ON S 2ND STREET

The City Council of the City of La Crescent, Houston County, Minnesota, hereby ordains:

SECTION I. There shall be no parking on the south side of the street in the 700 block of South 2nd Street beginning at a point with approximate GPS coordinates Lat. 43.827144 / Long. - 91.313064 extending approximately 210' to the west on the south side of South 2nd Street; as shown on the attached Map.

SECTION II. Any person, firm or corporation that violates this Ordinance shall upon conviction be guilty of a petty misdemeanor. The penalty which may be imposed under this Section shall be a \$300.00 fine.

SECTION III. These provisions shall become effective from and after due passage and enactment and publication, according to law.

PASSED AND ENACTED this 10th day of January, 2022.

	Mayor	
ATTEST:		
City Administrator		

Beacon Houston County, MN



Overview



Legend

Roads

Parcel ID Sec/Twp/Rng

250405000 10-104-004

LA CRESCENT

Alternate ID n/a Class

Acreage

201 - RESIDENTIAL n/a

Owner Address

724 S 2ND ST

LA CRESCENT, MN 55947

District

LCSTC/SD300/FD6

Brief Tax Description

Sect-10 Twp-104 Range-004 LA CRESCENT PLAT Lot-999 Block-082 LOTS 2 & 3 & W1/2 LOTS 4 & 9 BLK 82 LA

CRESCENTPLAT

(Note: Not to be used on legal documents)

Date created: 5/9/2018 Last Data Uploaded: 4/13/2018 8:08:40 PM

Property Address 7242NDSTS



Developed by Schokder The Schnelder Corporation

ORDINANCE NO. 556

AN ORDINANCE OF THE CITY OF LA CRESCENT REGULATING PARKING ON S 9TH STREET

The City Council of the City of La Crescent, Houston County, Minnesota, hereby ordains:

SECTION I. There shall be no parking from the west side of the driveway entrance at 530 South 9th Street to the driveway entrance at the 819 Spruce Drive which is approximately 40' in length with approximate GPS coordinates Lat. 43.820 / Long. -91.309 to Lat. 43.820 / Long. -91.3101; as shown on the attached Map.

SECTION II. Any person, firm or corporation that violates this Ordinance shall upon conviction be guilty of a petty misdemeanor. The penalty which may be imposed under this Section shall be a \$300.00 fine.

SECTION III. These provisions shall become effective from and after due passage and enactment and publication, according to law.

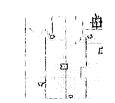
PASSED AND ENACTED this 10th day of January, 2022.

	Mayor	
ATTEST:		
City Administrator		

Beacon[™] Houston County, MN



Overview



Legend

Roads

- ·· <Null>
- --- COUNTY
- STATE
- **—** US
- Political Township



TO:

Honorable Mayor and City Council Members

FROM:

Chris Fortsch, Administrative Clerk

DATE:

January 5, 2022

RE:

2022 License Renewal Applications

Attached for review and consideration by the City Council are additional 2022 license renewal applications I have received 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.



2022 LICENSES

	\$45.00	\$45.00 \$100.00 \$280.00 \$300.00 \$150.00 \$1,150.00 \$200.00	\$280.00	\$300.00	\$150.00	\$1,150.00	\$200.00	\$45.00	\$500.00	\$500.00 \$150.00	\$50.00	
Updated 1.5.22		OFF-SALE	ON-SALE	ON-SALE	LIQUOR	OFF-SALE ON-SALE LIQUOR LIQUOR LIQUOR	LIQUOR	GAS	SOLID	SOLID MASSAGE MASSAGE	MASSAGE	DATE
BUSINESS	CIGS	3.2	3.2	WINE	OFF SALE	ON SALE	SUNDAY	WINE OFF SALE ON SALE SUNDAY INSTALLERS WASTE BUSINESS TECHNICIAN	WASTE	BUSINESS	TECHNICIAN	PAID
Paul's Heating & Air Conditioning	g							×				12/29/2021
Pump 4 Less/Southside Corner	×				×							1/5/2022

RESOLUTION NO. 01-22-03

RESOLUTION ACCEPTING DONATIONS MADE TO THE CITY OF LA CRESCENT IN DECEMBER, 2021 AND JANUARY, 2022

WHEREAS, the City of La Crescent ("La Crescent") is required by Minn. Stat. § 465.03 to accept donations by Resolution;

WHEREAS, the following donations were made to La Crescent in the month of December, 2021:

- 1. Gregory Husmann wishes to donate \$375.00 to Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities.
- 2. Gregory and Faith Husmann wish to donate \$200.00 in memory of Karen Wieser to Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities.
- 3. Michael and Diane Cunningham wish to donate \$100.00 to the La Crescent Fire Department for departmental purposes.

WHEREAS, the following donations were made to La Crescent in the month of January, 2022:

- 1. That an anonymous donor would like to donate \$15,000.00 to Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities.
- 2. That an anonymous donor would like to donate \$5,000.00 to Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities.

WHEREAS, La Crescent agrees to accept the donations for Wieser Memorial Park subject to the conditions identified above.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of La Crescent hereby accepts the donations stated above for the La Crescent Fire Department and for Wieser Memorial Park subject to the conditions identified above.

ADOPTED this 10^{th} day of January, 2022.

	SIGNED:	
ATTEST:	Mayor	
City Administrator	-	



TO: Honorable Mayor and City Council Members

FROM: Bill Waller, City Administrator

DATE: January 5, 2022

RE: Resolution Authorizing Purchase of a New Bus

Attached for review and consideration by the City Council is a resolution approving the purchase of a new bus for use in the City's transit system. Also included is the memo that was presented to the City Council in August of 2021 regarding the purchase of the vehicle.

We would suggest that the City Council approve the resolution approving the purchase of a new transit bus.

RESOLUTION NO. 01-22-04

RESOLUTION APPROVING PURCHASE OF NEW TRANSIT BUS

WHEREAS, the City of La Crosse MTU operates a transit system; and

WHEREAS, the City of La Crescent desires to purchase, through the State of Minnesota Cooperative Procurement Process, a vehicle to be used in the transit system; and

WHEREAS, the vehicle cost is allocated 10% local share and 43% State and 47% Federal share of the "contract amount"; and

WHEREAS, the City of La Crosse MTU staff has reviewed the vehicle options offered by approved multiple contracting vendors; and

WHEREAS, the staff recommends purchasing a vehicle from North Central Bus & Equipment for the reason of cost and vehicle consistency with current fleet vehicle; and

NOW, THEREFORE, BE IT RESOLVED that the City of La Crescent, Minnesota hereby authorizes the purchase of one new transit bus from North Central Bus & Equipment in the approximate amount of \$138,613.00.

ADOPTED this 10th day of January, 2022.

	SIGNED:	
	Mayor	
ATTEST:	iviayoi	
City Administrator		



TO: Honorable Mayor and City Council Members

FROM: Bill Waller, City Administrator

DATE: August 19, 2021

RE: Capital Equipment Grant

The City has received a MnDOT Capital Vehicle Grant agreement to purchase a new City bus for use in the local transit service. The current City bus is a 2015 and has 246,826 miles on it.

The total estimated project cost is \$164,000, with the grant paying for 90% of the acquisition cost of the new vehicle. The City share is 10% of the total project cost, which amounts to \$16,400.

In order to proceed, we would suggest that the City Council approve the grant agreement and authorize the required signatures, and modify the 2017 capital equipment certificate to reflect this expenditure.

#7.

LA CRESCENT

The first solar-ready home certification program in the U.S.

DECEMBER 2021

By Chris Meyer, photos courtesy of Tim Gulden

Southeast, MN

PROVIDING RESIDENTIAL OPTIONS

La Crescent, Minn. became the first SolSmart certified community in the country, and the first GreenStep City in the state to adopt a residential solar ready home certification.

"This is a nice partnership for the city to have with residents who are building homes and with contractors," says Councilmember Teresa O'Donnell-Ebner of the voluntary program, "It is primarily educational in that it helps people know what their options are."

LA CRESCENT'S SUSTAINABILITY DIRECTOR JASON LUDWIGSON

"Every contractor and city official I've ever talked to says it is much easier and less costly to plan for solar before a home is built rather than retrofit after," shares Jason Ludwigson, La Crescent's Sustainability Director. The steps on the certification "can make your home solar ready which lowers the cost and the barriers."

The certification information is shared with applicants when residential construction permits are requested. If the **one-page checklist** is completed there is a \$50 rebate. This, Ludwigson says, was one of the more difficult decisions, "should the rebate go to the developer, architect, or property owner. After much conversation we decided that the party most likely to engage would be the property owner."

Certification Checklist

The four sections in the **checklist** are designed to educate and plan for a future potential solar electric array:

- Array Location designs for optimization of the solar resource by placement, angle, and a current and future shading analysis.
- Code addresses fire and electrical code.
- Architectural Components ensure there is available space for the balance-of-system components. These are all the other parts of a solar PV system like the inverter, meter, circuits in the load center, or conduit.
- Shading Prevention addresses landscape plantings, or roof penetrations such as plumbing or vent stacks so they won't create shade on a potential array now or in the future.

COLLABORATIVE/CONTRIBUTIONS

Development started with a <u>US EPA Solar Photovoltaic Specification, Checklist, and Guide (PDF)</u> as a foundation, but was reduced to the essentials after eight months of reviews by many partners.

"We wanted to narrow down the scope to include only what people would need to consider and nothing more, to make the certification easier to adopt," says Ludwigson.

Solar zoning experts from the nonprofit Great Plains Institute, solar specialists from the MN Department of Commerce, policy researchers from the University of Minnesota, local electric utilities MiEnergy and Excel Energy, and three local solar installers all added their insights and touches to the guide.

TIM GULDEN, WINONA RENEWABLE ENERGY, SOLAR CONTRACTOR INVOLVED IN THE PROJECT

We made sure the language was inclusive to prepare for multiple options. Following the checklist can accommodate micro-inverters, large central inverters, high voltage DC components, or battery backups, so future choices are not limited.

Patience and Persistence

Since Ludwigson and O'Donnell-Ebner serve on La Crescent's GreenStep committee, as the certification was developed, they shared progress with the full council. The only point of debate was whether the program would be mandatory or voluntary and once it was confirmed to be voluntary then it was "well supported by council," said Ludwigson

When asked what he might tell other municipalities interested in a similar certification, Ludwigson advised them to "be patient and persistent. It may take a while but there is a network of really great resources in Minnesota including the University of Minnesota, CERTs, and the Great Plains Institute that made it possible for a smaller city with few staff to do this project."

LA CRESCENT'S SUSTAINABILITY DIRECTOR JASON LUDWIGSON

It may take a while but there is a network of really great resources in Minnesota that made it possible for a smaller city with few staff to do this project.

SolSmart Certification

La Crescent attained the highest <u>Gold SolSmart Certification</u> in April 2021. Funding from the national SolSmart program helped pay for some of the technical resources used in developing the solar ready home certification. <u>SolSmart</u> is a US Department of Energy initiative designed to help communities bring solar to their residents as an economic development tool.

La Crescent is also part of the Minnesota GreenStep City program, and advanced to Step Three in June 2020. GreenStep is a free continuous improvement program where cities select to work on voluntary actions that focus on cost savings, energy use reductions, and encourage civic engagement.

#7.2

Notice Regarding Xcel Energy Request to Increase Rates for Electric Service

MPUC Docket Nos E002/GR-21-630 & E002/M-21-748

On October 25, 2021, Northern States Power Company, doing business as Xcel Energy (Xcel Energy or Company), filed an application with the Minnesota Public Utilities Commission (MPUC) to increase gross retail electric rates, through a three-year multi-year rate plan, in the State of Minnesota (the Application) by (12.2 percent) or \$396.0 million effective January 1, 2022, sixty-seven (67) days after filing, without suspension; an incremental increase of \$150.2 million (4.8 percent) effective January 1, 2023, without suspension; and an incremental increase of \$131.2 million (or 4.2 percent) effective January 1, 2024, based on present revenues. The Company requests a three-year multi-year rate plan (MYRP), modeled after its 2016-2019 MYRP, approved in its most recent rate case (E002/GR-15-826), and implemented pursuant to Minn. Stat. §216B.16, subds. 1 and 19. Finally, the Company provides forecasts and cost of service information for 2024 and 2025, should the MPUC and parties wish to explore another four-year MYRP for the Company.

The Company requested, pursuant to Minn. Stat. § 216B.16, subds. 3 and 19, that an interim rate increase of approximately 9.4 percent or \$288.3 million overall bill increase, be effective on January 1, 2022, the MPUC elected to suspend the proposed rate increase under Minn. Stat. §216B.16, subd. 2, as discussed in the Company's Notice and Petition for Interim Rates (Petition), included in this Application.

The interim revenue request will be uniformly billed as an 8.1 percent increase for residential customers and 13.52 percent for non-residential customers on the base rate portion of customers' bills, exclusive of fuel and purchased energy costs and certain rate riders. The difference between the base rate and the overall bill in the percentage increases results primarily from the unbundling of fuel and purchased energy costs approved by the MPUC in our 2005 electric rate case (Docket No. E002/GR-05-1428). Because Xcel Energy is requesting a multiyear rate plan, the company is requesting an increase to the interim rate starting January 1, 2023. pursuant to Minn. Stat. § 216B.16, subds. 3 and 19.

The Company requests a three-year MYRP, built upon a 2022 test year and then offers predictable and affordable rates for our customers while enabling the Company to continue making investments in our system to ensure the delivery of clean, reliable and safe service.

The Company's revenue deficiency in this MYRP reflects the costs of investments in our system, as we continue to invest in carbon free energy sources and replace infrastructure.

In addition, we are proposing some changes to the terms and conditions of our Electric Rate Book.

Typically, final rates become effective within 10 months of the date of the Application, unless the review period is extended by the MPUC. Since certain extensions under Minnesota law are implicated, the review period will take longer than 10 months and the MPUC will likely make a final decision regarding our request sometime in 2023. Any over-collection under interim rates will be refunded with interest to customers in a manner determined by the MPUC.

Xcel Energy is requesting this rate increase to meet its current cost of providing electric service, including a reasonable return on common equity. The following table contains the average monthly impact of the approved interim and proposed rate increases on customer classes:

Average Monthly Bills

						***********************	Proposed 2024
						Proposed 2023	monthly
	Average					monthly	increase
	2022		2022 Interim	Proposed		increase	(Cumulative
,	monthly	Current monthly	monthly	2022 monthly	Proposed 2022	(Cumulative	2022+2023+
Customer type	kWh usage	cost	increase	cost	monthly increase	2022+2023)	2024)
Residential - Overhead line service	514	\$77.57	\$4.98	\$87.49	\$9.92	\$12.27	\$14.75
Residential - Underground line service	752	\$111.78	\$7.13	\$125.60	\$13.81	\$17.24	\$20.87
Energy-Controlled (Dual Fuel)	1,019	\$93.43	\$6.85	\$106.40	\$12.97	\$17.78	\$21.41
Small General Service	794	\$109.15	\$10.21	\$119.10	\$9.95	\$12.46	\$14.63
Small General Time-of-Day Service	1,089	\$134.93	\$12.01	\$147.71	\$12.78	\$15.72	\$18.21
General Service	14,670	\$1,679.88	\$145.19	\$1,867.18	\$187.30	\$213.28	\$226.47
General Time-of-Day Service	123,490	\$11,699.82	\$918.85	\$12,966.05	\$1,266.24	\$1,326.92	\$1,872.25
Peak-Controlled Service	67,093	\$9,040.31	\$825.69	\$10,100.96	\$1,060.65	\$1,265.88	\$1,383.12
Peak-Controlled Time-of-Day Service	605,194	\$66,153.60	\$5,562.15	\$73,651.86	\$7,498.26	\$9,421.86	\$11,190.54
Small Municipal Pumping	615	\$86.84	\$8.22	\$94.79	\$7.96	\$9.77	\$12.84
Municipal Pumping	8,369	\$1,082.84	\$98.44	\$1,202.67	\$119.83	\$152.06	\$166.11

Monthly Customer Charges

Customer type	Current	Proposed
Residential		
Overhead line	\$8.00	\$9.50
Overhead line - electric heating	\$10.00	\$11.50
Underground line	\$10.00	\$11.50
Underground line - electric heating	\$12.00	\$13.50
Small Commercial		
Small General	\$10.00	\$11.50
Small General Time-of-Day	\$12.00	\$13.50
Commercial and Industrial		
General	\$25.64	\$25.98
General Time-of-Day	\$29.64	\$29.98
Peak-Controlled	\$55.00	\$60.00
Peak-Controlled Time-of-Day	\$55.00	\$60.00

Energy (per kWh) and Demand (per kW) Rates

	<u> </u>	Proposed	Proposed	Proposed
Customer type	Current	2022	2023	2024
Residential				
	10.301			
Energy: Summer (June-September)	¢	12.994 ¢	13.748¢	14.453¢
Energy: Winter (Other months)	8.803¢	11.285¢	11.980¢	12.640 ¢
Energy: Winter - electric heating	5.988¢	8.136 ¢	8.831 ¢	9.491¢
Small General				
Energy: Summer	9.256¢	11.372¢	11.980¢	12.554¢
Energy: Winter	7.757¢	9.663¢	10.212¢	10.740¢
Small General Time-of-Day				
	14.880	-		
Energy: On-Peak Summer	¢	18.449¢	19.586¢	20.560¢
Figure On Book Winter	11.723	14 670 4	15 606 4	16 550 4
Energy: On-Peak Winter	¢	14.679¢	15.686 ¢	16.558 ¢
Energy: Off-Peak	4.170¢	5.506 ¢	5.677¢	5.918¢
General				
Energy	3.407¢	4.738¢	4.993¢	5.213¢
Demand: Summer	\$14.79	\$17.48	\$18.10	\$18.52
Demand: Winter	\$10.49	\$12.89	\$13.50	\$13.92
General Time-of-Day				
Energy: On-Peak	4.855¢	6.502¢	6.851¢	7.154 ¢
Energy: Off-Peak	2.341¢	3.422¢	3.606¢	3.765¢
Demand: Summer	\$14.79	\$17.48	\$18.10	\$18.52
Demand: Winter	\$10.49	\$12.89	\$13.50	\$13.92

Note: Proposed lighting rate changes vary according to the type of lighting. The proposed final increase is 23.9 percent for full service street lighting, 15.6. percent for energy-only street lighting service, and 23.9 percent for residential and commercial protective lighting.

Public hearings will be held at various locations in Xcel Energy's electric service area. Counties, municipalities and customers will be notified once the hearings are scheduled.

The proposed rate schedules and a comparison of present and proposed rates are available at www.xcelenergy.com/2022MNRates (make sure "Minnesota" is selected in top left corner). In light of the COVID-19 pandemic, we are not presently making these documents available for physical examination, but should circumstances change, they may be examined during normal business hours at either our General Offices located at 414 Nicollet Mall in downtown Minneapolis or at the Minnesota Department of Commerce, Division of Energy Resources, 85 7th Place East, Suite 500, St. Paul, Minnesota 55101.

Those who wish to intervene or testify in this case should contact the Minnesota Office of Administrative Hearings, P.O. Box 64620, St. Paul, Minnesota 55164-0620, Telephone: 651-361-7900, TTY: 651-361-7878. Public notice of hearings dates and locations will be published in local newspapers in Xcel Energy's Minnesota service area.

Questions on the rate increase may be directed to Gail A. Baranko at (612) 330-6935. Comments may also be mailed to Gail A. Baranko at 414 Nicollet Mall, 401 7th Floor, Minneapolis, MN 55401.