

CITY OF LA CRESCENT
AGENDA
REGULAR MEETING
LA CRESCENT CITY HALL
315 MAIN STREET
JANUARY 23, 2023
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 – JANUARY 9, 2023
- 1.2 BILLS PAYABLE THROUGH JANUARY 20, 2023
- 1.3
- 1.4

2. PUBLIC HEARING/MEETING

3. ITEMS FOR CONSIDERATION

- 3.1 DRAFT ATV/UTV/GOLF CART ORDINANCE
- 3.2 MISSISSIPPI VALLEY ARCHAEOLOGY AGREEMENT
- 3.3 WIESER PARK PAVILION BID RESULTS
- 3.4 WIESER PARK ENGINEERING AGREEMENT
- 3.5 DONATION RESOLUTION
- 3.6 2023 LICENSE RENEWALS
- 3.7 MnDOT BOOST GRANT RESOLUTION
- 3.8
- 3.9
- 3.10
- 3.11

CITY OF LA CRESCENT
AGENDA
REGULAR MEETING
LA CRESCENT CITY HALL
315 MAIN STREET
JANUARY 23, 2023
5:30 P.M.

4. UNFINISHED BUSINESS

4.1

5. MAYOR'S COMMENTS

5.1

6. STAFF CORRESPONDENCE/COMMITTEE UPDATES

6.1 EXPLORE LA CROSSE

6.2

6.3

7. CORRESPONDENCE

7.1

7.2

7.3

8. HOUSTON COUNTY

8.1

9. CHAMBER OF COMMERCE

9.1

10 ITEMS FOR NEXT AGENDA

11. ADJOURNMENT

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
JANUARY 9, 2023

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of January was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, January 9th, 2023.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Cheryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: Ryan Hutchinson. Also present were Police Chief Luke Ahlschlager, City Attorney Skip Wieser, City Administrator Bill Waller, and Deputy City Clerk 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 19, 2022
- 1.2 BILLS PAYABLE THROUGH – JANUARY 6, 2023
- 1.3
- 1.4

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. Deputy City Clerk Boettcher made the following requested change to the December 19th minutes: Item 3.7 – 2023 Professional Service Agreements, for the Community/Economic Development service agreement where it refers to Larry Kirch it should refer to **Prologue Planning Group, LLC**.

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

A MOTION TO APPROVE THE CONSENT AGENDA WITH THE CHANGE TO THE PROFESSIONAL SERVICE AGREEMENT FOR THE COMMUNITY/ ECONOMIC DEVELOPMENT SERVICES TO STATE PROLOGUE PLANNING GROUP, LLC INSTEAD OF LARRY KIRCH.

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.

ITEM 3.1 – SWEARING IN OF MAYOR

Police Chief Ahlschlager performed the swearing-in process of Mayor Poellinger.

ITEM 3.2 – SWEARING IN OF CITY COUNCIL MEMBERS

Police Chief Ahlschlager performed the swearing-in process of Council members, Cherryl Jostad and Teresa O'Donnell-Ebner.

ITEM 3.3 – ANNUAL APPOINTMENTS

City Council took up discussion of the annual appointments for 2023, following which Member Jostad made a motion, seconded by Member O'Donnell-Ebner, to approve the following motion:

A MOTION TO APPROVE DALE WILLIAMS AS THE ACTING MAYOR.

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
Mayor Poellinger	Yes

Member Dale Williams abstained from voting, and none voted against the same. The motion was declared duly carried by a 3-0 vote.

Upon recommendation of official depositories for the City by Finance Director Kara Tarrence, Member O'Donnell-Ebner then introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 01-23-01

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 9th day of January, 2023.

SIGNED:

Mayor

ATTEST:

City Administrator

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

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

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

Regarding the Official Newspaper, Member Jostad made a motion, seconded by Member Williams, to approve the following motion:

A MOTION APPOINTING THE *HOUSTON COUNTY NEWS* AS THE OFFICIAL NEWSPAPER FOR THE CITY OF LA CRESCENT.

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
Mayor Poellinger	Yes

Member Dale Williams voted against the same. The motion was declared duly carried by a 3-1 vote.

Regarding Assistant Weed Inspector, Member Jostad made a motion, seconded by Member O'Donnell-Ebner, to approve the following motion:

A MOTION APPOINTING SHAWN WETTERLIN AS ASSISTANT WEED INSPECTOR FOR THE CITY OF LA CRESCENT.

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
Mayor Poellinger	Yes

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

It was recommended by Attorney Wieser to make a change to the Data Practices Policy that Deputy City Clerk Boettcher acts as the Responsible Authorized Authority with City Attorney Wieser and City Administrator Waller acting as Designees.

Member Jostad then introduced the following resolution with the recommended change to the Data Practice Policy and moved its passage and adoption:

RESOLUTION NO. 01-23-02

**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 9th day of January, 2023.

SIGNED:

Mayor

ATTEST:

City 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 voted in favor thereof, viz;

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

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

ITEM 3.4 – ADVISORY COMMISSION APPOINTMENTS

Mayor Poellinger reviewed with City Council the various City of La Crescent standing commission appointments for 2023 and recommended reappointing those that are expiring. Eileen Krenz has requested to not be reappointed to the Historic Bluff County Commission and Larry Striker has requested to not be reappointed to the Economic Development Commission. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION APPROVING THE FOLLOWING INDIVIDUALS TO CITY OF LA CRESCENT STANDING COMMISSIONS FOR 2023:

PLANNING COMMISSION

1. Dave Coleman - 2023
2. Greg Husmann - 2025*

3. Dave Hanifl - 2025*
4. Mike Welch - 2024
5. Chris Langen - 2023
6. Ryan Stotts - 2024
7. Jerry Steffes – 2024

PARK AND RECREATION COMMISSION

1. Jon Steffes - 2025*
2. Paul Mclellan - 2025*
3. Patricia Martell - 2025*
4. Marge Loch-Wouters - 2023
5. Sarah Wetterlin - 2023
6. Diana Adamski - 2024
7. Maseray Bangura -2024

GOLF COMMISSION

1. Gary Hill - 2025*
2. Tom Jones - 2024
3. Larry Ernst - 2025*
4. Bill Dockendorff- 2023
5. Scott Yeiter - 2023

HISTORIC BLUFF COUNTRY COMMISSION

- 1.

LIBRARY BOARD

1. Teresa O'Donnell-Ebner - 2023*
2. Tina Ryan - 2023
3. Kelsey Bolton - 2025*
4. Susan Amble - 2024
5. Sara Docan-Morgan – 2025^
6. Kristi Moulton - 2023
7. Erica Myhre – 2024

ECONOMIC DEVELOPMENT COMMISSION

- 1.
2. Sarah Delacy - 2023
3. Mike Welch - 2024
4. Troy Nolop - 2023
5. Lori Kadlec - 2024
6. Al Voss - 2025*
7. Brett Kemmer – 2024

GREENSTEP COMMITTEE

1. Jim Nissen - 2023

2. Jason Ludwigson -2023
3. Michael Alfieri - 2023
4. Angie Boettcher - 2023
5. Tyler Benish - 2023
6. Bob Spencer -2023
7. Todd Bille - 2023
8. Lauren Rislov - 2023
9. Jeremy Wise – 2023

NATURAL RESOURCE ADVISORY GROUP

1. Jim Nissen - 2023
2. Ruth Nissen - 2023
3. Betsy Knowles - 2023
4. Randy Urich - 2023
5. Marge Loch-Wouters - 2023
- 6.
- 7.

BICYCLE/PEDESTRIAN COMMITTEE

1. Jason Ludwigson - 2023
2. Linda Larson - 2023
3. Maseray Bangura - 2023
4. Willow Arden – 2023

Indicates Reappointed*

Indicates New Appointment^

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
Mayor Poellinger	Yes

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

ITEM 3.5 – CITY COUNCIL APPOINTMENTS

At the direction of the Mayor, the proposed Commission assignments for 2023 were reviewed by City Council. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO CITY COMMISSIONS FOR 2023:

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

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

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
Mayor Poellinger	Yes

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

ITEM 3.6 – 2023 CITY COUNCIL MEETING SCHEDULE

The Mayor and City Council member reviewed a calendar for the 2023 City Council Meeting Schedule. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE 2023 CITY COUNCIL MEETING SCHEDULE.

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
Mayor Poellinger	Yes

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

ITEM 3.7- REVIEW CITY COUNCIL RULES AND PROCEDURES

City Attorney Wieser reviewed Resolution No. 02-13-03 which sets forth the groundwork for orderly and respectful communication and to promote efficient working of the public's interest at Council Meetings. Pursuant to the authority of Minn. Stat. § 412.91 Subd. 2, City Councils have the authority to regulate their own procedure. The Organizational Resolution has been in place with the City of La Crescent since 1975. Significant reviews were done in 2013 and 2014. Thereafter, the document has been reviewed and approved at the initial meeting of the year. It was recommended to Attorney Wieser to change the following wording under the Meeting Section 3., in the first sentence where it states "or his assigns" to read "his or hers assigns" for next year's document review. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows

MOTION TO CHANGE THE WORDING UNDER THE MEETING SECTION 3., TO SAY 'OR HIS OR HERS ASSIGNS' INSTEAD OF 'OR HIS ASSIGNS' FOR NEXT YEAR'S DOCUMENT REVIEW.

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
Mayor Poellinger	Yes

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

ITEM 3.8 – REVIEW CITY CODE OF CONDUCT

City Attorney Wieser then reviewed with City Council the Code of Conduct for elected and appointed officials of the City of La Crescent. The Code of Conduct was initially adopted in 2014. The Code of Conduct is an aspirational document for the City and how the Council and other representatives of the City conduct themselves while performing City business. There were no proposed changes to this Code of Conduct. This item was informational, and no action was taken.

ITEM 3.9 – REVIEW SOCIAL MEDIA POLICY

City Attorney Wieser also reviewed with City Council a copy of the existing Communications Policy adopted by the City of La Crescent. This was initially adopted in March 2003 and has been reviewed annually and updated as needed. There were no proposed changes to this Communications Policy. This item was informational, and no action was taken.

ITEM 3.10 – LIONS FROZEN CANDLELIGHT HIKE REQUEST

City Council reviewed a letter from Police Chief Ahlschlager regarding a request from the La Crescent Lions Club to host their second annual Frozen Apple Candlelight Trail Hike on Saturday, February 4th from

5:30 PM to approximately 8:00 PM at Veterans Park and utilizing the Eagle Bluff Access Trail(s). Chief Ahlschlager is requesting approval from Council for police services during the event to include barricades and La Crescent Police Reserve Unit. The Lion's club would also like permission to run a UTV during the event to assist with event setup including clearing the trail and placement of luminaria. Chief Ahlschlager does not anticipate any public safety concerns and any potential disruption to traffic, bicycle or pedestrian traffic would be minimal. Following discussion, Member Williams made a motion, seconded by Member Jostad as follows:

MOTION TO APPROVE THE SECOND ANNUAL LIONS CLUB FROZEN APPLE CANDLELIGHT TRAIL HIKE AT VETERANS PARK AND UTILIZING THE EAGLE BLUFF ACCESS TRAIL(S) ON SATURDAY, FEBRUARY 4TH, FROM 5:30 PM TO APPROXIMATELY 8:00 PM WITH POLICE SERVICES OF BARRICADES AND THE LA CRESCENT POLICE RESERVE UNIT AND THE USE OF A UTV DURING THE EVENT TO ASSIST WITH EVENT SETUP INCLUDING CLEARING THE TRAIL AND PLACEMENT OF LUMINARIA.

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

Cherryl Jostad	Yes
Dale Williams	Yes
Mayor Poellinger	Yes

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

ITEM 3.11 – HORSE TRACK MEADOWS DEVELOPMENT AGREEMENT

Attorney Wieser reviewed with City Council for approval a Fifth amendment to the Horse Track Meadows Development Agreement between the City of La Crescent and MSM Development for the Horse Track Meadows Development as follows: Extending the due date to complete the walking trail to on or before August 1, 2023 and the First Amendment to the Development Agreement between the City of La Crescent and MSM Development regarding the Horse Track Meadows West Development as follows: extending the due date for the developer improvements to be completed on or before August 1, 2023. Attorney Wieser also requested authorization from Council that he or City Administrator Waller can make any necessary minor clerical changes to the Agreements without having to bring it back to Council. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE FIFTH AMENDMENT TO THE HORSE TRACK MEADOWS DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND MSM DEVELOPMENT FOR THE HORSE TRACK MEADOWS DEVELOPMENT TO EXTEND THE DUE DATE TO COMPLETE THE WALKING TRAIL TO ON OR BEFORE AUGUST 1, 2023, TO APPROVE THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND MSM DEVELOPMENT REGARDING THE HORSE TRACK MEADOWS WEST DEVELOPMENT TO EXTEND THE DUE DATE FOR THE DEVELOPER IMPROVEMENTS TO BE COMPLETED ON OR BEFORE AUGUST 1, 2023, AND

TO APPROVE ATTORNEY WIESER OR CITY ADMINISTRATOR WALLER TO MAKE ANY NECESSARY MINOR CLERICAL CHANGES TO THE AGREEMENTS WITHOUT HAVING TO BRING IT BACK TO COUNCIL.

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
Mayor Poellinger	Yes

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

ITEM 3.12 – PLANNING COMMISSIONS MINUTES – 11/1/2022

Attorney Wieser reviewed with City Council the November 1st, 2022 Planning Commission Minutes. The Planning Commission requested input from City Council members as to whether they would like the Planning Commission to move forward with a food truck ordinance and short-term rental text amendments, drafts of which were provided for Council review. Following discussion, there was a consensus from City Council members for the Planning Commission members and Attorney Wieser to move forward with preparing a food truck ordinance and short-term rental text amendments.

ITEM 3.13 – PERSONNEL COMMITTEE RECOMMENDATIONS

City Administrator Waller reviewed the following Personnel Committee recommendations for approval by City Council.

1. On January 25, 2023, Ethan Hofschulte will have completed his one-year probationary period as a Police Officer for the City of La Crescent. Effective January 25, 2023 that Mr. Hofschulte's probationary status be removed, and he be classified as a regular City of La Crescent employee. A letter from the Police Chief regarding this recommendation was included.
2. That the City Council accept Ryan Quanrud's resignation from the Fire Department. A letter from the Fire Chief regarding the recommendation was included.

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

MOTION TO REMOVE ETHAN HOFSCHULTES PROBATIONARY STATUS AS POLICE OFFICER AND EFFECTIVE JANUARY 25TH, 2023 THAT HE BE CLASSIFIED AS A REGULAR CITY OF LA CRESCENT EMPLOYEE.

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

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

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

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

MOTION TO ACCEPT RYAN QUANRUD'S RESIGNATION FROM THE FIRE DEPARTMENT.

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
Mayor Poellinger	Yes

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

ITEM 3.14 – 2023 LICENSE RENEWALS

City Council reviewed a list of proposed license renewals for 2023. The applications appear to be in order, and it was recommended to City Council to approve the license renewal applications. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE PRESENTED LIST OF LICENSE RENEWALS FOR 2023 FOR THE FOLLOWING:

**GAS INSTALLERS - 7 RIVERS MECHANICAL LLC, G & T HEATING & AIR CONDITIONING LLC, LA CROSSE FIREPLACE CO., MIKE SHERMAN PLUMBING & HEATING INC., WINONA HEATING & VENTILATING CO. INC.
 MASSAGE BUSINESS – HEAVEN'S HANDS
 MASSAGE TECHNICIAN – HEAVEN'S HANDS**

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
Mayor Poellinger	Yes

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

ITEM 3.15 - DONATION RESOLUTIONS

City Council reviewed three Resolutions regarding the acceptance of donations to the City for the month of December 2022 and January 2023. Following review and discussion, Member Jostad introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 01-23-03

RESOLUTION ACCEPTING DONATIONS MADE TO THE CITY OF LA CRESCENT WIESER MEMORIAL PARK IMPROVEMENT PROJECT IN DECEMBER 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, 2022 to the Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities:

1. Donald and Roxanne Weber wish to donate \$10,000.00
2. An Anonymous donor wishes to donate \$500.00
3. James Riehle wishes to donate \$10,000.00
4. An Anonymous donor wishes to donate \$35,000.00
5. Gregory Husmann wishes to donate \$425.00

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 Wieser Memorial Park subject to the conditions identified above.

ADOPTED this 9th day of January, 2023.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

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

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

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

Following review and discussion, Member Williams introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 01-23-04

**RESOLUTION ACCEPTING DONATIONS MADE TO THE
CITY OF LA CRESCENT IN DECEMBER, 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 the City of La Crescent in the month of December, 2022:

1. Troop 33, La Crescent wishes to donate \$441.00 to the City of La Crescent Fishing Dock/Kayak Launch Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of La Crescent hereby accepts the donations stated above.

ADOPTED this 9th day of January, 2023.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Member Jostad and 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 O'Donnell-Ebner abstained and none voted against the same. The motion was declared duly carried by a 3-0 vote and the resolution duly passed and adopted.

Following review and discussion, Member Jostad introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 01-23-05

**RESOLUTION ACCEPTING DONATIONS MADE TO THE
CITY OF LA CRESCENT WIESER MEMORIAL PARK IMPROVEMENT PROJECT IN
JANUARY, 2023**

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 January, 2023 to the Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities:

6. Dennis and Julie Behnke wish to donate \$2,500.00

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 Wieser Memorial Park subject to the conditions identified above.

ADOPTED this 9th day of January, 2023.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

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

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

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

ITEM 3.16 – PROPOSALS TO DEMOLISH HOUSE

City Council reviewed the Pre-Demolition Inspection report for the city-owned house at 332 South 1st
Street. The inspection report noted asbestos around the duct work within the house and the exterior siding
on the detached garage. The detached garage is not planned for demolition at this time. The proposal for
the asbestos abatement of the duct work only by Asbestrol, Inc is \$1,5400.00. Three proposals to demolish
the house were received. Zenke Inc. \$18,400.00, Gerke Excavating \$22,456.00, and Bluff Country
\$24,000.00. It was suggested that City Council accept the proposal from Asbestrol, Inc. in the amount of
\$1,540.00 for the asbestos abatement and the proposal from Zenke Inc. in the amount of \$18,400.00 for the
house demolition. As proposed, the work will be completed by March 31, 2023. There are funds available

in the 2023 General Fund budget for this work. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE ASBESTOS ABATEMENT PROPOSAL FROM ASBESTROL, INC. IN THE AMOUNT OF \$1,5400.00 AND THE PROPOSAL FROM ZENKE, INC IN THE AMOUNT OF \$18,400.00 FOR THE HOUSE DEMOLITION WITH MONEY AVAILABLE FROM THE 2023 GENERAL FUND BUDGET WITH WORK BEING COMPLETED BY MARCH 31, 2023.

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
Mayor Poellinger	Yes

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

ITEM 3.17 – AUTHORIZE CAPITAL EXPENDITURE

City Council reviewed for approval the following capital equipment certificate expenditure:

1. The 2022 capital equipment certificate includes funds for the purchase of new computers at City Hall. The City received a proposal from Locknet for \$8,104.99 for three computers, software, and labor. The new computers would replace old computers in the Police Department and the License Bureau that are no longer being supported, along with a new laptop computer for City Hall that will be utilized by the City's Sustainability Coordinator.

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

MOTION TO APPROVE FUNDS FROM THE 2022 CAPTIAL EQUIPMENT CERTIFICATE IN THE AMOUNT OF \$8,104.99 FOR THREE COMPUTERS, SOFTWARE, AND LABOR FROM LOCKNET TO REPLACE OLD COMPUTERS IN THE POLICE DEPARTMENT AND THE LICENSE BUREAU WHICH ARE NO LONGER SUPPORTED ALONG WITH A NEW LAPTOP COMPUTER FOR CITY HALL TO BE UTILIZED BY THE CITY'S SUSTAINABILITY COORDINATOR.

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
Mayor Poellinger	Yes

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

ITEM 3.18 – 2023 LOCAL BOARD OF APPEAL

City Council reviewed an email from Lee Langager, Technical Clerk from the Houston County Assessor's office regarding the 2023 Local Board of Appeals and Equalization Schedule. The City of La Crescent is scheduled for Monday, April 24th at 5:30 PM and will be held in the La Crescent City Hall Chamber. It was recommended that Council approve the date and time as well as request City Administrator Waller to schedule a pre-meeting at one of the Council meetings in February or March with the County Assessor to discuss what can be expected at the Local Board of Appeals and Equalization meeting. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE DATE AND TIME OF THE 2023 LOCAL BOARD OF APPEALS AND EQUALIZATION MEETING FOR MONDAY, APRIL 24TH AT 5:30 PM IN THE LA CRESCENT CITY HALL CHAMBER AND THAT CITY ADMINISTRATOR WALLER SCHEDULE A PRE-MEETING WITH THE COUNTY ASSESSOR AT A CITY COUNCIL MEETING IN FEBRUARY OR MARCH TO DISCUSS WHAT CAN BE EXPECTED AT THE LOCAL BOARD OF APPEALS AND EQUALIZATION MEETING.

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
Mayor Poellinger	Yes

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

6. STAFF CORRESPONDENCE/COMMITTEE UPDATES

- 6.1 – City Council reviewed the Root River Trail Extension Committee meeting minutes from 11/16/2022.
- 6.2 – City Council reviewed the GreenStep Committee meeting minutes from 11/30/2022.
- 6.3 – City Council reviewed the Explore La Crosse meeting minutes from 11/15/2022.
- 6.4 – City Council reviewed the Natural Resource Advisory Group meeting minutes from 12/15/2022.

7. HOUSTON COUNTY

Houston County Commissioner, Dewey Severson was in attendance and provided updates to City Council.

8. CHAMBER OF COMMERCE

Chamber of Commerce representative, Tammy Stremcha was in attendance and provided updates to City Council.

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

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:37 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator

#1.2



TO: Honorable Mayor and City Council Members
FROM: Bill Waller, City Administrator
DATE: January 20, 2023
RE: Bills Payable

Attached for review and consideration by the City Council are the bills payable for the period ending January 20, 2023. We would suggest that the City Council approve the payment of the bills as presented.

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
A1 PRECISION PUMPING INC						
10396	PUMP VALVE BOX	12/30/2022	150.00	.00		
10396	PUMP GRINDER	12/30/2022	225.00	.00		
Total 9080:			375.00	.00		
ABILITY BUILDING CENTER INC						
14955	CITY HALL - SHREDDING	12/31/2022	16.00	.00		
14956	FD - CLEANING STATION	12/31/2022	242.00	.00		
14956	FD - CLEANING COMM RM	12/31/2022	132.00	.00		
Total 8085:			390.00	.00		
AMAZON CAPITAL SERVICES						
11VY-GG7P-9TC	LIBRARY - OFFICE SUPPLIES	01/13/2023	53.98	.00		
14NK-LFDF-HG	CITY HALL - COFFEE CUPS	01/10/2023	51.98	.00		
14NK-LFDF-HG	MAINT - COFFE CUPS	01/10/2023	51.98	.00		
16JW-QTF6-1VR	CITY HALL - OFFICE SUPPLIES RETURNED	01/05/2023	15.99-	.00		
1GK1-T9RY-9PM	CITY HALL - OFFICE SUPPLIES	01/10/2023	21.24	.00		
1H9R-HWJL-PPT	FD - PAPER SHREDDER	01/09/2023	98.99	.00		
1H9R-HWJL-PPT	CITY HALL - OFFICE SUPPLIES	01/09/2023	78.24	.00		
1LWV-1XX7-LWT	TAX FORMS	01/11/2023	187.88	.00		
Total 9956:			528.30	.00		
ANCHOR SOLAR INVESTMENTS LLC						
#39	MAINTENANCE BLDG - SOLAR	01/01/2023	372.26	.00		
#39	ANIMAL RESCUE - SOLAR	01/01/2023	190.88	.00		
#39	RADIUM PLANT - SOLAR	01/01/2023	372.26	.00		
Total 9859:			935.40	.00		
ASBESTROL, INC.						
9558	ASBESTOS ABATEMENT - 332 S 1ST	01/16/2023	1,540.00	.00		
Total 10064:			1,540.00	.00		
AT&T MOBILITY						
12/22 FIRE	FD - WIRELESS	12/31/2022	100.22	.00		
Total 9870:			100.22	.00		
B & T TECHNICAL SERVICES, LLC						
1198	COMM BLDG - SOLAR ELECTRICAL SERVICE	12/31/2022	50.26	.00		
Total 9680:			50.26	.00		
BAKER & TAYLOR						
0003273378	LIBRARY - CREDIT	11/08/2022	14.23-	.00		
2037125545	LIBRARY BOOKS - GRANT FUNDED	11/01/2022	256.98	.00		
2037149249	LIBRARY BOOKS - GRANT FUNDED	01/10/2023	300.90	.00		
2037169927	LIBRARY BOOKS - GRANT FUNDED	11/30/2022	165.96	.00		
2037176778	LIBRARY BOOKS - GRANT FUNDED	11/30/2022	499.89	.00		
2037202994	LIBRARY BOOKS - GRANT FUNDED	12/13/2022	142.60	.00		
2037212250	LIBRARY BOOKS - GRANT FUNDED	12/16/2022	106.68	.00		
2037228603	LIBRARY BOOKS - GRANT FUNDED	12/27/2022	393.10	.00		
H62748380	LIBRARY - MOVIES	11/02/2022	26.24	.00		

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
H62748381	LIBRARY - MOVIES	11/02/2022	43.45	.00		
H62748382	LIBRARY - MOVIES	11/02/2022	19.49	.00		
H63498880	LIBRARY - MOVIES	12/30/2022	18.73	.00		
Total 8022:			1,959.79	.00		
BICYCLE ALLIANCE OF MINNESOTA						
1/123 - 1/1/24	MEMBERSHIP FEE	01/01/2023	150.00	.00		
Total 10070:			150.00	.00		
BODENDEIN, JULIA						
1-12-23	LIBRARY - MUSIC FOR EVENT	01/12/2023	200.00	.00		
Total 10068:			200.00	.00		
BUBBERS, MARY						
01/13/2023	PD - BLOOD DRAW	01/13/2023	50.00	.00		
Total 9459:			50.00	.00		
BUREAU OF CRIMINAL APPREHENSION						
27056	PD - E. HOFSCHULTE DMT TRAINING	01/12/2023	375.00	.00		
Total 9681:			375.00	.00		
CINTAS CORPORATION						
4139308400	CITY HALL - CLEANING	12/05/2022	63.99	.00		
4140713577	CITY HALL - CLEANING	12/19/2022	63.99	.00		
Total 9696:			127.98	.00		
CLARK, ROTH						
REIMBURSE	REIMBURSE - GUN ALLOWANCE R. CLARK	01/16/2023	425.00	.00		
Total 9712:			425.00	.00		
CLEARWAY COMMUNITY SOLAR LLC						
11/22 STMT	321 MAIN STREET - LIBRARY	11/30/2022	64.09	.00		
11/22 STMT	722 N 2ND STREET - RADIUM PLANT	11/30/2022	778.77	.00		
11/22 STMT	336 S 1ST ST - COMM. BLDG.	11/30/2022	60.34	.00		
11/22 STMT	31 MCINTOSH RD - LIFT STATION	11/30/2022	4.43	.00		
11/22 STMT	219 CHESTNUT STREET - BRIDGE LIGHT	11/30/2022	21.96	.00		
11/22 STMT	110 MIDNIGHT ST - LIFT STATION	11/30/2022	20.36	.00		
11/22 STMT	1450 HWY 16 - LIFT STATION	11/30/2022	11.67	.00		
11/22 STMT	407 ORCHARDVIEW - BOOSTER STATION	11/30/2022	118.78	.00		
11/22 STMT	200 STONEY POINT - WELL HOUSE	11/30/2022	311.02	.00		
11/22 STMT	608 S 7TH ST - TENNIS COURT LIGHTS	11/30/2022	3.92	.00		
11/22 STMT	219 MAIN STREET - UNIT LIGHTS	11/30/2022	30.63	.00		
11/22 STMT	202 MAIN STREET - FLAG LIGHT	11/30/2022	1.24	.00		
11/22 STMT	608 S 7TH STREET - POOL	11/30/2022	200.39	.00		
11/22 STMT	520 S 14TH ST - ICE ARENA	11/30/2022	1,002.86	.00		
11/22 STMT	1323 SPRUCE DRIVE - ABNET FIELDS	11/30/2022	12.31	.00		
11/22 STMT	209 S WALNUT ST - LAC SIGN	11/30/2022	5.50	.00		
11/22 STMT	193 MCINTOSH RD - BOOSTER STATION	11/30/2022	71.80	.00		
11/22 STMT	1200 JONATHAN LN - PARK SHELTER	11/30/2022	16.76	.00		
11/22 STMT	523 S CHESTNUT ST - ANIMAL SHELTER	11/30/2022	15.75	.00		

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
11/22 STMT	400 LARCH AVE - WELL 2	11/30/2022	254.35	.00		
Total 9854:			3,006.93	.00		
CULLIGAN WATER CONDITIONING						
285X20699801	CITY HALL - WATER COOLER RENTAL	01/01/2023	39.95	.00		
285X20699801	PD - WATER COOLER RENTAL	01/01/2023	39.95	.00		
285X20699801	MAINT - WATER COOLER RENTAL	01/01/2023	39.95	.00		
285X20723304	FD - WATER COOLER RENTAL	01/01/2023	39.95	.00		
Total 231:			159.80	.00		
DAVY LABORATORIES						
23A0113	WATER - TESTING	01/11/2023	96.30	.00		
Total 312:			96.30	.00		
DEPUTY #031 LA CRESCENT						
2023 CHEV SILV	APPL. TO TITLE/REG MAINTENANCE TRUCK	01/19/2023	2,332.92	2,332.92	01/19/2023	
W. SCHROEDER	LIC. BUR. NSF STATE REIMBURSEMENT	01/17/2023	54.25	54.25	01/19/2023	
Total 9750:			2,387.17	2,387.17		
DISCOUNT MAGAZINE SRV. INC.						
3034001	LIBRARY-MAGAZINE SUBSCRIPTION RENEWALS	01/16/2023	265.97	.00		
Total 9040:			265.97	.00		
E O JOHNSON CO.						
INV1265635	DUO AUTHEINITCATION - GC	01/11/2023	26.50	.00		
INV1265635	DUO AUTHEINITCATION - POLICE	01/11/2023	68.90	.00		
INV1265635	DUO AUTHEINITCATION - SEWER	01/11/2023	10.60	.00		
INV1265635	DUO AUTHEINITCATION - WATER	01/11/2023	10.60	.00		
INV1265635	DUO AUTHEINITCATION - FIRE	01/11/2023	45.05	.00		
INV1265635	DUO AUTHEINITCATION - CLERK	01/11/2023	26.50	.00		
INV1265635	DUO AUTHEINITCATION - LIC BUR	01/11/2023	45.05	.00		
INV1265635	DUO AUTHEINITCATION - PUBLIC WORKS	01/11/2023	10.60	.00		
INV1265635	DUO AUTHEINITCATION - STREETS	01/11/2023	10.60	.00		
INV1265635	DUO AUTHEINITCATION - B&Z	01/11/2023	10.60	.00		
INV1265636	OFFICE 365	01/11/2023	200.00	.00		
Total 8614:			465.00	.00		
GOPHER STATE ONE-CALL						
2120514	WATER - LOCATE	12/31/2022	7.42	.00		
2120514	SEWER - LOCATE	12/31/2022	7.43	.00		
Total 620:			14.85	.00		
HAWKINS INC.						
6379622	WATER PLANT - CHEMICALS	01/15/2023	40.00	.00		
Total 512:			40.00	.00		
HILLTOPPER REFUSE & RCYL SRVC						
12/22 BAGS	MONTHLY REFUSE P/U - BAGS	12/31/2022	3,306.60	.00		
12/22 STMT	REFUSE P/U - CITY HALL	12/31/2022	66.41	.00		

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
12/22 STMT	REFFUSE P/U - FIRE DEPT	12/31/2022	25.00	.00		
12/22 STMT	REFUSE P/U MAINTENANCE	12/31/2022	152.69	.00		
12/22 STMT	REFUSE P/U - ANIMAL SHELTER	12/31/2022	74.19	.00		
12/22 STMT	REFUSE P/U - LIBRARY	12/31/2022	10.00	.00		
12/22 STMT	RECYCLING P/U FIRE DEPT	12/31/2022	16.00	.00		
12/22 STMT	REFUSE P/U - ARENA	12/31/2022	148.30	.00		
12/22 STMT	CITYWIDE RECYCLING P/U	12/31/2022	7,184.20	.00		
Total 9233:			10,983.39	.00		
HOKAH CO-OP OIL ASSOCIATION						
14632	GC- LP REFILL	01/06/2023	1,005.66	1,005.66	01/11/2023	
Total 715:			1,005.66	1,005.66		
HOUSTON CNTY TREASURER						
2023 VICTIM	2023 VICTIM/WITNESS SERVICES	01/11/2023	3,500.00	.00		
Total 725:			3,500.00	.00		
3018	1ST QTR SOLID WASTE FEES	01/05/2023	28,320.00	.00		
Total 1501:			28,320.00	.00		
INSTY-PRINTS OF LA CROSSE INC						
156701	PARK & REC PLAN - PRINED BINDER BOOKS	01/13/2023	1,734.80	.00		
Total 807:			1,734.80	.00		
JP NIXON CONSULTING, LLC						
814	INTERVIEW & INTERROGATION TRAINING - C. PETERSE	01/14/2023	360.00	.00		
830	WARRANTS & AFFIDAVIT WRITING TRAINING FOR D. DAV	01/18/2023	360.00	.00		
Total 9997:			720.00	.00		
LA CRESCENT ACE HARDWARE						
12/22 STMT	FD - SMALL TOOLS	12/31/2022	40.64	.00		
12/22 STMT	FD - EQUIPMENT REPAIR	12/31/2022	2.39	.00		
12/22 STMT	PD - OFFICE SUPPLIES	12/31/2022	7.74	.00		
12/22 STMT	GC - SMALL TOOLS	12/31/2022	18.99	.00		
12/22 STMT	CITY HALL - MENS BATHROOM REAPIR	12/31/2022	79.57	.00		
12/22 STMT	CITY HALL - MENS BATHROOM REAPIR	12/31/2022	34.57	.00		
12/22 STMT	CITY HALL - MENS BATHROOM REAPIR CREDIT	12/31/2022	18.98-	.00		
12/22 STMT	CITY HALL - PAINT FOR WOMENS BATHROOM	12/31/2022	64.98	.00		
12/22 STMT	DUMP SHED REPAIR	12/31/2022	16.58	.00		
12/22 STMT	CITY HALL - WOMENS BATHROOM	12/31/2022	5.99	.00		
12/22 STMT	CITY HALL - WOMENS BATHROOM	12/31/2022	7.59	.00		
12/22 STMT	CITY HALL - WOMENS BATHROOM	12/31/2022	17.58	.00		
12/22 STMT	FD - SMALL TOOLS	12/31/2022	12.99	.00		
12/22 STMT	BOOSTER STATION REPAIR	12/31/2022	33.97	.00		
12/22 STMT	PD - OFFICE SUPPLIES	12/31/2022	11.99	.00		
12/22 STMT	SHOP TOOLS	12/31/2022	12.49	.00		
12/22 STMT	CHRISTMAS LIGHT TIMER	12/31/2022	24.99	.00		
12/22 STMT	SHOP TOOLS	12/31/2022	12.99	.00		
12/22 STMT	CITY HALL - MENS BATHROOM REAPIR	12/31/2022	18.98	.00		
12/22 STMT	SHOP TOOLS	12/31/2022	4.38	.00		
12/22 STMT	FD - SMALL TOOLS	12/31/2022	24.97	.00		

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
12/22 STMT	SHOP TOOLS	12/31/2022	4.49	.00		
12/22 STMT	STREET - VEHICLE REPAIR	12/31/2022	12.48	.00		
12/22 STMT	SHOP TOOLS	12/31/2022	25.16	.00		
Total 717:			477.52	.00		
LA CRESCENT AREA EVENT CENTER, INC.						
12/22 LODGING	LODGING TAX - MARKETING & PROMO AGREEMENT	01/24/2023	699.09	.00		
Total 9810:			699.09	.00		
LA CRESCENT AUTO REPAIR, INC						
25615	PD - P15 MAINTENANCE/REPAIR	01/05/2023	627.90	.00		
25619	PD - P19 MAINTENANCE/REPAIR	01/05/2023	93.43	.00		
Total 8168:			721.33	.00		
LA CRESCENT CHAMBER OF COMMERC						
12/22 LODGING	LODGING TAX - MARKETING & PROMO AGREEMENT	01/24/2023	699.09	.00		
Total 1142:			699.09	.00		
LA CROSSE AREA CONVENTION AND						
12/22 LODGING	LODGING TAX - MARKETING & PROMO AGREEMENT	01/24/2023	2,186.90	.00		
Total 9824:			2,186.90	.00		
LAPPIN'S LLC						
17645	CITY HALL - CLEANING DECEMBER	12/31/2022	1,555.00	.00		
Total 9677:			1,555.00	.00		
LEAGUE OF AMERICAN BICYCLISTS						
182882	2023 MEMBERSHIP	01/01/2023	50.00	.00		
Total 10071:			50.00	.00		
MENARDS-LA CROSSE						
75384	CITY HALL - FILE DRAWERS	11/17/2022	2.14	.00		
Total 1352:			2.14	.00		
METRO WATERSHED PARTNERS						
2023 MEMBERS	2023 MEMBERSHIP ADOPT-A-DRAIN	01/09/2023	350.00	.00		
Total 9964:			350.00	.00		
MICROMARKETING, LLC						
910966	LIBRARY - BOOKS GRANT FUNDED	01/12/2023	93.94	.00		
Total 10060:			93.94	.00		
MIDWEST TAPE						
503133645	LIBRARY- MOVIES	12/22/2022	26.24	.00		
Total 9851:			26.24	.00		

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
MIENERGY COOPERATIVE						
12/22 STMT	ELECT UTILITIES-CRESC.HGTS.& WILDWOOD SEC LIGH	12/31/2022	245.81	245.81	01/17/2023	
12/22 STMT	ELECT UTILITIES-GC CLUBHOUSE	12/31/2022	295.74	295.74	01/17/2023	
12/22 STMT	ELECT UTILITIES - HORSETRACK MEADOWS LIFT STATI	12/31/2022	162.01	162.01	01/17/2023	
12/22 STMT	ELECT UTILITIES-GC POP MACH.	12/31/2022	65.91	65.91	01/17/2023	
12/22 STMT	ELECT UTILITIES-GC IRRIGATION & PARKING LOTS LIGH	12/31/2022	176.35	176.35	01/17/2023	
12/22 STMT	ELECT UTILITIES - WIESER PARK	12/31/2022	76.60	76.60	01/17/2023	
Total 2012:			1,022.42	1,022.42		
MINNESOTA CHILD SUPPORT PAYMENT CENTER						
1/6/23 P/R00156	MN CHILD SUPPORT	01/09/2023	640.97	640.97	01/09/2023	
Total 9597:			640.97	640.97		
MINNESOTA ENERGY RESOURCES INC						
11/22 ARENA	ICE ARENA - GAS UTILITIES	11/30/2022	2,214.94	.00		
12/22 STMT	ABNET RESTROOMS - GAS UTILITIES	12/31/2022	280.89	.00		
12/22 STMT	COMM BLDG - GAS UTILITIES	12/31/2022	1,333.26	.00		
12/22 STMT	LIBRARY - GAS UTILITIES	12/31/2022	288.09	.00		
12/22 STMT	POOL - GAS UTILITIES	12/31/2022	50.64	.00		
12/22 STMT	ANIMAL SHELTER - GAS UTILITIES	12/31/2022	235.98	.00		
12/22 STMT	CONTROL BLDG - GAS UTILITIES	12/31/2022	217.07	.00		
12/22 STMT	MAINT BLDG - GAS UTILITIES	12/31/2022	1,891.81	.00		
12/22 STMT	PUMP HOUSE MCINTOSH	12/31/2022	123.23	.00		
12/22 STMT	CITY HALL - GAS UTILITIES	12/31/2022	661.38	.00		
12/22 STMT	PUMP HOUSE ORCHARDVIEW	12/31/2022	146.96	.00		
12/22 STMT	ICE ARENA - GAS UTILITIES	12/31/2022	2,158.18	.00		
Total 8171:			9,602.43	.00		
MN DNR ECO/WTR RESOURCES						
2023 GOLF COU	GC - WATER USE PERMIT	01/17/2023	293.94	.00		
Total 322:			293.94	.00		
MN UNEMPLOYMENT INSURANCE						
4TH QTR 2022 C	STREET - UNEMPLOYMENT INSURANCE	01/10/2023	563.67	.00		
4TH QTR 2022 C	PD - UNEMPLOYMENT INSURANCE	01/10/2023	15.56	.00		
4TH QTR 2022 C	PARKS - UNEMPLOYMENT INSURANCE	01/10/2023	563.67	.00		
Total 1321:			1,142.90	.00		
MUNICIPAL EMERGENCY SERVICE						
IN1812398	FD - PPE	01/06/2023	139.17	.00		
Total 8816:			139.17	.00		
PUMP 4 LESS						
12/22 CITY	PUBLIC WORKS - MOTOR FUEL	12/31/2022	31.08	.00		
12/22 POLICE	POLICE DEPT - MOTOR FUEL	12/31/2022	111.35	.00		
Total 8604:			142.43	.00		
QUILLINS LA CRESCENT						
12/22 CITY	WATER FOR MEETING	12/31/2022	5.99	.00		
12/22 CITY	PD - MEETING	12/31/2022	48.84	.00		

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1707:			54.83	.00		
RIVER VALLEY MEDIA GROUP						
12/22 STMT	SUMMARY OF ORD. NO. 563	12/31/2022	51.78	.00		
12/22 STMT	PUBLIC INFORMATIONAL MEETING NOTICE - SWPPP	12/31/2022	52.92	.00		
Total 8163:			104.70	.00		
RUBY JUNE SWEETS						
1	LIBRARY - FOOD FOR EVENT	01/10/2023	72.00	.00		
Total 10069:			72.00	.00		
SCHNEIDER HEATING & AIR COND.						
20116067	FD - HVAC REPAIRS	12/14/2022	2,366.13	.00		
Total 1932:			2,366.13	.00		
SOUTHEAST LIBRARIES COOP						
050798	LIB - SELCO AUTOMATION FEE	01/09/2023	1,323.24	.00		
Total 1962:			1,323.24	.00		
UNITED STATES POSTMASTER						
1/23 PAST DUE	PAST DUE WATER/SEWER - WATER	01/19/2023	21.34	21.34	01/19/2023	
1/23 PAST DUE	PAST DUE WATER/SEWER - SEWER	01/19/2023	21.34	21.34	01/19/2023	
Total 2102:			42.68	42.68		
UW-LA CROSSE						
5027	WORK PERFORMED - MISSISSIPPI VALLEY ARCHAEOLO	12/31/2022	387.09	.00		
Total 9984:			387.09	.00		
VERIZON WIRELESS						
9924018908	FD - MOBILE	12/28/2022	120.03	.00		
9924040820	PD - COMPUTER DATA & PHONE SERVICE	12/28/2022	498.03	.00		
9924040820	WATER DEPT - DATA	12/28/2022	35.01	.00		
9924040820	B&Z - COMPUTER DATA	12/28/2022	40.02	.00		
9924040820	SEWER DEPT - DATA	12/28/2022	35.01	.00		
9924314639	SEWER DEPT - WIRELESS	12/31/2022	59.47	.00		
9924314639	WATER DEPT - WIRELESS	12/31/2022	59.47	.00		
Total 8973:			847.04	.00		
WATER SYSTEMS CO.						
478424	LIBRARY - COOLER RENTAL	12/31/2022	6.00	.00		
Total 8605:			6.00	.00		
Grand Totals:			84,956.04	5,098.90		

#3.1



WIESER LAW OFFICE, P.C.

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

KELLY M. IVERSON
AL "SKIP" WIESER, III

AL WIESER, JR.
Emeritus

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

TO: Honorable Mayor and City Council Members

CC: Bill Waller, City Administrator
Luke Ahlströmer, City Police Chief

FROM: Skip Wieser, City Attorney

DATE: January 19, 2023 *1/19/23*
at 4:47

RE: Special Vehicles Ordinance

At the October 20, 2022 City Council meeting, the City Council directed that a special vehicle use ordinance be prepared. A basic draft ordinance is included in the Council packet for Council consideration. This ordinance should be considered in draft form as different regulatory options will be discussed at the City Council meeting for purposes of receiving further direction from the City Council. We will also review the statutory framework for regulating special vehicles use and process for permit revocation.

This draft would essentially allow the operation of golf carts, all-terrain vehicles, or utility task vehicles on city streets with a city issued permit.

You can find the current Comprehensive Plan and Downtown Vision and Strategic Plan on the City's website under City Government, Planning Commission tab.

You can also find the current Bike and Pedestrian Plan and complete Street Ordinance on the City's website under City Government, Bicycle and Pedestrian Advisory Committee tab.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LA CRESCENT REGULATING THE USE OF
MOTORIZED GOLF CARTS AND SPECIAL VEHICLES ON DESIGNATED
ROADWAYS WITHIN THE CITY OF LA CRESCENT**

The operation of motorized golf carts, all-terrain vehicles, or utility task vehicles is authorized on designated roadways in the City of La Crescent by permit only, pursuant to the authority given to the city by Minnesota Statutes §169.045.

Definitions

The following terms as used in this section shall have the meanings stated:

1. “Motorized golf cart” means a vehicle commonly known as a golf cart, having at least four wheels, and either an electric or a gas motor and designed to be used on golf courses.
2. “All-terrain vehicle” or “ATV” means a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. A class 1 all-terrain vehicle has a total dry weight of less than 1,000 pounds. A class 2 all-terrain vehicle has a total dry weight of 1,000 to 1,800 pounds.
3. “Utility task vehicle” or “UTV” means a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less and has a total dry weight of 1,800 but less than 2,600 pounds.
4. “Designated Roadways” means city streets, avenues and alleys not specifically excluded in this ordinance. It does not mean United States or Minnesota trunk highways or Houston County highways or county state-aid highways unless permitted by county ordinance.

Required Permit.

1. No person may operate a motorized golf cart, ATV or UTV pursuant to this section without a valid permit from the city.
2. Permit applications shall be available at the City Clerk’s office and shall be in a form approved by resolution of the City Council.
3. At the time of application, the applicant shall:
 - a. Provide evidence of insurance complying with the provisions of Minnesota Statutes §65B.48, Subdivision 5, as the same may be amended from time to time. In the event persons operating a motorized golf cart, ATV or UTV under this section cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan under MN Statutes §65B.01 to §65B.12, at a rate determined by the

commissioner of commerce.

- b. Provide all other information as may be required by resolution of the City Council.
4. All permits granted pursuant to this section shall be issued for a period not to exceed one year and may be renewed annually by complying with the requirements of this section.
5. The City Council shall set fees for such permits by resolution.

Conditions

1. No person shall operate a motorized golf cart, ATV or UTV under this ordinance:
 - a. If under the age of eighteen (18) years;
 - b. Except on designated roadways and from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights;
 - c. In inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of five hundred (500) feet;
 - d. Unless the vehicle is equipped with a rear-view mirror as provided in Minnesota Statutes §169.70;
 - e. With a passenger or passengers unless each such passenger is seated on a seat specifically designed for the transport of passengers.
2. Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minnesota Statutes §169.522, when operated on designated roadways.
3. The operator of a motorized golf cart, ATV or UTV under permit on designated roadways shall have all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes §169, except when those provisions cannot reasonably be applied to a motorized golf cart, ATV or UTV.
4. Without a valid driver's license.

Revocation or Denial of Permit

A permit may be revoked by the Chief of Police at any time or denied if it is shown that the motorized golf cart, ATV or UTV is not safely or legally operated or has not been safely or legally operated within the city. The owner of the permitted vehicle may appeal any such revocation or denial to the City Council by filing notice of appeal at City Hall not later than 14 days after the date of notice of the revocation or denial action.

Limitation of Liability.

Nothing in this chapter shall be construed as an assumption of liability by the City for any injuries to persons or property which may result from the operation of a permitted motorized golf cart, ATV or UTV, the grant of such permit, or the failure by the City to revoke said permit.

City Use Authorized

Authorized city staff may operate a city-owned motorized golf cart, ATV or UTV without obtaining a permit within the city when conducting city business.

Violation and Penalties

Any person violating any provision of this ordinance shall be guilty of a misdemeanor punishable by up to ninety (90) days in jail, a fine of One Thousand 00/100 Dollars (\$1,000.00), or both. The permit may be revoked by the City for any violations of this ordinance.

Effective Date

This ordinance shall take effect from and after its passage and publication according to law.

Passed and enacted this _____ day of _____, 2023.

SIGNED:

Mayor

ATTEST:

City Administrator

CITY OF LA CRECENT



La Crescent City Hall
315 Main Street, La Crescent, MN 55947
(507) 895-2595

Special Vehicle Permit Application

Permit #: _____

Annual Fee: \$50 per Special Vehicle

Applicant Name: _____

Home Street/Mailing Address: _____

Phone (day): _____ Phone (cell): _____

ATV/UTV:

Make: _____ Model: _____

DNR Reg #: _____ Reg Yr: _____ Class Description (*Circle One*): Class 1 Class 2

GOLF CART:

Make: _____ Model: _____

Vehicle Identification Number: _____

PROOF OF LIABILITY INSURANCE:

Insurance Company (*not agent*): _____

Policy #: _____ Policy Period: From _____ To _____

Vehicle Identification Number: _____

As an applicant for a Special Vehicle Permit, -I agree to the following:

1. I will not allow any person under the age of eighteen (18) years to operate the permitted vehicle on City of La Crescent roadways.
2. All operators of the permitted vehicle must have a valid driver's license.
3. I will operate the permitted vehicle only on designated roadways and only from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights.
4. I will not operate the permitted vehicle in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of five hundred (500) feet.
5. I will equip the permitted vehicle with a rear view mirror as provided in Minnesota Statute § 169.70.
6. I will not operate the permitted vehicle with a passenger or passengers unless each such passenger is seated on a seat specifically designed for the transport of passengers.
7. If the permitted vehicle is a motorized golf cart, the vehicle will display the slow-moving vehicle emblem provided for in Minnesota Statute § 169.522, when operated on designated roadways.
8. I understand the operator of a motorized golf cart, ATV or UTV under permit on designated roadways shall have all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statute § 169, except when those provisions cannot reasonably be applied to a motorized golf cart, ATV or UTV.
9. I understand my permit may be revoked by the city at any time or denied if it is shown that the permitted vehicle is not safely or legally operated or has not been safely or legally operated within the city.
10. I understand the City of La Crescent assumes no liability for any injuries to persons or property which may result from the operation of the permitted vehicle, the grant of such permit, or the failure by the City to revoke said permit.
11. I understand any person violating the ordinance for special vehicles shall be guilty of a misdemeanor and is subject to having the permit revoked.

Applicant Signature: _____

Date: _____

Office Receiving Signature: _____

Date: _____

CITY OF LA CRESCENT, MINNESOTA

Agenda Request Form

DATE SUBMITTED: Jan 18, 2023

SUBMITTED BY: Jason Oefstedahl

ISSUE: Request for "Special Vehicle Permit" ordinance (golf carts and UTVs)

ATTACHMENTS: Packet of information including important talking points, ordinance examples, permit form examples, map of S 7th St and Elm St.

JUSTIFICATION: Continued discussion from Oct 10th City Council Meeting.

ACTION REQUESTED: Address the City Council about Special Vehicle Permit

REVIEWED BY: _____ **City Clerk/ Admin.** _____ **City Attorney** _____ **Bldg. Insp.**
_____ **Finance Director** _____ **Public Works** _____ **City Engineer**

RECOMMENDATION:

All Agenda Request Forms must be submitted to the City Administrator no later than Noon on the Wednesday preceding the City Council Meeting. The City shall have the discretion to determine if the request will be heard at a City Council Meeting.

Special Vehicle Permit Ordinance To Approve Golf Carts and UTVs in La Crescent
City Council Meeting
Jan 23, 2023, at 5:30

My name is Jason Oefstedahl. I live at 1200 N 1st St in the City of La Crescent.

I was at the meeting in October when the Special Vehicle Permits for golf carts and UTVs was first proposed. I've since done a lot of research on the topic. My goal is to share this research and be a resource for questions.

First... I wanted to know which nearby communities allow golf carts and UTVs and what they charge for a permit.

I don't have a complete list, but it includes:

1. Mabel - \$15
2. Spring Grove - \$25 (average 125 permits per year = \$3,125), have online registration
3. Caledonia - \$25
4. Hokah - \$20
5. Houston
6. Rushford - \$15 for 3 years
7. Lewiston - \$15
8. Eyota - \$25
9. Spring Valley - \$25
10. Trempealeau
11. Onalaska - \$100 registration fee. 20 MPH or less.
12. Red Wing - \$30
13. Pepin - \$25
14. Goodview, MN as of a few months ago - \$5
15. Viroqua, WI as of a few months ago

That tells me it must be popular, and it must be working.

And the permit fees range from \$5 to \$100, with \$25 being the most common.

Second... why consider allowing golf carts and UTVs?

I've been able to see firsthand the benefits and enjoyment they bring...

- My parents live in Spring Grove where they've been allowed for over 10 years
- My father had rheumatoid arthritis and it was hard to get around...
- So, my parents would use the golf cart to go to the friend's house, pull into their yard, and strike up a conversation without having to ever get out of the cart
- They would take the grandkids to the park, the pool, and sporting activities
- Run to the grocery store or hardware store.
- They are more efficient than a car or truck with those short trips
- And They're just fun to drive.

Third... what about noise?

- Both gas and electric carts are extremely quiet as they are made for a golf course
- UTVs are a bit louder than a golf cart, but also not nearly as loud as a motorcycle
- May towns have an ordinance that prohibit loud or disturbing operation

Fourth... what about safety?

- My sister is the Deputy Clerk / Treasurer at the City of Spring Grove.
- They have allowed golf carts and UTV for over 10 years and there's never been an accident
- There also has not been a citation issued. There have been a few warnings to people driving on streets that are not permitted.
- Many towns have an ordinance that they can't be operated in a careless or reckless manner

Fifth... how does it benefit the city of La Crescent.

- Citizens of the town are happy and want to stay here.
- It attracts new families who want to move here.
- It brings business to town.
- Reduces wear and tear on roads.
- They're better for the environment.
- The permit fees are a source of revenue for the city.
- As an example, Spring Grove has about 659 households and they issue about 125 permits per year, which is about 19% of the households who have a golf cart.

Sixth... where can golf carts be driven (UTVs can be driven on County Roads without restriction)

- Most ordinances allow golf carts on Designated Roadways, meaning city streets, avenues, and alleys not specifically excluded.
- That does not include County Roads like Elm St and S 7th St, but the state of Minnesota statutes allows "crossing" of County Roads.
- We would want to think about this because there are some areas in the city where you can't directly cross those County Roads
- And Brian Pogodzinski, Houston County Engineer, is willing to help with this.
 - i.e. can cross by way of the shortest distance between intersecting roads

In summary, I believe you can create ordinances that make golf carts and UTVs safe and quiet while allowing the community the enjoyment of using them as transportation.

Why not try it for a year and see what happens?

Thank you for the time and opportunity.

Additional Consideration

Copperhead Carts moves to La Crescent, MN

<https://www.copperheadcarts.net/>

I've owned a small part-time business for 5 years with my partner Colin Luz called Copperhead Carts. It is currently located on the south side of La Crosse, WI. Colin is also a city of La Crescent resident.

We are looking to relocate Copperhead Carts and we're strongly considering La Crescent, MN. We've looked at locations such as Commodore, Allan McCormick's building at 190 Main, Preferred Auto Care, and the Code 45 building. We may move to La Crescent regardless of the Special Vehicle Ordinance as we attract business from Minneapolis to Chicago. But allowing golf carts in La Crescent would make moving to La Crescent even more attractive.

Being the owner of Copperhead Carts for 5 years, I have a unique perspective and knowledge regarding golf carts.

From my perspective, golf carts have evolved to the point where we rarely, if ever, sell a golf cart for use on a golf course.

- Every golf cart we sell is either for use at a campground or as a means of transportation in towns and cities where they're allowed.
- Because of this evolution, manufacturers have also started manufacturing golf carts they call "street ready" with high/low headlights, taillights, blinkers, brake lights, and horn.
- The golf cart market is predicted to grow a lot, 6% per year through 2028 (30%).

Get carts on your community roads

Tell your local leaders: It's time for carts!

Indiana allows golf carts on public roads – with some limitations – as long as the driver is licensed and the cart is "street legal." But it leaves it up to each locality to give permission.

More and more Indiana towns and cities are passing laws to allow golf carts on their streets. But many haven't yet done so. If you live in one of these communities, speak up! Tell your elected officials about all the benefits that golf carts can bring:

- Carts encourage old-fashioned social interaction. Unlike an automobile, which isolates its occupants, carts are open to the air, so you can wave at neighbors as you pass by. Want to stop and chat? Easy, just pull over – carts take up far less space than a car, and they're easy to park.
- They're way more affordable. Buy an electric-powered car for as little as \$4,500 used or \$8,000 new. And that's a compelling reason to purchase a cart for short trips and leave the truck in the driveway.

- They're perfect for seniors, people with disabilities, and others who don't or can't drive regular vehicles. Highly maneuverable and easy to operate, golf carts can help people maintain their independence and mobility.
- They're better for the environment. Electric carts are "zero emissions" vehicles and can replace cars for stop-and-go trips to nearby conveniences. These short trips are the ones that create the highest amount of pollution from cars.
- Carts can reduce traffic congestion, eliminate the need for larger parking lots, reduce speeds in your downtown areas and cut down traffic noise.
- They're safer to drive than cars. And that makes the streets safer – an important consideration when inexperienced or elderly drivers are on the road.
- Cart-friendly communities offer prospective residents another great reason to move to town. And that's a big plus.
- Carts can help foster a better quality of life. Carts slow the pace of living, are fun to drive and make people happy. And when people are happy, their neighborhoods are friendlier and more closely knit. And great neighborhoods make your town a better place to live.

So, let's get your community on the road to an enhanced, cart-friendly future. Contact your local officials today.

Candy and Robert Oefstedahl (my parents), Spring Grove, MN



Copperhead Carts Builds and Customers – headlights and tail lights



Tail Lights



Optional Blinkers





CHAPTER 710 – USE OF RECREATIONAL VEHICLES

This Chapter shall be known, cited and referred to as the “City of Spring Grove regulation of Recreational Vehicles Chapter” except as referenced to herein as “this Chapter.”

A. DEFINITIONS AND INTERPRETATIONS. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and neuter and vice-versa. The term “shall” means mandatory and the term “may” means permissive. The following terms shall have the definitions given to them:

1. “City Street,” means all city streets except those county or state highways not controlled by the city.
2. “Dead man Throttle or Safety Throttle,” means a device which when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.
3. “Operate,” means to control the operation of a recreational motorized vehicle.
4. “Operator,” means a person who operates or is in actual control of a recreational motorized vehicle.
5. “Recreational Motorized Vehicle,” means any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled used for recreational purposes, including but not limited to snowmobile, trail bike, “mini-bikes,” “4-wheelers,” or other all-terrain vehicle or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.
6. “Trail,” means any paved trail used primarily for biking, pedestrian or other recreational use that is not already designated as such.

B. GENERAL PROHIBITIONS. It is unlawful for any person to operate a recreational motorized vehicle within the corporate limits of Spring Grove under the following circumstances:

1. On private property of another without the express permission to do so by the owner or occupant of said property.
2. On public property including school grounds, parks playgrounds and recreation areas without express permission from the proper public authority;

3. within the right-of-way of any major street within the City except when making a direct crossing of said major street provided;
 - a. the crossing is made at an angle of approximately ninety (90) degrees to the direction of the street and at a place where no obstruction prevents a quick and safe crossing; and
 - b. the vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the street; and
 - c. the driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
 4. within the right-of-way of any city street within the City; and
 5. on public sidewalks, boulevard, shoulder or berm in the City, except as a direct crossing made subject to the provisions of section B,4 above; and
 6. in a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons; and
 7. in a careless, reckless or negligent manner so as to endanger, or be likely to endanger the safety of any person or the property of any other person; and
 8. without having such recreational motorized vehicle registered as provided for in Minnesota Statutes, Sections 84.788, 84.798, 84.82 or 84.922 as amended from time to time; and
 9. while under the influence of intoxicating beverages, narcotics or habit forming drugs which may include some prescription and "over-the-counter" medications; and
 10. between the hours of sunset and sunrise; and
 11. on any trail not designated for recreational vehicles; and
 12. at speeds in excess of fifteen (15) miles per hour.
- C. EXCEPTIONS. The following exceptions apply to the use of recreational motorized vehicles within the City of Spring Grove:
1. recreational motorized vehicles can use the public right-of-way, between the trail or home and a service station, for the purpose of obtaining fuel for the vehicle being ridden;

2. recreational motorized vehicles can use the public right-of-way if a valid permit has been issued by the City for such use;
 - a. Application for permit. An application to obtain a permit to operate a recreational motorized vehicle on local streets shall contain the following information:
 - i. Name;
 - ii. Address;
 - iii. Evidence of insurance, pursuant to Minnesota Statutes 65B.48, and as amended from time to time;
 - iv. Year and Model of vehicle.
 - b. Permits. Permits shall be valid for one calendar year (January 1 to December 31). The cost for such permit shall be as set forth in the fee schedule for the City.
 - c. Insurance. In the event persons operating a motorized golf cart cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage from the Minnesota Automobile Assigned Risk Plan at a rate to be determined by the Minnesota Commissioner of Commerce.
3. Vehicles shall display a slow-moving vehicle emblem pursuant to Minnesota Statutes 169.522 and as amended from time to time. The vehicle shall also display the permit from the city on the back of the vehicle and the permit shall be visible and clean. Snowmobiles are exempt from this section.
4. Operation for recreational motorized vehicles for this purpose are from one-half hour after sunrise to one-half hour before sunset. Travel for obtaining fuel and traveling to and from home is permitted under this section.
5. Recreational motorized vehicles for this purpose shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of five-hundred (500) feet.
6. Application of traffic laws. Every person operating a recreational motorized vehicle under this section, on designated streets has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statute, Chapter 169 and as amended from time to time, except when those provisions cannot reasonable be applied to recreational motorized vehicles.

D. EQUIPMENT. All recreational motor vehicles operated within the City shall have the following equipment:

1. Mufflers; which are properly attached and which reduce the noise of the operation of the vehicle to the minimum noise necessary for the operation of the vehicle. That no person shall use a muffler cut-out, by-pass or similar device on said vehicle; and
2. Adequate brakes; so as to control the movement of and to stop and hold the vehicle under any condition or operation and as prescribed by the Minnesota Commissioner of Highways; and
3. A dead man throttle; and
4. When operating at any time of reduced visibility, at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least one-hundred feet (100'). Such headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming recreational vehicle operator or motor vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five-hundred (500') to the rear.
5. Reflective material at least sixteen square inches on each side, forward of the handlebars or steering device of a recreational vehicle and at the highest practical point on any towed object, as to reflect light to a ninety (90) degree angle or as required by Minnesota DNR Rules and Regulations, which ever requires more reflective material.
6. Any other equipment as required by Minnesota DNR Rules and Regulations. Any changes made to Minnesota Statutes concerning this section on equipment shall automatically apply to this subdivision.

E. IGNITION LOCK. Every person leaving a recreational vehicle on a public place or way shall lock the ignition, remove the key and take same.

F. EMERGENCY OPERATION PERMITTED. Notwithstanding any prohibitions in this Chapter, a recreational vehicle may be operated on a public thoroughfare in an emergency when such conditions exist that use of permitted vehicles is impractical or dangerous.

G. PROHIBITIONS ON YOUTHFUL OPERATORS. The following are conditions for operating recreational vehicles by minors.

2. Except for operation on public road rights-of-way that is permitted under State Statute, Section 84.928 as amended from time to time, a driver's license issued by

the State of Minnesota or another state is required to operate recreational vehicles along or on a public road right-of-way; and

3. a person twelve (12) years of age but less than sixteen (16) years may make a direct crossing of a public road right-of-way only if such person possesses a valid all-terrain vehicle safety certificate issued by the State of Minnesota Commissioner of Public Safety and is accompanied on another all-terrain vehicle by a person eighteen (18) years of age or older who holds a valid driver's license; and
4. all-terrain vehicle safety certificates issued by the commissioner to persons twelve (12) years old, but less than sixteen (16) years old are not valid for machines in excess of 90cc engine capacity unless:
 - a. The person successfully completed the safety education and training program under state statute, section 84.925, subdivision 1 as amended from time to time, including a riding component; and
 - b. the riding component of the training was conducted using an all-terrain vehicle with over 90cc engine capacity; and
 - c. the person is able to properly reach and control the handle bars and reach the foot pegs while sitting upright on the seat of the vehicle.
5. Helmet required. A person less than eighteen (18) years of age shall not operate a recreational vehicle on public land or on a public road right-of-way unless wearing a safety helmet approved by the State of Minnesota Commissioner of Public Safety.
6. Prohibitions on person in lawful control. It is unlawful for any person who is in lawful control of a recreational vehicle to permit it to be operated contrary to this Chapter.
7. Suspension. When a person, less than eighteen (18) years of age has violated this Chapter or Minnesota Statute, sections 84.92 to 84.929 as amended from time to time, it shall be reported to the Commissioner of Public Safety, which may result in suspension of the person's safety certificate or driver's license.

H. SPECIAL VEHICLE USE ON ROAD WAY.

1. Golf carts are not allowed to operate on collector or arterial streets as defined in Chapter 1308.33., but may operate on local streets.
2. The vehicle shall have a valid permit issued by the City.

- a. Application for permit. An application to obtain a permit to operate a motorized golf cart on local streets shall contain the following information:
 - i. Name;
 - ii. Address;
 - iii. Evidence of insurance, pursuant to Minnesota Statutes 65B.48, and as amended from time to time;
 - iv. Year and Model of cart;
 - b. Permits. Permits shall be valid for one calendar year (January 1 to December 31).
 - c. Insurance. In the event persons operating a motorized golf cart cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage from the Minnesota Automobile Assigned Risk Plan at a rate to be determined by the Minnesota Commissioner of Commerce.
3. Vehicles shall display a slow-moving vehicle emblem pursuant to Minnesota Statutes 169.522 and as amended from time to time.
 4. Operation for motorized golf carts are from one-half hour after sunrise to one-half hour before sunset.
 5. Motorized golf carts shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of five-hundred (500) feet.
 6. Application of traffic laws. Every person operating a motorized golf cart under this section on designated streets has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statute, Chapter 169 and as amended from time to time, except when those provisions cannot reasonable be applied to motorized golf carts except as otherwise specifically provided for in 7 below.
 7. Non-application of certain laws. The provisions of Minnesota Statute, Chapter 171 and as amended from time to time are not applicable to persons operating motorized golf carts under permit on designated streets.

I. PENALTY. Any person who violates a provision of this Chapter shall be deemed to have committed a misdemeanor and shall be charged pursuant to Title 1900 of the Code of Ordinances.

J. SEVERIBILITY CLAUSE. If any provisions of this Chapter should be nullified by action of a Court of competent jurisdiction, all other provisions shall nevertheless remain in full force and effect.

Part 4: Special Vehicles¹⁰

704.01 – Operation of Special Vehicles within the City of Lewiston

The operation of motorized golf carts, all-terrain vehicles, or utility task vehicles is authorized on designated roadways in the City of Lewiston by permit only, pursuant to the authority given to the city by Minnesota Statutes §169.045.

704.02 – Definitions

The following terms as used in this section shall have the meanings stated:

2. "Motorized golf cart" means a vehicle commonly known as a golf cart, having at least four wheels, and either an electric or a gas motor.
3. "All-terrain vehicle" or "ATV" means a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. A class 1 all-terrain vehicle has a total dry weight of less than 1,000 pounds. A class 2 all-terrain vehicle has a total dry weight of 1,000 to 1,800 pounds.
4. "Utility task vehicle" or "UTV" means a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.
5. "Designated Roadways" means city streets, avenues and alleys not specifically excluded in this ordinance. It does not mean United States or Minnesota trunk highways or Winona County highways or county state-aid highways unless permitted by county ordinance.

704.03 – Required Permit.

1. No person may operate a motorized golf cart, ATV or UTV pursuant to this section without a valid permit from the city.
2. Permit applications shall be available at the City Clerk's office and shall be in a form approved by resolution of the City Council.
3. At the time of application, the applicant shall:
 - a. Provide evidence of insurance complying with the provisions of Minnesota Statutes §65B.48, Subdivision 5, as the same may be amended from time to time. In the event persons operating a motorized golf cart, ATV or UTV

¹⁰ Ordinance 14-01, adopted 05/28/2014, published 06/19/2014

under this section cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan under MN Statutes §65B.01 to §65B.12, at a rate determined by the commissioner of commerce.

- b. Provide all other information as may be required by resolution of the City Council.
4. All permits granted pursuant to this section shall be issued for a period not to exceed one year and may be renewed annually by complying with the requirements of this section.
5. The City Council shall set fees for such permits by resolution.

704.04 – Conditions

1. No person shall operate a motorized golf cart, ATV or UTV under this ordinance:
 - a. If under the age of sixteen (16) years;
 - b. Except on designated roadways and from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights;
 - c. In inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of five hundred (500) feet;
 - d. Unless the vehicle is equipped with a rear-view mirror as provided in Minnesota Statutes §169.70;
 - e. With a passenger or passengers unless each such passenger is seated on a seat specifically designed for the transport of passengers.
2. Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minnesota Statutes §169.522, when operated on designated roadways.
3. The operator of a motorized golf cart, ATV or UTV under permit on designated roadways shall have all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes §169, except when those provisions cannot reasonably be applied to a motorized golf cart, ATV or UTV.

704.05 – Revocation or Denial of Permit

A permit may be revoked by the Chief of Police at any time or denied if it is shown that the motorized golf cart, ATV or UTV is not safely or legally operated or has not been safely or legally operated within the city. The owner of the permitted vehicle may appeal any such revocation or denial to the City Council by filing notice of appeal at City Hall not later than 14 days after the date of notice of the revocation or denial action.

704.06 – Limitation of Liability.

Nothing in this chapter shall be construed as an assumption of liability by the City for any injuries to persons or property which may result from the operation of a permitted motorized golf cart, ATV or UTV, the grant of such permit, or the failure by the City to revoke said permit.

704.07 – City Use Authorized

Authorized city staff may operate a city-owned motorized golf cart, ATV or UTV without obtaining a permit within the city when conducting city business.

704.08 – Violation and Penalties

Any person violating any provision of this ordinance shall be guilty of a petty misdemeanor and is subject to having the permit under this section revoked.

CITY OF LEWISTON



Lewiston City Hall
75 Rice Street • P.O. Box 129 • Lewiston, MN 55952
Phone: (507) 523-2257

Special Vehicle Permit Application

Permit #: _____

Annual Fee: \$15 per Special Vehicle

Applicant Name: _____

Home Street/Mailing Address: _____

Phone (day): _____ Phone (cell): _____

ATV/UTV:

Make: _____ Model: _____

DNR Reg #: _____ Reg Yr: _____ Class Description (Circle One): Class 1 Class 2

GOLF CART:

Make: _____ Model: _____

Vehicle Identification Number: _____

PROOF OF LIABILITY INSURANCE:

Insurance Company (not agent): _____

Policy #: _____ Policy Period: From _____ To _____

Vehicle Identification Number: _____

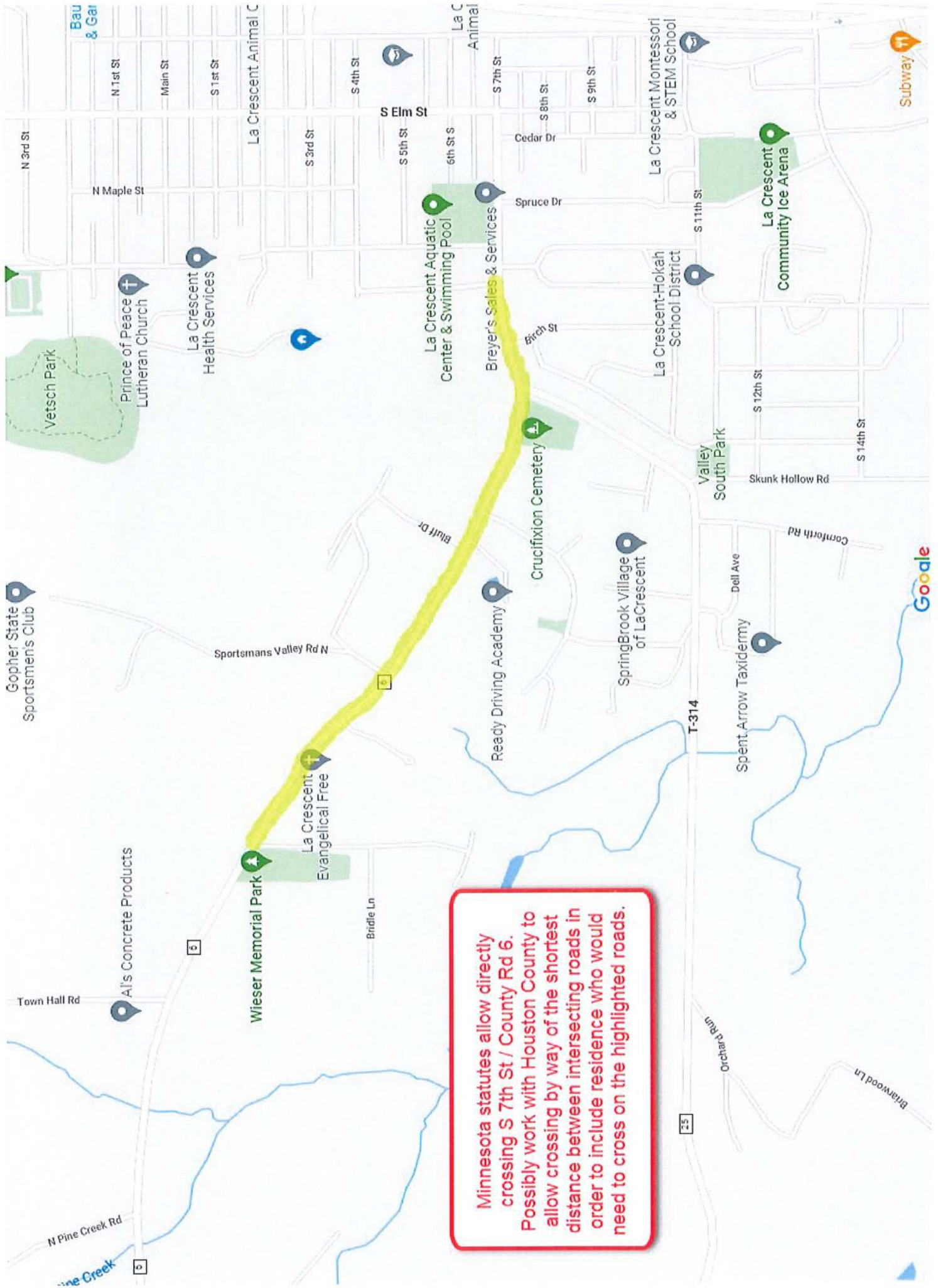
As an applicant for a Special Vehicle Permit, I agree to the following:

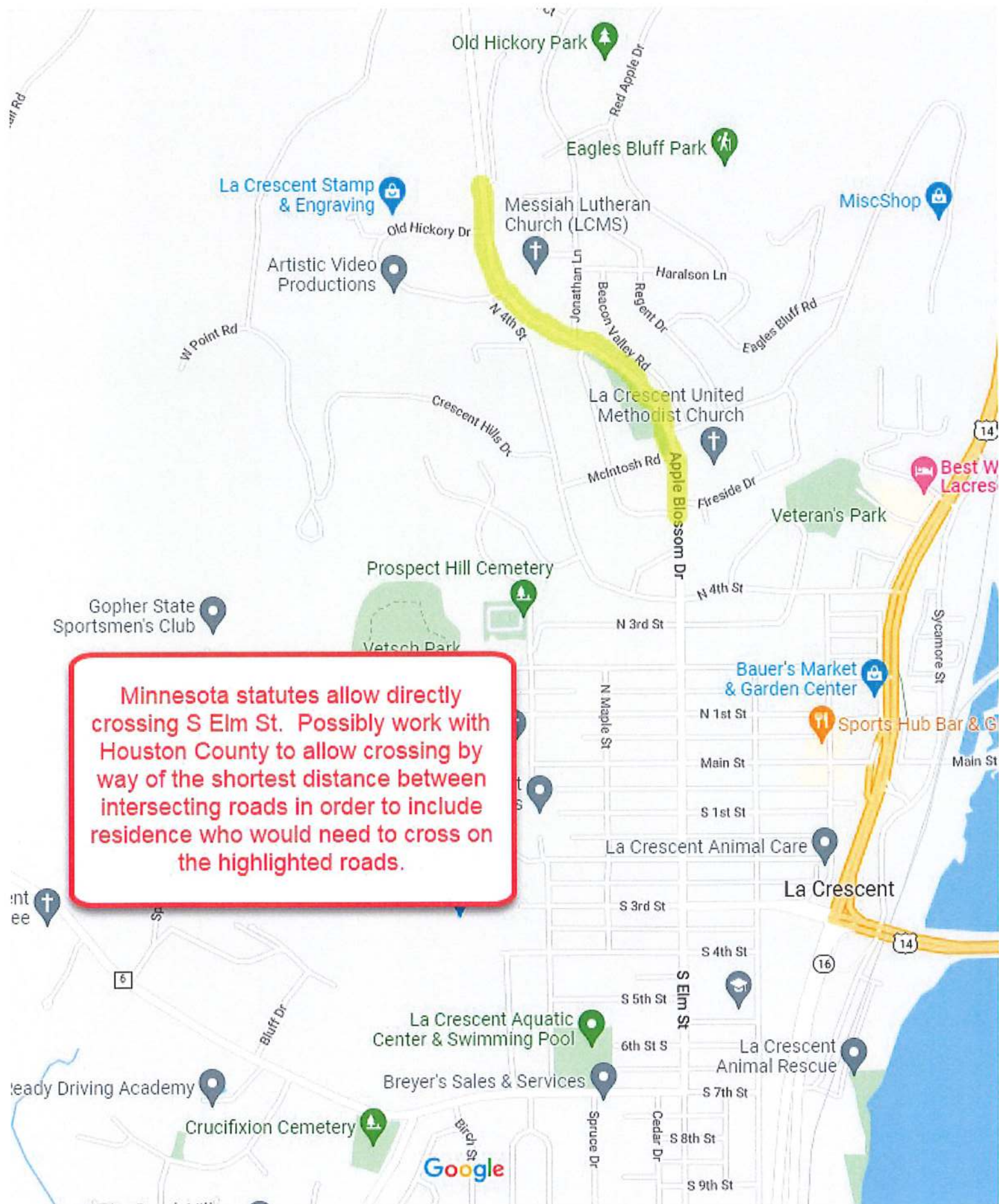
1. I will not allow any person under the age of sixteen (16) years to operate the permitted vehicle on City of Lewiston roadways.
2. I will operate the permitted vehicle only on designated roadways and only from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights.
3. I will not operate the permitted vehicle in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of five hundred (500) feet.
4. I will equip the permitted vehicle with a rear view mirror as provided in Minnesota Statutes §169.70.
5. I will not operate the permitted vehicle with a passenger or passengers unless each such passenger is seated on a seat specifically designed for the transport of passengers.
6. If the permitted vehicle is a motorized golf cart, the vehicle will display the slow-moving vehicle emblem provided for in Minnesota Statutes §169.522, when operated on designated roadways.
7. I understand the operator of a motorized golf cart, ATV or UTV under permit on designated roadways shall have all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes §169, except when those provisions cannot reasonably be applied to a motorized golf cart, ATV or UTV.
8. I understand my permit may be revoked by the city at any time or denied if it is shown that the permitted vehicle is not safely or legally operated or has not been safely or legally operated within the city.
9. I understand the City of Lewiston assumes no liability for any injuries to persons or property which may result from the operation of the permitted vehicle, the grant of such permit, or the failure by the City to revoke said permit.
10. I understand any person violating the ordinance for special vehicles shall be guilty of a petty misdemeanor and is subject to having the permit revoked.

Applicant Signature: _____ Date: _____

Office Receiving Signature: _____ Date: _____

Minnesota statutes allow directly crossing S 7th St / County Rd 6. Possibly work with Houston County to allow crossing by way of the shortest distance between intersecting roads in order to include residence who would need to cross on the highlighted roads.





Minnesota statutes allow directly crossing S Elm St. Possibly work with Houston County to allow crossing by way of the shortest distance between intersecting roads in order to include residence who would need to cross on the highlighted roads.

CITY OF LA CRESCENT, MINNESOTA

Agenda Request Form

DATE SUBMITTED:

1/20/23

SUBMITTED BY:

Gregory A. Flusman

ISSUE:

ATV's etc. in city limits
(Apposed)

ATTACHMENTS:

JUSTIFICATION:

30+ year resident,

ACTION REQUESTED:

REVIEWED BY: ☐ City Clerk/ Admin. ☐ City Attorney ☐ Bldg. Insp.
☐ Finance Director ☐ Public Works ☐ City Engineer

RECOMMENDATION:


- * For an item to be placed on the agenda, all Agenda Request Forms must be submitted to the City Administrator no later than Noon on the Wednesday preceding the City Council Meeting. The City shall have the discretion to determine if the request will be heard at a City Council Meeting.
- * Individuals wishing to address the City Council at a meeting need to complete the Agenda Request Form and return the form to the City Administrator by 5:15 p.m. the day of the meeting.

#3.2



MEMORANDUM

TO: Mayor, City Council

FROM: Larry Kirch, Community Development Director 

DATE: January 23, 2023

SUBJECT: UW-L/MVAC Agreement - Overlook Plaza

The city received Blandin Foundation Grant for \$60,000 for a project to honor and celebrate the indigenous history of the area. The city's match is \$20,000 plus \$10,000 of in-kind staff services. The project will be located in downtown adjacent to the Wagon Wheel Bike-Ped Bridge.

City staff is recommending that the city enter into an agreement with the Mississippi Valley Archaeology Center (MVAC) which is housed at the University of Wisconsin-La Crosse (UW-L) to assist the city in consultation services with both the Prairie Island Indian Community and the Ho-Chunk Nation. The MVAC has the expertise and relationships with the two Indian communities to greatly assist the city with this project.

The cost of the services as outlined in the attached agreement is \$5,000.00, utilizing city funds for this purpose. The services are anticipated to begin February 15th with a summary memorandum due by June 1, 2023, unless it is mutually extended to September 15th.

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



Mississippi Valley Archaeology Center

University of Wisconsin-La Crosse
1725 State Street
La Crosse, WI 54601-3788

Phone: (608) 785-8463
FAX: (608) 785-6474
Web site: www.uwlax.edu/mvac

MVAC Bid #: 23/01/09

Date: January 23, 2023

MVAC Project Title: La Crescent Blandin

From: University of Wisconsin-La Crosse Business Services (hereinafter "University")
For: Mississippi Valley Archaeology Center (hereinafter "MVAC")
MVAC staff contact: Wendy Holtz-Leith, Senior Research Archaeologist
wholtz-leith@uwlax.edu | W [608.785.8455](tel:608.785.8455) | C [608.792.0898](tel:608.792.0898)

Submitted to: Bill Waller
City of La Crescent, Minnesota (hereinafter "Client")
315 Main Street La Crescent, MN 55947
(507) 895-2595
bwaller@cityoflacrescent-mn.gov

Project: MVAC hereby proposes to furnish all materials and perform all the labor necessary to conduct consultation and engagement services with the Prairie Island Indian Community (PIIC) and the Ho-Chunk Nation to outline their interest and involvement in the creation of a focal point at the Overlook Plaza recognizing, celebrating and honoring the indigenous people that preceded white settlement. Facilitate meetings with the PIIC and Ho-Chunk Nation. Coordinate with the Minnesota Historical Society, the La Crescent Historical Society, Houston County Historical Society, the City and others to outline further project details. Review historical accounts of indigenous presence in the downtown and city, conduct literature search and review of indigenous history and presence in SE Minnesota, review Blandin Foundation grant application and grant agreement. Interview interested Native Americans for oral history of the local area.

Deliverables will include summary memorandum of historical research obtained including any oral histories obtained, PIIC and Ho-Chunk Nation interest and involvement, outline of a process to move forward with an Overlook Plaza project.

Work for this project will be conducted with a start Date: February 15, 2023, with a summary memorandum submitted by June 1, 2023, which may be extended by mutual consent, but in no case shall be extended later than September 15, 2023.

All work will be conducted in accordance with professional guidelines.

All material is guaranteed to be as specified, and the above work is guaranteed to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for a sum not to exceed \$5,000.00. This sum reflects costs as of the date this agreement and is guaranteed for the period of the agreement. Payment is to be made as follows: Billing will be done by the University with payment in full due 30 days after submittal of the final report.

Any alteration or deviation from the above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. Performance under this agreement is subject to acts of nature, strikes, accidents, or delays beyond MVAC's control, such as weather/ground conditions or landowner permission situations.

The University and the Client jointly agree:

1. That the State of Wisconsin will indemnify University employees, officers, and agents against liability for damages arising out of their activity while acting within the scope of their respective employment or agency, pursuant to sections 895.46(1) and 893.82, of the Wisconsin State Statutes.
2. That the Client will indemnify its employees, officers and agents against liability for damages arising out of their activity while acting within the scope of their respective employment or agency, either by providing insurance or for political subdivisions of the State of Wisconsin pursuant to section 895.46 of the Wisconsin State Statutes.
3. By executing this agreement, neither the University nor the Client waives any constitutional, statutory or common law defenses, nor shall the provisions of agreement create any rights in any third party.
4. Workmen's Compensation and public liability coverage on the above work will be in effect by the University.
5. This agreement shall be construed and governed by the laws of the State of Minnesota.

IN WITNESS WHEREOF, the parties hereto hereby set their hand below.

For: Mississippi Valley Archaeology Center

Katherine Stevenson
Operations Manager, MVAC

Date: _____

FOR THE BOARD OF REGENTS OF THE
UNIVERSITY OF WISCONSIN SYSTEM
on behalf of the UNIVERSITY OF
WISCONSIN-LA CROSSE

Robert J. Hetzel
Vice Chancellor for Administration & Finance

Date: _____

AND/OR

Kurtis Bock
Procurement Director

Date: _____

For: City of La Crescent, MN

Authorized Signature: _____ Date: January 23, 2023

Printed Name: Mikel Poellinger

Title: Mayor

#3.3



TO: Honorable Mayor and City Council Members
FROM: Bill Waller, City Administrator *Bill*
DATE: January 20, 2023
RE: Wieser Pavilion Bids

In October of 2022 the following bid was received for the Wieser Park Pavilion Improvement Project:

- Wieser Brothers General Contractors - \$622,500.00, with an in-kind donation of \$226,300.00

In November of 2022 the City Council approved an extension of the time frame for approval of the bid by an additional 60 days. The contractor was agreeable with the time extension.

We are now suggesting that the City Council approve an extension of the time frame for approval of the bid until the February 13, 2023 City Council meeting. The contractor is again agreeable with the extension.

The sponsors of the project have proposed a modification to the plans for the pavilion that will include the installation of overhead doors in the openings and heat so that the facility will have the option to operate year round. These changes will add approximately \$93,000 to the base bid for the project. The added costs will be addressed through a change order with the contractor.

For City Council information, to date the City has received \$505,935.37 in donations towards the improvement project.

The additional time between now and the next City Council meeting will allow the project sponsors time to continue their fund-raising activities while also providing the contractor with additional time to obtain the necessary building approvals that are required for the project to proceed.

#3.4

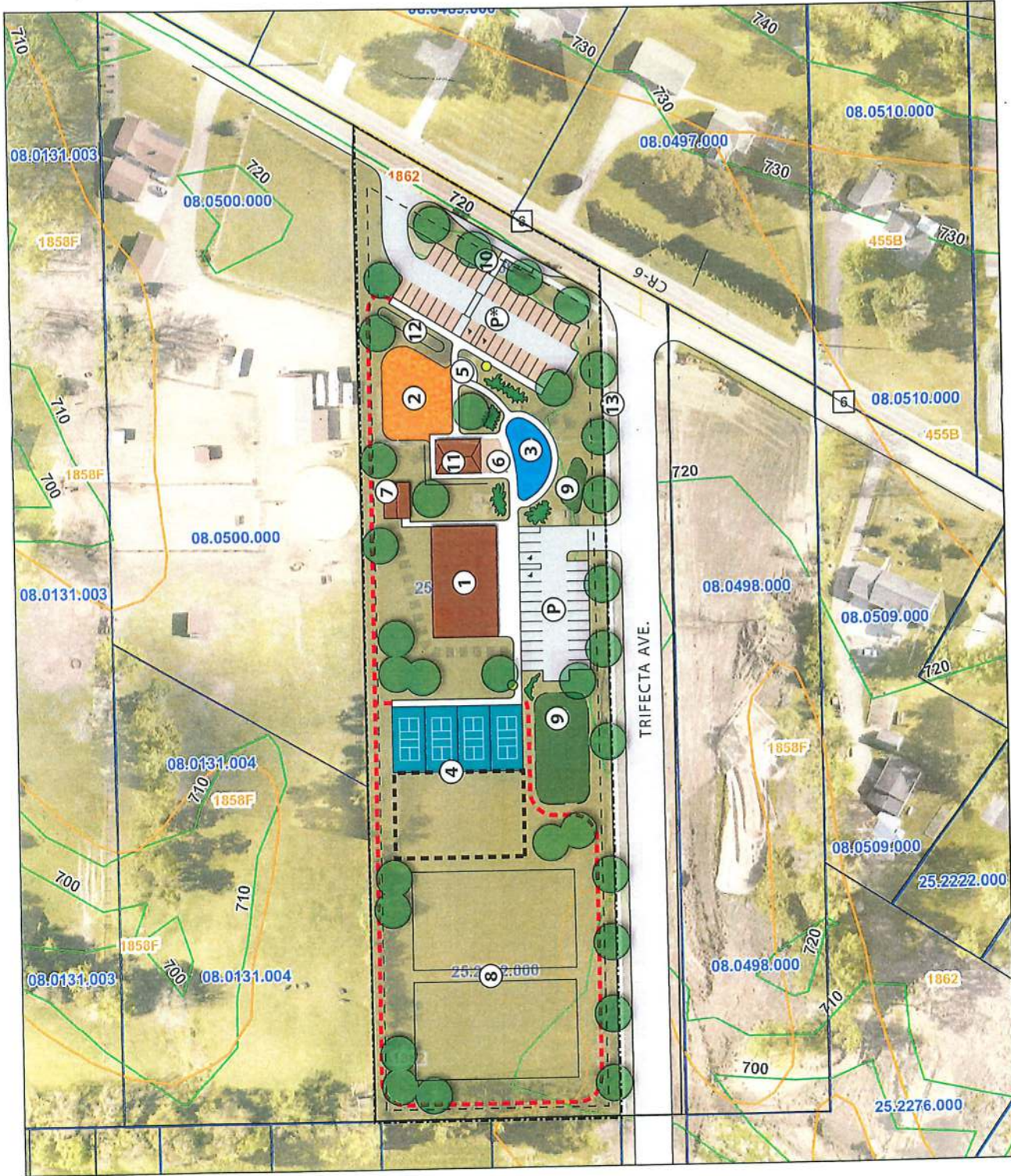


TO: Honorable Mayor and City Council Members
FROM: Bill Waller, City Administrator *Bill*
DATE: January 19, 2023
RE: Wieser Park Improvement Project

Attached for review and consideration by the City Council is an engineering agreement for improvements at Wieser Park. Also included is a proposed site plan for the park improvement project.

The engineering agreement includes the overall stormwater improvements for the park, and the construction of the new parking lot. We are proposing that the costs for these improvements will be paid for through the revenue generated from the sale of the 9 or 10 lots that are included in the City's Horse Track Meadows North development.

We intend to present a separate engineering agreement in the near future regarding the pickleball courts that are planned for Wieser Park. We will do this once the costs for the stormwater improvements and parking lot are more clearly defined, and the revenue from the sale of the City property is better known.





PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, by and between **City of La Crescent** hereinafter referred to as the "Client" and WHKS & Co., hereinafter referred to as "WHKS", is made as follows:

WHEREAS, the Client has a need for certain professional services relating to the project described as **Construction Documents for Wieser Park improvements.**

WHEREAS, WHKS proposes to furnish the professional services required by the Client for said project,

NOW THEREFORE, the Client hereby agrees to retain and compensate WHKS to perform the professional services in accordance with the terms and conditions of this Agreement and the attached Standard Terms and Conditions.

Scope of Services

WHKS shall perform the following described services for the Client:

Design phase engineering services as described on the attached Scope of Services included in Exhibit A.

Basis of Compensation

For the services described above, the Client shall remunerate WHKS as follows:

Items 1-4 - Billed Hourly with an Estimated Fee of \$24,500. Expenses billed at actual cost and mileage at the current published IRS rate per mile.

Executed this _____ day of January, 2023

City of La Crescent

By: _____

Printed Name: Bill Waller

Title: City Administrator

WHKS & co.

By: _____

Printed Name: Timothy A. Hruska, P.E., L.S.

Title: Vice President

Exhibit A to Professional Services Agreement

A. Project Description

The project, as defined for this agreement, is to provide construction design documents for the Wieser Park Improvements per the December 7, 2022 Feasibility Report completed by WHKS. The scope of design services includes grading, parking lot, drainage, stormwater conveyance, sanitary and water service plans to serve the proposed building.

B. Scope of Services Provided Under This Agreement:

1. Project Management and Meetings

- Perform general project administrative duties including supervision and coordination of the project team, review of project costs and billings, prepare invoices using Consultant's standard forms, preparation of status reports, and general administrative activities.
- Hold kick-off meeting with Client to discuss the project and review the scope.
- Advise the Client of the necessity of obtaining Special Engineering Services as described in Paragraph C., and act as the Client's representative in connection with any such services not actually performed by WHKS.

2. Final Design and Construction Documents

- Prepare final construction documents per Feasibility Study for Weiser Park Improvements. Project plan sheets to include the following: Existing Conditions/Removals Plan, Utility Plan, Grading Plan, Stormwater Erosion Control Plan, Storm Water Management and Hydrology for the site improvements and existing pond expansion. It is anticipated that the existing regional pond for Horse Track Meadows will be expanded for treatment of runoff from Weiser Park.
- Coordinate Construction Design Documents with Client.
- Submit to Client for review and approval.
- It is anticipated that the project as a whole will disturb more than 1 acre of land. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared.

3. Construction Administration

- Provide construction administration assistance during construction. Contract administration assistance activities conducted during project construction include clarification of design details, periodic visits to the construction site to observe the progress of work, review of shop drawings, review periodic payment estimates for completed construction work and recommend payments for processing, prepare change orders when required, and prepare the final summary of construction costs.
- Conduct a preconstruction meeting with Client, Contractor and Utility Owners.
- Provide construction staking.
- Prepare record drawings from Contractor provided "mark-ups" at the completion of the construction.
- Provide construction updates to the Client.

4. Construction Observation

- Provide resident project observation services during the construction of the Project. Resident observation is a part time function during construction. Duties are to provide on-site evaluations of the Project progress in accordance with the plans and specifications and report said progress to the Engineer. The observer duties do not include construction means, methods, procedures, and job-site safety. Fee based on 24 hours of observation and travel time.

C. Special Engineering Services:

Special Engineering Services are those services not listed above, but which may be required or advisable to accomplish the Project. Special Engineering Services shall be performed when authorized by the Client for additional fees, to be determined at the time authorized.

Special Engineering Services include:

1. Land surveying and platting
2. Easement research, plats, or descriptions
3. Negotiation for easements or land acquisition
4. Special assessment assistance
5. Quality control testing and construction materials testing
6. Permits other than those identified above.
7. Funding assistance, including grant and/or loan applications
8. Wetland Delineations or mitigation plans
9. Floodplain and hydraulic/hydrologic modeling
10. Geotechnical design/recommendations
11. Cultural resource survey or other studies or documentation that may be required by regulatory agencies that are not specifically listed in the scope of services.
12. National Environmental Policy Act (NEPA) compliance, including historical and archeological investigations.
13. Structural evaluation and/or design
14. Construction phase engineering services, including construction administration, staking, construction observation, preparation of record drawings and project close-out services.

3.5

RESOLUTION NO. 01-23-06

**RESOLUTION ACCEPTING DONATIONS MADE TO THE
CITY OF LA CRESCENT WIESER MEMORIAL PARK IMPROVEMENT PROJECT
IN JANUARY, 2023**

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 January, 2023 to the Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities:

1. Tyler and Sandy Wieser wish to donate \$500.00
2. Michael Feuerhelm wishes to donate \$500.00
3. An Anonymous donor wishes to donate \$25,000.00
4. Tina and Leslie Loff wish to donate \$500.00
5. An Anonymous donor wishes to donate \$25,000.00
6. An Anonymous donor wishes to donate \$25,000.00

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 Wieser Memorial Park subject to the conditions identified above.

ADOPTED this 23rd day of January, 2023.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

3.6



TO: Honorable Mayor and City Council Members

FROM: Chris Fortsch, Administrative Assistant

A handwritten signature in black ink, appearing to read "Chris F.", is written over the "FROM:" line.

DATE: January 18, 2023

RE: 2023 License Renewal Application

The City has received the completed On-Sale Liquor license renewal application from the Best Western Plus / La Crescent Hotel Group.

The application appears to be in order, and I would suggest that the City Council approve the license renewal application so it can be forwarded on to the Minnesota Department of Public Safety.

#3.7



TO: Honorable Mayor and City Council Members
FROM: Jason Ludwigson, Sustainability Coordinator
DATE: January 18th 2023
RE: Safe Routes to School Boost Grant

The city was awarded a SRTS Boost grant by the Minnesota Department of Transportation. The grant covers all three schools within the community. Safe Routes to School Boost grants are intended to help boost Safe Routes to School efforts! Through these grant awards, the Minnesota Department of Transportation (MnDOT) supports communities with existing Safe Routes to School (SRTS) plans, or other comprehensive SRTS approaches, in advancing non-infrastructure strategies for schools that support making it safe, easy and fun for students to walk and bicycle to school. The "Boosting Biking and Walking From River to Ridge" grant awarded to La Crescent covers project coordination, bike fleets, bike trailer, bike safety education and equipment, promotion of Safe Routes to School programs, and a bike rodeo. The SRTS Boost grant requires a resolution to enter into an agreement with the Minnesota Department of Transportation. The grant is for approximately \$28,000. The SRTS Boost grant requires no matching funds from the city.

RESOLUTION NO. 01-23-07

RESOLUTION FOR SAFE ROUTES TO SCHOOL (SRTS) BOOST GRANT

WHEREAS, the Minnesota Department of Transportation (MnDOT) Safe Routes to School Program assists schools and communities by making it safer for children to walk and bike to school; and

WHEREAS, MnDOT Safe Routes to School Program solicits applications to enable schools and communities to implement Safe Route to School non-infrastructure activities; and

WHEREAS, if the City of La Crescent is awarded an SRTS Boost Grant, these funds would be used to provide non-infrastructure activities to local communities to develop Safe Routes to School initiatives that increase safety and encourage more children to walk and bicycle to school; and

WHEREAS, no local match funding is required; and

WHEREAS, SRTS Boost grant activities will commence after the grant agreement is fully executed.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City of La Crescent authorizes the City Administrator to enter into a grant agreement with the Minnesota Department of Transportation for financial assistance to fund a Safe Routes to School Boost Grant and eligible expenses.
2. That the City Administrator is authorized to execute such Agreement and any amendment(s).

ADOPTED this 23rd day of January, 2023.

SIGNED:

City Administrator

#6.1



**La Crosse County Convention & Visitors Bureau
In-Person Board Meeting
Explore La Crosse Office
123 7th Street South, La Crosse WI 53610
Tuesday, January 17th, 2023
8:00 a.m.**

Board of Directors: Dave Ring, President; Jen Burch, Vice President; Chris Roderique, Treasurer; Stephen Cohen, Secretary; Pete Boese, Pat Stephens, Ryan Johnson, Nathan Franklin, Patrick Barlow, Dan Stevens, Scott Neumeister, Cheryl Jostad, Dan Wick, Kalynn Kruger, Jay Patel, Ashley Santolin, Cassandra Hanan, Val Erickson, Vicki Markussen, Pamela Maas & Lynn Zielke
Ad Hoc: Terry Bauer, Beth Franklin, Jay Odegaard, Kris Salzwedel, Julie Hatlem
Executive Director: A.J. Frels

AGENDA

- 1. Call to Order**
- 2. Board Member Introductions**
- 3. Dan Wick's Leadership**
- 4. Board Minutes**
 - a. December 2022
- 5. Financial Committee**
 - a. Minutes – January 2022
 - b. Statements – December 2022
- 6. Executive Director's Report**
- 7. Committees**
 - a. Membership
 - b. Grants
 - c. Convention/Sales
 - d. Marketing/Media
- 8. Old Business**
 - a. Billboards
 - b. Charging Stations
 - c. Event Position
 - d. Frothbite Recap (Item T)
 - e. Vehicle
- 9. New Business**
 - a. Board Retreat Date
 - b. Board Meeting Dates (Item U)
 - c. Grant Committee Policies
 - d. Grant & Membership Committee Members
 - e. Adjust 2023 Budget
 - f. Policy for Purchasing CDs
- 10. Event Center Updates**
- 11. Community Updates**
- 12. Adjournment**
- 13. The next board meeting – Tuesday, January 17th, 2023 at 8:00 a.m. at the LCCVB office.**



LA CROSSE COUNTY CONVENTION & VISITORS BUREAU

BOARD MEETING-VIRTUAL

December 20– 10:00 a.m.

Board Members:

Present: Valerie Erickson, Dan Wick, Jay Patel, Ashley Santolin, , Stephen Cohen, Chris Roderique, Dave Ring, Ryan Johnson, Pat Stephens, Lynn Zielke, Dan Stevens, Vicki Markussen, Pete Boese, Nathan Franklin, Patrick Barlow, Cassandra Hanan

Excused: Kalynn Kruger, Cherryl Jostad, Beth Franklin, Neal Zygarlicke, Jay Odegard, Kris Salzwadel, Terry Bauer, Jen Burch, Julie Hatlem

Absent: Pamela Maas, Scott Neumeister

Others present:

Executive Director: A.J. Frels, Director of Finance & Human Resources: Michelle Hoch

PROCEEDINGS:

Dan Wick brought the meeting to order at 10:02 a.m.

MOTION: To approve the November 2022 Board minutes. (P. Stephens, D. Ring) Carried.

FINANCE COMMITTEE:

MOTION: To approve November 2022 financials & December minutes. (P. Stephens, P. Boese) Carried.

OLD BUSINESS:

MOTION: to approve closing out current CD's "Building Reserve" and move all funds to a money market account. (P. Stephens, D. Ring) Abstain: S. Cohen. Carried.

MOTION: to approve moving "operating reserve" funds to a money market account and then wait until spring 2023 to move to four individual CD's with staggering maturity dates. (P. Stephens, R. Johnson) Abstain: S. Cohen. Carried.

MOTION: to approve paying off the 123 7th Street S. building mortgage loan in its entirety. (P. Stephens, P. Barlow) NAY: N. Franklin, C. Hanan. Carried.

NEW BUSINESS:

MOTION: to approve the purchase of a vehicle, and vehicle wrap at the discretion of the Explore La Crosse staff not to exceed \$50,000. (R. Johnson, D. Ring) Carried.

MOTION: to table the discussion for 30 days regarding investing in a vehicle charging station for the office at 123 7th Street S., La Crosse. (S. Cohen, J. Patel) Carried.

MOTION: to proceed with the 2023 Digital Billboard agreement for 2023 at a cost of \$26,000 for one year. (D. Ring, R. Johnson) Carried.

MOTION: To approve board member Chris Roderique from Advisory to Full Board member starting January 1, 2023. (P. Boese, R. Johnson) Carried.

MOTION: To approve \$100 Christmas Gift Cards for staff from a LCCVB Member business of their choice.

(P. Stephens, J. Patel) Carried.

MOTION: Moved to Adjourn at 10:45 am.

Respectfully submitted, Michelle Hoch