

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
OCTOBER 10, 2022

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of October was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, October 10th, 2022.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Ryan Hutchinson, Cheryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present were City Attorney Skip Wieser, City Administrator Bill Waller, and Deputy City Clerk Angie Boettcher.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. City Administrator Waller stated that Mike Sexauer had come into City Hall and asked to remove his Agenda request, item 3.3 for tonight's meeting. Following discussion, Member Hutchinson made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO REMOVE ITEM 3.3 AGENDA REQUEST FROM MIKE SEXAUER PER MR. SEXAUER'S REQUEST.

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

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

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

ITEM 1 – CONSENT AGENDA

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

- 1.1 MINUTES – SEPTEMBER 26, 2022
- 1.2 BILLS PAYABLE THROUGH OCTOBER 7, 2022
- 1.3 CASH BALANCE/ACTIVITY REPORT – AUGUST 2022
- 1.4 LIBRARY REPORT – AUGUST 2022

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Williams made a motion, seconded by Member O'Donnell-Ebner, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

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

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

ITEM 3.1 – AGENDA REQUEST – BRIAN SWEDBERG

Township resident Brian Swedberg who also owns properties within the City addressed City Council with a request for an Ordinance that allows for “special vehicles” such as golf carts and UTV’s to be legally driven on city streets.

ITEM 3.2 – AGENDA REQUESTS – RELATING TO ITEM 3.1

City residents Mike Ernster and Greg Husmann addressed City Council with their opposition to an ordinance to allow for “special vehicles” to be legally driven on city streets. City residents Mike Ryan and Ted Haerer addressed City Council with their support of an ordinance to allow for “special vehicles” to be legally driven on city streets. Following discussion, Member Hutchinson made a motion, seconded by Member Williams as follows:

MOTION FOR ATTORNEY WIESER TO PREPARE A DRAFT ORDINANCE WORKING WITH CITY ENGINEER TIM HRUSKA AND BRINGING IT BACK TO A FUTURE CITY COUNCIL MEETING FOR COUNCIL CONSIDERATION.

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

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

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

ITEM 3.3 – AGENDA REQUEST – MIKE SEXAUER

This item was removed from the agenda.

ITEM 3.4 – NO PARKING REQUEST

City resident Marlin Anderson addressed City Council with a request for a no-parking sign to be installed in the right-of-way in what is his neighbor Curt Murray’s driveway on Hickory Lane. Mr. Murray addressed City Council with his request that the Council deny the installation of a no-parking sign. Following discussion, Member Williams made a motion, seconded by Member Hutchinson as follows:

MOTION TO NOT APPROVE INSTALLING A NO-PARKING SIGN IN THE RIGHT OF WAY ON HICKORY LANE.

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

Ryan Hutchinson	Yes
Teresa O’Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.5 – MAYOR FOR A DAY ESSAY CONTEST

City Council members reviewed a letter from Library Director, Jess Witkins requesting participation in the League of Minnesota Cities Mayor for a Day contest. Council Member Teresa O’Donnell-Ebner provided Council with more details. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO MOVE FORWARD TO PARTICIPATE IN THE LEAGUE OF MINNESOTA CITIES MAYOR FOR A DAY CONTEST.

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

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

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

ITEM 3.6 – DONATION RESOLUTION

City Council reviewed a Resolution regarding the acceptance of donations to the City for the month of September, 2022. Following review and discussion, Member Jostad introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 10-22-31

RESOLUTION ACCEPTING DONATIONS MADE TO THE CITY OF LA CRESCENT IN SEPTEMBER, 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 September, 2022:

- 1. Diane Krueger wishes to donate \$100.00 to the La Crescent Fire Department.

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

ADOPTED this 10th day of October, 2022.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

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

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O’Donnell-Ebner	Yes

Dale Williams Yes
Mike Poellinger Yes

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

ITEM 3.7 – TRAIL EASEMENT AND RESOLUTION

City Attorney Wieser reviewed with City Council a copy of an executed easement conveyance between Mark Nigogosyan and Judy Klevan to the City of La Crescent along with a resolution accepting the donation. This item has been on previous Council agendas. The property owner has requested that the City agree that the easement is only to be used for non-motorized purposes and that if the City Council were to ever change the use, that the City would automatically convey the easement back to the Nigogosyan's or their successors in interest. The Nigogosyan's were in attendance to answer any questions. It was recommended that the City agree to the owners' request. Following discussion, Member O'Donnell-Ebner introduced the following resolution and moved its passage and adoption:

MOTION TO ACCEPT THE RESOLUTION AND DEED AS PRESENTED.

RESOLUTION NO. 10-22-32

A RESOLUTION ACCEPTING AN EASEMENT FROM MARK NIGOGOSYAN AND JUDY KLEVAN

WHEREAS, the real property described on Exhibit A is owned by Mark Nigogosyan and Judy Klevan ("Nigogosyan").

WHEREAS, Nigogosyan is desirous of conveying an easement to the City of La Crescent under the following terms and conditions:

1. That the easement would be utilized for nonmotorized recreational purposes only.

WHEREAS, the City of La Crescent agrees to accept the conveyance of the easement subject to the conditions identified above. In the event the City would permit motorized vehicles, the City will convey the easement to Nigogosyan or their successors.

NOW THEREFORE BE IT RESOLVED, by the La Crescent City Council, that the City of La Crescent hereby accepts the conveyance of an easement of the real property described on Exhibit A, subject to the conditions identified above.

ADOPTED this _____ day of _____, 2022

SIGNED:

Mayor

ATTEST:

City Administrator

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

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

Member Jostad voted against the same. The motion was declared duly carried and the resolution duly passed and adopted by a 4-1 vote.

ITEM 3.8 – GREENSTEP COMMITTEE APPOINTMENT

City Council reviewed a letter from City Sustainability Coordinator, Jason Ludwigson recommending the appointment of Jeremy Wise to the GreenStep Committee. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE APPOINTMENT OF JEREMY WISE TO THE GREENSTEP COMMITTEE.

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

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

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

ITEM 3.9 – ELECTION JUDGE RESOLUTION

Deputy City Clerk Boettcher reviewed with City Council a Resolution that appoints election judges for the November 8, 2022, General Election. Following discussion Member Hutchinson introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 10-22-33

RESOLUTION APPOINTING ELECTION JUDGES FOR 2022 ELECTIONS

Be it resolved by the City Council of the City of La Crescent as follows:

1. The persons below named are hereby appointed judges for the 2022 elections to be held in the City of La Crescent on November 8, 2022. The judges appointed, the chairperson of the election board of each precinct designated and precinct and voting are as following:

A. First Precinct.....Community Building

To serve from 7:00 AM to 8:00 PM

- Deb Oliver, Chair
- Rose Albrecht
- Lisa Docken
- Jan Schild
- Catherine Acevedo
- Mike Trnka
- Dean Bergstrom
- Pam Baumgartner
- Heidi Kerska

B. Second Precinct.....Ice Arena

To serve from 7:00 AM to 8:00 PM

- Judy Lehmann, Chair
- Suzanne Harm
- Rosanne Buehler
- Judy Flaten
- Judy Graf
- Greg Schild
- Tom Curran
- Katie Jensen

C. Third Precinct.....Ice Arena

To serve from 7:00 AM to 8:00 PM

- Carolynn Devine, Chair
- Ricardo Acevedo
- Diana Gorgos
- Sue Klemp

Janna Dziak-Morken

D. Fourth Precinct.....Mailed Ballot

ADOPTED this 10th day of October, 2022.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

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

Ryan Hutchinson	Yes
Teresa O'Donnell-Ebner	Yes
Cherryl Jostad	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 3.10 – 4H FOOD BOOTH REQUEST

City Council reviewed a letter from Police Chief Ahlschlager and a letter from 4-H Tiger Lilies parent Melissa Brennan requesting permission for the La Crescent Tiger Lilies 4-H Club to hold a fundraiser and membership promotion during the city-sanctioned Thriller Parade to be held on Sunday, October 23, 2022, from approximately 5:30 pm to 6:30 pm. The club plans to sell hot cider, coffee, and baked goods/small treats and have approval from the Thriller organizers. La Crescent Attorney Wieser advised Council that at this time the club would not be required to have a permit but that an ordinance regulating food booths and food trucks will be brought to City Council at a future meeting. Following discussion, Member O'Donnell-Ebner made a motion, seconded by member Jostad as follows:

MOTION TO APPROVE THE FOOD BOOTH FOR THE TIGER LILIES 4-H CLUB TO BE HELD DURING THE THRILLER PARADE ON SUNDAY, OCTOBER 23, 2022 KNOWING THAT ADDITIONAL WORK WILL BE DONE IN PREPARATION FOR AN ORDINANCE REGULATING FOOD BOOTHS AND FOOD TRUCKS AND WILL BE BROUGHT TO A FUTURE CITY COUNCIL MEETING.

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

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

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

ITEM 3.11 – FALL/WINTER NEWSLETTER

City Council reviewed the Fall/Winter 2022 issue of the City Newsletter. This was informational only, no action required.

ITEM 3.12 – REVIEW 2023 PRELIMINARY BUDGET & LEVY

Mayor Poellinger addressed City Council with any questions they may have in regard to the preliminary budget & levy. There were no questions at this time.

ITEM 6 – STAFF CORRESPONDENCE/COMMITTEE UPDATES

City Council reviewed correspondence from Explore La Crosse.

There being no further business to come before the Council at this time, Member Hutchinson made a motion, seconded by Member Williams to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

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

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:34 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator