

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
OCTOBER 14, 2024

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 5:00 PM in the La Crescent Community Building, La Crescent, Minnesota, on Monday, October 14, 2024.

Upon a roll call taken and tallied by the City Clerk, 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 Administrator Bill Waller, City Attorney Skip Wieser, Police Chief Luke Ahlschlager, Sustainability Coordinator Jason Ludwigson, and City Clerk Angie Boettcher.

GreenCorp member Mary Gegen was also in attendance.

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 23, 2024
- 1.2 MINUTES – SEPTEMBER 26, 2024
- 1.2 BILLS PAYABLE THROUGH – OCTOBER 11, 2024

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

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

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

Ryan Hutchinson	Yes
Cheryl 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 3.1 – INTRODUCE GREENCORP MEMBER – MARY GEGEN

City Sustainability Coordinator Jason Ludwigson introduced Mary Gegen from the MN Green Corps program who will work with the City of La Crescent for eleven months. Mary’s work will focus on stormwater and forestry. This was informational only, no action required.

ITEM 3.2 – ORDINANCE PROHIBITING CAMPING IN PUBLIC PLACES

City Attorney Skip Wieser and Police Chief Luke Ahlschlager reviewed for City Council approval an ordinance prohibiting camping on city property and city right of way. Prior to the meeting Attorney Wieser corrected Section III, letter A from “4” to “IV”, an updated copy was provided to the Council. Following review a recommendation was made for the last sentence under Section III, letter B to be removed. The Ordinance was also recommended to be revisited in late January or early February 2025. Following discussion, Member Jostad introduced the following Ordinance and moved its passage and adoption:

ORDINANCE NO. 586

AN ORDINANCE OF THE CITY OF LA CRESCENT, MINNESOTA PROHIBITING CAMPING ON CITY PROPERTY AND CITY RIGHT OF WAY.

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

CAMPING ON CITY PROPERTY AND CITY RIGHT-OF-WAY

SECTION I. Statement of purpose and intent.

- A. Settlements of unhoused individuals (also known as "encampments") in public spaces are a growing social, public safety, and environmental concern faced by cities of all sizes, including La Crescent. The dynamics of homelessness, both short and longer term, are extremely complex reflecting a wide range of contributing factors. It is recognized that, like many Cities, La Crescent's housing stock and price dynamics can create an affordability challenge, causing unstable housing for some.
- B. In La Crescent and elsewhere, encampments have attracted and involved people experiencing significant addiction and mental health challenges, as well as individuals who seek to take advantage of those staying in encampments. Among other problems, encampments tend to result in accumulation of garbage and human waste, which creates a health hazard and can contaminate the ground and water. Other typical hazards include drug

paraphernalia (i.e. needles) and unchecked fires associated with cooking, often involving explosive fuels. Encampments are also prone to a heightened physical safety and property risk for those in the encampments as well as those who may be present in the same area. Encampments also tend to cause damage or disruption to the soil and forested areas.

- C. Many in the community, including public and private entities, have responded to the needs of those experiencing housing instability, providing significant levels of resources and services.
- D. The City also has an obligation to make best efforts to provide a safe and clean environment for other members of the community who want or need to use public spaces. Access to parks, trails, schools, green spaces, public transportation, and the protection of public utilities and infrastructure is a community good for all.
- E. While many unhoused individuals are able to exist in a space that does not cause public disruption, it is also true that encampments do create significant harms, for both the unhoused individuals as well as members of the public attempting to use the same spaces. Law enforcement personnel, who have had primary responsibility for responding to encampment areas, need to be supported with effective tools to address these complex situations. Encampments and unsheltered individuals who create the most social harm cannot be ignored or just moved from one space to the next.

SECTION II. Definitions.

The following words, terms, and phrases shall have the meanings ascribed to them in this chapter, except where the context clearly indicates a different meaning.

City refers to the City of La Crescent, Minnesota

Camp or Camping means to set up, or to remain in or at a campsite, including the storage of personal belongings or camping materials.

Campsite means any place where any tent, lean-to, shack, or other structure, any vehicle or part thereof, or any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained for the purpose of establishing or maintaining a temporary place to live.

Camping materials means, but not limited to, tents, tarps, umbrellas, metal sheeting, pallets, canopies, hammock, hunting blind, boxes, huts, temporary shelters, or vehicles.

SECTION III. Prohibition.

- A. No person may camp in or upon any City land or right-of-way, unless otherwise specifically authorized by La Crescent City Council, subject to the enforcement requirements in Section IV below.
- B. Any camping or campsite materials or personal property associated with a camping area that is in violation of this ordinance may be removed or cleaned up by the City or its designated contractors.

SECTION IV. Criminal Penalty.

- A. Any violation of this section is deemed a misdemeanor, as defined in Minn. Stat. § 609.02. subd 3, currently a crime for which a sentence of not more than 90 days or a fine of not more than \$1,000.00 or both, may be imposed.
- B. No person may be prosecuted under this chapter unless:
 - 1. The person has been informed of the various community resources available to the person; and
 - 2. The person has been warned that their conduct is a violation of this section, subject to criminal prosecution. An individual who has been warned and then relocates to another space that a reasonable person would understand is also covered by this section is not entitled to a new warning; and
 - 3. No person shall be cited for violating this ordinance unless such person continues to camp more than one (1) hour after receiving warning to leave by a law enforcement officer.

SECTION V. Severability.

Every section, provision, and part of this Ordinance is declared severable from every other section, provision, and part thereof. If any section, provision, or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this Ordinance.

SECTION VI. Effective Date.

These provisions shall become effective from and after _____, 2024 and publication, according to law.

PASSED AND ADOPTED by the City Council of the City of La Crescent, Minnesota, this _____ day of _____, 2024.

Mayor

ATTEST:

City Administrator

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

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

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

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

MOTION THAT A PRÉCIS FORMAT OF SAID INTERIM ORDINANCE 586 BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE CITY AND WITH “OFFICIAL COPY” SO MARKED BE KEPT ON FILE IN THE OFFICE OF THE CITY ADMINISTRATOR.

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

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

Mike Poellinger Yes

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

ITEM 3.3 – PERSONNEL COMMITTEE RECOMMENDATIONS

The Personnel Committee had the following recommendations for review and consideration by the City Council:

1. That the City Council approve a memorandum of understanding (MOU) that establishes guidelines for a mandated employee wellness check-in program for the La Crescent Police Department. Information regarding the MOU was included, and Chief of Police Ahlschlager was in attendance to review with City Council. Following discussion, Member Hutchinson made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO APPROVE THE MEMORANDUM OF UNDERSTANDING ESTABLISHING GUIDELINES FOR A MANDATED EMPLOYEE WELLNESS CHECK-IN PROGRAM FOR THE LA CRESCENT POLICE DEPARTMENT.

Upon a roll call vote taken and tallied by the City Clerk, 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.

2. On October 30, 2024, Kara Tarrence will have completed her second year of employment as the City's Finance Director. Ms. Tarrence continues to perform the functions and duties of the position in a positive manner, and her presence and abilities are an asset to the community. Based on her performance, it was recommended that effective October 30, 2024, Ms. Tarrence be moved from step 3 to step 4 in the Finance Director's salary schedule. Following discussion, Member Williams made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO APPROVE EFFECTIVE OCTOBER 30, 2024 FINANCE DIRECTOR, KARA TARRENCE BE MOVED FROM STEP 3 TO STEP 4 IN THE FINANCE DIRECTOR'S SALARY SCHEDULE.

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

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

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

ITEM 3.4 – RESOLUTION – SMALL CITIES GRANT PROGRAM POLICIES

City Council reviewed a Resolution for small cities grant program policies. It was recommended that City Council approve the resolution. Following discussion, Member Hutchinson introduced the following Resolution and moved its passage and adoption:

RESOLUTION NO. 10-24-34

A RESOLUTION ADOPTING POLICIES FOR ADMINISTRATION OF MN DEPARTMENT OF EMPLOYMENT & ECONOMIC DEVELOPMENT SMALL CITIES DEVELOPMENT PROGRAM GRANT FOR THE CITY OF LA CRESCENT, MN

WHEREAS, the City of La Crescent has entered into an agreement with the State of Minnesota, Department of Employment and Economic Development for the allocation of grant funding by the United States Department of Housing and Urban Development under the Community Development Block Grant Program known as the Small Cities Development Program with the City of La Crescent acting as the legal sponsor for the project, and;

WHEREAS, certain plans, guidelines, policies, and procedures are required to enable the city to achieve the goals of the Small Cities Development Program,

NOW, THEREFORE, BE IT RESOLVED, the City of La Crescent adopts the attached policies as listed herein, for the Small Cities Development Program:

Conflict of Interest Policy	Drug-Free Policy	Section 3 Plan
Program Income Plan	Fair Housing Action Plan	
Excessive Force Policy		
Affirmative Action/Equal Employment/Data Privacy/Sexual Harassment		
Residential Anti-Displacement and Relocation Assistance Plan		

I CERTIFY THAT the above resolution was adopted by the City Council of the City of La Crescent on this 14th day of October, 2024.

City of La Crescent

Mikel Poellinger, Mayor

Attest: _____

Angie Boettcher, City Clerk

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

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

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

ITEM 3.5 – 2025 MnDOT TRANSIT GRANT AGREEMENT

City Council reviewed the 2025 Section 5307 Public Transit Participation Program Grant Agreement for Urbanized Areas with the Minnesota Department of Transportation. In 2025, the City will receive approximately \$371,925 in Federal and State funds to operate the local bus service. It was recommended that City Council approve the grant agreement and authorize the required signatures. Following discussion, Member Jostad made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE THE 2025 SECTION 5307 PUBLIC TRANSIT PARTICIPATION PROGRAM GRANT AGREEMENT FOR URBANIZED AREAS WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION WITH THE CITY RECEIVING APPROXIMATELY \$371,925 IN FEDERAL AND STATE FUNDS TO OPERATE THE LOCAL BUS SERVICE AND AUTHORIZE THE REQUIRED SIGNATURES.

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

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

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

ITEM 3.6 – 2025 MTU TRANSIT OPERATING AGREEMENT

City Council reviewed the 2025 Transit Operating agreement with the La Crosse MTU for the operation of the local Apple Express bus service. It was recommended that City Council approve the 2025 operating agreement and authorize the required signatures. Following discussion, Member Williams made a motion, seconded by Member Jostad as follows:

MOTION TO APPROVE THE 2025 TRANSIT OPERATING AGREEMENT WITH THE LA CROSSE MTU FOR THE OPERATION OF THE LOCAL APPLE EXPRESS BUS SERVICE AND AUTHORIZE THE REQUIRED SIGNATURES.

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

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

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

ITEM 3.7 – 2025 MTU VEHICLE LEASE AGREEMENT

City Council reviewed the 2025 motor vehicle lease with the La Crosse MTU. The City of La Crescent owns the bus that is used in the operation of the local Apple Express bus service and leases the bus to the La Crosse MTU. City Council was recommended to approve the 2025 motor vehicle lease and authorize the required signatures. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE THE 2025 MOTOR VEHICLE LEASE AGREEMENT WITH THE LA CROSSE MTU AND AUTHORIZE THE REQUIRED SIGNATURES.

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

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

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

ITEM 3.8 – BUDGET REVIEW

City Administrator Bill Waller reviewed the proposed 2025 general fund budget/levy with City Council. The council was given the opportunity to ask questions regarding the budget/levy.

ITEM 3.9 – DONATION RESOLUTION

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

RESOLUTION NO. 10-24-35

**RESOLUTION ACCEPTING A DONATION MADE TO THE
CITY OF LA CRESCENT IN SEPTEMBER 2024**

WHEREAS, the following donations were made to the City of La Crescent in the month of September 2024:

1. Teri Booth wishes to donate \$500.00 to the La Crescent Fire Department in memory of Dave Booth.
2. Kathryn and James Rozovics wish to donate \$50.00 to the La Crescent Fire Department in memory of Grech Schild.
3. Country Financial wishes to donate \$1,500.00 to the La Crescent Fire Department.

4. An Anonymous donor wishes to donate \$500.00 to Wieser Park for 2024 fall & winter plantings.

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

ADOPTED this 14th Day of October 2024.

SIGNED:

Mayor

ATTEST:

City Clerk

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

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

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

6. STAFF CORRESPONDENCE/COMMITTEE UPDATES

6.1. EXPLORE LA CROSSE

City Council reviewed the September 24, 2024, Explore La Crosse Board Meeting agenda and the August 27, 2024, Meeting minutes.

6.2 City Council reviewed the September 16, 2024, Economic Development Commission Meeting minutes.

6.3 City Council reviewed the September 16, 2024, Park and Recreation Commission Meeting minutes.

7. CORRESPONDENCE

7.1 City Council reviewed upcoming sponsored events for the La Crescent Public Library.

8. CHAMBER OF COMMERCE

Chamber of Commerce representative Olivia Lamke was in attendance and provided updates.

There being no further business to come before the Council at this time, Member Hutchinson made a motion, seconded by Member O’Donnell-Ebner to adjourn the meeting. Upon a roll call vote taken and tallied by the City Clerk, 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 5:47 P.M.

APPROVAL DATE: _____.

SIGNED:

Mayor

ATTEST:

City Administrator