

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
OCTOBER 26, 2020

Pursuant to due call and notice thereof, the second 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 26, 2020.

Pursuant to Minn. Stat. § 13D.021 and due to the COVID-19 pandemic, members of the City Council and City Staff were given the option to attend the meeting by telephone or Zoom. 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 was City Administrator Bill Waller, City Attorney Skip Wieser, City Engineer Tim Hruska, and City Administrative Assistant Angie Boettcher.

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

ITEM 1 – CONSENT AGENDA

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

- 1.1 MINUTES – OCTOBER 12, 2020
- 1.2 BILLS PAYABLE THROUGH OCTOBER 22, 2020

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

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

Ryan Hutchinson	Yes
Cheryl 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 – PLANNING COMMISSION MINUTES – 10/14/2020

City Attorney Wieser reviewed with City Council the minutes from the October 14, 2020 Planning Commission meeting. The Planning Commission recommended to City Council that the Conditional Use Permit application for 187 North 1st Street which would allow for construction of a mini storage building in

an Industrial zoned district be approved, with the following findings and conditions for City Council to consider:

Findings:

1. The proposed use of the mini storage building will not be injurious to the existing uses in the surrounding area. No evidence presented that the proposed use would adversely impact property values within the immediate vicinity.
2. The proposed use will not impede orderly development in the surrounding area. There is no vacant land in the surrounding area. The proposed project abuts North 1st Street and is surrounded on the other three (3) sides by existing development.
3. The property abuts North 1st Street providing adequate public access to the mini storage building.
4. The project provides sufficient parking and loading space to serve the purpose of mini storage buildings.
5. The proposed use is consistent with an industrial zoning district. The proposed use will not create offensive odor, fumes, dust, noise and vibration. The lighting will be in compliance with applicable city ordinances.
6. Mini storage buildings are not in conflict with the policies of the City of La Crescent.
7. The proposed use will not create traffic hazards or congestion.
8. The neighboring existing uses will not adversely be affected by the proposed mini storage building. The mini storage building will not create unnecessary noise, glare or general unsightliness.

Conditions:

1. Applicant will abide by the representations made by the applicant or their agents made during the permitting process, to the extent those representations were not negated by the Planning Commission or City Council and to the extent they are not inconsistent with spirit or letter explicit conditions of the Conditional Use Permit.
2. Exterior lighting will comply with the La Crescent Ordinances (dark sky, LED) lighting requirements.
3. Applicant comply with all federal, state, and local regulations.
4. The driveway access and other areas within the Right of Way be paved with a hard surface (bituminous or concrete).

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

MOTION TO APPROVE THE CONDITIONAL USE PERMIT APPLICATION FOR 187 NORTH 1ST STREET WHICH WOULD ALLOW FOR CONSTRUCTION OF A MINI STORAGE BUILDING IN AN INDUSTRIAL ZONED DISTRICT WITH THE ABOVE STATED CONDITIONS AND TO ADOPT THE FINDINGS STATED ABOVE AND AS STATED IN THE OCTOBER 14, 2020 PLANNING COMMISSION MINUTES.

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

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

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

ITEM 3.2 – BICYCLE/PEDESTRIAN BRIDGE UPDATE

City Engineer Tim Hruska reviewed with City Council the preliminary plans for the proposed Wagon Wheel Trail – Phase 3 Pedestrian Bridge prepared by WHKS. The proposed Pedestrian Bridge will be a truss structure with a decorative arch. The western end of the bridge connects to South 1st Street at grade and the eastern end uses a concrete boardwalk to bring users down to the intersection of Sycamore Street and Chestnut Street. A 10' wide shared use path will also be constructed on the east side of Sycamore Street leading to Main Street. As part of the project the section of South 1st Street from South Walnut Street to the east will be reconstructed. City Engineer Hruska reviewed with City Council the two (2) alternatives for reconstruction of South 1st Street. An extensive discussion followed. This item was informational, and no action was taken.

ITEM 3.3 – WILDWOOD STORMWATER REVIEW

City Engineer Hruska reviewed with City Council an engineering report for the private drainage issue brought forward by the property owners of Wildwood Court. The scope of the report included a summary of existing conditions, proposed solutions to the drainage concerns, expected impacts, opinion of probable construction costs, and potential funding opportunities. An extensive discussion followed. It was the consensus of City Council to have City Staff review the options for funding for a future City Council Meeting agenda. This item was informational, and no action was taken.

ITEM 3.4 – ANNUAL STORMWATER MEETING

City Engineer Hruska reviewed with City Council that the City of La Crescent has a permit that is authorized by the Minnesota Pollution Control Agency (MPCA) to discharge stormwater. The City's current stormwater permit expired July 31, 2018. The MPCA is currently in the process of reissuing stormwater permits. The City's first National Pollutant Discharge Elimination System (NPDES) permit application was submitted in 2002/2003, with additional permit applications being submitted in 2006 and in 2013. The permits are for five years, although there are lapses in time from when permits expire and new permits are issued. Communities are required to obtain a municipal separate storm sewer system (MS4) permit if they meet one of the three following requirements: located in an urbanized area and used by a population of 1,000 or more; located in a municipality with a population of 10,000 or more; or has a population of at least 5,000 and the system discharges to specially classified bodies of water. La Crescent is required to obtain an MS4 permit because the community is included in the La Crosse Metropolitan Planning Area. One of the requirements of the MS4 permit is that the City hold an annual meeting and provide the public the opportunity to comment on the City's Stormwater Pollution Prevention Program (SWPPP). City Council reviewed a copy of the City's current SWPPP. In 2020/2021 the City will be reviewing and updating the City's SWPPP. This will most likely occur as part of the process of obtaining a new MS4 permit. Mayor Poellinger opened the meeting for public comment and questions. There was no public input. The public comment portion was then closed. There was an extended discussion and

questions for City Engineer Hruska from City Council. This item was informational, and no action was taken.

ITEM 3.5 – FUTURE ANNEXATION DISCUSSION

City Administrator Waller reviewed with City Council his memorandum regarding future annexations in the City. In 2010 the City Council initiated the first of many annexations in Crescent Valley. City Council reviewed a map that shows the parcels of property that are still in La Crescent Township. City Council also reviewed an orderly annexation resolution from 2010, and the order from the Office of Administrative Hearings. The orderly annexation resolution from 2010 included the language that the City agreed to not annex any property currently in the Township, but contiguous to the area included in the orderly annexation agreement, unless the property owners petitioned the City of La Crescent for annexation. That condition remained in effect for 10 years, and has now expired. To date, 45 property owners in Crescent Valley have voluntarily annexed into the City of La Crescent. All 45 of those properties are connected to City sewer. Of the 45 properties, 26 have also connected to City water. There are 21 properties in Crescent Valley that are still in La Crescent Township. It was recommended to City Council that if they would like to consider proceeding in the future with annexation, the City Council may want to consider the establishment of one connection fee and interest rate for the balance of the properties. City Attorney Wieser reviewed with City Council the statutory basis under which City Council may proceed with an annexation on the balance of the properties in Crescent Valley and the options. It was the consensus of City Council to proceed with the annexation in Crescent Valley and to have the City Attorney draft an Annexation Resolution and Public Hearing Notice to review with City Council in December with a Public Hearing to be held in February, 2021. This item was informational, and no action was taken.

ITEM 3.6 – WALNUT STREET PLANNING PROPOSAL

City Engineer Hruska reviewed with City Council an engineering agreement regarding the planning for the reconstruction of Walnut Street between North 4th Street and Main Street. The project is tentatively being planned for 2022, and would include Walnut Street along with additional streets that are included in the City's 2021-2026 Street Reconstruction Plan. City Council reviewed a map from the plan. In 2022 the City will have approximately \$800,000 in Municipal State Aid funds available for the project. In addition, the City anticipates a project that will also utilize approximately \$1.5 million in street reconstruction bonds under the authority from the City's 5-year Street Reconstruction Plan. In order to begin planning for street reconstruction projects in 2022, it was recommended that the City Council accept the engineering agreement for the Walnut Street Reconstruction project. Following discussion, Member Hutchinson made a motion, seconded by Member Williams, as follows:

MOTION TO ACCEPT THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND WHKS & CO. FOR THE WALNUT STREET RECONSTRUCTION PROJECT WITH AN ESTIMATED FEE OF \$8,500.00.

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

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

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

ITEM 3.7 – PROJECT REVIEW/UPDATE

City Engineer Hruska gave a detailed analysis to City Council of the current engineering projects for the City. These projects include the following: Wagon Wheel Phase 2; MS4 Permit; Street Inventory / 5-year CIP / Walnut Street; Train Whistle; Shore Acres Road Improvements; Wagon Wheel Phase 3; County 6 Utility Extension; Stormwater Review; Horse Track Meadows; Sanitary Sewer Agreement; Eagles Bluff Trail Easement; ADA Transition Plan; Risk Assessment and Response Plan – Mn Department of Health (MDH); City Hall Site Planning; Wildwood Court Drainage; Outdoor Hockey Rink / Pickleball Courts; and DNR Roadway Grant. An extensive discussion followed. This item was informational, and no action was taken.

ITEM 3.8 – AUTHORIZE CAPITAL EXPENDITURES

City Administrator Waller reviewed with City Council recommendations for authorizing the following capital expenditures:

1. The La Crescent Park & Recreation Commission is recommending that the City Council approve the purchase of an outdoor skating rink package that would be installed on the City owned lot at the corner of Main Street and Oak Street. The cost of the package is \$2,587.66 and would be purchased from NiceRink. The City's Maintenance Department would install and maintain the outdoor ice rink during the 2020/2021 winter season. There are funds in the 2017 capital equipment certificate for this expenditure.
2. The La Crescent GreenSteps Committee is recommending that the City proceed with the purchase and installation of 2 level 2 electric charging stations that would be installed in the Veterans Park parking lot adjacent to the Event Center. The City has received a \$3,030.00 CERT's grant to offset a portion of the \$3,968.00 labor portion of the project. The material portion of the project would be \$6,913.00, and would be purchased from and installed by P&T Electric. There are funds in the 2017 capital equipment certificate for this expenditure.

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

MOTION TO APPROVE THE PURCHASE OF AN OUTDOOR SKATING RINK PACKAGE THAT WOULD BE INSTALLED ON THE CITY OWNED LOT AT THE CORNER OF MAIN STREET AND OAK STREET FOR \$2,587.66 FROM NICERINK WITH FUNDS FROM THE 2017 CAPITAL EQUIPMENT CERTIFICATE FOR THIS EXPENDITURE.

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

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

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

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

MOTION TO APPROVE THE PURCHASE AND INSTALLATION OF 2 LEVEL 2 ELECTRIC CHARGING STATIONS THAT WOULD BE INSTALLED IN THE VETERANS PARK PARKING LOT ADJACENT TO THE EVENT CENTER USING A \$3,030.00 CERT'S GRANT RECEIVED TO OFFSET A PORTION OF THE \$3,968.00 LABOR PORTION OF THE PROJECT AND THE MATERIAL PORTION OF THE PROJECT AT A COST OF \$6,913.00 PURCHASED FROM AND INSTALLED BY P&T ELECTRIC WITH FUNDS FROM THE 2017 CAPITAL EQUIPMENT CERTIFICATE FOR THIS EXPENDITURE.

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

Member Ryan Hutchinson abstained from voting and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.9 – PERSONNEL COMMITTEE RECOMMENDATIONS

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

1. On November 14, 2020, Alivia Beach will have completed her 120-day probationary period as a Lead Worker at Pine Creek Golf Course. Effective November 14, 2020, that Ms. Beach's probationary status be removed, and that she be classified as a regular City of La Crescent employee.
2. On November 14, 2020, Matt Wieser will have completed his 120-day probationary period as a Groundskeeper at Pine Creek Golf Course. Effective November 14, 2020, that Mr. Wieser's probationary status be removed, and that he be classified as a regular City of La Crescent employee.

Member Jostad made a motion to approve recommendation #1 regarding Alivia Beach with the inclusion of the term "seasonal employee." Discussion ensued. Mayor Poellinger called for a second on three occasions. The Motion failed for lack of a second.

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

MOTION TO APPROVE REMOVING ALIVIA BEACH'S PROBATIONARY STATUS AS A LEAD WORKER AT PINE CREEK GOLF COURSE ON NOVEMBER 14, 2020 AND THAT SHE 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;

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

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

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

MOTION TO APPROVE REMOVING MATT WIESER'S PROBATIONARY STATUS AS A GROUNDSKEEPER AT PINE CREEK GOLF COURSE ON NOVEMBER 14, 2020 AND 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;

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

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

ITEM 3.10- CALL FOR SPECIAL CITY COUNCIL MEETING

City Administrator Waller reviewed with City Council that the City Council has 10 days from the general election to convene as the Canvassing Board. The Canvassing Board for the City election held on November 3, 2020 will be placed on the agenda for the November 9 City Council Meeting. At that point, the item will be continued to November 12, 2020. No action taken.

ITEM 3.11 – 2021 BUDGET REVIEW

City Administrator Waller reviewed with City Council the proposed 2021 general fund budget and the proposed Resolution that sets the preliminary levy. This item was informational, and no action was taken.

ITEM 3.12 - COVID-19

City Administrator Waller reviewed with City Council Emergency Executive Order 20-92 which extends the COVID-19 Peacetime Emergency. This item was informational, and no action was taken.

ITEM 6.1 – PARK & RECREATION COMMISSION MINUTES – 10/19/20

City Council reviewed the La Crescent Park & Recreation Commission Minutes from the October 19, 2020 meeting. No action taken.

ITEM 6.2 – EXPLORE LA CROSSE

City Council reviewed the Agenda from the October 20, 2020 La Crosse County Convention & Visitors Bureau Board Meeting, which included the Minutes from the September 15, 2020 Board Meeting. No action taken.

ITEM 7.1 – HOUSTON COUNTY – PROPOSED FEE INCREASES

City Council reviewed an email from Houston County regarding a Notice of a Public Hearing relating to fees charged in Houston County to be held on October 27, 2020 at 6:30 p.m. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

Eileen Krenz of the La Crescent Chamber of Commerce gave an update to City Council on the Candidate Forum.

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

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

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 7:11 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator