

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
NOVEMBER 12, 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 November was called to order by Mayor Mike Poellinger at 5:00 PM in the La Crescent Community Building, La Crescent, Minnesota, on Tuesday, November 12, 2024.

Upon a roll call taken and tallied by the City Clerk, the following members were present: Members Cherryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: Ryan Hutchinson. Also present were, City Administrator Bill Waller, City Attorney Skip Wieser, Finance Director Kara Tarrence, Public Works Director Tyler Benish, City Engineer Tim Hruska (via Zoom), Library Director Jess Witkins, and City Clerk Angie Boettcher.

Tammy Omdal, Managing Director, Public Finance of Northland Securities 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 – OCTOBER 28, 2024
- 1.2 BILLS PAYABLE THROUGH – NOVEMBER 8, 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 O'Donnell-Ebner made a motion, seconded by Member Williams, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

2. PUBLIC HEARING/MEETING – 2025-2029 STREET RECONSTRUCTION PLAN

At 5:00 PM the City Council held a public hearing to consider the City’s 2025 to 2029 Street Reconstruction Plan. City Council reviewed a copy of the plan and a copy of the proposed Resolution for approval that adopts the street reconstruction plan and approves the issuance of general obligation street reconstruction bonds. Tammy Omdal from Northland Securities and City Engineer Hruska (via Zoom) were in attendance to review these items with City Council. Mayor Poellinger opened the meeting for public comment. There were no public comments. Mayor Poellinger closed the public hearing at 5:05 PM.

City Council reconvened with the schedule of the Regular City Council Meeting.

ITEM 3.1 – RESOLUTION – ADOPT STREET RECONSTRUCTION PLAN

City Council reviewed for approval a Resolution adopting the 2025-2029 street reconstruction plan. Following discussion, Member O’Donnell-Ebner introduced the following resolution and moved its passage and adoption:

RESOLUTION 11-24-37 RESOLUTION ADOPTING A STREET RECONSTRUCTION AND OVERLAY PLAN AND APPROVING THE ISSUANCE OF GENERAL OBLIGATION STREET RECONSTRUCTION BONDS

WHEREAS, the City of La Crescent, Minnesota (the "City"), has determined that it is in the best interest of the City to authorize the issuance and sale of general obligation street reconstruction bonds pursuant to Minnesota Statutes, Section 475.58, subdivision 3b, as amended (the "Act"), to finance the cost of street reconstruction projects, as described in the proposed street reconstruction and overlay plan described below, a copy of which is on file in the City Administrator’s office; and

WHEREAS, pursuant to the Act, the City is authorized to issue and sell general obligation street reconstruction bonds for street reconstruction under the circumstances and within the limitations set forth in the Act. The Act provides that a street reconstruction and overlay plan may be financed with general obligation street reconstruction bonds, following adoption of a street reconstruction and overlay plan, after a public hearing on the street reconstruction and overlay plan and on the issuance of general obligation street reconstruction bonds and other proceedings conducted in accordance with the requirements of the Act; and

WHEREAS, pursuant to the Act, the City has prepared a five year street reconstruction and overlay plan for calendar years 2025 through 2029, which describes the streets to be reconstructed, the estimated costs and any planned reconstruction of other streets in the City, including the issuance of general obligation street reconstruction bonds under the Act (the "Plan"), to determine the funding strategy for street reconstruction projects; and

WHEREAS, on the date hereof, the City Council held a public hearing on the adoption of the Plan and the issuance of not to exceed \$6,000,000 general obligation street reconstruction bonds (the "Bonds") under

the Plan for street reconstruction improvements to those streets described in the Plan (the "Street Reconstruction Projects") after publication of the notice of public hearing not less than 10 days nor more than 28 days prior to the date thereof in the City's official newspaper; and

WHEREAS, all parties who appeared at the public hearing were given an opportunity to express their views with respect to the proposal to adopt the Plan and to undertake and finance the Street Reconstruction Projects by the issuance of Bonds and any written comments submitted prior to the public hearing were considered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Crescent, Minnesota, as follows:

1. City Policies and Goals. The financing of the Street Reconstruction Projects and the issuance and sale of the Bonds would further the policies and goals of the City as set forth in the Plan, hereby adopted by the City Council in connection with the issuance of the Bonds.

2. Adoption of Street Reconstruction and Overlay Plan. Based on information received at the public hearing, such written comments (if any) and such other facts and circumstances as the City Council deems relevant, it is hereby found, determined and declared that:

(a) the Street Reconstruction Projects proposed in the Plan will allow the City to upgrade its transportation infrastructure to accommodate anticipated and existing residential and commercial development; and

(b) the Plan is hereby approved and adopted in the form presently on file with the City.

3. Authorization and Approval of Bonds. The City is hereby authorized to issue the Bonds, the proceeds of which will be used, together with any additional funds of the City which might be required, to finance certain costs of the Street Reconstruction Projects and to pay costs of issuance of the Bonds.

4. Execution of Documents. The Mayor and City Administrator are authorized and directed to execute such other documents and instruments as may be required to give effect to the transactions herein contemplated.

5. Voter Referendum Contingency. Pursuant to the Act, a petition requesting a vote on the question of issuing the Bonds, signed by voters equal to five percent of the votes cast in the last municipal general election, may be filed within thirty days of the public hearing. Upon receipt of such petition within the prescribed time period, the City may issue the Bonds only after obtaining the approval of a majority of the voters voting on the question of the issuance of the Bonds. The authorizations and approvals contained herein are subject to and contingent upon not receiving such a petition, or, in the event such a petition is filed, the approving vote of a majority of the voters voting on the question of the issuance of the Bonds.

ADOPTED this 12th day of November 2024.

SIGNED:

Mayor

ATTEST:

City Administrator

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 Clerk, all Members present voted in favor thereof, viz;

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

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

ITEM 3.2 – SUMMER READING PROGRAM REVIEW

City Library Director Jess Witkins reviewed the summer reading program with City Council. This was informational only, no action required.

ITEM 3.3 – CANVASSING BOARD – ELECTION RESULTS

The City Council serves as the Canvassing Board for City Elections, which took place in conjunction with the General Election on Tuesday, November 5, 2024. The City Council must meet to canvas the returns and declare the results. The abstract of votes was presented to the City Council. Following discussion, a question regarding the votes for Precinct 4 (mail ballots) was asked by Member Jostad. It was recommended that clarification was needed and this item would be brought back at the end of the meeting.

ITEM 3.4 – PETITION TO VACATE STREET – CALL FOR PUBLIC HEARING

City Attorney Skip Wieser reviewed with City Council for approval a petition from the owner of the Commodore property to vacate the street that runs between their property. A copy of the petition and a site plan for the proposed project was included. A copy of the applicable State statute regarding the vacation of

public right-of-way was also included. In order to proceed it was recommended that City Council call for the required public hearing at 5:00 p.m. on Monday, December 9, 2024. Following discussion, Member Jostad made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO CALL FOR A PUBLIC HEARING REGARDING THE VACATION OF THE STREET THAT RUNS BETWEEN THE COMMODORE PROPERTY AND ADJACENT TO SOUTH CHESTNUT STREET AT 5:00 PM, ON MONDAY, DECEMBER 9, 2024 AT THE LA CRESCENT COMMUNITY BUILDING, 336 SOUTH 1ST STREET.

Upon a roll call vote taken and tallied by the City Clerk, 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 – REVIEW CANNABIS REGULATIONS

City Attorney Wieser reviewed the draft of the Cannabis Ordinance with City Council. It was recommended that language be added under Section 3 stating that cannabis businesses are not allowed in residential districts. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO ADD LANGUAGE UNDER SECTION 3 OF THE CANNABIS ORDINANCE STATING THAT CANNABIS BUSINESSES ARE NOT ALLOWED IN RESIDENTIAL DISTRICTS.

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

An Agenda request from Member Jostad requesting a Public hearing for the Cannabis Ordinance was also addressed. Following discussion, Member Jostad made a motion to call for a public hearing on the proposed cannabis ordinance. The motion failed due to no second motion.

ITEM 3.6 – 2024 HOLIDAY GATHERING

Mayor Poellinger requested approval from City Council to hold a Holiday Gathering for City staff and elected and appointed officials in December. Following discussion, Member Williams made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO APPROVE A HOLIDAY GATHERING FOR CITY STAFF AND ELECTED AND APPOINTED OFFICIALS IN DECEMBER.

Upon a roll call vote taken and tallied by the City Clerk, 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 – PERSONNEL COMMITTEE RECOMMENDATION

The Personnel Committee had the following recommendation for consideration by the City Council:

1. On December 4, 2024, Kaleb Peterson will have successfully completed his one-year probationary period as a Peace Officer for the City of La Crescent. Effective December 4, 2024, the Personnel Committee recommends that Mr. Peterson’s probationary status be removed and that he be classified as a regular City of La Crescent employee. A letter from the Police Chief regarding this recommendation was included. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE REMOVING KALEB PETERSON’S PROBATIONARY STATUS AS A PEACE OFFICER EFFECTIVE DECEMBER 4, 2024, AND THAT HE BE CLASSIFIED AS A REGULAR CITY OF LA CRESCENT EMPLOYEE.

Upon a roll call vote taken and tallied by the City Clerk, 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 – 2025 GENERAL FUND 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 – AUTHORIZE CAPITAL EXPENDITURE – PRINTERS

City Finance Director Kara Tarrence reviewed with City Council for authorization the purchase of new printers for City departments, including City Hall, Police Department, Fire Department, and Pine Creek Golf Course. The City's current printer/copier leases with EO Johnson expire on November 20, 2024. The City would like to contract with Tri-State Business Machines who offered both outright purchase options and lease agreement options. By purchasing the machines outright for \$20,060 the City would save \$7,240 instead of leasing the machines for a sixty (60) month lease agreement for \$27,300. Funds are available in the 2022 Capital Equipment Certificate to cover the cost of purchasing the equipment outright. By owning the machines, the City would only pay a monthly fee for service and the base cost of copies made. It was recommended that City Council authorize the Capital Equipment Expenditure of \$20,060 to purchase the printers/copiers through Tri-State Business Machines. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO AUTHORIZE THE CAPITAL EQUIPMENT EXPENDITURE OF \$20,060 TO PURCHASE PRINTERS/COPIERS THROUGH TRI-STATE BUSINESS MACHINES FOR CITY DEPARTMENTS INCLUDING, CITY HALL, POLICE DEPARTMENT, FIRE DEPARTMENT, AND PINE CREEK GOLF COURSE.

Upon a roll call vote taken and tallied by the City Clerk, 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 3.10 – INCREASE FIXED ASSET AMOUNT

City Finance Director Kara Tarrence reviewed with City Council for approval updating the City’s policy to increase the City’s fixed asset capitalization minimum threshold from \$500 to \$5,000. The capitalization threshold is the dollar value at which a government elects to capitalize tangible or intangible assets that are used in operation and that have initial useful lives extending beyond a single reporting period. The City’s Fixed Asset Policy was approved in 2005 and at that time the threshold was set at \$500. The State of Minnesota Office of the State Auditor Guide to Local Government Fixed Assets states a minimum capitalization threshold of \$5,000. Further, GFOA (Government Finance Officers Association) also recommends that state and local governments adhere to establishing a minimum capitalization threshold of \$5,000 for any individual item. It was recommended that City Council approve an update to the City’s policy to align with state and local government standards effective starting with the year 2024. Following discussion, Member Williams made a motion, seconded by Member Jostad as follows:

MOTION TO APPROVE UPDATING THE CITY’S POLICY TO INCREASE THE CITY’S FIXED ASSET CAPITALIZATION MINIMUM THRESHOLD TO \$5,000 TO ALIGN WITH STATE AND LOCAL GOVERNMENT STANDARDS EFFECTIVE STARTING WITH THE YEAR 2024.

Upon a roll call vote taken and tallied by the City Clerk, 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 3.11 – AUTHORIZE CONTRIBUTION – FIRE RELIEF ASSOCIATION

City Administrator Bill Waller reviewed with City Council for authorization payment of \$190 to the La Crescent Fire Relief Association. Each year the La Crescent Fire Relief Association is required to have an independent audit completed and then submit the audit along with a Lump-Sum Pension Plan form and a Financial and Investment Reporting Entry form to the Office of the Minnesota State Auditor. This has been completed for 2023. The audit for the year ending 2023 shows a funded ratio of 111.96% and an excess of funds over the accrued liability of \$150,150. However, the 2023 Lump-Sum Pension Plan form when completed indicates that a contribution of \$190 is required from the City to the la Crescent Relief Association. It was recommended that City Council authorize the payment. Following discussion, Member Jostad made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO AUTHORIZE PAYMENT OF \$190 TO THE LA CRESCENT FIRE RELIEF ASSOCIATION.

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

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

and Mayor Poellinger abstained. The motion was declared duly carried by a 3-0 vote.

ITEM 3.12 – DONATION RESOLUTION

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

RESOLUTION NO. 11-24-38

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

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

1. Helen Hafner wishes to donate \$300.00 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 as stated above.

ADOPTED this 12th Day of November 2024.

SIGNED:

Mayor

ATTEST:

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;

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 3.3 – CANVASSING BOARD - CONTINUED

It was recommended to continue the meeting to Wednesday, November 13th at 4:30 pm at the La Crescent Community Building for the purpose of clarification before certifying the canvas report. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO CONTINUE THE CITY COUNCIL MEETING FOR THE PURPOSE OF CLARIFICATION BEFORE CERTIFYING THE CANVAS REPORT ON WEDNESDAY, NOVEMBER 13TH AT 4:30 PM AT THE LA CRESCENT COMMUNITY BUILDING.

Upon a roll call vote taken and tallied by the City Clerk, 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. GREENSTEP MEETING MINUTES – OCTOBER 2, 2024

City Council reviewed the October 2, 2024 GreenStep meeting minutes.

6.2 HOLIDAY TRAIN – DECEMBER 10, 2024

City Council reviewed information regarding the Holiday Train visit on December 10, 2024.

8. HOUSTON COUNTY

Houston County Commissioner Dewey Severson was in attendance and provided updates.

9. CHAMBER OF COMMERCE

Chamber of Commerce representative Ben Horn was in attendance. There were no updates at this time.

There being no further business to come before the Council at this time, Member O’Donnell-Ebner made a motion, seconded by Member Williams to continue the meeting to Wednesday, November 13, 2024, to certify the canvas report. Upon a roll call vote taken and tallied by the City Clerk, the following Members present voted in favor thereof, viz;

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 and the meeting duly continued at 5:44 P.M.

APPROVAL DATE: _____.

SIGNED:

Mayor

ATTEST:

City Administrator

MINUTES, CONTINUED MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
NOVEMBER 12, 2024

Pursuant to due call and notice thereof, the continuation of the first meeting of the City Council of the City of La Crescent for the month of November was called to order by Mayor Mike Poellinger at 4:40 PM in the La Crescent Community Building, La Crescent, Minnesota, on Wednesday, November 13, 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 was, City Clerk Angie Boettcher.

Mayor Poellinger continued Item 3.3 Canvassing Board – Election Results.

ITEM 3.3 – CANVASSING BOARD – ELECTION RESULTS (CONT'D)

City Clerk Angie Boettcher clarified the error in the abstract presented at the meeting on November 12th. Winona County Auditor-Treasurer Chelsi Wilbright was not done proofing the Winona County abstract before the Houston County Auditor-Treasurer Polly Heberlein ran her abstract resulting in the La Crescent City Clerk receiving the incorrect abstract. The correct abstract of votes was then presented to the City Council. The ballots cast in Precinct No. 1, Precinct No. 2, Precinct No. 3, and Precinct No. 4 on Tuesday, November 5, 2024, for the City of La Crescent are as follows:

<u>Mayor</u>	<u>Precinct 1</u>	<u>Precinct 2</u>	<u>Precinct 3</u>	<u>Precinct 4</u>	<u>Total Votes</u>
Mike Poellinger	1134	804	566	48	2552
Write-In	46	49	25	7	127

<u>Council Member</u>	<u>Precinct 1</u>	<u>Precinct 2</u>	<u>Precinct 3</u>	<u>Precinct 4</u>	<u>Total Votes</u>
Dale Williams	999	676	491	38	2204
Christopher Langen	1011	678	483	49	2221
Write – In	11	18	6	6	41

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

RESOLUTION NO. 11-24-39

**RESOLUTION CANVASSING THE 2024 CITY ELECTION WHICH TOOK PLACE IN
CONJUNCTION WITH THE GENERAL ELECTION
HELD ON NOVEMBER 5, 2024.**

WHEREAS, the City of La Crescent had a Mayoral seat and two City Council seats to be voted on at the 2024 State General Election on November 5, 2024.

WHEREAS, the City Council acting as the Canvassing Board of the City of La Crescent did canvass the 2024 State General Election results of November 5, 2024, per the abstract provided by Houston County and Winona County Elections Offices.

NOW, THEREFORE, BE IT RESOLVED, that the La Crescent City Council hereby certifies the following as elected officials:

Mayor – Mikel Poellinger
City Council Member – Dale Williams
City Council Member – Christopher Langen

ADOPTED this 13th Day of November 2024.

SIGNED:

Mayor

ATTEST:

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.

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 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 4:46 P.M.

APPROVAL DATE: November 25, 2024.

SIGNED:

Mayor

ATTEST:

City Administrator