

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
NOVEMBER 28, 2022

Pursuant to due call and notice thereof, the second 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 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, November 28th, 2022.

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

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 – NOVEMBER 14, 2022
- 1.2 BILLS PAYABLE THROUGH NOVEMBER 23, 2022
- 1.3 CASH BALANCE/ACTIVITY REPORT – SEPTEMBER, 2022
- 1.4 LIBRARY REPORT – SEPTEMBER, 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 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 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 – WIESER PARK PAVILION BID RESULTS

City Administrator Waller reviewed with City Council the following bid received for the Wieser Park Pavilion Improvement Project:

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

It was suggested that the City Council approve an extension of the time frame for approval of the bid by an additional sixty (60) days. The contractor is agreeable with the time extension.

The sponsors of the project are proposing a modification to the plans for the pavilion that will include the installation of overhead doors in the openings and heating so that the facility will have the option to operate year-round. The additional sixty (60) days will allow the contractor time to make modifications to the project plans and specifications and obtain the necessary building approvals that are required for the project to proceed. Following discussion, Member Jostad made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO APPROVE A SIXTY (60) DAY EXTENSION FOR THE WIESER PARK PAVILION IMPROVEMENT PROJECT FOR THE CONTRACTOR TO MAKE MODIFICATIONS TO THE PLAN TO INCLUDE INSTALLATION OF OVERHEAD DOORS IN THE OPENINGS AND HEATING SO THE FACILITY WILL HAVE THE OPTION TO OPERATE YEAR-ROUND.

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 3.2 – DONATION RESOLUTIONS

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

RESOLUTION NO. 11-22-40

RESOLUTION ACCEPTING DONATIONS MADE TO THE CITY OF LA CRESCENT IN NOVEMBER 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 November, 2022:

1. Wieser Law Office, P.C. consisting of Kelly M. Iverson and Al “Skip” Wieser, III wish to donate \$5,000.00 in memory of Karen Wieser to Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities.

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 28th day of November, 2022.

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 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 O’Donnell-Ebner introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 11-22-41

**RESOLUTION ACCEPTING DONATIONS MADE TO THE
CITY OF LA CRESCENT IN NOVEMBER 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 November, 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. Eunice Dahlen wishes to donate \$20,000.00
2. Ruth Berns wishes to donate \$20,000.00
3. Linda Wieser wishes to donate \$100.00
4. Tim and Rochelle Rindahl wish to donate \$150.00
5. Duane and Rochelle Undeland wish to donate \$3,000.00
6. Tom Wieser wishes to donate \$1,000.00
7. Aaron and Kathleen Undeland wish to donate \$2,000.00
8. Acentek wishes to donate \$5,000.00
9. MiEnergy wishes to donate \$500.00
10. Ben and Emily Wieser wish to donate \$20,000.00
11. Terry and Lisa Beron Wish to donate \$600.00
12. Carolyn and Matthew McCormick wish to donate \$750.00
13. Mark and Jennifer Smith wish to donate \$1,000.00
14. Max and Hanna Wieser wish to donate \$1,000.00
15. Gabe and Courtney Wieser wish to donate \$1,000.00
16. Missy and Jonathan Atkinson wish to donate \$1,000.00
17. Rebecca McCormick wishes to donate \$100.00
18. Warren and Patricia Undeland wish to donate \$10,000.00

19. Heidi and Joe Thesing wish to donate \$500.00
20. Jill Zifko wishes to donate \$100.00
21. Erin McCormick and Mark Pooley wish to donate \$100.00
22. Alex Wieser wishes to donate \$500.00
23. Bridget and Jonathan Wieser wish to donate \$50.00
24. Shawn and Robin Wieser wish to donate \$500.00
25. Jennifer and Tony Jenkins wish to donate \$50.00
26. An Anonymous donor wishes to donate \$1,605.98
27. An Anonymous donor wishes to donate \$2,034.39
28. New Albin Savings Bank wishes to donate \$1,000.00

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 28th day of November, 2022.

SIGNED:

Mayor

ATTEST:

City Administrator

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
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 3.3 – AGENDA REQUEST – GREG WATSON

City resident, Greg Watson, addressed the City Council (via Zoom) requesting that the Stoney Point Property become a La Crescent City Park. No action was taken.

City Attorney Wieser relayed to City Council that at the December 12th meeting there will be an Agenda item regarding the use of Zoom during City Council meetings.

ITEM 3.4 – BODY WORN CAMERA AUDIT

Police Chief Ahlschlager reviewed with City Council the Independent Body Worn Camera Audit Report which was conducted on November 5, 2022. The objective of the audit was to verify La Crescent Police Department’s compliance with Minnesota Statutes §§13.825 and 626.8473. The La Crescent Police Department was in compliance. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO ACCEPT THE INDEPENDENT BODY WORN CAMERA AUDIT REPORT AND DOCUMENT THE RESULTS.

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 3.5 – AUTHORIZE CAPITAL EXPENDITURES

Police Chief Ahlschlager requested authorization from City Council for the use of Capital Expenditures for purchase of Public Safety Software system. Currently, the P.D. utilizes LETG (Law Enforcement Technology Group, Inc.) through CentralSquare Technologies which houses RMS (Records Management Systems), CAD (Computer Aided Dispatch), and Squad MDT (Mobile Data Terminal). LETG is now being retired. Several Public Safety Software Systems were explored that included one by CentralSquare Technologies. Houston County Law Enforcement collectively decided on going with CentralSquare Technologies. The total cost is \$41,972.62 which will be paid over the next three years. The first invoice is 50% of the total amount (\$20,986.31) to be paid in 2022, 30% of the amount (\$12,591.78) in 2023, and

20% of the amount (\$8,394.52) in 2024. It was recommended that City Council approve the purchase of the Public Safety Software System through CentralSquare Technologies. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE USE OF CAPITAL EXPENDITURES FOR THE LA CRESCENT POLICE DEPARTMENT TO PURCHASE A PUBLIC SAFETY SOFTWARE SYSTEM THROUGH CENTRALSQUARE TECHNOLOGIES IN THE AMOUNT OF \$41,972.62 TO BE PAID OVER A THREE-YEAR PERIOD AS PRESENTED.

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.

Police Chief Ahlschlager requested approval from City Council to purchase a 2023 Dodge Charger to be fitted with associated police equipment for emergency service. The vehicle would be purchased using the budgeted funds from the 2022 Capital Equipment Certificate from the Minnesota State Contract Bid Pricing for \$33,866.00. The Police Department's current fleet consists of five vehicles. Two of those vehicles are assigned to the Police Chief and the Investigations Division. The new squad would give the Patrol Division more flexibility. Following discussion, Member Williams made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO APPROVE THE PURCHASE OF A 2023 DODGE CHARGER FOR THE POLICE DEPARTMENT USING THE BUDGETED FUNDS FROM THE 2022 CAPITAL EQUIPMENT CERTIFICATE IN THE AMOUNT OF \$33,866.00.

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.

City Administrator Waller recommended Council approval for the purchase of two new scoreboards for Abnet Field from the funds included in the 2022 Capital Equipment Certificate. The total cost of the scoreboards is \$12,176.00 from Datronics. La Crescent Youth Ball (LYB) and ISD300 have agreed to

assist with the installation costs of the scoreboards. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE PURCHASE OF TWO SCOREBOARDS FOR ABNET FIELD USING THE FUNDS WHICH WERE INCLUDED IN THE 2022 CAPITAL EQUIPMENT CERTIFICATE IN THE AMOUNT OF \$12,176.00.

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 3.6 – GAMBLING PERMIT APPLICATION

City Council reviewed for approval a gambling permit application from La Crescent Softball Boosters for a raffle drawing to be held at the La Crescent Area Event Center on Saturday, February 11, 2023. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE GAMBLING PERMIT APPLICATION FROM LA CRESCENT SOFTBALL BOOSTERS FOR A RAFFLE TO BE HELD ON SATURDAY, FEBRUARY 11, 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
Mike Poellinger	Yes

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

ITEM 3.7 – ELECTRIC VEHICLE ORDINANCE

Sustainability Coordinator Ludwigson reviewed with City Council for approval an ordinance to permit electric vehicle charging equipment and infrastructure in all zoning districts. Following discussion, Member O'Donnell-Ebner introduced the following Ordinance, and moved its passage and adoptions:

CITY OF LA CRESCENT ORDINANCE NO. 563

**AN ORDINANCE TO PERMIT ELECTRIC VEHICLE CHARGING EQUIPMENT AND
INFRASTRUCTURE IN ALL ZONING DISTRICTS**

The City Council of the City of La Crescent hereby ordains:

DEFINITIONS:

1. Definitions. As used in this chapter, the following terms shall have the following meanings:
 - a. “Battery Electric Vehicle Charging Station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.
 - b. “Battery Electric Vehicle” means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries, and produces zero tailpipe emissions or pollution when stationary or operating.
 - c. “Charging levels” means the standardized indicators of electrical force or voltage, at which an electric vehicle’s battery is recharged. The terms 1, 2, and 3 are the most common charging levels, and include the following specifications:
 - i. 1. Level-1 is considered slow charging. Voltage including the range from 0 through 120.
 - ii. 2. Level-2 is considered medium charging. Voltage is greater than 120 and includes 240.
 - iii. 3. Level-3 is considered fast or rapid charging. Voltage is greater than 240.
 - d. “Electric Capacity” means at a minimum: 1. Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger; 2. Conduit from an electric panel to future EVCS location(s).
 - e. “Electric Vehicle” means a vehicle that uses electricity for propulsion.
 - f. “Electric Vehicle Charging Station (EVCS)” means a public or private parking space that is served by battery charging station equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.

SECTION I. La Crescent Municipal Code, Chapter 154, Zoning Regulations, Chapter 12, Zoning Ordinance, Section 12.10 General Provisions, Subd. 19 Electric Vehicle Charging Stations be created to allow electric vehicles as a permitted accessory use in all zoning districts and hereby adopts requirements for electric vehicle charging requirements for residential and non-residential uses as well as construction standards for electric vehicle charging stations along with parking use standards and protections for electric vehicles as follows:

ORDINANCNE

2. Section 12.10 General Provisions

Subd. 19. ELECTRIC VEHICLE CHARGING STATIONS

A. Electric vehicle charging stations are permitted accessory structures in all zoning districts subject to the following requirements.

B. Electric vehicle charging infrastructure

Property Use	Electric vehicle charging infrastructure	Additional Requirements
Residential uses with up to 3 units	<ul style="list-style-type: none">▪ If enclosed parking spaces are present the electrical service panel requires a 240v breaker with 40-amp service and one conduit or raceway run to a junction box on the enclosed parking space wall/per unit	N/A
Residential uses with 4 to 14 units	<ul style="list-style-type: none">▪ If enclosed parking spaces are present the electrical service panel requires two 240v breakers with 4 - amp service and two conduit or raceways run to a junction box on the enclosed parking space wall/per unit▪ If there are no enclosed parking garages, 5% of surface parking spaces require 240v 40-amp service and conduit or raceway run to the edge of the surface parking	At least one ADA space must have access to energized outlets

	<ul style="list-style-type: none"> lot ▪ L3 energized outlets are encouraged, but not required 	
Residential uses with 15 or more units	<ul style="list-style-type: none"> ▪ If enclosed parking spaces are present the electrical service panel the electrical service panel(s) requires four 240v breakers with 40-amp service and conduit or raceways run to a junction box on the enclosed parking space wall ▪ 10% of surface parking spaces (if they exist) require 240v 40-amp service and conduit or raceway run to the edge of the surface parking lot ▪ L3 energized outlets are encouraged, but not required 	At least one ADA space must have access to energized outlets
Non-residential uses with up to 20 spaces	<ul style="list-style-type: none"> ▪ If enclosed parking spaces are present, at least four spaces require a 240v 40-amp service and conduit or raceway run to a junction box on the enclosed parking space wall/per unit ▪ 10% percent of surface parking spaces require 240v 40-amp service and conduit or raceway 	At least two ADA spaces must have access to energized outlets

	<p>run to the edge of the surface parking lot</p> <ul style="list-style-type: none"> ▪ L3 energized outlets are encouraged, but not required 	
Non-residential uses with 21 or more off-street parking spaces	<ul style="list-style-type: none"> ▪ If enclosed parking garages are present, at least five garage spaces require a 240v 40-amp service and conduit or raceway run to a junction box on the enclosed parking space wall/per unit ▪ 20% percent of surface parking spaces require L2 energized outlets 240v with 40-amp service ▪ At least one L3 energized outlet 	At least two ADA spaces must have access to energized outlets

C. EVCS cords shall be retractable or have a place to hang the connector and cord sufficiently above the pedestrian surface as to minimize tripping hazards;

D. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, accessibility routes, or passenger unloading area;

E. In order to proactively plan for and accommodate the anticipated future growth in market demand for electric vehicles it is strongly encouraged, but not required, that all new and expanded development parking areas consider adding the electrical infrastructure necessary to support the future installation of Electric Vehicle Charging Stations. This may include increasing electrical panel capacity, the installation of conduit or raceway, or other actions. Installing the infrastructure necessary for Electric Vehicle Charging Stations during construction is significantly more cost effective than retrofitting parking areas to be EV-ready;

F. EVCS shall be posted with signage indicating the space is reserved for electric vehicle charging purposes;

G. EVCS shall provide a phone number or other contact information on the equipment to report problems;

H. EVCS shall have adequate lighting available for ease of night time use;

I. EVCS equipment shall be protected by a curb, wheel stops, or concrete filled bollards;

J. EVCS installers shall consider the following best practices for considerations of individuals protected under The Americans with Disabilities Act (ADA) until such time as there is national standard for ADA requirements for EVCS;

K. Accessible EVCS shall count toward the minimum number of accessible car and van parking spaces required in a parking facility;

L. EVCS shall be located so they are accessible for a person in a wheelchair on an access aisle, and the EVCS should not encroach on the access aisle;

M. Reach range and turning radius requirements from ADA are good standards for accessing the equipment;

N. Bollards, curb, or wheel stops shall not obstruct the use of the charging station;

O. Charging equipment may be shared between accessible EVCS and regular EVCS;

P. It is recommended that at least one accessible EVCS be included when installing multiple EVCS. If installing only one EVCS, strong consideration should be given to making it accessible;

Q. Allows for a 5% reduction of minimum required parking for the installation of EV chargers above and beyond requirements, at a ratio of one L2 or L3 charger to one parking spot;

R. New off-street parking areas will need to comply with the EV charger requirements and if an existing parking area is physically expanded, any added parking areas will need to meet ratios for minimum EV charging requirements as well

3. **Effective Date.** This Ordinance shall be in full force and effect from its date of publication.

PASSED AND ADOPTED by the City Council of the City of La Crescent, Minnesota, this 28th day of November, 2022.

SIGNED:

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 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 Ordinance was declared duly passed and adopted.

City Council also reviewed the Summary Ordinance for publication. The Council made the following finding of facts: that the publication of the summary informs the public of the intent and effect of the Ordinance.

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

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 563 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 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 3.8 – SOLAR REQUEST FOR PROPOSALS

City Sustainability Coordinator Ludwigson reviewed with City Council on July 22nd, 2022 the city issued a Third-Party Solar Request for Proposals (RFP's) for the Ice Arena and Aquatic Center. On October 5th 2022 the city received three proposals for the solar PV systems. The proposals were from Winona Renewable Energy, Solar Connection, and iDeal Energies and were as follows:

1. Winona Renewable Energy – proposal was incomplete as it only provided solar for the Ice Arena.

2. Solar Connection – total cost of \$499,000 and would include bi-facial panels, single-phase inverters, proposed power output of 345,910 kWh.
3. iDeal Energies – \$0.00 cost to the city with the city having the opportunity to assume ownership of the systems in the future and would include proposed power output of 357,028 kWh and use of single-phase inverters.

The proposal from iDeal Energies scored highest using the selection criteria as outlined in the RFP. It was recommended City Council approve City Attorney Wieser to proceed with further review of the iDeal Energies proposal and that approval of the contract with iDeal Energies would be contingent upon a final review of all existing solar agreements to ensure that there is not an adverse impact to any existing agreements. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO AUTHORIZE THE CITY ATTORNEY TO REVIEW THE IDEAL ENERGIES PROPOSAL AND REVIEW COMPLIANCE WITH EXISTING SOLAR AGREEMENT AND BRING BACK TO CITY 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
Mike Poellinger	Yes

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

At 6:00 p.m., Mayor Poellinger recessed the meeting for the Public Meeting for the 2023 General Fund Budget and Levy.

ITEM 2 – PUBLIC HEARING/MEETING

It being 6:00 p.m., Mayor Poellinger opened the public meeting on the 2023 General Fund Budget and Levy. City Administrator Waller circulated a sign-up sheet and gave an overview of the process. As a point of clarification, in April of each year the City Council holds the Board of Appeal and Equalization meeting, at which time property owners can ask questions about their proposed property value and property classification. Questions about property value and property classification will need to wait until the Board of Appeal and Equalization meeting which will be held in April of 2023. The item City Council reviewed for consideration was the proposed resolution setting the 2023 levy. The Mayor then asked if anyone present in the audience wished to make comment or had questions. Comments and questions were received from those in attendance. The public meeting was then closed. There were no questions from City Council.

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

MOTION TO ADOPT THE 2023 GENERAL FUND BUDGET.

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.

Following discussion, Member O’Donnell-Ebner introduced the following resolution and moved its passage for adoption:

RESOLUTION 11-22-42

**RESOLUTION MAKING FINAL GENERAL LEVIES FOR
COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE
CALENDAR YEAR 2023**

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

1. It is hereby determined and declared that there shall be and there is hereby levied upon all taxable property within the City for the general purposes of the City, as provided by law, to be collected in the year 2023 as part of the general taxes due and payable in the year 2023 a direct ad valorem tax in the amount of \$2,257,010.00 as provided by State law to be levied and collected in the manner provided by law.
2. Be it also hereby determined and declared that there shall be and there is hereby levied upon taxable property within the City of La Crescent for public library service, a tax in the amount of \$181,269.00 to be collected in the year 2023, as authorized by Minnesota Statutes, Section 134.33 and 134.34.
3. It is hereby found, determined, and declared that the amounts set forth in a column at the right to be levied with taxes to be collected in the calendar year 2023, in conjunction with the various bonds issued and sinking funds described below:

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2023
322	2015A	G.O. Refunding Bonds – Apple Blossom Acres	\$3,500.00
325	2016A	G.O. Refunding Rec. Fac. Bonds – Aquatic Center	\$199,900.00
327	2016A	G.O. Improvement Bonds – Oak St. Recon.	\$115,800.00
328	2017A	G.O. Equipment Certificates	\$120,500.00
329	2018A	G.O. Improvement Bonds – Streets/Veterans Park	\$148,500.00

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2023
330	2019A	G.O. Equipment Certificates - Fire Truck	\$48,800.00
331	2019B	G.O. Improvement Bonds - Street Recon.	\$30,600.00
332	2020A	G.O. Improvement Bonds - HTM	\$174,000.00
333	2020A	G.O. Bonds - Tax Abatement - Ice Arena	\$17,700.00
334	2022A	G.O. Imp. Bonds/Equip. Cert. & CIP Bonds	\$227,300.00
		TOTAL DEBT SERVICE LEVY	\$1,086,600.00

4. Total levy for the City of La Crescent for collection in 2023 is \$3,524,879.00.

ADOPTED this 28th day of November, 2022.

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 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 3.9 – 223 LODGING TAX CONTRACTS

City Council reviewed the following agreements regarding the 2023 lodging tax:

1. Marketing and Promotional Agreements between the City of La Crescent and La Crosse Area Convention and Visitor Bureau, Inc.
2. Marketing and Promotional Agreements between the City of La Crescent and La Crescent Area Event Center, Inc.
3. Marketing and Promotional Agreements between the City of La Crescent and La Crescent Area Chamber of Commerce and Tourism.

The agreements are in substantially the same form as the last agreements with the exception of the term. The term of these agreements would begin January 1, 2023 and end December 31, 2022.

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

MOTION TO APPROVE THE MARKETING AND PROMOTIONAL AGREEMENT REGARDING THE 2023 LODGING TAX BETWEEN THE CITY OF LA CRESCENT AND THE LA CROSSE AREA CONVENTION AND VISITOR BUREAU, INC., AS PRESENTED.

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

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

Member Jostad abstained. The motion was declared duly carried by a 3-1 vote.

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

MOTION TO APPROVE THE MARKETING AND PROMOTIONAL AGREEMENT REGARDING THE 2023 LODGING TAX BETWEEN THE CITY OF LA CRESCENT AND THE LA CRESCENT AREA EVENT CENTER, INC., AS PRESENTED.

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.

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

MOTION TO APPROVE THE MARKETING AND PROMOTIONAL AGREEMENT REGARDING THE 2023 LODGING TAX BETWEEN THE CITY OF LA CRESCENT AND THE LA CRESCENT AREA CHAMBER OF COMMERCE AND TOURISM, AS PRESENTED.

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 3.10 – PERSONNEL COMMITTEE RECOMMENDATIONS

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

1. A tentative agreement has been reached with the LELS Union (Police) on a three-year contract agreement that covers 2023 thru 2025. The agreement includes an increase in the City's contribution to insurance and an increase in wages, along with language changes to the union contract. The terms of the agreement are as follows with a correction to the last item regarding the Corporal position compensation:
 - Article 10 Vacations – new contract language:
The full lump sum of vacation hours per the UNION contract schedule are placed into the employee's vacation bank at the start of their employment and then every year thereafter on the first payroll in the month of their anniversary date of employment with the city. Upon separation from employment prior to the employee's next anniversary date, vacation hours will be pro-rated for time earned during the period from their current year anniversary date through the date of separation and hours unearned will be removed. If an employee has already used more vacation hours than they actually earned during the time period from their last anniversary date to the date of separation, the city will deduct from their final pay for the hours that were previously paid that were not earned.
 - Article 13 Insurance:
2023 Single - \$1,004 per month and family \$1,851 per month
2024 Single - \$1,029 per month and family \$1,926 per month
2025 Single - \$1,054 per month and family \$2,026 per month
 - Article 15 Compensation – Effective January 1, 2023, increase the hourly rate of pay from \$1.50 to \$3.00 per hour, and add contract language requiring defibrillator certification and Narcan certification.

- Article 19 Grievances – new contract language. For grievance matters involving written disciplinary action, discharge, or termination, the assignment of an arbitrator shall be consistent with Minnesota Statute 626.892.
 - Article 20 Uniform Allowance – new contract language:
Section 20.3 – Each employee shall be offered an allowance of four hundred twenty-five dollars (\$425) for the purpose of purchasing a handgun. The cost of the gun will be prorated on a straight-line depreciation method over a ten (10) year period of time, with the proportional payback to the City by the employee if the employee leaves the employ of the City short of the depreciation period.
 - Article 24 Duration – Three (3) year contract years 2023, 2024, and 2025.
 - Appendix A Wages – Cost-of-living adjustment of 4.0% in 2023, 4.0% in 2024, and 4.0% in 2025.
 - Appendix A wages – Establishment of new Corporal position which is compensated at 6.5% above the seventy-two months rate of pay.
2. That the same wage and insurance increases as approved in the LELS agreement be extended to City employees that are not represented by a bargaining unit for the years 2023 thru 2025. This includes the City Administrator, Finance Director, Police Chief, and Golf Course Superintendent.
 3. That the same wage increase for 2023 thru 2025 be approved for the members of the Fire Department. It was suggested that any City Council members that are also members of the Fire Department abstain from this vote.
 4. That the same wage increase for 2023 thru 2025 be approved for all part-time seasonal employees. This includes summer maintenance employees, summer recreation employees, part-time employees at the golf course, members of the Police Reserve, and the compost/brush site employee.

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

MOTION TO APPROVE THE THREE (3) YEAR LELS UNION (POLICE) CONTRACT AGREEMENT THAT COVERS 2023-2025 AS PRESENTED WITH THE CORRECTION OF 6.5% ABOVE THE SEVENTY-TWO MONTHS RATE OF PAY FOR THE CORPORAL POSITION.

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.

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

MOTION TO APPROVE THE SAME WAGE AND INSURANCE INCREASES IN THE LELS UNION (POLICE) CONTRACT AGREEMENT TO CITY EMPLOYEES NOT REPRESENTED BY A BARGAINING UNIT FOR 2023-2025 (CITY ADMINISTRATOR, FINANCE DIRECTOR, POLICE CHIEF, AND GOLF COURSE SUPERINTENDENT).

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.

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

MOTION TO APPROVE THE SAME WAGE INCREASES IN THE LELS UNION (POLICE) CONTRACT AGREEMENT FOR MEMBERS OF THE FIRE DEPARTMENT FOR 2023-2025.

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.

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

MOTION TO APPROVE THE SAME WAGE INCREASES IN THE LELS UNION (POLICE) CONTRACT AGREEMENT FOR ALL PART-TIME SEASONAL EMPLOYEES FOR 2023-2025 (SUMMER MAINTENANCE EMPLOYEES, SUMMER RECREATION EMPLOYEES, PART-TIME EMPLOYEES AT THE GOLF COURSE, POLICE RESERVES, AND COMPOST/BRUSH SITE EMPLOYEE).

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 3.11 – 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 Jostad 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 – ABSOLUTE COMFORT HEATING & AIR CONDITIONING, LLC; AMERICAN HOME FIREPLACE & PATIO, INC; BAGNEIFSKI HEATING & AIR CONDITIONING; B & C PLUMBING & HEATING, INC; BOB’S APPLIANCE SERVICE; BOSTRACK HEATING & AIR CONDITIONING; DEML CONTROLS, INC; HALEY COMFORT SYSTEMS, INC; K & S HEATING & AIR CONDITIONING, INC; MIDWEST TV & APPLIANCE, LLC; NEWMAN HEATING & COOLING, LLC; NIEBUHR PLUMBING & HEATING CO; RISCH HEATING & AIR CONDITIONING; RIVER CITY HEATING & AIR CONDITIONING; RON HAMMES REFRIGERATION, INC; SAVAGE HEATING & AIR, LLC; SCHNEIDER HEATING & AIR CONDITIONING; WINONA CONTROLS, LLC.

ON SALE 3.2 – CORKY’S PIZZA

ON SALE WINE – CORKY’S PIZZA

CIGARETTES – KWIK TRIP #437; KWIK TRIP #614; QUILLINS INC.

OFF SALE 3.2 – KWIK TRIP #437; KWIK TRIP #614; QUILLINS INC.

LIQUOR OFF SALE – MINEGAR’S SPORTS HUB; SCHMITTY’S TIMEOUT TAVERN

LIQUOR ON SALE – MINEGAR’S SPORTS HUB; SCHMITTY’S TIMEOUT TAVERN

LIQUOR SUNDAY – MINEGAR’S SPORTS HUB; SCHMITTY’S TIMEOUT TAVERN

SOLID WASTE – RICHARD’S SANITATION LLC; WASTE MANAGEMENT

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 3.12 – TAX CERTIFICATION RESOLUTION

City Administrator Waller reviewed with City Council a Resolution presented annually for properties making special levies for the collection with real estate taxes payable in the Calendar Year 2023. Following discussion, Member O'Donnell-Ebner introduced the following resolution and moved its passage and adoption:

**RESOLUTION 11-22-43
RESOLUTION MAKING SPECIAL LEVIES FOR
COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE
CALENDAR YEAR 2023**

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

1. It is hereby found and determined and declared that the amounts set forth in a column at the right to be levied as a special assessment against the listed property and to be collected in the calendar year 2023 as provided by law.

HOUSTON CO. AUDITOR REF. NUMBER	PROPERTY OWNER	CITY ACCOUNT #	AMOUNT TO BE LEVIED IN 2023	CODE
25.0071000	TIPPETTS RENTALS, LLC	11100111	103.70	80
25.0071000	TIPPETTS RENTALS, LLC	11102506	82.75	80
25.0071000	TIPPETTS RENTALS, LLC	11102716	73.19	80
25.0912000	SUE BERANEK	11901600	1152.10	80
25.0576000	JAMIE PUENT	30105401	455.64	80
25.1257003	BILL KISTLER	30301407	425.78	80
25.1257003	BILL KISTLER	30302304	252.10	80
25.1257003	BILL KISTLER	30302902	306.74	80
25.1257006	BILL KISTLER	30306502	455.64	80
25.1314000	JOSHUA & JENNIFER WEIKER	30903605	288.92	80
25.1266025	AMANDA KLOSS	31304901	426.81	80
25.1266026	TONY COLBERT	31305001	25.64	80
25.0657000	JACQUELINE GERKE-EDWARDS	40119902	106.92	80
25.0640000	LEONARD GREENWOOD	INV 2799 & 2805	110.00	80
25.0517000	KRISTEN STUHR	INV 2803	55.00	80

HOUSTON CO. AUDITOR REF. NUMBER	PROPERTY OWNER	CITY ACCOUNT #	AMOUNT TO BE LEVIED IN 2023	CODE
25.0480000	ROBERT PETERSON	INV 2806	55.00	80
25.1064000	MARK MC ALEAR	INV 2837	165.00	80

ADOPTED this 28th day of November, 2022.

SIGNED:

Mayor

ATTEST:

City Administrator

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
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 3.13 – AUTHORIZE PRE-DEMOLITION HOUSE INSPECTION

City Council reviewed a memo from City Building and Zoning Official Shawn Wetterlin requesting authorization for a pre-demolition asbestos inspection for the city-owned house at 332 South 1st Street. This is a requirement from the Minnesota Pollution Control Agency prior to demolition. After receipt of the asbestos inspection report proposals for any needed asbestos abatement will be acquired. The proposals for the Pre-Demolition Asbestos Inspection are as follows:

1. Asbestrol, inc. \$900.00
2. Med City Environmental \$1,500.00

It was recommended that the City Council approve the proposal from Asbestrol, Inc. in the amount of \$900.00. There are funds available in the 2022 General Fund budget for this inspection. The demolition cost of the structure will come before the council at a later date. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Jostad as follows:

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

City Council reviewed correspondence from Explore La Crosse regarding the November 15th, 2022 Board Meeting Agenda as well as the October 18th, Minutes.

9. CHAMBER OF COMMERCE

Chamber of Commerce President, Sarah Delacy and Chamber Representative, Tammy Stremcha were in attendance and gave the City Council an update.

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 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