

MINUTES – SPECIAL MEETING FOR HAZARDOUS BUILDING DETERMINATION,
MODIFICATION OF RESOLUTIONS FOR CONNECTION CHARGES AND
PUBLIC MEETING FOR 2021 GENERAL FUND BUDGET AND LEVY
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
NOVEMBER 30, 2020 - 5:30 PM

Pursuant to due call and notice thereof, the Special Meeting for review and consideration of hazardous building determination for 322 South First Street, modification of Resolution establishing sanitary sewer and water service connection charges for 2020 Hickory Lane/2020 Utility Extension Improvement Project and the Public Meeting for the 2021 General Fund Budget and Levy was called to order by Mayor Mike Poellinger at 5:30 p.m. in the La Crescent City Hall, La Crescent, Minnesota, on Monday, November 30, 2020, followed by the Pledge of Allegiance. 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 (via Zoom), Cheryl Jostad, Teresa O'Donnell-Ebner (via Zoom), Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller, City Attorney Skip Wieser, City Building/Zoning Official Shawn Wetterlin, and City Administrative Assistant Angie Boettcher.

ITEM 4 – HAZARDOUS BUILDING DETERMINATION – 322 SOUTH FIRST STREET

City Attorney Wieser and City Building/Zoning Official Wetterlin reviewed with City Council that on November 9, 2020 a structural fire took place at 322 South 1st Street, La Crescent. The building located at the property consisted of an eight (8) unit, two-story apartment building. City Council reviewed a report from the City Building Official, along with various pictures of the site. The Building Official's report is based on a site inspection that took place November 18, 2020, along with review of fire department photographs. City Council also reviewed a draft Resolution declaring the property to be considered a hazardous building under Minnesota law. Mike Hanek of EMC Insurance, the insurance provider for the building, was also present and gave a presentation to City Council. Following discussion, Member Williams made a motion, seconded by Member Jostad, as follows:

MOTION TO CONTINUE THIS ITEM TO THE DECEMBER 14, 2020 CITY COUNCIL MEETING TO ALLOW THE INSURANCE CARRIER AND OWNER TO FINALIZE COSTS AND TO ALLOW EMC INSURANCE TO FENCE THE SITE, AGREE TO CLEAN-UP SITE SHOULD THE NEED ARISE AND THAT A SECURITY FENCE BE INSTALLED BY DECEMBER 4, 2020.

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 and the resolution duly passed and adopted.

At this time, Mayor Poellinger recessed the meeting until 6:00 p.m. for the Public Meeting for the 2021 General Fund Budget and Levy.

ITEM 6 – PUBLIC MEETING – 2021 GENERAL FUND BUDGET AND LEVY

It being 6:00 p.m., Mayor Poellinger opened the public meeting on the 2021 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 2021. City Council discussed contacting the Houston County Commissioners to address the concerns regarding the lack of notice and proposed property taxes payable in 2021. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO DIRECT THE CITY ADMINISTRATOR TO FORWARD A CORRESPONDENCE TO THE HOUSTON COUNTY COMMISSIONERS TO ADDRESS THE CONCERNS REGARDING THE LACK OF NOTICE AND PROPOSED PROPERTY TAXES PAYABLE IN 2021.

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

City Council then reviewed the proposed resolution setting the 2021 levy, the memo presented in September of 2020 that summarizes the 2021 general fund budget, and a copy of the 2021 general fund budget. Also, at the last City Council meeting, a question was raised regarding the additional duties that were being added to the Sustainability Coordinators contract. City Council reviewed a draft of the revised contract. The contract was not in final form, and may need to be revised based on discussions.

The Mayor then asked if anyone present in the audience wished to make comments. There were no comments. The public meeting was then closed.

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

MOTION TO ADOPT THE 2021 GENERAL FUND BUDGET AS PROPOSED.

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

Following review and discussion on the above information, Member Hutchinson introduced the following resolution and moved its passage and adoption:

RESOLUTION 11-20-38

**RESOLUTION MAKING FINAL GENERAL LEVIES FOR
COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE
CALENDAR YEAR 2021**

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 2021 as part of the general taxes due and payable in the year 2021 a direct ad valorem tax in the amount of \$1,912,336.00 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 \$170,873.00 to be collected in the year 2021, 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 2021, in conjunction with the various bonds issued and sinking funds described below:

| FUND # | YEAR | DESCRIPTION | TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2021 |
|--------|-------|---|---|
| 322 | 2015A | G.O. Refunding Bonds – Apple Blossom Acres | \$114,800.00 |
| 324 | 2011A | G.O. Improvement Bonds – Crescent Valley | \$45,000.00 |
| 325 | 2016A | G.O. Refunding Rec. Fac. Bonds – Aquatic Center | \$195,600.00 |
| 326 | 2013A | G.O. Equipment Certificates | \$90,600.00 |
| 327 | 2016A | G.O. Improvement Bonds – Oak St. Recon. | \$119,150.00 |
| 328 | 2017A | G.O. Equipment Certificates | \$119,900.00 |
| 329 | 2018A | G.O. Improvement Bonds – Streets/Veterans Park | \$150,200.00 |
| 330 | 2019A | G.O. Equipment Certificates – Fire Truck | \$50,600.00 |
| 331 | 2019B | G.O. Improvement Bonds – Street Recon. | \$32,270.00 |
| 332 | 2020A | G.O. Improvement Bonds – HTM | \$164,100.00 |
| 332 | 2020A | G.O. Bonds – Tax Abatement - Ice Arena | \$4,300.00 |
| | | | |
| | | TOTAL DEBT SERVICE LEVY | \$1,086,520.00 |

4. Total levy for the City of La Crescent for collection in 2021 is \$3,169,729.00.

ADOPTED this 30th day of November, 2020.

SIGNED:

Mayor

ATTEST:

City Administrator

The motion for the adoption of the foregoing resolution was duly seconded by Member O'Donnell-Ebner and upon a roll call vote taken and tallied by the City Administrator, all 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 resolution duly passed and adopted.

The Public Meeting ended, and City Council resumed the agenda.

ITEM 5 – MODIFICATION OF RESOLUTION ESTABLISHING SANITARY SEWER AND WATER SERVICE CONNECTION CHARGES FOR 2020 HICKORY LANE/2020 UTILITY EXTENSION IMPROVEMENT PROJECT

City Administrator Waller reviewed with City Council a map that shows three properties located along County Highway #6, in close proximity to the Horse Track Meadows/Hickory Lane improvement project. City Council also reviewed the Resolutions that were adopted in September 2020 regarding connection charges for properties in the area of the improvement project. The property at 1727 is in the City and is in need of City services. The properties at 1703 and 1755 are in the Township. In order to provide City services to 1727, it is necessary for one or both of the property owners at 1755 or 1703 to provide an easement to the City. The property owner at 1703 has already provided the City an easement. Due to the location of an existing structure, the width of the easement is limited and will only allow for service to be provided to the properties at 1727 and 1703. The property owner at 1703 has indicated that they will annex to the City and connect to City services. The property owner at 1755 has been in discussion with the City on providing an easement and has indicated that they will sign the easement. This alignment will allow for City services to be provided to each of the three properties. Currently, the easement has not been signed.

The property owner at 1755 has indicated that they will not annex to the City and that they will not be connecting to City services. It was recommended to City Council to adopt new resolutions, and shift the property at 1703 so that their sanitary sewer connection fee will be reduced from \$19,149.23 to \$18,394.23 and recommended the same for the property at 1755, if they sign the easement.

Following discussion, Member Williams introduced the following amended resolution and moved its passage and adoption:

**AMENDED
RESOLUTION NO. 09-20-31**

**A RESOLUTION ESTABLISHING SANITARY SEWER AND
WATER SERVICE CONNECTION CHARGES FOR 2020 UTILITY EXTENSION
IMPROVEMENT PROJECT**

WHEREAS, on or about March 14, 2011, the City of La Crescent (City) adopted Ordinance No. 469 establishing authority for connection charges within the City;

WHEREAS, subdivision (C) of the Findings of said Ordinance provides that the City Council may establish by Resolution one or more connection charges to apply equitably to developments, circumstances, and areas of the City;

WHEREAS, there are areas of the City that are not yet connected to City water and sanitary sewer;

WHEREAS, a connection charge will apply to the following property owners along County Road 6, which includes 1689, 1675, and 1651 County 6, and also a future lot on Hickory Lane (hereinafter referenced as “property owners along County Road 6”) that have been annexed to the City but were not part of the original 429 proceedings;

WHEREAS, the City finds that for the 2020 Utility Extension Improvement Project, the connection fee for sanitary sewer shall be \$19,149.23, and the connection fee for water service shall be \$9,582.12; and

WHEREAS, the interest rate for property owners along County Road 6 seeking to pay the connection charges through installments will be charged interest at 3.75% annually.

NOW, THEREFORE, BE IT RESOLVED that beginning October 1, 2020, for property owners along County Road 6, the connection fee for sanitary sewer shall be \$19,149.23, and the connection fee for water service shall be \$9,582.12, at a rate of 3.75% annually to pay by installments.

Adopted this 30th day of November, 2020.

SIGNED:

Mayor

ATTEST:

City Administrator

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

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

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

Following discussion, Member Williams introduced the following amended resolution and moved its passage and adoption:

**AMENDED
RESOLUTION NO. 09-20-32**

**A RESOLUTION ESTABLISHING SANITARY SEWER AND
WATER SERVICE CONNECTION CHARGES FOR 2020 HICKORY LANE IMPROVEMENT
PROJECT**

WHEREAS, on or about March 14, 2011, the City of La Crescent (City) adopted Ordinance No. 469 establishing authority for connection charges within the City;

WHEREAS, subdivision (C) of the Findings of said Ordinance provides that the City Council may establish by Resolution one or more connection charges to apply equitably to developments, circumstances, and areas of the City;

WHEREAS, there are areas of the City that are not yet connected to City water and sanitary sewer;

WHEREAS, a connection charge will apply to the following property owners along Hickory Lane, which includes 580, 574, 568, 562, 556, 550 Hickory Lane and 1703, 1727, 1755 County 6 (hereinafter referenced as "property owners along Hickory Lane") that have been either annexed to the City or have provided easements but were not part of the original 429 proceedings;

WHEREAS, the City finds that for the 2020 Hickory Lane Improvement Project, the connection fee for sanitary sewer shall be \$18,394.23, and the connection fee for water service shall be \$9,582.12; and

WHEREAS, the interest rate for property owners along Hickory Lane seeking to pay the connection charges through installments will be charged interest at 3.75% annually.

WHEREAS, the above interest rate will not be charged to the owners at 1703 and 1755 County 6 until January 1, 2024.

NOW, THEREFORE, BE IT RESOLVED that beginning October 1, 2020, for property owners along Hickory Lane, the connection fee for sanitary sewer shall be \$18,394.23, and the connection fee for water service shall be \$9,582.12, at a rate of 3.75% annually to pay by installments.

Adopted this 30th day of November, 2020.

SIGNED:

Mayor

ATTEST:

City Administrator

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

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

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

Member Williams made a motion, seconded by Member Jostad, to adjourn the meeting.

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

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

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

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator