

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
DECEMBER 20, 2021

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of December was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, December 20, 2021.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Cheryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: Member Ryan Hutchnson. Also present was City Administrator Bill Waller, City Attorney Skip Wieser, City Engineer Tim Hruska, City Sustainability Coordinator Jason Ludwigson, 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 – DECEMBER 13, 2021
- 1.2 BILLS PAYABLE THROUGH DECEMBER 16, 2021
- 1.3 CASH BALANCE/ACTIVITY REPORT – NOVEMBER 2021
- 1.4 LIBRARY REPORT – NOVEMBER 2021

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;

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 by a 4-0 vote.

ITEM 2.0 – STORMWATER ANNUAL MEETING

City Engineer Hruska reviewed with City Council the Stormwater Pollution Prevention Program (SWPPP) report and the new MS4 Stormwater Permit. He was in attendance at the meeting to conduct the City's

annual stormwater meeting. This is one of the requirements of the City's stormwater permit, and the annual report that is submitted to the MPCA. The public meeting satisfies one of the requirements of the public participation/involvement sections of the stormwater permit. City Sustainability Coordinator Jason Ludwigson reviewed a public education, outreach and public improvement program for 2022 and City Council reviewed the proposed implementation plan. City Council also reviewed a copy of the City's current stormwater permit. Discussion and questions from City Council followed. Included in the discussion was Houston County's continued use of sand on County roads within the City limits. Mayor Poellinger opened the meeting for public comment and questions. There was no public input. The public comment portion was then closed. This item was informational, and no action was taken.

ITEM 3.1 – REVIEW ESTABLISHMENT OF STORMWATER UTILITY

City Engineer Hruska reviewed with City Council the establishment of a stormwater utility. This topic has been discussed periodically over the years. In 1997, the City Council went through the process to establish a stormwater utility, but in the end did not adopt the ordinance necessary to establish the utility. In 2021, the City completed 3 stormwater projects. These included the restoration of the Beacon Valley Road ditch, the storm sewer upgrades at the Wildwood development, and improvements to the drainage ditch by the High School. In addition, the City has discussed future stormwater projects. These include additional improvements to the drainage ditch by the High school, maintenance to the storm sewer between Park Street and Elm Street, and the continued expansion of the Redwood Drive storm sewer system to reduce localized flooding events that occur periodically throughout the community. City Council reviewed an informational document prepared by the City of Hermantown, Minnesota, regarding the establishment of a stormwater utility. Discussion ensued by City Council. It was recommended to move forward with consideration of a stormwater utility and to have the City Engineer work with the City Attorney to prepare a more detailed report for review and discussion at a City Council meeting in the summer of 2022. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE MOVING FORWARD WITH CONSIDERATION OF A STORMWATER UTILITY AND TO HAVE THE CITY ENGINEER WORK WITH THE CITY ATTORNEY TO PREPARE A MORE DETAILED REPORT FOR REVIEW AND DISCUSSION AT A CITY COUNCIL MEETING IN THE SUMMER OF 2022.

Upon a roll call vote taken and tallied by the City Administrator, 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 by a 4-0 vote.

ITEM 3.2 – ENGINEERING AGREEMENT – DNR GRANT

City Engineer Hruska reviewed with City Council that the City has received a \$128,105.83 State Park Road Account grant from the Minnesota Department of Natural Resources that will pay for 100% of the

construction cost to reconstruct the Sportsman Landing Road. This project will improve the separation between the road and the Wagon Wheel Trail and will also allow the City to plan for the connection of the trail to the West Channel Bridge. It was recommended to City Council to expand the scope of the engineering agreement to include the Monte Carlo Road. The Monte Carlo Road is in need of repair, and this may be an opportune time for the work to be completed. The 2022 budget does not presently include funds for the Monte Carlo Road portion of the project. City Council reviewed an engineering agreement for the project. The engineering costs are not grant eligible for reimbursement. There are funds in the 2022 general fund budget for this expenditure. In order to proceed with the project, it was recommended that City Council accept the engineering agreement with WHKS. Following discussion, Member Williams made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION TO ACCEPT THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND WHKS & CO. FOR THE SPORTSMAN'S LANDING ACCESS ROAD PROJECT TO INCLUDE THE MONTE CARLO ROAD AND TO USE FUNDS IN THE 2022 GENERAL FUND BUDGET FOR THIS EXPENDITURE.

Upon a roll call vote taken and tallied by the City Administrator, 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 by a 4-0 vote.

ITEM 3.3 – WAGON WHEEL PROJECT CHANGE ORDER

City Engineer Hruska reviewed with City Council a memo regarding a change order to the Wagon Wheel Phase 3, Bridge project. After the project was bid, the contractor was asked if any value engineering could be made to provide some cost saving to the job. The memo included modifications that have been recommended relating to the lights and electrical system. WHKS has reviewed the proposed changes and concluded that these modifications will not negatively impact the project from an engineering point of view. It was recommended to City Council to review and approve the proposed alterations as submitted by ICON Constructors, LLC. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE PROPOSED CHANGE ORDER TO WAGON WHEEL PHASE 3, BRIDGE PROJECT AS SUBMITTED BY ICON CONSTRUCTORS, LLC RELATING TO THE LIGHTS AND ELECTRICAL SYSTEM.

Upon a roll call vote taken and tallied by the City Administrator, 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 by a 4-0 vote.

ITEM 3.4 – 2022 LICENSE RENEWALS

City Council reviewed a list of additional 2022 license renewal applications that were received following the last City Council meeting. The applications appear to be in order, and it was recommended to City Council to approve the license renewal applications. It was noted that La Crescent Wine & Spirit has provided the required insurance certificate. Following discussion, Member Jostad made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION TO APPROVE THE PRESENTED LIST OF LICENSE RENEWALS FOR 2022 FOR THE FOLLOWING:

**LIQUOR OFF-SALE – APPLE VILLAGE LIQUOR; LA CRESCENT WINE & SPIRIT
SOLID WASTE – HILLTOPPER REFUSE & RECYCLING; WASTE MANAGEMENT**

Upon a roll call vote taken and tallied by the City Administrator, 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 by a 4-0 vote.

ITEM 3.5 – COMMUNITY DEVELOPMENT PROPOSAL

City Administrator Waller reviewed with City Council that the City received the two proposals to provide community/economic development services to the City of La Crescent. The first was from Larry Kirch - \$40.00 per hour; and the second from CEDA - \$89.00 per hour. It was recommended to accept the proposal submitted by Larry Kirch. Mr. Kirch was employed as the La Crosse Director of Planning and Development from 1993 - 2014, and is currently employed as the Development Services Director in Apache Junction, Arizona. Mr. Kirch would be able to work remotely in early 2022, and would be available in person beginning March of 2022. City Council reviewed a contract for professional services with Mr. Kirch. The contract has been expanded to include serving as staff to the Planning Commission. Given Mr. Kirch's extensive background and experience in this field, it would be extremely helpful and beneficial to the City to add this to the contract. Following discussion it was recommended to City Council to also approve the contract with the following additional changes: Larry Kirch be changed to Prologue Planning Group; and include that Mr. Kirch works with and attends and presents at the Development Commission

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

MOTION TO APPROVE THE PROPOSAL SUBMITTED BY LARRY KIRCH TO PROVIDE COMMUNITY/ECONOMIC DEVELOPMENT SERVICES TO THE CITY OF LA CRESCENT INCLUDING THE ADDITIONAL CHANGES OF LARRY KIRCH BE CHANGED TO PROLOGUE PLANNING GROUP; AND INCLUDE THAT MR. KIRCH WORKS WITH AND ATTENDS AND PRESENTS AT THE DEVELOPMENT COMMISSION MEETINGS.

Upon a roll call vote taken and tallied by the City Administrator, 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 by a 4-0 vote.

ITEM 3.6 – 2022 PROFESSIONAL SERVICES AGREEMENTS

City Administrator Waller reviewed with City Council the 2022 professional service agreements/contracts with City Council regarding WHKS & Co. for engineering, Wieser Law Office for legal, and Jason Ludwigson for Sustainability Coordinator for the City of La Crescent. It was recommended to City Council to approve the 2022 fee schedules for WHKS & Co. and Wieser Law Office. It was also recommended to City Council to approve an increase in the fee charged by Jason Ludwigson for 2022 from \$28.00 per hour to \$32.00 per hour, and that the hours of the contract be expanded from 25 to 28 hours per week. City Council reviewed a revised agreement with the additional duties highlighted for the Sustainability Coordinator. Following discussion, the following Motions were made:

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

MOTION TO APPROVE THE 2022 FEE SCHEDULE WITH WHKS & CO. AS PRESENTED FOR ENGINEERING SERVICES.

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 by a 4-0 vote.

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

MOTION TO APPROVE THE 2022 FEE SCHEDULE WITH WIESER LAW OFFICE, P.C. AS PRESENTED FOR LEGAL SERVICES.

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 by a 4-0 vote.

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

MOTION TO APPROVE A CONTRACT WITH JASON LUDWIGSON FOR SUSTAINABILITY COORDINATOR WHICH INCLUDES AN INCREASE IN THE HOURLY FEE TO \$32.00 PER HOUR, EXPANDS TO 28 HOURS PER WEEK AND INCLUDES ADDITIONAL DUTIES.

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 by a 4-0 vote.

ITEM 3.7 – PERSONNEL COMMITTEE RECOMMENDATIONS

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

1. That the City Council hire Nick Skree as a Police Officer for the City of La Crescent. This will fill the vacancy created by Justin Thorson's resignation. Pursuant to the terms and conditions of the LELS contract, Mr. Skree will serve a 12-month probationary period. For City Council information, Mr. Skree has worked as a part-time Police Officer for the City of La Crescent since August of 2021
2. Given the delay in filling the position of Bookkeeper, the following items will be delayed until January of 2022:
 - a. Establishment of a post-retirement healthcare savings plan for full-time City employees that are not represented by a bargaining unit.
 - b. A review of job descriptions for the Administrative Assistant and Office Assistant positions.
 - c. A phased retirement option for Debbie Shimshak.
 - d. A memorandum of understanding with the AFSCME Union regarding Kara Tarrence assuming certain responsibilities in the interim as the City's Finance Director.

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

MOTION TO ACCEPT THE HIRING OF NICK SKREE AS A POLICE OFFICER FOR THE CITY OF LA CRESCENT AND PURSUANT TO THE TERMS AND CONDITIONS OF THE LELS CONTRACT, MR. SKREE WILL SERVE A 12-MONTH PROBATIONARY PERIOD.

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 by a 4-0 vote.

City Council reviewed the update on hiring of bookkeeper and items delayed until January, 2022. This item was informational, and no action was taken.

ITEM 3.8 - HAZARDOUS BUILDING ASSESSMENT

City Attorney Wieser reviewed with City Council the executed Order for Judgment and Judgment regarding the property at 226 3rd Street N. It was recommended to City Council to authorize that the Judgment amount be sent to the County Assessor to be included as an assessment on the 2022 taxes. Following discussion, Member Jostad made a motion, seconded by Member Williams, as follows:

MOTION TO AUTHORIZE THAT THE JUDGMENT AMOUNT ON THE PROPERTY AT 226 3RD STREET N PROPERTY BE SENT TO THE COUNTY ASSESSOR TO BE INCLUDED AS AN ASSESSMENT ON THE 2022 TAXES.

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 by a 4-0 vote.

ITEM 3.9 – COVID-19 REPORT

City Administrator Waller informed City Council that the Covid-19 Review that Ryan Stotts is completing will be presented at the January 24, 2022 City Council Meeting. This item was informational, and no action was taken.

ITEM 3.10 – LA CRESCENT LIONS CLUB FROZEN APPLE HIKE

Member O’Donnell-Ebner stepped away as Council Member to address City Council regarding the La Crescent Lions Club Frozen Apple Hike. The Lions Club would like to host a new winter community event featuring one of La Crescent’s nature trails to create a free candlelight hike suitable for all ages. They would request the following assistance from the City:

1. Reserve Vet’s Park and the Eagle Bluff Access Trail for Saturday, February 12, 2022;
2. Placement of a couple barricades at the entrance to the upper parking lot;
3. Permission to run a UTV on the trail to assist with event setup, including placement of luminaria, firepit, and beverage station on the trail; and
4. Possible assistance with other miscellaneous items, such as barrels for garbage.

City Council reviewed a description and background for the hike. It was recommended to City Council to approve the hike. Following discussion, Member Williams made a motion, seconded by Member Jostad, as follows:

MOTION TO APPROVE THE LA CRESCENT LIONS CLUB FROZEN APPLE HIKE ON FEBRUARY 12, 2022 ON THE EAGLE BLUFF ACCESS TRAIL, ALONG WITH THE REQUESTED ASSISTANCE STATED ABOVE.

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

Cherryl Jostad	Yes
Dale Williams	Yes
Mike Poellinger	Yes

Member Teresa O’Donnell-Ebner abstained from voting, and none voted against the same. The motion was declared duly carried by a 3-0 vote.

ITEM 3.11 – DONATION RESOLUTION

City Council reviewed a Donation Resolution for Wieser Memorial Park. Following discussion, Member Jostad introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 12-21-44

RESOLUTION ACCEPTING DONATION MADE TO THE CITY OF LA CRESCENT FOR WIESER MEMORIAL PARK

WHEREAS, the City of La Crescent (“La Crescent”) is required by Minn. Stat. § 465.03 to accept donations by Resolution;

WHEREAS, an anonymous donor would like to donate \$30,964.00 to Wieser Memorial Park to be used for the specific purpose of improvements to the park shelter and bathroom facilities.

WHEREAS, La Crescent agrees to accept the donation 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 donation stated above for Wieser Memorial Park subject to the conditions identified above.

ADOPTED this 20th day of December, 2021.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion 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;

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 by a 4-0 vote and the resolution duly passed and adopted.

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber of Commerce updated City Council on Chamber events and thanked the La Crescent Fire Department for the escort of Santa and Mrs. Claus at the Christmas in La Crescent event.

Houston County Commissioner, Dewey Severson, gave an update to City Council on the No Wake Zone for the West Channel of the Mississippi River that will be in place for the spring boating season.

There being no further business to come before the Council at this time, Member Williams made a motion, seconded by Member O’Donnell-Ebner, 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 by a 4-0 vote and the meeting duly adjourned at 6:13 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator