

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
MARCH 13, 2023

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of March was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, March 13th, 2023.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Ryan Hutchinson, Cheryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: none. Also present were City Attorney Skip Wieser, City Administrator Bill Waller, City Sustainability Coordinator Jason Ludwigson, and Deputy City Clerk 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 – FEBRUARY 27, 2023
- 1.2 BILLS PAYABLE THROUGH – MARCH 10, 2023
- 1.3
- 1.4

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 Hutchinson, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

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

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

ITEM 3.1 – DRAFT ATV/UTV/GOLF CART ORDINANCE

City resident, Greg Husmann spoke to City Council against the ordinance with concerns that it does not fit into the City’s Comprehensive Plan, which promotes biking, hiking, and walking.

Attorney Wieser reviewed with City Council the draft ATV/UTV/Golf Cart Ordinance. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO NOT APPROVE THE ATV/UTV/GOLF CART ORDINANCE AS IT STANDS WITH FURTHER CONSIDERATION BEING GIVEN AFTER THE WALNUT STREET PROJECT IS COMPLETE.

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
Mike Poellinger	Yes

Member Hutchinson voted against the same and Member Williams abstained. The motion was declared duly carried by a 3-1-1 vote.

ITEM 3.2 – DRAFT SHORT-TERM RENTAL ORDINANCE

City residents Mark and Vonnie Levenick were in attendance and spoke in favor of the Short-Term Rental Ordinance.

City resident David Loberg was in attendance and spoke against the Short-Term Rental Ordinance as written.

Attorney Wieser reviewed with City Council the draft Short-Term Rental Ordinance. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO HAVE ATTORNEY WIESER REVISE THE ORDINANCE BASED ON INPUT RECEIVED AND BRING BACK TO THE APRIL 24TH COUNCIL 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
Ryan Hutchinson	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 3.3 – DRAFT FOOD TRUCK ORDINANCE

Attorney Wieser reviewed with City Council a draft Food Truck Ordinance. Following discussion, Member Hutchinson made a motion, seconded by Member Jostad as follows:

MOTION TO NOT APPROVE THE FOOD TRUCK ORDINANCE AND TO REFER BACK TO STAFF IN CASE OF FUTURE NEED.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 3.4 – SOLAR REQUEST FOR PROPOSALS

City Sustainability Coordinator Ludwigson reviewed with City Council the amended Solar Request For Proposal (RFP) agreement for the Ice Arena and Aquatic center which includes the language that requires any proposal to include options for utilizing the direct pay provision for the federal solar tax credit. It was also requested to include the Pine Creek Golf Course and the Wieser Park Pavilion in the amended RFP. It was recommended that Council authorize the release of the amended solar RFP with a submission due date of May 12th, 2023. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO AUTHORIZE THE RELEASE OF THE AMENDED SOLAR REQUEST FOR PROPOSAL INCLUDING THE ADDITION OF PINE CREEK GOLF COURSE AND WIESER PARK PAVILION WITH A SUBMISSION DUE DATE OF MAY 12TH, 2023.

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

Member Hutchinson abstained. The motion was declared duly carried by a 4-1 vote.

ITEM 3.5 – AUTHORIZE USE OF CARBON REDUCTION FUNDS

City Sustainability Coordinator Ludwigson reviewed with City Council the Carbon Reduction Funds that will be awarded to La Crescent in the amount of \$12,000 through the La Crosse Municipal Planning Organization in 2023. The CRP funds require a twenty percent match of \$2,400. The funds will be provided to the city for four years. It was recommended that City Council approve those funds to lease an electric police cruiser with D&M Leasing. The Master Lease Agreement would provide the city the option to purchase the vehicle for \$1.00 at the end of the four to five-year lease term. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE THE USE OF THE \$12,000 IN CARBON REDUCTION FUNDS ALONG WITH A TWENTY PERCENT MATCH OF \$2,400 DOLLARS TO LEASE AN ELECTRIC POLICE CRUISER WITH D&M LEASING WITH THE OPTION TO PURCHASE THE VEHICLE FOR \$1.00 AT THE END OF THE FOUR TO FIVE-YEAR LEASE TERM.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 – HORSE TRACK MEADOWS NORTH PRELIMINARY PLAT & REZONING RECOMMENDATION

City Sustainability Coordinator Ludwigson reviewed with City Council for approval the Horse Track Meadows North Preliminary Plat and Rezoning. At the November 1st, 2022 Planning Commission meeting, members approved a motion to rezone the property at 1786 County Highway 6 from agricultural to R-2 as well as a motion to approve the preliminary plat with the following conditions.

1. The preliminary plat is not proposing to construct any public improvements. The subdivision fronts an existing local road and is served by existing utilities constructed as part of Horse Track Meadows.
2. Sanitary sewer and water main connection fees are not applicable. The sanitary sewer and water main connection fees for the subdivision were included with the Horse Track Meadows project.
3. Stormwater runoff from the subdivision will be conveyed to the existing stormwater management facility on Outlot 1 of Horse Track Meadows and Outlot 1 of Horse Track Meadows North. The existing stormwater management facility was designed to manage runoff from this subdivision.
4. The applicant must secure all necessary permits before construction begins including an NPDES stormwater permit if required. The owner, or their representative, will be responsible for permit compliance.

5. Provide buildable lot acreages.
6. The parcel is unplatted and should be noted as such on the preliminary plat.
7. A grading plan should be submitted with the final plat. The grading plan should show proposed building locations, styles, floor elevations, and erosion and sedimentation controls.

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

MOTION TO APPROVE THE HORSE TRACK MEADOWS NORTH PRELIMINARY PLAT FOR THE PROPERTY AT 1786 COUNTY HIGHWAY 6 WITH THE STATED CONDITIONS.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 O'Donnell-Ebner as follows:

MOTION TO APPROVE REZONING THE HORSE TRACK MEADOWS NORTH PROPERTY AT 1786 COUNTY HIGHWAY 6 FROM AGRICULTURAL TO R-2.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 – SAFE ROUTES TO SCHOOL PROJECT – GRANT AWARD

City Sustainability Coordinator Ludwigson reviewed with City Council a letter from the Minnesota Department of Transportation awarding the city a grant in the amount of \$223,280 as part of the 2027 Transportation Alternatives (TA) Program Solicitation for the La Crescent Safe Routes to School implementation. This was informational only, no action required.

ITEM 3.8 – AUTHORIZE CAPITAL EXPENDITURE – WATER METERS

City Council reviewed for authorization a Capital Expenditure request of American Rescue Funds for the purchase of water meters. The City has a total of 2,981 water meters. Of these meters, 2,229 have already been replaced with a radio read feature. Maintenance staff currently spends approximately 34 hours per quarter reading water meters. The conversion to an all-radio read system will reduce that time to just a couple of hours per month. The City has received \$557,804 in American Rescue Funds and is requesting that approximately \$263,200 of those funds go towards the replacement of the remaining 752 water meters with the following findings:

- Given current budget restrictions, it would take approximately nine (9) years to complete the water replacement program.
- The use of the American Rescue Funds for the water replacement program will reduce that time frame to 18 months, without an increase to water rates which would otherwise be required to complete this project.
- It will take City staff 12-18 months to complete the water meter replacement program.

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

MOTION TO AUTHORIZE APPROXIMATELY \$263,200 OF THE CITY’S \$557,804 IN AMERICAN RESCUE FUNDS TO REPLACE THE REMAINING 752 WATER METERS IN THE CITY WITH A RADIO READ FEATURE BASED ON THE STATED FINDINGS.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 3.9 – AUTHORIZE PREPARATION OF LAND EXCHANGE AGREEMENT

City Administrator Waller reviewed with City Council a proposal of trading the City Hall property at 315 Main Street for the property at 328 First Street South at a date, not yet determined, in the future. It was recommended that City Council authorize the City Attorney to prepare a draft of an executory contract for an exchange at the City’s discretion. The draft of the contract will be brought back to the City Council for review prior to it being distributed to the property owner. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Hutchinson as follows:

MOTION TO AUTHORIZE CITY ATTORNEY WIESER TO DRAFT AN EXECUTORY CONTRACT FOR THE EXCHANGE OF THE CITY HALL PROPERTY AT 315 MAIN STREET

FOR THE PROPERTY AT 328 FIRST STREET SOUTH AT THE CITY’S DISCRETION AND TO BRING THE DRAFT BACK TO THE CITY COUNCIL FOR REVIEW PRIOR TO IT BEING DISTRIBUTED TO THE PROPERTY OWNER OF 328 FIRST STREET SOUTH.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 – AUTHORIZE CITY HALL/LIBRARY PLANNING PROCESS

City Council reviewed the planning information that has been done to date regarding a new City Hall. Due to the health pandemic, the planning process was halted. It is now recommended that City Council authorize re-starting the planning process. The following was suggested as part of the process:

- Authorize City staff to work with Dave Holstrom to review and update the evaluation that has been done to date on City Hall and the Police Department.
- Evaluate the space needs of the library and include the Library Director in the planning process.
- Approve the continued participation of Mayor Poellinger and City Council member O’Donnell-Ebner who were originally designated as the City Council representatives to the planning and study process.

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

MOTION TO AUTHORIZE RE-STARTING THE PLANNING PROCESS FOR A NEW CITY HALL AND LIBRARY WITH THE STATED SUGGESTIONS AS PART OF THE PROCESS.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 – HEALTHY COMMUNITY PARTNERSHIP LEASE

City Council reviewed for approval the 2023 Healthy Community Partnership Lease agreement for 333 Main Street. It was recommended to add a provision to the addendum that the City will retain the right to make use of the green space south of the property with notice, for a potential summer concert series. Following discussion, Member Jostad made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE THE 2023 HEALTHY COMMUNITY PARTNERSHIP LEASE AGREEMENT FOR 333 MAIN STREET WITH THE ADDED PROVISION TO THE ADDENDUM ALLOWING THE CITY TO RETAIN THE RIGHT TO MAKE USE OF THE GREEN SPACE SOUTH OF THE PROPERTY WHEN THE CITY HAS ACTIVITIES TAKING PLACE ON THE ADJACENT LOT.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 – DONATION REQUEST

City Council reviewed a letter from Police Chief Luke Ahlschlager requesting approval for a City donation in the form of “Ride to School” with an officer for the La Crescent Montessori & STEM School’s 21st Annual Chili & Chocolate Dinner and Silent Auction fundraiser to be held on Thursday, March 23, 2023. Following discussion, Member Hutchinson made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE A CITY DONATION IN THE FORM OF “RIDE TO SCHOOL” WITH AN OFFICER FOR THE LA CRESCENT MONTESSORI & STEM SCHOOL’S 21ST ANNUAL CHILI & CHOCOLATE DINNER AND SILENT AUCTION FUNDRAISER TO BE HELD ON THURSDAY, MARCH 23, 2023.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 3.13 – LOCAL STUDY MATCHING REQUIREMENT

City Administrator Waller reviewed with City Council that at the February 27th, 2023 City Council meeting the City Council accepted a proposal from MSA in the amount of \$27,000 to complete the Walnut Street Corridor Plan. The City has received funding through the La Crosse Area Planning Committees Local Studies Program that will pay eighty percent of the planning project cost. It was recommended that City Council amend the 2023 general fund budget to reflect the local match for the project in the amount of \$5,400. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO AMEND THE 2023 GENERAL FUND BUDGET TO REFLECT THE LOCAL MATCH OF \$5,400 FOR THE WALNUT STREET CORRIDOR PLAN.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 3.14 – PERSONNEL COMMITTEE RECOMMENDATION

City Council reviewed a recommendation from the Personnel Committee to approve promoting Police Officer Roth Clark to the Corporal position in the La Crescent Police Department. A letter from Police Chief Ahlschlager regarding the recommendation was included. In accordance with LELS Local #120 Contract, Article 5, Officer Clark would serve a twelve-month probationary period. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE PROMOTION OF POLICE OFFICER ROTH CLARK TO THE CORPORAL POSITION IN THE LA CRESCENT POLICE DEPARTMENT AND IN ACCORDANCE WITH THE LELS LOCAL #120 CONTRACT OFFICER CLARK WILL SERVE A TWELVE-MONTH PROBATIONARY PERIOD.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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 3.15 – AUTHORIZE CAPITAL EXPENDITURE – COMPUTER EQUIPMENT

City Council reviewed a recommendation from Police Chief Ahlschlager to modify the 2022 Capital Equipment Certificate for the total of \$2,909.79 to allow authorization to purchase the following equipment for the continued transition from Locknet IT services to Morris Electronics:

- Cisco Firewall x 3 \$2,438.37
- Cisco Smart Net Total Care \$368.67
- Cisco AnyConnect Pus \$102.75

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

MOTION TO MODIFY THE 2022 CAPITAL EQUIPMENT CERTIFICATE FOR THE TOTAL OF \$2,909.79 TO ALLOW AUTHORIZATION TO PURCHASE THE STATED EQUIPMENT FOR THE CONTINUED TRANSITION FROM LOCKNET IT SERVICES TO MORRIS ELECTRONICS.

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

Cherryl Jostad	Yes
Ryan Hutchinson	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

- 6.1 – City Council reviewed the Natural Resource Advisory Group’s 2-16-2023 meeting minutes.
- 6.2 – City Council reviewed for distribution the League of American Bicyclists public survey as part of the Cities application for the Bike Friendly Cities Designation.

7. CORRESPONDENCE

City Council reviewed a letter from the La Cross Area Habitat for Humanity thanking the City for participating in the ReClaim Salvage Program. The items removed from 332 South 1st Street will raise

approximately \$7,775.00 for Habitat for Humanity La Crosse Area and has diverted approximately 12,000 pounds from the landfill.

8. HOUSTON COUNTY

City Council reviewed a Notice of Public Hearing from Houston County to enact a “No Wake Ordinance” for a one-hundred (100) foot no wake zone on West Channel from the West Channel Bridge north to the main channel entrance. The Public Hearing will be held at the La Crescent Community Building, 336 1st St. South at 5:00 p.m. on Wednesday, March 29, 2023.

9. CHAMBER OF COMMERCE

Chamber of Commerce President, Sarah DeLacey was in attendance and gave City Council an update.

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

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

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:38 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator