

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
MARCH 25, 2019

Pursuant to due call and notice thereof, the second 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 25, 2019, followed by the Pledge of Allegiance.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Cheryl Jostad, Brian Krenz, Teresa O'Donnell-Ebner, and Mayor Mike Poellinger. Members absent: Dale Williams - Excused. Also present was City Administrator Bill Waller, City Attorney Skip Wieser and Tammy Omdal from Northland Securities.

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 – MARCH 11, 2019
- 1.2 BILLS PAYABLE – MARCH 21, 2019

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. Following review, Member Krenz made a motion, seconded by Member O'Donnell-Ebner, 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 present voted in favor thereof, viz;

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.1 – RESOLUTION TO AMEND DEVELOPMENT AGREEMENT

Tammy Omdal from Northland Securities reviewed with City Council a proposed First Amendment to Development Agreement with the La Crescent Hotel Group, and a resolution authorizing execution of the amendment. The City's bond attorney, Mary Ippel, from Briggs & Morgan law firm, drafted the amendment. In order to proceed, it was recommended to City Council to adopt the resolution authorizing execution of the First Amendment to Development Agreement. The amendment is necessary to allow for the City to issue the proposed General Obligation Bonds, Series 2019A, as tax exempt bonds. A portion of the proposed 2019A Bonds will include proceeds to finance certain tax increment project costs as provided for in the executed

agreement with the La Crescent Hotel Group. The project costs to be financed are not changed by the proposed amendment. Following discussion, Member O'Donnell-Ebner introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 03-19-05

**A RESOLUTION AUTHORIZING EXECUTION OF A FIRST
AMENDMENT TO DEVELOPMENT AGREEMENT**

A. WHEREAS, the City of La Crescent, Minnesota (the "City") and La Crescent Hotel Group LLC, a Minnesota limited liability company (the "Developer") entered into a Development Agreement, dated as of December 1, 2017 (the "Development Agreement") in connection with the acquisition, construction and equipping of an approximately 53-unit hotel, classified as a upper midscale property with amenities including an indoor pool and fitness center, among other amenities, on the Development Property located in the City (the "Project"); and

B. WHEREAS, the City and the Developer wish to amend the Development Agreement as provided in the First Amendment to Development Agreement.

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

1. The City Council hereby approves the First Amendment to Development Agreement in substantially the form submitted, and the Mayor and City Administrator are hereby authorized and directed to execute the First Amendment to Development Agreement on behalf of the City.

2. The approval hereby given to the First Amendment to Development Agreement includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City officials authorized by this resolution to execute the First Amendment to Development Agreement. The execution of the First Amendment to Development Agreement by the appropriate officer or officers of the City shall be conclusive evidence of the approval of the First Amendment to Development Agreement in accordance with the terms hereof.

ADOPTED this 25th day of March, 2019.

SIGNED:

Mayor

ATTEST:

Bill Waller, City Administrator

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	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 3.2 – TRIGGER RESOLUTION – 2019 BOND ISSUE

Tammy Omdal from Northland Securities reviewed with City Council the finance plan for the proposed 2019 bond issue, and a resolution approving the issuance of general obligation bonds. In order to proceed, it was recommended to City Council to adopt the resolution approving the issuance of general obligation bonds. Following discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 03-19-06

**RESOLUTION APPROVING THE ISSUANCE OF
GENERAL OBLIGATION BONDS, SERIES 2019A**

BE IT RESOLVED by the City Council of the City of La Crescent, Minnesota (herein, the “City”), as follows:

1. The City Council hereby finds and declares that it is necessary and expedient for the City to sell and issue its fully registered general obligation bonds in the total aggregate principal amount not to exceed \$800,000 (herein, the “Bonds”). The proceeds of the Bonds will be used to finance payment to a developer for land acquisition, purchase of a fire truck and other equipment, and the costs of issuing the Bonds.
2. The City Council desires to proceed with the sale of the Bonds by direct negotiation with Northland Securities, Inc. (herein, “NSI”). NSI will purchase the Bonds in an arm’s-length commercial transaction with the City.
3. The Mayor and City Administrator are hereby authorized to approve the sale of the Bonds in an aggregate principal amount not to exceed \$800,000 and to execute a bond purchase agreement for the purchase of the Bonds with NSI, provided the true interest cost is less than 3.75%.
4. Upon approval of the sale of the Bonds by the Mayor and the City Administrator the City Council will take action at its next regularly scheduled or special meeting thereafter to adopt the necessary approving resolutions as prepared by the City's bond counsel.
5. NSI is authorized to prepare an Official Statement related to the sale of the Bonds.
6. If the Mayor and the City Administrator have not approved the sale of the bonds to NSI and executed the related bond purchase agreement by July 31, 2019, this resolution shall expire.

ADOPTED this 25th day of March, 2019.

SIGNED:

Mayor

ATTEST:

Bill Waller, 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 voted in favor thereof, viz;

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	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 3.3 – GAMBLING PERMIT APPLICATION

City Council reviewed a gambling permit application from the La Crescent Event Center for May 27, 2019 for an event to be held at the La Crescent Event Center. The application appears to be order and it was recommended to City Council to approve the application and authorize that it be forwarded to the Minnesota Gambling Control Board. Following discussion, Member Krenz made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION TO APPROVE A GAMBLING PERMIT APPLICATION FOR THE LA CRESCENT EVENT CENTER FOR MAY 27, 2019 FOR AN EVENT TO BE HELD AT THE LA CRESCENT EVENT CENTER AND THAT IT BE FORWARDED TO THE MINNESOTA GAMBLING CONTROL BOARD.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.4 – PLANNING COMMISSION MINUTES – MARCH 19, 2019

City Attorney Wieser reviewed with City Council the Planning Commission Minutes for the March 19, 2019 meeting. At this meeting a public hearing was held to consider changes to the City’s Sign Ordinance. The Planning Commission recommended to City Council approval of the proposed text amendment changes to the Sign Ordinance that were reviewed. Following discussion, Member Krenz introduced the following Ordinance, and moved its passage and adoption:

ORDINANCE NO. 531

AN ORDINANCE AMENDING ORDINANCE NO. 497 ADOPTED ON AUGUST 10, 2015, AND TITLED “AN ORDINANCE OF THE CITY OF LA CRESCENT REGULATING SIGNS IN THE CITY”

The City Council of La Crescent ordains as follows:

SECTION I: Section IV(G)(a) and Section VI(A)(6) and B(1) and (6) of Ordinance No. 497, adopted on August 10, 2015, and titled “An Ordinance of the City of La Crescent Regulating Signs in the City” are amended to read as follows:

SECTION IV. GENERAL SIGN STANDARDS

G. Electronic Message Centers - All EMC signs shall comply with the following special requirements:

- a. Such signs may be used only to advertise activities and events conducted on the premises or activities and events off premises if the off premises activities and events being advertised are taking place on a contiguous lot. The signs may also be used to present time, date, temperature, or information concerning civic events.

SECTION VI. ALLOWED SIGNS – Permit Required

A. Central Business District

6. Off-Premises Signs – Off premise or billboard signs shall only be allowed on a modified “cap and replace” basis as defined in VI(B)(6).

B. Commercial and Industrial Districts

1. Freestanding Signs – One on-premises freestanding sign per building is permitted provided said sign does not exceed 150 square feet in area, 25 feet in height, and is not placed closer than 10 feet from any street right-of-way. The freestanding sign described herein may contain off-premises advertising if the freestanding sign complies with the requirements of this provision and the off premises establishment advertised is located on a lot that is immediately adjacent to the lot on which the freestanding sign is located. Front, rear and side back setback requirements for the District must be followed when positioning sign. Posts or anchoring mechanisms for the sign shall not be located on public property.
6. Off-Premises Signs – Other than Paragraph B(1) above, off premise or billboard signs shall only be allowed on a modified “cap and replace” basis.

All other provisions of Ordinance No. 497 not previously amended, or amended herein, shall remain in full force and effect.

SECTION II: This Ordinance No. 531 shall become effective from and after due passage and enactment and publication according to law.

PASSED AND ENACTED this 25th day of March, 2019.

SIGNED:

Mikel Poellinger, Mayor

ATTEST:

Bill Waller, 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
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The ordinance was declared duly passed and adopted by a 4-0 vote.

City Attorney Wieser then reviewed with Council the Summary Ordinance for publication. The Council made the following findings of facts: that 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 Krenz as follows:

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 531 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, all Members present voted in favor thereof, viz;

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

There was further discussion by City Council regarding the regulation of electronic message signs in the Central Business District. Following discussion, Member Krenz made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO AUTHORIZE CITY ZONING/BUILDING OFFICIAL AND CITY ATTORNEY REVIEW THE REGULATION OF ELECTRONIC MESSAGE SIGNS IN THE CENTRAL BUSINESS DISTRICT.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.5 – LIQUOR LICENSE ORDINANCE

City Attorney Wieser reviewed with City Council proposed Ordinance No. 532, an Ordinance Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor for the City of La Crescent. This Ordinance updates Section 17 of Ordinance No. 478 which was adopted in November, 2012. The proposed change to Section 17 is as follows:

SECTION 17. RESTRICTIONS ON ISSUANCE.

(A) Each license shall be issued only to the applicant for the premises described in the application.

~~(B) Not more than one license shall be directly or indirectly issued within the city to any one person.~~

(C) No license shall be granted or renewed for operation on any premises on which taxes, assessments, utility charges, service charges, or other financial claims of the city are delinquent and unpaid.

(D) No license shall be issued for any place or any business ineligible for a license under state law.

(E) No license shall be granted within 500 feet of any school or church. The distance is to be measured from the closest side of the church to the closest side of the structure on the premises within which liquor is to be sold.

Previously the Ordinance provided that no more than one license shall be directly or indirectly issued within the City to any one person. By deleting this reference, an individual would be allowed to hold more than one license in the City. It was recommended to City Council to adopt the proposed Ordinance. Following discussion, Member Krenz introduced the following Ordinance, and moved its passage and adoption:

ORDINANCE NO. 532

**AN ORDINANCE REGULATING
THE POSSESSION, SALE AND CONSUMPTION
OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR
WITHIN THE CITY OF LA CRESCENT, MINNESOTA**

THE CITY COUNCIL OF THE CITY OF LA CRESCENT, MINNESOTA DOES ORDAIN:

SECTION 1. ADOPTION OF STATE LAW BY REFERENCE.

The provisions of Minn. Stat. Ch. § 340A as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2 percent malt liquor are hereby adopted by reference and are made a part of this Ordinance as if set out in full. It is the intention of the City Council that all future amendments to Minn. Stat. Ch. § 340A are hereby adopted by reference or referenced as if they had been in existence at the time this Ordinance is adopted.

SECTION 2. CITY MAY BE MORE RESTRICTIVE THAN STATE LAW.

The Council is authorized by the provisions of Minn. Stat. § 340A.509 as it may be amended from time to time, to impose, and has imposed in this ordinance, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in Minn. Stat. Ch. 340A as it may be amended from time to time.

SECTION 3. DEFINITIONS.

In addition to the definitions contained in Minn. Stat. § 340A.101 as it may be amended from time to time, the following terms are defined for purposes of this ordinance:

LIQUOR. As used in this ordinance, without modification by the words an “intoxicating” or a “3.2 percent malt” includes both intoxicating liquor and 3.2 percent malt liquor.

RESTAURANT. An eating facility, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at a single location. To be a restaurant as defined by this section, an establishment shall have a license from the state as required by Minn. Stat. § 157.16, as it may be amended from time to time, and meet the definition of either a “small establishment,” “medium establishment” or “large establishment” as defined in Minn. Stat. § 157.16, subd. 3(d), as it may be amended from time to time. An establishment which serves prepackaged food that receives heat treatment and is served in the package or frozen pizza that is heated and served, shall not be considered to be a restaurant for purposes of this ordinance unless it meets the definitions of a “small establishment,” “medium establishment” or “large establishment”.

SECTION 4. NUDITY ON THE PREMISES OF LICENSED ESTABLISHMENTS PROHIBITED.

(A) The City Council finds that it is in the best interests of the public health, safety, and general welfare of the people of the city that nudity is prohibited as provided in this section on the premises of any establishment licensed under this ordinance. This is to protect and assist the owners, operators, and employees of the establishment, as well as patrons and the public in general, from harm stemming from the physical immediacy and combination of alcohol, nudity, and sex. The Council especially intends to prevent any subliminal endorsement of sexual harassment or activities likely to lead to the possibility of various criminal conduct, including prostitution, sexual assault, and disorderly conduct. The Council also finds that the prohibition of nudity on the premises of any establishment licensed under this ordinance, as set forth in this section, reflects the prevailing community standards of the city.

(B) It is unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material.

(C) A violation of this section is a misdemeanor punishable as provided by law and is justification for revocation or suspension of any liquor, wine, or 3.2 percent malt liquor license or any other license issued under this ordinance or the imposition of a civil penalty under the provisions of Section 30(B).

SECTION 5. RAFFLES, SILENT AUCTIONS AND FUND-RAISING EVENTS FOR CHARITABLE PURPOSES OF WINE, BEER OR INTOXICATING LIQUORS.

No person shall conduct a silent auction, raffle or other fund raising event pursuant to Minn. Stat. § 340A.707 with prizes or awards of wine, beer or intoxicating liquors without notifying the city clerk of the event at least ten days prior to the occurrence of the event. The event holder shall provide the city with the following information: the person or organization holding the event, the day, time and location of the event, type of fund-raising event (silent auction, raffle or otherwise), type and amount of wine, beer, intoxicating liquor to be awarded as prizes, and the charitable purposes to which the event proceeds will be donated.

SECTION 6. NUMBER OF LICENSES WHICH MAY BE ISSUED.

On-Sale Licenses. The number of on-sale licenses shall be restricted by the number of licenses authorized in Minn. Stat. § 340A.413 as may be amended.

SECTION 7. TERM AND EXPIRATION OF LICENSES.

Each license shall be issued for a maximum period of one year. All licenses, except temporary licenses, shall expire on December 31 of each year unless another date is provided by ordinance. All licenses shall expire on the same date. Temporary licenses expire according to their terms. Consumption and display permits issued by the Commissioner of Public Safety, and the accompanying city consent to the permit, shall expire on March 31 of each year.

SECTION 8. KINDS OF LIQUOR LICENSES.

(A) 3.2 percent malt liquor on-sale licenses, which may be issued only to golf courses, restaurants, hotels, clubs, bowling centers, and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks.

(B) 3.2 percent malt liquor off-sale license.

(C) Temporary 3.2 percent malt liquor licenses which may be issued only to a club, charitable, religious, or nonprofit organization.

(D) Off-sale intoxicating liquor licenses, which may be issued only to exclusive liquor stores.

(E) On-sale intoxicating liquor licenses, which may be issued to the following establishments as defined by Minn. Stat. § 340A.101, as it may be amended from time to time, and this ordinance: hotels, restaurants, bowling centers, theaters, clubs or congressionally chartered veterans organizations, theaters and exclusive liquor stores.

(F) Sunday on-sale intoxicating liquor licenses may be issued only to a restaurant as defined in Section 3 of this ordinance, club, bowling center, or hotel which has a seating capacity of at least 30 persons, which holds an on-sale intoxicating liquor license, and which serves liquor only in conjunction with the service of food. The maximum fee for this license, which shall be established by the Council under the provisions of Section 10 of this ordinance, shall not exceed \$200, or the maximum amount provided by Minn. Stat. § 340A.504, subd. 3(c) as it may be amended from time to time.

(G) Temporary on-sale intoxicating liquor licenses, with the approval of the Commissioner of Public Safety, which may be issued only in connection with a social event sponsored by a club, charitable, religious, or other nonprofit corporation that has existed for at least three years. No license shall be for longer than four consecutive days, and the city shall issue no more than 12 days worth of temporary licenses to any one organization in one calendar year.

(H) One day consumption and display permits with the approval of the Commissioner of Public Safety to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization.

(I) Approval of the issuance of a consumption and display permit by the Commissioner of Public Safety. The maximum amount of the additional fee which may be imposed by the Council on a person who has been issued a consumption and display permit under the provisions of Section 10 of this ordinance shall not exceed \$300, or the maximum amount permitted by Minn. Stat. § 340A.414, subd. 6, as it may be amended from time to time. Consumption and display permits shall expire on March 31 of each year.

(J) Culinary class limited on-sale licenses may be issued to a business establishment not otherwise eligible for an on-sale intoxicating liquor license that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to a maximum of six ounces of wine or 12 ounces of intoxicating malt liquor, during and as part of the class, for consumption on the licensed premises only.

(K) Temporary off-sale wine licenses, with the approval of the Commission of Public Safety, may be issued for the off-sale of wine at an auction. A license issued under this subdivision authorizes the sale of only vintage wine of a brand and vintage that is not commonly being offered for sale by any wholesaler in Minnesota. The license may authorize the off-sale of wine for not more than three consecutive days provided not more than 600 cases of wine are sold at any auction. The licenses are subject to the terms, including license fee, imposed by Section 10.

(L) Brew pub on-sale intoxicating liquor or on-sale 3.2 percent malt liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to brewers who operate a restaurant in their place of manufacture and who meet the criteria established at Minn. Stat. § 340A.301 subd. 6(d) and 7(b), as it may be amended from time to time. Sales under this license at on-sale may not exceed 3,500 barrels per year. If a brew pub licensed under this section possesses a license for off-sale under Section 9 (O) below, the brew pub's total combined retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.

(M) Brewer off-sale intoxicating liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to a brewer that is a licensee under Section 9 (N) above or that produces fewer than 3,500 barrels of malt liquor in a year and otherwise meets the criteria established at Minn. Stat. § 340A.301 subd. 6(d) and 7(b), as it may be amended from time to time. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the city. Malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. All malt liquor sold under this license shall be packaged in the manner required by Minn. Stat. § 340A.301, subd. 7 as it may be amended from time to time. Sales under this license may not exceed 500 barrels per year. If a brewer licensed under this section possesses a license under Section 9 (N) above, the brewer's total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.

(N) Brewer temporary on-sale intoxicating liquor licenses may be issued, with the approval of the Commissioner of Public Safety, to brewers who manufacture fewer than 3,500 barrels of malt liquor in a year for the on-sale of intoxicating liquor in connection with a social event within the municipality sponsored by the brewer.

SECTION 9. LICENSE FEES; PRO RATA.

(A) No license or other fee established by the city shall exceed any limit established by Minn. Stat. Ch. 340A, as it may be amended from time to time, for a liquor license.

(B) The Council may establish from time to time in the Ordinance Establishing Fees and Charges the fee for any of the liquor licenses it is authorized to issue. The license fee may not exceed the cost of issuing the license and other costs directly related to the enforcement of the liquor laws and this ordinance. No liquor license fee shall be increased without providing mailed notice of a hearing on the proposed increase to all affected licensees at least 30 days before the hearing.

(C) The fee for all licenses, except temporary licenses, granted after the commencement of the license year shall be prorated on a quarterly basis.

(D) All license fees shall be paid in full at the time the application is filed with the city. If the application is denied, the license fee shall be returned to the applicant.

(E) A refund of a pro rata share of an annual license fee may occur only if authorized by Minn. Stat. § 340A.408, subd. 5, as it may be amended from time to time.

SECTION 10. COUNCIL DISCRETION TO GRANT OR DENY A LICENSE.

The Council in its sound discretion may either grant or deny the application for any license or for the transfer or renewal of any license. No applicant has a right to a license under this ordinance.

SECTION 11. APPLICATION FOR LICENSE.

(A) *Form.* Every application for a license issued under this ordinance shall be on a form provided by the city. Every application shall state the name of the applicant, the applicant's age, representations as to the applicant's character, with references as the Council may require, the type of license applied for, the business in connection with which the proposed license will operate and its location, a description of the premises, whether the applicant is owner and operator of the business, how long the applicant has been in that business at that place, and other information as the Council may require from time to time. An application for an on-sale intoxicating liquor license shall be in the form prescribed by the Commissioner of Public Safety and shall also contain the information required in this section. The form shall be verified and filed with the city. No person shall make a false statement in an application.

(B) *Financial responsibility.* Prior to the issuance of any license under this ordinance, the applicant shall demonstrate proof of financial responsibility as defined in Minn. Stat. § 340A.409, as it may be amended from time to time, with regard to liability under Minn. Stat. § 340A.801, as it may be amended from time to time. This proof will be filed with the city and the Commissioner of Public Safety. Any liability insurance policy filed as proof of financial responsibility under this section shall conform to Minn. Stat. § 340A.409, as it may be amended from time to time. Operation of a business which is required to be licensed by this ordinance without having on file with the city at all times effective proof of financial responsibility is a cause for revocation of the license.

SECTION 12. DESCRIPTION OF PREMISES.

The application shall specifically describe the compact and contiguous premises within which liquor may be dispensed and consumed. The description may not include any parking lot or sidewalk.

SECTION 13. APPLICATIONS FOR RENEWAL.

At least 90 days before a license issued under this ordinance is to be renewed, an application for renewal shall be filed with the city. The decision whether or not to renew a license rests within the sound discretion of the Council. No licensee has a right to have the license renewed.

SECTION 14. TRANSFER OF LICENSE.

No license issued under this ordinance may be transferred without the approval of the Council. Any transfer of stock of a corporate licensee is deemed to be a transfer of the license, and a transfer of stock without prior Council approval is a ground for revocation of the license. An application to transfer a license shall be treated the same as an application for a new license, and all of the provisions of this code applying to applications for a license shall apply.

SECTION 15. INVESTIGATION.

(A) *Preliminary background and financial investigation.* On an initial application for a license, on an application for transfer of a license and, in the sound discretion of the Council that it is in the public interest to do so, on an application for renewal of a license, the city shall conduct a preliminary background and financial investigation of the applicant or it may contract with the Commissioner of Public Safety for the investigation. The applicant shall pay with the application an investigation fee of \$500 which shall be in addition to any

license fee. If the cost of the preliminary investigation is less than \$500, the unused balance shall be returned to the applicant. The results of the preliminary investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.

(B) *Comprehensive background and financial investigation.* If the results of a preliminary investigation warrant, in the sound discretion of the Council, a comprehensive background and financial investigation, the Council may either conduct the investigation itself or contract with the Commissioner of Public Safety for the investigation. The investigation fee for this comprehensive background and financial investigation to be paid by the applicant shall be \$500, less any amount paid for the initial investigation if the investigation is to be conducted within the state, and \$10,000, less any amount paid for the initial investigation, if the investigation is required outside the state. The unused balance of the fee shall be returned to the applicant whether or not the application is denied. The fee shall be paid in advance of any investigation and the amount actually expended on the investigation shall not be refundable in the event the application is denied. The results of the comprehensive investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.

SECTION 16. HEARING AND ISSUANCE.

The Council shall investigate all facts set out in the application and not investigated in the preliminary or comprehensive background and financial investigations. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall in its sound discretion grant or deny the application. No license shall become effective until the proof of financial security has been approved by the Commissioner of Public Safety.

SECTION 17. RESTRICTIONS ON ISSUANCE.

(A) Each license shall be issued only to the applicant for the premises described in the application.

(B) No license shall be granted or renewed for operation on any premises on which taxes, assessments, utility charges, service charges, or other financial claims of the city are delinquent and unpaid.

(C) No license shall be issued for any place or any business ineligible for a license under state law.

(D) No license shall be granted within 500 feet of any school or church. The distance is to be measured from the closest side of the church to the closest side of the structure on the premises within which liquor is to be sold.

SECTION 18. CONDITIONS OF LICENSE.

The failure of a licensee to meet any one of the conditions of the license specified below shall result in a suspension of the license until the condition is met.

(A) Within 90 days after employment, every person selling or serving liquor in an establishment which has an on-sale license shall receive training regarding the selling or serving of liquor to customers. The training shall be provided by an organization approved by the Council. Proof of training shall be provided by the licensee.

(B) Every licensee is responsible for the conduct of the place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this ordinance and the law equally with the employee.

(C) Every licensee shall allow any peace officer, health officer, city employee, or any other person designated by the Council to conduct compliance checks and to otherwise enter, inspect, and search the premises of the licensee during business hours and after business hours during the time when customers remain on the premises without a warrant.

(D) No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.

(E) Compliance with financial responsibility requirements of state law and of this ordinance is a continuing condition of any license.

(F) Failure by on off-sale intoxicating liquor license who has received a fee reduction pursuant to section 10 (f) of this ordinance to abide with the provisions of section 10 (f).

SECTION 19. HOURS AND DAYS OF SALE.

(A) On Sale.

- (1) No on-sale of liquor may be made between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
- (2) The sale of on-sale liquor may be made between the hours of 10:00 a.m. on Sundays through 1:00 a.m. Monday provided that there is a Sunday liquor license.

(B) Off Sale. The sale of off-sale liquor is prohibited at the following times:

- (1) On Sundays; except between the hours of 11:00 a.m. and 6:00 p.m.
- (2) Before 8:00 a.m. Monday through Saturday;
- (3) After 10:00 p.m. Monday through Saturday;

At other times as may be required to be closed by State Law.

(C) No person shall consume, nor shall any on-sale licensee permit any consumption of intoxicating liquor or 3.2 percent malt liquor in an on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

(D) No on-sale licensee shall permit any glass, bottle, or other container containing intoxicating liquor or 3.2 percent malt liquor to remain upon any table, bar, stool, or other place where customers are served, more than 30 minutes after the time when a sale can legally occur.

(E) No person, other than the licensee and any employee, shall remain on the on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

(F) Any violation of any condition of this section may be grounds for revocation or suspension of the license.

SECTION 20. MINORS ON PREMISES.

(A) No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale, except that persons under the age of 18 may be employed as musicians or to perform the duties of a bus person, host or dishwashing services in places defined as a restaurant, hotel, motel or other multi-purpose building serving food in rooms in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale.

(B) No person under the age of 21 years may enter a licensed establishment except to work, consume meals on premises that qualify as a restaurant, or attend social functions that are held in a portion of the premises where liquor is not sold.

SECTION 21. RESTRICTIONS ON PURCHASE AND CONSUMPTION.

No person shall mix or prepare liquor for consumption in any public place of business unless it has a license to sell on-sale, or a permit from the Commissioner of Public Safety under the provisions of Minn. Stat. § 340A.414, as it may be amended from time to time, which has been approved by the Council, and no person shall consume liquor in any such place.

SECTION 22. SUSPENSION AND REVOCATION.

(A) The Council shall either suspend for a period not to exceed 60 days or revoke any liquor license upon finding that the licensee has failed to comply with any applicable statute, regulation, or provision of this ordinance relating to liquor. Except in cases of lapse of proof of financial responsibility, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to the Administrative Procedures Act, Minn. Stat. §§ 14.57 to 14.70, as it may be amended from time to time. The Council may act as the hearing body under that act, or it may contract with the Office of Hearing Examiners for a hearing officer.

(B) The following are the minimum periods of suspension or revocation which shall be imposed by the Council for violations of the provisions of this ordinance or Minn. Stat. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time:

(1) For commission of a felony related to the licensed activity, sale of alcoholic beverages while the license is under suspension, sale of intoxicating liquor where the only license is for 3.2 percent malt liquor, or violation of Section 4, the license shall be revoked.

(2) The license shall be suspended by the Council after a finding under division (A) that the licensee has failed to comply with any applicable statute, rule, or provision of this ordinance for at least the minimum periods as follows:

(a) For the first violation within any three-year period, at least one day suspension in addition to any criminal or civil penalties which may be imposed.

(b) For a second violation within any three-year period, at least three consecutive days suspension in addition to any criminal or civil penalties which may be imposed.

(c) For the third violation within any three-year period, at least seven consecutive days suspension in addition to any criminal or civil penalties which may be imposed.

(d) For a fourth violation within any three-year period, the license shall be revoked.

(3) The Council shall select the day or days during which the license will be suspended.

(C) Lapse of required proof of financial responsibility shall effect an immediate suspension of any license issued pursuant to this ordinance or state law without further action of the Council. Notice of cancellation or lapse of a current liquor liability policy shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or of suspension or revocation of a license may request a hearing thereon and, if a request is made in writing to the Clerk, a hearing before the Council shall be granted within ten days. Any suspension under this division (B) shall continue until the Council determines that the financial responsibility requirements of state law and this ordinance have again been met.

(D) The provisions of Section 23 pertaining to administrative penalty may be imposed in addition to or in lieu of any suspension or revocation under this ordinance.

SECTION 23. PENALTIES.

(A) Any person violating the provisions of this ordinance or Minn. Stat. Ch. 340A as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

(B) The Council shall impose a civil penalty of up to \$2,000 for each violation of Minn. Stat. Ch. 340A, as it may be amended from time to time, and of this ordinance. Conviction of a violation in a court of law is not required in order for the Council to impose the civil penalty. A hearing under the Administrative Procedures Act, Minn. Stat. §§ 14.57 to 14.70, as it may be amended from time to time, is not required before the penalty is imposed, but the Council shall hold a hearing on the proposed violation and the proposed penalty and hear any person who wishes to speak. Non-payment of the penalty is grounds for suspension or revocation of the license. The following is the minimum schedule of presumptive civil penalties which must be imposed in addition to any suspension unless the license is revoked:

(1) For the first violation within any three-year period, \$500.

(2) For the second violation within any three-year period, \$1,000.

(3) For the third and subsequent violations within any three-year period, \$2,000.

(C) The term "violation" as used in Section 23 includes any and all violations of the provisions in this section, or of Minn. Stat. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time. The number of violations shall be determined on the basis of the history of violations for the preceding three-year period. Revocation shall occur within 60 days following a violation for which revocation is imposed.

SECTION 24. EFFECTIVE DATE.

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance.

SECTION 25. SUMMARY APPROVED.

The Council hereby determines that the text of the summary of this ordinance marked “Official Summary of Ordinance No. 531” and a copy of which is attached to this ordinance, clearly informs the public of the intent and effect of this ordinance. The Council further determines that publication of the title and this summary will clearly inform the public of the intent and the effect of this ordinance. The Clerk shall file a copy of this ordinance and the summary in the Clerk’s office which shall be available for inspection by any person during regular office hours. A copy of the ordinance shall be available in the community library, if there is one, or if not, in any other public location which the council designates.

SECTION 26. REPEAL.

Upon adoption and publication of this Ordinance, Ordinance No. 478 and Ordinance No. 512 are repealed.

Passed and enacted this 25th day of March, 2019.

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
Brian Krenz	Yes
Teresa O’Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The ordinance was declared duly passed and adopted by a 4-0 vote.

City Attorney Wieser then reviewed with Council the Summary Ordinance for publication. The Council made the following findings of facts: that publication of the summary informs the public of the intent and effect of the Ordinance.

Member Krenz then made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 532 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, all Members present voted in favor thereof, viz;

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O’Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.6 – LIQUOR LICENSE APPLICATION

City Administrator Waller reviewed with City Council a new On Sale/Sunday Liquor license application from Bill Schmitz for the Swing Bridge Pub. This is the business that will operate in the new Event Center. The required background checks have been completed, and the application appears to be in order. It was recommended to City Council to approve the liquor license application for the Swing Bridge Pub and authorize that it be forwarded to the Minnesota Department of Public Safety. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE A NEW ON SALE/SUNDAY LIQUOR LICENSE APPLICATION FROM BILL SCHMITZ FOR THE SWING BRIDGE PUB AND AUTHORIZE THAT IT BE FORWARDED TO THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O’Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.7 – DNR GRANT RESOLUTION

City Administrator Waller reviewed with City Council a resolution regarding a Minnesota Department of Natural Resources grant application for the Local Trail Connections Program. The grant would pay for 75% of the cost to pave the portion of the first phase of the Wagon Wheel improvement project that is not currently paved. A map of the project, along with a project cost estimate, was also reviewed by City Council. In order to proceed with the project, it was recommended to City Council to adopt the resolution. Following discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 03-19-07

A RESOLUTION ACCEPTING GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE LOCAL TRAIL CONNECTIONS PROGRAM AND APPROVAL TO ENTER INTO AGREEMENT WITH THE STATE OF MINNESOTA FOR THE PROJECT

WHEREAS, the City of La Crescent supports the grant application made to the Minnesota Department of Natural Resources for the Local Trail Connections Program. The application is to construct 2625 feet of paved trail for the Wagon Wheel Trail project.

WHEREAS, the City of La Crescent recognizes that it has secured \$29,125 in non-state cash matching funds for this project.

NOW, THEREFORE, BE IT RESOLVED, if the City of La Crescent is awarded a grant by the Minnesota Department of Natural Resources, the City of La Crescent agrees to accept the grant award and may enter into an agreement with the State of Minnesota for the above referenced project. The City of La Crescent will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Local Trail Connections Grant Manual and certifies it will report any actual, potential, perceived, or organizational conflicts of interest upon discovery to the state related to the application or grant award.

BE IT FURTHER RESOLVED, the City Council of the City of La Crescent names the fiscal agent for the Wagon Wheel Trail.

Bill Waller
City Administrator
City of La Crescent
315 Main St
La Crescent, MN 55947

BE IT FURTHER RESOLVED, the City of La Crescent hereby assures the Wagon Wheel Trail Project will be maintained for a period of no less than 20 years.

PASSED AND ADOPTED this 25th day of March, 2019, by the La Crescent City Council.

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;

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	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 3.8 – PERSONNEL COMMITTEE RECOMMENDATION

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

1. Promote Tina Henderson from Lead Worker at Pine Creek Golf Course to Clubhouse Manager. This would take effect when the golf course opens this spring. Pursuant to the terms and conditions of the union contract, Ms. Henderson would serve a 120-day probationary period.
2. Promote Amy Moldenhauer from Lead Worker at Pine Creek Golf Course to Assistant Manager Clubhouse. This would take effect when the golf course opens this spring. Pursuant to the terms and conditions of the union contract, Ms. Moldenhauer would serve a 120-day probationary period.
3. Authorize that the position of Lead Worker at Pine Creek Golf Course be advertised. A hiring recommendation would then be presented at a future City Council meeting.

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

MOTION TO PROMOTE TINA HENDERSON FROM LEAD WORKER AT PINE CREEK GOLF COURSE TO CLUBHOUSE MANAGER TO TAKE EFFECT WHEN THE GOLF COURSE OPENS THIS SPRING AND PURSUANT TO THE TERMS AND CONDITIONS OF THE UNION CONTRACT, MS. HENDERSON WOULD SERVE A 120-DAY PROBATIONARY PERIOD.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

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

MOTION TO PROMOTE AMY MOLDENHAUER FROM LEAD WORKER AT PINE CREEK GOLF COURSE TO ASSISTANT MANAGER CLUBHOUSE TO TAKE EFFECT WHEN THE GOLF COURSE OPENS THIS SPRING AND PURSUANT TO THE TERMS AND CONDITIONS OF THE UNION CONTRACT, MS. HENDERSON WOULD SERVE A 120-DAY PROBATIONARY PERIOD.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

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

MOTION TO AUTHORIZE THAT THE POSITION OF LEAD WORKER AT PINE CREEK GOLF COURSE BE ADVERTISED AND THAT A HIRING RECOMMENDATION BE PRESENTED AT A FUTURE CITY COUNCIL MEETING.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.9 – ARBOR DAY PROCLAMATION

City Administrator Waller reviewed with City Council the 2019 Arbor Day Proclamation for April 26, 2019. It was recommended to City Council to adopt the Arbor Day Proclamation. Following discussion, Member Jostad made a motion, seconded by Member Krenz, as follows:

MOTION TO ADOPT THE ARBOR DAY PROCLAMATION PROCLAIMING APRIL 26, 2019 AS ARBOR DAY IN THE CITY OF LA CRESCENT.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.10 – DEVELOPMENT COMMISSION APPOINTMENTS

City Administrator Waller reviewed the list of recommended appointments to the Community Development Commission with City Council. Following discussion, Member Krenz made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO THE COMMUNITY DEVELOPMENT COMMISSION:

Larry Stryker - 2019
Al Voss - 2019
Troy Nolop - 2020
Eileen Krenz - 2020
Brett Kemmer - 2021
Lori Kadlec - 2021
Mike Welch - 2021

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.11 – SECOND CITY COUNCIL MEETING DATE IN MAY 2019

City Administrator Waller gave an overview to City Council regarding a recommendation that City Council move the second City Council meeting in May to Tuesday, May 28, 2019, at 5:30 PM due to the Memorial Day holiday. Following discussion, Member Jostad made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE MOVING THE SECOND CITY COUNCIL MEETING IN MAY TO TUESDAY, MAY 28, 2019, AT 5:30 PM.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.12 – 2019 LICENSE RENEWALS

City Council reviewed an additional proposed license renewal for 2019. The application appears to be in order, and it was recommended to City Council to approve the license renewal application. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Jostad, as follows:

MOTION TO APPROVE THE PRESENTED LICENSE RENEWAL FOR 2019 FOR THE FOLLOWING:

GAS INSTALLERS – VIS PLUMBING & HEATING, INC.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 3.13 – LIQUOR LICENSE APPLICATION

City Council reviewed the following temporary liquor license application:

1. School District 300 Foundation – May 18, 2019 - La Crescent Community Arena.

The application appears to be order and it was recommended to City Council to approve the application and authorize that it be forwarded to the Minnesota Department of Public Safety. Following discussion, Member Krenz made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION TO APPROVE TEMPORARY LIQUOR LICENSE APPLICATION FOR SCHOOL DISTRICT 300 FOUNDATION FOR AN EVENT TO BE HELD AT THE LA CRESCENT COMMUNITY ARENA ON MAY 18, 2019 AND THAT IT BE FORWARDED TO THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY.

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

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O'Donnell-Ebner	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote.

ITEM 6.1 – STAFF CORRESPONDENCE/COMMITTEE UPDATES – FIRE COOPERATIVE MEETING MINUTES – MARCH 15, 2019

City Council reviewed the Minutes from the March 15, 2019 La Crescent Community Fire Cooperative meeting. No action taken.

ITEM 6.2 – STAFF CORRESPONDENCE/COMMITTEE UPDATES – PARK AND RECREATION COMMISSION MINUTES – MARCH 18, 2019

City Council reviewed the Minutes from the March 18, 2019 La Crescent Park and Recreation Commission meeting. No action taken.

ITEM 6.3 – STAFF CORRESPONDENCE/COMMITTEE UPDATES – SPRING FLOODING – EMERGENCY SERVICES

City Council reviewed a La Crescent Emergency Services Update dated March 14, 2019 to Shore Acres residents inviting them to an informational meeting on March 28, 2019 at 5:30 PM at the La Crescent Community Building to discuss flood preparations. No action taken.

ITEM 7.1 – CORRESPONDENCE – EMERGENCY MANAGEMENT TRAINING

City Council reviewed a flyer regarding an Emergency Management Training for City elected and senior officials regarding the roles and responsibilities in disaster situations scheduled for June 25, 2019 from 3:30 PM to 6:00 PM at the Winona County Historical Society. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber of Commerce had nothing to report.

There being no further business to come before the Council at this time, Member Krenz 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, all Members voted in favor thereof, viz;

Cherryl Jostad	Yes
Brian Krenz	Yes
Teresa O’Donnell-Ebner	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 6:03 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator