

MINUTES, REGULAR MEETING  
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA  
MARCH 27, 2023

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 27th, 2023.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Ryan Hutchinson, Cherryl 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.

Also in attendance were Mayor for a Day essay winners Katherine Veglahn, Tucker McCabe, and Kiera Dulek as well as Eagle Scouts Simon Wieser and Riley Schuldt.

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 13, 2023
- 1.2 BILLS PAYABLE THROUGH – MARCH 24, 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 Hutchinson 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;

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.

**ITEM 3.1 – RECOGNIZE MAYOR FOR A DAY ESSAY WINNERS**

City Council Member Teresa O’Donnell-Ebner gave an overview of the League of Minnesota Cities Mayor for a Day Essay contest. Four students from Crucifixion school were recognized as winners. Katherine Veglahn (State winner), Liv Small (Honorable Mention at the State level), Kera Dulek (Local Honoree), and Tucker McCabe (Local Honoree). Mayor Poellinger introduced the winners that were in attendance and presented each of them with a commemorative gavel and invited them to participate in the meeting.

**ITEM 3.2 – DONATION RESOLUTION – LANCER YOUTH HOCKEY**

Mayor for a Day Essay winner, Katherine Veglahn reviewed with City Council a Resolution regarding the acceptance of a \$100,000.00 donation from Lancer Youth Hockey to the City for future improvements to the Community Ice Arena. Jason Wieser LYH president was in attendance and presented the check to the City Council. Following review and discussion, Member Jostad introduced the following Resolution and moved its passage and adoption as follows:

**RESOLUTION NO. 03-23-10**

**RESOLUTION ACCEPTING DONATIONS MADE TO THE CITY OF LA CRESCENT IN  
MARCH, 2023**

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

WHEREAS, the following donations were made to La Crescent in the month of March 2023 from Lancer Youth Hockey to be used for the specific purpose of improvements to the Community Ice Arena.

1. Lancer Youth Hockey wishes to donate \$100,000.00 for future improvements at the La Crescent Community Ice Arena.

WHEREAS, La Crescent agrees to accept the donation for Lancer Youth Hockey subject to the conditions identified above.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of La Crescent hereby accepts the donations stated above for Lancer Youth Hockey subject to the conditions identified above.

ADOPTED this 27<sup>th</sup> day of March 2023.

SIGNED:

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Mayor

ATTEST:

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Deputy Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Member Williams and upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Cherryl Jostad	Yes
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 – DONATION RESOLUTION – WIESER PARK**

Mayor for a Day essay winner, Tucker McCabe reviewed with City Council a Resolution regarding the acceptance of donations to the City for the month of March 2023. Following review and discussion, Member O'Donnell-Ebner introduced the following Resolution and moved its passage and adoption as follows:

#### **RESOLUTION NO. 03-23-11**

#### **RESOLUTION ACCEPTING DONATIONS MADE TO THE CITY OF LA CRESCENT WIESER MEMORIAL PARK IMPROVEMENT PROJECT IN MARCH 2023**

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

WHEREAS, the following donations were made to La Crescent in the month of March 2023 to the Wieser Memorial Park Improvement Project to be used for the specific purpose of improvements to the park shelter and bathroom facilities:

1. An Anonymous donor wishes to donate \$710.00

WHEREAS, La Crescent agrees to accept the donations for Wieser Memorial Park  
Subject to the conditions identified above.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of La Crescent hereby  
accepts the donations stated above for Wieser Memorial Park subject to the conditions identified above.

ADOPTED this 27th day of March 2023.

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Deputy Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Member Hutchinson and  
upon a roll call vote taken and tallied by the City Administrator, the following Members 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 – ARBOR DAY PROCLAMATION**

Mayor for a Day essay winner, Kiera Dulek reviewed with City Council the 2023 Arbor Day Proclamation  
for April 28, 2023. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member  
Jostad, as follows:

**MOTION TO ADOPT THE ARBOR DAY PROCLAMATION PROCLAIMING APRIL 28, 2023  
AS ARBOR DAY IN THE CITY OF LA CRESCENT.**

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.

**ITEM 3.5 – RIDE TO CURE DIABETES BICYCLE TOUR**

City Council reviewed a letter from Police Chief Ahlschlager requesting permission for the La Crescent Police Department and the Reserve Unit to assist with cyclists crossing Hwy 16 (northbound lanes) at South Chestnut Street for the 2023 Juvenile Diabetes Research Foundation (JDRF) Ride to Cure Diabetes to be held on Saturday, August 12, 2023. Following discussion, Member Hutchinson made a motion, seconded by Member Williams as follows:

**MOTION TO APPROVE THE LA CRESCENT POLICE DEPARTMENT AND RESERVE UNIT TO ASSIST WITH CYCLISTS CROSSING HWY 16 NORTHBOUND AT SOUTH CHESTNUT STREET FOR THE 2023 JUVENILE DIABETES RESEARCH FOUNDATION RIDE TO CURE DIABETES TO BE HELD ON SATURDAY, AUGUST 12, 2023.**

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.

**ITEM 3.6 – EAGLE SCOUT PROJECT – SIMON WIESER**

Eagle Scout Simon Wieser reviewed with City Council for approval his Eagle Scout project to build covers over the baseball dugouts at Abnet field this summer. The cost of \$5,000.00 is being provided by Lancer Youth Baseball. Following discussion, Member Williams made a motion, seconded by Member Hutchinson as follows:

**MOTION TO APPROVE SIMON WIESER'S EAGLE SCOUT PROJECT TO BUILD COVERS OVER THE BASEBALL DUGOUTS THIS SUMMER AT ABNET FIELD WITH THE FUNDS OF \$5,000.00 BEING PROVIDED BY LANCER YOUTH BASEBALL.**

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.

### **ITEM 3.7 – MnDOT – DELEGATED CONTRACT PROCESS**

City Council reviewed correspondence received from MnDOT regarding the need to update the Delegated Contract Process Agreement between MnDOT and the City regarding the receipt of federal aid funds. A resolution was included and it was recommended that City Council adopt the resolution. Following review and discussion, Member O'Donnell-Ebner introduced the following Resolution and moved its passage and adoption as follows:

## **RESOLUTION NO. 03-23-12**

### **RESOLUTION ACCEPTING THE DELEGATED CONTRACT PROCESS (DCP) AGREEMENT BETWEEN MnDOT AND THE CITY OF LA CRESCENT**

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of La Crescent to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, Mayor Mikel Poellinger and City Administrator Bill Waller are hereby authorized and directed for and on behalf of the City to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1052044", a copy of which said agreement was before the City Council and which is made a part hereof by reference.

## **CERTIFICATION**

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

I hereby certify that the foregoing Resolution is a true and correct copy of the Resolution presented to and adopted by the City of La Crescent at a duly authorized meeting thereof held on the 27th day of March, 2023, as shown by the minutes of said meeting in my possession.

\_\_\_\_\_  
City Administrator

Notary Public  
My Commission expires \_\_\_\_\_

**(SEAL)**

The motion for the adoption of the foregoing resolution was duly seconded by Member Hutchinson and upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

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

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

**ITEM 3.8 – OUTDOOR RECREATION GRANT RESOLUTION**

Eagle Scout Riley Schuldt reviewed with City Council for adoption a resolution required for an Outdoor Recreation Grant application that City Sustainability Coordinator Jason Ludwigson will submit on behalf of the City to the Minnesota Department of Natural Resources for Riley's work on his improvement project to install a dock at the Blue Lake canoe/kayak access. Following review and discussion, Member O'Donnell-Ebner introduced the following Resolution and moved its passage and adoption as follows:

***RESOLUTION NO. 03-23-13***

**OUTDOOR RECREATION GRANT RESOLUTION**

BE IT RESOLVED that the City of La Crescent act as legal sponsor for the project contained in the Outdoor Recreation Grant application to be submitted on the 31<sup>st</sup> day of March 2023 and that Jason

Ludwigson is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of the City of La Crescent.

BE IT FURTHER RESOLVED that the applicant maintains an adequate Conflict of Interest Policy and, throughout the term of the contract, will monitor and report any actual or potential conflicts of interest to the State, upon discovery.

BE IT FURTHER RESOLVED that the City of La Crescent has the legal authority to apply for financial assistance, and it has the financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of La Crescent has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

BE IT FURTHER RESOLVED that the City of La Crescent has or will acquire fee title or permanent easement over the land described in the boundary map or recreational site plan included in the application.

BE IT FURTHER RESOLVED that, upon approval of its application by the State, the City of La Crescent may enter into an agreement with the State for the above-referenced project, and that the City of La Crescent certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BE IT RESOLVED that the City Administrator is hereby authorized to execute such agreements as necessary to implement the project on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the La Crescent City Council of the City of La Crescent on the 27<sup>th</sup> day of March, 2023.

SIGNED:

WITNESSED:

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Title)

(Date)

\_\_\_\_\_

(Title)

(Date)

The motion for the adoption of the foregoing resolution was duly seconded by Member Williams and upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

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.

**ITEM 3.9 – 2023 VECTOR CONTROL AGREEMENT**

City Council reviewed for approval the 2023 purchase contract regarding mosquito abatement services. Vector control remains part of the MS4 requirements. The contract is once again through Driftless Region Vector Control and compensation is a total of \$3,152.00. This is an increase of \$92.00 from last year and includes the following: canvassing-initial check and two rechecks, monitoring standing water, placement of mosquito egg traps, and recording. Following discussion, Member Jostad made a motion, seconded by Member Hutchinson as follows:

**MOTION TO APPROVE THE 2023 PURCHASE CONTRACT FOR MOSQUITO ABATEMENT SERVICES BETWEEN THE CITY OF LACRESCENT AND DRIFLLESS REGION VECTOR CONTROL IN THE AMOUNT OF \$3,152.00.**

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.

**ITEM 3.10 – REVIEW HOUSTON COUNTY INTERIM ORDINANCE**

The City Attorney reviewed the status of the Houston County Interim Moratorium Ordinance regarding THC products. The City Attorney advised that Houston County elected not to move forward with an interim moratorium. After review with the Chief of Police, the City Attorney and Chief of Police will continue to monitor the proposed 2023 pending legislation and will review with the City Council at a later date.

**ITEM 3.11 – AUTHORIZE EXPENDITURE/PAVILION LOCKING SYSTEM**

City Council reviewed a letter from City Administrative Assistant Chris Fortsch regarding a proposal from Digicom, Inc. for a new Paxton Door Access System for the Wieser Park Pavilion in the amount of \$13,740.00. This system will offer a secure, convenient, and flexible way of controlling who can have access to the building and when. These costs were not included in the original building proposal however, it was agreed early on in the project that the city would find a vendor and would incur the costs of the system. It was recommended that the City Council approve a modification to the 2022 Capital Equipment

Certificate and authorize the purchase of this new system. Following discussion, Member Hutchinson made a motion, seconded by Member Williams, as follows:

**MOTION TO APPROVE MODIFICATION TO THE 2022 CAPITAL EQUIPMENT CERTIFICATE AND AUTHORIZE THE PURCHASE OF A NEW PAXTON DOOR ACCESS SYSTEM FROM DIGICOM, INC. IN THE AMOUNT OF \$13,740.00 FOR THE WIESER PARK PAVILION.**

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.

**ITEM 3.12 – AUTHORIZE EXPENDITURE/PAVILION HEAT PUMPS**

City Sustainability Coordinator Jason Ludwigson proposed that City Council amend the 2022 Capital Equipment Certificate for the purchase and installation of a heat-pump HVAC system and electrical work for heating and cooling the Wieser Park Pavilion. The original plan for the pavilion only included heating the building. Two proposals were received from Paul's Heating and Air Conditioning. The first proposal included two single-stage gas-forced air furnaces at a cost of \$33,251.00. The second proposal included two variable-speed heat pumps. Choosing the heat pump option would be consistent with the core theme of superior environmental performance as indicated in the Comprehensive Plan and would align with the vision of the GreenSteps Cities program, the Partners in Energy Plan, and the Carbon-Neutral Energy resolution adopted by the City Council. The total cost of the heat pump option would be an additional \$18,035.00. The benefits of choosing the heat-pump option include:

- Cooling during the summer months
- Safer system
- Efficiency
- Maximize the benefits of a solar PV system
- Less fluctuation in fuel prices
- Less pollution
- Variable speed motors and fans

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

**MOTION TO AMEND THE 2022 CAPITAL EQUIPMENT CERTIFICATE FOR THE PURCHASE AND INSTALLATION OF A HEAT-PUMP HVAC SYSTEM AND ELECTRICAL WORK FROM PAUL’S HEATING AND AIR CONDITIONING FOR HEATING AND COOLING THE WIESER PARK PAVILION WITH AN ADDITIONAL COST OF \$18,035.00.**

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.

**ITEM 3.13 – INSURANCE LIABILITY COVERAGE WAIVER**

City Administrator Waller reviewed with City Council a Memorandum from Kara Tarrence, City Finance Director, that each year, as part of the City renewing its general liability insurance coverage with the League of Minnesota Cities Insurance Trust, the City Council is required to adopt a liability coverage waiver form. City Council reviewed this form. Based on the recommendation of the City’s insurance agent, the City Council has always NOT waived the statutory tort limits. This by MN Statute 466.04 limits the amount an individual or multiple claimants could recover from a single occurrence. It was recommended to City Council to continue with NOT waiving the statutory tort limits for the 2023/2024 renewal. Following discussion, Member Hutchinson made a motion, seconded by Member Jostad as follows:

**MOTION TO ADOPT A LIABILITY COVERAGE WAIVER FORM TO CONTINUE WITH NOT WAIVING THE STATUTORY TORT LIMITS FOR THE 2023/2024 RENEWAL REGARDING ITS GENERAL LIABILITY INSURANCE COVERAGE WITH THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST.**

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.

**6. STAFF CORRESPONDENCE/COMMITTEE UPDATES**

- 6.1 – City Council reviewed the March 15, 2023, Fire Cooperative meeting minutes.
- 6.2 – City Council reviewed the March 20, 2023, Park & Recreation meeting minutes.
- 6.3 – City Council reviewed an article about the La Crescent Bike Shoppe highlighted in the Spring 2023 issue of Inspire(d) Magazine.

**8. HOUSTON COUNTY**

Houston County Commissioner Dewey Severson was in attendance and gave an update.

**9. CHAMBER OF COMMERCE**

Chamber of Commerce representative Tammy Stremcha was in attendance and gave an update.

There being no further business to come before the Council at this time, Member Hutchinson 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;

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 5:56 PM.

APPROVAL DATE: April 10, 2023

SIGNED:

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Administrator