

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
APRIL 24, 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 April was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, April 24th, 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, Community Development Coordinator Larry Kirch (via Zoom), City Sustainability Coordinator Jason Ludwigson, Building and Zoning Official Shawn Wetterlin, and Deputy City Clerk Angie Boettcher.

Also in attendance were Houston County Assessors Luke Onstad, Joe Olson, and Kelly Petersen and Winona County Assessors John Conway and Lindsay Brand.

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 – APRIL 10, 2023
- 1.2 BILLS PAYABLE THROUGH – APRIL 21, 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. Deputy City Clerk Boettcher made the following requested change **Kelly Petersen was also in attendance from the Houston County Assessor's office.**

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

A MOTION TO APPROVE THE CONSENT AGENDA WITH THE REQUESTED CHANGE THAT KELLY PETERSEN WAS ALSO IN ATTENDANCE FROM THE HOUSTON COUNTY ASSESSOR'S OFFICE.

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.

PUBLIC HEARING/MEETING

At 5:30 PM the City Council convened the annual Board of Appeal and Equalization meeting. Winona County Assessors John Conway and Lindsay Brand were present as well as Lucas Onstad, Kelly Peterson, and Joe Olson from the Houston County Assessors Office. Mayor Poellinger opened the meeting to the public.

The following member of the public wished to address the City Council and representatives from the Houston County Assessor's Office for Appeal:

Tom Jones – 609 12th Court North. Following discussion Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO MAKE NO CHANGE TO THE ESTIMATED MARKET VALUE FOR PROPERTY OWNED BY TOM JONES AT 609 12TH COURT NORTH.

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

Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

Members Ryan Hutchinson and Cherryl Jostad voted against the same. The motion was declared duly carried by a 3-2 vote.

Lucas Onstad reviewed with City Council the written appeal request from Randy and Karen Gibson – 28 Mc Intosh East. Following discussion Member Hutchinson made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO MAKE NO CHANGE TO THE ESTIMATED MARKET VALUE FOR PROPERTY OWNED BY RANDY AND KAREN GIBSON AT 28 MC INTOSH EAST.

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

Ryan Hutchinson	Yes
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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.

The following property owners appealed their valuation and have resolved the appeal with Houston County Assessor's Office prior to the meeting.

Robert Frey – 1500 Valley Lane – value adjusted down by \$24,300
Joseph Graves – 410 1st Street South – value adjusted down by \$66,800
Paul and Liz Swift – 504 South 4th Street – value adjusted down by \$37,800
George Horihan – 215 South Oak Street – value adjusted down by \$14,900
Troy Nolop – 31 South Walnut Street – value adjusted down by \$8,800

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

MOTION TO ADOPT THE RECOMMENDATION OF THE HOUSTON COUNTY ASSESSOR AND REDUCE THE ESTIMATED MARKET VALUE OF THE PROPERTY FOR CITY OF LA CRESCENT PROPERTY OWNERS AS PRESENTED.

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.

Mayor Poellinger closed the public meeting at 6:16 p.m.

ITEM 3.1 – AUTHORIZE QUOTES – WIESER PARK IMPROVEMENTS

City Administrator Bill Waller reviewed with City Council the Plans and Specifications for improvements at Wieser Park, included in the packet. The improvements include constructing a concrete parking lot with an EV charging station, site grading, and storm sewer. It was recommended that the Council approve the Plans and Specifications and authorize Staff to obtain quotes for this project which will be presented at a future meeting. The cost of the project will be covered by the sale of the five city-owned lots in the Horse Track Meadows North subdivision. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE THE PLANS AND SPECIFICATIONS FOR THE WIESER PARK IMPROVEMENTS AND AUTHORIZE STAFF TO OBTAIN QUOTES FOR THE PROJECT WHICH WILL BE PRESENTED AT A FUTURE 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.

ITEM 3.2 – ENGINEERING AGREEMENT – RESILIENCY GRANT

Sustainability Coordinator Jason Ludwigson reviewed with City Council the \$89,845.45 Small Communities Resiliency Grant that the City received in March. The grant requires a ten percent (10%) match, which can include staff time. The grant submission included 38 hours of City Staff time. The project will study the effects of localized flooding and impacts from the Mississippi River. The study will result in the following items:

- Identify which portions of the city are most vulnerable to flash floods under future rainfall events.
- Develop a prioritized list of stormwater infrastructure or road improvements to reduce the vulnerability of flood-prone areas.
- Guide City planning for maintaining access and core functions during flood events.

A Professional Services Agreement with WHKS to develop a hydraulic model to review potential scenarios and identify infrastructure deficiencies was included. These deficiencies will be prioritized with estimated costs presented in the report. It was recommended that City Council approve the Professional Services Agreement with WHKS using the Resiliency Grant funds. WHKS will begin working on the project with scheduled completion in the spring of 2024. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH WHKS TO BEGIN WORK ON DEVELOPING A HYDRAULIC MODEL TO REVIEW POTENTIAL SCENARIOS AND IDENTIFY INFRASTRUCTURE DEFICIENCIES USING THE RESILIENCY GRANT FUNDS WITH SCHEDULED COMPLETION IN THE SPRING OF 2024.

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 3.3 – PLANNING COMMISSION MINUTES – APRIL 4, 2023

City Sustainability Coordinator Jason Ludwigson reviewed with City Council the April 4, 2023, Planning Commission Minutes. This was informational only, no action required.

ITEM 3.4 – DRAFT CHICKEN ORDINANCE

City Attorney Wieser reviewed with City Council for discussion a draft Chicken Ordinance. This was informational only with a consensus to bring the Ordinance back to the May 22nd Council Meeting.

ITEM 3.5 – MnDOT LANDSCAPE PARTNERSHIP RESOLUTION

City Council reviewed a Resolution to approve the City of La Crescent to enter into a MnDOT agreement with the State of Minnesota, Department of Transportation. Following review and discussion, Member Hutchinson introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 04-23-15

A RESOLUTION APPROVING THE CITY OF LA CRESCENT TO ENTER INTO A MNDOT AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION

IT IS RESOLVED that the City of La Crescent enter into an agreement with the State of Minnesota, Department of Transportation for the following purposes;

To provide for payment by the State to the City for the acquisition of landscape materials to be placed adjacent to the intersection of Trunk Highway No. 61-14-16, State Project No. (has not yet been assigned.)

IT IS FURTHER RESOLVED that the Mayor and the City Administrator are authorized to execute the Agreement and any amendments to the Agreement.

ADOPTED this 24th day of April, 2023.

SIGNED:

Mayor

ATTEST:

City Administrator

The motion for the adoption of the foregoing resolution was duly seconded by Member O'Donnell-Ebner and upon a roll call vote taken and tallied by the City Administrator, 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 3.6 – SUMMER SUSTAINABILITY CORPS PROGRAM

City Sustainability Coordinator Jason Ludwigson reviewed with City Council the University of Minnesota Institute of the Environment: Learning and Education's Summer Sustainability Corps Program. The program is designed to assist cities in the Gold Leaf Pilot program which is an offshoot of the GreenSteps Cities program and provides cities with a summer intern. The City of La Crescent will be partnered with Elizabeth Genkinger, who will be a junior in the College of Food, Agricultural, and Natural Resource Sciences where she is majoring in Environmental Science with a Sustainability Studies minor. The internship will be virtual and run from June 5th to August 11th, 2023. Elizabeth will be supervised by Mr. Ludwigson during the internship. There is no cost to the city for participation in the 2023 Summer Sustainability Corps Program. This was informational only, no action required.

ITEM 3.7 – FEE SCHEDULE AMENDMENT

Deputy City Clerk Boettcher reviewed with City Council a recommendation from the Police Chief to add a \$50.00 charge for background checks in the 2023 Fee Schedule. City Council reviewed an Ordinance with the fee schedule changes. Following discussion, Member Williams introduced the following ordinance and moved its passage and adoption:

ORDINANCE NO. 566

AN ORDINANCE OF THE CITY OF LA CRESCENT AMENDING THE MASTER FEE SCHEDULE FOR THE CITY OF LA CRESCENT AS SET FORTH IN ORDINANCES NO. 404, NO. 483, NO. 492, NO. 500, NO. 540, NO. 542, NO. 544, NO. 545, NO. 548, NO. 552, 564, NO. 565

The City Council of the City of La Crescent, Houston County, Minnesota hereby ordains:

1. The La Crescent City Code established on March 8, 2004, stated that certain fees may be set from time to time by the City Council.

2. The La Crescent City Code was amended on January 13, 2014, February 9, 2015, February 8, 2016, February 24, 2020, April 13, 2020, April 27, 2020, May 18, 2020, December 14, 2020, April 20, 2021, and December 13, 2021, December 19, 2022, February 13, 2023 by Ordinance to amend certain fees.

3. The Fee Schedule has been reviewed by City Staff and amended each year from 2016 to 2023 by Motions passed by City Council. These amendments passed by City Council shall remain in effect.

4. The City staff has reviewed the fees which the City currently charges and is recommending that the fee schedule be amended as follows:

POLICE

ADMINISTRATIVE FINE FEE SCHEDULE	
General Parking Violation	\$20.00
Handicapped Parking	\$25.00
Miscellaneous	
Accident Reports – State Form	\$2.00
(add) Background Check	\$50.00
Copy of Incident Reports – per page/100 pages or less \$.25/page. 100 or more assessed to actual cost of materials and staff time.	Refer to description at left
Print-out of driving record/registration check – per request	\$5.00
Police Reserves – School District #300 events – per hour/per person	\$12.00
Fingerprinting	\$55.00
Vehicle Towing Fee	\$225.00
Vehicle Impoundment Fee – per day	\$15.00
Yearly Permit to Acquire Firearms/Permit to Carry – per year	No Charge
NSF/Account Closed Checks – service fee	\$30.00
DVD Only	\$10.00
Transcription Fee	\$42.00
BWC - \$19.00 per video/\$1.00 per minute + actual cost of staff time	

ADOPTED this 24th day of April 2023.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Hutchinson and 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 ordinance was declared duly passed and adopted.

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

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

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 563 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, the following Members voted in favor thereof, viz;

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

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

ITEM 3.8 – HICKORY LANE ROAD RESOLUTION

City Attorney Skip Wieser reviewed with City Council for approval a Resolution regarding Hickory Lane.

The purpose of the resolution is to clarify the public records and to declare that all of Hickory Lane is in fact a public right-of-way as permitted by Minnesota Law. Following review and discussion, Member O'Donnell-Ebner introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 04-23-16

**A RESOLUTION DECLARING A PUBLIC RIGHT-OF-WAY
OF HICKORY LANE**

WHEREAS, Hickory Lane has been utilized as a public road since 1969. Hickory Lane is described on the attached Exhibit A.

WHEREAS, since that time, Hickory Lane has been open to the public.

WHEREAS, Hickory Lane was initially developed in La Crescent Township and was subsequently annexed to the City of La Crescent on or about August 8, 2016, by virtue of a joint agreement between the City of La Crescent and the La Crescent Township.

WHEREAS, Hickory Lane has continuously been used, kept in repair, and worked as a public highway for at least six (6) continuous years, and therefore, the property is deemed dedicated to the public as a public highway pursuant to Minn. Stat. § 160.05.

BE IT RESOLVED, that the City Council of the City of La Crescent declares Hickory Lane, as described on Exhibit A, to be dedicated to the public as a public roadway.

ADOPTED this 24th day of April, 2023.

SIGNED:

Mayor

ATTEST:

City Administrator

The motion for the adoption of the foregoing resolution was duly seconded by Member Jostad 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 – PERSONNEL COMMITTEE RECOMMENDATIONS

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

1. On April 30, 2023, Kara Tarrence will have completed her 6-month probationary period as the City’s Finance Director. Effective April 30, 2023, the Personnel Committee is recommending that Ms. Tarrence’s probationary status be removed and that she be classified as the City’s Finance Director. Included in the recommendation is that effective April 30, 2023, Ms. Tarrence be moved from step 1 to step 2 in the Finance Director’s salary schedule.
2. On May 9, 2023, Mike Ernster will have completed his 12-month probationary period as a Sergeant in the La Crescent Police Department. Effective May 9, 2023, the Personnel Committee is recommending that Mr. Ernster’s probationary status be removed, and that he be classified as a Sergeant in the La Crescent Police Department. A letter from the Chief of Police regarding this recommendation was also included.
3. That the City Council accept Charles Petersen’s resignation as a Police Officer for the City of La Crescent, and that the City Council authorize to advertise to fill the vacancy. A hiring recommendation will be presented at a future City Council meeting. A letter from the Chief of Police regarding this recommendation was included.

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

MOTION TO APPROVE EFFECTIVE APRIL 30, 2023, THAT KARA TARRENCE’S PROBATIONARY STATUS BE REMOVED AND THAT SHE BE CLASSIFIED AS THE CITY’S FINANCE DIRECTOR AND MS. TARRENCE BE MOVED FROM STEP 1 TO STEP 2 IN THE FINANCE DIRECTOR SALARY SCHEDULE.

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.

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

MOTION TO APPROVE EFFECTIVE MAY 9, 2023, THAT MIKE ERNSTER’S PROBATIONARY STATUS BE REMOVED AND THAT HE BE CLASSIFIED AS A SERGEANT IN THE CITY’S POLICE DEPARTMENT.

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.

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

MOTION TO APPROVE CHARLES PETERSEN’S RESIGNATION AS A POLICE OFFICER FOR THE CITY OF LA CRESCENT AND AUTHORIZE THE ADVERTISING TO FILL THE VACANCY WITH A HIRING RECOMMENDATION BEING PRESENTED AT A FUTURE CITY COUNCIL 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.

ITEM 3.10 – LIVING FOR LIZ/ROTARY CLUB REQUEST

City Council reviewed a letter from Monica Holman on behalf of the La Crescent Rotary and Living For Liz to request space in Veteran’s Park for six hours on Saturday, August 12, 2023, to provide lunch during the Apple Blossom Bike Tour. Following discussion, Member Williams made a motion, seconded by Member Jostad as follows:

MOTION TO APPROVE THE LA CRESCENT ROTARY AND LIVING FOR LIZ TO UTILIZE SPACE IN VETERAN’S PARK FOR APPROXIMATELY SIX HOURS ON SATURDAY, AUGUST 12, 2023, TO PROVIDE LUNCH DURING THE APPLE BLOSSOM BIKE TOUR.

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 3.11 – ACTIVE TRANSPORTATION GRANT UPDATE

City Community Development Coordinator Larry Kirch (via Zoom) provided information to City Council that funding for the MnDOT Active Transportation Infrastructure Grant for 6th Street South Aquatic Center/Kistler Park Connection was not approved. City Council also reviewed an email from MnDOT providing additional information and explanation as to why the city's request was not funded. It is hoped that additional funding will become available. If not, the city will re-apply next year. This was informational only, no action required.

ITEM 3.12 – WORK/PLANNING SESSION

City Administrator Bill Waller reviewed with City Council for discussion a proposed job description for a new Building Inspector position. The position will be included in the AFSCME Union and will be assigned a point value of 213-245, and in 2023 will have a salary range of \$26.80 - \$31.04 per hour. The 2023 budget includes four months of funding for the position. Given the anticipated schedule for filling the position, it will be necessary to amend the 2023 general fund budget by approximately \$4,500. Also reviewed for discussion was an updated Building Official job description that includes limited supervision over the new Building Inspector position. Additional duties include the responsibility for overseeing all City buildings, including routine and required maintenance at each of the city facilities. The Building Officials' position would continue to be included in the AFSCME union. The points assigned to the position will be increased from 305 to 315-345. In 2023 the salary range for the position will be \$31.51 to \$38.04 per hour. The projected total cost of the proposed wage increase for the Building Official in 2023 would be \$2,863 for the remaining seven months of the year. It will be necessary to amend the 2023 general fund budget by approximately \$1,145 to reflect this increase. The job descriptions will be brought back for approval at the May 8th City Council meeting. This was informational only, no action required.

6. STAFF CORRESPONDENCE/COMMITTEE UPDATES

6.1 City Council reviewed the Explore La Crosse March 20, 2023, Agenda and Meeting minutes.

8. HOUSTON COUNTY

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

9, CHAMBER OF COMMERCE

Chamber of Commerce representative Jon Wilson was in attendance and gave 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 6:58 PM

APPROVAL DATE: May 8, 2023

SIGNED:

Mayor

ATTEST:

City Administrator