

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
JUNE 28, 2021

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of June was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, June 28, 2021.

Pursuant to Minn. Stat. § 13D.021 and due to the COVID-19 pandemic, members of the City Council and City Staff were given the option to attend the meeting by telephone or Zoom. Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Ryan Hutchinson, Cheryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller, City Attorney Skip Wieser, City Engineer Tim Hruska, and City Administrative Assistant Angie Boettcher.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

ITEM 1 – CONSENT AGENDA

At this time, the Mayor read the following items to be considered as part of the Consent Agenda for this regular meeting:

- 1.1 MINUTES – MAY 24, 2021
- 1.2 MINUTES – JUNE 14, 2021
- 1.3 BILLS PAYABLE THROUGH JUNE 24, 2021

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Hutchinson 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 voted in favor thereof, viz;

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

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

ITEM 3.1 – REVIEW WILDWOOD STORMWATER PROJECT

City Engineer Hruska reviewed with City Council that on June 2, 2021, he and City Administrator Waller, along with City Council Members Dale Williams and Cheryl Jostad, met with the property owners in the Wildwood development that would be served by the stormwater improvement project. City Engineer

Hruska reviewed the project with those in attendance, and proposed a cost-split for the project where the City would pay one-half of the project costs, and the impacted property owners would pay the other one-half of the project cost. Both of the property owners have indicated a willingness to pay \$2,500.00 each towards the project. City Council reviewed a correspondence from one of the property owners, along with the plat and grading plan for the development. City Engineer Hruska and City Attorney Wieser also reviewed with City Council various documents relating to the Wildwood Stormwater Project. The documents included the following: a memo from the City Engineer; the Development Agreement for the project; the City-Owner contract for the project; the Maintenance and Ownership Agreement for the project; and a review of the final plat for conformance of the City Subdivision Ordinance that was done by the former City Engineer. City Council reviewed an Agenda Request from JoAnne Wieser and photos were reviewed. Discussion followed by the City Council. Following discussion, Member Jostad made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE ESTIMATE FROM ZENKE, INC., CONTINGENT UPON THE FOLLOWING:

- 1. BOTH PROPERTY OWNERS AT 818 AND 812 WILDWOOD COURT (“INDIVIDUAL PROPERTY OWNERS”) CONTRIBUTE THE SUM OF \$4,500.00 TO THE CITY OF LA CRESCENT (“CITY”);**
- 2. THE INDIVIDUAL PROPERTY OWNERS CONVEY PUBLIC EASEMENTS TO THE CITY; AND**
- 3. THE INDIVIDUAL PROPERTY OWNERS ENTER INTO AN AGREEMENT WITH THE CITY WAIVING LIABILITY.**

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
Dale Williams	Yes

and Member Teresa O’Donnell-Ebner and Mayor Mike Poellinger voted against the same. The motion was declared duly carried by a 3-2 vote.

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

MOTION TO REQUIRE THE ABOVE AGREEMENT TO INCLUDE A PROVISION THAT BOTH INDIVIDUAL PROPERTY OWNERS AGREE TO BRING THEIR LANDSCAPING INTO COMPLIANCE WITH MINNESOTA BUILDING CODE WITHIN SIXTY (60) DAYS OF COMPLETION OF THE ZENKE, INC. WORK AND THAT SAID AGREEMENT BE BROUGHT BACK AT A FUTURE CITY OF LA CRESCENT COUNCIL MEETING.

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 3.2 – HIGH SCHOOL DITCH STORMWATER PROJECT QUOTES

City Engineer Hruska reviewed with City Council the two quotes for the High School Ditch Stormwater project. The project will make repairs around the two outlets south of South 11th Street and about a 50' repair to the edge of the ditch. The two quotes received were as follows: Gerke Excavating, Inc. of Onalaska, WI for \$10,606.00; and Zenke Inc. of La Crescent, MN for \$11,600.00. It was recommended to City Council to award the project to Gerke Excavating as they were the low responsive, responsible bidder. City Council reviewed an Agenda Request from Laurie Sexauer. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Jostad, as follows:

MOTION TO AWARD THE HIGH SCHOOL DITCH STORMWATER PROJECT TO GERKE EXCAVATING IN THE AMOUNT OF \$10,606.00.

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 3.3 – ALTERNATIVE LANDSCAPING EQUIPMENT GRANT

City Sustainability Coordinator, Jason Ludwigson, reviewed with City Council information about the Alternative Landscaping Equipment grant. The grant will replace the current 2-cycle gasoline-powered landscape equipment with electric/battery-powered equipment. The grant from the Minnesota Pollution Control Agency in the amount of \$1,580.00 was awarded to the City of La Crescent on June 1, 2021. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson, as follows:

MOTION TO ACCEPT THE ALTERNATIVE LANDSCAPING EQUIPMENT GRANT FROM THE MINNESOTA POLLUTION CONTROL AGENCY IN THE AMOUNT OF \$1,580.00.

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 3.4 – FLEET ELECTRIFICATION ADVISORY PROGRAM

City Sustainability Coordinator, Jason Ludwigson, reviewed with City Council information about the Fleet Electrification Advisory Program. Sawatch Labs is the company that Xcel contracts with for the Fleet Electrification Advisory Program. Currently the City is planning to complete the study on 14 city vehicles. The contract is estimated by Mary Till with Sawatch Labs to be \$10,042.19. Xcel will fully reimburse the City for these funds per the Fleet Electrification Advisory Program agreement upon completion of the work by Sawatch Labs. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE QUOTE/AGREEMENT WITH SAWATCH LABS FOR THE FLEET ELECTRIFICATION ADVISORY PROGRAM IN THE AMOUNT OF \$10,042.19 WHICH WILL BE FULLY REIMBURSED BY XCEL UPON COMPLETION OF THE WORK BY SAWATCH LABS.

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 3.5 – REIMBURSEMENT RESOLUTION

City Administrator Waller reviewed with City Council a memo from Tammy Omdal, Managing Director of Northland Securities, regarding a Resolution of intent to reimburse for the purchase of the property at 332 South 1st Street in La Crescent. The City plans to acquire the property for the purpose of construction of a new municipal building to be used for City Hall. For the City to reserve the authority to reimburse itself for the property acquisition cost from bond proceeds, the Council must approve a resolution declaring the official intent of the City to reimburse certain expenditures from the issuance of bonds. City Council reviewed the proposed Resolution. The memo also included information regarding the process for CIP Bonds. The purpose of the resolution is to reserve the City's authority to reimburse itself in the future from bond proceeds, if, and when, bonds are issued. Following review and discussion, Member Hutchinson introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 06-21-22

**RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF
LA CRESCENT TO REIMBURSE CERTAIN EXPENDITURES FROM THE ISSUANCE
OF BONDS**

WHEREAS, the Internal Revenue Service has issued Treasury Regulations, Section 1.1502 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of bonds used to reimburse an issuer for any project expenditure paid prior to the time of the issuance of those bonds; and

WHEREAS, the Regulations generally require that an issuer make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment); and

WHEREAS, the City Council (the "Council") of the City of La Crescent, Minnesota (the "City") has heretofore determined and declared that it is in the best interest of the City to issue general obligation bonds, in an amount not to exceed \$250,000 (the "Bonds"), to finance the costs of certain property acquisition (the "Project").

WHEREAS, the Council is authorized under Minnesota Statutes, 475.521 (the "Act") to prepare a capital improvement plan and carry out programs for financing certain capital improvements. The City may issue general obligation bonds pursuant to the Act to finance the cost of capital improvements described in the plan

WHEREAS, the Council before the approval of the Plan and issuance of any general obligation bonds under the Act, the City is required to hold a public hearing on the plan and issuance of the bonds.

WHEREAS, pursuant to the Act, the City plans to cause to be prepared a five-year capital improvement plan (the "Plan"), which will describe certain capital improvements in the City for a five year period.

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

1. Official Intent Declaration. The City hereby declares its official intent to reimburse itself from the proceeds of the Bonds for costs of the Project incurred and paid for prior to the issuance thereof.

ADOPTED this 28th day of June, 2021.

SIGNED:

Mayor

ATTEST:

City Administrator

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, all 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 resolution duly passed and adopted.

ITEM 3.6 – PERSONNEL COMMITTEE RECOMMENDATION

City Administrator Waller reviewed with City Council a recommendation from the Personnel Committee to accept the resignation of Todd Duerwachter as a Firefighter from the La Crescent Fire Department. City Council reviewed a memo from the Fire Chief regarding this. Following discussion, Member Williams made a motion, seconded by Member Jostad, as follows:

MOTION TO ACCEPT THE RESIGNATION OF TODD DUERWACHTER AS A FIREFIGHTER FROM THE LA CRESCENT FIRE DEPARTMENT.

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 3.7 – AGENDA REQUEST – F.D. 100 YEAR CELEBRATION

City Council reviewed an agenda request and memo from Josh Tarrence, Assistant Chief/Fire Marshal, of the La Crescent Fire Department regarding a celebration for the La Crescent Fire Department's 100 years of service to the City of La Crescent that occurred in 2020 but unfortunately due to the COVID 19 pandemic had to be postponed. The celebration has been rescheduled for Saturday, August 7th, 2021. The event is to include the following: Past and Present Firefighter Luncheon; Fire Department Family Open House; Chicken Q; and Community Street Dance. The Fire Department requested the City Council's permission to close South 1st Street from South Oak Street to the municipal parking lot from 8:00 am to 5:00 pm then close the rest of South 1st Street to South Walnut Street until midnight. They also requested

the City Council's permission to hold the street dance, which will be located on South 1st Street from 7:00 pm to 11:00 pm. The event and road closure have been discussed with Police Chief Doug Stavenau and he has approved. Chief Stavenau will also provide Police Reserves for the event. Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE STREET CLOSURE OF SOUTH 1ST STREET FROM SOUTH OAK STREET TO THE MUNICIPAL PARKING LOT FROM 8:00 AM TO 5:00 PM AND TO CLOSE THE REST OF SOUTH 1ST STREET TO SOUTH WALNUT STREET UNTIL MIDNIGHT AND ALSO APPROVE A STREET DANCE LOCATED ON SOUTH 1ST STREET FROM 7:00 PM TO 11:00 PM FOR THE LA CRESCENT FIRE DEPARTMENTS 100 YEARS OF SERVICE CELEBRATION ON AUGUST 7, 2021.

Upon a roll call vote taken and tallied by the City Administrator, all 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 – UPDATE ON LIBRARY REOPENING AND FINE CHANGES

Kayce Gentry, Library Director for the La Crescent Public Library, reviewed with City Council a recommendation from the La Crescent Library Board of Trustees for a new fine policy for the La Crescent Public Library. Under the current fine policy, children's books do not accrue overdue fines, while adult books, magazines, and puzzles accrue fines of \$0.20 per day and audiovisual materials (DVDs and music CDs) accrue overdue fines of \$0.50 per day. The Board moved to change the fine policy so that only new adult books would accrue fines of \$0.20 per day with all other materials no longer accruing overdue fines. The purpose of this change is to make using the library easier and more equitable, particularly for low-income patrons. When the library eliminated fines on children's books in 2019, it made using the library easier for families throughout the community. The Library Board would like to build on that now by making a larger portion of the collection fine-free. The impact on the library's budget would be minimal. Due to the pandemic, the library ceased to collect any overdue fines from March of 2020 to May of 2021 with only a small loss to expected revenue. Overall, this change would reduce the library's revenue by approximately 0.5%. The decrease in revenue from fines over the last few years has been much surpassed by the Library's increasing fundraising through the Friends of the Library and increased use of other revenue generating services (printing, copying, faxing). It was recommended to City Council to approve this new fine policy. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Jostad, as follows:

MOTION TO APPROVE THE NEW FINE POLICY PER THE RECOMMENDATION FROM THE LA CRESCENT LIBRARY BOARD OF TRUSTEES FOR THE LA CRESCENT PUBLIC LIBRARY.

Upon a roll call vote taken and tallied by the City Administrator, all 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 5.1 – MAYOR’S COMMENTS – RESPONSE TO STUDENTS

City Council reviewed a letter from Mayor Poellinger in response to the student who wrote to the City regarding increasing the number of chickens allowed to be kept at residences in the City. No action taken.

ITEM 6.1 – EXPLORE LA CROSSE

City Council reviewed the Agenda from the June 15, 2021 La Crosse County Convention & Visitors Bureau Online Board Meeting, which included the Minutes from the May 18, 2021 Online Board Meeting. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

Brad Helstad of the La Crescent Chamber of Commerce stated there were no updates from the Chamber.

Member Williams requested that low hanging branches and fire hydrant painting be included on the next City Council agenda.

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 6:58 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator