

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
JULY 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 July was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, July 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, Sustainability Coordinator Jason Ludwigson, and Deputy Clerk Angie Boettcher.

Also in attendance were Police Chief Luke Ahlschlager and Police Officer Amy Gehrke.

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 – JULY 10, 2023
- 1.2 BILLS PAYABLE THROUGH – JULY 21, 2023
- 1.3

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
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 – SWEARING IN OF POLICE OFFICER

La Crescent Police Chief Luke Ahlschlager swore in the La Crescent Police Department’s newest Police Officer, Amy Gehrke.

ITEM 3.2 – APPLEFEST TORCHLIGHT PARADE REQUEST

City Council reviewed a letter from Police Chief Ahlschlager requesting approval for an Applefest Torchlight Parade. The Applefest Board would like to kick off the 75th Anniversary of Applefest with a Torchlight Parade to be held on Thursday, September 14, 2023. The parade will line up at Veterans Park at 6:30 pm with the parade starting at dusk or approximately 7:10 pm and ending at the Crucifixion parking lot. The route would be as follows, from Veterans Park take a right onto North Chestnut St. then a right on North 4th St, left onto North Walnut St, right onto South 2nd St, and ending at the Crucifixion parking lot. The La Crescent Police Department will take necessary measures to provide adequate traffic control while minimizing traffic disruption. Following discussion, Member Williams made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO APPROVE THE APPLEFEST TORCHLIGHT PARADE TO BE HELD ON THURSDAY, SEPTEMBER 14, 2023 FROM VETERANS PARK TO CRUCIFIXION PARKING LOT WITH THE TIME AND ROUTE AS STATED AND THE LA CRESCENT POLICE DEPARTMENT TAKING NECESSARY MEASURES TO PROVIDE ADEQUATE TRAFFIC CONTROL WHILE MINIMIZING TRAFFIC DISRUPTION.

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 – APPLEFEST REQUEST

City Council reviewed a letter from Justine Vanderzee and Ryan Deicher from the Applefest Carnival and Concession Committee requesting use of picnic tables from the city parks during Applefest from September 15-17, 2023. It was requested that city Maintenance staff deliver the picnic tables to the fest grounds the morning of Thursday, September 15th, and be picked up the morning of Monday, September

19th. Following discussion, Member Hutchinson made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE APPLEFEST CARNIVAL AND CONCESSION COMMITTEE’S REQUEST FOR THE USE OF PICNIC TABLES FROM THE CITY PARKS DURING APPLEFEST FROM SEPTEMBER 15-17, 2023 WITH THE CITY MAINTENANCE STAFF DELIVERING THE TABLES THE MORNING OF THURSDAY, SEPTEMBER 15TH, AND PICKING THEM UP THE MORNING OF MONDAY, SEPTEMBER 19TH.

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 – PERSONNEL COMMITTEE RECOMMENDATIONS

The Personnel Committee had the following recommendations for consideration by the City Council:

1. The Personnel Committee is recommending that the City Council accept Ethan Hofschulte’s resignation as a Police Officer. A letter from the Police Chief regarding the recommendation was included. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO ACCEPT POLICE OFFICER ETHAN HOFSCHULTE’S RESIGNATION FROM THE LA CRESCENT POLICE 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.

2. The Personnel Committee is recommending that the City Council authorize the Police Chief to fill the vacancy of Officer Hofschulte by either promoting from within or advertising the position, with the understanding that a hiring recommendation will be presented at a future City Council meeting. Following discussion, Member Hutchinson made a motion, seconded by Member Jostad as follows:

MOTION TO AUTHORIZE POLICE CHIEF AHLISCHLAGER TO FILL THE VACANCY OF OFFICER HOFSCHULTE BY EITHER PROMOTING FROM WITHIN OR ADVERTISING THE POSITION, WITH THE UNDERSTANDING THAT A HIRING RECOMMENDATION WILL BE PRESENTED AT A FUTURE CITY 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.

3. The Personnel Committee is recommending that the City Council accept Christopher Warren's resignation from the Fire Department. A letter from the Fire Chief regarding the recommendation was included. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO ACCEPT CHRISTOPHER WARREN'S RESIGNATION 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 3.5 – SHORT-TERM RENTAL PERMIT APPLICATIONS

City Council reviewed a memo from Chief Ahlschlager recommending approval of Short-Term Rental

Applications based on the current Ordinance with a thirty-day minimum rental period for Allison Davis – 829 Bridle Lane, Gene Schellhorn – 710 Shore Acres Rd, Noel Stein – 104 N. Maple, and Bill Farrell – 422 Shore Acres Rd. The applications appear to be in order. Following discussion, Member Hutchinson made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO APPROVE THE SHORT-TERM RENTAL APPLICATIONS FOR ALLISON DAVIS – 829 BRIDLE LANE, GENE SCHELLHORN – 710 SHORE ACRES, NOEL STEIN – 104 N. MAPLE, AND BILL FARRELL – 422 SHORE ACRES RD. BASED ON THE CURRENT ORDINANCE WITH A THIRTY-DAY MINIMUM RENTAL PERIOD.

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 – REVIEW NEW ADULT-USE CANNABIS LAW

City Attorney Skip Wieser reviewed with City Council the changes to the Minnesota Adult-Use Cannabis Regulations and the potential impacts they could have on the City. It was recommended that City Council authorize Attorney Wieser and Police Chief Ahlschlager to draft an Ordinance regulating the use of Cannabis in public places and bring back to the first City Council Meeting in August. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Jostad as follows:

MOTION TO AUTHORIZE ATTORNEY WIESER AND POLICE CHIEF AHLSCHLAGER TO DRAFT AN ORDINANCE REGULATING THE USE OF CANNABIS IN PUBLIC PLACES AND BRING BACK TO THE FIRST CITY COUNCIL MEETING IN AUGUST.

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 – APPLE BLOSSOM BICYCLE TOUR REQUEST

City Council reviewed a letter from Police Chief Ahlschlager requesting approval for the La Crescent Rotary to hold its 10th annual Apple Blossom Bicycle Tour on Saturday, August 12, 2023, at 8:00 am. The organizers are requesting the city supply four picnic tables to be placed at a designated spot at Veteran’s Park. The La Crescent Police will be monitoring the event and will be available to assist if necessary, disruption to normal traffic flow will be minimal. Following discussion, Member Hutchinson made a motion, seconded by Member O’Donnell-Ebner as follows:

MOTION TO APPROVE THE LA CRESCENT ROTARY TO HOLD ITS 10TH ANNUAL APPLE BLOSSOM BICYCLE TOUR ON SATURDAY, AUGUST 12, 2023, AT 8:00 AM WITH THE CITY SUPPLYING FOUR PICNIC TABLES AT A DESIGNATED SPOT AT VETERAN’S PARK AND THE LA CRESCENT POLICE DEPARTMENT MONITORING THE EVENT AND AVAILABLE TO ASSIST IF NECESSARY.

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 – BICYCLE FRIENDLY COMMUNITY DESIGNATION

City Sustainability Coordinator Jason Ludwigson addressed the City Council that after a review of the City’s application and supplemental materials and consultation with local cyclists and bike advocates, the League of American Bicyclists designated La Crescent as a Bicycle Friendly Community at the Bronze level. This award is presented only to those communities with strong commitments to bicycling. La Crescent will be hosting a Bicycle Friendly Community Award Celebration on August 12th at 7:30 am at Veterans Park as part of the Apple Blossom Bike Tour and all are invited to attend. This was informational only, no action required.

ITEM 3.9 – BEEKEEPING ORDINANCE

City Sustainability Coordinator Jason Ludwigson reviewed with City Council for approval a Beekeeping Ordinance for the City of La Crescent. Following discussion, Member O’Donnell-Ebner introduced the

following ordinance and moved its passage and adoption:

ORDINANCE NO. 570

**AN ORDINANCE OF THE CITY OF LA CRESCENT
REGULATING (HONEY BEES) BEEKEEPING IN THE CITY OF LA
CRESCENT, MINNESOTA**

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

SECTION I – FINDINGS. The La Crescent City Council hereby finds and declares as follows:

1. Pollinators are a necessary component of a healthy ecosystem and food system, providing essential pollination of plants in order to grow vegetables, herbs, and fruits.
2. Pollinator populations are in sharp decline due to an ongoing loss of habitat as a result of human land use practices, coupled with a simultaneous large-scale expansion of pesticide use by homeowners, landscapers, property managers, and farmers.
3. Local food production is needed to improve the health and food security of La Crescent residents and insect pollination is an essential component of local food production.

SECTION II – PURPOSE. The purpose and intent of this ordinance is to permit and establish requirements for the keeping of honey bee colonies, hives, and equipment within the City of La Crescent.

SECTION III - DEFINITIONS.

1. Apiary: The assembly of one or more colonies of bees on a single lot.
2. Beekeeper: A person who owns or has charge of one or more colonies of honeybees.
3. Colony: An aggregate of honey bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.
4. Flyway Barrier: A solid fence, wall, or dense vegetation at least 6' in height that continues parallel to the apiary site lot line at least 10' in each direction from the colony, that requires bees to fly over, rather than through the barrier. Depending on the barrier type and construction, or location, additional permitting may be required prior to installation.
5. Hive: The receptacle inhabited by a colony.
6. Undeveloped property: A lot adjacent to an apiary where residential dwellings, commercial buildings, trails, sidewalks, or streets do not currently exist, or are greater than 25' from an existing hive.

SECTION IV- LOCATION REQUIREMENTS.

1. Beekeeping is permitted in all zoning districts in accordance with this code section. In the C-1 – Commercial District, CBD 1 – Commercial Business District, CBD 2 Commercial Business District, and I – Industrial District, hives must be kept on the roof of a building at least 12' in height.
2. Hives must not be located in the front yard, unless on a lot greater than 5 acres. For the purpose of this section, a corner lot has two front yards.
3. Hive setback must be in accordance with the following requirements:

Hive Setback	Distance	Hive Setback	Distance
Lot Line	20'	Adjacent Dwelling	25'
Lot Line with A Flyway Barrier	15'	Trail / Sidewalk / Patio	25'

SECTION V – COLONY DESIGN.

1. Colonies must be kept in removable frame hive bodies no more than 9 5/8” deep with no more than 10 frames.
2. An adequate and convenient water source must be within 10' of active hives.
3. Hives must not exceed 6' in total height.
4. Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees is left exposed outdoors. Such materials must be stored in sealed insect-proof containers or placed within a building.

Maximum number of colonies permitted based on lot size:

Lot Size	# of Colonies	Lot Size	# of Colonies
Less than 0.50 acres	1 colonies	2.51 to 4.99 acres	8 colonies
0.51 to 1.0 acres	2 colonies	5.00 to 9.99 acres	16 colonies
1.01 to 2.50 acres	4 colonies	Greater than 10 acres	32 colonies

SECTION VI – GENERAL REGULATIONS:

1. All Beekeepers must register active hive sites with the Building Official or designee. Existing hives must register within 60 days of the publishing of this ordinance. All Beekeepers must register active hive sites annually.
2. Sale of honey or related bee products: Retail sales in residential zones must only be from hives on that property. Home occupations must meet all of the existing requirements in the La Crescent Municipal Code.
3. Provide written documentation that you have notified all of your immediate neighbors that you plan to keep bees on your property
4. If an undeveloped property adjacent to a colony is developed, the colony locations must comply with all sections of this code within 90 days of the development.
5. Hive bodies must be maintained in good condition, including maintenance of paint, and when not in use must be removed within 14 days if they are no longer occupied.
6. Beekeepers shall submit a written plan on how they intend to minimize or prevent swarming to the Building Official or designee. For swarm prevention purposes a beekeeper may exceed the maximum colony requirement for up to 35 days, but must meet all other requirements of this section.
7. Hives shall be continuously managed to provide adequate living space for their resident honeybees in order to control swarming.
8. In any instance in which a colony exhibits unusual aggressive behavior, it shall be the duty of the beekeeper to promptly implement appropriate actions to address the behavior. Queens shall be selected from European stock bred for gentleness and non-swarming characteristics.
9. The city Building Official or designee shall have the right to inspect any apiary for the purpose of ensuring compliance with this ordinance between 8 a.m. and 5 p.m. once annually upon prior notice to the owner of the apiary property and more often upon complaint without prior notice. It shall be

deemed a violation of this Section for any person to resist, impede, or hinder the Building Official or designee in the performance of their duties in inspecting any apiary and apiary site.

SECTION VII - VIOLATION. A violation of this Ordinance is a petty misdemeanor subject to penalty not to exceed \$300.00.

SECTION VIII - These provisions shall become effective from and after due passage and enactment, and publication, according to law.

PASSED AND ENACTED this _____ day of _____, 2023.

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

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 570 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
Mike Poellinger	Yes

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

ITEM 3.10 – SOLAR REQUEST FOR PROPOSALS

City Sustainability Coordinator Ludwigson reviewed with City Council the solar RFP proposal from Solar Connection for the Aquatic Center. This was one of the projects in the solar RFP from May of 2023. Solar Connection is proposing a 38.7 kWh roof-mounted solar PV system for the pool building. The proposal would have the city take full ownership of the system when it is installed. It was recommended that City Council authorize Attorney Wieser to review and draft documents for the contract with Solar Connection. The total expenditure for the project would be \$108,400. Attorney Wieser would also review the application for financing with Property Assessed Clean Energy (PACE) through the St. Paul Port Authority.

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

MOTION TO AUTHORIZE ATTORNEY WIESER TO REVIEW AND DRAFT DOCUMENTS FOR A CONTRACT WITH SOLAR CONNECTION FOR A 38.7 kWh ROOF-MOUNTED SOLAR PV SYSTEM AT THE AQUATIC CENTER WITH A TOTAL EXPENDITURE BEING \$108,000 WITH ATTORNEY WIESER REVIEWING THE APPLICATION FOR FINANCING WITH PROPERTY ASSESSED CLEAN ENERGY (PACE) THROUGH THE ST. PAUL PORT AUTHORITY.

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

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

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

ITEM 3.11 – ENGINEERING AGREEMENT – PINE CREEK PROJECT

Sustainability Coordinator Ludwigson reviewed with City Council for approval an Engineering Agreement between the City of La Crescent and WHKS for professional services relating to the Pine Creek Restoration 2023 Grant Assistance. In 2022 the City of La Crescent applied for a Conservation Partners Legacy (CPL) grant fund to restore sections of Pine Creek. The City would like to apply for the CPL funds for the 2023

cycle which opens August 1st. The cost of the engineering design work would be covered by the grant funds from CPL if the La Crescent project is selected for funds in 2023.

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

MOTION TO APPROVE THE ENGINEERING AGREEMENT BETWEEN THE CITY OF LA CRESCENT AND WHKS FOR PROFESSIONAL SERVICES RELATING TO THE PINE CREEK RESTORATION 2023 GRANT ASSISTANCE WITH THE COST OF THE ENGINEERING DESIGN WORK BEING COVERED BY THE GRANT FUNDS FROM CPL IF THE LA CRESCENT PROJECT IS SELECTED FOR FUNDS IN 2023.

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 3.12 – FEE SCHEDULE AMENDMENT

City Council reviewed for approval an amendment to the 2023 Fee Schedule adding park fees for the Wieser Park Pavilion. Following discussion, Member Hutchinson introduced the following ordinance and moved its passage and adoption:

ORDINANCE NO. 571

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, 565 NO. 569

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, April 24, 2023, June 26, 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:

PARKS

PARKS

FACILITY	2023 FEES
Old Hickory Park – Open-air shelter with two sides available for rent	\$45.00/side/day
Wieser Park Pavilion – All-Season Pavilion	\$50.00 – Civic/Non-Profit / up to 6 hours \$75.00 – City/Township Resident / up to 6 hours \$200.00 – Non-Resident / up to 6 hours \$100.00 – Civic/Non-Profit / 6+ hours \$150.00 – City/Township Resident / 6+ hours \$400.00 – Non-Resident / 6+ hours No Charge – Monday, Tuesday, Wednesday, Thursday for Civic/Non-Profit / up to 4 hours
Wieser Park Shelter – Open-air Shelter	No Charge Reservations suggested

ADOPTED this 24th day of July 2023.

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, 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.

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

MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 571 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
Mike Poellinger	Yes

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

ITEM 3.13 – DONATION RESOLUTION

City Council reviewed a Resolution regarding the acceptance of donations to the City for the month of July. Following review and discussion, Member Hutchinson introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 07-23-25

**RESOLUTION ACCEPTING DONATIONS MADE TO THE
CITY OF LA CRESCENT WIESER MEMORIAL PARK IMPROVEMENT PROJECT IN JULY
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 July 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. Ruth Berns wishes to donate \$15,000.00

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 24th day of July 2023.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

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 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.

City Council reviewed a Resolution regarding the acceptance of donations to the City for the month of July. Following review and discussion, Member Hutchinson introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 07-23-26

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

WHEREAS, the following donations were made to the City of La Crescent in the month of July 2023:

1. Pat's Insurance Agency wishes to donate \$200.00 to the LCPD/Neighbor's Night Out.
2. An Anonymous Donor wished to donate \$20.00 to the LCPD/Neighbor's Night Out.
3. American Legion Post 595 wishes to donate \$500.00 to the LCPD/Neighbor's Night Out.
4. Bonni Robilliard wishes to donate \$236.00 to the LCPD/Neighbor's Night Out.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of La Crescent hereby accepts the donations stated above.

ADOPTED this 24th day of July 2023.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

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 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 3.14 – CHANGE LOCATION FOR CITY COUNCIL MEETINGS

City Administrator Waller reviewed with City Council for approval of a location change for City Council meetings. Due to pending changes at City Hall, and the need for additional office space, it was recommended that City Council meetings be held at the Community Building beginning August 28, 2023, and other Commissions, Boards, and Groups begin meeting at the Community Building in September.

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

MOTION TO APPROVE OF A LOCATION CHANGE FOR CITY COUNCIL MEETINGS TO BE HELD AT THE COMMUNITY BUILDING BEGINNING AUGUST 28, 2023, AND OTHER COMMISSIONS, BOARDS, AND GROUPS TO BEGIN MEETING AT THE COMMUNITY BUILDING IN SEPTEMBER IN ORDER TO PROVIDE ADDITIONAL NEEDED OFFICE SPACE AT CITY HALL.

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 3.15 – REQUEST TO PURCHASE PROPERTY

Attorney Wieser reviewed with City Council a request from the property owners at 176 Green Apple Road to purchase the adjoining city-owned lot on Green Apple Road. Following discussion, Member Williams made a motion, seconded by Member O'Donnell-Ebner as follows:

MOTION TO DENY THE REQUEST TO PURCHASE THE ADJOINING CITY-OWNED LOT ON GREEN APPLE ROAD TO THE PROPERTY OWNERS AT 176 GREEN APPLE ROAD.

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 3.16 – AUTHORIZE EXPENDITURES – WIESER PARK PROJECT

City Administrator Waller reviewed with City Council for approval the following items related to the Wieser Park improvement project:

1. Approve a change order in the amount of \$53,870 with Wieser Brothers General Contractors. The following items are included in the change order: ceramic tile flooring in the restrooms and kitchen, epoxy flooring in the gathering area, modifications to the restroom walls to conceal plumbing pipes, install new shingles on the existing shelter, construction of a cupola on the existing shelter to match the pavilion, and raise the floor of the existing shelter. There are donated funds to cover all but \$600 of the cost of this change order. It is expected that the city will be receiving additional donations toward the project. Following discussion, Member Jostad made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$53,870 WITH WIESER BROTHERS GENERAL CONTRACTORS TO INCLUDE THE STATED ITEMS IN THE CHANGE ORDER WITH ALL BUT \$600 COVERED BY DONATIONS AND THE EXPECTATION THAT THE CITY WILL BE RECEIVING ADDITIONAL DONATIONS TOWARD THE PROJECT.

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.

2. Authorize the purchase of 160 chairs, 23 tables, five (5) racks to store the tables and chairs, and seven (7) picnic tables at a price of approximately \$18,600 with the donation received at this

meeting covering the majority of the expenditure. It is expected that the City will be receiving additional donations toward the project. Following discussion, Member Hutchinson made a motion, seconded by Member Williams as follows:

MOTION TO AUTHORIZE THE PURCHASE OF THE STATED FURNITURE AND STORAGE EQUIPMENT IN THE APPROXIMATE AMOUNT OF \$18,600 WITH THE DONATION RECEIVED AT THIS MEETING COVERING THE MAJORITY OF THE EXPENDITURE WITH AN EXPECTATION THAT THE CITY WILL BE RECEIVING ADDITIONAL DONATIONS TOWARD THE PROJECT.

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.

3. Approve a change order in the amount of \$19,550 with Zenke, Inc. to remove the existing sidewalk between the existing shelter and parking lot and replace it with a new six-foot ADA-accessible sidewalk that will connect the existing parking lot with the existing shelter and the new park pavilion. The City will be responsible for this cost and will use the funds from the sale of the Horse Track Meadows North development to cover the expenditure. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$19,550 WITH ZENKE, INC. TO REMOVE THE EXISTING SIDEWALK BETWEEN THE EXISTING SHELTER AND PARKING LOT AND REPLACE IT WITH A NEW SIX-FOOT ADA-ACCESSIBLE SIDEWALK THAT WILL CONNECT THE EXISTING PARKING LOT WITH THE EXISTING SHELTER AND THE NEW PARK PAVILION WITH THE CITY USING FUNDS FROM THE SALE OF THE HORSE TRACK MEADOWS NORTH DEVELOPMENT TO COVER THE COST.

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.

6. STAFF CORRESPONDENCE/COMMITTEE UPDATES

6.1 City Council reviewed the Park & Recreation Minutes from the July 17, 2023 meeting.

6.2 City Council reviewed the July 18, 2023 Agenda for the Explore La Crosse meeting and the Explore La Crosse minutes from its June 20, 2023 meeting.

8. HOUSTON COUNTY

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 Hutchinson made a motion, seconded by Member Williams 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 6:19 PM

APPROVAL DATE: August 14th, 2023

SIGNED:

Mayor

ATTEST:

City Administrator