

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
AUGUST 10, 2020

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of August was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, August 10, 2020.

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 (via Zoom), Cheryl Jostad, Teresa O'Donnell-Ebner, and Mayor Mike Poellinger. Members absent: Dale Williams. Also present was City Administrator Bill Waller, City Attorney Skip Wieser, 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 – JULY 27, 2020
- 1.2 BILLS PAYABLE THROUGH AUGUST 6, 2020
- 1.3 CASH BALANCE/ACTIVITY REPORT – MAY 2020
- 1.4 LIBRARY REPORT – MAY 2020

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 O'Donnell-Ebner made a motion, seconded by Member Jostad, 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
Mike Poellinger	Yes

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

ITEM 3.1 – PLANNING COMMISSION MINUTES – AUGUST 4, 2020

City Attorney Wieser reviewed with City Council the minutes from the August 4, 2020 Planning Commission Meeting. The Planning Commission recommended that City Council approve the Preliminary

Plat for 1220 Grandview Terrace with the following conditions and findings of fact for City Council to consider:

Conditions:

1. Spot elevations and drainage arrows need to be shown on the final grading plan.
2. The proposed site must meet the current site for stormwater drainage. This can be accomplished by means on private property. The City should develop an agreement for maintenance of any private stormwater facilities. Drainage calculations need to be submitted.
3. The sanitary sewer service for Lot 1 should be contained within an easement.
4. Boundary encroachments be resolved or not included in plat.
5. Establishment of sanitary sewer and water fees.

Findings of Fact:

1. The request will not alter the essential character of the locality.
2. The property owner proposes to use the property in a reasonable manner permitted by the zoning ordinance in residential areas to wit, residential housing.
3. The request is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan by improving the housing stock.

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

MOTION TO APPROVE THE PRELIMINARY PLAT FOR 1220 GRANDVIEW TERRACE WITH THE ABOVE STATED CONDITIONS AND TO ADOPT THE FINDINGS STATED ABOVE AND AS STATED IN THE AUGUST 4, 2020 PLANNING COMMISSION MINUTES.

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
Mike Poellinger	Yes

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

City Council also reviewed a proposed three-unit townhome development on South 3rd Street. This was informational, and no action was taken.

ITEM 3.2 – DEVELOPMENT AGREEMENT AMENDMENT

City Attorney Wieser reviewed with City Council a proposed Second Amendment to Development Agreement regarding Horse Track Meadows. The original Development Agreement, along with the First Amendment thereto, was also reviewed by City Council. The original Development Agreement contemplates a reduction in security if Developer satisfies certain obligations. Developer is seeking to have the security reduced. The basis for Developer's request is the following:

1. Cash payment of \$280,985.30 payable to City as prepayment of special assessments to release ten (10) lots in the Horse Track Meadows Development.
2. Completion of approximately eighty percent (80%) of Developer's obligations as contained in the Development Agreement. City Council reviewed a correspondence from WHKS & co.

If approved, the Developer security will be reduced from \$2,468,953.32 to \$1,868,953.32. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE SECOND AMENDMENT TO DEVELOPMENT AGREEMENT REGARDING HORSE TRACK MEADOWS CONDITIONED ON PREPAYMENT AND TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO SIGN THE SAME.

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
Mike Poellinger	Yes

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

ITEM 3.3 – RELOCATE UTILITY EASEMENT

City Attorney Wieser reviewed with City Council that the property owner of Lots Eighteen (18) and Nineteen (19) of Apple Blossom Pointe Subdivision (610 Royal Court) have requested the City to relocate the drainage and utility easement as platted. The platted drainage easement runs ten (10) feet on each side of the property line between lots 18 and 19. The property owner owns both lots and due to the location of the proposed building site, has asked the City to relocate the easement. This request has been reviewed by the City Engineer, who does not oppose this request. It was recommended to City Council to authorize the preparation of the easement relocation paperwork and authorize the Mayor and City Administrator to sign the same. City Council also reviewed a survey prepared by Johnson & Scofield, Inc. on behalf of the property owner. Following discussion, Member Jostad made a motion, seconded by Member O'Donnell-Ebner, as follows:

MOTION TO AUTHORIZE THE PREPARATION OF THE EASEMENT RELOCATION PAPERWORK FOR THE DRAINAGE AND UTILITY EASEMENT ON LOTS EIGHTEEN (18) AND NINETEEN (19) OF APPLE BLOSSOM POINTE SUBDIVISION AND TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO SIGN THE SAME.

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
Mike Poellinger	Yes

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

ITEM 3.4 – AGENDA REQUEST – SCHOOL DISTRICT

City Council reviewed an Agenda Request from Jeff Copp, Elementary Principal for the La Crescent-Hokah School District, to close off South 4th Street for student recess during school days when students are present due to the construction project taking place at the school. Principal Copp was present to address City Council. This is a short term request until the project is completed in Fall/Winter 2021. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE CLOSING OFF SOUTH 4TH STREET FOR STUDENT RECESS DURING SCHOOL DAYS WHEN STUDENTS ARE PRESENT UNTIL THE CONSTRUCTION PROJECT TAKING PLACE AT THE LA CRESCENT-HOKAH ELEMENTARY SCHOOL IS COMPLETE.

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
Mike Poellinger	Yes

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

ITEM 3.5 – APPLEFEST REQUEST

City Administrator Waller reviewed with City Council a request from the Applefest Board of Directors to use Veteran's Park on Saturday, September 19, 2020 to hold the annual Cornhole Tournament along with a parade for Sunday, September 20, 2020. The parade route would be different from previous years to help mitigate large crowds, and encourage smaller gatherings at private residences. It was the consensus of City Council to not take action and to include on the next City Council Meeting agenda.

ITEM 3.6 - COVID-19

City Administrator Waller reviewed with City Council that the City of La Crescent received \$389,434 in Coronavirus Aid, Relief, and Economic Securities (CARES) Act funding on July 29, 2020. This is a work in progress, with the biggest question being what are eligible expenditures. The City will continue to work through this process, and present a plan along with proposed expenditures as it proceeds through the upcoming months. The City will be required to submit a monthly report to the Minnesota Office of Management and Budget. The City's first report will be due in early September, and will cover the period of time from March 1 through August 31, 2020. It appears that the current end date of November 15, 2020 may also be extended.

City Council also reviewed the following:

- a. An agreement with Houston County to provide the City with \$1,959.23 in CARES Act funding for a portion of the costs associated with the 2020 primary and general elections. It was recommended to City Council to approve the agreement and adopt the resolution.
- b. A draft of the Houston County CARES Business Relief Grant.
- c. The memo that was presented at the July 27th City Council meeting on this topic.
- d. A CARES Act Support Document and Commonly Asked Questions document prepared by the Association of Minnesota Counties.

Following discussion, Member Jostad introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 08-20-27

A RESOLUTION APPROVING THE 2020 CARES ACT HOUSTON COUNTY – MUNICIPALITY AGREEMENT

IT IS RESOLVED that the City Council of La Crescent hereby approves the 2020 CARES Act Houston County – Municipality Agreement as attached hereto.

ADOPTED this 10th day of August, 2020.

SIGNED:

 Mayor

ATTEST:

 City Administrator

The foregoing motion was duly seconded by Member O’Donnell-Ebner and upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O’Donnell-Ebner	Yes
Mike Poellinger	Yes

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

ITEM 8 – CHAMBER OF COMMERCE

The La Crescent Chamber of Commerce had no 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
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried by a 4-0 vote and the meeting duly adjourned at 5:57 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator