

MINUTES, REGULAR MEETING  
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA  
AUGUST 24, 2020

Pursuant to due call and notice thereof, the second 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 24, 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, Dale Williams, and Mayor Mike Poellinger. Members absent: None. 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 – AUGUST 10, 2020
- 1.2 BILLS PAYABLE THROUGH AUGUST 20, 2020
- 1.3 CASH BALANCE/ACTIVITY REPORT – JUNE 2020
- 1.4 LIBRARY REPORT – JUNE 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 Williams 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 2.0 – PUBLIC HEARING – ANNEXATION – 1635 WEST LANE**

At 5:30 PM the City Council held a public hearing to consider input on the proposed annexation of the property located at 1635 West Lane that the owners had requested to be annexed and the adoption of

Ordinance No. 547 annexing this property. City Attorney Wieser reviewed the map and findings for the Ordinance. Mayor Poellinger opened the meeting for public comment. There were no public comments. Following further discussion, Member Jostad introduced the following Ordinance, and moved its passage and adoption:

**ORDINANCE NO. 547**

**AN ORDINANCE OF THE CITY OF LA CRESCENT, MINNESOTA ANNEXING LAND LOCATED IN LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE**

**WHEREAS**, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of La Crescent, Minnesota, was duly presented to the Council of the City of La Crescent on July 13, 2020; and

**WHEREAS**, said property is unincorporated and abuts the City of La Crescent on its northwesterly, westerly, southerly and easterly boundaries; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

**WHEREAS**, said property is currently residential and annexation is requested to facilitate the extension of city services for the residential development of the property; and

**WHEREAS**, the City of La Crescent held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on August 24, 2020, following thirty (30) days written notice by certified mail to the Town of La Crescent and to all landowners within and contiguous to the area legally described herein, to be annexed; and

**WHEREAS**, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA CRESCENT HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of La Crescent, Minnesota, are hereby extended to include the following described property, said land abutting the City of La Crescent and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

LOT FOURTEEN (14), BLOCK ONE (1) OF CRESCENT VALLEY SUBDIVISION TO THE TOWN OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

AND ALSO THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104), RANGE FOUR (4), HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT FOURTEEN (14), BLOCK ONE (1), CRESCENT VALLEY SUBDIVISION, HOUSTON COUNTY, MINNESOTA; THENCE SOUTHWESTERLY ALONG THE SOUTHWESTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 136.54 FEET; THENCE NORTHERLY DEFLECTING TO THE RIGHT 95 DEGREES 01 MINUTES 30 SECONDS, 131.66 FEET TO A ONE HALF INCH IRON PIPE MONUMENT; THENCE NORTHEASTERLY DEFLECTING TO THE RIGHT 25 DEGREES 05 MINUTES 22 SECONDS, 85.62 FEET TO A ONE HALF INCH IRON PIPE MONUMENT; THENCE NORTHEASTERLY DEFLECTING TO THE RIGHT 28 DEGREES 13 MINUTES 25 SECONDS, 198.37 FEET TO A POINT ON THE NORTHWESTERLY EXTENSION OF THE LOT LINE BETWEEN SAID LOT FOURTEEN (14) AND FIFTEEN (15), SAID BLOCK ONE (1), DISTANT 130.13 FEET NORTHWESTERLY OF THE MOST NORTHERLY CORNER OF SAID LOT FOURTEEN (14); THENCE SOUTHEASTERLY 130.13 FEET ALONG THE NORTHWESTERLY EXTENSION OF THE LOT LINE BETWEEN SAID LOTS FOURTEEN (14) AND FIFTEEN (15) TO THE MOST NORTHERLY CORNER OF SAID LOT FOURTEEN (14); THENCE SOUTHERLY ALONG THE WESTERLY BOUNDARY OF SAID LOT FOURTEEN (14), A DISTANCE OF 306.51 FEET, TO THE POINT OF BEGINNING.

The above described property consists of a total of 2.166 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. The City of La Crescent, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Town of La Crescent in accordance with the following schedule:

- a. In the first year following the year in which the City of La Crescent could first levy on the annexed area, an amount equal to \$835.06; and
- b. In the second and final year, an amount equal to \$835.06.

5. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

6. That the City Administrator of the City of La Crescent is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Houston County Auditor, and the La Crescent Township Clerk.

7. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

**PASSED AND ADOPTED** by the City Council of the City of La Crescent, Minnesota, this 24<sup>th</sup> day of August, 2020.

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Mayor

ATTEST:

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City Administrator

In approving the above Motion, the City Council made the following findings of facts:

1. The property owners signed a Petition requesting that the property be annexed to the City of La Crescent;
2. The property is not presently served by public sewer facilities and public sewer facilities are not otherwise available;
3. The property is currently residential;
4. Minnesota Statutes § 414.033 Subd. 13 is not applicable as there will be no change in the electric utility service provider; and
5. More than 30 days written notice was provided to La Crescent Township and to contiguous landowners by certified mail.

The foregoing motion was duly seconded by Member O'Donnell-Ebner 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 ordinance was declared duly passed and adopted.

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

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

**MOTION THAT A PRÉCIS FORMAT OF SAID ORDINANCE 547 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, 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.

After the adoption of the Ordinance, the Council reconvened with the schedule of the Regular City Council Meeting.

**ITEM 3.1 – GREENSTEP AWARD**

The City of La Crescent has advanced to Step 3 designation in the GreenStep program. The City has been actively participating in the GreenStep program since the fall of 2015. Chris Meyer, Southeast Coordinator for the CERT’s program, reviewed with City Council via Zoom the City’s accomplishments over the last several years. Jason Ludwigson, City Sustainability Coordinator, provided additional comments on the City’s activities and accomplishments relating to the GreenStep program. City Council also reviewed a news release regarding the City’s designation as a Step 3 GreenStep community. No action taken.

**ITEM 3.2 – PARTNERS IN ENERGY APPLICATION**

Jason Ludwigson, City Sustainability Coordinator, reviewed with City Council that as part of the City’s GreenStep initiative, the City has been selected to participate in the Partners in Energy program. Mr. Ludwigson reviewed the program and implementation summary with City Council. This item was informational, and no action was taken.

**ITEM 3.3 – DONATION – AMERICAN LEGION**

Commander Greg Lucas from the La Crescent American Legion presented to City Council a check to the City for \$8,847.00 for the costs associated with the base design for the helicopter in Veterans Park. Following discussion, Member Jostad introduced the following resolution and moved its passage and adoption:

**RESOLUTION NO. 08-20-28**

**RESOLUTION ACCEPTING DONATION FROM LA CRESCENT AMERICAN LEGION**

WHEREAS, the La Crescent American Legion wishes to donate \$8,847.00 to the City of La Crescent for costs associated with the base design for the helicopter in Veterans Park.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of La Crescent hereby accepts the donation from the La Crescent American Legion in the amount of \$8,847.00.

ADOPTED this 24<sup>th</sup> day of August, 2020.

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

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

The foregoing motion 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 and the resolution duly passed and adopted.

### **ITEM 3.4 – AGENDA REQUEST – APPLEFEST**

City Administrator Waller reviewed with City Council an Agenda Request from the Applefest Board of Directors. The Board of Directors are planning events that will provide the community socially distanced opportunities to celebrate our wonderful city. Applefest would like to use Veterans Park on Saturday, September 19<sup>th</sup>, 2020 to hold the annual Cornhole Tournament. City Council reviewed a map with the specific area marked in a large 'x' where the tournament would be held. In addition, a parade is being planned for Sunday, September 20<sup>th</sup>. As in the past, Applefest would like to request assistance to help barricading the staging route for the parade route. This year the parade will start at Old Hickory Park, continue down Jonathan Lane, and onto CSAH 29 to the initial route starting on 4<sup>th</sup> and Elm St. The parade would then continue on the original route down to 14<sup>th</sup> Street. Applefest is requesting additional cones to block traffic on the side streets coming along Jonathan Lane and the highway or someone to direct traffic. The new route would help mitigate large crowds, and encourage smaller gatherings at private residences. The parade will be strictly vehicles with no candy or handouts allowed. Applefest would also like to use the City's picnic tables and golf carts for these events. Chief of Police Stavenau is in approval of Applefest's request. City Attorney Wieser reviewed with City Council that the City should be named as an additional insured on Applefest's insurance policy and that Applefest comply with the Governor's Executive Orders and the Minnesota Department of Health's COVID-19 requirements for these events. Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO APPROVE THE ABOVE REQUESTS FROM THE APPLEFEST BOARD OF DIRECTORS FOR THE 72<sup>ND</sup> APPLEFEST ALONG WITH REQUIRING THAT THE CITY BE NAMED AS AN ADDITIONAL INSURED ON APPLEFEST’S INSURANCE POLICY AND THAT APPLEFEST COMPLY WITH THE GOVERNOR’S EXECUTIVE ORDERS AND THE MINNESOTA DEPARTMENT OF HEALTH’S COVID-19 REQUIREMENTS FOR THESE EVENTS.**

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 – 2020 LICENSE APPLICATION**

City Council reviewed a proposed Gas Installers License Application from Bostrack Heating & Air Conditioning, LLC. The application appears to be in order, and it was recommended to City Council to approve the license application. Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO APPROVE A GAS INSTALLERS LICENSE APPLICATION FROM BOSTRACK HEATING & AIR CONDITIONING, LLC.**

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 – COVID-19**

City Administrator Waller reviewed with City Council the following recommended expenditures from the Coronavirus Aid, Relief, and Economic Securities (CARES) Act funding that the City has received:

1. \$12,582.90 for 5 laptops purchased from Locknet for City Hall staff that would improve telework capabilities for City Hall staff. The laptops are intended for Chris Fortsch, Angie Boettcher, Doug Stavenau, Debbie Shimshak, and Bill Waller. The expenditures are necessary and reasonable, and could not have been funded from an existing budget.

2. \$43,378.00 for 11 Toughbook computers from Locknet for the Police Department, Fire Department, Building and Zoning Department and Maintenance Department that would improve telework capabilities in each of these departments. Five (5) of the computers are for the Police Department, three (3) are for the Fire Department, two (2) for the Maintenance Department, and one (1) for the Building Official. The expenditures are necessary and reasonable, and could not have been funded from an existing budget.
3. \$15,014.00 for 16 touch free/motion activated hand dryers from P&T Electric that would replace existing paper towel dispensers or touch required hand dryers. The hand dryers would be installed at the Aquatic Center, City Hall, Old Hickory Park shelter bathrooms, Abnet Field bathrooms, the radium plant, and the City maintenance facility. The expenses are for public safety measures undertaken in response to COVID-19. The expenditures are necessary and reasonable, and could not have been funded from an existing budget.
4. \$25,325.00 for the purchase of five (5) new Yamaha golf carts from Yamaha Golf & Utility for use at Pine Creek Golf Course. Due to the number of golfers that are riding separately in golf carts, the City needs additional golf carts to insure the safety of its customers. The expenses are for public measures undertaken in response to COVID-19. The expenditures are necessary and could have not been funded from an existing budget.

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

**MOTION TO APPROVE THE USE OF CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITIES (CARES) ACT FUNDING IN THE AMOUNT OF \$12,582.90 FOR 5 LAPTOPS WHICH INCLUDE HARDWARE, SOFTWARE FOR REMOTE ACCESS, AND SUPPORT, TO BE PURCHASED FROM LOCKNET FOR CITY HALL STAFF AS THEY WOULD IMPROVE TELEWORK CAPABILITIES FOR CITY HALL STAFF.**

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.

In approving the above Motion, the City Council made the following findings of facts: the expenditures are necessary and reasonable, and could have not been funded from an existing budget.

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

**MOTION TO APPROVE THE USE OF CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITIES (CARES) ACT FUNDING IN THE AMOUNT OF \$43,378.00 FOR 11 TOUGHBOOK COMPUTERS FROM LOCKNET WITH FIVE (5) OF THE COMPUTERS FOR THE POLICE DEPARTMENT, THREE (3) FOR THE FIRE DEPARTMENT, TWO (2) FOR THE MAINTENANCE DEPARTMENT, AND ONE (1) FOR THE BUILDING OFFICIAL AS THESE COMPUTERS WOULD IMPROVE TELEWORK CAPABILITIES IN EACH OF THESE DEPARTMENTS.**



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.

In approving the above Motion, the City Council made the following findings of facts: the expenditures are necessary and reasonable, and could have not been funded from an existing budget.

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

**MOTION TO APPROVE THE USE OF CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITIES (CARES) ACT FUNDING IN THE AMOUNT OF \$15,014.00 FOR 16 TOUCH FREE/MOTION ACTIVATED HAND DRYERS FROM P&T ELECTRIC THAT WOULD REPLACE EXISTING PAPER TOWEL DISPENSERS OR TOUCH REQUIRED HAND DRYERS TO BE INSTALLED AT THE AQUATIC CENTER, CITY HALL, OLD HICKORY PARK SHELTER BATHROOMS, ABNET FIELD BATHROOMS, THE RADIUM PLANT, THE CITY MAINTENANCE FACILITY, AND ADDITIONAL FACILITIES.**

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.

In approving the above Motion, the City Council made the following findings of facts: the expenses are for public safety measures undertaken in response to COVID-19; and the expenditures are necessary and reasonable, and could have not been funded from an existing budget.

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

**MOTION TO APPROVE THE USE OF CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITIES (CARES) ACT FUNDING IN THE AMOUNT OF \$25,325.00 FOR THE PURCHASE OF FIVE (5) NEW YAMAHA GOLF CARTS FROM YAMAHA GOLF & UTILITY FOR USE AT PINE CREEK GOLF COURSE DUE TO THE NUMBER OF**

**GOLFERS THAT ARE RIDING SEPARATELY IN GOLF CARTS HAS INCREASED AND THE ADDITIONAL GOLF CARTS WOULD INSURE THE SAFETY OF ITS CUSTOMERS.**

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.

In approving the above Motion, the City Council made the following findings of facts: the expenses are for public safety measures undertaken in response to COVID-19; and the expenditures are necessary and reasonable, and could have not been funded from an existing budget.

City Council also reviewed the following:

- a. Emergency Executive Order 20-83 extending the COVID-19 Peacetime Emergency.
- b. The previous memos that have been presented to the City Council on this topic.

It is expected that this item will be on City Council agendas into the foreseeable future. The City is currently working to prepare and finalize a report/plan regarding the allocation of staff time related to the COVID-19 pandemic. This will be presented to City Council at a future meeting.

**ITEM 6.1 – EXPLORE LA CROSSE – AUGUST 2020**

City Council reviewed the Agenda from the August 18, 2020 La Crosse County Convention & Visitors Bureau Board Meeting, which included the Minutes from the July 15, 2020 Board Meeting. No action taken.

**ITEM 6.1 – EXPLORE LA CROSSE – QUARTERLY REPORT**

City Council reviewed the Impact Review of Explore La Crosse Promotion and Marketing of the City of La Crescent, July 2020 report. No action taken.

**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 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 6:20 PM.

APPROVAL DATE: \_\_\_\_\_

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

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