

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
AUGUST 28, 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 August was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent Community Building, La Crescent, Minnesota, on Monday, August 28th, 2023.

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 were City Attorney Skip Wieser, City Administrator Bill Waller, Public Works Director Tyler Benish, and Administrative Assistant Chris Fortsch.

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 14, 2023
- 1.2 BILLS PAYABLE THROUGH – AUGUST 25, 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 Williams, 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 – SHORT-TERM RENTAL ORDINANCE

The following citizens attended the City Council meeting and addressed City Council regarding the Short-Term Rental Ordinance: Angela Machi, Jeff Holthaus, and Dave Hanifl.

City Attorney Skip Wieser reviewed with City Council the draft amendments to both the Lodging Tax Ordinance and the Short-Term Rental Ordinance. The Ordinances will be brought back at the September 11, 2023, City Council meeting.

ITEM 3.2 – AGENDA REQUEST – LA CRESCENT ANIMAL RESCUE

Kelsey Bolton from La Crescent Animal Rescue (LAR) addressed City Council regarding the agreement between the City and LAR.

City Attorney Skip Wieser reviewed with City Council a draft lease agreement prepared by the City between the City of La Crescent and the La Crescent Animal Rescue. The proposed lease agreement is similar to the agreements that the City currently has between Lancer Youth Hockey and Healthy Community Partnership. In both instances, Lancer Youth Hockey and Healthy Community Partnership pay all the utility costs associated with operating their respective facility. The agreement will be brought back to the City Council in approximately forty-five (45) days.

ITEM 3.3 – AGENDA REQUEST – TIM DWYER/RAILROAD ACTIVITIES

The following citizens attended the City Council meeting and addressed City Council regarding the railroad activities along Shore Acres: Tim Dwyer and Dave Hanifl.

City Engineer Tim Hruska will be attending the October 9, 2023, City Council meeting and will provide an update.

ITEM 3.4 – AGENDA REQUEST - MIKE FITZPATRICK/DOG PARK

The following citizens attended the City Council meeting and addressed City Council regarding the city dog park: Mike Fitzpatrick, Julie Tully, Laurie Stenseth, and Ryan Rougeux.

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

MOTION TO REFER THE LOCATION OF THE PROPOSED DOG PARK TO THE PARK AND RECREATION COMMISSION TO EVALUATE OTHER POTENTIAL SITES AND BRING BACK A RECOMMENDATION TO 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
Dale Williams	Yes
Mike Poellinger	Yes

and Member O'Donnell-Ebner voted against the same. The motion was declared duly carried by a 4-1 vote.

ITEM 3.5 – DONATION RESOLUTIONS

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

RESOLUTION NO. 08-23-30

RESOLUTION ACCEPTING DONATIONS MADE TO THE CITY OF LA CRESCENT WIESER MEMORIAL PARK IMPROVEMENT PROJECT IN AUGUST 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 August 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. Elaine and Jim Riehle wish to donate \$5,000.00 to the Wieser Park Improvement Project.
2. An anonymous donor has agreed to reimburse the City for any additional costs for the Donor Appreciation/Recognition Event to be held at the Wieser Park Pavilion on Friday, September 8th that exceeds the current available unexpended donated funds of \$4,182. The sponsors of the project are requesting that the balance of the unexpended donated funds be used for the event.

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 28th day of August 2023.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

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

RESOLUTION NO. 08-23-31

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

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

1. Sons of Norway wishes to donate \$50.00 to the La Crescent Fire Department.

2. Houston County wishes to donate \$100.00 to the La Crescent Police Department/Neighbor's Night Out.
3. An Anonymous Donor wishes to donate \$20.00 to the La Crescent Police Department/Neighbor's Night Out.
4. Dairyland Power Cooperative wishes to donate \$1,000.00 to the La Crescent Kayak Launch/Fishing Dock Project.
5. La Crescent Community Foundation, Inc. wishes to donate \$1,000.00 to the La Crescent Kayak/Fishing Dock Project.
6. North American Squirrel Association, Inc. (NASA) wishes to donate \$5,000.00 to the La Crescent Kayak Launch/Fishing Dock Project.
7. Rotary Works Foundation, Inc. wishes to donate \$2,000.00 to the La Crescent Kayak Launch/Fishing Dock Project

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

ADOPTED this 28th day of August 2023.

SIGNED:

Mayor

ATTEST:

Deputy Clerk

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, 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 3.6 – PUBLIC LIBRARY – REQUEST USE OF SPACE

City Council reviewed a letter from La Crescent Library Director Jess Witkins requesting the use of the city’s grassy lot located behind the library to host a storytime program with Shelley Ellingson of Windy Ridge Ranch on Saturday, September 30, 2023, from approximately 10:00 a.m. to 12:00 p.m. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE THE LIBRARY TO USE THE CITY’S GRASSY LOT LOCATED BEHIND THE LIBRARY TO HOST A STORYTIME PROGRAM WITH SHELLEY ELLINGSON OF WINDY RIDGE RANCH ON SATURDAY, SEPTEMBER 30, 2023 FROM APPROXIMATELY 10:00 A.M. TO 12:00 P.M.

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 – JOINT POWERS AGREEMENT – STATE OF MINNESOTA

City Attorney Wieser reviewed with City Council for approval a Joint Powers Agreement between City of La Crescent and the Minnesota Bureau of Criminal Apprehension (BCA) for the BCA to provide investigative support to the La Crescent Police Department for crimes against children. Following review and discussion, Member Williams introduced the following Resolution and moved its passage and adoption as follows:

RESOLUTION NO. 08-23-32

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF LA CRESCENT ON BEHALF OF ITS POLICE DEPARTMENT REGARDING THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)

WHEREAS, the City of La Crescent on behalf of its Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed

against children and the criminal exploitation on children that are committed and/or facilitated by or through the use of computers.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension, and the City of La Crescent on behalf of its Police Department, are hereby approved. A Copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.
2. That the Chief of Police Luke Ahlschlager, or his successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.
3. That Mike Poellinger, the Mayor of the City of La Crescent, and Bill Waller, the City Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this 28th day of August 2023.

CITY OF LA CRESCENT

SIGNED:

Mike Poellinger
Mayor

ATTEST:

Bill Waller
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 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 3.8 – CHANGE TIME FOR CITY COUNCIL MEETINGS

City Council reviewed for approval moving the start time for City Council meetings on both the second and fourth Mondays of the month to 5:00 p.m. taking effect with the first meeting in September 2023 and continuing through the end of the year. Following discussion, Member Williams made a motion, seconded by Member Hutchinson as follows:

MOTION TO APPROVE MOVING THE START TIME FOR CITY COUNCIL MEETINGS ON BOTH THE SECOND AND FOURTH MONDAYS OF THE MONTH TO 5:00 P.M. TAKING EFFECT WITH THE FIRST MEETING IN SEPTEMBER 2023 AND CONTINUING THROUGH THE END OF THE YEAR.

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

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

and Member Jostad voted against the same. The motion was declared duly carried by a 4-1 vote.

5. MAYOR'S COMMENTS

City Council reviewed for approval a Proclamation declaring September 8th to be recognized in the City of La Crescent as Lissencephaly Awareness Day. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams as follows:

MOTION TO APPROVE A PROCLAMATION DECLARING SEPTEMBER 8TH TO BE RECOGNIZED IN THE CITY OF LA CRESCENT AS LISSENCEPHALY AWARENESS DAY.

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 a flyer for the Wieser Park Pavilion Ribbon Cutting.
- 6.2 City Council reviewed a memo from Sustainability Coordinator Jason Ludwigson regarding the Home Energy Squad.
- 6.3 City Council reviewed the GreenStep Committee minutes from August 2nd, 2023.

9, CHAMBER OF COMMERCE

Chamber of Commerce President Sarah DeLacey was in attendance and provided 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 7:01 P.M.

APPROVAL DATE: September 11, 2023

SIGNED:

Mayor

ATTEST:

City Administrator