

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
SEPTEMBER 27, 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 September was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, September 27, 2021.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Cherryl Jostad, Teresa O'Donnell-Ebner, Dale Williams, and Mayor Mike Poellinger. Members absent: Member Ryan Hutchinson. 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 – SEPTEMBER 13, 2021
- 1.2 BILLS PAYABLE THROUGH SEPTEMBER 23, 2021
- 1.3 CASH BALANCE/ACTIVITY REPORT – AUGUST 2021
- 1.4 LIBRARY REPORT – AUGUST 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 O'Donnell-Ebner 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;

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 by a 4-0 vote.

Item 3.4 – Quit Claim Deed of the Items for Consideration was reviewed first.

ITEM 3.4 – QUIT CLAIM DEED

City Attorney Wieser reviewed with City Council a Certificate of Survey for the property located at 32 South Walnut Street owned by JR Building, LLC, commonly referred to as Heth Hardware. Recently a survey was completed which revealed the building foundation on the southwest corner is .15 feet and the

building overhang on the southeast corner is .7 feet over the lot line. City Council reviewed the survey also. It was recommended to City Council to authorize the Mayor and City Administrator to execute a Quit Claim Deed to resolve this issue. Following discussion, Member Jostad made a motion, seconded by Member Williams, as follows:

MOTION TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A QUIT CLAIM DEED TO RESOLVE THE LOT LINE ISSUE REGARDING THE PROPERTY LOCATED AT 32 SOUTH WALNUT STREET OWNED BY JR BUILDING, LLC, COMMONLY REFERRED TO AS HETH HARDWARE.

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

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

ITEM 3.1 – 2021 STREET PROJECT CHANGE ORDER

City Administrator Waller reviewed with City Council a memo from City Engineer Tim Hruska regarding a change order to the 2021 Street Project for Spruce and Balsam. The City has received a request from the homeowners on the driveway off of Stoney Point Road. The City has plowed and maintained this area to serve the two homes. The City has worked with Zenke, Inc. on pricing to add 3" of bituminous pavement and a culvert under the roadway. The cost is \$22,145.60. The adjacent homeowners have agreed to compensate the City for this cost. Also, the City received damage to the outlet at Haralson and Jonathan. It is recommended that the City install new tied concrete mat to stabilize the outlet. This area has also had sediments deposit over the course of time and those sediments need to be removed so that the outlet can properly drain. It was proposed to City Council to remove those sediments to approximately 150' downstream of the outlet. The cost to perform this work is \$17,224.45. It was recommended to City Council to approve Change Order #1 to the 2021 Street Project for a total of \$39,370.05. Following discussion, Member Jostad made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE CHANGE ORDER #1 TO THE 2021 STREET PROJECT FOR A TOTAL OF \$39,370.05.

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

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

ITEM 3.2 – PHASE 3 PEDESTRIAN BRIDGE BID RESULTS

City Administrator Waller reviewed with City Council the bid results for the third phase of the Wagon Wheel Improvement Project, the construction of the bicycle/pedestrian bridge. This item was presented for review and discussion, but not for approval at this meeting. The City intends to present the bid results, along with the interim financing plan, for approval at the October 11, 2021 City Council meeting. There is a review and approval process by MnDOT before the City Council can accept the bid, and that has not been completed. The Engineer's construction estimate was \$2,925,000.00. The arch design was bid as an alternate, and the bid amount can be reduced by \$129,000.00 if the arches are removed from the project. It was not suggested that the City Council remove the arches from the project. Rather, that the time between now and the October 11th City Council meeting be used to hopefully develop a funding proposal so that the project can proceed in its entirety. City Council also reviewed drawings related to the project. This item was informational, and no action was taken.

ITEM 3.3 – MnDOT – JOINT POWERS CONTRACT

City Administrator Waller reviewed with City Council a correspondence received from MnDOT regarding the contract for tribal monitoring for the La Crescent Pedestrian Bridge Project. The total cost of the contract will not exceed \$26,602.00, and the State will pay 80% of the contract cost. The City will pay 20% of the contract, up to a total cost of \$5,320.40. City Council reviewed the proposed Resolution regarding the contract. In order to continue to proceed with the project, it was recommended that City Council adopt the Resolution and authorize the required signatures. Following review and discussion, Member Williams introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-21-31

A RESOLUTION TO ENTER INTO A JOINT POWERS CONTRACT FOR PROFESSIONAL AND TECHNICAL SERVICES WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION, AND THE PRAIRIE ISLAND INDIAN COUNCIL

BE IT RESOLVED that the City of La Crescent, Minnesota, authorizes entering into a Joint Powers Contract for Professional and Technical Services (“Joint Powers Contract”) regarding MnDOT Contract No. 1047421 and Federal Project No. STPF 8821(211) with the State of Minnesota, Department of Transportation (“State”), and the Prairie Island Indian Council for the following purposes:

For tribal monitoring for the La Crescent Pedestrian Bridge Project; and

BE IT FURTHER RESOLVED that the State will pay eighty percent (80%) of the project costs (up to \$21,281.60) and the City of La Crescent commits to providing payment of twenty percent (20%) of the project costs (up to \$5,320.40); and

BE IT FURTHER RESOLVED by the City Council of the City of La Crescent, Minnesota that the City Administrator is authorized to execute the Joint Powers Contract.

ADOPTED this 27th day of September, 2021.

SIGNED:

Mayor

ATTEST:

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;

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 by a 4-0 vote.

ITEM 3.5 – ANNEXATION UPDATE

City Attorney Wieser reviewed with City Council an Administrative Order signed September 16, 2021 approving the annexation of six (6) properties located in the Crescent Valley Subdivision. At the August 23, 2021 Council Meeting, the Council adopted Ordinance No. 553 annexing eight (8) properties. After review of the original Ordinance, the Office of Administrative Hearings noticed a discrepancy between their records and records available at the Houston County Recorder's Office. The Office of Administrative Hearings requested that two (2) of the 8 properties be removed from Ordinance No. 553 and those properties be included in the Joint Resolution that will be considered in October. Therefore, Ordinance No. 553 was updated and amended to remove these 2 properties. It was recommended to City Council to approve Amended Ordinance No. 553. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE AMENDED ORDINANCE NO. 553 APPROVING THE ANNEXATION OF SIX (6) PROPERTIES LOCATED IN THE CRESCENT VALLEY SUBDIVISION.

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

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

ITEM 3.6 – GREENSTEP COMMITTEE APPOINTMENT

City Administrator Waller reviewed with City Council the recommendation to appoint Lauren Rislov as a student member of the GreenStep Committee. Following discussion, Member O’Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO APPOINT LAUREN RISLOV AS A STUDENT MEMBER OF THE GREENSTEP COMMITTEE.

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

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

ITEM 3.7 – SMALL CITIES DEVELOPMENT PROGRAM GRANT

City Administrator Waller reviewed with City Council a correspondence from the MN Department of Employment and Economic Development (DEED) informing the City that its application for the 2021 Minnesota Small Cities Development Program Grant (SCDP) had been approved for funding in the amount of \$552,000.00 from the Department of Housing and Urban Development (HUD). This item was informational, and no action was taken.

ITEM 3.8 – 2022 PRELIMINARY BUDGET AND LEVY

City Administrator Waller reviewed with City Council the proposed 2022 general fund budget and proposed resolution that sets the preliminary levy. By September 30, the City Council is required to adopt a resolution setting the preliminary levy and set the date for the public meeting at which time the proposed budget and levy will be discussed, and the final budget and levy determined. It was recommended that the public meeting be set for 6:00 p.m., on Monday, December 13, 2021. As part of the budget review and adoption process, it was noted to City Council that they cannot adopt the 2022 general fund budget until after the public meeting in December and once the preliminary levy is set, the City Council has the discretion to lower the levy, but the City Council cannot increase the preliminary levy. The proposed 2022 preliminary resolution reflects a 5.5% increase. The final total City levy in 2021 was \$3,169,729.00, and the proposed total levy for 2022 is \$3,343,638.00. Following discussion, Member Williams introduced the following resolution and moved its passage and adoption:

RESOLUTION 09-21-32

**RESOLUTION MAKING PRELIMINARY GENERAL LEVIES FOR
COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE
CALENDAR YEAR 2022**

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

1. It is hereby determined and declared that there shall be and there is hereby levied upon all taxable property within the City for the general purposes of the City, as provided by law, to be collected in the year 2022 as part of the general taxes due and payable in the year 2022 a direct ad valorem tax in the amount of \$2,060,738.00 as provided by State law to be levied and collected in the manner provided by law.

2. Be it also hereby determined and declared that there shall be and there is hereby levied upon taxable property within the City of La Crescent for public library service, a tax in the amount of \$175,990.00 to be collected in the year 2022, as authorized by Minnesota Statutes, Section 134.33 and 134.34.

3. It is hereby found, determined, and declared that the amounts set forth in a column at the right to be levied with taxes to be collected in the calendar year 2022, in conjunction with the various bonds issued and sinking funds described below:

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2022
322	2015A	G.O. Refunding Bonds – Apple Blossom Acres	\$5,000.00
324	2011A	G.O. Improvement Bonds – Crescent Valley	\$120,000.00
325	2016A	G.O. Refunding Rec. Fac. Bonds – Aquatic Center	\$198,700.00
326	2013A	G.O. Equipment Certificates	\$40,000.00
327	2016A	G.O. Improvement Bonds – Oak St. Recon.	\$112,400.00
328	2017A	G.O. Equipment Certificates	\$120,250.00
329	2018A	G.O. Improvement Bonds – Streets/Veterans Park	\$146,700.00
330	2019A	G.O. Equipment Certificates – Fire Truck	\$49,700.00
331	2019B	G.O. Improvement Bonds – Street Recon.	\$32,300.00
332	2020A	G.O. Improvement Bonds – HTM	\$188,000.00
333	2020A	G.O. Bonds – Tax Abatement - Ice Arena	\$23,860.00
601	2015A	G.O. Utility Revenue & Crossover Ref. Bond	\$46,500.00
601	2016A	G.O. Utility Revenue & Crossover Ref. Bond	\$23,500.00
		TOTAL DEBT SERVICE LEVY	\$1,106,910.00

4. Total levy for the City of La Crescent for collection in 2022 is \$3,343,638.00.

ADOPTED this 27th day of September, 2021.

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, all Members present voted in favor thereof, viz;

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 by a 4-0 vote.

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

MOTION TO SET THE DATE AND TIME FOR THE PUBLIC MEETING FOR MONDAY, DECEMBER 13, 2021 AT 6:00 P.M. AT WHICH TIME THE PROPOSED 2022 GENERAL BUDGET AND LEVY WILL BE DISCUSSED, AND THE FINAL BUDGET AND LEVY DETERMINED.

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

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

ITEM 6.1 – STAFF CORRESPONDENCE/COMMITTEE UPDATES – PARK AND RECREATION COMMISSION MINUTES – SEPTEMBER 20, 2021

City Council reviewed the Minutes from the September 20, 2021 La Crescent Park and Recreation Commission meeting. No action taken.

ITEM 6.2 – STAFF CORRESPONDENCE/COMMITTEE UPDATES – EXPLORE LA CROSSE

City Council reviewed the Agenda from the September 21, 2021 La Crosse County Convention & Visitors Bureau Virtual Board Meeting, which included the Minutes from the August 17, 2021 Board Meeting. No action taken.

ITEM 8 – CHAMBER OF COMMERCE

Brad Helstad of the La Crescent Chamber of Commerce updated City Council on Chamber events.

There being no further business to come before the Council at this time, Member Williams 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;

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 by a 4-0 vote and the meeting duly adjourned at 6:24 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator