

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
SEPTEMBER 28, 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 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 28, 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 telephone), 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, City Police Chief Doug Stavenau, 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 14, 2020
- 1.2 BILLS PAYABLE THROUGH SEPTEMBER 24, 2020
- 1.3 CASH BALANCE/ACTIVITY REPORT – AUGUST 2020
- 1.4 LIBRARY REPORT – AUGUST 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 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 – PLANNING COMMISSION MINUTES – 9/23/2020

City Attorney Wieser reviewed with City Council the Planning Commission Minutes from the September 23, 2020 meeting. The Planning Commission recommended to City Council that the final plat application

for 1220 Grandview Terrace be approved, with conditions and findings that were included in the Planning Commission meeting minutes. City Attorney Wieser reviewed these findings and condition with City Council, along with a Resolution. The following findings of fact and condition of approval were presented for City Council to consider:

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.

Condition of Approval:

1. The City develop an agreement for maintenance of any private stormwater facilities.

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

RESOLUTION NO. 09-20-29

**A RESOLUTION APPROVING THE FINAL PLAT FOR WEBB ADDITION
IN THE CITY OF LA CRESCENT**

WHEREAS, Susan K. Webb, owner and developer of certain lands lying and being in the City of La Crescent, Houston County, Minnesota, more particularly described in the official plat to which this resolution is referenced, has duly petitioned the City of La Crescent City Council for approval of the final plat of Webb Addition, City of La Crescent, pursuant to Section 13.16, Chapter 13, City Code, City of La Crescent, and have in connection therewith satisfied the requirement of said City Code;

WHEREAS, the recommendations of the City Planning Commission and City Engineer will be satisfied and duly noted;

WHEREAS, the approval of the final plat of Webb Addition is contingent upon the following:

1. The City developing an agreement for maintenance of any private stormwater facilities.

WHEREAS, the City Council took under consideration the following 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.

NOW THEREFORE BE IT RESOLVED as follows:

1. That the final plat of Webb Addition will be filed with the City Administrator of the City of La Crescent.
2. That the Mayor and City Administrator are hereby authorized and directed to execute the plat in accordance with the laws of the State of Minnesota and City Code thereunto appertaining and to execute and deliver such other certificates and documents which may be required to effectuate said plat.

Adopted this 28th day of September, 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
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 3.2 – 2021 SOLAR PROJECT

City Attorney Wieser reviewed with City Council preliminary information regarding four additional solar opportunities within the City. The City has been meeting with representatives of Ideal Energies to discuss these solar opportunities. Discussion ensued regarding this item. This item was informational, and no action was taken.

ITEM 3.3 – LODGING TAX SERVICE AGREEMENTS

City Attorney Wieser reviewed with City Council that in July of 2019, the City entered into Marketing and Promotional Agreements with the La Crosse Area Convention and Visitor Bureau, the La Crescent Area Event Center, and the La Crescent Area Chamber of Commerce and Tourism. The agreements provide for the distribution of the lodging tax that the City has been collecting since the Best Western Plus opened. The existing agreements are set to terminate on December 31, 2020. It was recommended that the City Council renew the existing agreements with each of the organizations, with a new termination date of December 31,

2021. For City Council information, after the City retains 5% of the lodging tax for administrative expenses, the remaining balance of the lodging tax is distributed 61% to the La Crosse Area Convention and Visitor Bureau, 19.5% to the La Crescent Area Event Center, and 19.5% to the La Crescent Area Chamber of Commerce and Tourism. Following discussion, Member Jostad made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE RENEWAL OF THE EXISTING MARKETING AND PROMOTIONAL AGREEMENTS WITH THE LA CROSSE AREA CONVENTION AND VISITOR BUREAU, THE LA CRESCENT AREA EVENT CENTER, AND THE LA CRESCENT AREA CHAMBER OF COMMERCE AND TOURISM, WITH A NEW TERMINATION DATE OF DECEMBER 31, 2021.

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 – ELECTION JUDGE RESOLUTION

City Administrative Assistant Angie Boettcher reviewed with City Council a Resolution that appoints the election judges for the 2020 elections, including alternative judges. Following discussion, Member Jostad introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-20-30

RESOLUTION APPOINTING ELECTION JUDGES FOR 2020 ELECTIONS

Be it resolved by the City Council of the City of La Crescent as follows:

1. The persons below named are hereby appointed judges for the 2020 elections to be held in the City of La Crescent on November 3, 2020. The judges appointed, the chairperson of the election board of each precinct designated and precinct and voting are as following:

A. First Precinct.....Community Building
To serve from 7:00 AM to 8:00 PM

Deb Oliver, Chair
Rose Albrecht
Katie Jensen
Emily Rae
Lisa Docken
Jan Schild
Catherine Acevedo

Mike Trnka
Dean Bergstrom
Pam Baumgartner

B. Second Precinct.....Ice Arena
To serve from 7:00 AM to 8:00 PM

Judy Lehmann, Chair
Suzanne Harm
Rosanne Buehler
Diane Palm
Judy Flaten
Judy Graf
Greg Schild
Tom Curran
Jim Nissen
Ashlee McAlear

C. Third Precinct.....Ice Arena
To serve from 7:00 AM to 8:00 PM

Carolynn Devine, Chair
Ricardo Acevedo
Darlene Erickson
Jeanne Baures
Diana Gorgos
Sue Klemp

D. Fourth Precinct.....Mailed Ballot

ADOPTED this 28th day of September, 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 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 resolution duly passed and adopted.

ITEM 3.5 – AUTHORIZE CAPITAL EXPENDITURES

City Police Chief Stavenau reviewed with City Council that the Police Department would like to request permission to proceed with the purchase of five (5) Pepperball projectile control devices. The purchase would equip each squad car and includes associated cost of materials to implement it into service, practice materials for proficient use, and the certification training of two (2) officers as department instructors. The devices are a specifically designed "paintball" type projectile device that expels a pepper plant derivative based irritant powder and it intended to be used in dynamic severe duty public safety situations. One of the key primary features of the devices are that the projectile used are defined as "non-lethal", which is significantly different than the term often encountered as "less-lethal". The cost of implementation to the department would be \$6,770.83. It was recommended to City Council to authorize the purchase through reallocation of funding from the 2017 Capital Expenditure Certificate. Following discussion, Member Williams made a motion, seconded by Member Jostad, as follows:

MOTION TO AUTHORIZE THE PURCHASE OF FIVE (5) PEPPERBALL PROJECTILE CONTROL DEVICES FOR THE LA CRESCENT POLICE DEPARTMENT AT A COST OF \$6,770.83 THROUGH REALLOCATION OF FUNDING FROM THE 2017 CAPITAL EXPENDITURE CERTIFICATE.

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

ITEM 3.6 – CONNECTION CHARGE ORDINANCE RESOLUTIONS

City Administrator Waller reviewed with City Council two resolutions that set the connection fees for properties located on Hickory Lane and on a portion of County Road #6 that are being provided water and sewer service as part of the 2020 Utility Extension Project and the Horse Track Meadows development. City Council also reviewed a memo from the City Engineer summarizing the costs. It was recommended to City Council to adopt the resolutions as a number of the homeowners in the area intend to connect yet this fall. Following discussion, Member Hutchinson introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 09-20-31

**A RESOLUTION ESTABLISHING SANITARY SEWER AND
WATER SERVICE CONNECTION CHARGES FOR 2020 UTILITY EXTENSION
IMPROVEMENT PROJECT**

WHEREAS, on or about March 14, 2011, the City of La Crescent (City) adopted Ordinance No. 469 establishing authority for connection charges within the City;

WHEREAS, subdivision (C) of the Findings of said Ordinance provides that the City Council may establish by Resolution one or more connection charges to apply equitably to developments, circumstances, and areas of the City;

WHEREAS, there are areas of the City that are not yet connected to City water and sanitary sewer;

WHEREAS, a connection charge will apply to the following property owners along County Road 6, which includes 1755, 1703, 1689, 1675, and 1651 County 6, and also a future lot on Hickory Lane (hereinafter referenced as “property owners along County Road 6”) that have been annexed to the City but were not part of the original 429 proceedings;

WHEREAS, the City finds that for the 2020 Utility Extension Improvement Project, the connection fee for sanitary sewer shall be \$19,149.23, and the connection fee for water service shall be \$9,582.12; and

WHEREAS, the interest rate for property owners along County Road 6 seeking to pay the connection charges through installments will be charged interest at 3.75% annually.

NOW, THEREFORE, BE IT RESOLVED that beginning October 1, 2020, for property owners along County Road 6, the connection fee for sanitary sewer shall be \$19,149.23, and the connection fee for water service shall be \$9,582.12, at a rate of 3.75% annually to pay by installments.

Adopted this 28th day of September, 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 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 resolution duly passed and adopted.

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

RESOLUTION NO. 09-20-32

A RESOLUTION ESTABLISHING SANITARY SEWER AND WATER SERVICE CONNECTION CHARGES FOR 2020 HICKORY LANE IMPROVEMENT PROJECT

WHEREAS, on or about March 14, 2011, the City of La Crescent (City) adopted Ordinance No. 469 establishing authority for connection charges within the City;

WHEREAS, subdivision (C) of the Findings of said Ordinance provides that the City Council may establish by Resolution one or more connection charges to apply equitably to developments, circumstances, and areas of the City;

WHEREAS, there are areas of the City that are not yet connected to City water and sanitary sewer;

WHEREAS, a connection charge will apply to the following property owners along Hickory Lane, which includes 580, 574, 568, 562, 556, 550 Hickory Lane and 1727 County 6 (hereinafter referenced as “property owners along Hickory Lane”) that have been annexed to the City but were not part of the original 429 proceedings;

WHEREAS, the City finds that for the 2020 Hickory Lane Improvement Project, the connection fee for sanitary sewer shall be \$18,394.23, and the connection fee for water service shall be \$9,582.12; and

WHEREAS, the interest rate for property owners along Hickory Lane seeking to pay the connection charges through installments will be charged interest at 3.75% annually.

NOW, THEREFORE, BE IT RESOLVED that beginning October 1, 2020, for property owners along Hickory Lane, the connection fee for sanitary sewer shall be \$18,394.23, and the connection fee for water service shall be \$9,582.12, at a rate of 3.75% annually to pay by installments.

Adopted this 28th day of September, 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 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 resolution duly passed and adopted.

ITEM 3.7 – 2021 BUDGET/PRELIMINARY LEVY RESOLUTION

City Administrator Waller reviewed with City Council the proposed 2021 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. The public meeting has been set for 6:00 p.m., on Monday, November 30, 2020. This will require that the City Council call for a special City Council meeting at that date and time for the purpose of discussing the proposed 2021 budget and levy and consideration of setting the final budget and levy. As part of the budget review and adoption process, it was noted to City Council that they cannot adopt the 2021 general fund budget until after the public meeting in November 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 2021 budget is based on the assumption that there will be a return to "normalcy" in 2021. In preparing the budget, the City looks to the current year as a basis or guide to the next year. Obviously 2020 has been unlike any year that the City has ever experienced, so using some 2020 figures as a basis for 2021 estimates was not always realistic. The proposed 2021 preliminary resolution reflects a 3.75% increase. The final total City levy in 2020 was \$3,055,161.00, and the proposed total levy for 2021 is \$3,169,729.00. This increase is primarily due to the increase in the City's debt service levy with the addition of 2019B and 2020A improvement bonds. Following discussion, Member Jostad introduced the following resolution and moved its passage and adoption:

RESOLUTION 09-20-33

**RESOLUTION MAKING PRELIMINARY GENERAL LEVIES FOR
COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE
CALENDAR YEAR 2021**

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 2021 as part of the general taxes due and payable in the year 2021 a direct ad valorem tax in the amount of \$1,912,336.00 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 \$170,873.00 to be collected in the year 2021, 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 2021, in conjunction with the various bonds issued and sinking funds described below:

FUND #	YEAR	DESCRIPTION	TO BE LEVIED FOR COLLECTION IN CALENDAR YEAR 2021
322	2015A	G.O. Refunding Bonds – Apple Blossom Acres	\$114,800.00
324	2011A	G.O. Improvement Bonds – Crescent Valley	\$45,000.00
325	2016A	G.O. Refunding Rec. Fac. Bonds – Aquatic Center	\$195,600.00
326	2013A	G.O. Equipment Certificates	\$90,600.00
327	2016A	G.O. Improvement Bonds – Oak St. Recon.	\$119,150.00
328	2017A	G.O. Equipment Certificates	\$119,900.00
329	2018A	G.O. Improvement Bonds – Streets/Veterans Park	\$150,200.00
330	2019A	G.O. Equipment Certificates – Fire Truck	\$50,600.00
331	2019B	G.O. Improvement Bonds – Street Recon.	\$32,270.00
332	2020A	G.O. Improvement Bonds – HTM	\$164,100.00
332	2020A	G.O. Bonds – Tax Abatement - Ice Arena	\$4,300.00
		TOTAL DEBT SERVICE LEVY	\$1,086,520.00

4. Total levy for the City of La Crescent for collection in 2021 is \$3,169,729.00.

ADOPTED this 28th day of September, 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, 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 and the resolution duly passed and adopted.

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

MOTION TO CALL FOR A SPECIAL CITY COUNCIL MEETING ON MONDAY, NOVEMBER 30, 2020 AT 6:00 P.M. FOR THE PURPOSE TO REVIEW AND CONSIDER THE 2021 BUDGET AND FINAL LEVY RESOLUTION.

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 – COVID-19

City Administrator Waller reviewed with City Council Emergency Executive Order 20-89 which extends the COVID-19 peacetime emergency. This item was informational, and no action was taken.

ITEM 6.1 – EXPLORE LA CROSSE – SEPTEMBER 2020

City Council reviewed the Agenda from the September 15, 2020 La Crosse County Convention & Visitors Bureau Board Meeting, which included the Minutes from the August 18, 2020 Board Meeting. 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 O’Donnell-Ebner 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