

**ELYSIAN CITY COUNCIL
REGULAR MEETING
NOVEMBER 13, 2017**

The Elysian City Council met in regular session on Monday November 13, 2017, at City Hall at 6:00 pm.

Roll Call: Mayor Clinton Stoen; Councilmembers Robert Houlihan, Tom McBroom, Mary Opsahl, and Dennis Schnoor; City Administrator Lorri Kopischke; Public Works Director Ron Greenwald; City Utility Clerk Nicole Lamont; and City Attorney Jason Moran. Absent: None.

Le Sueur County Chief Deputy Nick Greenig reported all has been quiet in the City except for some minor thefts. He stated the bids for the new Justice Center came in 20% lower than expected resulting in a savings of \$1.1 million and dirt work on the project started last Thursday. A 2018 contract for police service has been submitted to the City for consideration by the Council at their December meeting.

On motion by Stoen, seconded by Schnoor, all voting in favor, to close the Regular Meeting and open the Public Hearing at 6:03 pm.

The purpose of the hearing is to hear public comment in regard to the making of an improvement described as "2018 Street and Utility Improvement Project", on the following streets:

- Second Street NW from Main Street to Frank Avenue NW
- Third Street SW/NW from TH 60 to Frank Avenue NW
- Fourth Street SW from TH 60 to Main Street
- Frank Avenue NW from 4th Street NW to First Street
- Park Avenue NW from 4th Street NW to First Street
- Second Street SE from Main Street south to dead end
- Second Street NE from Main Street to Park Avenue NE
- Alley (north of Main Street), from Second Street NW to First Street

Chris Cavett, SEH Engineering, presented an overview of the project.

This project will include spot repairs to the sanitary sewer; water main repair to include services, main replacement and looping – replace crossings under the highway; storm sewer management; a possible stormwater quality basin; sump pump drains; total reconstruction of the streets with most streets being widened to 28 feet; and, installation of sidewalks on Third Street SW and Second Street SE from Main Street to Highway 60.

This project will also include park improvements at the Lake Francis Park as follows: replacement of trails and a pedestrian friendly maintenance gate; grading outside the field; a fence around the lift station; new concession stand / restroom building; storm sewer pipe; and, parking.

The estimated total project cost is \$2,536,800. The cost is broken down as follows: Sanitary Sewer Improvements: \$43,900, Water Main Improvements: \$441,600, Storm Sewer Improvements: \$384,300, Street Improvements: \$1,505,300, and Park Improvements: \$161,700.

Estimated project financing is as follows: Sanitary Sewer Utility \$43,900 (1.7%), Water Utility \$373,950 (14.7%), Environmental Utility \$384,300 (15.1%), Assessments \$573,681 (22.6%), and General Levy \$1,160,969 (45.8%).

The proposed assessment rates are based on the 2016 assessment rates and the Consumer Price Index (CPI) change from April 2016 to September 2017. The proposed change in the assessment

rates from the 2016 project to the 2018 project represent a 3.1% increase. The recommended 2018 assessment rates are as follows: Street Assessments: \$8,450 per residential unit and \$112.67 per front-foot for commercial/industrial/multi-family; and Water Service Assessments: \$1,650 per unit. At this time there are no expected assessments for sanitary sewer services as they are not anticipated for replacement.

The proposed project schedule was presented with construction May to September of 2018 and a final completion date of Summer of 2019.

George Eilertson, Northland Securities, presented financial information regarding the project.

He stated the bonding process for this project will be similar to the process for the 2016 Street and Utility Improvement Process. A minimum 20% assessment funding of the project is required for this bonding. The bonds will be for a 15-year term and will result in a \$120,000 tax levy per year. The City has a AA- Bond Rating which is very strong. Interest rates at this time are very favorable, in the 2.5% range. Eilertson presented a proposed Debt Service Schedule and Tax Impact Information.

Public Comment:

Roland Wagner, 21527 Wagner Bay Lane, representing Bethlehem Lutheran Church, 200 Park Avenue NW, noted Second Street NE past the church is a very narrow street and has mountable curbs as opposed to a standard curb. He asked at what point the determination of the type of curb, etc., for that property would be made. He also questioned if the cost of the assessment per front foot had changed since the neighborhood meeting. He thought the figure presented tonight was higher than the amount presented at the neighborhood meeting.

Cavett stated that he did not believe the amount had changed since the neighborhood meeting. With regard to the curb, the engineer will want to meet with representatives of the church as this is a long expansive area that is gravel and it will be looked at to see if there are options that benefit both the church and the City. Cavett encouraged Wagner to look at the Elysian Methodist Church that was involved in the 2016 Street and Utility Improvement Project. The parking at that location was established but with the project it was reestablished as mountable and cross over curb.

Marlys Boyum, owner of the property located at 105 Second Street NE, asked why her property had been added to the project. Cavett stated the property was identified for improvement in Project C but has been moved to Project B due to the condition of the road, being that Park Avenue NE to the north of this property had been improved through this intersection and this would complete that area, and also for access. The 2012 assessment on this property has been taken into account and credit has been given for one-half unit.

Boyum asked if the alley next to her property was included in the project. Cavett stated it is not included in this project. Boyum questioned if the street in front of her property would be widened like that by the bank. Cavett stated it would not.

Pat Nusbaum, 104 Park Avenue NE, representing the Elysian Area Library located at 132 Main Street East, stated the intersection at Second Street SE and Highway 60 is a very busy intersection. She asked how much would be cut out of that intersection to accommodate the sidewalk. Cavett stated that to go any wider at that intersection would be to accommodate parking and he did not believe it would be wise to have parking in the area between the trail and Highway 60. The width is fine for two-way traffic. The street does widen north of the trail to accommodate parking.

Nusbaum asked how close the City is to the debt limit allowable for bonding? Eilertson stated the debt limit counts when the City issues bonds that are paid for solely by taxes. So, the bonding for the 2016 and the 2018 project is outside of the bond limit and does not count. The debt limit is 3%

of the overall market value for your City. Nusbaum stated she was concerned about the rest of the City and getting their streets done. Eilertson stated the City is taking a good measured approach on addressing the projects by looking at the tax impact, the overall debt, etc. Nusbaum commented that when 45% is paid by the general levy and those people who are also contributing don't get new streets for four or five years is that really fair? Some of those streets may have to go back to gravel.

Nusbaum acknowledged that the Elysian Library would have to pay an assessment but asked if since they are a non-taxable entity, would they also have to contribute to the general levy? Cavett stated no they would not be required to contribute to the general levy.

Nusbaum asked if it would be possible to start the project on Second Street NE/SE after the 4th of July celebration. Cavett stated the phasing of the project has not been discussed. It may make sense that any streets that access Highway 60 off Main Street are delayed until after the 4th of July celebration.

Nusbaum asked if the alley behind the businesses on Main Street could be included in the project. She noted it was not an official platted "alley" but it is used as an alley and is very busy.

No written comments were received.

On motion by Stoen, seconded by McBroom, all voting in favor, to close the Public Hearing at 6:49 pm and open the Regular Meeting.

On motion by McBroom, seconded by Stoen, all voting in favor, to approve the minutes of the October 9, 2017 Regular Meeting and October 16, 2017 Workshop Meeting with MnDOT as presented.

On motion by Houlihan, seconded by Stoen, all voting in favor, to approve the agenda of the November 13, 2017 Regular Meeting with the following addition:

Add: Update on The Wilderness Restaurant.

Public Comment: None.

John H Carpenter, Ramona M Carpenter, and Barbara C Nelson have submitted a request that the City of Elysian officially close and vacate the alley located on Block 005 Elysium Townsite, Amended Plat, City of Elysian, PID # R16.410.1000. This alley has never been physically opened. They are requesting it be vacated to allow them to combine the two parcels into one developable parcel.

On motion by Stoen, seconded by Opsahl, all voting in favor, to call a Public Hearing for December 11, 2017 at 6:15 pm to consider the request of John H Carpenter, Ramona M Carpenter, and Barbara C Nelson that the City of Elysian officially close and vacate the alley located on Block 005 Elysium Townsite, Amended Plat, City of Elysian, PID # R16.410.1000.

Chris Cavett, SEH Engineering, presented Resolution #594/17 which is an amendment to Resolution #590/17 approved at the October 9, 2017 Council Meeting. The amended Resolution reflects the correct total cost of the improvement based on the changes made during the October 9, 2017 Council Meeting.

Mayor Stoen introduced the resolution and was seconded by Councilmember McBroom.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 594/17
RECEIVING REPORT AND CALLING

HEARING ON IMPROVEMENT
2018 STREET AND UTILITY IMPROVEMENT PROJECT
(AMENDED)

WHEREAS, pursuant to resolution of the council adopted May 8, 2017, a report has been prepared by Short Elliott Hendrickson Inc. (SEH®) with reference to the 2018 Street and Utility Improvement Project, with reference to the improvement of following streets:

- Second Street NW, from Main Street to Frank Avenue NW
- Third Street SW/NW, from TH 60 to Frank Avenue NW
- Fourth Street SW, from TH 60 to Main Street
- Frank Avenue NW, from 4th Street NW to 1st Street
- Park Avenue NW, from 4th Street NW to 1st Street
- Second Street SE, from Main Street to dead end
- Second Street NE from Main Street E to Park Avenue NE; and

and this report was received by the council on October 9, 2017, and

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA:

1. The council will consider the improvement of such streets in accordance with the report and the assessment of abutting property and properties for which benefit can be attributed for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429, at an estimated total cost of the improvement of \$2,536,800 based on revisions to the report approved by the City Council on October 9, 2017.
2. A public hearing shall be held on such proposed improvement on the 13th day of November, 2017, in the Elysian City Hall at 6:00 p.m. and the City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Upon vote being taken:

Council Members voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 13th day of November, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Cavett presented Resolution #596/17 – Ordering Improvement and Preparation of Plans 2018 Street and Utility Project. The report does assume construction of the stormwater pond by Lake Francis Park but nothing will be done on that until directed by the City Council. Also, the report includes one boring crossing across Highway 60 but that may change. Cavett explained that there are two watermain crossings across Highway 60. If the watermain is required to be installed by boring, then only one watermain is recommended to be installed. If the watermain installation can be done during the Highway 60 reconstruct in 2020 and installed via direct open cut, then the recommendation is to install both watermains with an overall lower cost to the City.

Mayor Stoen introduced the resolution and was seconded by Councilmember Houlihan.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 596/17
ORDERING IMPROVEMENT AND
PREPARATION OF PLANS
2018 STREET AND UTILITY IMPROVEMENT PROJECT

WHEREAS, a resolution of the city council adopted the 9th day of October, 2017, fixed a date for a council hearing on the proposed improvement of the 2018 Street and Utility Improvement Project,

AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the 13th day of November, 2017, at which all persons desiring to be heard were given an opportunity to be heard thereon,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA:

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 9th day of October, 2017, and as amended at the public hearing.
3. Such improvement has no relationship to the comprehensive municipal plan.
4. Such improvement has been identified in the City of Elysian Capital Improvement Plan (CIP), dated August 10, 2015.
5. Short Elliott Hendrickson, Inc. (SEH®) is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
6. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of the tax-exempt bond.

Upon vote being taken:

Council Members voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 13th day of November, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Cavett presented a Professional Services Proposal / Agreement to the City of Elysian for SEH Engineering to provide engineering services for the remaining final design, bidding, assessments, (Phase 2) and construction engineering (Phase 3) of the project.

On motion by Stoen, seconded by McBroom, all voting in favor, to approve and accept the Professional Services Proposal / Agreement for SEH Engineering to provide engineering services for the remaining final design, bidding, assessments, (Phase 2) and construction engineering (Phase 3) of the project.

Cavett presented a memorandum with preliminary discussion related to a potential for a Highway 60 underpass as part of the MnDOT 2020 reconstruction project. The report estimates the cost of the underpass to be in the range of \$500,000 to \$750,000. The only location which might be remotely feasible would be at the existing drainage culvert crossing located at the wetland to the east of Casey's (midway between First Street and Second Street SW). It would also require significant runout length (approximately 300 feet) to accommodate a 5% grade to meet American Disabilities Act (ADA) requirements.

The Council discussed the benefits and drawbacks of an underpass. The feasibility of striped crosswalks and crosswalks with lighted caution signs was discussed again. The Council expressed concern for the safety of pedestrians crossing Highway 60. Staff was directed to contact the MnDOT Project Manager of the 2020 Highway 60 reconstruction project and schedule another workshop with the Council to discuss the options again.

Ron Greenwald, Public Works Director, noted there are several dead trees and dangerous limbs in need of removal. He has obtained two quotes and will be having the trees removed based on the lower quote.

Councilmember Schnoor introduced the resolution and was seconded by Councilmember McBroom.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 591/17
REQUEST FOR OFF SITE LAWFUL GAMBLING

WHEREAS: the Elysian City Council was presented with a request from the Elysian Fire Department Relief Association for one day off site lawful gambling, December 2, 2017.

WHEREAS: State Laws of Minnesota require approval be granted by the local governing body, thus the City of Elysian.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the Elysian City Council grants approval for a one day off site lawful gambling license to the Elysian Fire Department Relief Association.

Councilmember Schnoor introduced the resolution and was seconded by Councilmember McBroom, to approve one day off site lawful gambling for December 2, 2017.

Upon vote being taken:

Councilmembers voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen.

Councilmembers voting in the negative: None.

Adopted by the City Council of the City of Elysian this 13th day of November, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Councilmember Schnoor introduced the resolution and was seconded by Councilmember Houlihan.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 592/17
RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN FIRE RELIEF ASSOCIATION

WHEREAS, the City of Elysian has received a donation in the amount of \$6,000.00 from the Elysian Fire Relief Association toward the purchase of a sliding unit for the grass rig;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts a donation from the Elysian Fire Relief Association in the amount of \$6,000.00 toward the purchase of a sliding unit for the grass rig.

Upon vote being taken:

Council Members voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 13th day of November, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Councilmember McBroom introduced the resolution and was seconded by Councilmember Schnoor.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 593/17
RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN CO-ED VOLLEYBALL LEAGUE

WHEREAS, the City of Elysian has received a donation in the amount of \$300.00 from Elysian Co-Ed Volleyball League for Lake Francis Park maintenance;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts a donation from Elysian Co-Ed Volleyball League in the amount of \$300.00 for Lake Francis Park maintenance.

Upon vote being taken:

Council Members voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 13th day of November, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Councilmember Schnoor introduced the resolution and was seconded by Councilmember McBroom.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 595/17
DESIGNATING POLLING PLACES
FOR THE 2018 STATE PRIMARY
AND GENERAL ELECTION

WHEREAS, Minnesota Statutes 204B.16, sub 1 requires the City Council, by ordinance or by resolution, to designate polling places for the upcoming year; and

WHEREAS, changes to the polling places locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use; and

WHEREAS, changes to the polling locations may be made in the case of an emergency when it is necessary to ensure a safe and secure location for voting; and

WHEREAS, the state primary is August 14, 2018 and the general election is November 6, 2018.

NOW THEREFORE, BE IT RESOLVED:

That the Elysian City Council hereby designates the following polling place for elections conducted in the city in 2018:

PRECINCT: ELYSIAN 0020 - All Properties within the corporate limits of the City of Elysian, County of Waseca

Polling Place: Elysian: Mail Ballot, 307 N State Street, Waseca, MN 56093.

PRECINCT: ELYSIAN 0025 – All properties within the corporate limits of the City of Elysian, County of Le Sueur

Polling Place: Elysian City Hall, 110 W Main Street, Elysian, MN 56028.

AND BE IT FURTHER RESOLVED, that the Administrator-Clerk is hereby authorized to designate a replacement meeting the requirement for the Minnesota Election Law for any polling place designated in this Resolution that becomes unavailable for use by the City;

AND BE IT FURTHER RESOLVED, that the Administrator-Clerk is hereby authorized to designate an emergency replacement polling place meeting the requirement of the Minnesota Election Law for any polling place designated in this Resolution when necessary to ensure a safe and secure location for voting;

AND BE IT FURTHER RESOLVED, that the Administrator-Clerk is directed to send a copy of this resolution and any subsequent polling place designations to the Le Sueur County Elections Office and the Waseca County Elections Office.

Upon vote being taken:

Council Members voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 13th day of November, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

On motion by Stoen, seconded by McBroom, all voting in favor, to schedule a Budget / 2018 Utility Rate Workshop Meeting for Tuesday, November 28, 2017 at 6:00 pm.

On motion by Houlihan, seconded by Stoen, all voting in favor, to schedule the Truth in Taxation Hearing on the Final 2017 Tax Levy – Payable 2018 for Monday, December 11, 2017 at 6:01 pm.

On motion by McBroom, seconded by Houlihan, all voting in favor, to close City Hall office on Friday, November 24, 2017 with employees not working that day to use either vacation, floating holiday, or comp time.

Elysian's local Horizon's Group is sponsoring a meeting on Wednesday, November 15, 2017 at the Elysian Tourism Center at 7:00 pm to discuss consideration of the creation of a Community Legacy Foundation. Councilmembers are invited to attend.

An update on 6 Cedar Point Drive NW was provided. The homeowner did comply with the Council requests in regard to trees and did reduce the patio in the OHWM setback to less than 630 square feet.

The Council thanked all the volunteers, businesses, community members, and City staff that contributed to the 2017 Spook Trail. The new trail route worked well.

The Wilderness will be up for auction on Tuesday, November 14, 2017 at 11:00 am.

City Attorney Jason Moran reported that he is in the process of renegotiating the City's Franchise Agreements.

Moran stated he will also be revising the City's Right-of-Way Ordinance and addressing a Small Cell Tower / Antenna Ordinance. The current Right-of-Way Ordinance is archaic and vague. It needs to be updated to protect the City's right-of-way and to require fees and permits as allowed. Currently, the City rents space on the water tower for antennas. Technology is changing, and utility companies are employing much smaller antennas and placing them on light and electrical poles. The City should create and adopt an ordinance to address this.

Mayor Stoen reported that the City Administrator Employee Evaluation had been performed during closed session on October 9, 2017. The Administrator met or exceeded all expectations of the position.

On motion by Schnoor, seconded by Houlihan, all voting in favor, bills, payroll, and transfers were approved in the amount of \$59,798.67.

Public Comment:

Nicole Lamont, 400 Jason Drive, stated that she would like to speak to the sidewalk issue. She and her children try to cross Highway 60 and get to the trail, and it is usually quite an adventure. She stated it raises her blood pressure as it is very dangerous. Even if there are not striped crosswalks, the sidewalks will help them get to the trail safely and get them off the street. County Road 11 is always busy no matter what time it is, and they can either take the grass or the road and they always choose the road. She would really like to see the sidewalks because it would get them to the trail.

On motion by Stoen, seconded by Houlihan, all voting in favor, meeting adjourned to closed session to discuss Attorney Client Matter and Land Acquisition at 7:32 pm.

On motion by Stoen, seconded by Houlihan, all voting in favor, to reopen the meeting at 7:46 pm.

Mayor Stoen reported the Council will continue to consider options with regard to the acquisition of property and will consult legal counsel as the matter progresses.

On motion by Stoen, seconded by McBroom, all voting in favor, to adjourn the meeting at 7:47 pm.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator