

**ELYSIAN CITY COUNCIL
REGULAR MEETING
MAY 14, 2018**

The Elysian City Council met in regular session on Monday, May 14, 2018, 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 Attorney Jason Moran. Absent: City Utility Clerk Nicole Lamont.

On motion by Schnoor, seconded by Houlihan, all voting in favor, to approve the minutes of the April 9, 2018 Regular Meeting and May 7, 2018 Open House Meeting with MnDOT as presented.

On motion by Stoen, seconded by Houlihan, all voting in favor, to approve the agenda of the May 14, 2018 Regular Meeting with the following additions:

1. Nick Greenig, Le Sueur County Sheriff's Office
2. Knotty Bar & Grill Request for Liquor License

Le Sueur County Chief Deputy Nick Greenig stated all is well in the City. He reported that the first meeting of the Le Sueur County TRIAD program went well with approximately 75 people in attendance. The next meeting will be held in July in the City of Montgomery.

Public Comment:

Kathy and Scott Roemhildt, owner of The Pit Stop, 205 East Highway 60, expressed concern that the Highway 60 project would affect their business directly – not in a good way. They are asking the Council to not approve the median plan. They feel it would cut off their business substantially. They do not feel that any businesses or citizens should be cut off from the highway. There is no guarantee that the speed will be reduced by doing this plan and the chances are that it will not. This would commit to a 50-year project that does not address the needs of the City. There are a number of businesses that are affected and upset. The median project will cut their business in half because half of their business comes from the bank. They will have to close their doors. It would result in one-way traffic to their business.

Rick Childs, 105 East Highway 60, did not see the median option as a way to solve the problem. One way or another no one wins. It might not slow down traffic and it might hurt the business. It is a lose-lose situation. Why not work it out? The median will hurt businesses and then who wins. No one comes out ahead. Let's work on this and get it done properly and we are all winners.

Wayne James, James Bros. Construction, 43963 43rd Street, expressed concern for those who owned the convenience stores. If it is not convenient, people won't use it. They will lose half their business and we can't afford to lose any business in town. His business has 80-foot lowboys that are six inches off the ground trying to make a left-hand turn onto Hwy 60 toward Madison Lake. Even though they have shortened the median, his trucks will be turning into the ditch to try to make the swing without running over the curb. They can't make that turn. It is a bad idea. Yes, it will be wider highway to cross, but people do it all over the place. People cross 4-5 lanes of traffic everywhere. He is against the median proposal. He does not see a benefit. Once people figure out the traffic pattern they will whiz right through town and just be going faster.

Susan Morsching, owner of Elysian Auto Service, 203 Main Street East, stated she still has concerns on Second Street. They have a business there and she has concerns for the fire department as well. It would be better for the fire department and faster if they could go right and left

out Second Street. And it cuts off access for her customers only being able to go one direction and she has concerns.

Dan Engebretson, 30 Egret Lane, stated he was speaking as a homeowner in Lakeview Manor Townhome Association and a Planning and Zoning Commissioner. The Planning and Zoning Commission has committed a large amount of time studying the MnDOT proposals over the last three months. The Board members feel that the changes made by MnDOT has addressed most of the concerns the people have. They realize that no plan will address all the concerns but the amended plan addresses most of the concerns. The Board members see the advantages to the median proposal as follows:

1. Provides a safe zone for pedestrians to stand in while crossing the highway;
2. The curbs reinforcing the narrowing of the lanes, thus slowing the traffic; and,
3. The center island provides a sense that you are entering an urban area and thus reduce the speed.

The reasons the Planning and Zoning note that make the median proposal difficult include:

1. Inconvenience of no left turn onto the highway; and
2. Difficulty for trucks to make deliveries.

Engebretson stated he had driven truck in the metro area for 30 years and his experience is you will drive wherever you need to do the job. He empathizes with the businesses affected but if he was going there for gas, he will drive around the block and still go there to get gas.

He thanked the Council for their consideration and hoped there would be a good decision.

There was no further public comment.

Jim Tatge, Emergency Management Director, introduced himself to the Council. He gave a brief description of his background stating that he was originally from Madison Lake and now lives and works full-time in the City of Mankato. He works in the engineering department, public works division, in project and budget management. He has been involved with the SERVE Team. He stated he is looking forward to helping further develop the City of Elysian Emergency Plan. The Council welcomed Tatge to the City of Elysian.

Forrest Hasty, PE, Project Manager, MnDOT District 7, thanked the Council for letting MnDOT go through this process. MnDOT has attempted to meet the concerns of the City which included speed and pedestrian safety.

Hasty explained that with the original proposal the speed will go up to an estimated 52-53 miles per hour. With the median proposal the speed will go down to an estimated 45 miles per hour. With either proposal, a speed study will be done in 6 to 12 months. With the medians, the posted speed may be able to be reduced to 40 miles per hour but that is only an estimate.

Hasty stated the original proposal adds turns lanes. Then, with the turning traffic out of the way, the speed will go up or stay the same, it will never slow down. The outcome is that it may be posted at 50 miles per hour.

Hasty explained that the current median proposal closes the Second Street SE access and pushed G Avenue SE through to provide access to those homes. It also adds a back-age street to the car wash. This proposal can still be tinkered with a bit but it is basically final.

Scott Roemhildt asked why there couldn't be a roundabout. Hasty responded that there is no capacity problem and no safety problem on this section of Highway 60 and MnDOT does not use roundabouts to slow traffic.

Roemhildt asked why Madison Lake has a 30 mile per hour posted speed limit. Hasty explained that Madison Lake is an urbanized center with curb and gutter and on-street parking. Madison Lake has called for a reconstruction and their 2020 plan calls for narrowing of lanes and extending curbing out of town. There will be a speed study performed there as well 6 to 12 months after the project.

When asked, Hasty stated there was a \$600,000 - \$800,000 difference in cost between the two proposals. He also stated that the lighted speed signs do work well for the first two months but after about three to six months their effectiveness diminishes. They do work better if you can move them around.

Teri James asked about the "oncoming/crossing traffic lit signs" that are in Morristown. Hasty stated those type of signs are just now being tested. They do not make sense for City streets and are used in rural areas. James stated she would be afraid to stand in a median with cars and semis going by on both sides, especially with her grandchildren. Hasty noted that the medians are 16 feet wide.

Houlihan stated he is not talked into the median proposal. The amount of harm that it could possibly do to the businesses outweighs the benefits he sees especially since there has never been a fatality on this road. He would feel really bad if you installed the medians, and then there was a fatality. If you have to go all the way across you will be mindful of what is going on.

Schnoor stated he did not want anybody to be standing in the middle of that highway and looking one way. It is dangerous with all the distracted driving.

Hasty stated a pedestrian has to be mindful with either option. The difference is that with the median you only have to look one way. People are probably going to look both ways anyway. The medians are 16 feet wide and there is plenty of area to stand safely. Pedestrians will now be crossing 45 feet of roadway rather than the current 20 feet of roadway. The median proposal is safer for pedestrians.

Houlihan stated he did think the speed will go up without the medians but maybe this can be addressed with signage and enforcement.

Opsahl stated she had heard the residents talk and she believes the original plan is the way to go. This affects people on a daily basis. She believes it should be kept more open and look to other options for speed reduction.

McBroom stated he agrees that the median proposal will cost the business owners. Traffic circles aren't going to help – they don't fit here. Speed signs don't work – they just become white light. Flashing lights don't work – nobody pays attention to them. He likes the first concept. It provides more access. With respect to safety, he feels the first option will be the best idea.

Stoen acknowledged that the Council had at one time advocated for the medians, but he is worried about the local businesses. This is a small town and if we can't guarantee what will happen, that scares him.

Susan Morsching asked if there could be a painted crosswalk like the one in Waterville by the school. Hasty stated no. That would give a false sense of security and pedestrians need to pay more attention as this crossing will have more of a rural feel.

On motion by Stoen, seconded by Houlihan, all voting in favor, to approve the first MnDOT option for the 2020 State Highway 60 project that does not include medians.

On motion by Schnoor, seconded by Houlihan, to not allow closure of the Fourth Street SW access as part of the 2020 MnDOT State Highway 60 project. Voting on the motion: Aye - Houlihan, Opsahl, Schnoor, Stoen. Nay – McBroom. Motion passed.

The Council asked what was next in the process. Hasty explained there will be right-of-way discussions, lighting decisions and detour meetings. The Council thanked Hasty for all of MnDOT's work on the different options provided for consideration.

Chris Cavett, SEH Engineering, reported that the Sakatah Trail crossing on Third Street SW will have to be adjusted with the 2018 SUIP. The grade on Third Street will also have to be adjusted. Cavett and City staff met with representatives of the DNR on May 2nd and the DNR has agreed to the concept of the trail realignment and have agreed to pay for the ADA improvements. DNR will be drafting and forwarding a cooperative agreement for Council consideration.

Cavett presented the Council with four options for the redesign of the parking lot at the Tourism Center. He stated Option #1 makes the most sense and will be the most cost effective.

On motion by Stoen, seconded by Opsahl, all voting in favor, to approve Option #1 for the redesign of the parking lot at the Tourism Center.

Cavett noted the parking lot design and 3rd Street SW design revisions will be made in coordination with the DNR Trail revisions.

Cavett asked the Council to consider if they would like to retain / repair the existing sidewalks on Park Avenue between 2nd and 3rd Street NW and 3rd Street NW between Frank Avenue NW and Park Avenue NW. The cost to replace all the sidewalks and install ped ramps is approximately \$10,000. Council referred this discussion to the Park Board to be brought back to Council at the June meeting.

Cavett reported work on the project began today. It is a little wet but there is good weather forecast for the remainder of the week.

Ron Greenwald, Public Works Director, reported that a power surge or spike that occurred in April had blown out the stator in Lift Station A. The City did have a backup pump for Lift Station A so there was not an interruption in service. In order to replace the stator in the damaged pump, it will need to be taken apart and the seals will all have to be replaced. Minnesota Pump Works has presented a quote for this service in the amount of \$2,653.25.

On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the quote to repair the Barnes 20 hp Pump for Lift Station A in the amount of \$2,653.25 from Minnesota Pump Works and to contact League of MN Cities to determine insurance coverage.

Greenwald presented a quote from Minnesota Pump Works to replace a valve at the waste water treatment plant. The quote is for direct replacement of a DeZurik Plug Valve and is in the amount of \$1,950. No action was taken on this item.

Greenwald presented Ordinance #2: Related to the City Water System, Section 9. Service Pipes, for review. The ordinance currently requires Type K Copper tubing be used up to and including two-inch service. It was suggested that AWWA Standard HDPE piping be allowed.

City Attorney Moran noted there is also some discrepancies in this ordinance under Section 8. Repair of Leaks and Installation and Maintenance of Service. Moran suggested this section also be considered for revision.

On motion by Stoen, seconded by Houlihan, all voting in favor, to authorize the City Attorney to revise Ordinance #2: Related to the City Water System, Section 8 and Section 9 and to schedule at public hearing to consider the revised ordinance for June 11 at 6:00 pm.

Greenwald reported that the house that was located at 301 Sixth Street NW has been completely removed and the lot landscaped. The last tires will be picked up on Thursday.

Mayor Stoen introduced Resolution No. 615/18 and was seconded by Councilmember McBroom.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION NO. 615/18

A RESOLUTION AUTHORIZING TO ENTER INTO AGREEMENT
AND REQUEST ONE TIME EXCEPTION

WHEREAS, in 1990 the State of Minnesota Department of Trade and Economic Development did enter into an agreement with Lake Country Sales, Inc. to provide a loan of grant funds in the amount of \$50,000, that was to be repaid to the City of Elysian, and;

WHEREAS, said payments were to be used by the City of Elysian Economic Development Authority to establish and maintain a revolving loan fund, provided that the purpose of that loan is to further future economic development in the City of Elysian, thereby creating additional LMI jobs in the community, and:

WHEREAS, that said loans also adhere to the requirements that are followed by the State of Minnesota Investment Fund Program, and;

WHEREAS, adherence to the General Purposes and Guidelines for RLFs seeded by the Minnesota Investment Fund have created difficulties in the Elysian Economic Development being able to utilize these restricted funds for loan purposes, and;

WHEREAS, the 2017 Legislature passed legislation that allows cities that have revolving loan funds (RLFs) seeded by state-funded Minnesota Investment Fund loan repayment to use 80 percent of the uncommitted balance for any general aid for lawful expenditure if 20 percent of the balance is returned to the State of Minnesota, and;

WHEREAS, the City of Elysian and the Elysian Economic Development Authority will benefit by utilizing this one-time exception in that the funds will be unrestricted and available for use.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Elysian, Le Sueur County, Minnesota, to approve the utilization of the Minnesota Investment Fund State Funded RLF Request for One-Time Exception for uncommitted money received from repayment of funds awarded under Minnesota Statutes, section 116J.8731 in the amount of \$50,000.

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 14th day of May 2018.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

RESOLUTION 616/18

A RESOLUTION AUTHORIZING THE DEFERRAL OF SPECIAL ASSESSMENT

WHEREAS, the City Council for the City of Elysian, Le Sueur County, Minnesota, met this 14th day of May, 2018, and;

WHEREAS, William H Berndt, a resident of the City of Elysian, having real estate located at 202 Third Street NW, Elysian, Le Sueur County, Minnesota, identified as parcel identification number 16.410.0430 and legally described as the North 50 feet of Lot 7 in Block 11 in the City of Elysian (Formerly known as Townsite of Elysium), Le Sueur County, Minnesota, and;

WHEREAS, Berndt's real estate set forth above is a part of the City's 2018 street and utility improvement project and Berndt's assessment is \$10,100 as set forth in greater detail in the City's Assessment Roll, and;

WHEREAS, Berndt requested the City defer the collection of the special assessment associated with the City's 2018 road and improvement project based upon the City's Assessment Policy which grants a deferment of assessments to those aged 65 years and older, and also based on a financial hardship.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN HEREIN RESOLVES AS FOLLOWS:

1. That the 2018 Special Assessment associated with Berndt's real estate shall be deferred until the occurrence of any one of the following triggering events:
 - a. The sale, transfer, or subdivision of any or any part of the subject property, or
 - b. The loss of homestead status of the property, or
 - c. The death of the owner.
2. Upon the occurrence of any one of the triggering events set forth at Section 1 above, then the deferred assessment shall then become immediately due and payable and assessable to the City pursuant to this Resolution and the Special Assessment Policy in effect at the time of the triggering event's occurrence.

Upon vote being taken:

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

Council Members voting in the negative: None.

Council Members voting to abstain: Schnoor.

Adopted by the City Council of the City of Elysian this 14th day of May, 2018.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

RESOLUTION 617/18

A RESOLUTION AUTHORIZING THE DEFERRAL OF SPECIAL ASSESSMENT

WHEREAS, the City Council for the City of Elysian, Le Sueur County, Minnesota, met this 14th day of May, 2018, and;

WHEREAS, Michael Schnoor, a resident of the City of Elysian, having real estate located at 207 Park Avenue NW, Elysian, Le Sueur County, Minnesota, identified as parcel identification number 16.410.0770 and legally described as Lots Sixteen (16), Seventeen (17), Eighteen (18), and Nineteen (19), in Block Nineteen (19), in the City of Elysian, according to the Plat thereof on file and of record in the Office of the County Recorder, Le Sueur County, Minnesota, and;

WHEREAS, Schnoor's real estate set forth above is a part of the City's 2018 street and utility improvement project and Schnoor's assessment is \$10,100 as set forth in greater detail in the City's Assessment Roll, and;

WHEREAS, Schnoor requested the City defer the collection of the special assessment associated with the City's 2018 road and improvement project based upon the City's Assessment Policy which grants a deferment of assessments to those retired by virtue of a permanent total disability.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN HEREIN RESOLVES AS FOLLOWS:

1. That the 2018 Special Assessment associated with Schnoor's real estate shall be deferred until the occurrence of any one of the following triggering events:
 - a. The sale, transfer, or subdivision of any or any part of the subject property, or
 - b. The loss of homestead status of the property, or
 - c. The death of the owner.
2. Upon the occurrence of any one of the triggering events set forth at Section 1 above, then the deferred assessment shall then become immediately due and payable and assessable to the City pursuant to this Resolution and the Special Assessment Policy in effect at the time of the triggering event's occurrence.

Upon vote being taken:

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

Council Members voting in the negative: None.

Council Members voting to abstain: Schnoor.

Adopted by the City Council of the City of Elysian this 14th day of May, 2018.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

RESOLUTION 618/18

A RESOLUTION AUTHORIZING THE DEFERRAL OF SPECIAL ASSESSMENT

WHEREAS, the City Council for the City of Elysian, Le Sueur County, Minnesota, met this 14th day of May, 2018, and;

WHEREAS, Steven and Marni Schnoor, residents of the City of Elysian, having real estate located at 205 Third Street NW, Elysian, Le Sueur County, Minnesota, identified as parcel identification number 16.410.0470 and legally described as Lot 4 and South Half of Lot 3, Block 12, Village of Elysian, according to the Re-arranged, re-survey and New Plat of the townsite of Elysian, in Le Sueur County, Minnesota, according to the recorded Plat on file and of record in the Office of the County Recorder in and for Le Sueur County, Minnesota, and;

WHEREAS, Schnoor's real estate set forth above is a part of the City's 2018 street and utility improvement project and Schnoor's assessment is \$10,100 as set forth in greater detail in the City's Assessment Roll, and;

WHEREAS, Schnoor requested the City defer the collection of the special assessment associated with the City's 2018 road and improvement project based upon the City's Assessment Policy which grants a deferment of assessments to those retired by virtue of a permanent total disability.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN HEREIN RESOLVES AS FOLLOWS:

1. That the 2018 Special Assessment associated with Schnoor's real estate shall be deferred until the occurrence of any one of the following triggering events:
 - a. The sale, transfer, or subdivision of any or any part of the subject property, or
 - b. The loss of homestead status of the property, or
 - c. The death of the owner.
2. Upon the occurrence of any one of the triggering events set forth at Section 1 above, then the deferred assessment shall then become immediately due and payable and assessable to the City pursuant to this Resolution and the Special Assessment Policy in effect at the time of the triggering event's occurrence.

Upon vote being taken:

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

Council Members voting in the negative: None.

Council Members voting to abstain: Schnoor.

Adopted by the City Council of the City of Elysian this 14th day of May, 2018.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Wenck Associates has completed the Septic Inventory Project for Lake Frances, Rays, Sakatah, and Tetonka. The project was funded with a grant from BOWSER. There are remaining grant funds in the amount of \$60,000. This grant money will be split between the City of Elysian and the City of Waterville. Wenck Associates will be completing a Waste Water Capacity Study for Elysian.

On motion by Houlihan, seconded by McBroom, all voting in favor, to approve the contract for Mosquito Control with Mosquito Control of Iowa, Inc, in the amount of \$3,250.

On motion by Houlihan, seconded by Stoen, to approve Dallas McBroom for the position of temporary summer employee for 2018. Voting on the motion: Aye – Houlihan, Opsahl, Schnoor, Stoen. Nay – None. Abstain – McBroom. Motion carried.

On motion by Stoen, seconded by Houlihan, all voting in favor, to approve Joseph Lattimore for the position of permanent part time public works worker.

The City-wide Clean-Up will be held on Saturday, May 19 from 8:30 to 11:00 am at the Lake Francis Parking Lot.

Reminder of Council Meeting to Consider a Resolution Approving Issuance of General Obligation Bonds – May 22, 2018 at 6:00 pm

Reminder Le Sueur County Elected Officials Meeting – Wednesday, May 23, 2018, Little Dandy Sports Bar, Le Center, 6:30 pm social and food, 7:00 pm meeting

Due to weather, the Tuckers Tavern Roll-Ins will not begin until June 6, 2018.

The auction at 301 Sixth Street NW will be held on Sunday, June 24, 2018 at 12:00 noon. Viewing will begin at 10:00 am.

The owners of The Knotty Bar & Grill, 510 West Highway 60, have applied for a liquor license. On motion by Stoen, second by Schnoor, all voting in favor, to schedule a public hearing for June 11, 2018 at 6:10 pm to consider the application for liquor license for The Knotty Bar & Grill.

City Attorney Moran reported that Jeremy Henninger has initiated the purchase of two parcels of property in Lake View Manor – PID #16.419.0090 and #16.419.0100.

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

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

RESOLUTION 619/18

WHEREAS, the City Council for the City of Elysian met on the 14th day of May, 2018, for a scheduled City Council meeting;

WHEREAS, at the aforementioned meeting, a discussion was held regarding two parcels of property the City of Elysian owns, specifically, that real estate legally identified as PID number of: 16.419.0090 and 16.419.0100;

WHEREAS, Henninger Construction LLC has proposed to purchase the aforementioned real estate for \$25,000 and build townhomes on those parcels;

WHEREAS, the City Council met and discussed this proposed sale to Henninger Construction LLC. The City Council understands that this is a good economic opportunity for the City of Elysian. The expansion will help create construction jobs in Elysian. In addition, due to the sale, the property will generate more tax revenue than it is currently generating. In sum, this sale will help to enhance the City's overall tax base and the council met and agreed that it is in the best interest and general welfare of City of Elysian for this sale to occur.

NOW THEREFORE, the City Council for the City of Elysian met this day, discussed this issue, and upon vote taken authorized that parcel numbers 16.419.0090 and 16.419.0100 be sold and deeded to Henninger Construction LLC. The City Administrator and City Attorney are empowered to sign any and all documents necessary to effectuate this transfer. Said motion was made, duly seconded, and passed unanimously.

Upon vote being taken:

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

Council Members voting in the negative: None.

Dated: _____, 2018 _____

Clinton Stoen
Mayor

ATTEST:

Dated: _____, 2018 _____

Lorri Kopischke
City Clerk/Administrator

On motion by Schnoor, seconded by McBroom, all voting in favor, bills, payroll, and transfers were approved in the amount of \$141,895.39.

Public Comment: None.

On motion by Stoen, seconded by McBroom, all voting in favor, the meeting adjourned to closed session to discuss attorney client matters at 7:40 pm.

On motion by Stoen, seconded by Schnoor, all voting in favor, to reopen the meeting at 7:56 pm.

Stoen stated that during the closed session there was Council consensus to authorize the City Attorney to continue to deal with the special assessments discussed.

On motion by Stoen, seconded by McBroom, all voting in favor, to adjourn the meeting at 7:57 pm.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator