

**ELYSIAN CITY COUNCIL  
REGULAR MEETING  
JANUARY 8, 2018**

The Elysian City Council met in regular session on Monday, January 8, 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 McBroom, seconded by Schnoor, all voting in favor, to approve the minutes of the December 11, 2017 Regular Meeting and December 26, 2017 Special Year-End Meeting as presented.

On motion by Stoen, seconded by Houlihan, all voting in favor, to approve the agenda of the January 8, 2018 Regular Meeting with the following addition:

Add: Electrical Work at 301 Sixth Street NW

Public Comment:

Wilbur Preston, 213 Park Avenue NE, and Mark O'Malley, 504 Frank Avenue NW, addressed the Council regarding clean up of 301 Sixth Street NW. Preston stated that he and O'Malley, working as a team, are interested in cleaning up the property in exchange for some of the stuff inside. They are willing to do the clean up at no cost to the City and would provide the dumpster, sign waivers to release the City of all liability, and would provide proof of their own medical insurance coverage. Any hazardous waste would be removed and disposed of properly. They would like to clean while the temperature is cold, so the mold spores would be low. They could not provide a timeline as every room is full of stuff. They would also clean the outside property once the snow melts.

The Council thanked Preston and O'Malley, but stated they did not yet have a plan set for the property. The Council will be discussing the property in the near future and will consider their proposal at that time.

On motion by Stoen, seconded by McBroom, all voting in favor, the following designation was approved:

- Regular Council meeting date and time: Second Monday of each month at 6:00 pm unless otherwise designated.

On motion by Stoen, seconded by Houlihan, all voting in favor, the following designations were approved:

- Mayor Pro Tem – Mary Opsahl
- Official Depository – Elysian Bank and Northland Securities
- Official Publication – Elysian Enterprise
- Legal Counsel – Jason Moran, Law Firm of Christian, Keogh, Moran & King – Criminal and Civil
- Auditor – Burkhardt & Burkhardt, Ltd

It was noted that the Emergency Management Director position is listed as “to be advertised”. The current Emergency Management Director has been given increased responsibilities with his employer and also has been appointed as First Assistant Fire Chief. He does not believe he will be available to

perform the job duties of Director, but he will be available to train and assist whomever is hired for the position.

On motion by Houlihan, seconded by Stoen, all voting in favor, the following designations were approved:

- Planning and Zoning  
Member from Council – Mayor Clinton Stoen – 1 year term  
Member from Public – Gary Buchschacher - 3 year term
- EDA  
Member from Council – Mary Opsahl – 1 year term  
Member from Council – Tom McBroom – 1 year term  
Member from Public – No Open Seats  
Administrator – Lorri Kopischke – 1 year term
- Park Committee  
Member from Council – Bobby Houlihan - 1 year term  
Member from Council – Dennis Schnoor - 1 year term  
Member from Staff – Ron Greenwald - 1 year term  
Member from Staff – Nicole Lamont – 1 year term
- WEM Community Education Advisory Board – Tom McBroom - 1 year term
- Representative to the MVCOG General Assembly – Clinton Stoen - 1 year term
- Fire Relief Association  
Member from Council – Dennis Schnoor – 1 year term  
Member Appointed – City Administrator Lorri Kopischke – 1 year term
- Joint Fire Board Representative - Clinton Stoen
- Emergency Management Director – To be advertised

On motion by Schnoor, seconded by Opsahl, all voting in favor, the following Fire Department Chief appointments were approved:

- Chief – Jason James
- First Assistant Chief – Richard Droog
- Second Assistant Chief – Eric Muellerleile

Public Works Director Greenwald discussed electrical power and lighting needs for the shed located at 301 Sixth Street NW. He suggested one light by the man door that stays on at all times and another outdoor light for the garage door. Ceiling strip lights are needed inside the shed. The Council requested two quotes be provided at the February Council meeting. There was Council consensus to have the Xcel service for this property put under the City responsibility and have the electricity turned on to the shed.

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

CITY OF ELYSIAN  
ELYSIAN, MINNESOTA  
RESOLUTION 605/18

RESOLUTION ACKNOWLEDGING A DONATION FROM  
ELYSIAN FIRE RELIEF ASSOCIATION

WHEREAS, the City of Elysian has received a donation in the amount of \$7,000.00 from the Elysian Fire Relief Association toward the purchase of SCBA Air Tanks;

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 \$7,000.00 toward the purchase of SCBA Air Tanks.

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 8<sup>th</sup> day of January, 2018.

Approved:

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Clinton Stoen, Mayor

Attested:

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Lorri Kopischke, City Administrator

The yearly maintenance agreement for elections with Le Sueur County, effective January 2018 through December 2021, was presented for consideration. The agreement includes an annual fee of \$600 which is based on the number of registered voters. The municipality will be responsible for any/all costs associated with an election not held on the Primary or General Election of an even numbered year. Municipalities will be responsible for the cost of the Election Judges on election day, the cost of the Election judges training, miscellaneous expenses incurred by the municipality that are associated with the election and any cost for transporting the election equipment during a Primary or General Election held in an even numbered year. The agreement designates the county as the absentee ballot board.

On motion by Stoen, seconded by McBroom, all voting in favor, to approve the yearly maintenance agreement with Le Sueur County effective through December 2021.

The Council considered the Agreement for Codification Services with the League of MN Cities and American Legal Publishing. The total cost for this service is \$8,650 plus shipping / handling which can be paid over two fiscal years. One-half of this cost is included in this year's approved budget. City Attorney Moran has reviewed the contract and recommends approval. This will be a big project but will make the City ordinances much easier to understand and enforce.

On motion by Stoen, seconded by McBroom, all voting in favor, to approve the Agreement for Codification Services with the League of MN Cities and American Legal Publishing.

The Council received a letter from the Minnesota Pollution Control Agency stating the petroleum tank release site file for Casey's General Store #2589, 111 W Hwy 60, Elysian, has been closed.

The closure of the petroleum tank release site file means the MPCA does not require any additional investigation and / or cleanup work at this time. This does not necessarily mean that all petroleum contamination has been removed from the site but MPCA has concluded that any remaining contamination, if present, does not appear to pose a threat to public health or the environment.

A Stakeholder Meeting with MnDOT re: 2020 State Hwy 60 Improvement is scheduled for Tuesday, January 16, 2018 at 6:00 pm at City Hall.

The Le Sueur County Elected Official Meeting is scheduled for Wednesday, January 24, 2018 at 6:30 pm in Waterville.

City Attorney Jason Moran presented Ordinance No. 88-18 – an ordinance amending the cable television franchise to extend the term for ninety (90) days. Moran reported the current franchise agreement with Midcontinent Communications (Midco) will expire on January 22, 2018. He is negotiating to renew the franchise agreement, but due to a turn over in personnel at Midco, the new agreement may not be completed by the January 22, 2018 date. This ordinance will extend the term of the current agreement to April 23, 2018.

On motion by Stoen, seconded by Houlihan, all voting in favor, to pass, approve and adopt Ordinance No. 88-18 as follows:

CITY OF ELYSIAN MINNESOTA  
ORDINANCE NO. 88-18

AN ORDINANCE AMENDING THE CABLE TELEVISION FRANCHISE TO EXTEND THE TERM:

WHEREAS, the City of Elysian, State of Minnesota, (the Franchising Authority) duly and lawfully enacted an Ordinance (the "Franchise"), granting a non-exclusive franchise to operate and maintain a cable communications system ("cable system") within its boundaries; and

WHEREAS, Midcontinent Communications ("Midco") is the current franchisee ("Franchisee"); and

WHEREAS, the Franchise is validly existing, legally enforceable and in full force and effect and without default thereunder; and

WHEREAS, the Franchise will expire on January 22, 2018; and

WHEREAS, Midco is requesting a Ninety (90) day extension of the Franchise term, and the Franchising Authority has consented to this extension.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The Franchise is hereby amended to extend the term of the Franchise for a period of Ninety (90) days from its current expiration date of January 22, 2018. The new expiration date is April 23, 2018.

Section 2. Except as modified herein, all other terms, conditions, provisions and requirements of the Agreement shall remain in full force and effect.

Section 3. This Ordinance shall be effective upon its passage and publication in accordance with law.

Upon vote being taken:

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

Council Members voting in the negative: None.

PASSED, ADOPTED AND APPROVED THIS 8<sup>th</sup> day of January, 2018.

CITY OF ELYSIAN, MINNESOTA

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Clinton Stoen, Mayor

ATTEST:

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Lorri Kopischke, City Administrator

City Attorney Moran presented Ordinance No. 89-18 – An Ordinance to Enact a New Chapter, Chapter 84-19 of the Code of Ordinances to Administer and Regulate the Public Right of Ways in the Public Interest. This ordinance will provide for regulation of the right of ways in the City and will require permits to install lines, make repairs and any other interruptions. It will regulate the placement of small scale antennas on houses, poles, etc.

On motion by Stoen, seconded by McBroom, all voting in favor, to schedule a public hearing for Tuesday, February 13, 2018 at 6:00 pm to consider Ordinance No. 89-18 – an Ordinance to Enact a New Chapter, Chapter 84-19 of the Code of Ordinances to Administer and Regulate the Public Right of Ways in the Public Interest.

On motion by McBroom, seconded by Houlihan, all voting in favor, bills, payroll, and transfers were approved in the amount of \$292,709.72.

Public Comment:

Mark O'Malley, 504 Frank Avenue NW, stated the quality of internet service in the City is poor. He would like to see Charter Communications available in Elysian.

O'Malley asked if there could be patrol at the intersection of Frank Avenue NW and Fifth Street NW. There is a 4-way stop at the intersection, but few vehicles stop, and most are going faster than the posted speed limit. This occurs mostly in the mornings and evenings when residents are coming from and going to work. There are a lot of kids playing in this area. Le Sueur County Deputy Moon was present at the meeting and he stated he would report this to the Sheriff.

On motion by Stoen, seconded by McBroom, all voting in favor, to adjourn the meeting at 6:40 pm.

Approved:

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Clinton Stoen, Mayor

Attested:

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Lorri Kopschke, City Administrator