

**ELYSIAN CITY COUNCIL
SEPTEMBER 14, 2009
REGULAR MEETING
MINUTES
6:00 P.M.**

The Elysian City Council met in regular session on Monday, September 14, 2009, at City Hall at 6:00 p.m.

Members present were: Mayor David Rager; Councilmembers Tiffani Atherton, Roger Hanson, Mary Opsahl, Clinton Stoen; Clerk Administrator Patricia Nusbaum; City Attorney Jason Moran, Public Works Director John Roessler, and Administrative Assistant Lorri Kopischke.

Meeting was opened with the Pledge to the US Flag.

On motion by Hanson, seconded by Stoen, all voting in favor, minutes of August 10, 2009 regular council meeting; August 26, 2009 budget workshop; and September 2, 2009 budget workshop meeting were approved as presented.

On motion by Atherton, seconded by Opsahl, all voting in favor, the agenda was approved as presented.

Representatives of Chesnut #3 Development were present with Dr. Mark Berg, property owner, speaking on behalf of the other property owners of Chesnut's #3. Engineer Brian Malm, Bolten and Menk presented plans and specs for the water and sanitary sewer improvement in the Chesnut's #3 Subdivision. Berg noted that easements have been signed and the surety bond was in progress. After all questions being answered, motion was made by Hanson, seconded by Opsahl, all voting in favor, to approve the plans and specifications as presented pending a positive review by the City Engineering Firm.

John Roessler report:

Roessler presented a quote he had obtained on a 350 Ford truck from Elk River Ford, who is involved with state bid, in the amount of \$26,000 which included tool boxes. Another item Roessler had gotten quotes on a new tractor. Quotes were from Smiths Mill Implement with a quote for a New Holland tractor at 14,748.75 and a quote from Mankato Implement in the amount of \$15,758.72. On motion by Hanson, seconded by Opsahl, all voting in favor, to proceed with the state bid quote for a 350 Ford truck in the amount of \$26,000 and move ahead with the purchase of the New Holland tractor in the amount of \$14,748.72. The old truck will be kept for now and used when needed.

Roessler mentioned that there appears to be vandalism happening in the park areas, buoys missing, shingles removed from dug outs and pop stand building, door bashed

in, along the trail furniture being smashed, and with graffiti on buildings. Sheriff will be contacted to be additionally vigilant when patrolling.

Clerk Administrator updates:

- 1. Congratulations to Marge Pribyl on being the recipient of the Le Sueur County Outstanding Senior Citizen Award but also for winning the State of Minnesota Outstanding Senior Citizen Award.**
- 2. Update on Le Sueur County Small Cities Development Program.**
- 3. Web Site for City Business – Discussion on what needs to be done and how to proceed.**
- 4. City of Elysian will host the MN Valley Council of Governments quarterly meeting on September 30th.**
- 5. Reminder of the public meeting on September 24th at 7:00 p.m. at the WEM School to hear information on the proposed operating referendum to be held on November 3rd.**

Megan James, representing the Horizons Program, a program with an emphasis on poverty in the community, asked the council to close Main Street on December 5th for the presentation of the Elysian Holidazzle Parade which will start at 6:30 p.m. with a charge being made to each parade entry and proceeds going to areas that help poverty such as library, food shelf, and sharing tree. Discussion was held on the involving of the City in the event. Questions as to insurance coverage by the city for sponsorship of the event, was held. Clerk Administrator Nusbaum indicated that the city has coverage for festivals and events. Motion was made by Stoen, seconded by Hanson, all voting in favor, to approve the closing of Main Street to parking of cars starting at 4:00 p.m. on December 5, 2009, in preparation of the Elysian Holidazzle Parade.

Councilmember Stoen updated the Council on the quotes on the proposed council chamber sound system. Quotes: Electrical & Communication Specialists, Inc. - \$2,675.00; Technical solutions; \$2,920.80. Discussion was held on the \$1,250 offered by Modern Woodmen toward the project. It would call for a fund raiser from an organization in the community along with donations. Discussion was held on whether an organization in the community would sponsor a fund raiser and then donate the proceeds toward the sound system. Mayor Rager indicated that he would like to see a fund raiser which would include donations from individuals. Member Stoen indicated that no organization had come forward with an offer to do the fund raiser and suggested that funds be taken from the budgeted contingency fund. On motion by Stoen, seconded by Hanson, to approve the purchase of the sound system from ECS, Inc. in the amount of \$2,675 and to allow the funds to come from the 2009 budgeted contingency fund. Voting Yes: Stoen, Hanson, Opsahl. Voting No: Atherton, Rager. Motion declared carried.

On motion by Hanson, seconded by Stoen, to approve the following resolution adopting the 2009 Preliminary Levy payable in 2010:

RESOLUTION 334/09

**RESOLUTION ADOPTING PRELIMINARY 2009 TAX LEVY, PAYABLE 2010
CITY OF ELYSIAN
LE SUEUR AND WASECA COUNTIES**

BE IT RESOLVED; the Elysian City Councilor of the City of Elysian , Le Sueur and Waseca Counties, Minnesota, that the following sums of money be levied for the current year, collectible in 2010, upon taxable property in the City of Elysian, for the following purposes:

General Fund	\$454,648
Fire Relief	\$ 12,971
Public Works Reserve	\$ 2,000
Maint. Replacement Eq.	\$ 10,000
City Hall Debt	\$ 27,856
Fire Bldg Debt	\$ 7,402
1998 GO Improvement Levy	\$ 33,426
Total Final levy	\$548,303

The Clerk Administrator is hereby instructed to transmit a certified copy of this resolution to the County Auditor or Le Sueur County and Waseca County, Minnesota.

Adopted by the Elysian City Council on September 14, 2009.

Attest:

Patricia Nusbaum, Clerk Administrator

David Rager, Mayor

Vote being taken: Voting Yes: Hanson, Stoen, Opsahl. Voting No: Atherton, Rager. Resolution declared carried.

On motion by Stoen, seconded by Opsahl, all voting in favor, the following resolutions were approved:

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 331-09

RESOLUTION ACKNOWLEDGING A DONATION FROM

Volleyball League

WHEREAS, the City of Elysian has received a donation in the amount of \$400.00 from the Volleyball League, and have designated this donation be used for the Elysian Lake Francis Park.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts the donation from the Volleyball League.

BE IT FURTHER RESOLVED THAT: The Elysian City Council expresses its thanks and appreciation for the donation.

Councilmember Stoen introduced the resolution and was seconded by Councilmember Opsahl.

Council Members voting in the affirmative: Stoen, Opsahl, Atherton, Hanson, Rager.

Council Members voting in the negative: None>

Adopted by the City Council of the City of Elysian this 14th. day of September, 2009.

Attest:

Patricia Nusbaum, Clerk Administrator

David Rager, Mayor

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 332/09

RESOLUTION ACKNOWLEDGING THE DONATION FROM

Elysian Fire Department Relief Association

WHEREAS, the City of Elysian has received a donation in the amount of \$3,000.00 from the Elysian Fire Department Relief Association General Fund, and have designated this donation be used for payment toward the balance of the Kabota.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts the donation from the Elysian Fire Department Relief Association General Fund.

BE IT FURTHER RESOLVED THAT: The Elysian City Council expresses its thanks and appreciation for the donation.

Councilmember Stoen introduced the resolution and was seconded by Councilmember Opsahl.

Council Members voting in the affirmative: Stoen, Opsahl, Atherton, Hanson, Rager.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 14th day of September, 2009

CITY OF ELYSIAN

Attest:

Patricia Nusbaum, Clerk Administrator

David Rager, Mayor

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 333-09

RESOLUTION ACKNOWLEDGING A DONATION FROM

**Elysian Fire Department Relief Association
Tax Relief**

WHEREAS, the City of Elysian has received a donation in the amount of \$3,000.00 from the Elysian Fire Department Relief Association for tax relief, and upon Council approval would like to have the consideration to be used toward payment on the balance of the Kabota.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts the donation from the Elysian Fire Department Relief Association.

BE IT FURTHER RESOLVED THAT: The Elysian City Council expresses its thanks and appreciation for the donation.

Councilmember Stoen introduced the resolution and was seconded by Councilmember Opsahl.

Council Members voting in the affirmative: Stoen, Opsahl, Atherton, Hanson, Rager.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 14th. day of September, 2009.

ATTEST:

Patricia Nusbaum, Clerk Administrator

David Rager, Mayor

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 335-09

RESOLUTION ACKNOWLEDGING A DONATION FROM

Attorney Jason Moran

WHEREAS, the City of Elysian has received a donation in the amount of \$300.00 from Attorney Jason Moran and has designated this donation to go toward the Elysian Community National Night Out.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts the donation from Attorney Moran.

BE IT FURTHER RESOLVED THAT: The Elysian City Council expresses its thanks and appreciation for the donation.

Councilmember Stoen introduced the resolution and was seconded by Councilmember Opsahl.

Council Members voting in the affirmative: Stoen, Opsahl, Atherton, Hanson, Rager.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 14th. day of September, 2009.

ATTEST:

Patricia Nusbaum, Clerk Administrator

David Rager, Mayor

Councilmember Hanson indicated that the Planning and Zoning Commission would be holding a public hearing to amend the City Zoning Ordinance on Tuesday, October 6, 2009 at 6:00 p.m.

Councilmember Hanson briefly updated the Council on meetings which he and Emergency Management Director John Roessler had attended regarding the flu pandemic and concerns as to notification as to how to help the citizens be aware of how to try to avoid the flu and what to do if you get it.

Councilmember Hanson updated the Council on recent meetings regarding the latest on the 800 mega hertz radio which Le Sueur County may be moving toward. If this happens, it could result in a large amount of updating to the radio systems for the Fire Department and the Emergency Management operation. More information will be at the next meeting.

On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the auditing firm of Burkhardt and Burkhardt – Mankato for auditing services for the City of Elysian's 2009 annual audit at a cost of \$7,750.

On motion by Atherton, seconded by Opsahl, all voting in favor, to approve the setting of a special meeting, November 30, 2009 at City Hall at 6:00 p.m., to receive public input on the 2009 payable 2010 levy and budget.

On motion by Atherton, seconded by Hanson, all voting in favor, to approve Mayor Rager appointments to EDA – Mary Opsahl Councilmember, term to end January 1, 2010; and Bob Frechette, member at large for a term until January 1, 2015.

On motion by Hanson, seconded by Stoen, all voting in favor, to approve bills, payroll, and transfers in the amount of \$167,520.15.

Attorney Moran comments:

- 1. Annexation trial held on September 10th. at City Hall regarding a portion of Lake Tustin and a portion of Lake Francis. Judge has 90 days to respond.**

Mayor comments:

We all know that the budget that was approved tonight is a preliminary budget and that it is subject to change and approval before the end of the year. My concerns over the raises for City employees and the fire department budget are issues that I cannot overlook –even in a preliminary budget.

I believe that, although we have some very good City employees, raises totaling 7% are very hard to justify when the economy of the country is in such dire straits. The unemployment rates now are over 9% and many people are worried about losing

their jobs. The Federal Government has now frozen Social Security for the next two years. I have done some extensive studies and found that our employees are already being paid very well when compared to other cities or size. I certainly would be willing to share those findings with anybody who is interested.

The other issue I take exception to is the Fire Department budget. After several meeting with the Joint Fire Board recommended to the City a budget of \$69,977 which is a 6.2% increase over 2009. The City's fire budget for 2010 is now \$78,705 which is a 19% increase. I don't feel that this is fair to our taxpayers nor to our township partners.

One of the positives from this year's budget process is the lowering of the audit costs due to advertising for sealed bids. I also believe that lowering of the tourism budget was a positive as we have found our neighboring cities are doing the same thing.

I do believe that if we continue to work on this budget until the end of the year, we can lower the cost to all residents while maintaining the services we provide.

Visitors Comments:

- 1. Jack Frank – 9 Roots Beach Lane – Small town why are there eight people employed?**
- 2. Kris Greenwald – 205 SW 5th. Street – Concerned about the vandalism in community.**
- 3. Mack Evans – 103 Park Avenue NW – Concerned about the web site updates. Need to be more current with the happening in Elysian. Indicated that the web site is of more interest to people from away as to what we do here not so much as to the minutes and agendas. He also stated that the employees of the city do work hard and should be respected. He felt that the microphone system should be a city obligation and should be paid out of city funds and not coming from fund raisers of American Legion and Chamber.**
- 4. Lorri Kopischke – City Administrative Assistant - presented to the Council her concerns regarding information being circulated in the community on incorrect payroll information regarding the employees. She stated incorrect information had been circulated by Mayor Rager and Wayne Unke. She also took offense to information being distributed regarding her experience as to her position in the City of Elysian. She went on to explain her over twenty years of public service with five years alone in working for the City of Elysian, not the three years as incorrectly being circulated. At this point, Mayor Rager called her on her allowed three minutes and her presentation was not finished. Kopischke asked if she could make a summary statement, she was told , no. Megan James,**

511 Highway #60, took the podium and finished Kopischke's presentation. Kopischke stated that staff had not received an inquiry on these incorrect materials being circulated. This past year has been dysfunctional and unproductive, which has lead to a hostile workplace. Kopischke questioned the intent of distribution of the incorrect information and requested that staff be contacted so that information, if distributed in the future, is correct. She stated that she too believes in transparency, but believes that is should be done with honest and correct information.

- 5. Megan James – 511 Highway #60 – requested that the Fire Department budget be allowed to be at the level that it has been presented in the 2010 budget.**
- 6. Jan Evans – 103 Park Avenue NW – Congratulations on Marge Pribyl on winning the State Outstanding Senior Citizen Award. Congratulated the Greenwald Family on their achievement in winning their award at the Le Sueur County Fair. Would like the negative forces in the community to stop and consider how lucky we are and to thank God each morning for another day, and to try to think of what good can I do today.**
- 7. Clarence Swanson – 305 Highway #60 East – Elysian has the highest mill rate in the County. He complimented Mayor Rager in trying to lower the taxes. After living in five cities, he felt that Elysian had the most vandalism he has ever known. He felt that the old employees should retire from the city and stop draining the city funds with their high salaries and that they live on Social Security like the rest of us.**
- 8. Wayne Unke – 124 Willow Point Drive – Apologized to Lorri Kopischke if there was an error in his calculations. He will be checking them out prior to the next meeting. He feels that his figures were quite accurate. He had no intention of getting anything terribly inaccurate. He felt that there is a power struggle going on regarding the City Council with three councilmember against two councilmembers. The City operates on a high level. Unke stated that he has lived her since 1981, likes the City and the facility. He has an opinion on how things are to be done. The power struggle can be resolved at an election held at a future date.**
- 9. Tom Crawmer – 501 Lake Avenue NW – The employees are not being treated right. He indicated that the Council is making it bad. There is a power struggle. Employees do a tremendous job. This turmoil will destroy the town.**
- 10. Donna Stark – 43 Egret Lane – Had 2 questions: Is there a list of job responsibilities for the employees and when was the last time job reviews on the employees job responsibilities were completed?**

- 11. Brian Ziemer – 138 Willow Point Drive – He stated that he was here on 2/26/08, and 5/11/09, and is here again still questioning when are the fourteen items in the state audit going to get a response. He felt that the issues need to get resolved. He sees no policy change or resolutions regarding the fourteen issues. Need to get done and over with.**

- 12. Mack Evans – 103 Park Avenue NW – Asked the Mayor and Council to sponsor a “Marge Pribyl Day” in her honor of winning the State Outstanding Senior Citizen Award.**

On motion by Hanson, seconded by Opsahl, all voting in favor, meeting adjourned at 7:58 p.m.

Attest:

Patricia Nusbaum, Clerk Administrator

David Rager, Mayor