

**ELYSIAN CITY COUNCIL
REGULAR MEETING, 4:37 PM
OCTOBER 10, 2011**

The Elysian City Council met in regular session on Monday October 10, 2011, at City Hall at 4:37 p.m.

Members present were: Mayor Katy Anttila: Council members Mary Opsahl, Clinton Stoen, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum.

Review and discussion was held on the employee evaluation forms. Consensus was that the evaluations would be held November 14, 2011, at 4:00 p.m. with the first evaluation, administrator Nusbaum, to be held at 4:15 p.m. followed by public works director John Roessler at 5:00 p.m. followed by the meeting room doors opened at 5:45 p.m.

On motion by Ziemer, seconded by Opsahl, all voting in favor, to have completed evaluation forms to Clinton Stoen by November 7, 2011, at 4:00 p.m. so that he could complete the processing prior to the November 14th meeting.

On motion by Ziemer, seconded by Stoen, meeting recessed at 5:33p.m. until regular meeting at 6:00 p.m.

**REGULAR MEETING
6:00 p.m.**

Meeting opened with a pledge to the US Flag.

Member present: Mayor Katy Anttila: Council members Mary Opsahl, Clinton Stoen, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum, Public Works Director John Roessler, Deputy Clerk Lorri Kopischke, and City Attorney Jason Moran.

**Public Hearing
Notice of Hearing on Improvement
Phase One – Street, Utilities, Storm Sewer**

The City Council of the City of Elysian has called for a public hearing to consider the making of improvements on the following streets:

- Park Avenue – 1st Street to 2nd Street East
- 2nd Street – Lake Francis to Frank Avenue
- 3rd Street – Lake Francis to Frank Avenue
- 4th Street – Lake Francis to Frank Avenue

Pursuant to Minn Stat. 429.011 to 429.111. The area proposed to be assessed for such improvement is as follows:

- Park Avenue – 1st Street to 2nd Street East
- 2nd Street – Lake Francis to Frank Avenue
- 3rd Street – Lake Francis to Frank Avenue
- 4th Street – Lake Francis to Frank Avenue

The estimated cost of the improvement is \$1,624,587.98

Administrator Nusbaum read the notice of hearing followed by City Engineer John Schulte V from the firm of Jones, Haugh & Smith, Inc. proceeding with the presentation of the proposed improvement project.

Engineer Schulte stated that proposed storm sewer plans could include “green improvements, which will cost more. Each of the “green” catch basins needed to be deeper and would cost around \$10,000 each. As to the cost of the project, it would be paid by special assessments and general obligations. A couple members from the Council felt that in order to help to keep the lakes clean the extra cost for the catch basins may be a consideration. The timeline on the project consideration would be after approval to move ahead with the preparation of the plans the engineer would be back in December and then, if approved, would go to bidding, and bids would be considered in February.

Public Comment:

Roger Hanson - 309 Third Street NW. – He understands the need for the project. 3rd Street NW is the busiest street due to the park visitors. He was concerned about the electric pole in the middle of the street and wondering if it could be removed during the project. Damage has been done to many vehicles that often hit the pole. He also asked if the parking area could be striped. He also asked that the water line be looped to discontinue the dead end line that presently is producing stagnant water.

Joyce Bohlen – 106 First Street North – She was concerned about the width of the present street and the terribly busy intersection at County Road #11 and Park Avenue. She would like to have the Council consider widening the street, knowing that it would be of a greater cost, and that a decent curb and gutter of concrete be placed on street. Since this is the first street to be redone, it will be setting a precedence for all of the streets in the future.

John Hoelt – 306 Frank Avenue NW – He is a concerned Lake Francis Lake Association member. He is concerned about the amount of water from the street running into the lake. He felt that the \$10,000 cost would be nothing compared to the benefit to the lake. Need to continue to keep the good lake quality.

Pat Nusbaum, 104 Park Avenue NE – Stated that she did not like the bituminous curbs, and would like concrete. She also stated that the streets need to be widened. July 4th is always a problem, but that happens only one time a year, but throughout the year the intersection with County Road #11 is a real hazard due to the narrow streets.

Wayne Unke – 124 Willow Point Drive – What other things could be used to take water from the streets. We need to keep the lake as clean as possible. Engineer explained that rain gardens work in many communities, but are of high maintenance, do need to be maintained by the property owners, or by city employees. Engineer would not recommend unless a lot of care will be given to the project.

Roger Hanson – 309 Third Street NW – Burnsville/Eagan areas have private property with areas much like holding ponds. They have to be taken care of and would the property owners do this since it would take a lot of time and effort. He indicated that he, as a property owner, would probably not want to do the maintaining.

Bob Tetzloff – 310 4th Street NW – He asked as to why was the improvement starting at the bottom of the hill? The water flows from the school past my house at a fast rate of speed. Why are there no catch basins on Frank Avenue? The water comes fast enough to float a boat. Engineer stated that Frank and Park would be dealt with in a future improvement.

Council discussed the options of curb and gutter, bituminous versus concrete, how some of the water on top of the hill can be dealt with in a more timely manner, consideration of removal of pole on Third Street NW, widening or to not widen street.

On motion by Thayer, seconded by Stoen, all voting in favor, hearing was adjourned at 6:52 p.m.

On motion by Thayer, seconded by Ziemer, all voting in favor, to go to regular meeting at 6:53 p.m.

Discussion was held on the public improvement hearing. On motion by Stoen, seconded by Opsahl, all voting in favor, the following resolution was approved along with allowing the engineer to offer alternatives to the plans for street widening, curb and gutter, the deeper set "green" catch basins, manhole interceptors, piping, and any other areas that may need consideration by the Council.

RESOLUTION 382-11

RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS

WHEREAS, a resolution of the City Council adopted the 12th day of September, 2011, fixed a date for Council hearing on the proposed improvement of:

Phase One – Street, Utilities, Storm Sewer

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AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon the 10th day of October, 2011, at which time all persons desiring to be heard were given an opportunity to be heard thereon,

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

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such improvement as hereby described above, is hereby ordered as proposed in the council resolution adopted October 10, 2011.

3. The Engineering firm of Jones, Haugh & Smith Inc. is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of the tax exempt bond.

Adopted by the Council of the City of Elysian this 10th day of October, 2011.

ATTEST:

Kathleen Anttila, Mayor

Patricia Nusbaum, City Administrator

On motion by Thayer, seconded by Stoen, all voting in favor, to go to public hearing at 6:58 p.m. for the purpose of consideration of the proposed city ordinance 70/11 Snow and ice Removal and Snow and Ice Removal Procedure Policy.

Attorney Moran presented the ordinance and the snow removal procedure.

Roger Hanson- 309 Third Street NW – Questioned the procedure regarding snow plowing hours of fifteen hours or was it to be twelve hours? Attorney Moran stated that it was for 12 hours.

Tom Crawmer – 501 Lake Avenue NW - Questioned where are cars placed after being towed? Attorney Moran answered stating to call the sheriff's department.

Gordon Kritzer – 310 East Main Street – Concerned about the speed of the vehicles traveling on the east end of Main Street, concerned about the house with all of the excess vehicles parked in the street including motorcycles. Called the Sheriff, they ask what is the city policy?

Concerns as to whether snow removal signs and no parking signs could be considered in the central commercial district. Questions as to the three inches of snow before snow removal begins, and the application of chemicals to the streets. The public works director's discretion as to time to plow and as to what is needed for ice removal.

Discussion was held on the cleaning central commercial district sidewalks by brooming prior to moving snow from streets. On motion by Ziemer, seconded by Anttila, to strike on page two of the Snow an Ice Removal Procedure Policy stating: the initial cleaning of sidewalks in the central business district shall be a priority for street department personnel. Voting Yes: Ziemer. Voting No: Thayer, Opsahl, Stoen, Anttila. Motion denied.

On motion by Thayer, seconded by Stoen, all voting in favor, hearing was closed at 7:28 p.m. on motion by Stoen, seconded by Ziemer, all voting in favor, to go to regular meeting at 7:29 p.m.

Minutes of the September 12, 2011 regular Council meeting were discussed with noted corrections:

Regarding example of portion of taxes being paid by a property off lake and a lake home owner it was stated that the lake home would pay \$3.50 to every dollar put in by the non-lake home owner; should read \$4.50 instead of \$3.50; to insert did into page two 4th paragraph regarding a lake home owner paying \$46,000 to \$50,000, should read; did not get anything from city.

Page 20, add address of Attorney Moran – 219 James Drive – speaking as a citizen, last paragraph. Page 19 – 2nd to last paragraph to state that only Janesville Township had approved their portion of the vehicle purchase.

Questions regarding the verbiage between Attorney Moran and Council member Ziemer regarding the minutes of the September 12, 2011 meeting. On motion by Ziemer, seconded by Thayer, to approve the minutes of September 12, 2011 with the corrections except for references regarding Ziemer and Moran. Voting Yes: Ziemer, Thayer, Opsahl, Anttila. Voting No: Stoen. Motion declared carried.

Discussion was held on the September 29, 2011 special meeting. Concern as to the minutes being in too much detail. Administrator Nusbaum indicated that minutes should only be the general item being discussed and then the recording of the motion and the vote. Questions arose as to whether the Council would want the meetings to be taped. On motion by Anttila, seconded by Thayer, all voting in favor, to have City Administrator refer to the tape of the meeting and correct the minutes for approval at the next meeting.

On motion by Thayer, seconded by Stoen, all voting in favor, to approve the agenda with the following additions:

1. Council member Opsahl – Community Ed report
2. Remove # 14 from the agenda
3. Council member Ziemer – Private drives
 - Chamber of Commerce
 - Purchasing Policy prior to 2011
 - Utilities bills

Public Comment:

Steve Ritchison – 101 4th St. NW – thanked Anttila and Thayer for their courageous vote last month. He feels that the conflict of interest is a big joke. Special meeting is a loss of time and taxpayers money.

Mike Meyer – 26 Osprey Way – Was not here for 9/12/11 meeting. Did not understand when he read the minutes why is not the Council considering giving the Wilderness gambling license locally to the Elysian Fire Department or American Legion?

On motion by Stoen, seconded by Thayer, to approve Ordinance # 70/11 Snow and Ice Removal and Snow and Ice Removal Procedure Policy as presented. Voting Yes: Stoen, Thayer, Opsahl, Anttila. Voting No: Ziemer. Motion carried.

Joe Fasnacht, Madison Lake American Legion, was present to discuss his request for a gambling license for The Wilderness Bar and Grill. Discussion was offered that the Elysian Fire Department and the Elysian American Legion Post #311 presently had gambling licenses and it could remain local. On motion by Ziemer, seconded by Stoen, all voting in favor, to deny the request from the Madison Lake American Legion and to allow a local license to have the opportunity to offer a license before an offer from outside the city would be accepted.

John Roessler – Public Works Director

1. Generator quotes were presented as follows: Mayer Electric - \$13,559.00; Interstate Power Systems - \$17,740; Winco Inc - \$14,673.40. Mayer Electric was not considered due to no set up involved. Roessler indicated that the Winco, Inc. quote was cheaper over all. On motion Stoen, seconded Thayer, to approve the purchase of the Winco generator in the amount of \$14,673.40. Generator will be placed at the Lake Francis park sanitary sewer lift station. Further discussion

consisted of charges by Xcel Energy to get natural gas to the site, and setting up the generator, and slab for generator to be set upon. Council member Stoen retracted his first motion, to move the Winco Generator be purchased with all other additional costs to be included in the amount of \$25,491.02. Motion was seconded by Opsahl. Voting Yes: Stoen, Opsahl, Thayer. Voting No: Ziemer, Anttila.

2. Roessler reported that the catch basin to be placed at the park will be put on hold due to the possibility of the street project addressing it.
3. Discussion on sink holes under street and on properties at Lake View Manor. Mike Kauss, President of the Lake View Manor Association, offered two quotes to repair the project. Quotes were from Atherton Landscaping - \$1,085.00; Greenwald Greenhouse and Landscaping – 1,062.50. On motion by Stoen, seconded by Thayer, all voting in favor, to approve the quote of Greenwald Greenhouse and Landscaping in the amount of \$1062.50 which will be a 50/50 payment by the City and by Lake View Manor Association.

Administration

1. On motion by Stoen, seconded by Opsahl, all voting in favor, to approve Resolution 379/11 – financing of Fire Department Rescue Vehicle with the inserting of Mayor Anttila’s name on 13b.1 of the financing document.
2. On motion by Ziemer, seconded by Stoen, all voting in favor, to approve Resolution 381/11 accepting donation for tax relief from the Elysian Fire Department Relief Association which was designated to the Fire Fighters Pension Fund.

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 381/11
RESOLUTION ACKNOWLEDGING THE DONATION FROM
Elysian Fire Department Fire Relief Association**

WHEREAS, the City of Elysian has received a donation from the Elysian Fire Department Relief Association in the amount of \$5,000 and as this donation has been designated to be used for tax relief, City Council approves this donation to be placed toward the Fire Fighter Pension Fund.

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 in the amount of \$5,000.

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

Council Members voting in the affirmative: Ziemer, Stoen, Opsahl, Thayer, Anttila.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 10th day of October, 2011

CITY OF ELYSIAN

ATTEST:

Kathleen Anttila, Mayor

Patricia Nusbaum, City Administrator

3. Nusbaum reported on the four city safety meetings to be held at the Tourism Center on November 3, 2011, with two sessions being offered from 4:30 p.m. to 6:00 p.m. and 6:30 p.m. to 8:00 p.m. Meetings are for employees including the fire fighters.
4. No action was taken on retroreflectivity signs. More information coming from federal regulations will be considered later.
5. No Council leaf pick up this year.
6. Attorney Moran explained options on the consideration of the petitioned Willow Point Drive to becoming a public street. On motion by Thayer, seconded by Opsahl, to accept the petition making the private drive a public street under the condition that the property owner's attorney prepare the deed transfer prior to turning over to the City, along with that section of the drive that is not blacktopped must be blacktopped.
Voting Yes: Thayer, Opsahl, Stoen, Anttila. Abstaining: Ziemer.
7. Free fall clean up on October 15, 2011 in front of Elysian Learning Center 7:00 a.m. to 12:00 noon. An appliance truck will also be available with client paying for the appliance disposal.
8. On motion by Stoen, seconded by Anttila, all voting in favor, to block off 3rd Street SW and 4th Street SW from Main Street to Highway #60, between 4:00 p.m. and 8:00 p.m. for the Halloween Spook Trail on Sunday, October 30th.
9. Budget workshop will be November 17, 2011 at 5:30 p.m.

Council member Ziemer asked that his additions to agenda be removed.

Roger Hanson, Assistant Emergency Management Director, reported on a recent Le Sueur County Emergency Management meeting which updated the cities on the 800 Mega Hertz radio system that will be coming to the area, and mentioned the need for a new emergency warning siren which he is working on and will have an update for the next meeting. He also mentioned that the upcoming week is Fire Prevention Awareness Week.

Mayor Anttila reported on the Joint Fire Board meeting, EDA, and a suggestion as to consideration of making the park in the Roemhildt Addition #2 to be offered for a college landscaping course.

Council member Stoen updated the Council on the positive things that happened at the park this year.

Council member Opsahl, gave an update on the WEM Community Education meeting she attended on behalf of the City.

On motion by Ziemer, seconded by Stoen, all voting in favor, bills, payroll, and transfers were approved in the amount of \$49,492.16.

On motion by Ziemer, seconded by Thayer, all voting in favor, meeting adjourned at 9:26 p.m.

ATTEST:

Kathleen Anttila, Mayor

Patricia Nusbaum, City Administrator