

**ELYSIAN CITY COUNCIL**  
**FEBRUARY 14, 2011 - 6:00 P.M.**  
**REGULAR MEETING MINUTES**

The Elysian City Council met in regular session on Monday, February 14, 2011, at City Hall at 6:00 p.m.

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

Meeting was opened with pledge to the flag.

On motion by Stoen, seconded by Thayer, all voting in favor, minutes of January 10, 2011 were approved.

On motion by Ziemer, seconded by Stoen, all voting in favor, to approve the agenda.

**VISITOR'S COMMENTS:**

Mike Kauss- 6 Egret Lane – he had been recently elected Chair of the Elysian Planning and Zoning Commission and the comments he is going to make do not represent the views of the other Planning and Zoning Commissioners. He stated that at the January 10<sup>th</sup> meeting after Mayor Anttila was sworn in, the first business item after approving the agenda was a motion made by council member Thayer to basically eliminate the stipend that the P&Z members were paid for their contribution to the community. He felt that it was and is insulting to him in the manner in which it was handled. Money is not the issue. He stated that he had been on P&Z since April, 2010 and at no time has any of the council attended the P&Z meetings prior to January 2011. He was unsure as to whether any of the (council) read the minutes to see what the P&Z Commission have accomplished. He stated that the (council) did not have the courtesy to speak with us in advance of the actions taken. He stated that he had to fill out an application and come before the council before being approved to be seated on the P&Z Commission. He stated that he found no fault with Tom Springmeyer, but did wonder why other members of the community did not have the option of running for the P&Z. If it was the action of the (council) to be fiscally responsible, then why not eliminate the stipend for EDA members, who get paid whether they attend a meeting or not. He stated that he had lived in Elysian the past two years, and he has observed virtually no economic development. Purchasing CD's does not take a committee. He stated that if the (council) eliminated the P&Z stipend it should not be hard to reduce the (council) stipends to \$5.00 per meeting, we could not have the city run by just volunteers. I have not heard where the \$100,000 came from to reduce the tax levy by 22%. Maybe this was a campaign ploy, because not one of the (council) has had the courage to explain the money to the community.

Tom Springmeyer – 718 Lakeside Drive – After he wrote a letter to the editor in the Elysian Enterprise, and received four phone calls and one from the mayor to serve on the Planning and Zoning Committee, he did not realize that there was a monthly meeting stipend included. He attended the December meeting and it lasted 40 minutes for \$50.00, February meeting lasted 2 hours. Divide 2 hours into \$50.00 and you arrive at \$25.00 per hour. I don't think anyone makes that kind of money. He believes in volunteerism and they work better than those who expect to be paid.

John Stephanie – 205 Lake View Court – the Budget and Finance Committee and the Personnel Committee do not get paid; they volunteer, and there is no reason to get \$50.00. Kauss did not wait around for any other comments. The question on the reducing of the 2010 budget of 22 percent, a year and a half ago, the Budget and Finance committee gave a Power Point [presentation] on the budget for 2010. Ask Pat Nusbaum to find out where the amount came from to make up the 22 percent, \$100,000 in the budget.

Tom Springmeyer – 718 Lakeside Drive – he goes to PMI in Waterville, in talking to some people Waterville Zoning have five members, not seven, and they are three times larger than Elysian. They get \$15.00 per month per meeting if you are there. If they are not there, they do not get paid. Here is out of whack between the number of people and the dollars paid.

### **John Roessler, Public Works Supervisor Report**

1. City Engineer John Schulte V was present to update the council on the progression of the work done on the feasibility report for street work to be considered. The mapping is substantially complete. The next phase will consist of preparation of the preliminary engineering report and get to council for approval prior to submitting to state agencies for consideration of possible funding. On motion by Stoen, seconded by Ziemer to approve the preliminary engineering report at a cost of \$15,000. Project, if approved, would begin in 2012. On motion by Anttila, seconded by Thayer, all voting in favor, administrator Nusbaum will present a draft of a special assessment policy for review by the engineer and then will be presented to the council for review prior to the next meeting.
2. Discussion on overtime on the snow and ice budget. The Budget and Finance Committee had prior reviewed the ice and snow budget and felt that it should be approved on a monthly basis. On motion by Stoen, seconded by Anttila, all voting in favor, to authorize the public works director to use discretion in budgeting overtime for snow and ice and to use flex scheduling whenever possible.
3. Discussion on amending of snow and ice control ordinance was held. Various areas of the ordinance were reviewed. On motion by Anttila, seconded by Stoen, to authorize attorney Moran to rework the amended ordinance 54/04 and bring back for the March meeting for consideration. Voting Yes: Anttila, Stoen, Opsahl, Thayer. Voting No: Ziemer. Motion declared carried.
4. Discussion on a 3<sup>rd</sup> cell phone for maintenance employees. Deputy Clerk Kopischke and Roessler presented to the council the facts and figures for an additional phone. On motion by Stoen, seconded by Thayer, all voting in favor, to approve the third cell phone at \$20.00 per month, with phone remaining at city garage when not in use.
5. Street Signs – by 2012 the city council shall have a plan in place to meet the state standards of new reflective street and traffic control signs which have to be installed no later than 2015. Roessler estimates the preliminary costs to run around \$30,000, but will bring hard cost of the sign project to the June meeting for consideration in the 2012 budget.

Mayor Anttila asked the council to consider of electronic copies of packets for council meetings. No action was taken.

Council member Stoen urged the mayor and council to read the Mayor's Handbook, it has a lot of information.

Discussion was held on the consideration of paying off the balance of the bond on the water tower. Funds would be drawn down from a money market savings at Northland Securities, Inc. The balance of the principal is \$41,000. Consensus was that it would save yearly to not have the debt on the water billings. On motion by Thayer, seconded by Ziemer, all voting in favor, to pay off the balance of the tower bond in the amount of \$41,000 plus interest to date, with a transfer from the money market savings which is being held at Northland Securities, Inc.

### **Administrator's Report:**

1. LMC Safety & Loss Control Seminar 4/14/11
2. CPR and AED training – 6:30 p.m. – 10:30 p.m.-March 8<sup>th</sup>. at the Fire Hall
3. DNR reports that the trail will be resurfaced starting at Mankato and Faribault. If funding goes well the portion from the State Park in Waterville to Madison Lake will be surfaced in 2012.

4. Board of Review meeting – April 18, 2011
5. Discussion was held on the request for a variance on setback for an addition to a home. On motion by Anttila, seconded by Stoen, all voting in favor, a variance hearing will be held on March 14, 2011, at 6:00 p.m. at the request of Pam and Daryl Meyer, 103 Second Street NW.
6. Deputy Clerk Kopischke reported on a recent MN Sales and Use Tax audit held within the past month. She explained the issues involved in what is considered to be taxable. On motion by Ziemer, seconded by Stoen, all voting in favor, the council approved the amount due of \$5,972.92 to the MN Department of Revenue.

**Committee reports:**

1. Budget and Finance – Purchasing Policy draft was reviewed. On motion by Anttila, seconded by Thayer, Council approved the City of Elysian Purchasing Policy. Voting Yes: Anttila, Thayer, Opsahl, Ziemer. Voting No: Stoen. Motion declared carried.
2. Mayor Anttila mentioned the Mayor’s forum to be held on Thursday, February 17, 2011, starting at 7:00 p.m., to get ideas on stimulus for getting lots sold and houses built.
3. EDA - EDA board decided that the city administrator would no longer be the executive director of the EDA due to the EDA board would be handling the work of the director.
4. Council member Ziemer Chairperson of the Personnel Committee presented several items for discussion. On motion by Ziemer, seconded by Thayer, items presented involved mileage reimbursement, time sheets, work comp and core hours. On motion to amend by Thayer, to add additional duties to job description. Further discussion by council members with input from attorney, Ziemer withdrew his motion and Thayer withdrew her second.

On motion by Ziemer, seconded by Stoen, all voting in favor, to remove duplication in city administrator’s job description, page 3, regarding confidentially.

On motion by Ziemer, seconded by Thayer, to approve the removing of the executive director position from the city administrator’s job description. Attorney Moran reminded the council that they were getting very close to violating the exempt status of the city administrator, but due to the extra responsibilities being placed on the administrator in approving of the purchasing policy at this time it may be considered okay, but was on the edge. Vote taken Yes: Ziemer, Thayer, and Anttila. Voting No: Opsahl, Stoen.

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve the supervising of the deputy clerk by the city administrator.

On motion by Ziemer, seconded by Thayer, removing from the city administrator’s job description that the position no longer report to the council but to a designee, that designee being Mayor Anttila. After much discussion and on question by the city administrator as to why the job description for the administrator was being reviewed at this time and as to why would the public works director reports to the council and that the administrator be treated differently? Vote taken Yes: Ziemer, Thayer. Voting No: Opsahl, Stoen, Anttila. Motion denied.

On motion by Thayer, seconded by Stoen, all voting in favor, to approve employee mileage reimbursement in the amount of \$.51 per mile.

On motion by Thayer, seconded by Ziemer, all voting in favor, employees will continue to use the same time sheets they have been with the addition of adding a line for flex time and be diligent about putting the percent of time in correct category.

The city worker's compensation policy was addressed by Deputy Clerk Kopischke. On motion by Thayer, seconded by Stoen, all voting in favor, to direct the Personnel Committee to consider work comp issues and exempt employee core hours/work and vacation with input from the office staff.

Jason James, fire chief, addressed the council regarding the update from the Joint Fire Board and that the Jaws of Life has been ordered. He asked that he be better informed of what is on the agenda involving the fire department. Council member Opsahl thanked the fire department for sponsoring the CPR training, and Kopischke thanked him and the other fire fighters for the lifesaving award they received. Chief James explained what had occurred prior to receiving the award.

On motion by Thayer, seconded by Ziemer, all voting in favor, to approve bills, payroll, and transfers in the amount of \$79,769.94.

**Visitors Comments:**

1. Jeanette Crawmer – 501 Lake Avenue – A member of the P&Z Commission – speaking on behalf of the rest of the commission, apologize for the petty whining, no one likes change. Her understanding is that all of the commission thought it was a volunteer position, so what is the big deal? Opinions were voiced; no one likes to have their toes stepped on. This seems to be a good working group of people. Apologize for taking up time.
2. Marge Pribyl – 45 Egret Lane – Would like to address some positive happenings: the before-mentioned lifesaving award given to the fire fighters; thanked the fire fighters for their dedication and support; thanked Jay Schneider and the Elysian Enterprise for the nice picture and the write up in the paper; thanked the American Legion for the well-planned and well-attended fishing contest recently held; and thanked the city maintenance crew for the exceptional work they have been doing and for the work during this constant snow season.
3. Tom Springmeyer – 718 Lake Side Drive – questioned if the variance hearing is held by the P & Z Commission rather than the council. Mentioned his former employment of 30 years, and that appointments were always made prior to calling; there were no cold calls. He had had an appointment with Jim Miller from the League of Cites when he worked at his place of employment, gave him a tour of the facility where he worked. Need an energy audit at city hall due to three kinds of interior lights being used.
4. David Rager -207 Maple Avenue SW – he stated that the data practices act allows anyone wanting information to get it. It is public, and there is nothing wrong with giving out the information. A couple of years ago he had to pay \$359 for information. Council does not owe an explanation for everything they do. He stated that by law the EDA has to be paid. The EDA was set up in 1994. He appreciates that the other committees work for nothing.

On motion by Stoen, seconded by Ziemer, all voting in favor, meeting adjourned at 9:17 p.m.

Attest:

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Kathleen Anttila, Mayor

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Patricia Nusbaum, City Administrator