

**ELYSIAN CITY COUNCIL
NOVEMBER 9, 2009
REGULAR MEETING
MINUTES
6:00 P.M.**

The Elysian City Council met in regular session on Monday, November 9, 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, and Administrative Assistant Lorri Kopischke. Absent: Public Works Director John Roessler.

Meeting was opened with the Pledge to the US Flag.

On motion by Stoen, seconded by Opsahl, all voting in favor, minutes of September 23, 2009, and minutes of October 12, 2009 were approved as presented.

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

Clerk Administrator update:

1. Report on Chesnut's #3 progress
2. Report on League of MN Cities meeting
3. State Fire Aid \$8,206
4. Update on Small Cities Housing Program
5. Need for City to be involved in a safety committee/program
6. Working on Flood Insurance Program for City.
7. Discuss at next meeting material from County on bonding project funds. Council will review for next meeting.
8. Leaf pickup – the placing of bags of leaves by curb to be picked up by city maintenance crew.

Al De Kruif, republican candidate for Senate #25 was present to introduce himself to the Council, gave some background of his business life and informed the Council that he would be available with any concerns that they may have.

Elde Kretlow, 128 Willow Point Drive – was concerned that a fire hydrant was placed 15 feet in his driveway in 1998 during the sewer and water project on Willow Point Drive. He requested that the Council move the hydrant and put it on the property line. He felt that it was the city responsibility since he received no notice when the hydrant was placed as to his input. Attorney Moran indicated that it is not a city issue. Due to the Chesnut's #3 project in progress, a tee has been placed on the line so that a transfer of the hydrant could be made with little disruption. On motion by Hanson, seconded by Stoen, stating that it is not the responsibility of the city to move the hydrant. Voting Yes: Hanson, Stoen, Opsahl, Rager. Voting No: Atherton. Motion declared carried.

Tom Tonneson 120 Willow Point Drive, was concerned about the drainage of the water coming from Chesnuts #3 after project was completed and blacktopped. A meeting will be set up with the City Engineer to go over the plans and specs to determine the storm water flow.

Mike Scott, President of Elysian Fire Relief Association, was present to ask the Council for consideration of an increase in pension benefits for the Elysian Fire Fighters in the amount of \$200 per service year of vested membership. He gave scenarios of other neighboring cities and what they offer for pensions. Matter was scheduled for budget consideration on November 30th.

Megan James co-coordinator for the Elysian Holiday Parade which will be held on December 5th. was present to update the Council on activities for the 5th. The question of insurance

coverage for the parade was discussed. On motion by Stoen, seconded by Opsahl, all voting in favor, that the City of Elysian is sponsoring the event with volunteers working on the parade being under the city insurance coverage.

Tad Kinyon, EDA President, updated the Council on land owned by the EDA (can view the sites if you go to Elysian Web site, elysianmn.com.), and he also updated the Council on the status of the EDA. He stated that the EDA has \$10,000 in CD's, have had over time given out \$178,000 to 15 businesses with presently \$94,000 in funds for loaning to businesses.

On motion by Atherton, seconded by Stoen, all voting in favor, to approve Resolution 341-09 acknowledging a donation from the Mankato Eagles FOE/Wade Becker in the amount of \$1,000 to the Fire Department to be placed toward Kabota debt.

Councilman Stoen updated the Council on progress on the proposed skating rink. Sand bags will be placed next to the tennis court on the Elysian Learning Center grounds, insurance will be covered by the School District. A possibility of members of the Fire Department offering to spray the rink. In another matter, Stoen was concerned about how the Council operates and the protocol of the Council. He read a statement regarding his opinion on possible violations of the open meeting law, stating that Elysian is a Plan A form of government, meaning a strong Council weak Mayor form of government. He stated that nothing is moving ahead, we seem to be going backwards, the unprofessional way employees are being treated, Mayor comments in the newsletter which do not depict Council decisions or concerns. Attorney Moran stated that any allegations should be taken to the Le Sueur County Sheriff Department and they will do the investigation.

Discussion was held on consideration of evaluating the utility rates for 2010 and as to whether Pettipiece and Associates would again to the analysis. On motion by Hanson, seconded by Atherton, all voting in favor, to approve Pettipiece and Associates, to again do the evaluation of the city water and sanitary sewer rates to determine the amount needed to meet operating and debt service for 2010 with a report being given at the December meeting.

On motion by Opsahl, seconded by Hanson, all voting in favor, to allow excess liability insurance coverage in the amount of \$2,000,000 for the City 2010 and waive the monetary limits on tort liability established by MN Statutes 466.04 to the extent of the limits of the liability coverage obtained from LMCIT.

On motion by Atherton, seconded by Hanson, all voting in favor, to approve the bills, payroll, and transfer in the amount of \$245,992.34.

Attorney Moran comments:

1. Update on the Municipal Boundary and Adjustment Board – the Judge has not yet rendered a decision

There were no Mayor comments

Visitor Comment:

1. Councilmember Hanson offered a thank you and acknowledgment to all the Veteran's in the audience. He asked that everyone extend a greeting to a Veteran when you meet them.
2. Brian Ziemer – 138 Willow Point Drive – he expressed his opinion on the duty of the each citizen to know what is going on in the city. His opinion is that the city should be transparent. He wanted the November 30th. hearing on the 2010 budget to have a notice in the paper about the meeting. Clerk Administrator Nusbaum indicated to the Council that there was a notice scheduled, it is the law.
3. Jeff Stephens, 307 Third Street NW – He thought the city should have a timer for those from visitors time to know how long the person has spoken. He indicated that one person went 4.26 minutes, he would be willing to pay for the timer if the city could not.

4. Mack Evans, 103 Park Avenue NW – reported on the successful Halloween “Spook Trail”, served over 300 kids. Elysian again went above and beyond. Thanks to all who volunteered. Also, members of the Chamber of Commerce cleaned the road ditches one mile east of Elysian. He mentioned the up coming Wine Tasting, December 3rd. a community event to help the Food Shelf. Tickets are available. Thanked Councilmember Hanson for his nice gesture in thanking the Veterans.

On motion by Atherton, seconded by Hanson, all voting in favor, meeting adjourned at 7:21 p.m.

Attest:

David Rager, Mayor

Patricia Nusbaum, Clerk Administrator