

**ELYSIAN CITY COUNCIL
APRIL 11, 2011 – 6 PM
REGULAR MEETING MINUTES**

The Elysian City Council met in regular session on Monday, April 11, 2011, at City Hall at 6:00 p.m.

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

Meeting opened with a pledge to the flag.

On motion by Stoen, seconded by Thayer, minutes were approved with the following corrections:

1. Page 5, paragraph 1 reads: The EDA will reimburse the city general fund for building inspector fees and the water and wastewater fund for utility hookup fees. The property owner will pay for the costs up front and after final inspection will be reimbursed up to \$5,000. With the correction of council member Opsahl voted no on the original motion - not all in favor, as stated.
2. Page 4, paragraph 5 reads: Discussion was held on the request of the Fire Relief Association Board to retain city administrator Nusbaum on the board to continue with operation of the board. Since Mayor Anttila and council member Stoen have been designated to the Fire Relief Board Association Board, on motion by Thayer, seconded by Ziemer, all voting in favor to have the representation from the council of Anttila and Stoen to continue in the capacity, with administrator Nusbaum preparing agendas, attending meetings, working with relief treasurer, investment advisor and auditor. The paragraph will now read: the last portion of the last sentence, which states with administrator Nusbaum preparing agenda, attending meetings, working with relief treasurer, investment advisor, and auditor, will be removed.
3. Page 5, paragraph 5 – discussion on statement in parenthesis regarding the portion of the comment of administrator to bring clarity to the statement of Rager be removed. Voting Yes on approval of minutes: Ziemer, Thayer, Anttila. Voting No: Opsahl, Stoen. Motion declared carried.

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

Visitors' Comments:

Steve Ritchison – 101 NW 4th Street – Concerned about the water standing in platted alley running north and south to the west of his house. Water is standing and is a breeding area for mosquitoes, and is not able to get into the tile. This happened after the culvert was placed under the street to the north of his property. John Roessler, Emergency Management Director, stated that the land did not change. Roessler and Ritchison will further discuss issue.

Ann Traxler, Le Sueur County Emergency Management Director, was present to introduce herself to the council and explain what her position is within the county. She indicated she works closely with the sheriff's department, fire departments throughout the County, with all the emergency management people located in all of the cities in the county, and with FEMA. She mentioned Tornado Awareness Week and the county siren alert on April 14th at 1:45 p.m. and 6:55 p.m. Traxler

indicated that the alley discussed by Mr. Ritchison could perhaps be investigated to be included in the spring flood funding considerations that are being dealt with by Le Sueur County.

Roger Hanson, Elysian Emergency Management team, updated the council on funding notice received from FEMA. To date, Elysian has received in writing \$11,413.09 to be used for specific damages due to the fall 2010 flooding. Hanson mentioned the week of April 11 – 15 as Tornado Awareness Week. He mentioned how a person becomes a member of the emergency management team with training to be a storm spotter. Max Venero and Mike Meyer are the newest members to the emergency management team. Emergency management and the fire department will be going to an 800 MHz emergency system.

Discussion was held on the tabled request for a variance for Daryl and Pam Meyer, 103 Second Street NW. Pictures of the foundation of the Meyers home were presented by Meyer. Attorney Moran stated that the pictures told the story. On motion by Thayer, seconded by Opshal, all voting in favor, due to undue hardship, the variance was approved.

Tom Springmeyer, 718 Lakeside Drive – presented to the council thoughts on helping to preserve the lakes surrounding the city by reducing surface water run off. Rain gardens, or rain barrels installed would be a good means of reducing run-off. He indicated that a funding source would be legacy funds. These are funds set aside out of the state sales tax of which 12.4 cents on every \$100 goes to the clean water fund and in turn, these funds can be allocated as grants to water resource projects. He asked the council for support in approval to proceed with the investigative phase of the project, which, if funds would be granted from the legacy fund, surface water could be addressed by doing some of the items proposed. On motion by Ziemer, seconded by Thayer, all voting in favor, to offer verbal support to proceed with the grant.

Public Works Report – John Roessler

1. Infiltration of water into the manholes is creating problems at the sanitary sewer ponds. Out of 15 manholes investigated, 8 were leaking. On motion by Stoen, seconded by Thayer, to have Roessler get bids for the repair of three manholes or as many as possible up to \$5,000.
2. Street Repair – City blacktopped streets are in disrepair. Discussion was held on streets that could be patched temporarily and those that needed immediate attention. A map was presented showing the worst streets needing repair. Roessler offered to get quotes for the next meeting, in the meantime will continue to cold patch.
3. Seal coating of Shoreview Drive, (Roemhildt's Addition #2), Lake View Manor, Jill Lynn Circle, and James Drive. On motion by Anttila, seconded by Stoen, all voting in favor, bids will be obtained on sealcoating for the next meeting.
4. Mowing – Discussion on mowing of certain parcels of city-owned property. On motion by Anttila, seconded by Thayer, to get bids for mowing of the following parcels and to do no mowing on parcels until quotes are reviewed. Parcels include sanitary sewer ponds area, Lake View Manor holding pond area, Roemhildt's Park area and Tustin Park area. Voting Yes: Anttila, Thayer, Ziemer. Voting No: Opsahl, Stoen. Motion declared carried. Additional mowing guidelines were presented:
 - a) No mowing of private property – mow only if owned by the city or DNR (no mowing south of Highway 60 or county land adjoining County Road #11.
 - b) Roots's Beach – DNR land adjoining the road – one pass out and one back.

- c) No mowing of sewer ponds until the possibility of baling is investigated.

Discussion on the need to mow sewer pond area before the next council meeting. On motion by Anttila, to amend the prior motion to mow the sewer pond area between now and May. Motion died for a lack of a second.

Administration:

1. Loss and Control Review Report – a recent review of city-owned facilities was made by the League of MN Cities Insurance Trust. A report was reviewed by the council with input by fire chief Jason James and public works director John Roessler. Some of the items are being worked on and others will take funds from the city to bring up to code. A response within 60 days will be made to the Insurance trust as to the progress of items in report.

City Administrator updates:

1. Open Book Property Valuation Meeting – April 18th at 6:30 p.m. at City Hall.
2. Congratulations to John Roessler and the City of Elysian on an award recognizing exemplary effort expended in the year 2010, to comply with the Minnesota Pollution Control Agency's Permit Program.
3. Spring clean up – April 30, 2011 from 8:30 a.m. – 11:00 a.m. in front of the Elysian Area Learning Center.
4. Leaf and branch pick up by council members – May 7th starting at 9:00 a.m.
5. Special assessment policy – a workshop meeting will be set after dates are reviewed with the Engineer.

The EDA has approved a new loan and has publicized the stimulus program.

Discussion was held on various bills over \$500. The question as to whether shipping and tax are to be included in the \$500. Mayor Anttila questioned as to whether Elysian shall continue to be a part of MN Valley Council of Governments. Administrator Nusbaum stated that the organization has helped the city over the years in many respects. On motion by Stoen, seconded by Opsahl, all voting in favor, bills, payroll, and transfers were approved in the amount of \$54,172.81.

Questions as to approval of the closing of streets, approval of the liquor license for the Elysian Area Chamber of Commerce, raffle permit for the July 4th celebration.

Questions by Councilmember Ziemer as to the Chamber of Commerce ever having had liquor liability insurance and the Chamber being a 501c3 non-profit organization. Celebration Chair Pat Nusbaum stated that the Elysian Area Chamber of Commerce has always had liquor liability and that they had a 501c6 non-profit status.

Discussion on the fire department having the license during the fire fighters dance. Fire department member Dennis Schnoor stated that he had been on the department for over 20 years and had no recall of the department ever wanting to run the beer garden. He stated that the fire department has no interest in running the beer garden. Fire chief Jason James also spoke, stating that Mayor Anttila had called him yesterday suggesting that he go to the chamber and take over the beer garden on the night of the fire fighters dance. He stated that the fire department has plenty to do over the July 4th

celebration with setting up for the dance, two stages, bingo, silent auction, helping with moving trucks out for the queen pageant, setting up chairs, and the breakfast.

On motion by Opsahl, seconded by Stoen, to grant approval to the Elysian Area Chamber of Commerce for a four day liquor license, July 1-2-3-4; approval for a permit to hold a raffle, and approval to block off streets as per schedule. Voting Yes: Opsahl, Stoen, Thayer, Anttila. Voting No: Ziemer. Motion declared carried.

Visitors' Comments:

1. Roger Hanson – 309 Third Street NW – Regarding the alley which addressed earlier- he and John Roessler will review and submit to FEMA a new claim as was done last fall. Regarding the leaking manholes, Roessler and Hanson will look at asking FEMA for funding to help with the repair. He will take the plan to a meeting with FEMA on Thursday. On motion by Stoen, seconded by Opsahl, all voting in favor, council authorized Hanson and Roessler to submit costs to FEMA.
2. Mack Evans – 103 Park Avenue NW – Thanked the council for approving the Chamber's request for the July 4th celebration and asked the city administrator to present to the council next meeting, all of the things that the chamber has accomplished for the City of Elysian community, and he asked council member Ziemer to give him a call, and they would go to Jared La France, chamber insurance agent, who has always handled the liquor liability for the chamber. He stated that if the fire department works the beer garden, then the city will be liable if something should happen.
3. Wendell Bolstad – 209 5th. Street SW – He stated that he had worked at North Mankato Fun Days for 8 years. He was a reserve police officer and handled security. The fire department worked in the beer garden and took all the proceeds. He has lived here for 8 years and did not know that the fire department did not run the beer garden here.
4. Rick Galewski – 109 Shoreview Drive – He stated that he was one of the fire fighters had received a check which the mayor had signed. He wanted to know where the dollars came from. The fire department applied for a grant. Who authorized the signing of the checks to 26 fire fighters? He stated we have a "weak mayor, strong council" form of government. The mayor wrote checks, which is a misappropriation of writing out checks without council approval. This should have gone before the council. What was the procedure? Wouldn't you go to the fire chief, joint fire board, and not the person who wrote the grant? Was the Joint Fire Board informed?

Jason James – Fire Chief – There were three parts to the FEMA grant, and this was the end of the grant. The grant was written in 2007. Tim Bengtson submitted the bills. The mayor did not like the way it was submitted, and wanted each fire fighter to receive \$50 less income taxes. This was grant money - not tax payers' dollars. The grant allowed for all of the fire fighters to help put new batteries in smoke detectors and new detectors. Eight people helped - not 26. Tim Bengtson and Tom Laska did a lot of the work. The grant also provided \$2,700 to purchase prints to be used by the fire department, and the grant also allowed \$6,500 for the fire fighters pension fund. No comment was made (by the mayor)

about the pension funds. It is not for the government to pick and choose how grant funds will be spent, or getting competitive bids on the prints. The grant people approved and gave us the funds to use as we see fit. The grant signers know how much we have to spend.

James stated that the county had received a grant in the amount of \$96,900, which will be used for 800 MHz radios throughout the county. The city would be responsible for approximately \$12,000 for radios for the Elysian fire department.

Chief James stated that the grant writer for the fire department is done writing grants. James indicated that he had on his desk a DNR grant that he was sure that the department would get, but it was a match grant of \$2,500, and he was not sure he was going to fill out the grant because of all the trouble with the last grant. He asked the council whether he should fill out the grant. He also stated that the mayor had told the insurance agent not to renew a bond for the gambling manager, and that it was not paid. The gambling board came down on the fire department for not having a gambling bond and came close to issuing a fine.

5. Lorrie Kopsichke, deputy clerk – stated that tonight, 23 minutes was spent on the issue of whether a bill of \$500 would or would not include the shipping and tax. No decision was arrived at. The staff needs to know how we are to carry through. The council makes all of these policies and then do not give guidelines in which to work. This makes for a very difficult work environment. The staff does not care which way as long as we know what we are to do. Discussion was held, and on motion by Ziemer, seconded by Thayer, all voting in favor, to state that all purchases could reach \$500 and \$1,000 with shipping and tax not included in the amount.

On motion by Ziemer, seconded by Stoen, all voting in favor, meeting adjourned at 9:07 p.m.

Attest:

Kathleen Anttila, Mayor

Patricia Nusbaum, City Administrator