

**ELYSIAN CITY COUNCIL
SPECIAL MEETING
NOVEMBER 17, 2015**

The Elysian City Council met in special session on Tuesday, November 17, 2015 at City Hall at 6:00 pm.

Roll Call: Mayor Clinton Stoen; Councilmembers Robert Houlihan, Tom McBroom, Mary Opsahl, Dennis Schnoor, City Administrator Lorri Kopischke, Public Works Director Ron Greenwald, and City Attorney Jason Moran.

Elysian City Council had considered this request at their Regular Meeting on November 9, 2015. A motion to approve the request with conditions failed due to a lack of a second to the motion.

The Council again considered the conditional use permit request from Rick and Cheryl Galewski to locate a Car Sales, Auto Repair, and Auto Body Business on the south 300 block of State Highway 60 West during this special meeting on November 17, 2015.

Rick and Cheryl Galewski were present. Galewski stated he had started this process to be able to sell cars in Elysian. This is a business that will draw people into Elysian state-wide and multi-state-wide.

Moran noted that Condition #3 seemed to be causing the most difficulty for approval. He presented the following verbiage for Condition #3: "All visibly non-complete vehicles or inoperable vehicles must be shielded from public view; this includes salvaged vehicles. These types of vehicles shall be made road ready, and ready for sale, within 7 business days of receipt of the same, or they shall be stored indoors."

Galewski agreed that in the big picture everyone is trying to be fair to all the businesses. His business model is to sell cars. It is similar to the other business in town (Elysian Auto) but it is not the same. He suggested the definition of salvage is not the same as it was 14 years ago when the Elysian Auto CUP was approved. He stated including the word "salvage" in the condition would stop the main part of his business. He did not know if he would be able to get the cars repaired in seven days and his shed is only 30 x 42 feet. The recommendation from Planning and Zoning required the unfinished vehicles be "shielded from public view". He asked if that wasn't good enough.

Galewski also asked that Condition #1 be left at "5 years" as suggested by Planning and Zoning. He stated there is a hidden cost to paving that area that no one sees and that is the removal of all the ground underneath which will cost \$20,000 to \$30,000. The other CUP his business is being compared to still has gravel on their site. He stated there is so much money going out right away with this business he will need some time to stabilize. He also noted there will be 75 feet of grass between the road and the first row of cars and there will be a pond going in.

After much discussion, Councilmember Stoen introduced the resolution and was seconded by Councilmember Schnoor with the conditions as listed:

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

**RESOLUTION 488/15
APPROVING CONDITIONAL USE PERMIT
FOR RICK AND CHERYL GALEWSKI**

WHEREAS, the City of Elysian has received an application from Rick and Cheryl Galewski for a conditional use permit to locate a Car Sales, Auto Repair and Auto Body Business on the south 300 block of State Highway 60 West (Parcel ID 16.410.0820); and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on September 1, 2015 to receive public comment on the conditional use permit; and

WHEREAS, the use proposed by the Galewski's is a permitted use; and

WHEREAS, following the public hearing, the Planning and Zoning Commission recommended approval of the conditional use permit, subject to conditions, as the proposed use is within the spirit of the City's Zoning ordinance, it is beneficial to the City's tax base, the use makes good use of the land in issue, the proposed use does comply with the City's existing Zoning Ordinances, the proposed use has the ability to create employment opportunities for the City of Elysian, and is in the best interest and general welfare of the City of Elysian; and

WHEREAS, the City Council for the City of Elysian met, discussed the recommendations of the Planning and Zoning Commission, reviewed the application for the Conditional Use Plan, questioned the Galewski's regarding their proposed use, reviewed building plans, reviewed a survey, and heard public comment on the issue and considered the same; and

WHEREAS, considering all of the above:

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Elysian, Minnesota hereby finds that the proposed use is within the spirit of the City's Zoning ordinance, it is beneficial to the City's tax base, the use makes good use of the land in issue, the proposed use does comply with the City's existing Zoning Ordinances, the proposed use has the ability to create employment opportunities for the City of Elysian, and is in the best interest and general welfare of the City of Elysian, and therefore the City Council for the City of Elysian herein and hereby approves the conditional use permit in accordance with and subject to the following conditions as revised by the City Council of the City of Elysian at their November 17, 2015 Special Meeting:

- 1) The gravel surface shown in the Phase 1 development has to be paved within three years or prior to the commencement of Phase 2 development (whichever comes first), no gravel on Phase 2 until Phase 1 is paved, and the gravel surface proposed for Phase 2 has to be paved within three years from the commencement of development of Phase 2;
- 2) Garbage to be in back of the building must be contained or placed inside of building;
- 3) All visibly non-complete vehicles or inoperable vehicles must be shielded from public view; this includes salvaged vehicles. These types of vehicles shall be made road ready, and ready for sale, within 7 business days of receipt of the same, or they shall be stored indoors;

- 4) There will be a fence on the south side of the property to screen the neighboring property within three months of completion of Phase 1. Arborvitaes will be planted on the neighbor's side of this fence;
- 5) The east side of the property will be screened with arborvitaes and the north side will be landscaped with low bushes, flowers and short pine trees;
- 6) The CUP is contingent on final approval of the LeSueur County Water and Soil Conservation District and the City Engineer,
- 7) The site will be built and will comply with the submitted site plan;
- 8) All City of Elysian Zoning Regulations are followed; and
- 9) That the applicant will indemnify and hold the City of Elysian harmless from any and all claims, causes of action, injuries, and damages which may be brought by any party against the City of Elysian by virtue of the City's granting of the permit recommended herein.

Upon vote being taken:

Council members voting in favor: Stoen, Houlihan, McBroom, Opsahl, Schnoor.

Opposed or abstained: None.

Adopted by the City Council of the City of Elysian this 17th day of November, 2015.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

On motion by Stoen, seconded by McBroom, all voting in favor, meeting adjourned at 6:40 pm.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator