

**ELYSIAN CITY COUNCIL  
JANUARY 11, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, January 11, 2010, 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. and Public Works Director John Roessler.

Meeting was opened with the Pledge to the US Flag.

On motion by Hanson, seconded by Stoen, all voting in favor, minutes of the December 14; 15; 22; and 28, 2009 were approved with the following correction; minutes of December 28, 2009 stated the following: on motion by Atherton, seconded by Stoen, to approve the transfers in the amount of \$28,800 with the exception of the donation of \$1,000 to the Museum; Motion was amended by Hanson, seconded by Atherton, with all voting in favor, to now read: motion was made by Hanson, seconded by Stoen, to approve the transfers in the amount of \$28,800 with the exception of the donation of \$1,000 to the Museum. All voted in favor to the amendment and the motion.

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

AECOM Engineering – Chris Oelkers, Engineer presented to the Council documents explaining an example of a process of a comprehensive road maintenance plan for the dealing with the updating of Elysian city streets. He also indicated that he would be willing to bring a proposal to the council to begin the process. A request for proposals from Engineering firms will be considered at the March meeting.

**John Roessler report:**

1. Clerk Administrator Nusbaum presented information on recent material received from MPCA regarding the consideration of approving of a general stabilization pond permit versus an individual permit. The general permit would be a savings to the city in annual costs from \$1,500 per year to \$345 per year. The proposal being offered to Elysian was mainly due to the fact that the City of Elysian has been in good compliance and has been very timely in their reports and have been successful in meeting all completion standards crediting City Wastewater Operator John Roessler. After discussion, on motion by Stoen, seconded by Atherton, authorizing approval of the MN Pollution Control Agency general permit for City of Elysian wastewater facility. All voting in favor, motion declared carried.



2. Roessler again mentioned to the Council the consideration of a monthly fee to be billed in the water bills for storm sewer management.
3. Roessler again mentioned stimulus funds for consideration for various needs in the community. Clerk Administrator Nusbaum will continue to research and report at the next meeting.
4. Due to Roessler's request for considering a state approved retirement plan for opting for ½ time, which was approved at the past meeting, he had questions regarding a contract with the City as to vacation, sick leave, and salary. City Attorney will do a draft agreement from the City for Roessler for the next regular meeting.

No Clerk Administrator updates.

Councilmember Hanson, Chair of the Planning and Zoning Commission, gave a wrap up on the 2009 activities which included the amending of the zoning ordinance, vacant lot evaluation, golf cart ordinance created and approved, continuing to work on snowmobile ordinance and ATV update, park ordinance updated and approved, conditional use permits hearings and approved, presently reviewing land use plan. 2010 Commission will be working on reviewing of Subdivision Ordinance and Flood Ordinance.

Planning and Zoning Commissioner Julianne Jacobson is resigning from her position on the Commission, but will stay until a new commissioner has been appointed. On motion by Stoen, seconded by Opsahl, all voting in favor, to advertise for applicants to be considered for a three year term on Planning and Zoning Commission.

Councilmember Stoen, a member of the Personnel Committee, updated the Council on the progress of the Personnel Policy and will possibly have to the Council for the next meeting. Committee will be meeting with the employees on January 20, 2010.

Mayor Rager reported on a recent Joint Fire Board meeting. On motion by Hanson, seconded by Opsahl, all voting in favor, to call a special meeting of the Council to meet with the Joint Fire Board which is scheduled for March 15<sup>th</sup>. or 16<sup>th</sup>. at the fire hall. Joint Fire Board will be discussing their role as a member of the Joint Fire Board. Original signers of the agreement will also be invited to attend. A copy of the fire department financials from 2007 and 2008 will be sent to the Council.

On motion by Hanson, seconded by Opsahl, all voting in favor, to approve the following for 2010: Fire Chief – Jason James; 1<sup>st</sup>. Assistant Chief Mark Muellerleile, 2<sup>nd</sup>. Assistant Chief Eric Muellerleile.

Designations for 2010 are as follows:

On motion by Rager, seconded by Atherton, all voting in favor, to appoint Mary Opsahl as Mayor Pro Tem.

On motion by Atherton, seconded by Stoen, all voting in favor, to approve the following:  
Official Depository – Elysian Bank and Northland Securities Inc.

**Auditor – Burkhardt and Burkhardt, Mankato  
Legal Counsel – Attorney Jason Moran, Christian Keogh Moran & King  
Official Publication – Elysian Enterprise.**

**On motion by Atherton, seconded by Hanson, all voting in favor, to appoint Jeanette Crawmer to a three year position on the Elysian Planning and Zoning Commission.**

**On motion by Atherton, seconded by Hanson, to appoint Mayor Rager and Councilmember Opsahl to the Elysian Economic Development Authority for a one year term. Voting Yes: Atherton, Hanson, Opsahl, Rager. Voting No: Stoen. Motion declared carried.**

**On motion by Rager, seconded by Atherton, all voting in favor, to appoint Councilmember Opsahl as the City of Elysian representative on the WEM Community Service Advisory Board for a one year term.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to appoint Mayor Rager and Councilmember Atherton to the Park Committee for a one year term.**

**On motion by Hanson, seconded by Opsahl, all voting in favor, to appoint Councilmember Stoen and Edna Thayer to the Personnel Committee.**

**On motion by Atherton, seconded by Opsahl, all voting in favor, to appoint Councilmember Hanson, Attorney Moran, Katy Anttila, Wayne Unke, and John Stephanie for a one year term to the Finance and Budget Committee.**

**On motion by Rager, seconded by Stoen, all voting in favor, Councilmember Hanson was appointed to the Planning and Zoning Commission for a one year term.**

**On motion by Atherton, seconded by Opsahl, all voting in favor, to set the 2010 regular council meetings for the 2<sup>nd</sup>. Monday of each month at City Hall starting at 6:00 p.m. unless otherwise designated.**

**The following resolution was presented by Councilmember Atherton, seconded by Councilmember Hanson as follows:**

**CITY OF ELYSIAN  
ELYSIAN, MINNESOTA**

**RESOLUTION 344-10  
RESOLUTION ACKNOWLEDGING A DONATION FROM**

**Elysian Fire Department Relief Association  
Tax Relief**

**WHEREAS, the City of Elysian has received a donation in the amount of \$11,000 from the Elysian Fire Department Relief Association for tax relief, and upon Council approval would**



like to have the consideration to be used as follows: \$7,400 to be placed toward the fire hall building debt payment and \$3,600 for the Elysian Fire Relief Association to be placed in fire fighters pension funds.

**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 from the Elysian Fire Department Relief Association.

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

Councilmember Atherton introduced the resolution and was seconded by Councilmember Opsahl.

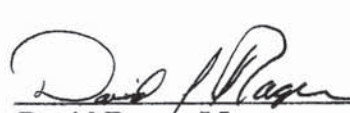
Council Members voting in the affirmative: Atherton, Opsahl, Hanson, Stoen, Rager.

Council Members voting in the negative: None

Adopted by the City Council of the City of Elysian this 11<sup>th</sup>. day of January, 2010.

**ATTEST:**

  
Patricia Nusbaum, Clerk-Administrator

  
David Rager, Mayor

Discussion was held on the consideration of the approval of \$1,000 to Le Sueur County Historical Society to be used and designated for use specifically to the Elysian Museum for 2009. A discussion was held as to whether or not the litigation surrounding the Elysian Museum had been resolved. Last year, the Council was advised by Jason Coon that it was resolved and as fact, it is still ongoing to today's date. On motion by Hanson, seconded by Stoen, to table the 2009 donation to the Museum until legalities could be addressed. Vote being taken: Yes: Hanson, Stoen. Voting No: Atherton, Opsahl, Rager. Motion failed.

Council member Atherton mentioned the good that the Museum is to the community.

Brian Ziemer then spoke of certain issues involving the legalities which the Museum is involved with at present. He indicated that he felt since Councilmember Hanson was involved in the litigation from the other side, he should abstain from voting on the issue. Ziemer asserted that Councilmember Hanson was a named defendant in the litigation. Hanson responded that he was not a named Defendant.

Attorney Moran went to the office computer and returned stating that he had just checked the Le Sueur County Administration data base and that Hanson was not a named Defendant in the legal matter. Ziemer continued to insist that Hanson was a named Defendant.

Jason Coon then addressed the Council and stated that he did not say anything in April about the necessary documents being signed. Nusbaum indicated that if that was the case, why is there still a legal matter pending and that the council approved the donation from last year based upon his representation that the litigation had been resolved?



Clerk Administrator Nusbaum then addressed Ziemer who was still insisting that Hanson was a named defendant. Nusbaum stated Hanson was not a named defendant in the legal matter. The only named defendant was Nusbaum, representing EAHM and herself.

Marge Pribyl spoke as to getting the truth out.

On motion by Opsahl, seconded by Rager, to allow \$1,000 to the Museum for 2009. Voting Yes: Opsahl, Rager, Stoen. Voting No: None. Abstaining: Atherton, Hanson. Motion declared carried.

On motion by Hanson, seconded by Stoen, all voting in favor, to allow bills, payroll, and transfers in the amount of \$123,806.43.

No comments from Attorney Moran.

#### Mayor Comments:

Many people have asked me how City officials and appointees are compensated, and I am happy to provide that information. The mayor is paid \$150 a month and council members are paid \$100. Members of the EDA are paid \$50 a month. Planning and Zoning members are paid \$50 per meeting. All are also paid \$50 for each special meeting of their respective organization. Members of committees such as Personnel, Parks, Budget & Finance, and WEM Advisory are not paid for their services.

The City managed to keep water and sewer rates the same for 2010 as they were in 2009. The Water and Sewer Departments are stand-alone funds and are required to pay for themselves from usage fees, not taxes.

Many things enter into the setting of the rates. Water usage has a big impact. Additional homes bring in additional income. Expenses, however, are a bigger factor. For example, the City sold bonds to pay for the water tower, the new well and to provide water and sewer to the new housing developments. Some of this debt will be paid off over the next eight years, but some extend 13-17 years. Several of these bonds were refinanced in 2009 at a lower interest rate for estimated savings of \$50,000 over the term of the bonds.

Wages are also a big part of the water rates and sewer rates. For example, 80% of the billing clerk's wages, 30% of the clerk-administrator's wages, 60% of the public works director's wages, and 35% of public works assistant's wages are attributed to the Water and Sewer Departments.

Water treatment supplies to keep our water safe and chemicals to treat sewage are a very costly part of the budget. Other operating expenses include insurance, maintenance of vehicles and buildings, engineering/professional services, electricity, fuel, and training. In addition, new or replacement equipment is sometimes necessary, such as the generator being considered to keep sewers from backing up in case of a power failure.

The City Council is responsible for providing safe water and sewer services, setting an appropriate budget and keeping costs contained. I would like the Council, the Budget and Finance committee and the City staff work to see what we can do for 2011. I believe that if we all work together that we can definitely make a difference.

Best


David


**Visitors Comments:**

1. Brian Ziemer – 138 Willow Point Drive – suggestion to the Council to downsize the number of employee, cut hours, reduce jobs. Questioned why the fourteen items in the state audit are not answered.
2. Wayne Unke – 124 Willow Point Drive – He has looked at the Audit and has marked it up as to what he thinks need to be considered.
3. Gordon Kritzer – 310 East Main Street – wanted to know when the council got there meeting packets and why it was only posted on the bulletin board in City Hall? Clerk Nusbaum responded that the snow was too deep in front of the Kiosk to place the agenda. The agenda was posted in the regular city hall bulletin board. A suggestion was to place on window in city hall. (Clerk Administrator's note: the legality of posting is that the meeting date, time and place be posted, an agenda does not have to be posted. The agenda is posted as a courtesy to the citizens. The posting was done on the official bulletin board. At 2:30 p.m. on Friday, January 8, 2010.)

On motion by Atherton, seconded by Stoen, all voting in favor, meeting adjourned at 7:55 p.m.

Attest:

  
Dave Rager, Mayor

  
Patricia Nusbaum, Clerk Administrator



**ELYSIAN CITY COUNCIL  
FEBRUARY 8, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, February 8, 2010, at City Hall at 6:00 p.m.

Members present were: Mayor David Rager; Councilmembers Tiffani Atherton, Mary Opsahl, Clinton Stoen; Clerk Administrator Patricia Nusbaum; City Attorney Jason Moran, and Administrative Assistant Lorri Kopischke. and Public Works Director John Roessler. Absent: Councilmember Roger Hanson.

Meeting was opened with the Pledge to the US Flag.

On motion by Stoen, seconded by Opsahl, all voting in favor, minutes of the January 11, 2010 meeting were approved as presented.

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

Prior to the meeting Bolten and Menk Engineering had communicated that due to weather, they would not be present at the meeting.

**Public Works Director John Roessler report:**

1. Asked the Council to consider a monthly storm water fee to help alleviate the costs for storm water pond maintenance. Presently the city has 13 ponds, as more development occurs, more ponds. Council will discuss matter in the near future.
2. Discussion was held on the prior approval to allow John Roessler to take advantage of the State phased retirement program offer. Attorney Moran offered that an agreement was to be drawn between the City and the employee. Discussion was held on the rate of pay and benefits. On motion by Rager, seconded by Stoen, all voting in favor, to allow Roessler to work 1040 hours between June 1, 2010 and May 31, 2011 at his same rate of pay \$26.17 per hour with no city benefits being offered.

**Clerk Administrator updates:**

1. Reviewed the most recent information on the stimulus funds available. The funding appears that it could be a loan to the city if project meets the stimulus criteria.
2. Update on the most recent information on unallotments from the State.
3. Safety and Loss Control workshop for participation by employees and Council.

Councilmember Clinton Stoen and Edna Thayer, representatives from the Personnel Committee, presented the draft Personnel Policy. Various questions were answered. On motion by Opsahl, seconded by Atherton, to approve the Personnel Policy with four questions to be considered for further research: 1. To include FMLA information, 2. To include alcohol testing as part of the drug policy, 3. Clarification on the section regarding retaliation, 4. To remove the word "commercial" from the prohibitive use section of the technology section of the policy. Questions will be forwarded to MN Valley Council of Governments who helped prepare the document and will be finalized at the next regular meeting.

Clerk Administrator Nusbaum presented the name of Mike Kauss, 6 Egret Lane, for approval to the Planning and Zoning Commission. Kauss will be asked to come to the next meeting so that all of the Council can meet him prior to approval consideration.

Discussion on the revenues and expenses of the Fire Department for years 2007 and 2008 have been reviewed with an amount being due the City of Elysian. On motion by Rager, seconded by Atherton, all voting in favor, to review the 2009 Fire Department revenue and expenses, along with the 2007 and 2008 balances, which will be provided to the council upon which the recommendation from the Council will go to the Joint Fire Board.

On motion by Atherton, seconded by Stoen, all voting in favor to offer Request for Proposals from engineering firms for engineering services for the City of Elysian which must be turned into City Hall by 5:00 p.m. on Monday, March 8, 2010, at which time a special meeting of the City Council will be held to publically accept and open the proposals. No action will be taken at the special meeting on the proposals.

Councilmember Stoen suggested and all were in agreement that pictures and biography of the Council members be placed on the elysianmn.com web site.

Resolution was presented by Councilmember Stoen, seconded by Councilmember Atherton, to approve Resolution 345/10 which begins the process of the City of Elysian to participate in the national flood insurance program as follows:

### **RESOLUTION 345-10**

## **RESOLUTION TO APPLY TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM**

**WHEREAS, certain areas of Elysian City are subject to periodic flooding**



or flood-related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Council to require the recognition and evaluation of flood or flood-related erosion hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to authority of the State of Minnesota;

NOW, THEREFORE, BE IT RESOLVED, that this Council hereby:

1. Assures the Federal Emergency Management Agency that it will enact as necessary in those areas having flood or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions, including:
  - a. Require permits for all proposed construction or other development in the community so that it may determine whether such construction or other development is proposed with the floodplain.
  - b. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law.
  - c. Review and maintain all permit applications to determine whether proposed building sites will be reasonably safe from flooding.
  - d. Review and maintain all permit applications to ensure that any development activities are consistent with criteria set forth in Section 60.3 of the National Flood Insurance Program Regulations.
2. Vests the City Administrator with the responsibility, authority, and means to:
  - a. Assist the Administrator, at his/her request, in his/her delineation of the limits of the area having special flood or flood-related erosion hazards.

- b. Provide such information as the Administrator may request concerning present uses and occupancy of the floodplain or flood-related erosion areas.
  - c. Cooperate with federal, state and local agencies and private firms which undertake to study, survey, map and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation or existing hazards.
  - d. Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of floodplain management measures.
  - e. Upon occurrence, notify the Administrator, in writing, whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce " floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Rate Maps accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
  - f. Ensure that the community's Flood Insurance Rate Maps are maintained and kept current by providing the Federal Emergency Management Agency with any new or updated flood risk data or any modified data reflecting natural or man-made changes to the floodplain.
3. Appoints City Administrator to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of floodproofing, and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been flood proofed the



elevation (in relation to mean sea level) to which the structure was floodproofed;

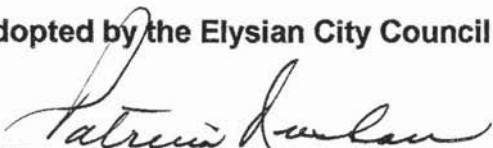
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

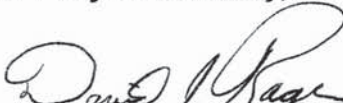
Resolution was presented by Councilmember Stoen, seconded by Councilmember Atherton, with the following vote being taken:

Voting in the affirmative: Stoen, Atherton, Opsahl, Rager.

Voting in the negative: None.

Adopted by the Elysian City Council this 8<sup>th</sup>. day of February, 2010.

  
Patricia Nusbaum, Clerk-Administrator

  
David Rager, Mayor

A hearing on the proposed flood ordinance will be held at the next regular meeting.

Attorney Moran addressed the Council regarding a bill in the amount of \$9,781.50, from the State of Minnesota Office of Administrative Hearings for the annexation hearing and process. Moran will make another contact as to the consideration of a reduced amount, and will report at the next regular meeting.

On motion by Stoen, seconded by Atherton, all voting in favor, bills, payroll, and transfers were approved in the amount of \$112,218.75.

#### Mayor Comments

The Personnel and Budget Committees are now completing their first year. The personnel handbook was outdated and, I believe, needed to be redone. My hope was that a comp time plan and/or salaries could be initiated to address the overtime that the City was incurring.

My suggested direction for the Budget and Finance Committee in this initial year was the budget. I believe they did an excellent job in working with the City to lower our tax levy which should in turn lower our real estate taxes in 2010. We will know in the next several weeks how much that impacted real estate taxes for all of us.

What I would like to see in 2010 from the Budget and Finance Committee is not only an expanded coverage of the budget for 2011 but exploration of spending in our City. Maybe we can check with other government agencies to see if there is a way to

lower our costs on everything that we purchase for the operation of our city. I would like to see suggestions brought to the Council on anything that would lower our cost of operation.

Lowering our taxes and water bills cannot be accomplished without being very careful and cognizant of what we are spending everyday.

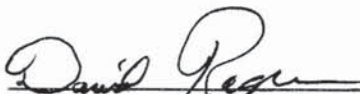
David

**Visitors Comments:**

1. Pat Quiram – 305 4<sup>th</sup>. Street NW – Concerned about the letterhead used by the City. At the bottom of the letterhead it states “Home of Elysian Area Historical Museum”. She stated that the entity was fictitious and did not exist and wanted it removed from the letterhead. Matter will be on next month’s agenda.

Motion made by Stoen, seconded by Atherton, all voting in favor, meeting adjourned at 7:45 p.m.

Attest:

  
David Rager, Mayor

  
Patricia Nusbaum, Clerk Administrator



**ELYSIAN CITY COUNCIL  
MARCH 8, 2010  
REGULAR MEETING  
MINUTES  
5:10 P.M.**

**The Elysian City Council met in regular session on Monday, March 8, 2010, at City Hall at 5:10 p.m.**

**Members present were: Mayor David Rager; Councilmembers Tiffani Atherton, Roger Hanson, Mary Opsahl, (arrived at 6:00 p.m.) Clinton Stoen; Clerk Administrator Patricia Nusbaum, Administrative Assistant Lorri Kopischke, and City Attorney Jason Moran (arrived at 5:52 p.m.)**

**PUBLIC HEARING  
ORDINANCE 68/10**

**MN Floodplain Management Ordinance  
Two District – One-Map Format**

**Ordinance #68/10 MN Floodplain Management Ordinances was presented by DNR Area Hydrologist Randy Bradt. This ordinance will supercede City of Elysian Ordinance # 42-A/99. For those who have property adjacent to the lake in the City of Elysian, this ordinance allows them to purchase flood insurance through the federal flood insurance program.**

**On motion by Hanson, seconded by Stoen, all voting in favor to approve Ordinance 68/10 MN Floodplain Management Ordinance with fine tuning by the Planning and Zoning Commission to incorporate the Shoreland Ordinance to accommodate the Flood Management Ordinance.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to close hearing at 5: 30 p.m.**

**On motion Stoen, seconded by Atherton, to open regular meeting at 5:31 p.m.**

**On motion by Stoen, seconded by Atherton, all voting in favor, minutes of the February 8, 2010 meeting were approved as presented.**

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

**John Roessler, Public Works Director, was not present.**

**Clerk Administrator updates:**

1. **Reminder of Safety and Loss Seminars that Staff and Council are encouraged to attend.**
2. **Resolution 346/10 was presented on behalf of the city in support of continuing the Sentencing to Service Program, which is being considered in the cut backs of the legislature. Voting Yes: Hanson, Stoen. Voting No: Atherton, Rager. Resolution failed.**

**In the absence of Brian Ziemer, Pat Quiram, representing the Le Sueur County Historical Society read a statement for Ziemer regarding the use of the name of the Society, to remove from city letter head EAHM, the reference to Elysian Museum from minutes and to no longer promote the LCHS historic site on city print materials.**

**On motion by Hanson, seconded by Atherton, all voting in favor, a recess was called at 5:54 p.m.**

**On motion by Hanson, seconded by Atherton, all voting in favor, meeting was reopened at 6:07 p.m.**

**On motion by Hanson, seconded by Atherton, regarding the request of items to be considered regarding the use of the name of the LCHS name by the city the following was approved:**

1. **To remove EAHM from city letterhead**
2. **Replace reference in minutes of mention of Elysian Museum with LCHS.**
3. **To no longer promote the LCHS historic site on city print materials without approval of LCHS.**

**Voting Yes: Hanson, Atherton, Opsahl, Rager. Voting No: Stoen. Motion declared carried.**

**The Personnel Committee members Edna Thayer and Councilman Stoen along with Laura Elvebak, MN Valley Council of Governments, presented the Personnel Policy and discussed the changes that were concerns after the February meeting. Questions were answered by Elvebak. Drug policy questions were discussed. Due to the CDL equipment owned by the City, drug testing must be done. Also presented were the proposed job descriptions for city staff. A question as to employee evaluations was raised. After job descriptions have been approved, an evaluation form will be worked on by Personnel Committee. On motion by Hanson, seconded by Opsahl, all voting in favor, to approve the City of Elysian Personnel Policy as presented with the part concerning the drug testing policy still being researched and will be added after approval by Council.**

**The Personnel Committee presented the proposed job descriptions for employees of the City. Elvebak answered question of Council regarding making the Clerk Administrator an exempt employee. With that she will do a wage study as to what**



other cities allow for wages for this position. On motion by Atherton, seconded by Hanson, all voting in favor, to table all job description approval until the next regular meeting.

Discussion was held on the balances due over the past three (3) years from the Fire Department account. The balance due is \$7,595.47. The amount would be due upon approval of members of the City Council and the Joint Fire Board. 50% is the city portion of the billing. On motion by Atherton, seconded by Hanson, all voting in favor, to send the three (3) year update to the Joint Fire Board so that they would have it by the March 15<sup>th</sup>. meeting of the City and Townships.

Councilmember Stoen suggested that the visitor's comments be placed at the beginning of the agenda not at the end as present. No action was taken.

Stoen suggested a form for people requesting public information from the City. On motion by Stoen, seconded by Hanson, all voting in favor, to have Councilmembers Stoen and Hanson research the public info form, and will bring their findings to the next meeting.

On motion by Atherton, seconded by Stoen, all voting in favor, to approve the certification to the County delinquent utility billing in the amount of \$6,043.16.

Discussion was held on the question of an increase in the charge for those not reading their monthly water meters. An amount of \$20.00 which would be double the amount presently charged was discussed. On motion by Hanson, seconded by Atherton, all voting in favor, to table the \$20.00 consideration until a fee schedule has been worked up.

On motion by Stoen, seconded by Atherton, all voting in favor, to approve the bills, payroll, and transfers in the amount of \$54,417.89.

Attorney Moran's comments:

1. Letter to State of Minnesota Administrative Judge asking for a reduction in the billing received for services on that portion of Lake Tustin/Francis annexation in the amount of \$9,781.50. Motion was made by Hanson, seconded by Stoen, all voting in favor, to send a letter on city letterhead with letter being signed by the Council, to explain the need for the consideration of a reduced bill for service, with a copy being sent to the local legislators.
2. Verizon Wireless lease for antenna on tower is close to agreement at \$1,500 per month versus the \$237.61 presently receiving monthly.
3. Attorney Moran presented the Agreement between the City of Elysian and John Roessler as to taking PERA early retirement. On motion by Atherton, seconded by Hanson, to approve the signing of the agreement

with John Roessler who will participate in a state offered PERA retirement option to go to part time as of June 1, 2010. Accrued vacation will be paid when the agreement ends.

**Mayor Comments,**

I would like to touch on a procedure that I believe that will not only clarify something and will also make it easier. Starting this week, I will come in every Wednesday to sign checks at City Hall. I will call the office if I will not be available on a Wednesday. I believe with very little planning that we can make this workable for everybody. If there is an emergency and I am available I will sign a check but otherwise planning should be in place for Wednesday signing of checks.

Also I received this email from Councilman Clint Stoen after our last Council meeting.

Dave

I'm glad we took another step forward on the policy book. I am curious who gave permission from the committee to hand out copies of the draft to the public? I feel this was very disrespectful. Now it will be run all over town and it is not even finished. This is how all the rumors get started when people don't have all the facts. As always if people want information. They need to be respectful and go to City Hall themselves.

Thanks

Clint

First of all, I totally disagree. The personnel policy book that was available at the last council meeting was public information and needed no one's approval to be shown to the public. I know it was not finished--that is why it says DRAFT on every page. Citizens at the meeting were very respectful and were at City Hall at a public meeting when this information was available. Rumors get started when people are denied public information and try to guess at what is going on at City Hall.

As long as I am Mayor public information will be just that: PUBLIC INFORMATION.

David

**Visitors Comment:**

1. John Stephanie- 205 Lake View Court – spoke on behalf of the Lake Elysian Lake Association inviting everyone to a meeting on April 7<sup>th</sup>. at the Tourism Center at 7:00 p.m. to listen to a speaker of interest from the MN Pollution Control Agency on working with impaired lakes.
2. Chris Greenwald - Greenwald Greenhouse and Landscaping



- 1. Announced that their business located at 205 5<sup>th</sup>. Street SW., due to the recent fire, their business will open on April 9<sup>th</sup>. for the Spring only on weekends. A grand opening would be held later.**
- 2. Elysian Horizon's would be holding an open house on March 30<sup>th</sup>. from 4:30 p.m. to 6:30 p.m. at the Tourism Center to thank everyone for the progress to completion of the Horizons program and to receive the balance of the funds that were earned. Also, to hear suggestion regarding the Horizon Program and take input as to offers of how Horizons' continues to help Elysian in the future.**
- 3. Regarding the agenda placement on the agenda, maybe Visitors comments be placed before Mayor comments.**

**On motion by Hanson, seconded by Atherton, all voting in favor, meeting adjourned at 7:48 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, Clerk Administrator**

**ELYSIAN CITY COUNCIL  
MARCH 8, 2010  
SPECIAL MEETING  
MINUTES  
5:00 P.M.**

**The Elysian City Council met in special session on Monday, March 8, 2010, at City Hall at 5:00 p.m.**

**Members present were: Mayor David Rager; Councilmembers Tiffani Atherton, Roger Hanson, Clinton Stoen; Clerk Administrator Patricia Nusbaum; Administrative Assistant Lorri Kopischke. Absent: Councilmember Mary Opsahl.**

**Meeting was opened with the Pledge to the US Flag.**

**Requests for Proposals for Engineering Services were opened with the following offering quotes for services from their respective companies:**

**Jones Haugh & Smith Inc. – Albert Lea  
I&S Group – Mankato  
Bolten & Menk – Mankato  
AECOM – Minneapolis  
SHE – Mankato/Gaylord**

**Process was discussed as to how to proceed. Councilmember Hanson volunteered to put pertinent items on a spread sheet for the Councilmembers prior to the April meeting. On motion by Stoen, seconded by Atherton, all voting in favor, to place on the next month's agenda for discussion.**

**On motion by Atherton, seconded by Stoen, all voting in favor, meeting adjourned at 5:09 p.m.**

**Attest:**

\_\_\_\_\_  
**David Rager Mayor**

\_\_\_\_\_  
**Patricia Nusbaum, Clerk Administrator**



**ELYSIAN CITY COUNCIL  
MARCH 15, 2010  
REGULAR MEETING  
MINUTES  
7:02 P.M.**

**The Elysian City Council met in regular session on Monday, March 15, 2010, at the Fire Hall at 7:02 p.m.**

**Members present were: Mayor David Rager; Councilmembers Tiffani Atherton, Roger Hanson, Mary Opsahl, Clinton Stoen; Clerk Administrator Patricia Nusbaum and City Attorney Jason Moran.**

**Also present: Members of the Joint Fire Board, Iosco Township Board Member Roger Fischbaugher, Janesville Township Board Member Herb Guse, and Elysian Township Board Member Roger Hill.**

**Purpose of the meeting was to discuss the operation of the Fire Department and to receive input from some of the original members of the Fire Board as to the intent of the drafting of the Joint Fire Board Agreement. Several people offered input including, former Mayor Roland Wagner, John Roessler, Fire Chief at the time, members of the original board Board Bob Androli and Jerry Kapaun. Members of the present Fire Department offered input along with members of the respective Township Boards.**

**Town ship Attorney Troy Gilchrist presented a copy of a proposed Joint Powers Agreement. City Attorney Moran, due to not being privy to a copy of the agreement prior to the meeting, commented that he would have to review and comment to the Council at a later time.**

**Concerns on the agreement were aired. The agreement will be reviewed by legal counsel for both the City and Township and will be discussed at a later meeting.**

**Meeting adjourned at 7:52 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, Clerk Administrator**

**ELYSIAN CITY COUNCIL  
APRIL 12, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, April 12, 2010, at City Hall at 6:00p.m.

Members present were: Mayor David Rager; Councilmembers Tiffani Atherton, Roger Hanson, Mary Opsahl, Clinton Stoen; Clerk Administrator Patricia Nusbaum, Administrative Assistant Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.

Meeting was opened with the pledge to the US Flag.

On motion by Atherton, seconded by Hanson, all voting in favor, minutes of the Meetings of special meeting of March 8, 2010; regular meeting March 8, 2010 and special meeting March 15, 2010 were approved as presented.

On motion by Atherton, seconded by Hanson all voting in favor, the agenda was approved with the addition of the following items:

1. Councilmember Stoen – Visitors comments be placed at beginning of agenda.
2. Councilmember Opsahl – report on Community Education Advisory Committee.
3. Resolution 350/10
4. Fire Chief Jason James – hiring of Fire Fighter

John Roessler report:

1. Discussion on the purchasing of new water meters to replace meters underground in pits. On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the purchase of 20 meters at \$110.00 each.
2. Water tower is in need of repair; the paint is falling off, rust is showing on the outside of tower, three companies have been contacted for an estimate as to the repair.
3. Updated the Council on recent visit by MN Pollution Control Agency regarding the infiltration of water into the sanitary sewer pond system. Letter will be sent to Council with their recommendations.
4. Updated on the need for no parking signs on Fifth Street NW by the school ball field during games. On motion by Hanson, seconded by Opsahl, all voting in favor, signs for temporary parking control at the school ball field will be ordered for placement when there is a ball game to be played.



5. No hunting signs have been placed by the Lake Tustin lake area and buoys will be floated at the city limits lines in Lake Tustin.
6. Presented and approved the request of the Little League to remove the pitcher mound at the city ball field.
7. Third Street NW west of the City Park is badly in need of repair. Repair of street, manhole, and tile underneath blacktop and outside the street area///// a quote will be obtained by the next meeting.

**Clerk Administrator updates:**

1. April 21<sup>st</sup>. 6:30 p.m. “open book” property evaluation special meeting at City Hall. Meeting is run by Le Sueur/Waseca County Assessor’s Office.
2. Update on the progress of the small cities grant for home updates. Region Nine expects to hear something from the federal government by the end of April.
3. Report on Lake Elysian Lake Association meeting
4. Need to set a Park Committee meeting
5. Council annual pick up of leaves and brush will be May 1<sup>st</sup>. starting at 9:00 a.m.

City Building Official Dan Murphy was present to present the need to update the City Bldg Code Ordinance. On motion by Stoen, seconded by Opsahl, a hearing on the Ordinance will be held on May 10<sup>th</sup>.

Councilmember Hanson introduced Mike Kauss, 6 Egret Lane, to the Council and recommended he be appointed to the Planning and Zoning Commission. Kauss briefed the Council on the various organizations he is a member of and he spoke of his thoughts on how happy he was to be part of the community since his recent moving to Elysian. On motion by Hanson, seconded by Opsahl, all voting in favor, to appoint Mike Kauss to the Elysian City Planning and Zoning Board. He is filling the three (3) year term which has been held by Julaine Jacobson for the past nine (9) years.

Wendy Atherton, 505 Lake Avenue NW, was present to request the continuation of the curbside collection as part of Spring clean up and to allow it to be a week long. On motion by Hanson, seconded by Stoen, all voting in favor, Council authorized the week of May 9<sup>th</sup> through the 15<sup>th</sup>.

The Personnel Committee members Edna Thayer and Councilman Stoen along with Laura Elvebak, MN Valley Council of Governments were present to further discuss the City Clerk Administrator’s position as to whether it should be exempt or non-exempt position and what the salary for the position would be. Committee member Edna Thayer indicated a survey had been made as to what other cities pay their Administrator and that Elysian was at the high end, and that maybe some of the jobs could be delegated to someone else, but would consider a \$1.00 increase in the position salary and allow no overtime to be paid. Councilmember Stoen a committee member mentioned another formula that he had been working on which would be based on a percentage of the overtime paid in 2009. Laura Elvebak, MN COG, was concerned about the survey mentioned and that you have to compare apples to apples when looking at other cities and the duties assigned to the position. Elvebak indicated that the Fair Labor Standards Act is what governs the exempt

and non-exempt criteria and at this time she felt that the position should remain as a non-exempt position. Various opinions were offered by the Council regarding the position of Clerk Administrator including suggestions on overtime and flex hours. Attorney Moran will do research as to whether the position can qualify for exempt status.

On motion by Atherton, seconded by Hanson to table until an opinion from Attorney Moran as to the Administrator's position being exempt or non-exempt. Voting Yes; Atherton, Rager. Voting No: Hanson, Opsahl, Stoen. Motion failed.

On motion by Hanson, seconded by Stoen, to table the discussion and have the Personnel Committee continue their work and come back to the Council when they are ready. Voting Yes: Hanson, Stoen, Opsahl. Voting No: Atherton, Rager. Motion declared carried.

A recess was called at 7:50 p.m., meeting reconvened at 7:57 p.m.

Councilmember Atherton presented the following resolution as follows:

### **RESOLUTION 348/10**

#### **REQUEST FOR OFF SITE LAWFUL GAMBLING**

**WHEREAS:** the Elysian City Council was presented with a request from the Elysian Fire Department Relief Association for one day off site lawful gambling.

**WHEREAS:** State Laws of Minnesota require approval be granted by the local governing body, thus the City of Elysian.

**NOW, THEREFORE, BE IT RESOLVED:** that the Elysian City Council granted approval for a one day off site lawful gambling license to the Elysian Fire Department Relief Association for July 2, 2010.

The resolution was presented by Councilmember Atherton, and seconded by Councilmember Stoen with the following vote being taken:

**Voting Yes:** Atherton, Stoen, Hanson, Opsahl, Rager.

**Voting No:** None.

**Dated this 12th day of April, 2010**

**Attest:**

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**Patricia Nusbaum, Clerk Administrator**

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**David Rager, Mayor**

**On motion by Atherton, seconded by Stoen, all voting in favor, to approve Resolution 347/10 – Off site gambling for Elysian Fire Relief Association for July 2, 2010.**

**On motion by Stoen, seconded by Opsahl, all voting in favor, to approve a raffle for 2010 July 4<sup>th</sup>. Celebration for Elysian Area Chamber of Commerce.**

**Discussion was held on the five Engineering Firm applicants for consideration on Council approval. All firms were considered to be well qualified. On motion by Atherton, seconded by Rager, to approve the Engineering firm of Jones, Haugh & Smith Inc., Owatonna and Albert Lea, as City Engineers for year 2010. Voting Yes: Atherton, Rager, Opsahl. Voting No: Hanson, Stoen. Motion declared carried.**

**Fire Chief Jason James came before the Council to ask to hire an additional fire fighter who has recently moved into the Elysian area. He came from another department and is fully trained including being a first responder and EMT certified. Costs would be to possibly purchase turnout gear at an approximate cost of \$1,500. On motion by Stoen, seconded by Opsahl, all voting in favor, to hire Le Roy Kopischke as the 26<sup>th</sup>. fire fighter allowing a one year probation and clearance on a background check.**

**Councilmember Opsahl gave an update on the recent Community Education Advisory Council meeting she attended.**

**Councilmember Hanson and Stoen presented the Council with a document they had been working on regarding the requesting of public information by the public. On motion by Stoen, seconded by Atherton, all voting in favor, to approve Resolution 349/10 as presented to include appointing Administrative Assistant Lorri Kopischke as the responsible authority to administer the requirement for collection, storage, use and dissemination of data on individuals within the City and all requests will be have a response within ten (10) business days.**

**Councilmember Stoen requested that the visitor's comments be moved to the beginning of the meeting for all visitors to make comments and not have to stay for the whole meeting. It was agreed that visitor's comments will be placed at the beginning of the meeting and near the end of the meeting.**

**Clerk Administrator Nusbaum asked that the Council consider for the next meeting the internal control policy and Schedule of Fees which she had worked on and were in the Council packets. Nusbaum asked if a committee could meet to work on consideration of additional fees for the schedule. Hanson and Stoen volunteered.**

**After discussion on the following Resolution, Councilmember Hanson introduced as follows:**

#### **RESOLUTION 346/10**

#### **RESOLUTION TO SUPPORT THE CONTINUANCE OF FUNDING THE SENTENCE TO SERVICE PROGRAM**



**WHEREAS; BE IT RESOLVED; that the Sentence to Service Program in Le Sueur and Waseca Counties are of substantial benefit to the City of Elysian;**

**AND, WHEREAS; due to the City of Elysian from time to time needing additional help in moving projects forward and are able to receive help from the Sentence to Service Program;**

**AND, WHEREAS; not only does the help provided by the program give benefit to the City of Elysian, but also, allows those in the program a chance to participate in the betterment of the community through their willingness to help with work provided by the program to allow the opportunity to become better individuals,**

**AND WHEREAS; the most recent release of the Governor's proposed budget would consider the elimination of the Sentence to Service Program due to cut backs in expenditures which would be a detriment to project in the City of Elysian,**

**THEREFORE: The Elysian City Council does hereby wish to offer support for the continuation of the Sentencing to Service Program.**

**The following resolution was presented by Member Hanson, seconded by Member Stoen with the following voting in favor of: Hanson, Stoen, Opsahl**

**Those voting in the negative: Atherton, Rager**

**Abstain: None.**

**Whereupon resolution was declared duly passed and adopted this 12 day of April, 2010.**

**Attest:**

\_\_\_\_\_  
**Patricia Nusbaum, Clerk Administrator**

\_\_\_\_\_  
**David Rager, Mayor**

**The following resolution was presented by Councilmember Stoen as follows:**

**CITY OF ELYSIAN  
ELYSIAN, MINNESOTA**

**RESOLUTION 350/10**

**RESOLUTION ACKNOWLEDGING A DONATION FROM**

**Sam's Club Foundation**

**WHEREAS, the City of Elysian has received a donation in the amount of \$1,000.00 from Sam's Club Foundation and have designated this donation be used as follows: \$500.00 to the Elysian Library and \$500.00 to the Elysian Food Shelf.**

**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 from Sam's Club Foundation.**

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

**Councilmember Stoen introduced the resolution and was seconded by Councilmember Atherton.**

**Council Members voting in the affirmative: Stoen, Atherton, Hanson, Opsahl, Rager**

**Council Members voting in the negative: None.**

**Adopted by the City Council of the City of Elysian this 12th day of April, 2010.**

**ATTEST:**

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**Patricia Nusbaum, Clerk Administrator**

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**David Rager, Mayor**

**Discussion was held on the bills. A concern by the Mayor and Councilmember Atherton was made regarding a bill in the amount of \$55.50 to Clerk Administrator Nusbaum for the dinner bill for herself and Councilmember Stoen for a meeting attended in Mankato of the MN Valley Council of Governments, of which the City of Elysian is a member on March 31, 2010. Bill consisted of a mileage and meeting amount for Nusbaum in the amount of \$37.00 and a dinner amount for Councilmember Stoen in the amount of \$7.51 and a dinner amount for Nusbaum in the amount of \$10.99. The accusation was made by Atherton and Rager that Nusbaum, by paying for Member Stoen's meal, it had constituted bribery. Nusbaum explained that prior to Mayor Rager becoming Mayor anyone from the Council attending the COG meeting was paid on one check which was paid by Clerk Administrator Nusbaum. Another concern was that Nusbaum had turned in a mileage and meeting stipend bill for Mayor Rager for also attending the meeting. Mayor Rager stated that he did not want to charge for mileage and stipend. Again, this was a responsibility of the Clerk Administrator to keep track of the meetings that Councilmembers participated in and bill the City accordingly. On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the bills, payroll and transfers in the amount of \$88,588.66. An amendment was offered by Member Stoen, and approved by Member Opsahl to amend the prior motion to remove the following amount of \$129.50 which included Nusbaum's COG dinner amount of \$10.99, Member Stoen COG dinner amount of \$7.51, Nusbaum mileage and meeting stipend allowance in the amount of \$37.00, Member Stoen mileage and meeting stipend amount of \$37.00, Mayor Rager mileage and meeting stipend amount of \$37.00 for a total approval of bills payroll, and transfers in the amount of \$88,459.16. Voting yes: Stoen, Opsahl, Hanson, Rager. Voting No: Atherton. Motion declared carried.**

**Attorney Moran's comments:**

- 1. Letter to Administrative Hearing Judge – Member Atherton said she had not signed it due to the letter head had the Museum advertising on it. Nusbaum explained that the new letterhead had not yet been ordered since the letter was dated the day after the March council meeting.**
- 2. Attorney Moran updated the Council on the communications with Verizon Wireless. He stated that a lot of negotiations had gone on and he felt that the offer of \$1,500 a month was a good offer. On motion by Hanson, seconded by Atherton all voting in favor, to approve the lease with Verizon Wireless for antennas on the City water tower in the amount of \$1,500.**
- 3. Attorney Moran explained to the Council the concern of John Roessler regarding his early ½ time retirement which included vacation and sick pay. Attorney Moran indicated that the benefits earned to the point of his retirement can not be taken away and benefits will be paid at the current rate of pay upon full retirement. On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the updated agreement for John Roessler to participate in a state offered option to go part-time as of June 1, 2010, and to provide his benefit distributions, (sick and vacation) which will be paid at current rate of pay upon full retirement**
- 4. Attorney Moran offered for discussion of the Joint Power Board Agreement draft which had been presented to the Council and Townships by the Elysian Township Attorney at the March 15, 2010 joint meeting, and gave his opinion on various aspects of the agreement. A Joint Fire Board Agreement is quite complicated, is a lot more than a non-profit corporation. Fire Chief Jason James addressed the Council and stated that his concern is why would the City Council want to get into an agreement that would cost more and take authority from the City? Everything is running well as it is. He spoke of two joint powers board in the State of MN and neither were working well Matter will be discussed further at a later meeting.**

**Mayor comments:**

**The good news is out. Tax Capacity Rate for Elysian is 54.035 compared to 69.1 last year. This is a 22% reduction. The school operating referendum did however offset some of the improvement that we would have seen.**

**At the next council meeting, I would like to put on the agenda a discussion/motion for keys for the Mayor to the post office and City Hall. I believe that this is something that is necessary and would facilitate better use of City Hall while strengthening our internal controls.**

**I would also like add to the agenda a discussion motion on taking bids for our garbage collection for both residential and commercial collection. We have had success in taking bids for an auditor and a City Engineer and I believe we should now look at doing this for garbage.**

**Thanks to Bob and Hunter Frechette and Bobbi McFall for their participation on the photo of the snowmobiles that appeared on our website last month.**



**I also believe that we need an in depth look at all we are mowing in the City and recommendations by the council on anything that would make this more cost effective.**

**I would also like to thank everybody that has taken the time to email or call me with suggestions on ways to improve our City. It is really appreciated.**

**Happy Spring to all**

**David**

**Councilmembers Comments:**

**Councilmember Hanson indicated that we have gotten a lot done, and maybe not all of the Council agree on all things, but live with it. We thank all the engineering firms that returned request for proposals, they are all good qualified engineers.**

**Visitors Comment:**

- 1. Jack Frank, 9 Roots Beach Lane - Why are the holes in the road not being fixed?**
- 2. Tom Springmeyer, 718 Lake Side Drive NW - He stated that the acoustics are lousy in the building. When he was Mayor a matrix for wages was prepared and was not updated. He stated that Joint Fire Board is not easy.**
- 3. Wayne Unke, 124 Willow Point Drive – Things are working out. Appreciate City Attorney speaking to the whole audience, and they could hear him.**
- 4. John Hoeft, 306 Frank Avenue NW - He is on the Lake Francis Lake Association Board; membership is \$25.00, two streets run into the lake, Third Street is in need of major repair, keep lake in mind, adding a tile running into the lake is not the answer.**

**On motion by Atherton, seconded by Stoen, all voting in favor, meeting adjourned at 9:45 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, Clerk Administrator**

**ELYSIAN CITY COUNCIL  
APRIL 21, 2010  
OPEN BOOK PROPERTY VALUATION MEETING  
MINUTES  
6:30 P.M.**

**The Elysian City Council met in special session on Wednesday, April 21, 2010, at City Hall at 6:30p.m.**

**Members present were: Mayor David Rager; Councilmembers Tiffani Atherton, Roger Hanson, Mary Opsahl, Clinton Stoen; Clerk Administrator Patricia Nusbaum. Also present: Le Sueur County Assessor Dave Armstrong; County Appraiser Jay Sowieja, Waseca County Appraiser Jim Pemble.**

**Mayor Rager opened the meeting and turned it over to the members of the County Assessor's Offices.**

**Purpose of the meeting was to hear citizen input as to the valuation concerning their property. Armstrong and Pemble chaired the meeting.**

**Updates on state laws and valuation status and determines how values of property are figured.**

**Councilmember Hanson asked questions regarding why the values were lowered? Explanations of various history, sales of property, and how it is figured were given.**

**On motion by Hanson, seconded by Stoen, all voting in favor, meeting adjourned at 6:47 p.m.**

**Attest:**

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**Dave Rager, Mayor**

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**Patricia Nusbaum, Clerk Administrator**

**ELYSIAN CITY COUNCIL  
MAY 10, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, May 10, 2010, at City Hall at 6:00p.m.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clerk Administrator Patricia Nusbaum, Administrative Assistant Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.  
Absent: Councilmembers Tiffani Atherton, Clinton Stoen.

Meeting was opened with the pledge to the US Flag.

On motion by, Hanson, seconded by Opsahl, all voting in favor, minutes of the April 12, 2010 were approved with the following correction being made:

Discussion was held on the bills. A concern by the Mayor and Councilmember Atherton was made regarding a bill in the amount of \$55.50 to Clerk Administrator Nusbaum for the dinner bill for herself and Councilmember Stoen for a meeting attended in Mankato of the MN Valley Council of Governments, of which the City of Elysian is a member on March 31, 2010. Bill consisted of a mileage and meeting amount for Nusbaum in the amount of \$37.00 and a dinner amount for Councilmember Stoen in the amount of \$7.51 and a dinner amount for Nusbaum in the amount of \$10.99. The accusation was made by Atherton and Rager that Nusbaum, by paying for Member Stoen's meal, it had constituted bribery. Nusbaum explained that prior to Mayor Rager becoming Mayor anyone from the Council attending the COG meeting was paid on one check which was paid by Clerk Administrator Nusbaum. Another concern was that Nusbaum had turned in a mileage and meeting stipend bill for Mayor Rager for also attending the meeting. Mayor Rager stated that he did not want to charge for mileage and stipend. Again, this was a responsibility of the Clerk Administrator to keep track of the meetings that Councilmembers participated in and bill the City accordingly. On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the bills, payroll and transfers in the amount of \$88,588.66. An amendment was offered by Member Stoen, and approved by Member Opsahl to amend the prior motion to remove the following amount of \$129.50 which included Nusbaum's COG dinner amount of \$10.99, Member Stoen COG dinner amount of \$7.51, Nusbaum mileage and meeting stipend allowance in the mount of \$37.00, Member Stoen mileage and meeting stipend amount of \$37.00, Mayor Rager mileage and meeting stipend amount of \$37.00 for a total approval of bills payroll, and transfers in the amount of \$88,459.16. Voting yes: Stoen, Opsahl, Hanson, Rager. Voting No: Atherton. Motion declared carried.

Correction to minutes are as follows:



Discussion was held on the bills. A concern by the Mayor and Councilmember Atherton was made regarding a bill in the amount of \$55.50 to Clerk Administrator Nusbaum for the dinner bill for herself and Councilmember Stoen for a meeting attended in Mankato of the MN Valley Council of Governments, of which the City of Elysian is a member on March 31, 2010. Bill consisted of a mileage and meeting amount for Nusbaum in the amount of \$37.00 and a dinner amount for Councilmember Stoen in the amount of \$7.51 and a dinner amount for Nusbaum in the amount of \$10.99. The accusation was made by Atherton that Nusbaum, by paying for Member Stoen's meal, it had constituted bribery. Nusbaum explained that prior to Mayor Rager becoming Mayor anyone from the Council attending the COG meeting was paid on one check which was paid by Clerk Administrator Nusbaum. Another concern was that Nusbaum had turned in a mileage and meeting stipend bill for Mayor Rager for also attending the meeting. Mayor Rager stated that he did not want to charge for mileage and stipend. Nusbaum stated that it is responsibility of the Clerk Administrator to keep track of the meetings that Councilmembers participated in and bill the City accordingly. On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the bills, payroll and transfers in the amount of \$88,588.66. An amendment was offered by Member Stoen, and approved by Member Opsahl to amend the prior motion to remove the following amount of \$129.50 which included Nusbaum's COG dinner amount of \$10.99, Member Stoen COG dinner amount of \$7.51, Nusbaum mileage and meeting stipend allowance in the amount of \$37.00, Member Stoen mileage and meeting stipend amount of \$37.00, Mayor Rager mileage and meeting stipend amount of \$37.00 for a total approval of bills payroll, and transfers in the amount of \$88,459.16. Voting yes: Stoen, Opsahl, Hanson, Rager. Voting No: Atherton. Motion declared carried.

On motion by Hanson, seconded by Opsahl, all voting in favor, to approve the special meeting, Board of Review open book meeting minutes of April 21, 2010.

On motion by Opsahl, seconded by Hanson, all voting in favor, the agenda was approved with the deletion of #14, Auditor will not be present and #20, Councilmember Stoen comments.

On motion by Hanson, seconded by Opsahl, all voting in favor, to close the meeting and go to a public hearing to consider the amending of Ordinance #35/94 and adopting Ordinance 69/10 the adoption of the MN State Building Code.

## **Ordinance No. 69/10**

### **Amending of Ordinance #35/94 The Adoption of the Minnesota State Building Code**

**AN ORDINANCE ADOPTING THE MINNESOTA STATE BUILDING CODE. THIS ORDINANCE: PROVIDES FOR THE APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF THE MINNESOTA STATE BUILDING CODE BY REGULATING THE ERECTION,**

**CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THIS MUNICIPALITY; PROVIDES FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; PROVIDES PENALTIES FOR VIOLATION THEREOF; REPEALS ALL ORDINANCES AND PARTS OF ORDINANCES THAT CONFLICT THEREWITH. THIS ORDINANCE SHALL PERPETUALLY INCLUDE THE MOST CURRENT EDITION OF THE MINNESOTA STATE BUILDING CODE WITH THE EXCEPTION OF THE OPTIONAL APPENDIX CHAPTERS. OPTIONAL APPENDIX CHAPTERS SHALL NOT APPLY UNLESS SPECIFICALLY ADOPTED.**

Dan Murphy, Elysian City Building Official presented the proposed ordinance and fees associated with the adoption of the ordinance, resolution 347/10. Murphy indicated that the fees were mandated by the state and for a flat rate charge on a permit for this year only there is a \$5.00 State of Minnesota surcharge on each permit

Councilmember Hanson, seconded by Councilmember Opsahl, introduced the following resolution for approval:

## **Ordinance No. 69/10**

### **Amending of Ordinance #35/94**

#### **The Adoption of the Minnesota State Building Code**

**AN ORDINANCE ADOPTING THE MINNESOTA STATE BUILDING CODE. THIS ORDINANCE: PROVIDES FOR THE APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF THE MINNESOTA STATE BUILDING CODE BY REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THIS MUNICIPALITY; PROVIDES FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; PROVIDES PENALTIES FOR VIOLATION THEREOF; REPEALS ALL ORDINANCES AND PARTS OF ORDINANCES THAT CONFLICT THEREWITH. THIS ORDINANCE SHALL PERPETUALLY INCLUDE THE MOST CURRENT EDITION OF THE MINNESOTA STATE BUILDING CODE WITH THE EXCEPTION OF THE OPTIONAL**

**APPENDIX CHAPTERS. OPTIONAL APPENDIX CHAPTERS SHALL NOT APPLY UNLESS SPECIFICALLY ADOPTED.**

**This City Council of the City of Elysian does hereby ordain as follows:**

**Section 1. Codes adopted by reference.**

The Minnesota State Building Code, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes chapter 326B, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Labor and Industry, through the Building Codes and Standards Unit, is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this ordinance. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein.

**Section 2. Application, Administration and Enforcement.**

The application, administration, and enforcement of the code shall be in accordance with Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 326B.121, Subd. 2(d), when so established by this ordinance.

The code enforcement agency of this municipality is called the Department of Building Safety.

This code shall be enforced by the Minnesota Certified Building Official designated by this Municipality to administer the code in accordance with Minnesota Statutes 326B.133, Subdivision 1.

**Section 3. Permits and Fees.**

The issuance of permits and the collection of fees shall be as authorized in Minnesota Rules Chapter 1300. Permit fees shall be assessed for work governed by The 2007 Minnesota State Building Code this code in accordance with the fee schedule adopted by the municipality in Resolution # 347/10. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statutes 326B.148.

**Section 4. Violations and Penalties.**

A violation of the code is a misdemeanor (Minnesota Statutes 326B.082, Subd. 16).

**Section 5. Building Code Optional Chapters.**



**Minnesota State Building Code, Chapter 1300 allows the Municipality to adopt by reference and enforce certain optional chapters of the most current edition of the Minnesota State Building Code.**

## **Section 6. Effective Date of Ordinance.**

**This Ordinance will become upon approval of the Elysian City Council and upon publication in the official newspaper.**

**The following vote being taken:**

**Voting Yes: Hanson, Opsahl, Rager  
Voting No: None.  
Abstain: None.**

**Dated this 10<sup>th</sup> day of May, 2010.**

**Attest:**

\_\_\_\_\_  
**Patricia Nusbaum, Clerk Administrator**

\_\_\_\_\_  
**David Rager Mayor**

**Reviewed By: \_\_\_\_\_  
Daniel Murphy, Building Official**

**On motion by Opsahl, seconded by Hanson, all voting in favor, to close hearing at 6:17 p.m.**

**On motion by Opsahl, seconded by Hanson, all voting in favor, the regular meeting was opened at 6:18 p.m.**

### **Visitors Comments:**

#### **1. Mike Kauss, 6 Egret Lane**

**1. He takes pride in Elysian and the people who work for our community. He stated that we have nice trucks and is wondering why the City of Elysian logo and name are not on the vehicles?**

**2. He believes that businesses help a city to grow and provide goods and services to the member of the community and surrounding areas. He would like to know what the City Council and EDA are doing to enhance our existing businesses and what they are doing to draw new businesses to our city?**

3. There has been some discussion on the Mayors desire to have keys to City Hall and the Post Office box. Hanson commented that as a community member he does not see a good reason for this request. He states that currently we have people whose job descriptions require them to operate City Hall and there are people bonded to deal with the federal mail system. Any time you increase the distribution of keys you tend to increase the possibility of error related to the function of these keys.

On motion by Councilmember Hanson, seconded by Councilmember Opsahl, presented the following resolution for approval:

### **RESOLUTION 347/10**

**CITY OF ELYSIAN, MINNESOTA**

#### **Resolution to Adopt the 2010 Department of Building Safety Fixed Fee Schedule City of Elysian, Minnesota**

WHEREAS, the State of Minnesota allows the City Council to adjust fees for licenses, services, and permits; and,

WHEREAS, the State of Minnesota established the procedures for the issuance of licenses and permits; including the requirement that fees be paid to the City of Elysian; and,

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Elysian, Minnesota to adopt:

Exhibit A:1994 Uniform Building Code

Exhibit B: Department of Building Safety Fixed Permit Fees

Exhibit C: Valuation worksheet

The amounts shall be in effect immediately and shall remain in effect until modified by resolution of the City Council.

Voting Yes: Hanson, Opsahl, Rager.

Voting No: None.

Abstain: None.

Adopted by the City Council of Elysian, Minnesota this 10<sup>th</sup>.day of May 2010.

**ATTEST:**

\_\_\_\_\_  
**Patricia Nusbaum Clerk Administrator**

\_\_\_\_\_  
**David Rager, Mayor**

**County Engineer Daryl Pettis was present to inform the Council on work to be done within the city limits on County Road #11. Work area on road will begin between Lake Francis and Lake Tustin and continue to County Road #13. Work will begin in August. Seal coating of Main Street, County Road #50, will take place in 2011.**

**On motion by Opsahl, seconded by Hanson, all voting in favor, the following resolution was presented:**

**RESOLUTION 351/10**

**STATE AID FOR LOCAL TRANSPORTATION  
RESOLUTION  
APPROVING COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS**

**WHEREAS, PLANS FOR Project No. SAP 40-611-36 showing proposed alignment, profiles grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No. 11 within the limit of the City as a (Federal) (State) Aid Project have been prepared and presented to the City.**

**NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.**

**Dated: this 10<sup>th</sup>. day of May, 2010.**

**CERTIFICATION**

**State of Minnesota**

**County of Le Sueur**

**City of Elysian, MN**

**I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the City Council of Elysian at a meeting therefore held in the City of Elysian, Minnesota on the 10<sup>th</sup>. day of May, 2010, as disclosed by the records of said City in my possession.**

\_\_\_\_\_  
**Clerk Administrator**

**City Engineer John Schulte V representing the firm of Jones, Haugh and Smith, Inc. was present to introduce himself to the Council. Discussion was held on the upcoming street, sanitary sewer, and storm sewer needs. On motion by Hanson, seconded by Opsahl, all voting in favor, to proceed with an infrastructure needs plan for the City. Schulte will meet with Public Works Director Roessler as to the pressing items needing to be addressed and will report back to the Council. Charges for engineering services will be billable hours.**

**John Roessler report:**

- 1. Presented a quote in the amount of \$8,701.66 from James Brothers Construction for repair work on Third Street NW leading to the Park. On motion by Hanson, seconded by Opsahl, all voting in favor, to authorize the Third Street NW project quote from James Brothers Construction in the amount of \$8,701.66.**
- 2. Updated the Council on a recent letter received from MN PCA which was a follow up to an on site review of the City sanitary sewer facilities. Report indicated the need to purchase a generator and a phone alarm system for one of the lift stations, and to repair a couple of areas from ongoing infiltration of water into the system. Total cost could exceed \$35,000. On motion by Hanson, seconded by Opsahl, all voting in favor, to get quotes on the generator, and to check with the phone company as to costs for the alarm system, along with quotes to repair the infiltration of water into the sanitary sewer.**
- 3. Quote of \$6,300 to clean the storm water ponding area near Willow Point Drive was presented. Discussion on the extent of the cleaning of ponds in other parts of the city was held. Roessler, again, indicated that a monthly storm water fee should be initiated to help with the costs of maintaining the ponds.**

**Clerk Administrator updates:**

- 1. Elysian is one of the four cities in Le Sueur County that will receive funds for updating of homes of those meeting the income criteria. For those who will not be awarded funding this time will be considered for a second funding cycle in October.**
- 2. The first week in May is considered Clerk's Week. Color books are available for children of the community at City Hall.**
- 3. An updated fee schedule will be ready for the next meeting.**
- 4. Thank you to Lorri Kopischke, Administrative Assistant for all of her work when the computers were down and for the extra work involved with trying to catch up.**
- 5. Internal Controls Policy will be addressed by the Auditor during his report to the Council.**

**Committee Reports:**



1. **Park – Committee met and working on a runoff problem near the park, swing set in good shape yet - needs paint, grill is needed and being worked on, sand for beach and volleyball court is supplied as needed.**
2. **Planning and Zoning Commission – as a positive effort in promotion and working together as a community, Planning and Zoning Commission members Jeanette Crawmer and Roger Hanson presented a brochure to the Council announcing PRIDE, Personal Responsibility in Daily Effort. The brochure is intended to offer information and tips on helping to make Elysian a better place with the help of everyone. The costs to produce the brochure will be presented to the Elysian Economic Development Authority for consideration of funding.**
3. **EDA – Total of \$177,596 in revolving loan account which is available to be loaned to businesses for enhancement, repairs, and updating.**
4. **Personnel Committee – based on research from Attorney Moran, the Clerk Administrator position qualifies as an exempt position. On motion by Rager, seconded by Hanson, all voting in favor, upon recommendation of the City Attorney to approve employee exempt status for the position of Administrator.**

**On motion by Hanson, seconded by Opsahl, all voting in favor, to approve the job descriptions as presented.**

**On motion by Hanson, seconded by Opsahl, all voting in favor, to approve the employee performance evaluation forms as presented. City Administrator will perform the Deputy Clerk evaluation and the Public Works Director will perform the evaluation of the Public Works Worker. Councilmember Hanson requested to revisit the evaluation forms after they have been completed for the first time. Nusbaum asked at what point in time does the exempt status start? Motion was made by Rager, seconded by Hanson, all voting in favor, exempt status will start at the same time salary is set at the June 14<sup>th</sup>. regular Council meeting.**

**Jan and Mack Evans, 103 Park Avenue NW, were present to ask the Council for the budgeted \$500 for National Night Out, which will be held on Tuesday, August 3rd. and requested \$250.00 in addition to the budgeted amount. They indicated that there are over 400 hundred in attendance each year. On motion by Hanson, seconded by Opsahl, to allow the \$500.00 from the budget and to allow an additional \$200 from the park recreational programs budget. Voting Yes: Hanson, Opsahl. Voting No: Rager. Motion declared carried.**

**A letter had been received from the WEM Partners in Education as to a fund raiser to update the tennis courts in all three communities. On motion by Hanson, seconded by Opsahl, all voting in favor, to send a letter of support of effort to the PIE group.**

**Jeanne Zwart, representing Southern MN Lakes Region, was present to update the Council on the new printing of the area map and tourism guide of the area.**

Waste Management will be contacted as to concerns of some of the businesses regarding the higher costs for refuse service to their commercial district. On motion by Rager, seconded by Hanson, all voting in favor, to discuss with Waste Management the consideration of reduction or matching other area garbage collectors of commercial refuse or look at taking bids on residential and commercial.

Mayor's request for a key to City Hall and the Post Office box was discussed, Mayor Rager removed request from discussion.

Mayor Rager, not having signed the payroll check for Councilmember Hanson who had helped the city crew flush hydrants, questioned the need for Councilmember Hanson being paid for helping to flush hydrants. Roessler indicated that it takes three people to flush hydrants. Rager's concern was that someone could have volunteered to do it. He did not like elected officials to be doing work for the City. Hanson said he was not comfortable with having volunteers flushing hydrants. Rager indicated that a Fire Fighter could have done it since they are volunteers. Nusbaum reiterated that those people doing work on behalf of the City need to be paid in order to be covered by Worker's Compensation. Hanson stated that we are on a hiring freeze and when that is raised we could take applications. Opsahl stated that people should be paid for the jobs they do. Motion was made by Opsahl to get pool of applicants so that when help was needed a person could be taken from the pool. No second to the motion being called. Rager asked Hanson to donate his check back to the city and he would approve the bills. Hanson said he would donate his check back to the City. Hanson stated that he never said he was not going to donate it back to the City. On motion by Opsahl, seconded by Rager, all voting in favor, to approve bills, payroll, and transfers in the amount of \$110,937.92.

Attorney Moran's comments:

1. Updated the Council on the billing from the Administrative Law Judge for annexation costs of \$9,781.50 had been reduced to \$5,200 which was due and payable. Since Moran had worked intently on the lowering of the original amount and is recommending that the Council pay the reduced amount. Indications are that it will go to collection and that will have an impact on the Cities ability to bond. On motion by Hanson, seconded by Opsahl, all voting in favor, to allow the \$5,200 for the Administrative Judge fee for the Tustin and Francis annexation.
2. Reviewed with the Council a letter received from Elysian Township regarding fees being charged to the City of Elysian for expenses to the Township on the annexation. Attorney advised that the Township was not warranted in requesting fees for the services stipulated in their letter in the amount of \$1,383.75. On motion by Hanson, seconded by Opsahl, all voting in favor, to accept the recommendation of the City Attorney and not allow the billing from Elysian Township.
3. Reported on Joint Fire Board meeting and the discussion on the Joint Power Agreement draft. It appears that an update to the Memorandum of Understanding will be made versus going with the Joint Power Agreement.

**Mayor comments:**

**First let me thank my fellow leaf collectors (City Council) who traversed the City picking up leaves a week ago Saturday. It went really well and I for one would like to see it done in the fall also. It takes very little time and we work cheap.😊**

**Second let us thank the City Employees as they start to implement the flex time that is part of our new personnel policy.**

**Third let me thank the members of the personnel committees that have worked diligently and without compensation to bring forth some of the necessary changes that our city so urgently needed.**

**Fourth thanks to all of you for coming to these council meetings and tuning in to how this city is being run.**

**I TRULY DO APPRECIATE ALL OF YOU.**

**David**

**Councilmembers Comments:**

- 1. Councilmember Opsahl commented that the employees are doing a great job. The city always looks neat and clean. We need to keep Elysian's small city quaintness. The volunteers need to be thanked for the work they do and for having pride in the city.**

**Visitors Comment:**

- 1. Jan Evans, 203 Park Avenue NW – Thanked the Council for the \$200. Take pride in the community and if any one is interested, she has T shirts available for \$6.00 each with the logo stating being positive for growth in Elysian.**
- 2. Brian Ziemer, 138 Willow Point Drive – Concerned with the employee evaluations as to how an employee can be removed if the evaluation is only held once a year?**

**On motion by Hanson, seconded by Opsahl, all voting in favor, meeting adjourned at 8:07 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, Clerk Administrator**





**ELYSIAN CITY COUNCIL  
JUNE 14, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, June 14, 2010, at City Hall at 6:00 p.m.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen, Administrator Patricia Nusbaum, Administrative Assistant Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran. Absent: Councilmember Tiffani Atherton.

Meeting was opened with the pledge to the US Flag.

On motion by, Hanson, seconded by Opsahl, all voting in favor, minutes of the May 10, 2010 were approved as presented.

On motion by Hanson, seconded by Opsahl, all voting in favor, the agenda was approved with the addition of the following item:

1. Childs interim use permit

No one was present for Visitor's Comments.

Le Sueur County Chief Deputy Dave Tietz was present to introduce himself to the Council and to ask if there were any concerns regarding the police protection the City is receiving? He stated that the vandalism and calls for the Sheriff's Department were very few. Council indicated that everything was going well with the policing of the City from the Sheriff's Department. Tietz reminded everyone that when they see something questionable, to call the Sheriff's Office

Wendy Atherton, representing the Elysian Library Board, presented a great opportunity for the City and requested support from the City Council to locate the library, food shelf and possibly the fitness center in the former Child's Building now owned by the Elysian Bank. The Library Board is requesting that the building be a city owned building. A letter was read from Theresa Meadows, Director of the Waseca-Le Sueur Regional Library located in Waseca, stating that Elysian is the only library building in the region not city owned.

The Library Board has been working with the Elysian Bank. The building would cost \$120,000 with approximately \$80,000 in renovations needed. The space of the library would quadruple in size. Atherton indicated that the Library has out grown its present location, and that the building is for sale and would be cost prohibitive to purchase that building for the needs of the library and food shelf.

The Elysian Library has been in existence for 28 years and has been run by volunteers with rents and expenses being paid by generous donations from the community. Atherton stated that the Library Board has collected \$70,000 in donations and would continue to do fund raisers to pay toward the debt of the building. Jeanne Zwart, Library Board Member, indicated that the City Land Use Plan and the local Horizons Group had both indicated that a new library was a positive concern to the public. Anne Davies, local librarian stated that there is a good possibility that we could loose the library if we do not move ahead on this, and also if we do not have a library we will still be paying taxes for the libraries in the County. She stated that we need to get the library under the city insurance umbrella. Consensus of the Council was to have the Library Board go before the EDA (Economic Development Authority) and give a presentation. The presentation before the EDA will be June 24<sup>th</sup>.

**John Roessler report:**

1. Quotes will be obtained for time and material on the repair of sanitary sewer line located east of the Elysian Bank and will be brought to the next regular meeting.
2. Motion by Rager, seconded by Hanson, all voting in favor, to approve the quote to blacktop Third Street NW to M&W Blacktopping in the amount of \$11,160.
3. On motion Hanson, seconded by Stoen, all voting in favor, to approve the crack filling of Main Street – Bargaen, Inc. in the amount of \$12,500 to be completed by mid September, 2010.
4. Discussion on the Willow Point Drive, Chesnut #3 Subdivision turn-around was held. Concern is that the area is too small for vehicles, including the snow plow, to make the turn with out digging up the grass area surrounding the turn around. Contact will be made with engineering firm as to solving the problem. On motion by Stoen, seconded by Hanson, all voting in favor, all houses in the Chesnut #3 Subdivision and Kaplan area must be hooked on to city water and sanitary sewer no later than August 1, 2010.
5. On motion by Hanson, seconded by Stoen, all voting in favor, approval of the quote from Freeborn Construction in the amount of \$6,300 to dig out storm sewer pond located in Willow Point Drive.
6. Discussion on the consideration to add a monthly charge to the utility bills for storm sewer. Consideration will be given when reviewing the 2011 budget.

Laura Elvebak representing MN Valley Council of Governments was present to update the Council on the personnel evaluations for supervisors and to set up a time for training for the Council on employee evaluations. A special meeting will be set within the month.

**Committee reports:**

- 1. Planning and Zoning – Councilmember Hanson presented costs for the publication of the PRIDE (Personal Responsibility In Daily Effort) brochure for the community. Breakdown of costs and the brochure consideration will be again presented to the EDA.**
- 2. Planning and Zoning, after holding a public hearing, recommended to the Council the approval of an Interim Use Permit for Bruce and Brenda Childs for a home occupation. On motion by Rager, seconded by Stoen, all voting in favor, approval was granted with the following conditions:**
  - 1. The Interim Use Permit would be granted for no longer than three (3) years;**
  - 2. Employees would be family members;**
  - 3. Minimum noise;**
  - 4. Low traffic volume**

**City Engineer John Schulte V offered an update on the review he and John Roessler made of the streets and underground utilities. two areas, Maple Avenue SW from and Park Avenue between First Street North and Second Street NE, are in urgent need of repair. A question was made on where exactly is Maple Avenue located. Is it in the City or a part in Janesville Township? A survey will be done. Discussion on how project would be paid. A special assessment policy would be drafted if project is to be paid by special assessments. The Engineer and Administrator will work on a policy.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to accept the short term capital improvement plan with the presented time line.**

**On motion by Hanson, seconded by Opsahl, Council authorized the moving forward of a feasibility study of the two areas, along with a draft special assessment policy which will be presented to the P&Z meeting followed by further discussion at the next regular council meeting. Voting Yes: Hanson, Opsahl, Stoen. Voting No: Rager. Motion declared passed.**

**Discussion on the salary consideration of City Administrator, now that her position status has changed to an exempt employee. No longer will overtime be paid. Members of the Personnel Committee, Edna Thayer offered \$1.00 per hour increase and Councilmember Clinton Stoen offered a formula of dividing out the overtime hours spent and the meetings attended and came up with an increase of \$1.66 per hour. Mayor Rager wanted no increase in salary, thus allowing no compensation for a minimum of 130 hours in meetings attended each year and be allowed no compensation for all other overtime duties. On motion by Hanson, seconded by Opsahl, to approve setting the salary of the City Administrator at \$57,000 per year, a yearly increase of \$2,566.40, which would include any overtime and would include all meetings of the city now regularly attending. Voting Yes: Hanson, Opsahl, Stoen. Voting No: Rager.**

**EDA Board member Rager updated the Board on finances of the EDA. He reported that the EDA had \$179,375.72 in the bank including \$40,000 in CD's and \$180,382.75 in business loans. He reported that the EDA was doing a good job.**

**Mayor Rager reported that Tiffani Atherton was working hard on getting the materials for the restoring the shore area by the beach area.**

**Councilmember Hanson reported that the park swing set had been painted and it looked good.**

**On motion by Stoen, seconded by Opsahl, all voting in favor, to approve a 3-day liquor license for Elysian Area Chamber of Commerce for July 4<sup>th</sup>. Celebration, and waive the \$50.00 fee.**

**On motion by Stoen, seconded by Opsahl, all voting in favor to allow the closing of the following street during the July 4<sup>th</sup>. Celebration:**

**JUNE 29<sup>TH</sup>. - JULY 6<sup>TH</sup>.**

**SECOND STREET FROM MAIN STREET TO THE ALLEY BETWEEN MAIN AND PARK AVENUE NE - LOCATION OF TENT**

**FRIDAY, JULY 2<sup>ND</sup>.**

**MAIN STREET FROM COUNTY ROAD #11 TO FIRE HALL FROM 8:00 P.M. TO END OF DANCE.**

**SATURDAY, JULY 3<sup>RD</sup>.**

**MAIN STREET FROM COUNTY ROAD #11 TO FIRE HALL FROM 8:00 P.M. TO END OF FIREFIGHTERS DANCE.**

**ROAD IN FRONT OF BANK FROM ALLEY TO MAIN STREET – FROM 6:00 A.M. UNTIL AFTER FIRE FIGHTER'S DANCE**

**SATURDAY, JULY 3<sup>RD</sup>. – CAR SHOW**

**FROM COUNTY ROAD #11 TO SCHOOL - 5:30 A.M. TO 3:30 P.M.  
ALL INTERSECTIONS WILL BE OPEN FOR CROSS TRAFFIC**

**SUNDAY, JULY 4<sup>TH</sup>.**

**MAIN STREET 10:00 A.M. FROM STATE HWY #60 TO STATE HWY #60**

**AFTER PARADE - STREET AREA FROM CORNER BAR TO FIRE HALL**

**TRIATHLON – JULY 10<sup>TH</sup>.**

**PARTIAL SIDE OF STREET - BIKE ROUTE MAIN STREET FROM COUNTY ROAD #11 TO FIFTH STREET NW**

**REQUEST TO CONTINUE POLICY FOR 2010 CELEBRATION**



Due to activities being sponsored by the Elysian Area Chamber of Commerce in conjunction with the City of Elysian during all July 4<sup>th</sup>. celebration activities, the following has been approved; All street vendors will be limited to only local non-profit organizations or local main street businesses; local Main Street businesses may not allow a vendor, other than their business, or a non-profit organization, to set up on their property; independent vendors will not be allowed to set up and do business during the celebration on any street in Elysian or in front of any business with the exception of Flea Market participants as long as they are not selling what the Chamber food stand is selling.

On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the following resolution:

**CITY OF ELYSIAN  
ELYSIAN, MINNESOTA**

**RESOLUTION 352/10**

**RESOLUTION ACKNOWLEDGING A DONATION FROM**

**Elysian Fire Department Relief Association  
Tax Relief**

WHEREAS, the City of Elysian has received a donation in the amount of \$300.00 from the Elysian Fire Department Relief Association for tax relief, to be used as a donation to the Elysian Area Chamber of Commerce toward the July 4<sup>th</sup> Celebration Fire Works.

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 from the Elysian Fire Department Relief Association.

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

Councilmember Stoen introduced the resolution and was seconded by Councilmember Opsahl.

Council Members voting in the affirmative: Stoen, Opsahl, Hanson, Rager

Council Members voting in the negative: none

Adopted by the City Council of the City of Elysian this 14<sup>th</sup>. day of June, 2010.

ATTEST:

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**Patricia Nusbaum, Clerk Administrator**

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**David Rager, Mayor**

**Administrator Nusbaum read letter from Xcel Energy regarding the costs involved with turning off street lights. Conversation regarding the question of vandalism, drugs, and burglary was held. Administrator Nusbaum indicated that this is a tourism city and that part of the police protection in the city is the street lights. No action was taken at this time.**

**Region Nine Small Business Development Center request for a donation. Request will be considered when preparing the 2011 budget.**

**Mayor Rager brought up the question of mowing being done in the city by city maintenance. Various areas of the city were mentioned including the Blue Bay area of the roadway, the Tustin Park area, and areas on Highway #60. A review will be made of the areas presently being mowed.**

**On motion by Hanson, seconded by Stoen, all voting in favor, a recess was called at 8:24 p.m.**

**On motion by Hanson, seconded by Stoen, all voting in favor, meeting was reconvened at 8:38 p.m.**

**On motion by Hanson, seconded by Opsahl, all voting in favor, to approve the certifying to taxes delinquent utility bills in the amount of \$4,395.58.**

**Councilmember Stoen addressed the Council on information which he had handed out to the Council which was a new publication called the Mayor's Handbook. He suggested that all read the good information in the book.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to approve bills, payroll, and transfers in the amount of \$86,041.51.**

**On motion by Hanson, seconded by Stoen, to allow the payment of interest to Administrative Law Judge in the amount of \$34.62 for services in the annexation of a portion of Lake Francis and Lake Tustin**

**Administrator's updates:**

- 1. Small Cities Housing update. Elysian will have three qualifying homes which will receive updating.**
- 2. Met with Waste Management on the consideration of possibly reviewing and lower the rates for Commercial refuse pickup. More information will be offered later.**
- 3. Fee Schedule for the city will be reviewed at the next meeting.**
- 4. Need volunteers for the July 4<sup>th</sup>. Celebration. Sign up in City Hall.**

5. Mention of vandalism to flower pots, a street sign, and the swimming buoys at the beach.
6. Received a letter from Standard & Poor's stating that we have an excellent bond rating.
7. Have had a lot of zoning issue and concerns this month.

**Mayor Comments:**

Thanks to Tim Bengston for his work in the obtaining of \$9300 for the ongoing training of firemen for firefighting and EMT training. The original grant was for recruitment but due to the fact that our roster is currently full we can use this money for training. Thanks Tim!!

This month of May shows \$744.57 in overtime. Johnny going to part time and Pat being put on salary and using the flexible hours option in our new personnel policy should result in a savings. This will lower our cost of operation and perhaps can be directed towards some of our streets that need attention.

Happy 4<sup>th</sup> of July to all

David

**Councilmembers comments:**

Roger Hanson – Would like to see a pool of applicants so that when a need is presented someone can be called to help out. On motion by Hanson, seconded by Stoen, to advertising for applicants for part time help so that a pool of people would be available to select from when extra help is needed.

Clinton Stoen – Need to be considering for the future when John Roessler fully retires, what is the plan for the transfer so that some of his knowledge can be taught to a person taking his position.

No one was present for Visitor's Comments.

Due to the City Auditor not being present, on motion by Rager, seconded by Hanson, to adjourn to a date to be determined to have the City Auditor present the 2009 Audit.

Attest:

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David Rager, Mayor

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Patricia Nusbaum, Clerk Administrator





**ELYSIAN CITY COUNCIL**

**JULY 7, 2010**

**SPECIAL MEETING**

**MINUTES**

**6:15 p.m.**

The Elysian City Council met in special session on Wednesday, July 7, 2010, at City Hall at 6:17 p.m.

Members present were: Mayor David Rager; Council members Roger Hanson, Mary Opsahl (arrived at 6:24 p.m.) and Clinton Stoen; and Laura Elvebak (Minnesota Valley Council of Governments). Absent: Tiffani Atherton.

Meeting was opened with the pledge to the US Flag.

On motion by Hanson, seconded by Stoen, all voting in favor, Laura Elvebak was appointed as Acting City Administrator for purposes of the July 7, 2010 Special Meeting.

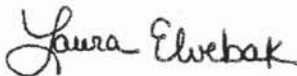
Elvebak provided the Council with a power point presentation detailing the purpose and process of completing the Performance Evaluation of the two (2) employees that it directly supervises, City Administrator and Public Works Director. Specific topics discussed were the purpose, rating system, evaluation conference preparation, meeting procedures and data practices/open meeting law statutes and applicability.

Council determined to set a Performance Evaluation Conference date of September 2010 for the City Administrator and Public Works Director. Elvebak will facilitate the process including, communicating with staff, coordinating preparation and completion of Performance Evaluation documents, and meeting logistics.

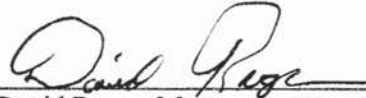
Elvebak will prepare a memorandum outlining the timeline and process to provide to the Council and staff.

On motion by Hanson, seconded by Stoen, all voting in favor, meeting adjourned at 7:06 p.m.

Attest:



Laura Elvebak, Acting City Administrator



David Rager, Mayor

**ELYSIAN CITY COUNCIL  
JULY 12, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, July 12, 2010, at City Hall at 6:00 p.m.

Meeting was opened with the pledge to the US Flag.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen, Administrator Patricia Nusbaum, Public Works Director John Roessler, and City Attorney Jason Moran. Absent: Councilmember Tiffani Atherton and Deputy Clerk Lorri Kopischke.

Mayor Rager read a signed letter from Councilmember Tiffani Atherton as to her resignation from the City Council effective immediately.

On motion by, Hanson, seconded by Stoen, all voting in favor, minutes of the June 14, 2010 were approved with the following corrections:

June 14, 2010 minutes – as written: Discussion on the salary consideration of City Administrator, now that her position status has changed to an exempt employee. No longer will overtime be paid. Members of the Personnel Committee, Edna Thayer offered \$1.00 per hour increase and Councilmember Clinton Stoen offered a formula of dividing out the overtime hours spent and the meetings attended and came up with an increase of \$1.66 per hour. Mayor Rager wanted no increase in salary, thus allowing no compensation for a minimum of 130 hours in meetings attended each year and be allowed no compensation for all other overtime duties. On motion by Hanson, seconded by Opsahl, to approve setting the salary of the City Administrator at \$57,000 per year, a yearly increase of \$2,566.40, which would include any overtime and would include all meetings of the city now regularly attending. Voting Yes: Hanson, Opsahl, Stoen. Voting No: Rager.

Was approved to read: June 14, 2010 minutes – as amended: Discussion on the salary consideration of City Administrator, now that her position status has changed to an exempt employee. No longer will overtime be paid. Members of the Personnel Committee, Edna Thayer offered \$1.00 per hour increase and Councilmember Clinton Stoen offered a formula of dividing out the overtime hours spent and the meetings attended and came up with an increase of \$1.66 per hour. Mayor Rager wanted no increase in salary. On motion by Hanson, seconded by Opsahl, to approve setting the salary of the City Administrator at \$57,000 per year, a yearly increase of \$2,566.40, which would include any overtime and would include all meetings of the city now regularly attending. Voting Yes: Hanson, Opsahl, Stoen. Voting No: Rager.

June 23, 2010 minutes as written: **ELYSIAN CITY COUNCIL  
JULY 23, 2010**

**ADJOURNED MEETING  
FROM JULY 14, 2010  
MINUTES  
6:14 P.M.**

The Elysian City Council met in adjourned session on Wednesday, July 23, 2010, at City Hall at 6:14 p.m. The meeting was continued from the regular meeting of July 12, 2010.

All should read June 23, 2010 not July 23, 2010; and continued from June 14, 2010 regular meeting.

On motion by Rager, seconded by Stoen, all voting in favor, to accept the resignation of Tiffani Atherton from her Council position.

On motion by Hanson, seconded by Opsahl, all voting in favor, to approve the agenda with the following adjustments:

1. To remove #17 on the agenda - Councilmember Stoen council concerns

No one for Visitor's comments.

Brian Markham, AFLAC representative, was present to ask the council to allow him to speak to the employees to offer insurance plans that may be of interest to them, and would be deducted through payroll. Markham will contact City Administrator to see if there is further interest.

John Roessler-Public Works report:

1. Well Head Protection – informed Council of the request by the State Board of Health and Le Sueur County Sheriff's Department of an emergency alert of a security breach of several of the city water systems in MN. New security measures will be taken in Elysian to be certain that all is secure with the City water system. Keys will be limited to the Office and to Public Works Director, and Sheriff's Department.
2. A video of the needed repair to the sewer line adjacent to Second Street SW will be viewed by contractors prior to giving a quote as to cost to do the project.
3. Presented a quote for repair and painting of the water tower from MacGuire Iron in the amount of \$24,150.00. If the base needs to be sandblasted, an additional \$5,000 will be needed. The tower will be out of commission for approximately eight (8) days. Discussion was held on maybe the representative could come to the next meeting and talk to the Council about the work to be done. Councilmember Stoen indicated that a maintenance agreement might be considered so that in the coming years the costs would not be so excessive at one time. John Roessler will check into if the company has a payment plan option.
4. Updated the Council on the turn-around on Chesnut's 3<sup>rd</sup>. Subdivision. To keep from destroying the grass area while plowing snow, only one side of the turn-around will be plowed. Run off of water from Chesnut's #3 was discussed.

5. **Update on Park vandalism – Ugly’s Welding has secured a portion of the swing set. The other portion of the swing set had to be removed. Everyone is reminded that any activity at the park between 10:00 p.m. and 4:00 a.m. the Le Sueur County Sheriff’s Department should be called at 911.**
6. **OSHA Standards indicates that a containment ring should be surrounding the oil storage unit in the city shop. More information will be presented at the next meeting regarding costs for servicing oil to the city vehicles or if it is more economical to continue in the manner presently being done.**

**Wendy Atherton, representing the Elysian Library Board, handed out packets of material regarding information on the library proposal along with the housing of the Food Shelf and possible fitness center in the Elysian Bank building (formerly the Childs Building) for the purpose of consideration for the city to own the building. The Council at the last meeting had referred the Library Board to the EDA and the EDA referred the Library Board back to the Council. At the EDA Board meeting it was recommended to have the Building Inspector look at the building and make a report. Dan Murphy, Building Official was present to present to the Council his report on the building. He found some minor repairs, stated that the building was a very stable and sound building and structurally was built to house commercial property, and has no signs of structural failure. It has one of the best roofs you can have, water that has been in the building over time has come from the window wells and lack of gutters and down spouts. He indicated that repair could cost between \$3,000 and \$5,000 which would include a new front door. He explained what needs to be done in the basement such as scraping the walls and painting on a sealer. Discussion was held and questions answered. Louise Loney, 306 Third Street NW offered that the basement would be a great asset to the community for a space for any number of rentals. On motion by Hanson, seconded by Stoen, all voting in favor, to hold a public hearing on a date to be announced, to present to the public plans for the Library and how debt payments would be met.**

**Pastor Roy Andrews, Elysian Assemblies of God Church, stated that there would be a program offered for the children of the community at the Lake Francis Park on August 12, 13, & 14 between the hours of 6:30 p.m. and 8:30 p.m. Free food would be offered.**

**Mike Scott, Elysian Fire Relief Association, was present to inform the Council on the recent Fire Relief Association By-Laws and Articles of Incorporation updating. They worked through a firm recommended by the State. He also requested the Council consider an increase in Fire Fighters pension benefits. He presented a request of \$200 per service year per Fire Fighter. City Administrator will work with Fire Relief Auditors to see what impact the \$200 would have on future years funding. Mayor Rager would like to see the Townships involved with contributing to the pension funding. Further discussion will be held at the budget meeting.**

**The Internal Control Policy was presented by Administrator Nusbaum. Mayor Rager requested that the phrasing on page 2 of the policy to read; bank statements shall be opened by the City Administrator for review to read: bank statements shall be reviewed by City Administrator. Also to not allow signature stamps be used when signing checks. Council noted that that would be a council decision. On motion by Stoen, seconded by Hanson, to**



approve the Internal Control Policy with the changes as noted. Voting Yes: Stoen, Hanson, Opsahl. Voting No: Rager. Motion declared carried.

Councilmember Stoen presented the following resolution with Councilmember Opsahl seconding;

**CITY OF ELYSIAN  
ELYSIAN, MINNESOTA**

**RESOLUTION 353/10**

**RESOLUTION ACKNOWLEDGING A DONATION FROM**

**Councilmember Roger Hanson**

WHEREAS, the City of Elysian has received a donation in the amount of \$48.25 from Councilmember Roger Hanson and has designated this donation be used for Elysian National Night Out to be held August 3, 2010.

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 from Councilmember Roger Hanson.

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

Councilmember Stoen introduced the resolution and was seconded by Councilmember Opsahl.

Council Members voting in the affirmative: Stoen, Opsahl, Rager.

Council Members voting in the negative: None

Councilmember Abstain: Hanson

Adopted by the City Council of the City of Elysian this 12th day of July, 2010.

ATTEST:

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Patricia Nusbaum, Clerk Administrator

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David Rager, Mayor

Councilmember Hanson presented the following resolution with Councilmember Opsahl seconding:

## **RESOLUTION 354/10**

### **RESOLUTION ESTABLISHING DATES FOR FILING AFFIDAVITS OF CANDIDACY**

**BE IT RESOLVED**, by the Elysian City Council, State of Minnesota, as follows:

- 1. The period for filing affidavits of candidacy of the office of Mayor and Council shall begin on August 3, 2010 and shall close on August 17, 2010. An affidavit of candidacy must be filed in the Office of the Administrator and the \$2.00 filing fee paid prior to 5:00 p.m. on August 17, 2010.**
- 2. The Administrator is hereby authorized and directed to cause notice of said filing dates to be published in the official newspaper of the city, at least two (2) weeks prior to the first day to file Affidavits of Candidacy.**
- 3. The Administrator is hereby authorized and directed to cause notice of said filing dates to be posted at the administrative office of the City of Elysian at least ten (10) days prior to the first day to file Affidavits of Candidacy.**
- 4. The notice of said filing dates shall be in substantially the following form:**

### **PUBLIC NOTICE**

#### **NOTICE OF FILINGS OF AFFIDAVITS OF CANDIDACY FOR THE CITY ELECTION, CITY OF ELYSIAN, LE SUEUR AND WASECA COUNTIES, STATE OF MINNESOTA**

**NOTICE IS HEREBY GIVEN;** that the City of Elysian City Municipal Election will be held in the City of Elysian on Tuesday, November 2, 2010, for the following positions:

**Mayor – Two (2) year term  
Councilmember – Four (4) year term  
Councilmember – Four (4) year term**

**Affidavits of candidacy for the above positions may be filed at the Office of the Administrator at City Hall, located at 110 West Main Street between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday starting on Tuesday, August 3, 2010 through Tuesday, August 17, 2010.**

**Filing will close at 5:00 p.m. on August 17, 2010.**

**Filing fee: \$2.00**

**Dated: July, 12, 2010**

**Resolution presented by Member Hanson, seconded by Member Opsahl, resolution approved with the following vote being taken:**

**Voting Yes: Hanson, Opsahl, Stoen, Rager**

**Voting No: None**

Abstain: None

Attest:

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Patricia Nusbaum, Administrator

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Dave Rager, Mayor

Councilmember Opsahl presented the following resolution with Councilmember Stoen seconding:

## **CITY OF ELYSIAN**

### **RESOLUTION NO. 355/10**

#### **A RESOLUTION APPROVING 2010 ELECTION JUDGES FOR BOTH THE STATE PRIMARY AND GENERAL ELECTIONS**

**BE IT RESOLVED**, by the Council of the City of Elysian, County of Le Sueur and Waseca Counties, State of Minnesota, that the following persons will be 2010 Election Judges for the August 10<sup>th</sup> State Primary and the November 2<sup>nd</sup> General Election. Their hourly rate of pay will be \$9.00 per hour.

Myra Battenfeld, Marie Tuve, Bernice Kuehn, Shirley Tetzloff, Ruby Cumberland, Marilyn Sandquist, Nadene Strong, Marge Pribyl, Wayne Unke, and Patricia Nusbaum, Head Judge.

**BE IT FURTHER RESOLVED**, Elysian City Administrator will be the Head Election Judge and as such we further grant her authority to designate additional election judges should an emergency arise.

Resolution was presented by Councilmember Opsahl, seconded by Councilmember Stoen with the following vote being taken:

Voting Yes: Opsahl, Stoen, Hanson, Rager.

Voting No: None.

**ADOPTED** by the City Council this 12<sup>th</sup> day of July, 2010.

Attest:

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Dave Rager, .Mayor

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Patricia Nusbaum, City Administrator

**On motion by Stoen, seconded by Opsahl, all voting in favor, to approve bills, payroll, and transfers in the amount of \$67,255.06.**

**City Administrator updates:**

- 1. Working with the Cities of Cleveland, Morristown, and Waterville through MN Valley Council of Governments to jointly participate in being involved with a League of MN Cities Insurance Trust safety committee.**
- 2. Working with MN Valley Council of Governments on updating our Right to Know Policy.**
- 3. Mayor and Administrator met with representatives of Waste Management as to discussion on fees for Commercial refuse collection. Updates will be given at the next meeting.**

**Mayor Comments July 2010**

**Thanks to everyone who helped at the 4<sup>th</sup> of July festivities. I know it would not be possible without the people pitching in. I look forward to a report from the Chamber of Commerce showing the revenue generated from this event.**

**We continue to look at ways of saving the money in the city, and cutting down on mowing the City does is just one of the areas. Thanks to everyone for their input on this.**

**EDA Report June 25, 2010**

**The EDA accounts total \$180,431.84 consisting of nine CDs at \$5,000.00 each and \$135,431.84 in savings. There are 13 loans to different businesses totaling \$179,309.78 at 3% as of June 23, 2010.**

**The EDA considered the library boards request for funding and voted unanimously to send it back to the City Council. The EDA board felt that there should be voter/public input as well as council approval before this comes before the EDA for any kind of financing.**

**David Rager**

**Councilmembers Comments:**

- 1. Councilmember Hanson – asked about the soccer nets at the Park. Were they being used this year? If not maybe they could be moved to a better location. Displeased with the City Engineer not showing up for meeting. The Council approved the P&Z committee meeting with the Engineering firm on their regular meeting night at August 3, 2010 at 7:00 p.m. due to National Night Out.**

**Visitor's Comments:**

- 1. Mack Evans, 103 Park Avenue NW - Wanted to know what was accomplished at this meeting? In 1987 the water tower was built. It was a hard decision, but the Council made the decision. Where did they get the funds? How did they get it done? In 1991-1992 – streets were paved, it was a tough decision by the Council,**



but they went ahead and found a way to get it done. The EDA through a lease purchase agreement in 1987 made another decision to build a new fire hall, one of the best in the area. A lease purchase was also made with the EDA on the purchase of the City Hall. Elysian lost the elementary school in 2008. No City should lose their school. Now we have the library discussion. The library offers so much for so many. Now we have another tough decision. The EDA needs to consider helping with funding. The EDA is purchasing CD's monthly at a rate of interest of 2% when they could be loaning out to the businesses at 3%. The funds used for the Library would not be tax dollars. Donations would help to pay off the debt. Maybe we are more interested in turning out street light.

On motion by Hanson, seconded by Opsahl, all voting in favor, meeting adjourned at 7:50 p.m.

Attest:

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David Rager, Mayor

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Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL  
JULY 23, 2010  
ADJOURNED MEETING  
FROM JULY 14, 2010  
MINUTES  
6:14 P.M.**

The Elysian City Council met in adjourned session on Wednesday, July 23, 2010, at City Hall at 6:14 p.m. The meeting was continued from the regular meeting of July 12, 2010.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Clinton Stoen, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke. Absent: Councilmembers Tiffani Atherton, Mary Opsahl.

Mayor Rager stated that Councilmember Atherton had resigned her position as of 4:23 p.m. on 4/23/10. He had received the notice by e-mail. Administrator Nusbaum stated that the resignation had to be in writing. Mayor Rager said the Council could not deal with it until the next regular meeting.

Also present were: Auditors from Burkhardt and Burkhardt, Inc, Mike Burkhardt and Greg Burkhardt.

Meeting was opened with the pledge to the US Flag.

Mike Burkhardt presented the 2009 City Audit. Various line items were pointed out. He stated that Lorri Kopischke and Pat Nusbaum had done a super job. He stated that their was nothing materially wrong.

He indicated that cash was down \$100,000, bonds were down \$400,000 due to refunding and normal repayment.

Fund equity, \$1,012,567 which is designated for special projects.

The enterprise funds were down about \$48,000 and \$71,000, in part due to depreciation of systems.

There were very few, if any adjustments to be made. The reserve fund is \$799,000 and is earmarked not subject to normal activity of City. There is a balance of \$86,000 for operating.

Mayor Rager was concerning about security with stamping of checks.

Burkhardt indicated that internal controls dealing with segregation of duties is to be continued to be worked on as good as can be expected, which is not any different from any other smaller city.

**A draft internal control policy had been reviewed by the Auditors and they stated that it was pretty comprehensive. Administrator Nusbaum indicated that it is how the office operates, it is what we do. Council asked that the draft be placed on the July regular agenda for further discussion.**

**On motion by Hanson, seconded by Stoen, all voting in favor, City of Elysian 2008 audit was approved as presented.**

**Burhkardt indicated that after the letter of representation is signed he can release the finding in the audit and maybe a special meeting could be set for the audit report.**

**Added to the agenda was an emergency item regarding the vandalism at the park. Half of the swing set was destroyed. Swing set had been secure for nearly 60 years. Ugly Welding could repair that portion that was still secure for no more than \$300.00. Motion was made by Hanson, seconded by Stoen, all voting in favor, to have the swing set repaired by Ugly's Welding at a cost of up to \$300.00.**

**Mayor Rager indicated that a reward could be offered for any one could help with finding those involved with the vandalism. The person could remain anonymous. Nusbaum indicated that the reward would be given only upon conviction.**

**Nusbaum had a list of 7 lights that were out on Main Street. This is due to the lights being a series and when the pole on Main Street fell over nearly all of the lights went out. Rager stated that the decorative lights need to be more solidly secured. Xcel Energy will be contacted.**

**On motion by Stoen, seconded by Hanson, all voting in favor, meeting adjourned at 7:07 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, Administrator**

**ELYSIAN CITY COUNCIL  
AUGUST 9, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, August 9, 2010, at City Hall at 6:00 p.m.

Meeting was opened with the pledge to the US Flag.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.

On motion by, Hanson, seconded by Stoen, all voting in favor, minutes of the July 12, 2010 were approved as presented.

On motion by Hanson, seconded by Stoen, all voting in favor, to approve the agenda with the inclusion of the presence of Le Sueur County Sheriff Tom Doherty.

Le Sueur County Sheriff Tom Doherty was present to speak with the Council on any concerns or questions that they may have regarding police protection for the City. He asked what the Sheriff's Department can do to make things better? Doherty mentioned the July 4<sup>th</sup>. Celebration and how the Sheriff's Department will not tolerate under age drinking and had good control on it. Thanked those involved with the National Night Out, very nice. Councilmember Hanson thanked Sheriff Doherty for his work on the Le Sueur County Emergency Management team of which John Roessler and Hanson are also members.

Visitor's comments:

1. Katy Anttila - 207 Maple Avenue SW
  1. Wanted to offer comments on two items on the agenda.  
Compensation for the Councilmembers for 2011 & 2010 she would ask that they reduce their salary by 20%.
  2. Regarding the increase in wages for a part-time position, wanted to bring to the Council attention and remind the Council that a 12% increase was given last year and that should be discussed as part of the budget process and through a performance review.

Councilmember Stoen presented the following resolution and asked for approval, with Councilmember Hanson seconding.



## **RESOLUTON 356/10**

### **RESOLUTION DECLARING A VACANCY IN COUNCIL POSITION AND DETERMINING MANNER IN WHICH TO FILL POSITION**

**WHEREAS;** the City Council of the City of Elysian, has accepted the resignations of Tiffani Atherton, a Councilmember from the Elysian City Council, and

**WHEREAS;** the resignation has created a vacancy in that position, and

**WHEREAS;** The Elysian City Council of the City of Elysian do hereby declare a vacancy in the Council position, and

**THEREFORE, BE IT RESOLVED;** the Elysian City Council acknowledges the vacancy and proceed to determine the action best suited to filling the vacated position.

After full discussion, the following action was taken thereby determining how the vacated position shall be acted upon; Member Stoen moved to approve resolution 356/10, with Member Hanson seconding the motion, to leave the position vacant until after the November 2<sup>nd</sup>. general election at which time the candidate with the most votes will be appointed at the regular November meeting of the Council to fill the vacant position.

Upon vote being taken thereon; the following voted in favor:  
Stoen, Hanson, Rager

The following voted against: None

Whereupon said resolution was declared duly passed and adopted:

Dated this 9<sup>th</sup>. day of August, 2010.

Attest:

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Patricia Nusbaum, Clerk Administrator

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David Rager, Mayor

Chip Kudrle of Cedar Pointe Drive addressed the council with a petition of the majority of the Kaplan area homeowners asking for the City to be responsible for snow plowing the Cedar Point Drive and Cedar Point Lane area. On motion by Hanson, seconded by Stoen, all voting in favor, to approve the entering into a one year agreement for snow removal with automatic renewal thereafter for successive one year periods unless terminated in writing by the City or the Association.

**John Roessler report:**

1. John Schulte V, Jones, Haugh & Smith Engineering was present to review with the Council the proposed feasibility study to update Maple Avenue SW and a portion of Park Avenue NE. Discussion was held on the process of the project. Discussion on the special assessing of costs and the consideration of a city wide improvement plan. (Councilmember Opsahl arrived at 6:28 p.m.) On motion by Hanson, seconded by Stoen, to hold a public improvement hearing on September 20, 2010 at City Hall for the purpose of allowing public input on designated special assessment costs to property owners along Maple Avenue SW and Park Avenue NE from County Road #11 and Second Street NE.
2. On motion by Hanson, seconded by Opsahl, all voting in favor, to approve the Le Sueur County State Aid Maintenance Agreement in the amount of \$7,629.19 for 2010.
3. Tower repair and painting will be finalized at the next meeting. Another quote is being obtained.
4. Sewer line repair – will be getting quotes on time and materials.
5. On motion by Hanson, seconded by Stoen, all voting in favor, to obtain quotes for metal roofing for the city maintenance building prior to the September meeting.
6. Roessler asked that the part-time position now being held by Max Venero be considered for an increase in wages due to the maintenance department needing more help because of Roessler being on part-time and Taylor will be dealing with some medical problems. Roessler asked that Venero's salary be increased from \$9.50 per hour to \$12.50 per hour. After much discussion, on motion by Hanson, seconded by Stoen, to allow a \$1.00 increase per hour starting September 10, 2010 when Taylor starts medical leave with salary increase to be ongoing thereafter. Voting Yes: Hanson, Stoen, Opsahl. Voting No: Rager.

Tess Koster, 113 Willow Point Drive was present to discuss with the Council her thoughts on planting wild flowers on various city owned properties. Her thought would be that with the wild flowers a reduction in city mowing costs by 1/3 would be

the end result. She compared the cost of mowing gas, oil, mower, which she stated saved the city \$6,382 in savings in comparison to planting wild flowers.

Kris Greenwald, Greenwald Greenhouse and Landscaping, was present to inform the Council of the commitment and time that it takes to have a wild flower area along with the costs and maintenance of the wild flower area. She also stated that she was asked by Koster to bring a quote on wild flowers, she stated that she did not bring a quote. Maintenance included planting of the flowers, mowing the first year along with weeding, and then burning off of area every 3-5 years. With wild flowers rodents will come, rats, snakes. and wild life, also there is a commitment from volunteers, city maintenance and professionals who would be involved with the spraying of round up around properties, and for the burn offs of the area. The following citizens and property owners surrounding the area in question commented to the Council their concerns regarding the planting of the wild flowers.

1. Tom Doran – 213 Jill Lynn Circle – the area is a lot more than 4 acres, the area would turn into a weed patch. He likes it mowed. How do you get volunteers to be out weeding in the wild flowers in 95 degree heat? As far as a corn field in that area, we did not move to Elysian, invest in housing to be living in a corn field. A lot of uninformed people enjoy the flowers for about two weeks, and the rest of the time it is weeds. Where did the bike paths go that were originally in the plans? He was concerned about the empty lots left to be sold. Who would be interested in buying next to a weed patch? He is not sure that all have been informed properly about wild flowers, need to know all the pros and cons.
2. Tim Wolters – 120 Shoreview Drive – He mows the vacant lot next to him to try to make the area look nice. Max does most of the mowing for the city out in that area, and it always looks nice and crisp. Wolters mows because if he didn't all kind of rodents will invade the area, rats in packs and snakes. Maybe alfalfa would be an alternative. He would like to see flowers area set back so that a mowed portion around the perimeter could be away from the property owners. Was a little nervous about burning off the area when so many houses are so close.

On motion by Rager, seconded by Hanson, all voting in favor, to appoint City Administrator Nusbaum to the Budget and Finance Committee.

Wayne Unke, member of the Budget and Finance Committee, asked the Council to allow the expenditure for the City Auditor to be present at a Budget and Finance committee meeting to answer some questions regarding the 2009 Audit. On motion by Rager, seconded by Hanson, to allow the expenditure for the City Auditor to meet with the Budget and Finance Committee. Voting Yes: Rager, Hanson; Voting No: Opsahl, Stoen. Motion denied due to a lack of a majority.

**On motion by Hanson, seconded by Stoen, all voting in favor, to keep the Mayor and Council salaries at the same rate as the past many years.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to approve the bills, payroll, and transfers in the amount of \$72,700.01.**

**Committee reports:**

**Park – no report**

**Community Education – no report**

**Planning and Zoning – working to update the City fee and fine schedule; investigating a request for a short wave radio antenna tower.**

**Budget and Finance Committee – no report**

**EDA – Mayor Rager reported on present funds in the EDA accounts to include \$179,000 in outstanding loans; over \$110,000 in funds available for loan to businesses and \$70,000 in operating funds.**

**On motion by Stoen, seconded by Opsahl, all voting in favor, to appoint Councilmember Hanson to the Park Committee.**

**Clerk Administrator updates:**

- 1. Meeting with Waste Management – presentation to Council in September**
- 2. Motion was made by Hanson, seconded by Stoen, all voting in favor, to hold a special meeting on August 24, 2010 at 6:00 p.m. at City Hall, to work on the 2011 budget.**
- 3. Explained the transfer from the Joint Fire Savings account in the amount of \$7,595.47 to City general fund for shortages due the city for coverage of the Fire Department budget over the past three years.**

**Mayor Comments August 2010**

**I would like to thank the taxpayers of Elysian for funding the National Night Out. There was \$500 appropriated in the budget originally and when organizers of this event came back asking for more, another \$200 was voted on and approved by the council majority. This event was made possible in large part by the citizens and taxpayers of Elysian.**

**The joint fire board met on July 26<sup>th</sup> and voted to pay back the overages in expenses incurred by the City over the past 3 years in the amount of \$7,595.47. A future meeting was also agreed on to discuss the fire department budget for the upcoming year of 2011.**

**We have been and will continue to meet with Waste Management in an effort to bring down the costs to our commercial customers while still maintaining a well run waste collection system for all.**

**David**

**Visitors: Comments:**

1. **Mike Kauss - 6 Egret Lane –Sometimes the most subtle comments get my attention. Kauss wanted to comment on the Mayors comments from the July 12<sup>th</sup>. council meeting in which he had commented on the July 4<sup>th</sup>. Celebration. He thought it was very nice that the Mayor had complemented the people for helping with the Celebration. What Kauss found interesting was that the Mayor had not commented on the dances, the petting zoo, the library book sale, the pancake breakfast. The Mayor only seemed interested in a report from the Chamber as to the revenues generated from the event. As the Mayor always says “this is just my opinion”. Kauss stated that this is just his opinion.**

**Regarding the Library, the issue has gone from Council to EDA back to the Council. Is the Council going to make a commitment to the venture?**

2. **Christina James, 43911 43<sup>rd</sup>. Street, Elysian – Responding to the discussion on consideration of the increase of wages for a part-time employee. It is the responsibility of the Council to address the position not the people in that position.**
3. **Steven Ritchison – 101 4<sup>th</sup>. Street NW – Praised Koster on trying to save money for the city. Wish city would do that, City sure likes to spend it.**

**On motion by Hanson, seconded by Stoen, all voting in favor, meeting adjourned at 8:24 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, City Administrator**



**ELYSIAN CITY COUNCIL  
WORKSHOP MEETING  
AUGUST 24, 2010  
MINUTES**

**The Elysian City Council met in special session on Tuesday, August 24, 2010, at City Hall at 6:00 p.m.**

**Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen; Clerk Administrator Patricia Nusbaum; Deputy City Clerk Lorri Kopischke.**

**Discussion was held on the proposed street projects on Maple Avenue and Park Avenue NE. There was Council consensus to develop a current special assessment policy, consider a full street and infrastructure plan, and pursue grants to help fund the project.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to contact John Schulte of Jones, Haug & Hosfield and request he provide a quote to develop a full street and infrastructure plan for the City.**

**Discussion on the proposed 2011 budget was held. Further discussion will be held at the next Workshop meeting on September 2<sup>nd</sup> at 6:00 p.m.**

**On motion by Hanson, seconded by Stoen, all voting in favor, meeting adjourned at 8:40 p.m.**

**Attest:**

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**Dave Rager, Mayor**

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**Lorri Kopischke, Deputy City Clerk**

**ELYSIAN CITY COUNCIL  
WORKSHOP MEETING  
SEPTEMBER 2, 2010  
MINUTES**

The Elysian City Council met in special session on Thursday, September 2, 2010, at City Hall at 6:00 p.m.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen; Clerk Administrator Patricia Nusbaum; Deputy City Clerk Lorri Kopischke.

Clerk Administrator presented the two major updates to the budget including the Street Improvement Study and the Water Tower restoration.

The Council then discussed the recommendations of the Budget and Finance Committee.

On motion by Hanson, seconded by Stoen, to include in the 2011 payable budget an increase in overall wages at 1.25% and to continue the wage freeze at least six months into 2011. Voting Yes: Hanson, Opsahl, Stoen. Voting No: Rager. Motion declared passed.

On motion by Rager, seconded by Opsahl, all voting in favor, to reduce the amount for Legal Fees in the 2011 payable budget from \$8,000 to \$5,000.

There was Council consensus to reduce the amount for Rewards in the 2011 payable budget from \$200 to \$0.

There was no action on the 2010 amounts in 101-43100-300 (Street Professional Services) and 101-43100-303 (Street Engineering Fees) as those amounts are being expended in 2010.

On motion by Hanson, seconded by Stoen, all voting in favor, to transfer unused 2010 amount of \$32,000 to the 2011 and reduce the amount of the 2011 Budget 101-43100-500 (Street Capital Outlay General) to \$0.

There was Council consensus to not change the amount in the 2011 Budget 101-43100-502 (Street Capital Outlay Equipment).

There was no action on the 101-43125-102 (Full Time Employee Overtime - Snow) as this amount was already removed from this version of the 2011 budget.

On motion by Hanson, seconded by Opsahl, all voting in favor, to reduce the amount in 101-45200-560 (Park Furniture and Fixtures) to \$3,000 in the 2011 Budget as presented in this version of the budget.

**On motion by Rager, seconded by Hanson, all voting in favor, to pay \$25 for 2010 membership fee to the Lake Francis Lake Association.**

**On motion by Hanson, seconded by Rager, all voting in favor, to reduce the amount for EDA Operating Transfers 101-46500-700 in the 2011 Budget from \$20,000 to \$0.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to reduce Contingency Fund 101-49200-496 in the 2011 Budget from \$10,000 to \$5,000 and to remove from 2011 Budget in December if not needed.**

**On motion by Rager, seconded by Hanson, all voting in favor, to move the funds from the City Fire Department Building Savings Account to cover the amount of the City of Elysian Share of the Final Bond Payment and reduce the expenditure amount accordingly in the 2011 Budget.**

**Discussion was held on other line items of the proposed 2011 budget.**

**On motion by Opsahl, seconded by Stoen, to move \$7,000 from 602-49450-502 (Sewer Capital Outlay Equipment) to 101-45200-560 (Park Furniture and Fixtures).**

**On motion by Rager, seconded by Hanson, all voting in favor, to reduce the total 220 (Fire) Expenditure Fund to \$74,044.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to hold the next Workshop meeting on September 7<sup>nd</sup> at 6:00 p.m.**

**On motion by Stoen, seconded by Hanson, all voting in favor, meeting adjourned at 7:35 p.m.**

**Attest:**

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**Dave Rager, Mayor**

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**Lorri Kopischke, Deputy City Clerk**

**ELYSIAN CITY COUNCIL  
WORKSHOP MEETING  
SEPTEMBER 7, 2010  
MINUTES**

**The Elysian City Council met in special session on Tuesday, September 7, 2010, at City Hall at 6:00 p.m.**

**Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen; Clerk Administrator Patricia Nusbaum; Deputy City Clerk Lorri Kopischke.**

**Discussion on the revised proposed 2010 budget was held.**

**There was Council consensus to present the Preliminary Levy 2010 Payable 2011 as presented tonight at the September 13, 2010 regular Council Meeting.**

**On motion by Stoen, seconded by Hanson, all voting in favor, meeting adjourned at 6:29 p.m.**

**Attest:**

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**Dave Rager, Mayor**

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**Lorri Kopischke, Deputy City Clerk**

**ELYSIAN CITY COUNCIL**

**SEPTEMBER 13, 2010**

**REGULAR MEETING**

**MINUTES**

**3:45 P.M.**

The Elysian City Council met in regular session on Monday, September 13, 2010, at City Hall at 3:45 p.m.

Members present were: Mayor David Rager; Council members Roger Hanson, Mary Opsahl and Clinton Stoen. Absent: None. Staff present: Pat Nusbaum and John Roessler. Others present: City Attorney Jason Moran and Laura Elvebak (Minnesota Valley Council of Governments).

Mayor Rager called the meeting to order at 3:57 p.m.

On motion by Hanson, seconded by Stoen, all voting in favor, Laura Elvebak was appointed as Acting City Administrator for purposes of the September 13, 2010 City Council Regular Meeting Closed Sessions.

Elvebak answered questions of the Council regarding the process of completing a Performance Evaluation conference of employees.

City Administrator Nusbaum arrived at 4:04 p.m.

The City Council went into closed session to evaluate the performance of an employee subject to their authority, City Administrator Pat Nusbaum.

**City Administrator Pat Nusbaum Performance Evaluation Summary**

The City Council considered the City Administrator's overall performance, as well as, performance in twenty (20) specific performance areas. The City Council concluded that Nusbaum consistently met the expectations for the position.

The performance areas in which the City Council evaluated Nusbaum were:

1. Commitment to Service
2. Communication
3. Decision Making
4. Job Knowledge
5. Dependable
6. Organization and Planning
7. Personal Initiative
8. Quality
9. Productivity
10. Teamwork



11. Adaptability
12. Rules and Procedures
13. Attendance and Punctuality
14. Safety
15. Integrity and Trust
16. Care and Use of Equipment, Tools, Materials and Supplies
17. Flexibility
18. Guiding/Influencing
19. Fiscal Management
20. Management

In addition, the City Council considered twenty-two (22) position specific performance areas and again, Nusbaum consistently met expectations. Council and Nusbaum did agree that an area needing improvement would be involving time management skills. Council also recommended that Nusbaum and Council continue to work on creating a workplace which reduces the current tension and increases the ability to work together.

Nusbaum was praised for her years and dedication of service and her knowledge of the job.

On motion by Stoen, seconded by Hanson, all voting in favor, the Performance Evaluation was accepted by the City Council as submitted.

Nusbaum left at 4:45 p.m.

Public Works Director John Roessler arrived at 4:50 p.m.

The City Council continued in closed session to evaluate the performance of an employee subject to their authority, Public Works Director John Roessler.

**Public Works Director John Roessler Performance Evaluation Summary**

The City Council considered the Public Works Director's overall performance, as well as, performance in twenty (20) specific performance areas. The City Council concluded that Roessler consistently met the expectations for the position.

The performance areas in which the City Council evaluated Roessler are:

1. Commitment to Service
2. Communication
3. Decision Making
4. Job Knowledge
5. Dependable

6. Organization and Planning
7. Personal Initiative
8. Quality
9. Productivity
10. Teamwork
11. Adaptability
12. Rules and Procedures
13. Attendance and Punctuality
14. Safety
15. Integrity and Trust
16. Care and Use of Equipment, Tools, Materials and Supplies
17. Flexibility
18. Guiding/Influencing
19. Fiscal Management
20. Management

In addition, the City Council considered nine (9) position specific performance areas and again, Roessler consistently met expectations. Council did indicate that Roessler needs to continue to find ways and duties to delegate to staff.

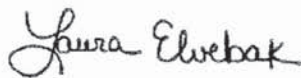
Roessler was praised for his years and dedication of service and his knowledge of the job. Additionally, Roessler was praised as an exemplary employee.

On motion by Hanson, seconded by Stoen, all voting in favor, the Performance Evaluation was accepted by the City Council as submitted.

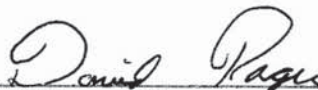
On motion by Hanson, seconded by Stoen, all voting in favor, the meeting was recessed until Monday, September 13, 2010 at 6:00 p.m.

Meeting recessed at 5:00 p.m.

Attest:



Laura Elvebak, Acting City Administrator



David Rager, Mayor

**ELYSIAN CITY COUNCIL  
SEPTEMBER 13, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, September 13, 2010, at City Hall at 6:00 p.m.

Meeting was opened with the pledge to the US Flag.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.

On motion by, Rager, seconded by Hanson, all voting in favor, minutes of the meetings of 8/9/10; 8/24/10; 9/2/10; 9/7/10 were approved, with the minutes of 9/2/10 to include the accounts as presented along with the numbers. (Minutes of 9/2/10 included with the changes made.)

On motion by Stoen, seconded by Opsahl, to approve the agenda as presented.

No one was present for Visitor's Comments.

Engineer John Schulte V, representing the firm of Jones, Haugh & Smith, Inc. presented his proposal for proceeding with the city street and infrastructure capital improvement plan. A complete plan would include looking at the existing water and sanitary sewer line conditions, storm sewer system, all street conditions, tower and hydrants, catch basins, and storm water ponds. The plan included the survey work being done this fall which will take approximately two weeks. After the survey the maps will be prepared of the existing utility lines and hydrants, sizes and ages. The next step is to write the report which includes condition of each system, areas in need of most urgent repair, and mapping of all items needing repair. The third step would be to design the plan and to determine all footages of each property owner. When plan is finished, the plan would be presented to the Council for review. The Plan is then sent to USDA for review after which funding sources to include grant possibilities and loans are researched in order to move ahead with the project. Plan could take well over a year to implement. Engineering costs for survey of city, mapping, proposal preparation for USDA would be \$31,850. No action was taken at this meeting, but will be placed on the next meetings regular agenda.

Matt Maes, Waste Management, was present to update the Council on meetings that had been held with Administrator Nusbaum and Mayor Rager. Maes thanked the Council for allowing time on the agenda and stated that Waste Management has a great working relationship with the City of Elysian and have had over many years.

Discussion was on commercial garbage pick up and the rate difference for the commercial properties. The City of Elysian is not involved with commercial refuse pick up or do any billing for commercial. Discussion centered around commercial and residential rates and recycling. Each business is different and as a result the auditing of each business is determined by the weight of what they dispose of in their dumpster. Discussion was held on recycling off set as an incentive to recycle; and possible increase in residential rates of 3%. Waste Management provides free refuse pickup for all city facilities and for the July 4<sup>th</sup>. Celebration. Commercial dumpsters include 22 total - 16 – 2 yards; 4 – 4 yards; 2- 6 yards and a handful of them recycle.

**John Roessler, Public Works Director report:**

1. Quotes for repair to the water tower were discussed. Quotes obtained were from: MacGuire Iron - \$24,150, for one coat and Utility Service Company in the amount of \$23,410 for one overcoat of paint system and \$29,561 for a two overcoat paid system. The one coat system will last 4-6 years and the two coat system will last 12-14 years. According to findings on the tower the application applied will be the last application and the following application on the tower will have to be sand blasted at a cost of approximately \$80,000. Attorney Moran suggested he had inserted into the rewriting of the antenna lease contract to state that any cutting of the tower for Alltel would include the consideration of Alltel participating in contributing to the cost of paint the tower. It was suggested that Alltel be contacted them at to part of the payment toward the work to be done. Action will be taken at the next regular meeting.
2. Discussion on quotes between James Brothers Construction and Hanks Construction for time and equipment to do a repair to a sanitary sewer line running East of Second Street SE adjacent to the DNR Singing Hills State Trail. Quotes were very comparable, after much discussion, and on motion by Councilmember Stoen seconded by Hanson, with all voting in favor, Hanks Construction was approved to do the project.
3. Roof quotes for the city maintenance building were presented with Schmahl Construction bid at \$5,763 and Wendt Construction at \$8,000. On motion by Hanson, seconded by Stoen, all voting in favor, to approve Schmahl Construction quote in the amount of \$5,763.
4. Discussed was held on the consideration to purchase an OSHA approved wall stacker system for oil confinement for use for city vehicles from Genesis. Costs consisted of \$1,043 for the wall stacker; oil – 15-W40; \$9.74 per gallon, \$2.15 per quart, presently paying \$3.41; 15-W20; \$7.25 per gallon, \$1.81 per quart, presently paying \$3.16. On motion by Hanson, seconded by Stoen, all voting in favor, to move ahead and install the system for the city vehicles.



**Steve Schnoor, who was on the agenda, was not present.**

**Megan James, representing Elysian's Holidazzle Parade on behalf of The Horizon Group, requested support from the City for insurance coverage and closing of Main Street prior to and during the parade and to also include handicap parking and senior parking. Again, the proceeds will go to Giving Tree, Library and Food Shelf. On motion by Hanson, seconded by Opsahl, all voting in favor, to work in cooperation with the Holidazzle Committee to be supportive in offering insurance for the event and to allow the closing of the street on December 4, 2010 prior and during the parade.**

**Administrator Nusbaum brought before the Council a citizen complaint – Property located at 309 North First Street, open bags of garbage, unkept area, harboring feral cats. On motion by Hanson, seconded by Stoen, all voting in favor, to send proper notice and then city crew will clean up and bill will be placed on property taxes.**

**Discussion on property located at 304 Maple Avenue SW was held. Notice will be given and if no response, city crew will clean up property.**

**Approval of resolution 357/10 – to allow off site gambling for the American Legion Club February 2011 Fishing Contest.**

**RESOLUTION 357/10**

**WHEREAS; THE ELYSIAN CITY COUNCIL WAS PRESENTED WITH A REQUEST FROM THE ELYSIAN AMERICAN LEGION POST #311 FOR ONE DAY OFF SITE LAWFUL GAMBLING,**

**WHEREAS; STATE LAWS OF MINNESOTA REQUIRE APPROVAL BE GRANTED BY THE LOCAL GOVERNING BODY, THUS THE CITY OF ELYSIAN,**

**WHEREAS; THE REQUEST WAS MADE AT A REGULAR MEETING OF THE ELYSIAN CITY COUNCIL,**

**NOW THEREFORE, BE IT RESOLVED; THE ELYSIAN CITY COUNCIL GRANTED APPROVAL FOR A ONE DAY OFF SITE LAWFUL GAMBLING LICENSE TO THE ELYSIAN AMERICAN LEGION POST #311, WITH A FISHING CONTEST TO BE HELD ON FEBRUARY 6, 2011, OR IN THE CASE OF INCLEMENT WEATHER, TO BE HELD ON FEBRUARY 13, 2011.**

**THE MOTION FOR THE ADOPTION OF THE FOREGOING RESOLUTION WAS PRESENTED BY MEMBER OPSHALAND SECONDED BY MEMBER STOEN, AND AFTER FULL DISCUSSION THEREOF AND UPON VOTE BEING TAKEN THEREON, THE FOLLOWING VOTED IN FAVOR THEREOF;**

**OPSAHL, STOEN, HANSON, RAGER**



**AND THE FOLLOWING VOTED AGAINST THE SAME:**

**NONE**

**WHEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND ADOPTED.**

**DATED THIS 13TH. DAY OF SEPTEMBER, 2010.**

**ATTEST:**

\_\_\_\_\_  
**PATRICIA NUSBAUM, CLERK ADMINISTRATOR**

\_\_\_\_\_  
**DAVID RAGER, MAYOR**

Deputy Clerk Kopischke presented the list of delinquent utility bills from the previous quarter for approval to be placed on property taxes. On motion by Stoen, seconded by Hanson, all voting in favor, to place delinquent utility bills on property taxes in the amount of \$6,425.85. Some discussion was held on whether continuing the placement on taxes or to turn off water.

On motion by Hanson, seconded by Stoen, all voting in favor, to present the following resolution for approval.

**RESOLUTION 358/10**

**RESOLUTION ADOPTING PRELIMINARY 2010 TAX LEVY, PAYABLE 2011  
CITY OF ELYSIAN  
LE SUEUR AND WASECA COUNTIES**

**BE IT RESOLVED;** the Elysian City Councilor of the City of Elysian , Le Sueur and Waseca Counties, Minnesota, that the following sums of money be levied for the current year, collectible in 2011, upon taxable property in the City of Elysian, for the following purposes:

<b>General Fund</b>	<b>\$385,578</b>
<b>Fire Relief</b>	<b>\$ 12,495</b>
<b>Public Works Reserve</b>	<b>\$ 2,000</b>
<b>Maint. Replacement Eq.</b>	<b>\$ 10,000</b>
<b>City Hall Debt</b>	<b>\$ 30,858</b>

**1998 GO Improvement Levy           \$ 37,925**

**Total Final levy                               \$478,856**

**The Clerk Administrator is hereby instructed to transmit a certified copy of this resolution to the County Auditor or Le Sueur County and Waseca County, Minnesota.**

**Adopted by the Elysian City Council on September 13, 2010.**

**Attest:**

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**Patricia Nusbaum, Clerk Administrator**

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**David Rager, Mayor**

**CITY OF ELYSIAN  
ELYSIAN, MINNESOTA**

**RESOLUTION 359/10**

**RESOLUTION ACKNOWLEDGING A DONATION FROM**

**Marge Pribyl  
Max Venero  
Chuck Taylor  
John Roessler  
Roger Hanson  
American Legion Auxiliary  
Elysian Area Chamber of Commerce  
American Legion Post #311  
City of Elysian**

**WHEREAS, the City of Elysian has received a donation in the amount of \$1,173.25 from the above named donors for the purpose of contributing to 2010 Elysian's National Night Out.**

**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 donations.**

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

Councilmember Hanson introduced the resolution and was seconded by Councilmember Opsahl.

**Council Members voting in the affirmative: Hanson, Opsahl, Stoen, Rager.**

**Council Members voting in the negative: None.**

**Adopted by the City Council of the City of Elysian this 13<sup>th</sup>. day of September, 2010.**

**ATTEST:**

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**Patricia Nusbaum, Clerk Administrator**

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**David Rager, Mayor**

**Discussion on the quote from Burkhardt & Burkhardt, LTD, auditors for the City of Elysian for fees for 2010, 2011, and 2012 audits. On motion by Hanson, seconded by Stoen, to direct Administrator Nusbaum to negotiate with Burkhardt & Burkhardt, LTD the charges for three years to do the audit.**

**On motion by Stoen, seconded by Opsahl, all voting in favor, to approve bills, payroll, and transfers in the amount of \$117,553.47.**

**Committee reports:**

- 1. Planning and Zoning, Community Ed, and Park – no meetings**
- 2. Budget and Finance – Handed out minutes of prior meetings, and will be working on water and sewer calculations for 2011 water and sewer rates.**
- 3. EDA – operating account - \$70,879.34; Revolving loan account \$112,110.09; Outstanding loans \$176,879.34**

**Administrator's updates:**

- 1. Council leaf pick up – Saturday, October 16<sup>th</sup>. starting at 9:00 a.m.**
- 2. COG meeting – September 15<sup>th</sup>. – Good Thunder**
- 3. League of MN Cities meeting – October 7<sup>th</sup>. – Montgomery**
- 4. Meeting with Townships – Fire Fighter's Pension - Discussion was held on holding a meeting with the Supervisors of the Janesville, Iosco, and Elysian Township Board to discuss pension benefits for the Elysian Fire Fighters. On motion by Hanson, seconded by Stoen, all voting in favor, a special meeting will be held on Monday, September 20, 2010 at City Hall at 6:00 p.m. Administrator Nusbaum will contact the Townships to confirm the date.**
- 5. Water and Sanitary Sewer hookups**

6. Made note of letter received from Mr. Nugent, thanking the Le Sueur County Sheriff Deputies for their response to his home burglary situation.
7. Thanks to the Council for my evaluation review and for granting a good evaluation.

#### **Mayor comments September 2010**

**A few months back former Mayor Mack Evans asked the council in a meeting to look at what we had accomplished at that meeting. It got me to thinking... what has this council accomplished so far as this administration looks to finish its two years in office?**

**We inherited the problem of the Chesnut 3 subdivision infrastructure which had drawn on for years. . .a project that probably should not have even been started until the necessary agreements and waivers had been signed by all involved. This council dealt with the problem, and now it is resolved.**

**We inherited the problem of reported shooting incidents near Lake View Manor. After many council meetings and public hearings including court hearings, the problem was addressed, and solutions were put in place.**

**We have addressed the overtime issue, and now we have a salaried clerk administrator and part-time public works director. We also have in place a flex-time program for those employees who are directed to work overtime.**

**The council minutes are now available on the city website.**

**We set up a personnel committee. Job descriptions have been written. A much needed revision of the personnel handbook was finished.**

**We completed employee evaluations for the first time since 2001.**

**The EDA files have been reviewed, and we are now addressing some of the shortcomings that were found. The EDA has also become much more transparent.**

**We have put in place a budget and finance committee that examined all lines of our budget. The result last year was a reduction in our tax capacity rate of 22%. Yes, this included looking at the street light issue that was mentioned.**

**We have taken bids on engineering and auditing firms which have resulted in thousands upon thousands of dollars saved for the city.**

**We are constantly looking at costs including fire department cost of operations, garbage services and anything that pertains to water and sewer. We have found that in prior years 2007, 2008, and 2009 that the City paid more then their share of the**

**day-to-day operation of the fire department, and the joint fire board voted unanimously to pay back the City \$7,595.47.**

**The streets have been let go for far too long and we are now trying to put together a capital improvement plan for this.**

**So I would say that if keeping the cost of living down while maintaining a well run city is your priority then this council would rate pretty high. In fact if anybody in this town deserves mayor's medals it would be these committee members and the city council.**

**David**

**Visitor's Comments:**

- 1. Gordon Kritzer, 310 Main Street East – Concerned about the parking lot of the Catholic Church regarding trucks treating it as a through street. Big semi's and garbage trucks use the area as a turn around and to connect with another part of the City. Since the area of driveway that meets the Main Street is so low, each time a truck approaches the Main Street it drags on the ground and breaks up the blacktop. Need to post two signs. One stating, "no trucks allowed" and another stating "church entrance and exit only".**
- 2. Mike Kauss, 6 Egret Lane – Thanked Megan James and the Holidazzle crew for the parade and activities and thanked the Council for their support of the parade. Employees do not receive enough recognition for the good things they do. He is proud of the community, again, he thinks it is a good idea to put City of Elysian logo on city vehicles. If the EDA is transparent, why are they not trying to enhance businesses to Elysian? He mentioned that the Mayor gave no recognition to the successful National Night Out volunteers; he praises only those that are his friends. He mentioned that the Mayor had said he would give \$100.00 to National Night Out, was asking if the Mayor had paid the \$100.00.**

**Mayor Rager interjected that he had stated that he would pay the \$100 only if the Council did not allow the additional \$200 above the budgeted \$500. Since the Council authorized the additional \$200 he did not pay the \$100. Mike Kauss said that was all he wanted to know and to have a good night.**

- 3. Megan James, 511 Highway #60 West – Commented on Waste Management truck driving on Nu Horizons parking lot blacktop. Made a couple of phone call to the company and matter was resolved. She questioned the quote of James Brothers and Hanks Construction. Was concerned about giving a project to a business outside of the community.**



James Brothers are local business owners, local employers, donate to the city/community, are tax payers in the city, and provide space for parking for July 4<sup>th</sup>. parade. The quotes were close with James Brothers, a local business, being lower or matched in every piece of equipment with the exception of labor per hour. Was wondering how this decision was decided. The decision was made in a manner of minutes. How do you decide between a business in the community versus a business in Kilkenny? She stated she was looking for an answer. Attorney Moran offered that the Council can revisit any motion that they have made. Council Member Stoen, who made the motion to award the project to Hanks Construction, stated that he felt that a good point had been made and that the Council should have given it more consideration.

4. Mack Evans, 103 Park Avenue NW – Now that the Mayor has brought up my name in his Mayor's comments, I need to say this when referring to the Chestnut #3 project, that has gone on for over 10 years. Spent a lot time at the last meeting carrying on about wild flowers. Council did not ask for quotes on wild flowers, nor did the Council ever talk about wild flowers. Mayor why did you let that conversation go on? Councilmember Hanson asked who authorized getting bids for wild flowers? Mayor recognized the members of the budget and finance committee and personnel committee, but made no mention of the volunteers for National Night Out. Did the Mayor think to thank all the work Fire Chief Jason James put into getting the helicopter? Here is the rest of the story. There was no mention of thanks to Chuck Jamerson for all the sports memorabilia that he donated, to Fischer's Corner Bar for the shirts that they donated and were given away, Mack and Jan Evans for donating all of the pop and water, Roger Hanson and the City workers for their donations. Mayor needs to recognize other people other than his Mayor committee members.

On motion by Hanson, seconded by Stoen, all voting in favor, meeting adjourned at 8:09 p.m.

Attest:

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David Rager, Mayor

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Patricia Nusbaum, Administrator

**ELYSIAN CITY COUNCIL  
SEPTEMBER 20, 2010  
SPECIAL MEETING  
MINUTES  
6:00 P.M.**

**The Elysian City Council met in special session on Monday, September 20, 2010, at City Hall at 6:00 p.m.**

**Meeting was opened with the pledge to the US Flag.**

**Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen, Administrator Patricia Nusbaum, Public Works Director John Roessler.**

**Others present were: Representatives from Elysian, Janesville, and Iosco Township Boards.**

**Discussion was held on the partnership in sharing costs for the Fire Fighter's pension benefits. Present benefits are \$900 per service year per Fire Fighter. The members of the Fire Department have asked for a \$200 per service year increase.**

**The City Council offered that the Townships pay toward the amount that is levied each year, thus lowering the Cities portion of the amount due.**

**The Townships had questions regarding the State Audit, the amount that the city has paid in the past, how the yearly amount is determined, bylaws of the Department, how the Fire Relief Association functions, number of members of the Board, how the investments work, why the town board members were not receiving any financials, gambling funds, why the City has to levy each year for the pension,**

**Fire Relief President Mike Scott responded as to the operation of the gambling and how that fits into the Relief Association. Fire Chief Jason James answered questions regarding concerns of the fire department from funding to fund raisers.**

**Administrator Nusbaum will mail out material pertinent to the Relief Association and the Fire Department within the next month.**

**The above part of the meeting adjourned at 7:15 p.m.**

**Discussion was held on the decision made at the regular meeting of the Council held on September 13, 2010, regarding a decision to approve Hanks Construction the quote on the repair to a sanitary sewer line located adjacent to the State Trail and Seconded Street SE.**

**Administrator Nusbaum had broken down the quotes as to equivalent equipment presented in the quotes from Hanks Construction and James Brothers Constructions. Roessler had measured the easement and found it to be only 30 feet in width, therefore only small construction equipment could be used due to not allowing dirt to be piled outside the easement. On motion by Hanson, seconded by Opsahl, all voting in favor, due to the new information and the explanation of the equipment quoted, to rescind the motion made at the September 13, 2010 meeting approving Hanks Construction to do the project and to now authorize James Brothers Construction for the project.**

**On motion by Hanson, seconded by Stoen, all voting in favor, meeting adjourned at 7:33 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, Administrator**

**ELYSIAN CITY COUNCIL  
OCTOBER 11, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

**The Elysian City Council met in regular session on Monday, October 11, 2010, at City Hall at 6:00 p.m.**

**Meeting was opened with the pledge to the US Flag.**

**Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.**

**On motion by Stoen, seconded by Opsahl, all voting in favor, minutes of the meetings of September 13, 2010 special meeting, September 13, 2010 regular meeting and the September 20, 2010 special meeting were approved as presented.**

**On motion by Stoen, seconded by Opsahl, all voting in favor, agenda was approved with the addition of the following item:**

- 1. Lake Elysian Lake Association – storm water mitigation**

**No one was present for Visitor's Comments.**

**Engineer John Schulte V, representing the firm of Jones, Haugh & Smith, Inc. was present to answer any questions regarding his presentation for engineering fees for capital improvement study for the street, utility infrastructure, and storm sewer. Updated the Council on the surveying of the city to be done this fall. On motion by Hanson, seconded by Rager, to approve the proceeding of the study with \$8,500 coming from 2010 budget and the balance from the 2011 budget.**

**John Stephanie -205 Lake View Court – representing Lake Elysian Lake Assn. thanked John Roessler for the tour of the sanitary sewer ponds, pump stations and the storm water ponds. Encouraged the Council to consider putting in a storm water pond on the Bob Silver property to help catch storm water prior to flowing into Lake Elysian. He said he visited with Bob Silver and he is willing to donate the property for the storm sewer pond. He thought that grants may be available for the project. He had talked to MN Pollution Control Agency as to help for the project. He also talked about a pond on property adjacent to Main Street.**

**John Roessler report:**

- 1. Tower repair, logo, and cleaning quotes presented at the last meeting were discussed. On motion by Stoen, seconded by Hanson, all voting in favor, to approve the quote from Utility Service Company, Inc. for repair and painting of the tower in the amount of \$29,561. On motion by Stoen, seconded by Hanson,**

all voting in favor, to place repair with epoxy on the seams in the tower not to exceed \$3,000. If over \$3,000 dollars, item needs to be revisited.

2. Reported on the recent bacteria testing report that he has been working on the past month. The bacteria are not harmful to humans. The area of the bacteria was located and treatment to the water system was made and testing has now proven for all to be good. The MN State Board of Health representatives were on site several days helping to determine the answer to the problem.
3. Update on the sanitary sewer line repair, located North of the State Trail adjacent to 2<sup>Nd</sup>. Street SE. Repaired line, broke a storm sewer line, found out it was plugged, repaired it and will be working with the jetter to try to get the line cleaned out.
4. Reported on the recent flooding. The pumps usually pump 20,000 to 30,000 gallons per day, during the flood time the pumps were pumping 600,000 gallons a day. Sanitary Sewer ponds were totally full, had to discharge one pond to hold the water in the other ponds. Testing had just been completed and approved the day before the rain on the discharging of one of the ponds.
5. Councilmember Hanson, co-coordinator of Elysian Emergency Management has assessed the damages to basements due to storm tiles not taking water and to city beach area. Damage amounts have been documented along with many pictures of damage and will be turned into Le Sueur County Emergency Management and then on to FEMA for consideration for help. Presently, waiting for MN Legislature to meet to offer the funding.
6. Questioned as to whether a storm sewer culvert could be placed in the alley in Block 17, Elysium Elysian, and then to Main Street due to helping out the area that was flooded adjacent to all the properties behind the Methodist Church. On motion by Hanson, seconded by Opsahl, all voting in favor, council authorized a 15 foot pipe be placed at the same hourly rate of the sanitary sewer line repair.

On motion by Hanson, seconded by Stoen, all voting in favor, to approve the date of December 13, 2010 at 6:00 P.M. to hold public meeting on the 2011 levy.

Councilmember Opsahl presented the following resolution, seconded by Councilmember Hanson:

#### **RESOLUTION 360/10**

#### **REQUEST FOR OFF SITE LAWFUL GAMBLING**



**WHEREAS:** the Elysian City Council was presented with a request from the Elysian Fire Department Relief Association for one day off site lawful gambling.

**WHEREAS:** State Laws of Minnesota require approval be granted by the local governing body, thus the City of Elysian.

**NOW, THEREFORE, BE IT RESOLVED:** that the Elysian City Council grants approval for a one day off site lawful gambling license to the Elysian Fire Department Relief Association.

The resolution was presented by Councilmember Opsahl, seconded by Councilmember Hanson to approve one day off site lawful gambling for December 4, 2010.

**Voting Yes:** Opsahl, Hanson, Stoen, Rager

**Voting No:** None

**Dated this 11<sup>th</sup>.** day of October, 2010

**Attest:**

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**Patricia Nusbaum, City Administrator**

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**David Rager, Mayor**

**Discussion on the bills was held. A billing to Morsching Tree Service in the amount of \$825.00 was discussed. The tree was taken down due to being an unsafe tree after the tree next to it had fallen onto vehicles in the yard at 101 Frank Avenue NE. City insurance agent upon advice from the League of MN Cities Insurance Trust as to the known fact that the tree was precarious and since the City knew it, and if the tree fell, damages would be borne by the City. The concern and question was as to whether it was a private property tree or a boulevard tree. On motion by Hanson, seconded by Rager, all voting in favor, to remove the bill for the tree in the amount of \$825.00 until next month's meeting and to approve bills, transfers, and payroll in the amount of \$54,922.59.**

**Committee reports:**

**Park – considering possibilities for park and beach area**

**Community Education – Opsahl – fall booklet is out, need to have public come forward with new ideas for community classes.**

**Planning and Zoning – working on a city wide survey to update the City Land Use Plan; working on the fee schedule.**

**Budget and Finance – no report**

**EDA – Rager - \$60,000 in CD's**

**Administrator updates:**

1. **Reminder of leaf pick up on October 16, 2010 at 9:00 a.m.**
2. **Councilmember Stoen reported on the COG meeting held in Good Thunder. Speaker was on the open meeting law.**
3. **Councilmember Hanson reported on the League of MN cities meeting at Montgomery.**
4. **Nusbaum reported on the meeting with the Cannon River Water Shed Partnership. Meeting centered around the possibility of Elysian participating in sanitary sewer solutions for the west end of Lake Tetonka. A matter that will be discussed in the upcoming future.**
5. **Requested that the liquor license of The Bears Den be withdrawn due to default in payment. On motion by Hanson, seconded by Stoen, all voting in favor, approval was given by Council to withdraw the liquor license from The Bears's Den due to default in paying required license fees. Administrator Nusbaum will make contacts with authorities to proceed with the withdrawl of license.**

Mayor comments October 2010,

Last year I gave \$1140.42 back to the city as I had only received payment for 6 months at that time. Last month on Sept. 29th I gave to the City my net salary \$2244.46 for the last 12 months. This is what I received less taxes for serving on the EDA, Joint fire board, Firemen's relief board and for being Mayor. I only ask that the money be used to lower the tax levy for my fellow citizens. This should lower the tax levy by almost ½ percent. This coupled with the 2.7% that we have already lowered the levy should get us close to a 3.2% reduction in the City tax portion of the real estate taxes. This coupled with the reduction of last year should put us over the 25% mark for 2 years. I believe that between now and the first of the year that other savings are possible.

I keep hearing of lost pride in our community. I have never lost my pride in this community in the 29 years that I have lived here. What some people have stated as negativity in our community is to me only people voicing their concerns. Constructive criticism to me is valued. The council has to sort out whether these concerns are valid and can be used in a way that is beneficial to all and not just a few in the years to come. .

I thank this council for the openness that has been brought forward in the last two years as I believe that transparency leads to trust.

Best  
David

**Councilmembers comments:**

**Roger Hanson – questioned if the packet of fire department materials were the same that was sent to the Township Board members? Nusbaum indicated that it was. Had received**

**an e-mail from the MN COG – Laura with the final evaluation summaries for employees Roessler and Nusbaum. Both were excellent evaluations.**

**Visitors Comments:**

- 1. Wayne Unke – 124 Willow Point Drive – He commented that he knew a lot about trees on boulevards. Trees on the boulevard are the responsibility of the home owner. City Attorney should look into matter and not be in a hurry on a decision. Make it legal.**
- 2. Mike Kauss – 6 Egret Lane – as follows: He recently received a piece of campaign literature in the mail. In the letter it mentioned Dave Rager’s leadership concerning the reduction of the 2010 tax levy. He stated that it would be my assumption that the credit for this achievement would go the City Council as a whole. This letter indicated that there was a reduction of over \$100,000 dollars and the city’s share of property taxes was reduced by 22%. He stated that if the information is accurate then he would applaud the City Council, but as a concerned citizen he would like to know how this reduction was actually implemented? Was it some unique trimming of line items in the budget or was some budgeted loan payment no longer necessary? Whatever the process it would be nice to know as we often speak of transparency and accountability. Kauss then stated that again, as he has said in the past, he would like to thank the city employees for their efforts and the maintenance of our fine city. But, he stated that he fails to understand the relationship mentioned in this campaign letter concerning the reduction of over \$100,000 dollars and the fact that our city is still beautiful. He thanked the Council for their time in listening to his concerns and it would be nice to have the Council’s response in a future water bill mailing.**
- 3. Megan James – 511 Highway #60 – Nu Horizons and Elysian Township – concerned about the flood damage to her business located at 406 Park Avenue NW. – regarding the flood damage, if FEMA does not act do we have recourse with the City? This is the second time this has happened to her business. Since the insurance company calls it “an act of God” we have had to bust up the floor, dealing with sump pumps. Can we deal with city insurance? Can it be negligence on part of the City due to the storms sewer lines would not take the water? Carpet had to be removed, sheetrock on walls taken out, cleaning of walls and floor at a cost of approximately \$14,000 - \$16,000.**
- 4. Pat Nusbaum 104 Park Ave NE - I would like to address the council tonight on a great concern. I have just handed to you a copy of my copy of a letter I received on September 23<sup>rd</sup>.**

**This is a letter from Minnesota Department of Natural Resources indicating State Approval of the City of Elysian Flood Plain Ordinance.**

**Back in March of 2010 the Council passed the City of Elysian Floodplain**

**Ordinance after completion of the Floodplain application. After various steps dealing with a public hearing, the newspaper publication, and communications with the state on forms to be filled out, and affidavits of publication, the state has finally approved the Cities Ordinance. However, with the approval from the State it does not mean that property owners are granted the right to lower insurance rates. Lower rates can only happen when the federal guide lines are met and approval is made in Washington DC.**

**When approval from Washington is given, then and only then, can a property owner in a flood plain area be considered for lower flood insurance rates. Each day a Realtor, Insurance Company, or a Banker can go online and determine if the approval has been made based on the location of the property.**

**I have done due diligence on this matter. Much time has been spent with officials to move this process along. To date, Washington has not made the final approval, but they tell me they are getting close.**

**I bring this to your attention tonight, because of communication with at least one of Elysian's citizens. The citizen claims that a copy of Mayor Rager's copy of the letter, which you see before you, was given to Brian Ziemer, 138 Willow Point Drive, who is campaigning for office of Council for the City of Elysian. He used the letter as a prop to indicate to the property owner that I had failed in getting this matter processed in a timely manner and insinuated that I was not doing my job.**

**The question I have is Mr. Mayor, what scheming little thing do you have going on now? How did the letter get from you to Mr. Ziemer? (At this point, Mayor Rager gaveled Nusbaum and told her she done for tonight.)**

**Lorri Kopischke, Deputy Clerk, addressed the Council announcing her receiving the Municipal Clerks Certification after 3 years of study and attending conferences. Council congratulated her on her endeavor and achievement.**

**On motion by Hanson, seconded by Opsahl, all voting in favor, meeting adjourned at 7:32 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, City Administrator**

**ELYSIAN CITY COUNCIL  
NOVEMBER 8, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

The Elysian City Council met in regular session on Monday, November 8, 2010, at City Hall at 6:00 p.m.

Meeting was opened with the pledge to the US Flag.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen, Edna Thayer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, and City Attorney Jason Moran. Absent: Public Works Director John Roessler.

**Canvassing of General Election Votes**

Oath of office was administered by City Administrator Patricia Nusbaum to the Mayor and Councilmembers who were acting as the Canvassing Board for the 2010 election.

The following resolution was presented by Councilmember Stoen, seconded by Councilmember Opsahl with all voting in favor.

**Resolution 361/10**

<b><u>Mayor</u></b>	<b><u>Le Sueur County</u></b>	<b><u>Waseca County</u></b>
Kathleen (Katy) Anttila	220	4
Roger Hanson	134	0
<b><u>Council Members</u></b>	<b><u>Le Sueur County</u></b>	<b><u>Waseca County</u></b>
Jan Evans	148	2
Michael Kauss	116	0
Edna Thayer	231	4
Brian Ziemer	192	2

Administrator Nusbaum administered the oath of office to Edna Thayer with Thayer answering after which Thayer took her position at the Council table as a Councilmember.

On motion by Hanson, seconded by Stoen, minutes of the October 11, 2010 meeting were approved as presented with the note that the culvert was to be 15 inches not 15 feet.

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



No one was present for Visitors Comments.

On motion by Thayer, seconded by Hanson, all voting in favor, the quote from Burkhardt and Burkhardt Auditors in the amount of \$9,945.00 for 2010 audit was approved with the request to include an additional meeting with the budget and finance committee.

Discussion was held on the question of a tree removed on the boulevard located on Frank Avenue NE. The question as to what is a boulevard tree versus a privately owned tree? Attorney Moran briefed the Council on his view of the site of the tree in question. He stated that the width of the platted street was 66 feet wide. He noted that the survey pin was a considerable distance from the blacktopped road. On motion by Thayer, seconded by Stoen, all voting in favor to authorize Attorney Moran to do more research as to whether it is a boulevard tree or an easement. Moran will report at the next meeting.

On motion by Hanson, seconded by Stoen, all voting in favor, to approve bills, transfers, and payroll in the amount of \$68,204.25.

**Committee reports:**

- **Community Education - Councilmember Opsahl reported of a recent meeting she attended and stated that help from the public is needed to come up with more new ideas for offers of exciting classes for the public to attend.**
- **Planning and Zoning Commission – Councilmember Hanson reported that the P&Z Commission is working on nuisance problems, starting the updating of the City Land Use plan with a community survey, and working on the City Fee Schedule. Fee schedule for 2010 was discussed by the Council. Motion was made by Councilmember Stoen and seconded by Councilmember Opsahl, and approved with the following vote being taken: Yes. Stoen, Opsahl, Hanson, Thayer. Voting No: Rager.**

**CITY OF ELYSIAN  
ELYSIAN, MINNESOTA**

**RESOLUTION NO. 362/10**

**A RESOLUTION ESTABLISHING FEES TO BE COLLECTED BY THE CITY OF ELYSIAN IN 2010**

**WHEREAS**, The City Council of the City of Elysian is the governing body of the City of Elysian; and

**WHEREAS**, because of increases in the costs of providing various services, a Fee Schedule is necessary.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELYSIAN, MINNESOTA THAT:** the City of ELYSIAN, Minnesota hereby establishes the following fee schedule for remainder of 2010 and the year of 2011:

## **City of Elysian 2010 FEE SCHEDULE**

### **GENERAL FEES:**

#### **Animal Licensing**

Dog/Cat License .....2 Year fee \$5.00  
(starting year of  
rabies vaccination)

Building Permits .....see separate fee schedule

Agenda Packet..... 0.25 cents per sheet plus postage

Annual Budget Documents.....\$25.00

Comprehensive Plan .....\$25.00

Fax Service.....\$1.00/per page

Photocopies .....\$0.25/per page

#### **Liquor Licensing:**

##### **Intoxicating Liquor:**

Club on-sale license.....\$ 100/yr

Off Sale license..... \$ 100/yr

On Sale license..... \$1,500/yr

##### **Non-Intoxicating Liquor:**

Off Sale.....\$ 25.00

On Sale.....\$ 50.00

##### **Wine:**

On Sale License.....\$ 100.00

Temporary on-sale liquor ..... \$ 50.00

Temporary 3.2 License ..... \$ 25.00

#### **Massage Parlors and Saunas:**

Business investigation fee..... \$ 100.00

Certificate investigation fee..... \$ 50.00

Employee massage practice certificate.....	\$ 25.00
NSF Checks.....	\$ 30.00
Adult Use Sexually Oriented Business License.....	\$ 2,000.00
1. Investigation fee.....	\$ 250.00
Solicitor's/Peddler's/Transient Merchants License.....	Separate ordinance

Monthly Base Charge \$20.50 base/per month

**SPECIAL RATES ADJUSTMENTS**

**Residential Meter Charges:  
Water Meters:**

New Single Family Residence.....	\$100.00
2 <sup>nd</sup> . Meter.....	\$150.00

Commercial Meter Charge ..... \$100.00  
(If a business has a water line larger than 1 inch  
coming into their business, the business bears  
the cost of the meter,)

**REFUSE COLLECTION FEES:**

Bag Fee .....\$6.84  
(includes drive by fee - \$3.74  
collection fee - \$3.11)

Cart Fees:  
35 gallon .....\$12.02  
64 gallon .....\$15.95  
96 gallon .....\$19.37  
(Fees include recycling)

Bag tag fee ..... \$ 2.10/per tag/per bag

**STORM SEWER FEE**

Storm Sewer ..... \$ 1.00 monthly

**RESIDENTIAL AND COMMERCIAL SERVICE FEES:**

Interest on Delinquent Bills ..... \$ 5.00 a month charge for non-payment of bill  
and bill not paid in total.

Non reading of meter fee.....\$ 15.00 / monthly billing cycle- after 3  
consecutive months of not reading meter, a \$25.00 charge for each month thereafter  
until meter is read and turned into City Hall.

Reconnect Fee..... \$ 50.00 – due to non-payment of utility billing

**OTHER FEES AND SERVICES:**

Water hook-up Fee.....\$1,500.00

Sanitary Sewer Hook -up Fee.....\$1,600.00

Excavation Permit Fee .....\$ -0-

Repair of Blacktop .....Responsibility of property owner when digging in  
shut off of water and sanitary sewer connection.  
Responsibility of property owner for repair if  
blacktopped area sinks within one year of digging.

**PRIVATE SEWER FEES: Septic System Permit/Inspection Fee**

Residential.....\$ .00

**FIRE DEPARTMENT FEES:**

Charge for Fire Call.....\$750.00 per call

**OTHER FEES**

Blacktopping/cement drive ways are required for all new homes and is payable by the home owner.

Golf Cart per cart/per year.....\$10.00

**2010 PARKS FEES**

Alcohol permit.....\$-0-

**NO GLASS IS ALLOWED IN CITY PARK.**

**TEAMS FOUND IN VIOLATION OF GLASS RULE  
RISK LOOSING PARK PRIVILEGES.**

**CITY HALL BUILDING:**

Usage only for City government related meeting/functions

**Nuisance properties – On motion by Stoen, seconded by Opsahl, all voting in favor, to authorize Administrator Nusbaum to write letters to each property owner with a fourteen day notice to bring properties up to compliance or action will be taken. Properties are located at 120 Shoreview Drive, 213 Main Street East, 212 Main Street East and shed, 309 North First Street.**

**Attorney Moran had no comments.**

**Administrator updates:**

- 1. Meeting with FEMA regarding matters involving Le Sueur County being placed on the possible help/list.**
- 2. Meeting with MN DOT – regarding their concerns on the placement of signage along the highway.**
- 3. Received State Aid 2% - Fire Relief - \$9,156**
- 4. Thank you for the support from the Chamber of Commerce and all the volunteers who helped with the “Spook Trail” and for the community support of the Library fund raiser.**

**No Mayor Comments**

**Councilmember Comments:**

- 1. Councilmember Stoen asked that the EDA review the survey they sent out to the community and come to the Council with a report as to how they plan to address the concerns in survey. Stoen handed out a copy of the survey to the Councilmembers. Copies of survey are available at city hall.**
- 2. Councilmember Hanson was concerned that since the Council met with the three Township Supervisors and the Council on concerns of participation in consideration of funding, he would like an open dialogue to continue with the Council. The next Joint Fire Board meeting will be held on November 22<sup>nd</sup>**

**Hanson was concerned about the house on Lake Avenue which had been burned down as a training for the fire department. Hanson felt for safety purposes the area around the house should be fenced. Nusbaum will contact the property owner.**

**Visitors Comments:**

**Mike Kauss – 6 Egret Lane – He wanted to applaud the Council for allowing members of the community to give their thoughts and input during the Visitors’s Comments. He stated that he had been attending meetings for over a year and a half and have given input as well as listening to other visitor comments. The council guidelines indicated that the Council will take the information and find answers, if it is appropriate. He indicated that his dilemma is that there is often speaking about transparency and accountability, but as members of the community, we almost never get any feed back on our concerns. If the Visitor’s Comments amount to nothing more than window dressing, then why have them in**



the first place? He stated that at the meeting on October 11, 2010 he specifically asked what represented the reduction of over \$100,000 dollars, which reduced the city's share of property taxes by 22%. At other meetings he indicated he has asked questions that have never been answered and so have other members of the community. He asked why are these things so difficult to answer and/or respond to? If others and himself take the time to attend the meetings and ask for the Council to at least give us some feedback.

Steve Ritchison – 101 4<sup>th</sup>. Street NW – had a question on the alley running adjacent to his property. If the storm water was to run down the alley, he questioned as to whether there would be an assessment against his property? Council stated that there would be no assessment.

Jason James, Fire Chief – 43911 43<sup>rd</sup>. Street – requested that the new fee schedule include vehicle accidents be included under the Fire Department for payment.

On motion by Hanson, seconded by Thayer, all voting in favor, meeting adjourned at 6:40 p.m.

Attest:

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David Rager, Mayor

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Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL  
DECEMBER 13, 2010  
REGULAR MEETING  
MINUTES  
6:00 P.M.**

**The Elysian City Council met in regular session on Monday, December 13 2010, at City Hall at 6:00 p.m.**

**Meeting was opened with the pledge to the US Flag.**

**Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, Clinton Stoen, Edna Thayer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, and City Attorney Jason Moran. Absent: Public Works Director John Roessler.**

**On motion by Stoen, seconded by Hanson, all voting in favor, minutes of the November 8, 2010 regular council meeting were approved with the correction of the mentioned culvert being 15 feet not 5 feet.**

**On motion by Hanson, seconded by Stoen, all voting in favor, the agenda was approved as presented with the inclusion of the billing for Portraits by Bobbie Mc Fall in the amount of \$1,714.65.**

**PUBLIC MEETING  
TO RECEIVE INPUT ON THE 2010 LEVY PAYABLE 2011**

**Katy Anttila, member of the Budget and Finance committee, offered the presentation of work that had been finalized by the members of the committee. The presentation consisted of the proposed changes to the budget since the preliminary levy was approved. Suggestion offered for the Council to consider ranged from using some funds in savings, to reduction of expenses and elimination of the excess liability insurance. Some suggestions to help with water revenues was the increase in the tower lease with Verizon Wireless, the use of savings to pay for the tower painting and repair.**

**No one from the public presented comment.**

**On motion by Hanson, seconded by Stoen, meeting was closed at 6:27 p.m.**

**Council offered input and discussion. On motion by Thayer, seconded by Stoen, all voting in favor, to not waive the excess liability insurance for 2011, and to increase the deductible to \$1,000.**

On motion by Thayer, seconded by Rager, to accept suggestions of the budget committee and the donation of Mayor Rager's salary to be placed as a deduction to the final 2010 levy payable 2011. At this point on motion by Hanson, seconded by Thayer, all voting in favor, a recess was called at 6:50 p.m. to have Administrator calculate the final figures for the levy approval.

Meeting reconvened at 7:07 p.m. with more discussion being held on the budget figures and upon vote being taken the following resolution was passed and carried.

**RESOLUTION 364/10**

**RESOLUTION ADOPTING FINAL 2010 TAX LEVY, PAYABLE 2011  
CITY OF ELYSIAN  
LE SUEUR AND WASECA COUNTIES**

**BE IT RESOLVED;** the Elysian City Councilors of the City of Elysian, Le Sueur and Waseca Counties, Minnesota, that the following sums of money be levied for the current year, collectible in 2011, upon taxable property in the City of Elysian, for the following purposes:

General Fund	\$352,283.54
Fire Relief	\$ 12,494.00
Public Works Reserve	\$ 2,000.00
Maint. Replacement Eq.	\$ 10,000.00
City Hall Debt	\$ 30,858.00
1998 GO Improvement Levy	\$ 37,925.00

**Total Final levy** **\$445,560.54**

The City Administrator is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Le Sueur County and Waseca County, Minnesota.

Adopted by the Elysian City Council on December 13, 2010.

Attest:

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Patricia Nusbaum, City Administrator

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David Rager, Mayor

**Visitor's Comments:**

Tom Springmeyer – 718 NW Lake Side Drive – he attended a Budget and Finance committee meeting, good meeting, conducted well and good input. Mentioned that the sound system in the council chambers was not working well.

**Pam Fry – 125 Willow Point Drive and Ron and Bev Brubaker from River Valley Chapter of A.B.A.T.E. presented to the Council Teddy Bears for the Fire Department for situations of emergencies that would involve children. Mayor Rager thanked them for their donation.**

**Steve Ritchison – 101 4<sup>th</sup>. Street NW – Thanked the Budget and Finance Committee, no reduction is too small to help with taxes, appreciate all; City of Elysian has spoken in the past election, they want lower taxes and change. Excited about the next months and years to come, economy not real good, have confidence in City. Thanked Mayor Rager for his service.**

**Councilmember Hanson presented to the Council the recommendation from the Elysian Planning and Zoning Commission for approval of two conditional use permits for Nu Horizons of So. MN for business expansion. Megan James, Nu Horizons of So. MN and Nu Star Realty was present to answer questions from the Council.**

**On motion by Stoen, seconded by Opsahl, all voting in favor, to approve two conditional use permits to Nu Horizons of So. MN. for the expansion of their business with the following conditions:**

- 1. All State and County licenses are secured.**
- 2. Planning and Zoning Commission or representatives thereof would be granted a tour of facility prior to its opening.**
- 3. Provide an annual inspection.**

**Matt Maes, representing Waste Management, discussed with the Council options for contact renewal. Discussion was held on a multiple year contract. Since notification to Waste Management is needed prior to 90 days before expiration of contract, which would be December 31, 2010. Maes agreed to keeping the rates the same for 2011 if negotiations in good faith on a new agreement could continue within the next couple of months.**

**Discussion was held on the City of Elysian joining with Waterville, Cleveland, and Morristown on the League of MN Cities Workers Compensation Safety Program. Meetings would be monthly at a cost of \$1,200. The League will be paying \$600.00 per meeting with the balance being paid by the cooperating cities. After one year a schedule of meetings will be agreed upon. The City of Elysian is required to meet safety standards to be in compliance with the city workman's compensation insurance. On motion by Stoen, seconded by Hanson, all voting in favor, the City of Elysian will participate in the League of MN safety group meetings to be in compliance with League of MN Cities Workers Compensation Insurance.**

**On motion by Thayer, seconded by Stoen, all voting in compliance, On sale Liquor, Off Sale, Sunday, Soft Drink, 3.2 On sale, and 3.2 Off Sale 2011 Licenses were approved as presented:**

<b>Fischer's Bar</b>	<b>On Sale, Off Sale, Soft Drink, Sunday</b>
<b>Thirsty Beaver Bar</b>	<b>On Sale, Off Sale, Soft Drink, Sunday</b>
<b>Tuckers Tavern</b>	<b>On Sale, Off Sale, Soft Drink, Sunday</b>
<b>American Legion</b>	<b>Club, Soft Drink, Sunday</b>
<b>Silvers Resort</b>	<b>3.2 On Sale, Soft Drink</b>
<b>The Store</b>	<b>3.2 Off Sale, Soft Drink</b>
<b>Pit Stop #60</b>	<b>3.2 Off Sale, Soft Drink, Off Sale</b>
<b>Casey's</b>	<b>Soft Drink, 3.2 Off sale</b>
<b>Elysian Chamber</b>	<b>Soft Drink</b>
<b>Alley Scoops</b>	<b>Soft Drink</b>

**On motion by Stoen, seconded by Hanson, all voting in favor, to approve delinquent utility bills to be placed on taxes in the amount of \$7,111.68.**

**On motion by Hanson, seconded by Opsahl, all voting in favor, to approve bills, payroll, and transfers in the amount of \$191,007.04.**

**Committee reports:**

- 1. Park – Hanson reported that some funding may be coming from FEMA to rebuild the beach area.**
- 2. Planning and Zoning – no report**
- 3. Community Education – no activity**
- 4. Budget and Finance – Wayne Unke reported on the last couple of years, got some things done, felt in the beginning that the wages of those serving on the boards should be lowered, but now may have changed his mind it is a tough job sitting in that chair. Still plenty things in pot to be done, thanks for the time on the committee.**
- 5. EDA – good job last 2 years, all paper signed some things need to be addressed, thanked Bobbie Mc Fall for all the good work she has done on the web site.**

**Attorney Comments:**

- 1. After research on tree removal on boulevard, he recommended payment of bill and go on. There is no ordinance on boulevard trees or reforestation. On motion by Thayer, seconded by Opsahl, all voting in favor, to approve the payment of the tree removal and request city employees to develop an ordinance or policy on boulevard or easement trees.**

**City Administrator updates:**

- 1. Date was set for yearend meeting for December 28, 2010, at 5:00 p.m. at City Hall.**
- 2. Reminder of League of Minnesota training for newly elected Councilmembers in Mankato, let office know and reservations will be made.**

**Mayor Comments:**

- 1. Mayor Rager wished all a Merry Christmas.**

**Councilmembers Comments:**

1. Councilmember Hanson gave an update on the recent Emergency Management meetings with FEMA. Possible funds will be made available to the City for damages during the fall heavy rains. An update will be given as the process proceeds.

**On motion by Rager, seconded by Stoen, all voting in favor, meeting adjourned at 8:48 p.m.**

**Attest:**

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**David Rager, Mayor**

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**Patricia Nusbaum, City Administrator**



**ELYSIAN CITY COUNCIL  
DECEMBER 28, 2010  
SPECIAL MEETING  
YEAR END  
MINUTES  
5:00 P.M.**

The Elysian City Council met in regular session on Monday, December 28, 2010, at City Hall at 5:00 p.m.

Meeting was opened with the pledge to the US Flag.

Members present were: Mayor David Rager; Councilmembers Roger Hanson, Mary Opsahl, (arriving at 5:06 p.m.) Clinton Stoen, Edna Thayer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke.

A review of the proposed 2011 utilities were presented by Councilmember Hanson. Review consisted of working with Katy Anttila and the office staff to arrive at figures that appear to meet the operating and debt needs for 2011. On motion by Thayer, seconded by Stoen, all voting in favor, the following resolution was presented and carried.

**RESOLUTION 365/10  
CITY OF ELYSIAN**

**RESOLUTION SETTING WATER AND SEWER  
UTILITY RATES FOR 2011**

WHEREAS, the City is required to establish utility rates such that revenues generated are sufficient to offset the cost of operations and make provision for debt repayment, and

WHEREAS, the City has undertaken water and sewer utility projects that require additional water system debt repayment.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELYSIAN: that the water and sewer utility rates for 2011 are set as follows:

**Water Utility Rates**

Service Base Charge:	\$17.50 per month
User Charge:	\$ 5.65 per 1,000 gallons

**Sewer Utility Rates**

Service Base Charge:	\$20.50 per month
User Charge:	\$ 6.32 per 1,000 gallons

NOW THEREFORE BE IT FURTHER RESOLVED: that these new rates will become effective on January 1, 2011.

**ADOPTED THIS 28<sup>th</sup>. DAY OF DECEMBER, 2010 BY THE CITY COUNCIL OF THE CITY OF ELYSIAN.**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Administrator**

**A list of year end transfers were presented by Administrator Nusbaum.**

**YEAR END TRANSFERS – 2010**

<b>Library</b>	<b>\$1,000</b>
<b>Museum- Le Sueur County</b>	
<b>Historical Soc. Chapter I – Elysian</b>	<b>\$1,000</b>
<b>Advertising</b>	<b>\$2,500</b>
<b>Truck/Pick up Reserve</b>	<b>\$6,750</b>
<b>Tourism Bldg – Carpet Reserve</b>	<b>\$ 700</b>

**Discussion was held as to the \$1,000 for the Le Sueur County Historical Society Chapter I – Elysian. Various opinions were aired. On motion by Hanson, seconded by Rager, all voting in favor, the \$1,000 donation for the Le Sueur County Historical Society – Chapter I be removed from consideration.**

**On motion by Hanson, seconded by Stoen, all voting in favor, to approve the bills and transfers in the amount of \$61,189.12**

**On motion by Hanson, seconded by Opsahl, all voting in favor, meeting adjourned at 5:12 p.m.**

**Attest:**

\_\_\_\_\_  
**David Rager, Mayor**

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**Patricia Nusbaum, City Administrator**