

ELYSIAN CITY COUNCIL
REGULAR MEETING
JANUARY 7, 2013
6:00 P.M.

The Elysian City Council met in regular session on Thursday, January 7, 2012, at City Hall at 5:00 p.m.

Acting Mayor Mary Opsahl opened the meeting with the Pledge to the Flag.

Roll Call: Mayor Pro Tem: Mary Opsahl: Councilmembers Clinton Stoen, Edna Thayer, Brian Ziemer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director Jeff Moe. Absent: Mayor Katy Anttila.

City Administrator Nusbaum presented the Oath of Office with Tom Mc Broom, Mary Opsahl, and Clinton Stoen answering.

Mayor Stoen then proceeded with the meeting with roll call being taken: Present were: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum, Public Works Director Jeff Moe. Absent: Deputy Clerk Lorri Kopischke.

Mayor Stoen offered thank you to all who were present and welcomed them. He stated that he was excited for the new year and was ready to get going.

On motion by Thayer, seconded by Mc Broom, all voting in favor, minutes of the following meetings were approved as presented. December 10, December 17, December 27, 2012.

On motion by Thayer, seconded by McBroom, all voting in favor, to approve the agenda with an additional item.

1. Timeline on base rates for water and sewer

On motion by Stoen approve designation items number 1, number 2, a through k. item l. and m. will be done separately.

Thayer moved to amend the motion by Stoen to vote in block for all appointments with the exception of d. (Legal Counsel) so it can be discussed separately. Motion was seconded by Ziemer. Thayer felt that we had a one year agreement with the present Attorney Langel and his firm that we should honor that agreement until April 1st. Mayor Stoen called for a vote on the removal of item d. from the block approval of designations. Voting yes: Thayer, Ziemer, Opsahl. Voting no: McBroom, Stoen. Motion declared carried.

On motion by Ziemer, seconded by Opsahl, all voting in favor to approve the following appointed designations:

1. Regular Council meeting time and date: Second Monday of each month at 6:00 p.m.

unless otherwise designated.

2. Appointments Assignments

- a. Mayor Pro Tem Mary Opsahl
- b. Official Depository - Elysian Bank and Northland Securities
- c. Official Publication – Elysian Enterprise
- e. Auditor – Burkhardt & Burkhardt, LTD
- f. Planning and Zoning
 - Member from Council – Mayor Clinton Stoen - 1 year term
 - Member from public - Dan Engebretson - 3 year term
 - Member from public – Rick Galewski - 3 year term
- g. EDA
 - Member from Council - Mary Opsahl - 1 year term
 - Member from Council – Tom McBroom - 1 year term
 - Member from Public – Mack Evans - 6 yr. term
 - Executive Director – Deputy Clerk Lorri Kopischke
- h. WEM Community Education Advisory Board – Edna Thayer-1 year term
- i. Fire Relief Association
 - a. Member from Council - Mayor Clinton Stoen - 1 year term
 - b. Member Appointed – City Administrator Patricia Nusbaum-1 year term
- j. Joint Fire Board Representative – Mayor Clinton Stoen
- k. Emergency Management
 - a. Director – John Roessler
 - b. Assistant Director – Roger Hanson

Discussion was held on item d. Legal Counsel. Mayor Stoen asked that since Attorney Moran had sent a letter of intent as to being considered for Elysian City Attorney, and that Stoen had talked with Attorney Langel several times, and considering the situation we are presently in regarding the litigation of the assessments on the street project, Stoen indicated that he would like to keep Langel until the worker compensation issue has been completed along with the assessment issue and then appoint Attorney Moran as civil attorney. Stoen stated that he wanted to appoint Moran now to be the criminal attorney for 2013.

On motion by Stoen, seconded by Thayer, all voting in favor, to approve Attorney Jason Moran as Criminal Attorney, and to approve Attorney Joe Langel to continue as civil attorney in order to finalize the Work Comp matter and the assessment litigation, approximately until March and then the council will advertise for a civil attorney to fill that position.

A letter will be sent to Anderson Skubitz Law Firm, Le Sueur as to their services being no long needed.

Discussion was held on the appointing of the City Administrator as the Public Works Director's supervisor. On motion by Thayer seconded by Ziemer, to cancel letter l. on the agenda as to the City Administrator being the supervisor for the Public Works Director. Vote: Yes: Thayer, Ziemer. Voting No: McBroom, Opsahl, Stoen. Motion declared carried.

On motion by Stoen, seconded by Opsahl, the Public Works Director will report to the City Administrator starting tomorrow, January 8, 2013. Voting Yes: Stoen, Opsahl, Mc Broom. Voting No: Thayer, Ziemer. Motion declared carried.

On motion by Stoen, seconded by Thayer, all voting in favor, to eliminate the following committees: Park, Personnel, and Budget and Finance with the discharging of all members presently serving on those committees.

Public Works Director Moe gave an update on areas of the public works department. Snow plowing, maintenance on equipment, and lift station electrical problems.

Mayor Stoen announced that there would be staff meetings every Tuesday, morning at 9:30 a.m. with Mayor Stoen volunteering to attend each week on behalf of the Council. Any issues pertinent to the Council will be placed on the agenda if needed.

Administration update:

On motion by Thayer, seconded by Ziemer to approve the following three resolutions as presented.

CITY OF ELYSIAN ELYSIAN, MINNESOTA

RESOLUTION 416 -13

RESOLUTION ACKNOWLEDGING A DONATION FROM ELYSIAN AMERICAN LEGION POST #311

WHEREAS, the City of Elysian has received a donation in the amount of \$1,000.00 from the Elysian American Legion Post #311, to the Elysian Area Chamber of Commerce.

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 American Legion Post #311 for tax relief in the amount of \$1,000.00 for the purpose of contributing toward the July 4th. Celebration.

Upon vote being taken:

Councilmember Thayer introduced the resolution and was seconded by Councilmember Ziemer.

Council Members voting in the affirmative: Thayer, Ziemer, McBroom, Opsahl, Stoen.

Council Members voting in the negative: None.

Council Members abstained: None.

Adopted by the City Council of the City of Elysian this 7th. day of January, 2013.

ATTEST:

Patricia Nusbaum, City Administrator

Clinton James Stoen, Mayor

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 417 -13

**RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN AMERICAN LEGION POST #311**

WHEREAS, the City of Elysian has received a donation in the amount of \$1,000.00 from the Elysian American Legion Post #311, for tax relief to the Elysian Area Chamber of Commerce for the purpose of funding a portion of the Avenue of Flags.

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 American Legion Post #31 in the amount of \$1,000.00.

Upon vote being taken:

Councilmember Thayer introduced the resolution and was seconded by Councilmember Ziemer.

Council Members voting in the affirmative: Thayer, Ziemer, McBroom, Opsahl, Stoen.

Council Members voting in the negative: None.

Council Members abstained: None.

Adopted by the City Council of the City of Elysian this 7th. day of January, 2013.

ATTEST:

Patricia Nusbaum, City Administrator

Clinton James Stoen, Mayor

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 418-13

**RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN FIRE DEPARTMENT RELIEF ASSOCIATION**

WHEREAS, the City of Elysian has received a donation in the amount of \$8,000 from the Elysian Fire Department Relief Association, designated for tax relief.

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 \$8,000.00 donation from the Elysian Fire Department Relief Association to go into the Fire Fighter Pension Fund.

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

Councilmember Thayer introduced the resolution and was seconded by Councilmember Ziemer.

Council Members voting in the affirmative: Thayer, Ziemer, McBroom, Opsahl, Stoen.

Council Members voting in the negative: None.

Council Members abstain: None.

Adopted by the City Council of the City of Elysian this 7th.day of January, 2013.

ATTEST:

Patricia Nusbaum, City Administrator

Clinton James Stoen, Mayor

On motion by Ziemer, seconded by Stoen, all voting in favor, to approve the soft drink license for the Elysian Fire Department.

On motion by Stoen, seconded by Ziemer, all voting in favor, to approve the management letter with Burkhardt and Burkhardt LLC Auditing regarding the 2012 audit..

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve Mayor Stoen to sign signature card at Elysian Bank.

Discussion was held on holding a meeting with Chuck Pettipiece, Pettipiece and Associates. Meeting was set for January 30, 2013 at City Hall at 5:30 p.m.

Regarding study of the water and sewer connections charges, those on the committee are Stoen, Thayer, Nusbaum. A date will be set in the near future to review the considerations.

On motion by Stoen seconded by McBroom to resurrect the newsletter to be placed in the water billings to include approved minutes, community events, and public comment. On motion by Thayer to amend the motion to include the synopsis of the minutes and only show action of the Council. There was no second. Stoen amended his motion to the inclusion in the newsletter the synopsis of the minutes to include the public comments, seconded by Opsahl. Vote being taken, voting yes: Stoen, Opsahl, McBroom. Voting no: Thayer, Ziemer. Motion declared carried.

Letters will be sent requesting of Tad Kinyon, former EDA President, to turn over all material regarding the EDA to City Hall and request from former Mayor Anttila to turn over all City Council materials and documents pertaining to the city and all EDA materials to City Hall.

On motion by Stoen, seconded by Opsahl, to allow the Elysian Area Chamber of Commerce to use the photocopier, without charge, to make copies for the advertising and advancement of the Elysian community. Councilmember Thayer wished to have entered into the minutes the following as her vote against the motion: "From the League of MN Cities; The City should charge the Chamber for the copies it makes on its cities copy machine. Failure to do so is likely to be an unauthorized expenditure because of the free use, deterioration of city assets equipment, for the benefit of a private interest and is not available to the remainder of the public." Vote: Yes: Stoen, Opsahl, McBroom. Voting No: Thayer, Ziemer. Motion declared carried.

On motion by Thayer, seconded by Opsahl, all voting in favor, bills, payroll and transfers were approved in the amount of \$22,043.80.

Public Comment:

Roger Hanson, 309 Third Street NW, regarding information requests for EDA documents and other information, we have a long standing system already set up, Lorri is in charge of the documents, she is able to determine public versus private information requests. A question regarding the signing up for the webinar course through the League of MN Cities for the Planning and Zoning and the Council, what has been done about that? Administrator Nusbaum stated that the check has been cut and the

participants will be notified within the week with instructions. Hanson stated the website needs to be looked at, you have to find a way to update more quickly, more than every 4 to 6 weeks. Updates must be done weekly. Someway, if you really want to use it, it has to be set up differently. He stated that it is difficult since it has to go through the EDA, but you need to work on some way for it to be set up better. Congratulations to all.

Jason Moran – 219 James Drive – Congratulation to Mary, Tom and Clinton. He stated he was impressed with the meeting tonight, you got a lot done in one hour and twenty-five minutes, you moved the minutes along quickly, with the lengthy agenda you moved it along in good fashion, you should be proud of yourselves. I am especially thankful for the mailing of the newsletter, he stated that he had made copies of the newsletter for several people who did not have a computer. He stated that he applauded the activity of having Jeff Moe account to the City Administrator. Good idea, Mr. McBroom, very well taken and all in all this was an excellent meeting and I am looking forward to the future. Moran stated that the only comments would be to encourage expanding public comment time to also include special meetings and I would ask you to consider public comment time at every meeting. He stated that he was very pleased with the meeting tonight.

Christina James – 43911 43rd. Street – She stated she had questions concerning the Fire Chief. There seems to be some confusion, whether he is an employee of the city, whether he reports to the Joint Fire Board? Who can discipline him? Who is he accountable to? What rules he is to follow? Is he, in fact, supposed to be at these meeting? When question on actions he has taken, is he given time to explain what is going on? Is he treated with respect? She stated that her interest is that the Fire Chief is her husband, and herself as a professional human resources person, she wanted to say that as an employee, he has no clarification as to who he reports to, what he is to be held accountable to as a business standpoint. When it comes to being Fire Chief no questions asked, he knows how to do his job and does a fabulous job. She stated that she struggles each year when he re-runs for Fire Chief, as you know it is very political, it is very time consuming. My hope with the new City Council is that things will change; he will be treated with respect, and treated appropriately, because the bashings that have gone on, the hounding that goes on and the constant defending of himself and of the Fire Department is unwarranted and unacceptable.

Chris Johnson – Janesville – He stated that he wanted to begin his comments on an issue brought up by Councilmember Ziemer, accusing Ms. Nusbaum of nepotism in her many years of supervising John Roessler, who all in this room know that John Roessler is Ms. Nusbaum's brother. According to Merriam's Webster's dictionary, nepotism is favoritism as in appointment to a job based on kinship. All of you know including probably Mr. Ziemer that John Roessler was not hired by Ms. Nusbaum, but was hired by the City Council and Ms. Nusbaum supervised Mr. Roessler as City Administrator for twenty odd years until the last council, the last mayor came in two years ago. The idea that Ms. Nusbaum is not qualified to supervise the Public Works Director is absurd on its face.

Another comment regarding the Chamber of Commerce being allowed to use the city copier according the State Auditor has ruled repeatedly and there are numerous clauses in

state statute that allows the city to support the Chamber of Commerce in its use of city funds for advertising purposes. The use of the city copier by the Chamber of Commerce for advertising is more than permissible and is a practice that has been scrutinized many times and has always held up. He stated that he commended getting the meeting business done at a very efficient pace and hoped and trusted that it will continue. He stated that he appreciated Mr. Ziemer's comment regarding the public being polite, not slandering, and I hope the council, some of the council, will take that into account for themselves.

On motion by Thayer, seconded by Opsahl, all voting in favor, meeting adjourned at 7:30 p.m.

Attest:

Clinton James Stoen, Mayor

Patricia Nusbaum, City Administrator

ELYSIAN ECONOMIC DEVELOPMENT AUTHORITY
JANUARY 29, 2013
ELYSIAN CITY HALL
7:00 PM

The Elysian Economic Development Authority met in regular session on Tuesday, January 29, 2013, at City Hall at 7:00 pm.

Present were: Commissioners Bob Frechette, Tom McBroom, Mary Opsahl, Steve Ritchison, City Administrator Pat Nusbaum and City Deputy Clerk Lorri Kopischke. Absent Commissioner Mack Evans.

Kopischke began to open the meeting as she had been appointed by the Elysian City Council as EDA Executive Director. There was discussion amongst the Board if they needed an Executive Director. As this would be discussed later in the meeting, City Administrator Nusbaum opened the meeting and presented the oath of office to the members of the Board with Bob Frechette, Tom McBroom, Mary Opsahl and Steve Ritchison answering.

Nusbaum then asked for nominations from the floor for the office of President. On motion by McBroom, seconded by Ritchison, to nominate Mary Opsahl for President. All voting in favor, motion declared carried.

At this point, Nusbaum turned the gavel over to newly elected President Opsahl. President Opsahl then asked for nominations from the floor for Vice President. On motion by Frechette, seconded by McBroom, to nominate Steve Ritchison for Vice President. All voting in favor, motion declared carried.

President Opsahl then asked for nominations from the floor for Treasurer. On motion by Ritchison, seconded by McBroom, to nominate Bob Frechette for Treasurer. All voting in favor, motion declared carried.

President Opsahl then asked for nominations from the floor for Assistant Treasurer. Motion by McBroom to nominate Pat Nusbaum for Assistant Treasurer. Motion died for lack of a second. Motion by Frechette to nominate Tom McBroom for Assistant Treasurer. Motion died for lack of a second. Motion by Frechette, seconded by Opsahl, to nominate Mack Evans for Assistant Treasurer. (A vote was not called on this motion.) Motion by McBroom, seconded by Opsahl to nominate Lorri Kopischke for Assistant Treasurer. All voting in favor, motion declared carried.

President Opsahl then asked for nominations from the floor for Secretary. Motion by Frechette, seconded by Opsahl, to nominate Lorri Kopischke as Secretary. All voting in favor, motion declared carried.

There was consensus that regular EDA meetings will be held on the first Thursday of each month at 7:00 pm.

On motion by Ritchison, seconded by McBroom, all voting in favor, the minutes of the December 5, 2012 meeting were approved as presented.

On motion by Frechette, seconded by Ritchison, all voting in favor to approve the agenda with the addition of the following items under Financial Update:

1. The Store
2. Special Meeting – Back pay
3. Pay Rate

Bobby McFall was present to introduce Chad Kraus of Voyageur Web. Kraus offered the services of Voyageur Web to manage the EDA website. He suggested the EDA contract 100 hours at \$72 per hour or the largest number of hours they could afford as that would provide the lowest hourly rate. The hours expire 5 years from the date of the contract. Frechette noted that at the December meeting the Board had agreed to 24 hours at a sale price of \$1,800. Kraus stated the sale price expired the end of 2012 but he would ask if the sale price could be honored. Kraus explained that every account has an account manager and is kept up-to-date with retainer progress reports. On motion by McBroom, seconded by Ritchison, all voting in favor, to authorize Kopischke to sign the contract with Voyageur Web Professional Services for 24 hours.

Pat Nusbaum asked the Board if they would be amending their agenda to discuss the Executive Director position. On motion by Opsahl, seconded by McBroom, all voting in favor, to amend the agenda to include discussion of the Executive Director position after the Pay Rate item.

Nusbaum then provided a brief history of the EDA since its inception in 1994 and also some ideas of possible goals and actions for the Board for 2013.

The financial updates were addressed. Frechette noted that loan #6, #8 and #9 were past due and updated members on recent collection actions. The Board asked Frechette as Treasurer to follow up on loan #6 and #9 and report at the February 7, 2013 meeting.

McBroom stated that one goal he would have for the Board would be to have something in "The Store" building for the summer of 2013. He noted that staff had indicated there may be someone interested in the business and that he would recommend that it be pursued and the interested party be invited to a meeting to talk with the Board.

Ritchison noted the Board had a special meeting in May of 2012 for which they had not been compensated. Staff will research and determine if members are to be paid for special meetings and if so will issue payment for that meeting.

There was discussion as to the salary to be paid to Kopischke for her duties as Secretary and Assistant Treasurer. There was Board consensus that Kopischke will be paid \$40 per meeting until the issue can be discussed at a meeting where Evans is present and can give his input.

The Board discussed the appointment of an Executive Director. Frechette stated that Kopischke already had the job of secretary and assistant treasurer and he did not see the need for another title. McBroom suggested a job title of "EDA Administrator". This title would give more credence when working with people and businesses that come to the city. On motion by McBroom, seconded by Ritchison, all voting in favor, to appoint Lorri Kopischke as EDA Administrator with her pay comparable to the Commissioners at \$40 per meeting with the pay being readdressed at the March EDA meeting. The Board will develop a job description at the February meeting.

Frechette distributed some information regarding the business classes that the EDA Board had been working toward in 2012. He will organize the material he has and do some more research and report back to the Board at the February EDA meeting.

Frechette reported that the EDA voted in December of 2012 to pass the consideration of a 2013 Building Stimulus onto this Board. There is \$25,000 set aside in the budget for this incentive. Their intent was for the rules to remain the same as the 2011 Stimulus. A resolution supporting this stimulus will be presented for approval at the February EDA meeting.

Frechette reported that Dennis Rients will be renting the property next to The Wilderness in 2013 for \$25. There were no updates necessary for city office referrals.

Jason Moran, 219 James Avenue, stated he had heard there may be an individual interested in bringing a campground into town. He encouraged someone from the Board to be in contact with this person as it may be a good opportunity to bring people into town and also expand the tax base. He applauded the EDA for appointing Kopischke as the EDA Administrator. She is competent and will do a good job. He did comment that the pay she will be receiving of \$40 in his opinion is very low. He would encourage the EDA to look at increasing that amount as she would be the front line person and would be doing a lot more work than some other people on the Board.

Pat Nusbaum, 104 Park Ave NE, explained that the by-laws call for the EDA meetings to be the fourth Thursday of the month. The Council meeting is the second Monday of the month. This makes the first Thursday of the month difficult for EDA as the Council packets need to go out that day and anything done then that night would not be included in the packets and leaves little time to research an item to present at the Council meeting. She cautioned the Board on tossing out special meeting pay as there have been times in the past when the EDA was scheduling many special meetings. She stated that some of the research that is being done for the next meeting should be done by Kopischke rather than the Board members. She felt that Kopischke will be a good person for the job for EDA Administrator. Pat will be a resource for her as she learns the aspects of the job.

Roger Hanson, 309 Third St NW, congratulated Kopischke and encouraged the Board to utilize her abilities. He invited the Board to attend the hearing for the proposed rezoning for the aforementioned campground at the Planning and Zoning Commission meeting on Tuesday, February 5 at 6:00 pm.

On motion by McBroom, seconded by Frechette, all voting in favor, meeting adjourned at 8:45 pm.

Attest:

Mary Opsahl, President

Lorri Kopischke, EDA Administrator

ELYSIAN CITY COUNCIL
REGULAR MEETING
JANUARY 30, 2013
5:30 P.M.

The Elysian City Council met in regular session on Thursday, January 30, 2013, at City Hall at 5:30 p.m.

Present were: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum; Deputy Clerk Lorri Kopischke (arrived at 6:20 p.m.).

Purpose of the meeting was to hear a presentation from Chuck Pettipiece. Pettipiece & Associates, on various entities that disperse grant and loan funds and how Elysian could consider the possibilities of what would be available.

Consensus was that it was a very worthwhile presentation and much was learned.

Mayor Stoen asked Pettipiece, regarding a proposed independently owned campground which is being considered, and asked if Pettipiece would be interested in being involved on behalf of the city in reviewing of the plans which may be presented to the Council for consideration. Pettipiece indicated that he could help the city in reviewing it in regard to the application to the Shoreland Ordinance.

On motion by Thayer, seconded by Opsahl, all voting in favor, meeting adjourned at 6:50 p.m.

Attest:

Clinton James Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
FEBRUARY 11, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, February 11, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke.

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve the minutes of the January 7, 2013 and January 30, 2013 with the following changes:

1. Deputy Clerk Lorri Kopischke was not present at the January 7, 2013 meeting.
2. Regarding a comment during public comment time at the January 7, 2013 regular meeting of the council on the bottom of page 7, clarification of a comment made by Chris Johnson at public comment time regarding a concern of Councilmember Ziemer. His request to put in the statements made by Ziemer to make the comments by Johnson more clear. Statements are as follows:

There is a paragraph, read many times before the public comment time, regarding the decorum of how a person making comments during a meeting were questioned: The statement is as follows: What kind of stand would you as Mayor take if an individual does not follow the guidelines. Mayor Stoen stated that they should not be able to continue. Ziemer asked what the Mayor would do if anyone in the audience or a councilmember would say things like “shut up” what would you do? The Mayor stated that he would gavel them, tell them to be quiet and ask them to take a seat. Ziemer stated that there was no support with the last Mayor and he thought that with the starting of the new year and he thought he would ask how much support with each other and from you as our leader in terms of violating anyone of these. Mayor Stoen stated he would support him 100%

On motion by Thayer, seconded by Ziemer, all voting in favor, to approve the agenda with the following additions to the agenda: under Administration

- h. Brian Hering – Lake Francis Assn. – March meeting
- i. Fire Fighter interviews

- j. **Plowing of private drives with city funds**
- k. **Sentencing to service**
- l. **Discuss 1/7/13 EDA meeting**
- m. **Duties of public works supervisor**

PUBLIC COMMENT

Jim Hansen – North of town - I have been a 21 year resident of the area. A topic I am here for tonight is on the agenda, is the planning and zoning for a potential campground, small hotels, etc. I have property adjacent to the west of the proposed campsite property. I have no problem with my property adjacent to this business. You have to thank yourselves that Elysian is lucky enough to have someone to come into the community to consider doing some developing. It is an economic boom. A lot of cities are trying to find ways to get businesses to come in and ways to promote the town, etc. Think back, or if you have been around this territory, a lot of the residents came here to spend time camping in the area and some of them then became permanent residents, some had cabins then some went to permanent homes. What got them here the first time? When I first drove through Elysian for years down Hwy # 60 to Faribault to see my sister, I did not realize what was here until I got here. It is a quaint community. How many towns of our population have restaurants, gas stations, sadly lost the grocery store this year, but if you look at what Truman had with population, and yet we were surviving with more profitability than they were. The economics of having \$4.00 gas did kick us a bit. From an economic standpoint, there is a conditional use permit which needs to be met and some design ... all issues to be worked out. Be positive. The town can use all. I see this as a business person and resident, it would be good. We have Silver's and the Pit Stop. There have been no issues with either. It would nice to have this for consideration.

Michael Meyer – President of Elysian Area Chamber of Commerce - I am here speaking on behalf of the Chamber and its members to strongly urge the Council to support the rezoning plan that is on tonight's agenda.

Rezoning land to allow a campground/resort would benefit the community in many ways. First, it will bring new tourism to Elysian. More people coming to our community will mean more business in town. More people buying gas and bait at the Pit Stop and Casey's. More people frequenting our restaurants Tucker's, Fischer's, the Wilderness, Alley Scoops and Ellie Gail's. More people visiting establishments like the Legion and the Thirsty Beaver. More people using services in town like Elysian Auto, Of the Earth, Uptown Cuts, Cut Loose, Optimum Fitness and Pamela's Pet Shop. More people attending our churches. And more people using our amenities like the Elysian Area Library and art center, the Sakatah Trail, our parks and our lakes. Not to mention the potential for new businesses to come to Elysian and existing businesses to expand.

Second, the City of Elysian has not experienced significant positive growth in several years. We have lost more businesses in town than we've gained in recent years. Adding a 61 unit campground and a 6 unit hotel will go a long way toward the kind of positive growth our community needs. Not to mention adding new property tax revenue and increasing the usage of our City's water and sewer system which will benefit every resident! Also, many of our residents moved to our community after staying at our existing campgrounds and falling in love with Elysian and the quality of life we have to offer.

Finally, the rezoning plan will bring more people to Elysian for our Fourth of July celebration as both participants and volunteers. The Fourth of July celebration is the main activity that helps fund the Chamber, which has kept the Tourism Center going for years. The Fourth of July celebration also supports the fire department with its annual dance.

The proposed campground is something that benefits the community as a whole. As president of the Chamber, I again urge you to look past the concerns of a few individuals and look to the betterment of the entire community. I personally believe that the long-term vitality of the City of Elysian and our area businesses outweighs the concerns of a handful of homeowners that would be neighbors of the campground. I hope you will take to heart the reasons you were all elected and make a thoughtful and informed decision about this issue tonight. A vote in favor of the rezoning is a vote to secure our community's future. Thank you.

John Stephanie – 205 Lake View Court – President of Lake Elysian Lake Association – I would like to talk about the proposed change in voting from R- 1 Residential to Commercial. At the last zoning and planning meeting Roger Hanson mentioned that it is not a reversible vote to go to commercial, you are more or less stuck with it. Right now, I believe, Mr. Dockstader has not met regulations on the Planned Unit Development Ordinance. #1 in the City of Elysian zoning and planning ordinance which he stated he was sure was given to Mr. Dockstader was given by Pat Nusbaum, (Zoning Administrator) when he applied for the putting in a campground. On page 47, section 12.0 Planned Unit Developments there are 20 pages talking about this. On page 48, Open Space requirements, Planned Unit Developments, must contain open spaces to contain all of the criteria, of a requirement of open space. #a - that at least 50 % of whole area must be preserved as open space. Roads and parking do not count. This is the official plan that was turned in to planning and zoning, as you can see here it does not appear to be near to the 50 %. required to submit a proposal. # 2. Road side city limit in Waseca County, Waseca County's unified development code Article 6 zoning district regulation under campgrounds, states that a site plan review is required. He stated that he believes that this is insufficient. Part B, a site must be accessed by a paved road of sufficient capacity to handle anticipated traffic. A traffic study may be required. Look on 45th street, it is an extremely narrow street going down which belongs to Janesville Township. At the planning and zoning meeting a representative of the Janesville Township stated that they do not plan on paving the road. So, if a paved road is required by Waseca County, this is where it is in, then Mr. Dockstader would have to pave it himself. He stated that he did not know if he (Mr. Dockstader) can handle the cost of paving the road.

John Ross – 43987 45th Street, Elysian – lived her for 61 years. I live down on 45th Street which is the access to the proposed campground. He stated his concerns are the excess traffic which will increase 500 %, there are local families with small children. My concern is the 15 foot road that he is putting in the campground that is not paved but graveled. He stated that we would have campers meeting on the road, 20 foot campers with pickups where are they going to go? Around 90% of traffic will be going from Casey's, going south. There are two accesses on the plan. As far as water and sewer going to help the city, there is only one hookup for water and one hookup for sewer. All sewer from the 61 units will have to go through pump stations before it reaches ponds. He stated that it will put excess strain on sewer system for 6 months out of the year.

My concern is the taxes from the city right now change from Ag to commercial. He stated that he will assume from information he received from Pat the lots across the street lots which are 100x150 foot lot are \$300 in taxes. Donna Remiger's property with taxes on lots, he stated he was not sure, do not have any numbers, that that area is more suited 10 or 12 new homes for families that stay in Elysian and become citizens here rather than have part time people and have 6 campsites that are

weekend campers, people coming in and out all of the time, all week long. Concern of my neighbor and myself, we keep our places up. (Time clock ran out.)

Dawn McGregor – 43883 45th. – Planning and Zoning last week it was discussed that the property that was to be zoned, it didn't seem like it met two of the criteria. First, criteria allowed for rezoning in the event that an error occurred, in the initial process, clearly is not the case with the land we were discussing. Second, in the event of change of circumstances, this appeared to be the criteria that the committee was using to justify the rezoning from residential to commercial. An example was given that since there were two failed attempts to develop the property residential that constituted a change in circumstance and would warrant a rezoning. She stated that she believes the criteria was actually done for the purpose of rezoning of the parcel in the event of due to unforeseen circumstances it was not suitable for the purpose it was initially zoned, allowing for it to be used for other suitable purposes. This is clearly not the case with this property it is still perfectly suitable for residential development. She stated that she felt the Council needs to spend more time to be making sure that they are meeting the guidelines that are established within themselves regarding the rezoning of residential property for commercial use making sure that it does not end up in the courts costing the residents of Elysian and all involved additional expense. Clearly the homeowners living adjacent to the property would rather see a residential development which would protect their property investment. It was discussed at last week's meeting that we need to do something to promote growth for the City of Elysian. She stated that she would argue that this is the exact type of reckless behavior by the Planning and Zoning and the city that would deter anyone to invest in property in Elysian area. She stated that whenever I mention to someone that I live in Elysian they respond with that they read the papers and with all of the political issues happening in that town they cannot believe a small town like Elysian is supposed to be close knit and is having all of these issues. It is time for the city council to stop doing favors for a select few residents and start following their own policies and procedures and represent the land owners they represent. She stated that she would encourage the Council to do what is in the best interest of the city. Keep in mind that the property in question is part of Waseca County. It may be in City of Elysian, but it is in Waseca County. Taxes to Waseca are about \$4,000 per year. The property was initially listed at 5.03 acres down to the lake that included the road that went down to the lake. Without that it is now 4.83 acres. Keep in mind that below the hill is the wet land area which the DNR will not allow to be developed. She stated that she has experienced this herself with downed trees that we tried to clean up. We went to the lake shore restoration person. There are a lot of mature trees between the lake and property in question, and no mature trees in the field where the campground is to be put.

John Dockstader – Proposer of campground and wife Lisa. I would like to ask the city council to rezone this parcel of land to Highway Commercial. I have done a lot of research on campgrounds and have talked to the DNR extensively. I am going to hire an engineer to draw up final drawings of this campground with all of the fine details such as setbacks, density, water, sewer, fire hydrants, open spaces, shrubs, trees, vegetation, roads, entrances and parking area. After the drawing is complete I would like to place in city hall for any citizen to comment. I will open to reasonable suggestions. The campground drawing will then go to the city for a conditional land use permit. The city then contacts the DNR and they have "x" amount of days to review this and they will be in contact with the city for any changes they feel needs to be done. The DNR works with the city to make any recommendation to the city for any change if needed. After this is done, I still have to get approved with the State of Minnesota for a campground which includes lot sizes, electrical, water, sewer, garbage, location of bath house and play area all will be reviewed. This is a seasonal campground with a small hotel with a few daily/weekly rentals. I have talked to residents in the area who would like to see a small hotel for relatives who would be visiting and need a room for a night or two. I will try to control traffic on 45th Street. The only traffic 45th Street will see from

campers will be the occasional camper when they terminate the rental agreement or agreement is terminated by management. The daily weekly spots are next to the Maple Street entrance which is paved. Since this is the closest entrance to Highway #60 and the most businesses in the downtown area, I believe that this will be used the most both by vehicles and traffic. I would like to make the point that I will not cut down any trees or remove the ice grid or landscaping in any area within the setbacks along the lake without being in compliance with the DNR. The DNR has guidelines for all of these things. Permits are required. I will be planting DNR approved trees, shrubs, and grasses throughout the campground to control erosion into the lake. Lastly, there have been two attempts at a housing development that has fallen through. Rezoning of this property is a step in the right direction. Thank you.

Mike Kauss – 6 Egret Lane – President of Lake View Manor Association and we have spaces for 47 units 27 are filled. There are 20 spaces that have been vacant for years. It would be nice if we had residents that would fill those spots. It would be nice if we had residents on the property we are talking about. But, I do not see anyone scampering here to build residences on this property. Here we have a man and his wife who came to the Planning and Zoning committee, of which I was the chair person, to talk to us about their plans, laid out their thoughts, they brought everything we asked for and they are willing to spend their money to bring something to this community. I feel sorry for someone who is upset with maybe a campground might go next to their property, but there are not many of us who buy property that are guaranteed that we know what is going to be happening next to our property. You can have a beautiful home and next door there could be a junkyard. Here we have someone who is willing to help our community. You are chosen, you are elected to help this community to progress and grow. This is an opportunity to bring money to Elysian. All of this can help everyone in the community. This will help all business in our community. I have talked to many businesses, which for various reasons had prior commitments tonight and could not be here, and they would love to see the potential of 61 unit campground and know what it will bring to the community. You need to consider that and weigh it heavily as to the future of this community. If your attitude is you do not want any growth, if you do not want to see any growth, then get off the council, or bring something that you can bring to the community that can help us. People talk about how great Elysian is and what can be done to help the community. I do not see a lot of people making it any better. Here is an opportunity where there is someone going to spend their hard earned money on our community. This is not a fluke. They are building their home and spending their life here. They are not putting up 61 one units and then getting out of town. They care or they would not be coming to this community. Please give that consideration as to how it can help our community and our businesses. Drive across the America and look at the dying places, because no one wanted to do anything. Thank you.

John Stephanie – Why we should delay, he had communication from Randy Bradt, DNR out of Rochester, he is the head in charge for Elysian. He has taken a look at the 61 sites and the docking facilities. He says that contained in the zoning book he took time to look at the plan and how many units could fit on the site. He felt that it may only be only possible to have 14 in first tier and only 4 in the second tier. The ordinance might be able to increase the amount to 20 on first tier and 9 on the second tier. Randy did not give a formal evaluation but a thumbnail to get some idea as to the plans and how the ordinance will look at the plan. Additional provisions of the ordinance were not addressed. What I am getting at is that 61 units are probably going to be more around 30 or less including I think whether he can live with that and pave a road, he may not be able to do it. It may be too early to change the zoning to commercial zoning that would be irreversible. Thank you.

Zoning Administrator Pat Nusbaum – This is a rezoning hearing. When this is passed the conditional use hearing comes next. All of the material would be included in that hearing. Nothing would come before the council until all was ready to go. I do not know how long it would take, but

the public hearing would be on the plan. Before that can happen the DNR has to sign off, the state permits have to be signed. This is actually a rezoning question. This is not the plan, we cannot talk about the plan tonight.

Wayne Unke – 124 Willow Point Drive – I have been to the zoning meetings and have listened to the people at the zoning meeting talk and visit. You have an interesting job to make a good decision on this decision. Personally, that's what I have listened to all who have talked so far. He stated that he believes that the cart is before the horse a little bit. You need to sit down and talk about what you are going to charge for sewer and water and what affect it will have. Do you want to give away our sewer and water a system that we have worked hard to get. I understand we have plenty of room but thinks you need to study the sewer, study the water, study storm sewer plan and once you make the switch to making it commercial you have a nasty kind of thing as I understand in listening to the peoples' comments tonight. The issue here basically tonight is to say if you want changes I know of things that have been done in this city that are a mess. A development of hundreds of thousands of dollars that the council made a decision to put street and sewer in and it is the Lake View Manor project. It is a mess. Today, if I was on the council, I would have probably approved it, but today it is a mess I believe. I am no authority on the matter, but some people give me some concepts on it. You are to make a decision that would be hard to reverse. You need to make a decision to maybe put it off for a little bit. Make the decision further down the road. Thank you.

Kelly Kauss – 6 Egret Lane – This is my third meeting. I cannot believe it has taken forty minutes for us to get started. I would like to say “why are we all so afraid”? Thank you.

Jane Larson – 22180 Warner Lane and co-owner of Tuckers Tavern- just want to re-register my 100% support of this project whether there are 15 spaces or 30 or 60 spaces it is more people who we will have the potential of serving at Tuckers. I am 100 % in support of this project.

Dan Engebretson – 30 Egret Lane – I am on the Planning and Zoning Commission. To me it was a very difficult decision because for one thing we are stepping on people's property values and property rights. In the end I decided to vote for the project because, what it came down to, for me, was I remember as a child with my parents, they would take me to my Grandparents' home which was in a little town called Virtue by Marshall MN. It was a very small town with only about 100 people. It had a local bar, a local store, an elevator, a Post Office. Each year as I got older and older each year I would go there I would go to their home and each year the town got a bit smaller. Finally, the bar closed, the store and elevator and Post Office closed. When my Grandparents moved away there was probably only six people left in the community. I think communities get to a certain point where either they maintain the community and it is growing or the community will die. I'm not saying that Elysian is there at this point, but we do need to support the businesses in this community. For me, that was the main reason I made my decision, why I supported this project. I feel for those people. The value on my home has gone down 50 – 75 thousand the last 6 years we have been here. When we moved here we moved here with the idea that it was a growing vibrant community. It had businesses and things that we wanted. If we lose those businesses, we lost the school, there will be a lot less reason for people to move here, and if there is less of a reason to move here there will also be less property values for all of us here. And that is the reason I put it into my consideration when deciding on the way I did vote. Hopefully, you will keep the whole community in mind when you make this decision. Thank you.

Joel Anderson, 200 Main Street West – I own a plumbing and heating company so you would think I would be in opposition of the project. But actually I am for it because that development may not ever turn out to be anything. So it might take 30, 40 or 50 years for them to build a house, a

development on there. We have a gentleman here that is willing to do it now. So we need to do the right thing and have it pass.

Chris Johnson, Janesville – I also am very strongly supportive of the rezoning effort. For one thing we've heard nothing for the last at least two years more than we need to reduce our property tax rates and reduce our water and sewer rates because they're too high. Well you add a campground and resort that has 61 units and 6 hotel rooms and what are you doing for your water and sewer? You're increasing the capacity and the amount of usage for the same infrastructure that we have now and you're going to make the costs lower for everybody. It's just a no-brainer. The same thing on the property taxes. What's the valuation at now? Well, considering that it's just mostly agricultural land, it's not the same valuation as it will be when it's brought in as a resort and campground. You're going to have more property taxes coming into the city and that doesn't even include all the applicable development aspects of it. I apologize. I am late for the meeting but I do understand that in the first part of the meeting that my visitor's comments were brought into question and so I just want to remind at least one member of the council of something called the First Amendment which says, "Congress shall make no law abridging the freedom of speech or of the press.", and I hope this is not the first time this has happened and I hope it won't happen again. Thank you.

Discussion was held on the Planning and Zoning recommendation to rezone a 4.98 acre parcel of property, which is located adjacent to Silver's Campground and Lake Elysian, from Residential R-1 to Highway Commercial C-2. On motion by Stoen, seconded by McBroom to approve Resolution #420/13, A resolution to rezone land approving the 4.98 acres of property to be rezoned from Residential R-1 to Highway Commercial with the stipulation that if the conditional use permit is not approved the property would revert back to R-1 Residential. Voting Yes: Stoen, Mc Broom, Opsahl. Voting No: Thayer, Ziemer. Motion failed due to needing a 4/5 vote for approval.

City Engineer John Schulte V was present to discuss with the council their consideration on the moving ahead with the next phase of the street project. On motion by Stoen, seconded by Thayer, all voting in favor, to approve a 2013 street project to include Frank Street from Third Street NW to Third Street NE to include Second Street NW between Frank Avenue NW and the City Park and Second Street NE between Frank Avenue NE and Park Avenue NE.

On motion by Stoen, seconded by Opsahl, to approve Jason James as Fire Chief for 2013. Voting Yes: Stoen, Opsahl, McBroom, Thayer. Voting No: Ziemer. Motion declared carried.

On motion by Stoen, seconded by Ziemer, all voting in favor, to approve Mark Muellerleile as First Assistant Chief.

On motion by Stoen, seconded by Ziemer, all voting in favor, to approve Eric Muellerleile as Second Assistant Chief.

On motion by Stoen, seconded by McBroom, to approve Jason Moran as Legal Counsel for the City of Elysian for 2013. Voting Yes: Stoen, McBroom, Opsahl. Voting No: Thayer, Ziemer. Motion declared carried.

Councilmember Thayer commented on a handout which was included in the packet dealing with Robert's Rules of Order, regarding the making and amending of motions.

Discussion was held on the City Web Site which is presently governed by the Elysian Economic Development Authority. Discussion included as to whether the City should own the site or to continue with ownership by the EDA. On motion by Thayer, seconded by Ziemer, all voting in favor, to honor the contract now signed which is for eighty hours of work and then to revisit again at the end of the contract.

On motion by Opsahl, seconded by Ziemer, all voting in favor to approve Resolution 419/13 acceptance of donation from Dale Gandrud of \$100 to be placed in the general fund.

On motion by Ziemer, seconded by Thayer, all voting in favor, to accept the voluntary resignation of city employee Charles Taylor.

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve the special assessment settlement agreement with Joyce and Curtis Bohlen.

Deputy Clerk Kopischke gave an update on Wi-Fi for City Hall, quotes on a computer for the Public Works Department. On motion by Thayer, seconded by Ziemer, all voting in favor, to approve a computer for the Public Works Department at the west pumphouse.

On motion by Ziemer, seconded by Opsahl, all voting in favor, to purchase a computer for the Public Works Department from Pantheon of Waseca.

City Administrator reported the open book meeting for 2013 for the City of Elysian, which is held at the County Assessor's Office as follows:

Le Sueur County – April 16th. 10:00 a.m. to 6:00 p.m.

Waseca County - April 15th. 10:00 a.m. to 1:00 p.m. or April 18th. 1:00 p.m.

A big "Thank you" to Tim Bengtson and his crew for putting up and removal of holiday decorations.

Member Ziemer questioned not receiving an update from the Elysian Bank Jim Hansen, as to the Council procedure if there is a need to cash out and a concern as to a member of

council on the year end report from the bank and bank board. Nusbaum will contact the Bank as to answers to these questions.

March meeting Brian Hering, representing the Lake Assn. will be present to discuss with you the possibility of hiring a person to monitor boats leaving the lake.

Fire Fighter applicant interviews will be held this week.

Councilmember McBroom questioned the plowing of private drives. Discussion was held. More research will be made as to any agreements associated with the drives. Another question was as to the speed signs. Speed signs on private drives are unenforceable.

On motion by Ziemer, seconded by McBroom, all voting in favor, to contact Sentencing to Service as to work within the city when extra help is needed.

Councilmember Ziemer questions the authority of the Mayor to appoint an Executive Director to the EDA and questioned his authority to change a scheduled EDA meeting. Member McBroom, a member of the EDA stated that the items just mentioned had been resolved at the recent EDA meeting.

Member Ziemer questioned the authority and duties of the Public Works Director's supervisor. Attorney Moran stated that if the Public Works Director had a question he can come to the Council.

On motion by Thayer, seconded by Ziemer, all voting in favor, bills, payroll, and transfers were approved in the amount of \$73,818.69.

Public Comment:

Roger Hanson, 309 Third Street NW- I wasn't going to talk tonight but as I sit here things come up and I have to bring them up. We talked about the computer set up at the pump house. We do have a city policy on electronic communications and use of the internet. He had to be made aware of that. Somebody has to control that. Website - I have always been totally in favor of the city owning the website. And if I can just take a minute because some people sitting here don't understand why the EDA has that. This goes back a lot of years when they started that and decided they had to have a website they could only fund it through the EDA. So the EDA had that website and has controlled it ever since. We all can kind of work together to get the stuff on there. It's cumbersome. I think the City should control the website. I think we ought to have a local web person to get that stuff on there because we are always two to three months behind. Somehow we could have email linked to that so you don't have to go and get a whole lot of Frontier emails. Just something to think about. One of the other things here, you need someone local like Bobby that can do that on a regular basis. This person you have, I don't know who communicates with them or how often or what happens. But we really need to have somebody who will do a good job on that.

This one hits to home. I am going to use a word I just heard a few minutes ago I think it's terribly disrespectful of this council to put the blame on the residents of Woodbine for not going ahead with any kind of a street project. We're not at fault. Everybody out there agreed that this job needed to be done. It had to be done. We have a difference of opinion. I don't know that the city has directed their attorney as to what to do on this. I have a feeling if you had we would have had this settled already and we wouldn't have to worry about this. But I just thought it was terrible disrespectful to sit here and listen to you guys talking about us like we are holding up the project. We are not holding up the project. We all knew that had to be done when it first came out and was talked about. We figured out what it was going to cost us all to do the whole project. Instead it cost us nearly that much for 1/3 of it. Our concern now is that we are going to get hit two more times. And that is what's going on. The city needs to meet with their attorney to tell him what to do and get that settled.

Chris Johnson, Janesville – Last month I requested a copy from Councilperson Thayer regarding some discussion on the January agenda about the city providing the chamber with photocopies. And Councilperson Thayer provided me with a copy that she had received from Katy Anttila while Katy Anttila was still mayor. And she provided a note to me which said that you had, that Councilperson Thayer you had knowledge that Katy had that document. That document stems from the September 2011 attempt to remove Pat Nusbaum from her position as city administrator and I would like to know how you knew that Katy Anttila had that document.

Councilmember Thayer: That wasn't related to that.

Johnson: Yes, it was. It was actually number fourteen on her list of things that she had brought to the council to try to dismiss Pat.

Thayer: She talked about that at a council meeting.

Johnson: But how did you know that...if you don't communicate with Katy Anttila outside of.

Thayer: She brought that to a council meeting. We. Yes, we did. Pat didn't we? We discussed photocopying by the chamber at a council meeting last year like September 2011, that is the time that, that.

Johnson: She did not bring that document to the meeting. I had to request that document from Ms. Anttila through the course of the litigation and she did not provide that document at that September meeting.

Thayer: I disagree because I sit right next to her and she had it here. Maybe she didn't distribute it to everybody.

Johnson: Well how would you have known that she had it?

Thayer: I sit next to her.

Johnson: So you saw it?

Thayer: Yes.

Johnson: Do you see all of? What documents does Mayor Stoen have in front of him right now?

Thayer: (responded with a chuckle).

Johnson: See I am not convinced Edna that you saw Katy's document and I would like to know how you knew two years later, almost a year and a half later that she still had that document. And that you had communicated with her that you were requesting it.

Thayer: Because I remembered the discussion and I remembered that she had contacted them.

Johnson: The next comment I have and it is a separate issue is that I think it is absolutely shameful that the council voted against development and progress in the city tonight and I think it is pretty evident to everybody in this room why the council voted that way and it is because Dave Rager and Katy Anttila sent a letter in opposition to the development because they live there. And I think that it's pretty shameful that we have council people who are doing their own bidding of somebody who is no longer holding office. So here we have a person who is just voted out of office on a margin vote of more than 2/3 to 1/3 and you're continually speaking for her Edna. And I am wondering do we need to change your nameplate to Katy Anttila ex officio?

Mike Kauss, 6 Egret Lane – I was gone for seven weeks and I wonder why I came back. I'd like to thank Councilman Tom McBroom for bringing up the issue of plowing because I had the same notes down here and I would like to bring up that as part of Planning and Zoning many months ago there was a big issue of whether Willow Point Drive would be taken over by the city. Now it is interesting that Brian sits there and says they receive no benefit. I am not going to sit here and debate that issue but I am sure they have received many different benefits. But the reality of it is I have asked and I would really like the attorney to really pursue these agreements that I keep hearing about. We have two boardmembers sitting here, one from Willow Point Drive, one from Roots Beach. Edna said which I really liked, she spoke about caring about each Elysian citizen. I happen to be one Edna. I pay tax dollars. I don't want my tax dollars plowing your private road. Or yours Brian. And I don't understand to this day why someone who would sue the city would even want to be on the city council. But that is another whole "issue thing". The other thing that Brian brought up under the EDA he says you know we can't really have two sites because the EDA would have to have their own. I'd like to find out for once and for all who is in charge of the EDA. It's my understanding that it is a function that falls under the City Council. I'd like to see the documentation that proves that. Because if you go back and take a look at how it was funded in the beginning, it was funded by the City Council. So the last thing I have is the comment came up about whether Jeff would be here. And Tom I think it is nice that Jeff might have the opportunity to answer things from the audience but normally nobody from the City Council or Jeff talks to anybody in the audience or answers anything. So that would be a really unique experience. And I am going to bring it up one more time, as the President of Lakeview Manor, and I've asked this many times, I have yet to see a priority list by Jeff Moe as to what issues have to be taken care of in the city. And it's really interesting of Brian's concern of who the supervisor is because even under the guidance of the City Council he has yet to do this. And that has been on the agenda several times in the past that you guys just kind of sloughed it off. Now if Jeff Moe is in charge of the city streets and so forth, why is it so hard for him to put together a priority list so everybody in the community can know what is being done? Does he need a supervisor to tell him to do it? Because I sat here and I addressed it with Katy Anttila when she was the mayor and she said she had spoken to him that day and I said well are you the supervisor and she immediately back tracked and said well no the city council. The City Council had never spoken to him. So who is in charge of Jeff Moe? And whether or not he does the things that you say you want him to do?

John Roessler, 310 Lake Avenue NE - if you are going to put a computer out at the pump house you are going to get an air conditioner and a tremendous de-humidifier. There is water running up there. A computer has to work in a dry area or there is no way it will work.

Wayne Ingebritson, 304 Main Street W – First I wanted to thank everybody for helping me fix our car. I wanted to do that last time and the time before but it gets heated up everytime. But now did they find out who is responsible for it? The payment? Was it the contractor or was it the surveyor?

Nusbaum: The contractor took care of it.

Ingebritson: So the guy signed off on it? He hasn't signed off on it yet?

Nusbaum: No, it is all finished. The engineer has, everything is completed.

Ingebritson: Yeah but the engineer has to sign off. He should be the last one and should be responsible, I think.

Nusbaum: It's all been completed. The point is, Wolff Construction, WW, they looked at it, ground it down, and repaired it and it's...I don't know if they turned it into their insurance or if they took care of it. It's over.

Ingebritson: And another thing with these mailboxes that somebody was saying that the city does not do a very good job around them, around their buildings and that. It's not up to the city. It's up to the people who own the mailbox. It is a privilege that they get to put their mailbox on city property.

(Discussion between Ingebritson and the audience)

Ingebritson: Now the big truck, that isn't supposed to be out here on these streets? As far as plowing snow? You don't want the big truck out here? The big plow truck?

Nusbaum: The big truck was hardly ever used until this year. The wing is never on the truck until we have a huge snow that we have to push back. But I...that's all I know.

Ingebritson: But I mean it's not supposed to be up and down the street here?

Nusbaum: Have you ever seen it before up and down the street?

Ingebritson: No. But you have a sander on there and you have to have that go up and down the street. Somebody said that that truck is too big to be on the street here.

Nusbaum: Who is the somebody?

Ingebritson: Well I would have to read the minutes. But what I was wondering is if it can't be on the big street then what did you buy it for? And if you put a sander on it why not put it on the little truck?

Bill McGregor, 45th Street – I take offense to somebody standing up here saying that the City Council is just up here to carry water for Dave and Katy. It seems to me we were up here last week and spoke to the Planning and Zoning Committee in opposition to the campground. My wife was

up here tonight speaking in opposition to the campground. We own property that abuts the property that they are proposing to develop. So if somebody is standing up here and saying that the only reason the City Council makes any ruling against the development for commercial use is offensive. We live down there. We have opposed it for the effect it will have on our property values.

Wayne Unke, 124 Willow Point Drive – A couple of comments. First of all, I am calling you the fastest one with the gavel. The fastest man with a gavel. I hope you continue it because that will make our meetings good. You used the gavel tonight and that was good. I want to compliment you. If I was your principal I would give you an A+. A couple things that people said here tonight by in large were fairly loose and free. Now this city is unique. I learned it and I didn't know a thing about it till I got in an argument with Dave Rager about things in the city and he said you ought to be on the Budget Committee. So I got on it and I got to know Jason and I listen to what Jason says and he is pretty free with his judgments too but I am not going to get into that because he would probably sue me. I like Jason. I think we can disagree and that's what's most important is we can talk and disagree or agree. Number one, we have about 70 people in this town with second homes. That is only a guess. That makes this community more unique than most communities around. Now those homes are not cheap homes, most of them. The people who can afford these homes are not poor people. They're pretty well off. I live on a 50 foot lot. I pay taxes. You know I keep saying, my friends they get mad at me a little bit, I wish I had to pay more taxes because if I had to pay more taxes my value would be more. Well they don't like me to say that because they want the taxes reduced. I get a kick out of that. We people on these so called private roads. I don't think any roads should be private in the city. I think we should get rid of that. All the roads in the city should be city streets. Some way, whatever it takes, make them city streets. We pay the biggest taxes. You got 100 foot on that Lake Francis and it could cost you \$2,000 to \$3,000 a foot. It's big. So we are big taxpayers. I don't mind that I guess. I don't mind it. But we are looking to get a fair share. We blacktop our own. No big deal. We get it maintained. I think some of it even got seal coated in the past. We don't get street lights. If we want a street light we pay for our own. However, if we are going to subsidize, my mind says I am subsidizing a lot of other people around town that have streets and so forth. But that part is in my mind. I do like what Lorri says about looking at ways to put things better and thriftier. That's excellent and I think that you're going to find that as a group you are going to have a much nicer group at the meetings, you won't have to use the gavel so much because I think your opposition knows the rules of etiquette and order and means. Thank you.

Chris Johnson – Janesville – I just wanted to state for the record that, just in case there would be any future discussion of this issue or future litigation, that the reasoning that two councilmembers used for voting against the rezoning tonight which was to say that Waseca County would not permit that kind of a campground. That for the record that reasoning is false. You go by the City of Elysian's zoning not Waseca County's zoning and whoever fed you with the information that said you go by Waseca County zoning and not your own is incorrect.

Jane Larsen – I guess I have kind of a follow up to that because I have been asked by some people about bringing a business into town. Is that going to be the standard answer? No. Because they will use water. They will be in town. Is that going to be the standard answer? No we don't want business or are we going to drag them through the dirt and then say no? Or should I just tell them forget it? I guess Mr. Ziemer that is for you. Ms. Thayer?

Thayer: The standard answer for what?

Larsen: For a new business in town. Because your issue is the obscure water fees. They will be using water and so we say no to that business

Thayer: Well a business like in a downtown in a commercial area, yes that is why they have commercial zoning areas.

Larsen: But the issue that you suggested tonight is some obscure water fees.

Thayer: I based it on what I thought was for the public good of all citizens in Elysian. And the extra cost of the water and sewer and garbage because that is only one hook up for all those sites I think would be spread out over other people in Elysian.

Larsen: But Pat was asking you what those fees would be that you came up with?

Thayer: Well each case would have to be considered separately. That wouldn't always happen.

Larsen: Well this business would only be one hook up also. What would be the other fees?

Thayer: Most businesses have only one hook up and that is fine.

Larsen: Okay Mr. Ziemer could you answer that?

Ziemer: I don't believe I have to.

On motion by Ziemer, seconded by McBroom, all voting in favor, meeting adjourned at 8:43 p.m.

Clinton James Stoen

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
SPECIAL MEETING
FEBRUARY 20, 2013
6:00 P.M.**

The Elysian City Council met in special session on Wednesday, February 20, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, (arriving at 6:10 p.m.). Absent: Councilmember Brian Ziemer.

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

First item on the agenda was to re-discuss the proposed consideration of rezoning from R-1 Residential Zoning to Highway Commercial of a 4.98 acre parcel of property which is located adjacent to Silver's Campground and Lake Elysian.

Mayor Stoen stated that there would be no public comment. The meeting was for discussion of the council.

Mayor Stoen offered Mr. Dockstader to make a brief statement and answer any questions that Council may have unanswered.

Council referred to Councilperson Thayer as to what it would take to reconsider her "no" vote to give Mr. Dockstader a chance by passing Resolution 420/13 to rezone from R-1 to Highway Commercial. Much discussion was held with all council verbalizing their feelings.

On motion by Stoen, seconded by McBroom, to approve Resolution 420/13 Resolution Rezoning Land from R-1 Residential to C2 Highway Commercial. Voting Yes: Stoen, McBroom, Opsahl. Voting No: Thayer. Motion failed.

Mayor Stoen apologized to Mr. Dockstader.

On motion by Stoen, seconded by McBroom, all voting in favor, to close the special meeting at 6:46 p.m. and go to closed session for the purpose of discussion of a personnel issue involving the Public Works Director.

A five minute recess was called by Mayor Stoen.

After the closed session, on motion by Stoen, seconded by Opsahl, all voting in favor, meeting was reopened to the public. Mayor Stoen stated the following: A motion was

made by Stoen, seconded by McBroom to terminate Public Works Director Jeff Moe for cause and to appoint John Roessler interim Public Works Director at a wage of \$26.17 per hour starting immediately and Max Venero as a temporary employee at \$10.50 per hour.

Vote: Yes: Stoen, McBroom, Opsahl. Voting No: Thayer. Motion carried.

Motion was made by Stoen, seconded by McBroom that Mr. Moe immediately turn over all keys to the shop, all property that belongs to the City including correspondence he has be it in email or other forms that refers to the city business, all city property like the cell phone, pager, radio, and any other city owned equipment and that Mr. Moe be advised the he is not to return to the city shop again.

On motion by Opsahl, seconded by McBroom, all voting in favor, meeting adjourned at 7:03 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
MARCH 11, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, March 11, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler.

On motion by Thayer, seconded by McBroom, all voting in favor, minutes of February 11, 2013 and February 20, 2013 were approved as presented.

Discussion was held on whether the public comment time should be at the beginning of the meeting or at the end. Consensus was that it would be placed at the beginning of the meeting. On motion by Stoen, seconded by McBroom, all voting in favor, agenda was approved as presented.

Brian Hering, representing the Lake Francis Lake Association, was present to ask the Council if they would participate in a project that the Lake Association would like to implement in the hiring of a person for the summer months to check boats at the east end public access for invasive species such as zebra mussels on a limited basis to include weekends. On motion by Ziemer, seconded by Thayer, all voting in favor, to approve the City hiring the person with the Lake Association paying all hiring costs, including the payroll taxes, at a rate of \$8.00 per hour.

George Eilertson, Northland Securities, Inc. was present to discuss with the Council the steps involving bonding for a project, special assessments versus levying for project debt, hiring an appraiser for each parcel prior to a project and the holding of special assessment hearing at the beginning of the project versus the end of the project. Council will consider the options prior to the project.

On motion by Stoen, seconded by McBroom, all voting in favor, to accept the Engineer Feasibility Study for 2013 street project.

On motion by Stoen, seconded by McBroom, all voting in favor, to call for a Public Hearing on April 8, 2013 on the upcoming street project.

A discussion on private drives within the city limits and how they are being maintained was held. Attorney Moran reviewed some of the maintenance agreements for some of the drives. Motion was made by Ziemer to draw up agreements that are all similar. There was no second to the motion. On motion by Ziemer, seconded by McBroom, stating that all

private drives shall be treated the same, same snow removal and bituminous surfacing is the expense of the property owners. After discussion, Ziemer and McBroom withdrew their motion. A meeting will be set up with all of the property owners living on the private drives within the city to further discuss matters concerning their road.

On motion by Stoen, seconded by McBroom, to authorize the City Attorney to update the employee job descriptions and to make contact with the League of MN Cities regarding two bills for \$1,000 each as the deductible for two lawsuits involving the Council in 2012. A report will be given at the April meeting. Voting Yes: Stoen, McBroom, Opsahl, Thayer. Abstain: Ziemer.

Joe Meixl, Mankato, was present to petition the Council for annexation of a parcel of property located on Ray's Lake. On motion by Stoen, seconded by Opsahl, the Joe Meixl petition was accepted and a hearing on the petition to annex will be held on May 13, 2013 after township notification and notice to the neighborhood. Voting Yes: Stoen, Opsahl, McBroom, Thayer. Voting No: Ziemer.

Discussion was held on the consideration of hiring a full time maintenance worker and Public Works Director. On motion by Stoen, seconded by Ziemer, all voting in favor, to advertise for a public works director with Mayor Stoen, Administrator Nusbaum and interim Public Works Director Roessler doing the interviews and bring a recommendation to the Council.

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve the offering to Ron Greenwald the fulltime maintenance position.

On motion by Stoen, seconded by Thayer, all voting in favor, to advertise for a summer temporary employee at \$10.00 per hour.

Public Works Director Roessler Report:

1. Updated the council on water meters and reading software. Meters are going to the handheld reading with software to be used directly from the handheld to the computer. Software and handheld reader will cost approximately \$6,500.
2. Meters ordered by the former Public Works Director were from a company that is going bankrupt, need to go back to the badger meter which the city has used for fifteen years.
3. Need to start on developing the City of Elysian Well Head Protection program. On motion by Stoen, seconded by Thayer, to proceed with the development of the Well Head Protection Plan for the City of Elysian.
4. On motion by Ziemer, seconded by McBroom, to approve the purchase of a new snow plow in the amount of \$5,500.
5. County Road #50 (Main Street) is in need of repair. Le Sueur County

Highway Department has notified the city that it will be sealcoated this summer.

- 6. A quote had been obtained in January for repair to the lift station in the amount of \$15,000. Roessler stated that the repair can be made by the city maintenance for less than \$1,000.**
- 7. Roessler reported that required PCA reports had not been submitted to the state since the first of the year. He will be working with PCA to try to get into compliance in hopes that the City would not receive a fine.**

Le Sueur County Commissioner Steve Rohlffing was present to introduce himself to the Council. He stated that he wanted to keep open communication with the city and the township. He stated that he observed that County Road #50 was not in good shape. He praised the Council for running for public service and hoped that they enjoyed their tenure, and if you do not enjoy it, do not run again. He offered his phone number for anyone wishing to call him, to do so.

On motion by Stoen, seconded by Thayer, all voting in favor, to approve four new Fire Fighters for the City of Elysian pending successful medical exam - Bob Houlihan, Greg Lamont, Matt Olson, Derek Westby.

A new furnace is needed at the Tourism Center. On motion by Ziemer, seconded by McBroom, all voting in favor, quotes will be obtained by the next meeting for furnace and air conditioning.

On motion by Thayer, seconded by McBroom, all voting in favor, bills, payroll, and transfers were approved in the amount of \$93,260.41.

Public Comment:

Roger Hanson – 309 Third Street NW-He stated that spot annexing is not a good idea. Another exception, listening to the discussion tonight, exceptions will come back to kick you in the butt. You need to consider this a lot. Private drive or road designation, check with Planning and Zoning and the land use plan it is addressed. The people living on these roads are citizens who pay taxes and should be treated as well as anyone else. It is an anomaly in this town. I do not know of any other town with private roads. But, we get hung up on the Roots Beach Drive and maybe the North Shore Drive also, it is impossible to make them a certified city street. It takes some consideration. Things have been working well. I think that since I have been involved for maybe 15 years, it comes up almost every year and a lot of time is spent and basically it is kept the way it is. I do not know whether it right or wrong. It is in the ordinance. If you do something else you will have to rewrite the ordinance.

Megan James – Elysian Township – I am the Real Estate Agent involved in the Ray's Lake Addition and it is part of everyone's purchase agreements that they are to assume the assessments. The septic system is temporary until the city can get it out there. Just so that you are aware, and it doesn't sounds like that you are, that it is it is temporary

situation and that all land owners know that they will assume the assessments and that eventually water and sewer will be coming out there, when that is, who knows? She stated that Mr. Ziemer's statement was pretty defamatory of the James Brother's, implying that there is more money to be made. It was rude and that's disrespectful. It is really setting a precedence for yourself and the Council. Ziemer stated that it was his opinion. James stated it is rude and you Mr. Ziemer represent the community as a councilmember. Mr. Ziemer stated that he was (representing the community). James stated that we are allowed to give our opinions, that you are a jerk, that is rude. Mr. Ziemer stated Thank you. James stated, "Another thing, I went outside to apologize on your behalf, Mr. Ziemer, to Mr. & Mrs. Meixl for the way you treated them. They came here to ask some questions and to ask to be annexed into the City. You jumped down their throats. For no reason. The way you came across was just awful. Again, you are one person but, you represent the community as a Councilmember. You need to remember that. Ziemer replied, stating, Thank you for your constructive criticism. James stated, "I hope you take it because you are one person who represents this whole community. We are trying to get growth and trying to get people to come here. You are being a jerk. Ziemer stated "Thank you". James stated, "So fix it".

On motion by Ziemer, seconded by McBroom, all voting in favor, meeting adjourned at 8:10 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
EMERGENCY MEETING
MARCH 20, 2013
4:30 P.M.**

The Elysian City Council met in an emergency session on Monday, March 20, 2013, at City Hall at 4:30 p.m.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler. Also present: John Schulte V., City Engineer.

The emergency meeting was called by Mayor Stoen to discuss and act on the following:

1. 2013 Street Improvement
2. Special Assessments – Lake View Manor
3. Private Drives

Meeting was called due to timelines of the above topics that need to be addressed.

Special Assessments: Twenty lots in Lake View Manor are being considered for foreclosure. After Nusbaum had received information from the county regarding this Attorney Moran addressed the council stating that the Elysian Bank was holding the loan on the property. Moran asked the Council if they would consider working with the bank to recapture the special assessments on the property. Jim Hanson, representing the Elysian Bank, stated that the redemption period has just been finalized. Between back taxes and assessments, each lot would have debt of approximately \$32,000. If the lots are forfeited from the Bank and go to sheriff's sale, at that time the people bidding on the lots would know that an assessment will be placed on each lot, but they would not know the amount of the assessment at that time. The property probably would be offered to the City first prior to a sheriff's sale. Jim Hanson stated that the estimate market value has been dropped from \$42,500 to \$20,000. Taxes for 2013 are \$1,600 per lot. Attorney Moran asked the Council to work with the Elysian Bank to see what can be done about the assessments.

Attorney Moran stated that following the 429.071 State Statute, once the property returns to ownership the city can place the assessment back on the property.

On motion by Stoen, seconded by Opsahl, all voting in favor, to have Attorney Moran investigate the special assessments for Lake View Manor and report back at the next meeting.

Engineer Schulte and Public Works Director John Roessler was present to review with the Council the consideration of additional street work to be done in the projected project. Discussion on additional streets need to be included along with consideration of a portion of Fifth Street NW in front of the former school. Discussion was held on the width of the street, curbs, and timelines. On motion by Ziemer, seconded by McBroom, all voting in

favor, to proceed with the feasibility study including of the additional streets to the project with the council receiving the report at the April 8, 2013 meeting.

**Frank Avenue – Third Street NW to First Street North
Frank Avenue - First Street NE to Third Street NE
Second Street NE – Frank Avenue NE to Main Street East
Third Street NE – Frank Avenue NE to Main Street East
Second Street NW – Frank Avenue NW to Lake Francis
Third Street NW – Frank Avenue NW to Park Avenue NW
Fifth Street NW – Main Street West to 400 feet North**

Private Drives were again discussed. Administrator Nusbaum offered that letters were to be sent out for a meeting with the property owners living on all of the private drives, but was concerned as to what would be discussed and offered to all of the owners? After much discussion, it was decided to leave the private drives as they are presently being maintained.

On motion by McBroom, seconded by Stoen, all voting in favor, to not hold a meeting with the owners of property abutting private drives and to continue to maintain as has been done in the past.

On motion by Thayer, seconded by Opsahl, all voting in favor, meeting adjourned at 5:32 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
APRIL 8, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, April 8, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.

On motion by Thayer, seconded by Ziemer, all voting in favor, minutes of March 11, 2013 and March 20, 2013 were approved as presented.

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

No one was present for Public Comment time.

Mike Burkhardt, Auditor from Burkhardt & Burkhardt, LTD presented the 2012 audit. He commented that all was in order with no irregular findings and complimented the office staff stating they done a good job. On motion by Stoen, seconded by Thayer, all voting in favor, to accept the 2012 audit as presented.

Public Works update:

- 1. John Roessler PWD reported that County Road #50, Main Street, is scheduled for seal coating this summer. He commented that contact had been made with Le Sueur County Highway Department as to the condition of the street and had requested personnel from Le Sueur County Engineering and the Highway Department to review the status of the road. He felt that more work was needed prior to sealcoating. On motion Opsahl, seconded by McBroom, all voting favor Council approved a letter to be written to the Le Sueur County Commissioners as to the concerns of the road and asked for a written response.**
- 2. Councilmember McBroom offered a sample contract of a company that the City of Janesville has with a mosquito control company. Contact will be made with the company and a proposal will be offered at the next meeting.**
- 3. Ron Greenwald, Public Works Department, updated the Council on a recent Safety and Loss Seminar which was attended by members of the staff. He commented on the items that were discussed to prepare for an**

OSHA inspection that could occur at any time in various cities. Council authorized to get quotes on electrical and sidewalk concerns by the next meeting.

- 4. Roessler updated the Council on the hollow area under a portion of Egret Lane. On motion by Stoen, seconded by Opsahl, all voting in favor, Council authorized Roessler to obtain bids and at his discretion decide who shall do the work, and proceed with getting the problem fixed.**
- 5. Roessler also stated as a reminder that the city is in a tornado awareness week with sirens being tested at 2:45 p.m. and 6:55 p.m. on April 18, 2013.**

Administration update

Revised job descriptions were presented. On motion by Stoen, seconded by Opsahl, to approve the job description as presented. On motion by Thayer, seconded by McBroom, all voting in favor, to amend the motion to include changes to City Administrator job description as follows:

- 1. Deleting repeated phrase on page # 3; Ability to respect confidentially on a wide range of issues.**
- 2. Add to Essential Job Functions - Under Acts as the City Personnel Office and administers all personnel matters as provided by the Personal Policies – add the following: Determines departmental staffing needs and make appropriate hiring recommendations to the City Council. Directs the work of staff. Trains new employees. Conducts performance evaluations, disciplinary actions, and make recommendations for commendation and/or termination. Approves staff training and conference requests. Checks and approved time and overtime records of employees within the department.**
- 3. To also amend the following change on the Public Works Director's job description to read: Supervises: Public Works Workers not Public Works Worker.**

On motion by Ziemer and seconded by Thayer, to amend the original motion to reduce the weight from 100 pounds to 70 pounds. All voting in favor.

Vote taken on the main motion by Stoen, and seconded by Opsahl, with all voting in favor. Motion declared carried.

No update on Woodbine Townhome special assessment matter.

On motion by Stoen, seconded by Opsahl, all voting in favor, to approve the hiring of Ronald Greenwald as public works worker at a rate of pay set at \$17.00 per hour and to waive the ninety day probationary period on sick and vacation leave.

On motion by Ziemer, seconded by McBroom, all voting in favor, to update the job descriptions of the Deputy Clerk and the Public Works Worker and bring back to the next meeting for approval.

There are four applications for the summer employee mowing position. They will be interviewed and approval will be considered at the next meeting.

Mayor Stoen presented the following resolution:

**RESOLUTION 420/13
RESOLUTION RECEIVING REPORT AND CALLING HEARING ON
IMPROVEMENT**

WHEREAS, pursuant to authority of the Elysian City Council a report has been prepared and received by the City Council on April 8, 2013 by Jones, Haugh, & Smith, Inc. with reference to the improvement of the following:

**Frank Avenue – Third Street NW to First Street North
Frank Avenue - First Street NE to Third Street NE
Second Street NE – Frank Avenue NE to Main Street East
Third Street NE – Frank Avenue NE to Main Street East
Second Street NW – Frank Avenue NW to Lake Francis
Third Street NW – Frank Avenue NW to Park Avenue NW
Fifth Street NW – Main Street West to 400 feet North**

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA:

- 1. The council will consider the improvement of such streets in accordance with the report and the assessment of abutting property for the costs of the improvement pursuant to Minnesota Statutes, Chapter 429 at a total cost of the improvement of \$1,613,252.**
- 2. A public hearing shall be held on such proposed improvement on the 13th. day of May, 2013 in the council chamber of the city hall at 6:30 p.m. and the Administrator shall give mailed and published notice of such hearing and improvement as required by law.**

Resolution was presented by Councilmember Stoen, seconded by Councilmember McBroom, with the following voting in favor: Stoen, McBroom, Opsahl, Thayer, Ziemer.

Voting No: None.

Abstaining: None.

Adopted by the council this 8th. day of April, 2013

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

A public hearing on the 2013 Street Improvement will be held on May 13, 2013 at City Hall at 6:30 p.m.

The follow resolution was presented Councilmember Ziemer:

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 421-13

**RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN FIRE DEPARTMENT RELIEF ASSOCIATION**

WHEREAS, the City of Elysian has received a donation in the amount of \$5,000 from the Elysian Fire Department Relief Association, designated for tax relief.

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 \$5,000.00 donation from the Elysian Fire Department Relief Association to pay for tracks for the Kaboda.

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

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

Council Members voting in the affirmative: Ziemer, Opsahl, McBroom, Thayer, Stoen.

Council Members voting in the negative: None.

Council Members abstain: None

Adopted by the City Council of the City of Elysian this 8th.day of April, 2013.

CITY OF ELYSIAN

Clinton James Stoen, Mayor

ATTEST:

Patricia Nusbaum, City Administrator

On motion by Ziemer, seconded by McBroom, all voting favor, to approve the bid of Northwinds Plumbing Heating and Air LLC for a furnace and air conditioner at the Tourism Center in the amount of \$4,300.00.

On motion by Ziemer, seconded by McBroom, all voting in favor, to approve the request for a gambling license for Duck Races to be held May 4, 2013, sponsored by the Elysian Area Chamber of Commerce.

Made mention to the Council for their information that a couple of letters had been sent out this month to Dave Rager and Katy Anttila regarding harassment of city employees.

Roger Hanson, Planning and Zoning Commission Chair, was present to discuss with council the updating needed on the City of Elysian Land Use Plan. The Commission met with Steve Moline of Pettipiece & Associates, Inc. regarding their firm to help out with the plan. The cost would be between \$4,500 and \$6,000. Council stated that there was no money in the budget, and referred the request to the EDA for consideration.

Mayor Stoen updated the Council on the status of the Joint Fire Board Agreement. It was hopeful that the agreement would be ready for presentation at the June council meeting.

City Attorney Moran stated that he was still gathering information on the \$2,000 deductibles which the city had to pay the League of MN Cities Insurance Trust for claims against two lawsuits. He also stated that there was no update on the special assessments on unbuilt parcels of property located in Lake View Manor.

On motion by Ziemer, seconded by McBroom, all voting in favor, to approve bills, payroll, and transfers in the amount of \$81,192.81.

On motion by Ziemer, seconded by McBroom, all voting in favor, meeting adjourned at 7:58 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
MAY 13, 2013
5:30 P.M.**

The Elysian City Council met in regular session on Monday, May 13, 2013, at City Hall at 5:30 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, City Attorney Jason Moran.

A public hearing was held on the request of Joseph and Nancy Meixl, Mankato, to annex to the City a parcel of property located in Elysian Township on Ray's Lake. Several homeowners located from the township and having property on Ray's Lake were present and presented a petition in opposition to the request.

Joseph Meixl, requestor of the annexation presented Warren Smith, Surveying Services, Mankato, surveyor to update the Council on his request. Smith presented an update as to what the intent was in asking for annexation to the City of Elysian. He offered that the Meixl's would like to place a duplex on the property and would need to be annexed into the city to be in compliant with City Zoning regulations. He stated that the septic system which is located in the city was in good adequate condition. He stated that the septic would be used until which time municipal utilities would become available to the Meixls. and at that point they would hookup on with the city for water and sewer. Smith stated that the site plan where the home is to be located would honor the same front line as the neighbors on each side of the house. Each house would be approximately 900 feet without the garage.

Public comment:

John Meyer - 1220 Scenic Hideway Lane NE – he stated that his property is the first unit of property next door to the property being considered. He read a letter that he had received from DNR after asking some questions regarding setbacks from the ordinary high water mark. He indicated that the city set back was 75 feet.

He knew of an agreement with James brothers regarding the street. He asked how long are we going to wait before we get the services. He stated that the road (Scenic Hideway Lane) is difficult. When a car is coming , you have to take to the side of the road. I am the first guy I do not have the problem.

Second – official high water mark we show it to be 135,000 square feet for the setback.

Dori Mutch – owner of property on other side of the proposed house. She stated that the two government lots being proposed for housing are not conforming. Those lots were not to be multi-housing, they were meant to be single houses. She stated that it may be a nice addition, but when they purchased their lot with the understating that there would be single family not multi family. She stated that the road will not allow for it . She stated that there is a big drainage and topography issue along with infrastructure, water and sewer. She stated that they had submitted a petition which included more than 20 percent who are not eager to change the face of the

neighborhood. We have put a lot of money into upgrading our lot. She stated that she has not had to ask the city for annexation. She stated that the city is more lenient than county regulations. They worked with DNR to be sure our shore line is clean. She stated that they have accepted what we have and are good neighbors and good stewards of the property. The property is not for multi family, those buildings probably look nice in Mankato, this is Ray's Lake.

Richard Taylor, 1343 Scenic Hiway Lane NE - He stated that he is here for himself and representing his Dad's property. He stated that the the drainfield is on his Dad's property. He questioned as to whether the contract ceases when his Dad is not living on the property any longer. He stated a lawyer is now looking at that. He stated that storm water drains through the property which is being considered for annexation. He stated that the drainage would have to be rerouted because it is now a natural water way which has been there all of his life. He stated that the ditch is on the north side of the road, comes down the hill, runs across the road and runs along the side and across this property. Continues during snow melting and every rain, has always been that way.

Steve Tolzman, representing Elysian Township Board - He stated that people have come to him stating that they do not want the annexation. He would like an answer as to how big the house would be? He stated that he felt that they (Meixl and Smith) were trying to hide something. Meixl and Smith answered stating that they did not know whether there would be a full basement or a slab on grade with a loft. Square footage wise could be around 2500 sq. feet depending on the number of stories. Smith stated that we still need to work out the details, including the drainage. Smith stated that they are trying to go in an orderly manner. The first would be to ask to be annexed into the City, and if it happens we need to talk to the neighbors, look at the drainage, which they stated they are aware of.

Question was asked as to who inspects the septic system? Answer was that the County would inspect the septic. Tolzman stated that the County Board has turned down the permit for them to build. Meixl and Smith denied that to be true stating that they had not been to the County Board, the set backs of County Zoning would not need to be met if annexed into the City. Tolzman stated that the house planned does not fit with the other houses and he did not agree with the annexation.

Tom Mutch owner of property to the north of proposed annexation- He stated that the manufactured home presently located on the property was to be a temporary matter. He was concerned about the water running through the property and concern for impact on the lake bed.

Zoning Administrator Nusbaum stated that all of the ordinance will have to followed. No water can be dumped on anyone's property it would have to be swaled or terraced. Mutch questioned as to why two building and not a single family home? He stated that a duplex will change the way of life out there. Mutch asked if the Meixls were going to live there or rent it out? Meixl stated he and his family plan to live there, bring out his grand kids. The second one, he had not decided, but may sell to family. Meixl stated that he would want to become part of neighborhood not disrupt it. Mutch stated that he did not mean to try to condemn any one, but there never has been a building there and there is a reason it has never been built. He stated that they should go out and look at the water problem.

Le Sueur Commissioner Steve Rohlfsing stated that this has two sides, the developer and the residents. He asked that the Council please look at both sides and do the right thing. He asked that

the Council please respect their views. He stated it is not his call, he represents all has to look both sides. Please look at both sides.

Mayor Stoen indicated that all has to be done correctly and steps need to be taken.

John Meyer – 1220 Scenic Hideaway Lane NE – There isn't enough room on the lot to be built upon and you move over it will wash down the line between the lots. Tom (Mutch) has a small lot, was not allowed to build, so he had to go up. Lots not big enough, now he will be squeezed a little more. It is not right.

Councilmember McBroom expressed his concern as to addressing the water flow with citizens out there .

Smith stated that a civil engineer would be involved to establish how the drainage could be slowed down or stopped. He stated that you cannot build at the expense of others. Rain gardens, ditches, swales and ditch blocks all need to be looked at in order to accomplish what needs to be done. You cannot put a pipe to the lake. Need to slow down. He stated that the County would be contacted as to what transpired when the county road was designed. He stated that annexation was the first step, drainage second, and well and septic third. A look at as to how the road is graded. It may be possible the subdivision along with other agencies and the drawing of the plans are all needed in order to make it work and to get a building permit. All area will have to be addressed. He stated that Meixl was not going to spend dollars prior to the annexation approval.

Councilmember Ziemer was concerned that to review all of the above with the county would cost the county and the city additional funds to slow down the water so that the developer can develop. Smith stated that the developer has to look at the issues. If the county made the issue worse they would have to address their issue. The county usually is not open to spending funds for projects unless necessary. They have to meet standards of preexisting condition, the water cannot leave faster than before you started. He stated that every subdivision you look at there is some sort of retention whether it be a pond, or some form of retention. Water running down the hill, we have to address it, and he stated that he sees no liability to city or county. If Meixl's decide to proceed, he has to look at all of the costs to make this a workable situation for him.

Richard Taylor asked about diverting the drainage to the other side of the road. When the County built the road they did not do it even though the County was shown that it was going directly into the lake.

On motion by Stoen, seconded by Opsahl, all voting in favor, to close the public hearing at 6:25 p.m. and go to regular session.

After all discussion was held, City Council voted to adopt Ordinance 74/13 as attached.
Vote being taken: Yes. Stoen, McBroom, Opsahl. No: Thayer, Ziemer.

On motion by Stoen, seconded by Opsahl, to approve the following Developer's Agreement for Meixl Development. Voting Yes: Stoen, Opsahl, McBroom. Voting No: Thayer, Ziemer.

DEVELOPERS AGREEMENT

This agreement is dated this 13th. day of May, 2013 between Joe Meixl, hereinafter "developer," and the City of Elysian, hereinafter "City."

WHEREAS, the developer has proposed to bring a parcel of real estate into the City's corporate City limits which is now in Elysian Township;

WHEREAS, this annexation will enhance the City's tax base,

WHEREAS, this annexation will be in the best interest of the City,

WHEREAS, the City currently has an ordinance in effect requiring that real property being annexed into the City must be hooked up to the City's Water and Sewer services within one year of being annexed into the City's limits,

WHEREAS, there is currently no City water or City sewer available to service the property,

WHEREAS, it would be cost prohibitive to force the developer to install City water and City sewer at this time,

WHEREAS, the parties have now agreed that developer has petitioned the City for annexation of his property into the City's corporate limits and if the same is granted the developer is hereby allowed to defer the installation and hook-up of City water and City sewer service until such services have been run to a property adjacent to the developer's property.

WHEREAS, the City Council for the City of Elysian met on May 13, 2013 and approved this agreement.

Dated this 13th day of May, 2013..

Joseph Meixl

Nancy Meixl

Honorable Clinton J. Stoen, City of Elysian Mayor

Patricia Nusbaum, City Administrator

A public hearing was held on the proposed 2013 Street Improvement Project. Engineer John Schulte V, Jones, Haugh, Smith, Inc. presented the plan including the special assessments for property owners in the proposed project area. Questions asked from the public were: Jeff Stephens asked, "Why was Fourth Street NW not being done?" Nancy Simonson asked if the project could be more timely and more organized than the last project. Answers to the question were that the city had all of the streets designed for reconstruction, but it was being done in phases,

and that with the small project done last year, the council felt that all was done in a timely manner. On motion by Stoen, seconded by Ziemer, all voting in favor, hearing was closed at 7:08 p.m.

After much discussion of the project and discussion on the assessments, and with the Council considering the assessment hearing to be held prior to construction, it would be too late in the year to get the project completed. On motion by Stoen, seconded by Opsahl, all voting in favor, to not proceed with the 2013 project, but to proceed with the project for 2014 with bidding to be finalized in January or February of 2014.

Resolution #422/13 was voided.

On motion by Stoen, seconded by McBroom, all voting in favor, to direct staff to continue with the ordering of preparation of plans and specifications for 2014 street improvement project.

A public hearing was held on the request of Trostem's Shady Shores Campground, former Silvers Resort, for an on sale malt liquor license. Lori Trostem, owner was present to introduce herself to the Council, and explain a bit about their business. On motion by Stoen, seconded by McBroom, all voting in favor, hearing closed at 7:10 p.m. and went to regular session.

On motion by Ziemer, seconded by Opsahl, all voting in favor, to approve a 3.2 Malt Liquor License for the balance of 2013 for Trostem's Shady Shores Campground.

On motion by Ziemer, seconded by McBroom, all voting in favor, to approve a soft drink license for Trostem's Shady Shores Campground for balance of 2013.

Representatives of the Elysian Fire Department Relief Association, Mike Scott and Carl Morsching, were present to ask the Council to consider an increase in their pension per years of service. The present per service year of pension is \$900. On behalf of the Elysian Firefighters, Scott and Morsching were asking for a \$300 increase per service year. They indicated that they have not had an increase since 2002 and have the lowest pension of departments in the area and for cities with the amount of service area covered by the department. Motion was made by Thayer, to increase the pension \$50.00 per service year for the Fire Department members. Motion died for lack of a second. After further discussion, a motion was made by Stoen, seconded by McBroom, all voting in favor, to allow the requested increase per service year per fire Fighter in the amount of \$300.00

On motion by Stoen, seconded by Opsahl, all voting in favor to approve the minutes of the April 8, 2013 regular meeting as presented.

On motion by Ziemer, seconded by McBroom, all voting in favor, to approve the minutes of the special April 30, 2013 meeting with the correction of changing the meeting listed as regular meeting to special meeting.

On motion by Stoen, seconded by Thayer, all voting in favor, to approve the agenda with the inclusion of:

1. Public Comment
2. Sentencing to Service
3. Lake View Manor properties

Mike Kauss, 6 Egret Lane – Regarding to the Public Comment Time on the agenda, He stated that he had been away for a couple of months and last month you decided to have public comment time

at the beginning and tonight it is at the beginning and the end and now you have decided that it will be at the beginning and not at the end. As a citizen I think it is inappropriate to have it in the beginning when a lot of issues may be brought up and the public would like to respond to. If you do not have it until the end we cannot respond during the meeting. We may want to respond to an issue and no one would be able to address the concern until the following month's meeting. I would like to ask the Council to look at placing Public Comment time at the end of the agenda. If you put it only at the beginning, it could not be addressed until the next month's meeting and by then I am not sure anyone remembers what it is about. It is not clear tonight, since you have it at end and the beginning. I am asking to put it at the end to give an opportunity to comment on issues discussed at the meeting. Another comment it is good that you are doing something good for the Fire Department and nice to hear the decision which was made tonight.

Cathy Houlihan, 443 Blue Bay Lane –(Teacher at WEM Elementary School)- Because of extended school year due to weather, our teachers have been brainstorming as to what we could do and we realized that our kindergarten through Fourth Graders have never been through our Museum. So I am here to ask you when will our Museum be open and maybe give me the name of the contact person so we can bring our kids to the Museum and to set up a date in late May or early June so that our children may see the Museum.

Councilmember Opsahl stated that in talking with people, other conversations, and attending meetings it appears that our Museum is out of sorts and needs extensive work to allow it to be opened. Our EDA is working with the city to write a letter to the Commissioners to see if we could attend a meeting to help to further the process in the hope of getting our Museum opened. The Fire Department has stated that they could help out with the fixing of the building to get it opened.

Houlihan stated that it would have been a great thing, since none of the Kindergarten through Fourth Graders have had the opportunity to visit our Museum.

Chris Johnson, Janesville – I wanted to comment on last vote for the Fire Relief Association. I, for one was a little upset by the fact that during the discussion there was a motion for an increase of \$50 instead of the \$300 for pension funding and the reason stated was that John Roessler, who is a member of the fire department for so long, that he would get a \$14,000 raise. I do not know how many years you (John) have been on the Fire Department, probably before I was born or maybe before. John is one of the finest Fire Fighters and former Fire Chief a city could have, and I think he has earned every penny of the increase, and I will tell you that I know of at least one person on the council or actually two members of the Council are retired and are collecting a public pension of sorts and I know that you get increases every year, I would hope that you would realize the that other persons have earned them as well.

Jason Moran, 219 James Drive – I join in Dr. Mike Kauss's recommendation that the public comments fall at the end of the meeting. He stated that he thinks that it is important for the citizens to be able to comment on what has happened during the meeting immediately after it happens. I would like to join Dr. Kauss's recommendation on placing the public comments at the end of the meeting. I do not think that it makes a lot sense to wait a month and to come and try to rehash something that happened a month ago. It makes for a fresh meeting and good flow with discussion giving the citizens better input to have the comments at the end of meeting. If you are concerned about people having input into the agenda, I would suggest leaving both the beginning and the end the way it was. I do not think it will tie thing up and was probably a good thing. It seems to have been a good system and I would encourage the council to consider changing their practice to put the public comment time at end or do both and that can be accomplished with a motion.

The second thing I want to comment is to compliment the council on the increase in the Fire Fighters pension tonight. I sat in complete disgust of Ms. Thayer's \$50 raise. It is just unexplainable. John Roessler has been on the department 46 years, Wayne James 37 years, Carl Morsching 28 years, and Dennis Schnoor 27 year, Garrett Schmahl 24 years on the department. That is almost unbelievable. For someone to serve for 46 year on fire department, it just blows my mind. I am 38 years old and to think that someone has served on the department for 46 years and a \$50 raise after 46 years. (Councilmember Thayer inserted that the \$50 was per service year. Mr. Moran stating that stinginess does anyone no good.)

The third thing, Moran stated that these next comments do not apply to Mary Opsahl, Clint Stoen, or Tom McBroom, Tom, you were not on the council last year so, these comment do not pertain to you.

Last year I tried to impress upon the council the importance of sweeping the streets. Mr. Moe would not sweep the streets. One instance, Mike Kauss and myself dug stuff out of gutter in front of my house. Nothing was done and I brought it up over and over when is the street sweeper going to sweep the streets? But, the street sweeper was not used. The accumulation of the gunk, gravel, and dead grass that was in the gutter, Mr. Moe came along and dumped it into my yard. I want to thank the past council for killing the majority of my grass about two feet into my lawn where he dumped mud, gook, and dead grass. I want to thank the past council for that, it was so appreciated.

The other thank you, and I sincerely mean, I want to thank John Roessler tonight for improving the water quality at my home. I do not know what he is doing differently than Jeff Moe, but I have noticed a remarkable improvement in my water and it is so appreciated. I think John Roessler does an extremely good job, 46 year on the Fire Department, many of those years as chief, and long time city employee. He is an outstanding person and a very good employee. Thank you Mr. Roessler (applause).

Upon request by Mayor Stoen, parents representing the Elysian Little League, Angela and Bill Storch and Hindy Hayfield were present to make aware to the Council their proposed concerns regarding the Elysian Park ball field. Discussion was held on proposed improvements for those using the field. Council will be informed as to any happening with the ball field and will consider them for further discussion. Council wanted to keep the communication open to keep everyone knowing what it being considered.

On motion by Ziemer, seconded by Stoen, all voting in favor, to approve Eric Karlson as Watercraft Inspector for Lake Francis access inspection.

Public Works Report- John Roessler

1. On motion by Thayer, seconded by Ziemer, to approve the contract for mosquito control for the city in the amount of \$2,000. Spraying will be on June 15th. July 15th. and August 15th. Spraying will be between 10:00 p.m. and 1:00 a.m. All residents are asked to close their windows between the stated hours on the above stated dates. Spray lasts about one minute depending on the wind.
2. Reported an intruder with a key in the pumphouse. Measures were taken to shut down the wells, contact with Board of Health, did required testing, and made contact with the Le Sueur County Sheriff's Department, and installed new locks. There was no evidence of foul play.

3. Ron Greenwald gave an update on what is needed for updating the electrical in the City Shop to meet OSHA standards. Quotes will be obtained by the next meeting. Discussion was also held on sidewalks in the city and their state of repair.
4. Roessler reported the sanitary sewer ponds are approximately 10,000,000 gallons over in capacity, due to improper discharge last fall. Extra testing will have to be made to meet the discharge criteria of the city MN Pollution Control permit within the window of time allowed by the permit without being in non-compliance with the State.
5. Because of road restrictions, permission to allow James Brothers Construction to bring in crushed rock, due to not having the rock brought in last fall as had been done each year previously.
6. Reported been busy with waterlines that were not drained and water meters not taken out last fall prior to freezing. Trying to repair the numerous valve and line breaks.
7. Needing to repair sod on lawn of residents, and repair of numerous curbs due to erratic snowplowing.

Administration – Pat Nusbaum, City Administrator

1. On motion by Ziemer seconded by McBroom, all voting in favor, authorization was given to the Mayor and City Administrator to sign the Woodbine Townhomes special assessment settlement agreement.
2. Resolution 423/13 request for offsite gambling for Elysian Fire Relief Association July 5th. Bingo was approved as follows:

RESOLUTION 423/13

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 Opsahl, seconded by Ziemer to approve one day off site lawful gambling for July 5, 2013.

Voting Yes: Opsahl, Ziemer, McBroom, Thayer, Stoen.

Voting No: None.

Dated this 13th. day of May, 2013

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

3. **On motion by Ziemer, seconded by Thayer, all voting in favor to approve the request of Le Sueur County Auditor/Treasurers Office to place for tax forfeiture auction, two residential properties, with the City claiming the Crystal Development Outlot M parcel.**
4. **Temporary employee Michael Meyer returned to work on May 6, 2013.**
5. **On motion by Ziemer, seconded by Thayer, all voting in favor, to approve Kyle Opsahl as a summer employee. Voting Yes: Ziemer, Thayer, McBroom, Stoen. Voting No: None. Abstaining: Opsahl. Motion declared carried.**
6. **Deputy Clerk Kopischke gave an update on the EDA moving ahead on supporting a city face book page and offered a social media policy to be approved by the City. On motion by Ziemer, seconded by McBroom, all voting in favor, to approve the adoption of the social media policy for the city and to move ahead with the City Face Book Page which will be coming soon.**
8. **Consensus of the Council is to do a leaf pickup by members of the Council in the Fall.**
9. **On motion by Stoen, seconded by Opsahl, to approve the sending of a letter to the Le Sueur County Commissioners from the City Council and Economic Development Authority stating the deterioration of the tourism traffic and business loss due to the Museum being closed for the past three years. Letter requested the Commissioners support in helping the City and EDA in their endeavor to restore the City tourism traffic by moving ahead in helping with a solution to open the Museum.**
10. **Michael Meyer, Elysian Area Chamber President, and Pat Nusbaum Celebration Coordinator requested help from the City for funds to provide for police protection during the July 4th. Celebration and to provide funding of the rental of porta pots for the Celebration. On motion by Ziemer, seconded by Opsahl, all voting in favor, to approve \$3,000 toward celebration police protection and porta pots.**
11. **On motion by Opsahl, seconded by Thayer, all voting in favor, to approve for the Elysian Area Chamber of Commerce a gambling license to hold a raffle during the celebration, approval of a liquor license for dates July 3rd. – July 7th. and approved the closing of certain streets during the celebration.**
12. **Sentencing to Service will be contacted to help with the July 4th. Celebration.**
13. **On motion by Ziemer, seconded by McBroom, all voting in favor bill, payroll, and transfers were approved in the amount of \$104,161.98.**

Public Comment:

Roger Hanson, 309 Third Street NW – Regarding leaf pickup, good idea, if you are going to do it, there is a reason for doing it not just because we like to go out and pick up bags of leaves. The reason for doing it is to keep leaves and cuttings out of the lakes. If you are going to do it, you need to play it up. Get a lot of traction out of it. Advertise, it should be in the newsletter every month. People need to be told every month.

Regarding little league – It is easy to get excited when these people are telling us of what they want to do, and what we should be doing. Is there an organization we can contact as to what the specifications are? So, that we know that it will be long term. We went through this with soccer. As soon as those kids out grew it those people were out of here. They do it for their children. When soccer was proposed everyone got excited, I thought it was great. Do these people know what they are talking about? Maybe we should find out if there is an organization as to what we should have to do and what is required and the specifications.

Mike Kauss, 6 Egret Lane – For two years he has been talking about the street the area on Egret Lane that was sinking. I want to thank you for taking action on our situation. Thanks to John Roessler, because he was involved in the beginning and he is the one taking care of it now by digging it up and compacting it. We are hopeful in the near future that it will be blacktopped. As a citizen and as President of the Lake View Manor Townhome Association it took 2 years to get this completed. You will not be hearing from me any longer as President as after May 22nd., I will be finished as President of the Association.

Council decided to have public comment both in the beginning and at the end of each agenda.

Ron Greenwald, City employee – he stated he has a suggestion regarding the people that were here. He stated that he pretty much could have answered any question they had since he pretty much built the system now on the ball field. The ideas brought to the council regarding the improvements to the field by the parent group are good, but the sod was put there for a reason. If the council decided to take it out it can be used for soft ball. The lime he stated he would not move. The warning track needs a lot of lime. The warning track is pretty important and the foul line needs help. I would like to see a Park Board brought back, not only for that park, but the Lake Tustin Park as well. I would encourage the council to get back the Park Board.

On motion by Ziemer, seconded by McBroom, all voting in favor, meeting adjourned at 9:26 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
JUNE 10, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, June 10, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.

On motion by Ziemer, seconded by Mc Broom, all voting in favor, minutes of May 7, 2013 and May 13, 2013 were approved as presented.

On motion Ziemer, seconded by Thayer, all voting in favor, to approve the agenda with the addition of Le Sueur County Chief Deputy Dave Tietz.

Le Sueur County Chief Deputy Dave Tietz was present to update the Council on any happening within the City. He stated that it has been very quiet. He indicated that anyone with a situation that may involve their property, to please call the Sheriff's Department. Emergencies call 911, for other situations call 507-357-4440. He stated there would be extra patrol over the July 4th. Celebration.

Public Comment:

Cathy Houlihan- 445 Blue Bay Lane – She stated that she was here last month and stated that WEM School wanted to bring the school children to the museum and I found out that that would be impossible this year and I appreciate Councilmember Mc Broom getting back to her expressing his disappointment with the Museum not being open, however, it did work out. On June 4th. 301 K-4th Grade children from WEM School came to the beach and the city was so ready for us. Pat Nusbaum had set it up and John Roessler and the city crew worked hard to get the things done. The volley ball court was tilled up as good as could be, the beach was tilled up and clean as good as it could be, the grass was great, the kids played ball, dug with big trucks, ran trucks back and forth. We used pop can fishing poles and caught about twenty fish. Kathy Roemhildt from the Pit Stop gave us all the bait and Candi from Alley Scoops Ice Cream gave a really good discount on 301 ice cream cones. Kids had a marvelous time. All day long, I was so proud to be from Elysian, every single adult was full of praise for the amazing park, the cleanliness of facility, and so much to do. All of the equipment was working the swings and the merry-go-round. We had no traffic problems, really noisy with all of the kids. She thanked John Roessler for a great job. So many happy kids for three hours. They blew bubbles, made smores, and flew kites. They did random things, they were not controlled as to what they did. Some of the kids commented the next day that they did not have time to go for ice cream because they were so busy.

Mike Meyer – Janesville – He spoke on behalf of the Elysian Area Chamber of Commerce and himself, stating that he would encourage the consideration of adopting the recommendation of the Planning and Zoning Committee for the approval of the conditional use permit for Abby Anderson for a new business in town of therapeutic massage.

He had attended a Planning and Zoning meeting and would encourage the Council to approve the Therapeutic massage conditional use permit for Abby Anderson. It is a wonderful idea and will help vitalize Main Street.

Rick Childs, 105 Highway # 60 – After the Rookies Triathlon be sure that it gets in the paper and the winners of the raffle drawing.

John Roessler – Public Works Report

1. Recommended to the Council to approve a digital hand held meter reader and meters to place in the new houses being built and meter that were not working. The meter reader in the future will eventually be used for all meters, thus allowing the hand held to read the meter for the citizens and electronically transmit the reading to a software program on computers in City Hall. On motion by Ziemer, seconded by Opsahl, all voting in favor to approve the purchase of the hand held meter reader and ten meters along with the software in the amount of \$11,000.
2. Discussion was held on the inclusion of two blocks of Park Avenue NE to be included in the 2014 street project improvement. The Engineer will be consulted by the next meeting to see what the additional costs would be to add the two blocks with an alternate of eliminating Third Street NW between Main Street and Frank Avenue.
3. Approval was made to hold the street improvement project assessment hearing prior to the construction of the project.
4. Still working on meters that were not pulled in the fall creating damages to the meters and property as a result. One home had damage to walls due to freezing of pipes due to meter not being pulled and drained.
5. Sanitary Sewer ponds are extremely high due to improper discharge last fall and little evaporation this Spring. Roessler is asking for a variance from MN PCA for additional time to get the ponds lowered.
6. Emergency sanitary sewer digging was held at the connection of the city, Dave Kudrle and Charles Kudrle properties. Consensus of the Council was to pay one third of the bill. The other two – thirds to be billed to the Kudrles.
7. Working diligently on the streets, patching before the July 4th. Celebration.

Administration Report:

1. On motion by Ziemer, seconded by Mc Broom, all voting in favor, to accept the recommendation of the Elysian Planning and Zoning Commission and approve a Conditional Use Permit for Abby Anderson Therapeutic Massage business to be located at 102 Main Street West.
2. Updated the Council on concerns of the DNR regarding work that had been done at a couple of properties located in the city limits on Lake. DNR are concerned about the removal of vegetation. Properties are 113 Shoreview Drive and 105 Shoreview Drive. Nusbaum will be working with the DNR regarding the city shoreline ordinance.

3. On motion by Thayer, seconded by Mc Broom, all voting in favor, to approve the job descriptions of the City Administrator and Public Works Worker with the lifting weight requirements to be changed for the Administrator from 100 pounds to 50 pounds and the Public Works Worker lifting weight requirements from 100 pounds to 70 pounds.
4. Updated the Council on the Public Works Director position. Have eight applications, two in the process of getting licensure, six have worked for city governments, one application incomplete.
5. Discussion on mosquito control, Roessler will order pellets to be placed in the storm water ponds to help quell the mosquitos.
6. Councilmember Ziemer presented pictures to the public of the destruction in the Museum. All present were horrified at what they saw and the Council expressed concern.
7. Updated the Council on 120 girls from the Sakatah Singing Hills Girl Scout Camp will be in the city on June 27th. to help do jobs such as curb painting, shelter and dugout painting, trail clean up, etc. The work will be part of their community service.

On motion by Stoen, seconded by Opsahl, all voting in favor, to appoint Tom Mc Broom, Ziemer and Ron Greenwald to the Park Committee.

A request of the Fire Department to place a pop machine at the city park, was to be determined by the Park Committee.

On motion by Ziemer, seconded by Mc Broom, all voting in favor, to table action on the proposed fire agreement until the July meeting.

Attorney Moran Comments:

1. Moran stated that the city had prevailed in the unemployment hearing of a former employee.

On motion by Ziemer, seconded by Opsahl, all voting in favor, to approve the bills, payroll, and transfers in the amount of \$77,009.71 which would include the withholding of a bill to James Brothers Construction of \$3,845.62 and to Tri State Pump and Control in the amount of \$1,564.60.

Public Comment:

Marge Pribyl – 45 Egret Lane – Thanked EDA and City Council for listening to the citizens on the concerns of our Museum and agreeing to try to help get our Museum back. I was really impressed with what happened here tonight I had not seen all of the pictures of the destruction. She stated that she had seen only one page and it is worse than I thought. In my mind, I see the Museum as it was, we had the most beautiful Art Room. We were rated 6th in the state. Chapter One goes way back from day one back in 1967. Now we are not acknowledged. There is this other group around Le Center, smaller group, who they say is the real County Historical Society. A lot of things have happened. She stated that one thing that bothers her is when Brian brought up the fact that people would like their donations, we do not know if they are even there. A citizen of Elysian talked to me and wanted me to know that, again, another vehicle was loading up at the Museum stuff from the Museum. If you had something valuable from your loved ones it may not be there anymore.

Something else that bothers me is that those of us who were a charter member or a life member of the Historical Society, you are no more. We have people in town sending in their money for membership and they are getting their checks back. If you want to be a member you have to fill out an application and they will decide whether we are worth to be a member of their group. It think that it is a sin. The Museum building has a non-functioning alarm. I think the Fire Department has no key to the Museum and on a number of calls to the building they have had to wait until someone comes from Waterville to open the building. Why should have one person have the only key? I cannot imagine the Fire Department not being able to get in the building because they have no key.

Brian mentioned that people would volunteer up there. There have been many wonderful people who have done volunteering all of these years. You can see why now we can't (volunteer). We can, but, we are not welcome. I want to thank the Council, we are on the right track. We are being made aware of what really happened and why it happened and who ordered it done.

Councilmember Ziemer mentioned that there very definitely is a Chapter One, and that it is paid up and recognized as 501 c3 organization by the State of MN. He stated that the Le Sueur County Historical Society has kicked out and excommunicated Chapter One from the Society. Chapter one is alive and very viable. Pat Nusbaum stated that Chapter One is the only incorporated Chapter in Le Sueur County.

Pribyl stated that she impressed with the pictures that Brian shared, and I hope that we can continue to work together to get our Museum open.

On motion by Thayer, seconded by Ziemer, all voting in favor, meeting adjourned at 7:18 p.m.

Attest:

Clinton Stone, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
JULY 8, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, July 8, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.

On motion by Mc Broom seconded by Ziemer, all voting in favor, minutes from June 8, 2013 regular meeting were approved with the following amendment: regarding the discussion on the bill from Tri-State and James Brothers Construction for an emergency digging next to the street in the Kaplan subdivision which was not paid in last month's bills. Councilmember Ziemer who made the motion reaffirmed his intent and wanted it clarified in the minutes, that a portion of the billings was to be paid and that a bill would be sent to Chuck Kudrle and Dave Kudrle for their payment toward the bill. Since the bills to James Brothers and Tri-State had not been paid, Ziemer offered to have them placed on the agenda for discussion on payment later in this month's meeting.

On motion by Thayer, seconded by Mc Broom, all voting in favor, to approve the agenda as presented with the addition of the following item:

1. Discussion/approval of request of Michael Meyer for reimbursement for attending sewer school to acquire his licensure.

Public Comment:

Michael Meyer – President Elysian Area Chamber of Commerce - Would like to thank all the volunteers, everyone who chaired a department for the 4th of July Celebration, it was a wonderful celebration attended by a lot of people a whole lot better than last year. But still a little on the warm side. Also thank the Council for their monetary donation for the porta pots and the police protection. I believe we did not have any incidents or arrests made. Want to thank all volunteers that we had.

Discussion was held on the consideration of the recommendation of the Planning and Zoning Commission to approve the Conditional Use Permit for Nu Horizons Holding, DNA Lake Area Club House in the former Store Building. On motion by Ziemer, seconded by McBroom, all voting in favor, to approve the Conditional Use Permit for Nu Horizons Holding, DBA Lake Area Club House to be located at 117 Main Street East.

Public Works Report –John Roessler

1. Discussion was held on the 2014 Street Improvement Project. On motion by Stoen, seconded by McBroom, to amend the 2014 Street Imporvemetrn Project to add Park Avenue from Second Street NE easterly to Third Street NW easterly to end of street, and to eliminate that portion of the project from Frank Street NW to Park Avenue NW.
2. Updated the Council on the situation of the sanitary sewer ponds being way over the level they should be due to disregard of discharge last fall. Roessler requested an extension from MN PCA and was allowed an additional two weeks.
3. Updated the Council on the 120 girls from Singing Hills Camp who came to the city and painted the curbs, cleaned along the trail, painted the picnic tables at the park, the parking lot posts, the shelters, the dugouts, and weeded flower beds. They did an outstanding job. Member Zierner commented that he had never seen the City looking better.

Discussion was held on the bill due to James Brothers, Inc. in the amount of \$3,845.62 and Tri States//// in the amount of \$1,564.60. Bills were created when a blockage was discovered at the edge of Cedar Drive in the Kaplan Addition. Last month Council action stated that the bills would be divided in thirds. City one-third, Dave Kudrle and Chuck Kudrle one-third each. On motion by Thjayer, seconded by Zierner, all voting in favor, to pay the bill in its entirety, and to bill the Kudrles.

Administration – Patricia Nusbaum

1. On motion by Thayer, seconded by Zierner, all voting in favor, to approve the updating of the Deputy Clerk Job Description to reduce the poundage amount to be required to lift from 100 pounds to 50 pounds.
2. Interviews will be held July 11, 2013 for the position of Public Works Director with three people being interviewed.
3. Updated the Council on a letter received from Margaret Atherton regarding the spraying of mosquitoes in the city and on their property. Councilmember McBroom had investigated with the mosquito control company and stated that they can by-pass a property if the property owner does not want to have their property sprayed. He stated that the spray is eco-friendly. Communication will be made with Atherton as to a notice to the mosquito spraying company that they shall not spray around her property.
4. Michael Meyer, city temporary employee, presented a bill for school, mileage and his fee for his sanitary sewer licensure and time for attending the school in the amount of \$795.94. Discussion followed, on motion by Thayer, seconded by McBroom, all voting in favor, to allow the payment of \$795.94 per request.

Councilmember Thayer gave an update on the WEM Community Education and reported the committee would like to ask the three cities to contribute \$750.00 in the future to cover fees for the summer youth programs. It will be discussed again in September.

Attorney Moran gave an update of the proposed fire agreement. After discussion on the agreement and a letter being read from Iosco Township indicating that “we still remain as we have done in the past twenty-five years”, a motion was made by Stoen, seconded by Opsahl, all voting in favor, to approve the Elysian Area Fire Agreement as presented.

On motion by Ziemer, seconded by Mc Broom, all voting in favor, bills, payroll, and transfers were approved in the amount of \$101,244.84.

Public Comment:

Chris Johnson – Janesville –He stated that he has represented Nu Horizons prior including their latest project and Megan James had to leave early and asked me to speak on behalf of Nu Horizons. Wanted to thank the Planning and Zoning and council for their work on the condition use permit and the council appreciate being able to work with the Council and to keep Elysian moving forward with economic development and progress

He started he volunteered several times in the food booth and bee garden and wanted to commend the Council for the mosquito control. Janesville has had this company for many years and yes, we do have lovely birds in Janesville. We have no deficit of great song birds. The formula they use is save for flora and fauna, and it also works. He stated that he noticed a huge improvement in this year from previous years in the food booth and beer garden. He only had a few pesky mosquitos this year where previous you were bathed in DEET spray. Which is very toxic. He stated that he appreciates all of the work and support for the 4th. of July and Nu Horizons. Thank you.

Mike Kauss – 6 Egret Lane - I am no longer the Association President but I am a member. He stated he would like to know like know when the city will be finishing the street in Lake View Manor. I am sure it is on someone’s schedule. Just curious when it will be finished. We have 20 lots in Lake View Manor Assn. As most of you know they are in forclosure, not sure who owns them anymore, I am wondering if the City of Elysian owns those lots. I would like to know what is going on with them

As a citizen of the community, I would like to thank you for your approval of Mike Meyer’s items this evening. I was involved with a school district for 32 years and we sent many people to training and spend a lot of money, never knowing if they were going to stay. Regarding of what happens to Mike Meyer in this community, he should be commended for his taking the training and whether he stays of not, he is bringing more knowledge, because of the training.

I would agree with Chris Johnson , this year I could set on my porch and see the fireworks and not be eaten alive by the mosquitos. Thank you.

Roger Hanson – 309 Third Street NW – Mosquito Control – I agree 100% and in our yard I sat on grass and watched the fireworks and did not have any mosquitos. If a person is truly afraid of their pet and animals, you have to address that concern. He stated that he

has a problem with citronella plant or come in contact with citronella I will die. These people have the same concerns. You need to address them.

Marge Pribyl – 45 Egret Lane – wanted to comment on Chris (Johnson) statement approving Megan (James) conditional use permit, and to what she did to the old drug store and Joel and Abby (Anderson) to old creamy. Looks unbelievable. She stated she wanted to mention a young family that has moved into the community, bought a house, loves it here, It is so clean compared to where they came from. She stated that she can walk her kids to the beach and to the ice cream store. They are so glad to be here.

On motion by Thayer seconded by Mc Broom, all voting in favor, meeting adjourned at 7:08 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

ELYSIAN ECONOMIC DEVELOPMENT AUTHORITY
JULY 18, 2013
ELYSIAN CITY HALL
7:00 PM

The Elysian Economic Development Authority met in regular session on Thursday, July 18, 2013, at City Hall at 7:00 pm.

Present were: President Mary Opsahl; Commissioners Mack Evans, Bob Frechette, Tom McBroom, Steve Ritchison, Administrator Lorri Kopischke. Absent: None.

On motion by Evans, seconded by Frechette, all voting in favor, the minutes of the June 3, 2013 meeting were approved as presented.

On motion by McBroom, seconded by Ritchison, all voting in favor to approve the agenda with the following addition:

7d. Community Dock – Fishing Pier.

Abby Anderson was present to request a revolving fund loan for improvements to the property located at 202 Main Street West, Elysian to accommodate the City's requirements to operate her therapeutic massage business. The amount of revolving fund monies requested is \$13,845. The updates to the property include room renovation of walls, doors, soundproofing, flooring, lights and paint. There will also be updates to the electric, plumbing and heating. Kopischke reported that all required paperwork has been completed and submitted. This loan would be fully funded and allocated from the unrestricted revolving fund monies. On motion by Evans, seconded by McBroom, all voting in favor to approve a revolving fund loan to Abby Anderson, in the amount of \$13,845 with a six year term at 3% interest resulting in a monthly payment of \$210.36.

Jane Conroy, Of the Earth, was present to request a revolving fund loan for improvements to the property located at 107 Main Street West, Elysian. The revolving fund monies will be used to tear out and replace broken cement steps leading to the basement (the existing steps do not meet City Code), basement room renovation, deck upgrade and equipment purchase. The amount of revolving fund monies requested is \$8,103. Kopischke reported that all required paperwork has been completed and submitted. Loan monies were allocated as follows: All exterior and code updates were applied to the Small Cities monies (70/30%) for a loan amount of \$4,902 and interior updates were applied to unrestricted monies (100%) for a loan amount of \$1,100. The total loan amount is \$6,002. On motion by Frechette, seconded by Evans, all voting in favor to approve a revolving fund loan to Jane Conroy, in the amount of \$6,002 with a ten year term at 3% interest resulting in a monthly payment of \$58.00.

Revolving Fund Loans #6 and #9 did not make a payment this month. All other loans are current.

Kopischke distributed the fourteen pictures that were received for the June Photo Contest. The Board chose "Prize" which was submitted by Pat Lever as the winning photo for June 2013. The winning photo and all submitted photos will be posted to the Elysian website and the facebook page.

Kopischke reported the City facebook page is up and running. To date it has received 4 likes.

Kopischke reported there are 11 hours left of the 24 hours of the retainer with VoyageurWeb. The Board would still like to have someone local manage the website. Tony Deno has expressed an interest. The Board agreed to ask Tony to present his thoughts on this at the September EDA meeting.

Frechette reported that the EDA had previously checked with the DNR regarding a fishing pier/dock on Lake Francis. At that time the DNR responded that they were backlogged with requests and funds were low. The Board asked Kopischke to contact DNR regarding a fishing pier/dock and also to check with the City Attorney regarding the liability.

The Board agreed to meet on Thursday, August 29, 2013, if a meeting is needed. If there is no business to discuss, the Board will wait and meet in September 2013.

There were no visitor's comments.

On motion by McBroom, seconded by Frechette, all voting in favor, meeting adjourned at 7:39 pm.

Attest:

Mary Opsahl, President

Lorri Kopischke, EDA Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
AUGUST 12, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, August 12, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran. Absent: Councilmember Mary Opsahl.

On motion by Ziemer, seconded by Thayer, all voting in favor, minutes for July 8, 2013 regular meeting were approved.

On motion by Stoen, seconded by Ziemer, all voting in favor, to approve the agenda with the addition of the following items:

1. Golf carts on County Roads
2. Holding ponds
3. Vacant property in Lake View Manor subdivision

Public Comment:

Mack and Jan Evans – 103 Park Avenue here tonight to thank the Mayor and the Council for supporting National Night out. Without your money it would never have happened. The city crews worked very hard to make the park look perfect, they did an excellent job. The Park looked absolutely beautiful. We had probably over 450 people attending. I have never seen so many kids. All of you should feel proud on the very successful night. Megan James donated the bouncy house, we had a clown, Fischer's Bar put on excellent food. It got hailed out in Minneapolis, it just goes to show that we live in god's Country down here. Jan Evans thanked everyone for attending and for all the work that went into making it a great night. All was really appreciated.

Mack Evans presented flags that fly on Main Street that he wished to talk about. He stated that some might say that I picked the worst flags to bring to you tonight and you may be correct. The first one presented is on an old fishing pole. The next one presented has no top on the flag and it is discolored and looks pretty bad. The third flag he presented has no bottom on it and always falls out whenever a strong wind blows. We have to keep putting it back up. I would like to ask the council to think about and to chip in a little money for new flags and to ask the city crew to help put some new stands on some of the poles that have no holders, like in front of the Beaver, there is none there...Roger and I are getting kind of old and it is really hard to get on top of the ladder and put those flag in we would like to have them a bit lower so we do not have to stand on the top (of the ladder). Flags cost about \$22.00 a piece at Costco. You can get a flag with all of the attachments and everything to go with it for about \$29.00. I thing we can get better than that at Home Depot because they will give a veteran's discount. I would like to have new flags for Elysian's Main Street before Veteran's

Day in November. I would like to know if the city would be interested in contributing up to \$450. The rest of the money I would think the Legion would chip in. I have been here ten years and there have been no new flags during the ten years on Main Street. If you drive around to other towns, they look a lot better, and you can see that we do need new flags. Please think about it and let me know. Thank you.

Mike Kauss – 6 Egret Lane – I would like to make a comment on National Night Out and that comment is to the Council and everyone who took part should thank Jan and Mack Evans for all the of the work and without them coordinating National Night Out, it probably would not happen. It takes a lot of energy and I think we owe them a round of applause.

Discussion was held on the vacating of a portion of York Street. This is the portion from the school to The Wilderness Bar and Grill. On motion by Stoen, seconded by Thayer, all voting in favor, to hold a public hearing to consider the vacating of that portion of York Street at the September 9, 2013 regular meeting.

Public Works Director Report:

1. Discussion on seal coating treatment bids for the portion of Park Street NE between First Street North and Second Street NE. and Third Street NW between Frank Avenue and Lake Francis. On motion by Stoen, seconded by Ziemer, all voting in favor, to delay the seal coating on Park NE and Third Street NW until next year, and to seal coat Second Street NW from Main Street to State Highway #60 when Main Street (County Road # 50) is being seal coated this month.
2. Informed the Council of the purchase of new equipment from a company that had the equipment on display at a convention and wanted to offer it to a community that could use it instead of shipping it back. The City paid \$3,700 with a value of \$12,828. Equipment included a pressure washer, diesel generator welder, gas generator, air compressor, and a 3” water pump.
3. Will continue to do jetting. Jetting had been neglected last fall, making the jetting extremely difficult. Roessler indicated that there is at least two solid weeks of jetting before the job is done.
4. Smoke testing will begin as soon as jetting is done. Roessler has concern as to some of the infrastructure.
5. The pond levels are of a concern. A two week extension has been allowed by MPCA for discharge due to ponds not being discharged properly last fall. The ponds are dangerously full, hopefully, if they can get through September, the can legally discharge.

Administrator update:

On motion by Ziemer, seconded by McBroom, all voting in favor, the Le Sueur County Maintenance Agreement in the amount of \$6,964.56 was approved.

On motion by Thayer, seconded by McBroom, the following resolution was presented:

RESOLUTION 424/13

REQUEST TO HOLD RAFFLE

WHEREAS: the Elysian City Council was presented with a request from the Elysian American Legion Auxiliary for the purpose of holding a raffle with winnings not to exceed \$1,500.

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 to the Elysian American Legion Auxiliary to hold a raffle with drawing to be held on Saturday, November 23, 2013.

The resolution was presented by Councilmember Thayer, seconded by Councilmember Mc Broom.

Voting Yes: Thayer, McBroom, Ziemer, Stoen.

Voting No: None.

Absent: Opsahl.

Dated this 12th. day of August, 2013.

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

On motion by Ziemer, seconded by Stoen, the following resolution was presented:

RESOLUTION 425/13

WHEREAS; The Elysian City Council was presented with a request from the 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 in conjunction with a fishing contest to be held on February 2, 2014.

The motion for the adoption of the foregoing resolution was presented by Member Ziemer, and seconded by Member Stoen, and after full discussion thereof, and upon vote being taken thereon, the following voted in favor thereof:

Ziemer, Stoen, Mc Broom, Thayer.

Following voted against the same: None.

Absent: Opsahl

Whereupon said resolution was declared duly passed and adopted.

Dated this 12th. day of August, 2013.

ATTEST:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

No action was needed at this time on a DNR Public Water Restoration Order to a house on Shoreview Drive.

Administrator Nusbaum requested that the Council consider permission for a presentation before the Le Sueur County Commissioners to ask that golf carts in the Elysian City Limit be allowed to drive on County Roads surrounding the City. The County Roads involved are County Road #50, #11, # 14 and #16. On motion by Thayer, seconded by Mc Broom to authorize Nusbaum and Councilmember Mc Broom, all voting in favor, to attend a Le Sueur County Commissioners meeting to seek approval for owners of golf carts be allowed to drive on County Roads in the Elysian City Limits.

A budget workshop meeting will be held on Wednesday, August 28, 2013 at City Hall at 5:30 p.m.

Member McBroom reported on recent park committee meetings. He explained a grant through the Minnesota Twin organization was applied for to help with restoration of the City Ball Field.

Mayor Stoen asked the Council as to a salary range to offer the Public Works Director applicant. On motion by Thayer, seconded by Ziemer, all voting in favor, matter was tabled until the next meeting.

Attorney Moran offered a resolution to do with expanding to facilitate the billings between the court system and the Sheriff's Department. On motion by McBroom, seconded by Ziemer, the following resolution was presented:

RESOLUTION NO. 426/13

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS
WITH THE CITY OF ELYSIAN ON BEHALF OF ITS CITY ATTORNEY AND POLICE
DEPARTMENT**

WHEREAS, the City of Elysian on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provides the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Elysian, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Elysian on behalf of its Prosecuting Attorney and Police Department, are hereby approved. Copies of the two Joint Powers Agreements are attached to this Resolution and made a part of it.

2. That the City Attorney Jason L. Moran, or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Carrie Bruns, paralegal, is appointed as the Authorized Representative's designee.

3. That the City Attorney, Jason L. Moran, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Carrie Bruns, paralegal, is appointed as the Authorized Representative's designee.

4. That Clinton Stoen, the Mayor for the City of Elysian, and Patricia Nusbaum, the City Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this 12th. day of August, 2013.

CITY OF ELYSIAN

**By: Clinton Stoen
Its Mayor**

ATTEST: _____

**By: Patricia Nusbaum
Its City Administrator**

Attorney Moran updated the Council on properties in foreclosure in the Lake View Manor Subdivision. It may be early 2014 before the process is finalized.

On motion by Ziemer, seconded by McBroom, all voting in favor, bills, payroll and transfers were approved in the amount of \$98,762.69.

Public Comment:

Mike Kauss – 6 Egret Lane – I was thinking about the question and maybe I could ask the Attorney or City Council, let us assume there is a sheriff's sale on the lots in Lake View Manor, and no one wants to buy the lots due to the major assessments of \$30,000 plus times 20, does it come back to the city to have the opportunity to purchase it, because the city has the assessments, and/or does the city send someone there to purchase in lieu of anyone else purchasing it. I am not sure if you can answer, but at least sometimes when we have these discussions and this is the time to talk about them. In the past the Council have never spoken to us while we are up here (at the podium). I think that this would be something a lot of people would be interested in, and the City, since we are talking \$600,000 dollars in assessments sitting on 20 parcels of property as part of the subdivision that are 1/47 of our deeds.

Attorney Moran answered that there are two components to the question. What happen if no one purchases the property? If no one purchases the property it is then forwarded to the state for past due taxes. Then, the state will let us know that the city would then have the option to take over the properties. The City Council can say "no" and put it up for sale. We will maintain until it is sold, this happens in a lot of cases. The second component, would the city be interested in purchasing the property? These are the kind of discussions that the City Council would likely have at the end of this year or the first part of next year. This meeting would be a closed meeting. The Council would then decide as to whether they will send someone to the Sheriff sale.

On motion by Ziemer, seconded by Thayer, all voting in favor, meeting adjourned at 6:56 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
WORKSHOP MEETING
AUGUST 28, 2013
5:30 P.M.**

The Elysian City Council met in special session on Wednesday, August 28, 2013, at City Hall at 5:30 p.m.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, Deputy Clerk Lorri Kopischke, and City Administrator Patricia Nusbaum.

Discussion was held on the general fund proposed budget for payable 2014. Suggestions and ideas were discussed. Another meeting was scheduled for Wednesday, September 4, 2013 at City Hall at 5:30 p.m.

Meeting adjourned at 8:03 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
WORKSHOP MEETING
SEPTEMBER 4, 2013
5:30 P.M.**

The Elysian City Council met in special workshop session on Wednesday, September 4, 2013, at City Hall at 5:30 p.m.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, City Administrator Patricia Nusbaum. Absent: Councilmember Brian Ziemer.

Discussion was held on the 2013 budget payable 2014. No changes were made to the updated budget.

Meeting adjourned at 6:20 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
SEPTEMBER 9, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, September 9, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran.

On motion by Ziemer, seconded by Thayer, all voting in favor, minutes of the August 12, 2013, August 28, 2013, September 4, 2013 were approved as presented.

On motion by Thayer, seconded by Ziemer, all voting in favor, agenda was approved.

Public Comments: No one from the public present offered any comments.

Public Works Director report:

1. Discussion was held on a request to purchase a new Vicon mower. Concern as to waiting until 2014 when sales tax will no longer have to be paid on items purchased for the city or to get it now at a lesser cost based on an increase of 3.24 % for next year. On motion by Opsahl, seconded by McBroom, all voting in favor, to authorize Roessler to get the Vicon mower and trade in as he saw fit.
2. A request for a radio for emergency management. Quotes will be obtained by the next meeting.
3. Discussion was held on the Engineer report regarding the proposed 2014 street project. Due to costs involved, questions were raised as to doing only a part of the project. On motion by Ziemer, seconded by Stoen, all voting in favor, to put the brakes on the proposed project for now and start anew.

On motion by Stoen, seconded by Opsahl, all voting in favor, to seek requests for proposals from area engineering firms for consideration of the position of City Engineer.

4. Roessler explained that due to the extreme heat the top level of the tower water temperature is at 90 degrees and below is at 50 degrees. He stated that with the hot water just lying there and not moving, the tower needs to be drained to get rid of the water and to start over with the recirculation pump going. It will not have an effect on anyone's water service.

to the cause. On motion by Ziemer, seconded by McBroom, all voting in favor, to allow up to \$300.00 toward the Main Street Flags.

On motion by Stoen, seconded by Thayer, all voting in favor, to approve the amended City of Elysian Comprehensive Land Use Plan with changes of on page 20, add community education under actions and on page 33, policy - to remove “to”.

Fall Cleanup will be October 12, 2013 in front of the Elysian Learning Center between 8:30 a.m. and 11:00 a.m.

York Street public hearing will be held at the October meeting due to not being advertised for the September meeting.

On motion by Ziemer, seconded by McBroom, to approve a salary of \$40,000 per year for the Maintenance Supervisor position.

On motion by Stoen, seconded by Ziemer, all voting in favor, to offer the full-time public works position of Maintenance Supervisor, to Ron Greenwald for a probationary period of two years in which he will obtain his wastewater and water licensure. If licensure is acquired before the two years, the probationary period would be ended.

On motion by Stoen, seconded by McBroom, all voting in favor, to reschedule the November 11, 2013 regular Council meeting to Tuesday, November 12, 2013 due to Veterans Day on November 11th.

Mayor Stoen reminded everyone to lock their car doors, due to recent action of people stealing items from citizens unlocked cars. He asked if anyone sees anything suspicious, to call 911, the Le Sueur County Sheriff’s Department.

Updating of employee job descriptions will be presented for review at the October regular council meeting.

Attorney Moran updated the Council on the most recent amendments to the Fire Agreement. Moran stated that the Townships had agreed to pay \$90.00 per section each year to be put toward the Fire Fighters Pension with the \$90.00 being reviewed every five years. On motion by Stoen, seconded by McBroom, all voting in favor, to approve the Fire Department Fire Agreement as presented.

Attorney Moran stated that inquiries into the recent Meixl property annexation into the City of Elysian, by an individual, had been deemed official and had been approved by the Administrative Judge, State of Minnesota.

On motion by Ziemer, seconded by Thayer, all voting in favor, bills, payroll, and transfers were approved in the amount of \$126,515.31.

Public Comment:

Roger Hanson, 309 Third Street NW – The Comprehensive Land Use Plan is a good document. I hope you all realize that it is useful, if you use it. It is not to be put on a shelf, it is to be a guide in moving the city forward.

Hanson then read a letter to the Council: Mayor and Council – this note is my notice to the City that I am resigning from all of my City jobs effective at the close of this meeting tonight. This includes my positions on Planning and Zoning as well as Emergency Management and Civil Defense. It has been my pleasure to serve these many years, but it is time for me to step down. Sincerely, Roger Hanson.

City Administrator Nusbaum thanked Roger for his years of service noting his years as Assistant Emergency Management Director and the fantastic job he did during the tornado. She also stated that he was a very knowledgeable member of the Planning and Zoning Commission for 10 – 12 years and President for many of them and will be missed.

Michael Meyer – regarding the hog roast which was a Chamber sponsored event this past weekend was a success. 94-96 tickets were sold, there was a silent auction was a good fund raiser. It was well attended and all had a good time. I think there deserves a public appreciation is that yesterday we had two churches from ELCA, the German Lake Church and the North Waseca Lutheran Church. Thirty five to forty individuals did extensive work. About eight of them got cans of paint, I do not know if any of noticed storm sewer inlet have been painted blue. They worked hard, went to the Park pulled weed that snuck in since the last cleaning. I think a letter from the council would go a long way to the Pastor's of the churches.

Nusbaum thanked John Roessler and Michael Meyer for spending their Sunday morning participating in the project. They had to be there to mix paint and use the City vehicles.

Jason Moran – Cleveland – I feel the need to say something. As I sat here tonight I am shell shocked. A couple of things. First thing is Roger Hanson. I just want to thank you Roger for all of the work you have done for the City of Elysian. We have worked together on a number of projects. You have always been professional. The amount of work and time you have put into the City of Elysian is spectacular. The grants and funds you have received for the City of Elysian, you deserve a round of applause. Great Job. Years of service you have given to the City of Elysian, we are grateful.

On motion Stoen, seconded by McBroom, all voting in favor, meeting adjourned at 7:15 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
SPECIAL MEETING
SEPTEMBER 19, 2013
5:00 P.M.**

The Elysian City Council met in special session on Thursday, September 19, 2013, at City Hall at 5:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen; Councilmembers Tom McBroom, Edna Thayer, Brian Ziemer, City Administrator Patricia Nusbaum and Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, and City Attorney Jason Moran. Absent: Councilmember Mary Opsahl. Also present: Ron Greenwald, Maintenance Supervisor.

The purpose of the meeting was to further discuss the options presented by Tim Bengtson, Bengtson Construction, on the damages to buildings from the hail storm in May 2012 and to update the Council on workings of the new hand held computer for taking water readings.

Tim Bengtson presented the areas that he felt needed addressing, some of them not being considered for insurance coverage.

- 1. Tourism Center – Discussion was held on the skylights. One of them is presently leaking. Council opinion was to remove the sky lights and to re-roof. At a cost of approximately \$8,700.**
- 2. Baseball dugouts – Council opinion was to not re-roof at this time do to an update in the planning stage for the dugouts. (Insurance will pay costs)**
- 3. Elysian Park Shelter – larger one – Council opinion was to leave as is.**
- 4. Elysian Park Shelter – older one – Council opinion was to re-roof, new gutter, and do side steel at a cost of \$5,554 plus a new gutter. (Insurance will pay costs.)**
- 5. Bath house at Park – Council opinion was repair skylight flashing and to not re-roof at this time due to an update in the planning stage for the bathhouse. (Insurance will pay costs.)**
- 6. Fire Hall – Council opinion was to re-roof awning, replace west side down spout, replace two vent covers on west side, replace two window screens at a cost of \$1,470. (Insurance will pay costs.)**
- 7. Frank Avenue Pop Stand – Council opinion was to not re-roof at this time do to an update in the planning stage for the park. (Insurance will pay costs.)**
- 8. Well House Blue Bay Lane – Council opinion was to re-roof at a cost of \$2,500 to \$3,200.**

9. **City Hall – Council opinion to re-roof at a cost of \$13,655. (Insurance will pay cost.)**

On motion by Ziemer, seconded by Mc Broom, all voting in favor, approving Bengtson Construction to proceed with the above itemized project.

John Roessler, Public Works Director, Ron Greenwald, Maintenance Supervisor, and Lorri Kopischke, Deputy Clerk presented to the Council the new hand held computer for drive by water meter readings. Discussion was held on

**ELYSIAN CITY COUNCIL
REGULAR MEETING
OCTOBER 14, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, October 14, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen: Councilmembers Tom McBroom, Edna Thayer, Brian Ziemer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, Attorney Jason Moran. Absent: Councilmember Mary Opsahl.

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve minutes of regular meeting September 9, 2013 and special meeting September 19, 2013 as presented.

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

Public Comment:

Anne Davies – 2 Egret Lane - I was looking at your comprehensive land use plan and I am very disappointed to see that you have no plans to make the library into a goal, a long term goal, to have a city sponsored library. Far as I know there are no other libraries that are not sponsored by a city, and the library board and County Commissioners on that board have made it really clear that that is what they want for us to do. So, I think it is really short sighted to not even have it as a goal and I think you should rectify that.

Le Sueur County Commissioner Steve Rohlffing was present to make mention that the Le Sueur County Commissioners will be holding a hearing on October 22, 2013, to consider whether the position of County Auditor/Treasurer shall continue to be an elected position or an appointed position. He urged anyone to go to the hearing and make comment.

Rohlffing thanked John and his crew for working with their road crew. If there is a problem just let him know. He stated there is a very strong commitment to keeping the library system in the County and with the joint powers with Waseca and with even more funding they want to move forward which will enhance the circulation and the Elysian Library will benefit highly. He stated that he had a meeting tonight to go to and they would be hiring a new Library Administrator for the Le Sueur/Waseca Library System, for which he is very excited. Rohlffing complimented the Council on the good job keeping their buildings full and clean and up to date. He stated that the Council is doing a good job and all looks good.

He also answered questions regarding the Museum. He is very concerned as to what is in the building considering there is no heat in the building. He indicated that he felt that Elysian had the funds to keep the building running and renovated. Questions from the Council concerned how the County can continue to give funding when the building has not been open for the past

4 years. Also, allowing tax dollars to be given when nothing has changed in 5 years. Mayor Stoen requested that he wants to get in the building and to have Rohlfing to accompany him. Comment was made that it was stated that all sites are open, but that was untrue, due to Elysian Building (Museum) has not been open for over four years. Comments were made regarding the application for membership criteria that the Le Sueur County Historical Society had in writing and copies were available to all at the council meeting. People here have been denied membership and checks have been returned, not allowing them to join. Rohlfing stated that the Society has asked for \$55,000, but the County has allocated only \$20,000. Council will be meeting in a special session with Commissioner Rohlfing and possibly other Commissioners on Tuesday, November 12, 2013 at 5:00 p.m.

On motion by Stoen, seconded by McBroom, all voting in favor, to close the meeting and to open the public hearing at 6:15 p.m.

Purpose of the hearing is on a request to vacate that portion of York Street from the unopened Sixth Street Westerly 335 feet.

In making the request, Joel La France, President Elysian Bank asked that the vacating happen due to presently there is a building sitting on a portion of the street. H, also, indicated that the Easterly half of the street was vacated in 1962.

On motion by Stoen, seconded by McBroom, all voting in favor, to go to regular meeting at 6:17 p.m.

Resolution No. 229-A/13

VACATING OF THAT PORTION OF YORK STREET

WHEREAS, the City Council for the City of Elysian met on October 14, 2013, at the Elysian City Hall, Elysian, Minnesota, for a regularly scheduled meeting of the City Council.

WHEREAS, a discussion was held concerning the vacation of a portion of York Street in the City of Elysian. The discussion revolved around vacating that portion of York Street which exists from the unopened portion of Sixth Street westward 335 feet along York Street.

WHEREAS, a vote was taken and by unanimous passage the Council approved the vacation of York Street from the unopened portion of Sixth Street westward 335 feet along York Street.

Be it now therefore resolved that that portion of York Street from the unopened portion of Sixth Street westward 335 feet along York Street shall be vacated with one half of that street

being vacated returned to Elysian Bank and the other half being returned to the Minnesota Department of Natural Resources with each party's half running down the centerline of the street being vacated as they each own property along that street being vacated.

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

Voting Yes: Stoen, McBroom, Thayer, Ziemer.

Voting No: None

Adopted by the Elysian City Council this 14th. day of October, 2013.

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

Public Works Report:

John Roessler gave his report:

1. Stated that the new Viccon mower had been purchased.
2. Elysian Emergency Management may have the opportunity to get some refurbished used radios.
3. Received a quote from WW Blacktopping for areas needing blacktopping in the city in the amount of \$9,214.50. On motion by Thayer, seconded by Ziemer, all voting in favor, to approve the quote from WW Blacktopping in the amount of \$9,214.50 to overlay some of the worst situations on the city streets.

4. Greenwald brought to the Council a quote on the reconstruction of the wall West and North of the City Hall. Wall discussed and on motion by Thayer, seconded by Ziemer, all voting in favor, council authorized the work to be done in the amount of \$2,465.83.

5. Discussion on the berm at the park was held. Administrator Nusbaum updated the Council on conversation with Le Sueur County Zoning, the President of the Lake Francis Lake Association, along with an engineering firm regarding the County submitting a grant to build a rain garden at the end of Third Street NW. Updates will be given at a future meeting. Discussion followed that a berm was needed on the north side of the volleyball court. FEMA funds in the city account in the amount of \$3,900 were set-aside for this project. Roessler will see if they can get the clay for the berm placed this fall and place black dirt and seeding in the Spring. On motion by Ziemer, seconded by Stoen, all voting in favor, to approve the construction of the berm and to use

FEMA funds.

- 6. On motion by Stoen, seconded by Ziemer, all voting in favor, to hold a public hearing on Tuesday, November 12, 2013 at 6:15 p.m. to amend the City Water Works Ordinance to include language on radio read meters.**
- 7. Roessler stated that seven manholes had been repaired, almost finished with jetting, and smoke testing will begin shortly.**

Administrator update:

- 1. On motion by Ziemer, seconded by Stoen, all voting in favor, to approve Resolution 28/12 as follows**

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 428/13
RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN AMERICAN LEGION POST #311**

WHEREAS, the City of Elysian has received a donation in the amount of \$200.00 from the Elysian American Legion Post #311, to the City of Elysian.

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 American Legion Post #311 for tax relief in the amount of \$200.00 for the purpose of contributing toward the purchase of US flags for Main Street.

Upon vote being taken:

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

Council Members voting in the affirmative: Ziemer, Stoen, McBroom, Thayer.

Council Members voting in the negative: None

Council Members abstained: None.

Adopted by the City Council of the City of Elysian this 14th. day of October, 2013.

CITY OF ELYSIAN

Clinton Stoen, Mayor

ATTEST:

Patricia Nusbaum, City Administrator

2. **Planning and Zoning Commission appointment was tabled until the January, 2014 annual meeting**
3. **Announced regional meeting in Glencoe on the 29th. and a Le Sueur County Official meeting on the 24th. at Montgomery.**
4. **Administrator updated the Council on the Wellhead Protection Plan which is a two year process. It is quite intense and involved. MN Rural Water will help with the first stage, after the first year, the Council will have to hire a consultant.**
5. **Request for Proposals for consideration of an Engineering firm are due on October 18th. Councilmembers individually will come into City Hall and review all the applications.**
6. **Discussion on work to be done on the park bath house, dug outs, pop stand was held. Administrator explained the work will be covered completely by insurance, but if the work is not done the insurance funds cannot be transferred to another project being worked on due to an insurance claim that was not funded. On motion by McBroom, seconded by Ziemer, all voting in favor, due to the need to fix up the facilities, approval was given to have Bengtson Construction to proceed with the work.**
7. **A workshop will be scheduled for November 14th at 5:00 p.m. to consider reviewing items involving water metering and the 2014 water and sewer rates.**
8. **Fall garbage collection held on Saturday, October 12, 2013, was poorly attended.**
9. **Truth in Taxation meeting will be November 26, 2013 at 6:00 p.m.**
9. **Administrator has been in communication with DNR regarding a recent water Resource Protection Notice at 113 Shoreview Drive. DNR would be continuing to monitor the progress of the work to be done.**

Attorney Moran:

After discussion on the replacement of the special assessments on the Lake View Manor Subdivision along with notice to reassess, the following resolution was presented by Mayor Stoen and seconded by Councilmember McBroom

Resolution No. 429/13

WHEREAS, the City Council for the City of Elysian met on October 14, 2013, at the Elysian City Hall, Elysian, Minnesota, for a regularly scheduled meeting of the City Council.

WHEREAS, a discussion was held concerning the following parcels of real estate described on the attached Exhibit A.

WHEREAS, the above referenced properties are in the process of undergoing a tax forfeiture sale and the City of Elysian has placed special assessments on these parcels of property.

WHEREAS, it is the intent of the City of Elysian that any special assessments remain on these properties following any tax sale, and further, it is the intent of the City of Elysian to collect the special assessment from any purchaser/s of these parcels of property following any tax sale.

WHEREAS, any interested purchaser may contact the City Administrator for the City of Elysian, to determine the exact value of the special assessment which applies to this property.

WHEREAS, upon a vote being taken and passed as follows:

Voting Yes: Stoen, McBroom, Thayer, Ziemer.

Voting No: None.

Be it now therefore resolved that any special assessments which are currently on the above referenced properties remain on those properties following any tax forfeiture sale.

Dated: _____, 2013

Clinton Stoen, Mayor

Dated: _____, 2013

Patricia Nusbaum, City Administrator

Attorney Moran commented on the consideration of possibly amending the Nuisance Ordinance to include a section on disallowing bow hunting in the city limits. Consensus of the Council was to not consider this item at this time.

Discussion on the amending of the employee job descriptions to state the public works area and titles. On motion by Thayer, seconded by Ziemer, all voting in favor, to amend the following job descriptions: To add the position of Assistant Public Works Director to be supervised by the City

Administrator, and to change the City Administrator job description to include supervision of the Assistant Public Works Director.

On motion by Stoen, seconded by McBroom, all voting in favor, to accept the corrected deed for the area of the storm water ponds located in the Sakatah Trail Estates Subdivision.

On motion by McBroom, seconded by Ziemer, all voting in favor, to approve the bills, payroll, and transfers in the amount of \$101,807.38.

There was no public comment.

On motion by Stoen, seconded by McBroom, all voting in favor, meeting adjourned at 7:17 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
NOVEMBER 12, 2013
5:00 P.M.**

The Elysian City Council met in regular session on Monday, November 12, 2013, at City Hall at 5:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen: Councilmembers Tom McBroom, Mary Opsahl, (arrived at 5:50 p.m.) Edna Thayer, Brian Ziemer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, Assistant Public Works Director Ron Greenwald, and Attorney Jason Moran.

Le Sueur County Commissioner Steve Rohlring was present to discuss with the City Council and answer any questions concerning the Museum located in the City of Elysian. Commissioner Rohlring took questions that the Council presented to bring up in front of Le Sueur County Commissioners for discussion. The concerns of the Council dealt with why the Museum is not open? Discussion was held on the impact on the Elysian economy since the Museum had closed. Council was concerned as to the condition of the building and the artifacts, and as to why a limited number of people were involved with the closing of the Museum. Another concern was the membership to belong to the Le Sueur County Historical Society, since tax payers were funding the Society and the membership criteria was limited to only certain individuals. A suggestion was made as to a committee of two Councilmembers, two Commissioners, meeting with two of the Society and discuss as to why the building is not open to the public. Commissioner Rohlring will be taking all concerns to the Le Sueur County Board of Commissioners. Council thanked Commissioner Rohlring.

Public Comment:

(Comments by Anne Davies were inadvertently not included in the October Newsletter. The following is a comment from Anne Davies as presented at the October public comment time.)

Anne Davies – 2 Egret Lane - I was looking at your comprehensive land use plan and I am very disappointed to see that you have no plans to make the library into a goal, a long term goal, to have a city sponsored library. Far as I know there are no other libraries that are not sponsored by a city, and the library board and County Commissioners on that board have made it really clear that that is what they want for us to do. So, I think it is really short sighted to not even have it as a goal and I think you should rectify that.

Public Comment:

John F. Horan, Waterville – I am one of the people who wanted to be a member (of the Le Sueur County Historical Society) and I called a gentleman by the name of Clancy Mager. I don't know if you have heard of him. I haven't ever seen him. I inquired about being a member and wanted to know the amount of membership and was told that he would get back to me and I never heard from him again. So, I am one of those people on the outside looking in. The question you had about inventory. There is a floppy disc with the whole inventory on it. I went through the privacy act to get in from that. I gave

them 30 days. I wanted an inventory of all that I had donated to the Museum. Consequently, I got the information, and later on the State of Historical Society had recommended to the Le Sueur County Historical Society to de-accession Mr. Horan's collection. So, I have all of my stuff back out of there, but my heart is with the Museum. I have been in the best Museum's in the world. I am an artist, I got all my stuff back, I got it all. I have an African collection, ancient Egyptian collections, ancient pre-Columbian collection, Asian collection, Native American collection, plus some other things I made myself. I made a violin in a year and a half. So, a lot of these questions can be answered very easily when you use the law. This blackballing, from my standpoint, never believed in fraternities, some guy does not like the way your pants hang, he drops a black ball in there and you drop. Yesterday was Armistice's Day, I lost a lung in the Korean War, but that war was the best war we ever fought because we got a democracy out of it. I would give my other lung for that. I do not like having a dictator running an organization that I am paying taxes on. It is just as simple as that. That is how I got my things back. This is how I could see how things could be disappearing (from the Museum). You have the inventory. You got the gun powder in the cannon. Why not go in and get the real movement on this thing. Thank you.

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve the October 14, 2013 minutes as presented.

On motion by Thayer, seconded by Mc Broom to approve the agenda with the additional item under 10-8- Display sales Christmas lights.

Public Works report:

1. Greenwald updated the Council on recent work that had been done to extend a culvert in the Roemhildt Waters Edge Addition, and work that had been done and what was left to do on the berm and tiling of the volley ball court.
2. Will order more water meters. Greenwald stated that he had passed his sanitary sewer license and his CDL. He still has to pursue his water license.

Councilmember Ziemer presented the following resolutions with Member Opsahl seconding

**RESOLUTION 430/13
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, December 7, 2013.

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 Ziemer, seconded by Councilmember Opsahl, to approve one day off site lawful gambling for December 7, 2013.

Voting Yes: Ziemer, Opsahl, McBroom, Thayer, Stoen.

Voting No: None.

Dated this 12th. day of November, 2013

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 431/13

RESOLUTION ACKNOWLEDGING THE DONATION FROM

Elysian Fire Department Fire Relief Association

WHEREAS, the City of Elysian has received a donation from the Elysian Fire Department Relief Association in the amount of \$8,000 and as this donation has been designated to be used for tax relief, City Council approves this donation to be placed toward the Fire Fighter Pension Fund.

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 in the amount of \$1,000.

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

Councilmember Ziemer presented resolution with Councilmember Opsahl seconding.

Council Members voting in the affirmative: Ziemer, Opsahl, McBroom, Thayer, Stoen.

Council Members voting in the negative: None

Adopted by the City Council of the City of Elysian this 12th day of November, 2013

CITY OF ELYSIAN

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 432/13

RESOLUTION ACKNOWLEDGING THE DONATION FROM

Elysian Fire Department Fire Relief Association

WHEREAS, the City of Elysian has received a donation from the Elysian Fire Department Relief Association in the amount of \$1,000 and as this donation has been designated to be used for tax relief, City Council approves this donation to be placed toward the Fire Fighter Pension Fund.

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 in the amount of \$1,000.

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

Councilmember Ziemer presented resolution with Councilmember Opsahl seconding.

Council Members voting in the affirmative: Ziemer, Opsahl, McBroom, Thayer, Stoen.

Council Members voting in the negative: None

Adopted by the City Council of the City of Elysian this 12th day of November, 2013

CITY OF ELYSIAN

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA**

RESOLUTION 433/13

RESOLUTION ACKNOWLEDGING A DONATION FROM

ELYSIAN AMERICAN LEGION POST #311

WHEREAS, the City of Elysian has received a donation in the amount of \$1,640.00 from the Elysian American Legion Post #311, to the City of Elysian.

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 American Legion Post #311 for tax relief in the amount of \$1,640.00 for the purpose of promotional costs of the Elysian Area Chamber of Commerce.

Upon vote being taken:

Councilmember Ziemer introduced the resolution and was seconded by Opsahl.

Council Members voting in the affirmative: Ziemer, Opsahl, McBroom, Thayer, Stoen.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 12th. day of November, 2013.

CITY OF ELYSIAN

Clinton Stoen, Mayor

ATTEST:

Patricia Nusbaum, City Administrator

On motion by Thayer, seconded by Mc Broom, all voting in favor to approve the firm of Burkhardt & Burkhardt LLC Auditing to do the 2013 audit in the amount of \$11,930.00.

Discussion on the consideration of selection of an Engineering Firm was held. It will be placed on the November 14, 2013 agenda.

On motion by Thayer, seconded by Ziemer, all voting in favor, to allow City Hall to be closed on the day after Thanksgiving as long as the employees take a vacation day.

On motion by Opsahl, seconded by Mc Broom, all voting in favor, to allow the purchase of up to four Christmas decorations for Main Street with funds coming from the cable savings account.

On motion by Stoen, seconded by Mc Broom, all voting in favor, to close the regular meeting and go to public hearing at 6:15 p.m.

Public Hearing

John Roessler presented to the public and council the reasoning of why the system is needed and explained how it will operate.

No one from the public was present and no written comments were received.

On motion by Stoen, seconded by Mc Broom, all voting in favor, to close the public hearing and go to the regular meeting at 6:19 p.m.

On motion by Stoen, seconded by Mc Broom, all voting in favor, to approve the amending of Ordinance #2, An Ordinance to the City of Elysian Water System Regulating the Use and the Manner of the Use of the City Waterworks, and Regulating Excavations in the Public Street for Water Connections and for any other purposes, to now include: Effective December 31, 2015, all property owners of the City of Elysian, and all properties serviced by the city's water system, must have purchased an Auto Read Meter which is read by a radio handheld reader. Charges for a meter and a second meter will be according to the City of Elysian's approved fee schedule. A second meter can only be used for non-primary use purposes such as lawn watering, garden watering, and car washing. All meters must be installed by City Personnel or a licensed plumber. Water usage on second meters will be solely calculated based on gallons of water used and will not include sewer charges.

On motion by Stoen, seconded by Mc Broom, all voting in favor, to allow the purchase of thirty meters.

On motion by Thayer, seconded by Ziemer, all voting in favor, bills, transfers, and payroll were approved as presented in the amount of \$88,482.70.

No one was present for public comment.

On motion by Stoen, seconded by McBroom, all voting in favor, meeting adjourned at 6:21 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
SPECIAL MEETING
NOVEMBER 14, 2013
5:00 P.M.**

The Elysian City Council met in special session on Thursday, November 14, 2013, at City Hall at 5:00 p.m.

Roll Call: Mayor Clinton Stoen: Councilmembers Tom McBroom, Edna Thayer, Brian Ziemer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, Assistant Public Works Director Ron Greenwald. Absent: Councilmember Mary Opsahl.

Discussion was held on the consideration of charging a base charge to each apartment unit, campgrounds unit, and each mobile home.

A list had been comprised of units: Mobile Home Park – 20 units; Trostem's Campground – 28 units; Pit Stop Campground – 25 units, Apartment Building – 8 units.

Much discussion was involved as to how a base charge should be handled. Motion was made by Ziemer, seconded by Thayer, all voting in favor, to allow the following properties base utility charges as per schedule:

A base charge to every two mobile homes effective January 1, 2015

A base charge to every ten campsites effective January 1, 2015

A base charge to each unit in apartment buildings effective January 1, 2014

On motion by Mc Broom, seconded by Ziemer, all voting in favor, to approve the following list of properties for additional base charges:

Bldg. at 100 Main Street West

Bldg. at 104 Main Street East

Bldg. at 106 Main Street West

Bldg. at 16 Cedar Pont Lane

Bldg. at 17 Roots Beach Lane

Bldg. at 301 Second Street NE

Bldg. at 101 Fourth Street SW

Bldg. at 202 Main Street East

Bldg. at 301 Main Street West

Cemetery

A letter will be sent to the apartment properties allowing thirty day's notice for the implementation of the base charges.

On motion by Thayer, seconded by McBroom, all voting in favor, to table the review of water and sewer rates for 2014 until a December meeting.

Discussion was held on the request from Le Sueur County on the delinquent utility assessments on the Kevin Morsching property located at 304 Maple Avenue SW. Property is up for Sheriff's auction. On motion by Mc Broom seconded by Ziemer, all voting in favor, to inform Le Sueur County of Council action removing the utility assessments from property located at 304 Maple Avenue SW in the hopes that the property will be purchased and placed back on the tax role.

Mayor Stoen announced that now the Council would go into closed session to do the City Administrator evaluation.

Mayor declared that the closed session was closed and to go to open session at 7:32 p.m.

On motion by McBroom, seconded by Thayer, all voting in favor, meeting adjourned at 7:33 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
SPECIAL MEETING
NOVEMBER 25, 2013
8:00 P.M.**

The Elysian City Council met in special session on Monday, November 25, 2013, at City Hall at 8:00 p.m.

Roll Call: Mayor Clinton Stoen: Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, Administrator Patricia Nusbaum, and Attorney Jason Moran. Also present: Public Works Director John Roessler and Assistant Public Works Director Ron Greenwald.

Two Councilmembers in writing called a special meeting to discuss an employee personnel matter. Meeting was opened by Mayor Stoen. On motion by Ziemer, seconded by Thayer, all voting in favor, to go to closed session regarding a personnel matter.

On motion by Stoen, seconded by McBroom, all voting in favor, to go from closed session to open meeting at 8:45 p.m.

On motion by Ziemer, seconded by Thayer, all voting in favor, due to Michael Meyer being a seasonal, temporary at-will employee with the City of Elysian, effective immediately Michael Meyer will no longer be an employee with the City of Elysian.

On motion by Ziemer, seconded by Mc Broom, all voting in favor, meeting adjourned at 8:48 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
SPECIAL MEETING
NOVEMBER 26, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Tuesday, November 26, 2013, at City Hall at 6:00 p.m.

Roll Call: Mayor Clinton Stoen: Councilmembers Tom McBroom, Mary Opsahl, Brian Ziemer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director John Roessler, Assistant Public Works Director Ron Greenwald. Absent: Councilmember Edna Thayer.

This meeting is the annual Truth in Taxation required meeting to inform the public of the 2014 budget and levy.

Member from the public was Sue Harty, Owatonna, who owns property located in the Ray's Lake Estates.

Administrator presented the proposed budget and levy. Stating the additional line items for the 2014 budget included in the proposed budget:

EDA - operating	\$10,000
Carpet for Tourism Center	\$ 5,000
Zoning update- professional	\$ 3,000
Fire Relief increase	\$15,796
July 4th contribution	\$ 3,000
Insurance	\$ 2,000
Debt service – 2012 street project	\$35,633
Capital Improvement Plan	<u>\$ 5,000</u>
	\$69,429

Again, we will be receiving only \$20,524 in Local Government Aid. This year with state legislation the City will be saving, based on 2012 purchases, approximately \$11,782 in sales tax.

Sue Harty expressed her concern as to how the taxes were figured, since her bare ground property went up \$75.00. She was informed that Le Sueur County figures the tax based upon the levy of the City, the County, and the

School District. It is then applied to your property based on your property value. She thanked the Council for the information.

Council reviewed with Roessler and Greenwald the action taken at the last meeting of the Council regarding the placement of base charges on campgrounds, mobile home park, and apartments. Due to several questions that need further consideration, on motion by Stoen, seconded by Ziemer, all voting in favor, to rescind the previous motion from the November 14, 2013 meeting and will review again in February.

On motion by Stoen, seconded by Mc Broom, all voting in favor, meeting adjourned at 6:37 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
REGULAR MEETING
DECEMBER 9, 2013
6:00 P.M.**

The Elysian City Council met in regular session on Monday, December 9, 2013, at City Hall at 6:00 p.m.

Meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Clinton Stoen: Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer, Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, and Attorney Jason Moran.

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve the minutes of the of November 12, 2013; November 14, 2013; November 25, 2013; November 26, 2013 with a correction of the November 26, 2013 to change the day of the meeting from Monday to Tuesday and to add 2014 to the February meeting when discussion on the metering of the campgrounds, mobile home park, and apartment building will be held.

On motion by Stoen, seconded by Thayer, all voting in favor to approve the agenda with the addition of the following: a report on the County Commissioners meeting, employee raises, and legal discussion on membership to the Le Sueur County Historical Society.

No one was present for public comment.

Tasha Hering, Up Town Cuts was present to discuss with the Council if she could place a temporary sign in front of her business to allow her patrons to be able to get to her business during the time in which the adjacent business would be busy. Council consensus was that Hering talk with the adjacent business owner and get a schedule as to dates that the building would be used for large meetings, and then place a couple of temporary signs in front of Up Town Cuts, removing them immediately from the sidewalk when meeting is finished.

Administrator gave an update on the berm at the park and the tiling under the volleyball court. Project is about finished along with the replacement of the berm on the East side of the Park. Funds will be taken from a FEMA account from funds given to the City for flooding three years ago.

Deputy Clerk Kopischke presented the delinquent utility bills for approval to be placed on taxes. On motion by Stoen, seconded by McBroom, all voting in favor, to allow delinquent utility fees be placed on taxes in the amount of \$2,890.15.

On motion by Ziemer, seconded by McBroom, all voting in favor, to close City Hall on December 24th. in observance of the Christmas Holiday. Employees will be taking vacation time.

On motion by Stoen, seconded by Thayer, all voting in favor, to approve the Engineering firm of SEH, Short Elliott and Hendrickson, Inc., as Elysian City Engineers.

On motion by Ziemer, seconded by McBroom, all voting in favor, to approve 2014 Liquor, Club, Sunday, Soft Drink Licenses for 2014 as follows:

Fischers Bar	On Sale, Off Sale, Soft Drink, Sunday
Thirsty Beaver Bar	On Sale, Off Sale, Soft Drink, Sunday
Tuckers Tavern	On Sale, Off Sale, Soft Drink, Sunday
The Wilderness	On Sale, Soft Drink, Sunday
American Legion	Club, Soft Drink, Sunday
Trostem's Shady Shores	3.2 On Sale, Soft Drink
Pit Stop #60	3.2 Off Sale, Soft Drink, Off Sale
Casey's	3.2 Off Sale, Soft Drink
Elysian Chamber	Soft Drink
Candy's Alley Scoops	Soft Drink
Ellie Gails Bakery & Deli	Soft Drink
Fire Department	Soft Drink

On motion by Ziemer, seconded by Thayer, all voting in favor, to approve to not waive the monetary limits on municipal tort liability established by MN Statutes 466.04.

Discussion on need for Planning and Zoning Commission members. Anyone interested should contact City Hall at 267-4708 or e-mail p.nusbaum@frontier.com

On motion Thayer, seconded by Ziemer, to approve a 1.5% increase in salary for full-time employees. After further discussion motion was amended by Thayer to increase the salary of the full-time employees 2% with the Assistant Public Works Director getting a 2% increase only after passing his water license test. Motion was seconded by McBroom with all voting in favor. Motion declared carried.

On motion Stoen, seconded by McBroom, the following resolution was presented:

RESOLUTION 434/13

RESOLUTION ADOPTING FINAL 2013 TAX LEVY, PAYABLE 2014 CITY OF ELYSIAN LE SUEUR AND WASECA COUNTIES

BE IT RESOLVED; the Elysian City Council of the City of Elysian, Le Sueur and Waseca Counties, Minnesota that the following sums of money is levied for the current year, collectible in 2014, upon taxable property in the City of Elysian, for the following purposes:

General Fund	\$345,684
Fire Relief	\$ 18,025
Maintenance Replacement Eq.	\$ 12,000
Storm Sewer	\$ 5,000
City Hall Debt	\$ 27,640
2009 GO Improvement Levy	\$ 39,335
2012 Local Improvement Levy	\$ 35,633

Total Preliminary Levy **\$483,317**

Voting Yes: Stoen, McBroom, Opsahl, Thayer

Voting No: Ziemer

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

Adopted by the Elysian City Council on December 9, 2013.

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

On motion by Stoen, seconded by McBroom, all voting in favor, to approve a special meeting to be held on December 30, 2013 at 5:00 p.m. to conclude 2013 year end business.

Mayor Stoen reported the City Administrator evaluation went well and met all expectations and thanked her for her years of service.

Mayor Stoen stated that he was happy to report that the Fire Contract had been signed and approved by all entities involved, City of Elysian, Elysian, Janesville, and Iosco Townships.

Mayor Stoen also reported that he had attended a Le Sueur County Commissioners meeting which on their agenda was discussion on the Historical Society. Mayor Stoen indicated that there will be a meeting with two Commissioners, two Councilmembers, and would like two members of the Le Sueur County Historical Society, although Mayor Stoen stated that even though Ms. Burns was present, she indicated that she could not set up a date, she stated that that would be a decision of the Historical Society Board. Mayor Stoen indicated that when he had visited with Commission Board Chair Steve Rohlfing, that

when the meeting takes place the keys will be brought for the Museum and they would be going in to view the building.

On motion by Ziemer, seconded by Thayer, all voting in favor, bills, payroll, and transfers in the amount of \$135,381.28 were approved as presented.

Public Comment:

Gorden Kritzer – 310 East Main Street – When Pat mentioned about the city celebrating its 130th year anniversary next year it stuck in my head a little bit, and then when Mr. Mayor zeroed in on the Commissioners meeting on the historical society, I would like to go back and put this together real quickly. I was driving the school bus for the WEM School District just retired this past year. About 12 year ago when I started my first year, I made in that first year maybe three trips in the Spring of the year of Fourth and Fifth graders from Waterville to the Museum in Elysian, also when the school started the next year we took the seventh and eighth graders and this continued on, all these the trips I volunteer because this was a great interest to me. I volunteered for driving of the kids to the Museum, choir, and band, but this always zeroed in for me as a great deal. If you can push hard enough that I can read it in the paper, that there is progress being made in this, maybe this would be a nice idea like Pat said celebrations, small ones, bring school kids over in the Spring of year, in May, and tour so that they can see what history is about, and then in the fall bring the seventh and eighth graders. I remember one year there were four bus drivers, there was that many students, they pieced it out for morning and afternoon and that happened always two in the Spring and two in the Fall. It would good thing for the kids and is a great thing for the City of Elysian for 130 years. I will depend on you two (Mayor and Pat).

Marge Pribyl – 45 Egret Lane – It is kind of interesting what Mr. Kritzer brought up tonight. He said when I retired from teaching I volunteered at the Museum to take the children through the building. In 2008, that was the last time that we did that. In 2009, the children went to the Museum, that was just a failure, it was a disaster because the tour was not what it should have been. The teachers stated that they would not come back again. So, I think if we could do what Mr. Kritzer suggested would be just terrific. Those kids loved those building up there they went from one to the other, the jail to the Louie Hruska building, to the main building. They talked about the Bison Head, all that type of thing. I think Mr. Kritzer's idea was good and we should try to do that again.

I just wanted to thank the council for voting in favor of replacing several of the Christmas decorations on the Main Street. I know that you will have to agree that we have the best display in the area with lighted trees in the pots donated by the Lake Area Women and

thanks to the businesses and the homes that decorated their property. Thanks to the members of the American Legion for their display in the Library over Veteran's Day. If you missed seeing the display, you missed a meaningful experience. Another great addition to the Main Street is the Club House. The Holidayz Parade even though it was cold, all of the audience appreciated it and the kids liked the candy and the hot chocolate packets.

Only mishap was the one you already know about, the child putting his tongue on the metal light pole prior to the parade and having to call some of the fire fighters. These are a few of the happenings that make the holidays and makes Christmas better. I would like to mention to you is that if you know of anyone in need, to please let us know. I have a really hard time thinking that a child who is cold, has no quilt or blanket, or is hungry. The Food Shelf, the Giving Tree and Santa Anonymous can help out. Santa Anonymous is not just a Christmas thing, it is year round providing boots, shoes, coats, and clothing. I could go on, but for now, thank you for making Elysian a better place.

On motion by Stoen, seconded by McBroom, all voting in favor, meeting adjourned at 7:08 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

**ELYSIAN CITY COUNCIL
SPECIAL MEETING
DECEMBER 30, 2013
5:00 P.M.**

The Elysian City Council met in regular session on Monday, December 30, 2013, at City Hall at 5:00 p.m.

Roll Call: Mayor Clinton Stoen: Councilmembers Tom McBroom, Mary Opsahl, Edna Thayer, Brian Ziemer (arriving at 5:08 p.m.), Administrator Patricia Nusbaum, Deputy Clerk Lorri Kopischke, Public Works Director John Roessler and Assistant Public Works Director Ron Greenwald.

Year end accounts payable and transfers were presented by Nusbaum. On motion by Thayer, seconded by Stoen, all voting in favor, the following transfers were approved:

Elysian Library	\$ 2,000.00
Park from savings to checking	\$12,581.01
Civil Defense – checking to savings	\$ 1,286.30
Street Repairs – savings to checkinig	\$15,000.00
EDA Mowing	\$ 200.00
Christmas lights from cable savings	\$ 2,911.85

On motion by Ziemer, seconded by McBroom, all voting in favor, to approve the year end bills, payroll, and transfers in the amount of \$106,842.10.

Discussion was held on the consideration of water and sanitary sewer rates for 2014. On motion by Stoen, seconded by McBroom, all voting in favor, to approve the following resolution leaving the water and sanitary sewer rates the same as 2013:

**RESOLUTION 435/13
CITY OF ELYSIAN**

**RESOLUTION SETTING WATER AND SEWER
UTILITY RATES FOR 2014**

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 2014 are set as follows:

Water Utility Rates

Service Base Charge:	\$17.50 per month
User Charge:	\$ 4.00 per 1,000 gallons

Sewer Utility Rates

Service Base Charge:	\$20.50 per month
User Charge:	\$ 6.50 per 1,000 gallons

NOW THEREFORE BE IT FURTHER RESOLVED: that these rates will remain effective on January 1, 2014.

ADOPTED THIS 30th. DAY OF DECEMBER, 2013 BY THE CITY COUNCIL OF THE CITY OF ELYSIAN.

Attest:

Patricia Nusbaum, City Administrator

Clinton Stoen, Mayor

Public Works Director Roessler brought up a question for discussion by the Council. The MN PCA has presented a draft to the City regarding the new permit for the next five years for the management of the sanitary sewer ponding system. The draft indicates that the phosphorus limit has been reduced to .75 milligrams per liter from 1.0 milligrams per liter. Roessler suggested to the Council that a letter be written to MPCA asking why the reduction in the limit since several of the cities around Elysian, are not required to meet such a low limit. A lower limit will be substantially more costly to the city because of the need to purchase more alum to be placed in the ponds prior to discharging. On motion by Ziemer, seconded by Stoen, all voting in favor, to authorize the City Administrator to find out the phosphorus limits of the surrounding cities and send a letter to MN Pollution Control Agency questioning the limit set for the City of Elysian.

On motion by Stoen, seconded by McBroom, all voting in favor, meeting adjourned at 5:45 p.m.

Attest:

Clinton Stoen, Mayor

Patricia Nusbaum, City Administrator

