

**ELYSIAN CITY COUNCIL
REGULAR MEETING
JANUARY 10, 2022**

The Elysian City Council met in regular session on Monday, January 10, 2022 at City Hall at 6:00 pm.

Roll Call: Mayor Tom McBroom; Councilmembers Bobby Houlihan, Dennis Schnoor, Bryan Suemnick; City Administrator Lorri Kopischke; Public Works Director Ron Greenwald; City Attorney Jason Moran. Absent: Councilmember Derek Westby.

On motion by Schnoor, seconded by Houlihan, all voting in favor, to approve the minutes of the December 13, 2021 Regular Meeting and December 28, 2021 Special Year-End Meeting as presented.

On motion by Houlihan, seconded by McBroom, all voting in favor, to approve the agenda of the January 10, 2022 Regular Meeting with the following addition:

1. Le Sueur County Chief Deputy Nick Greenig.

Le Sueur County Chief Deputy Greenig reported the City has been quiet. One new deputy has been hired.

On motion by McBroom, seconded by Schnoor, all voting in favor, to close the meeting and open the Public Hearing at 6:02 pm.

The purpose of the hearing is to receive public input from citizens on proposed Ordinance No. 100/22 – An Ordinance granting a Franchise to CMN-Rus, Inc. (MetroNet) to construct, operate and maintain a Cable System in the City of Elysian.

The City Council approved a Letter Agreement with Metro Fibernet, LLC (MetroNet) at their December 13, 2021 meeting. That Letter Agreement allows MetroNet to start construction in the City of Elysian. Approval of Ordinance No. 100/22 will regulate how MetroNet will operate within the City. This is a 10-year agreement that provides 5% franchise fees, caps the right-of-way fees at \$1,500, provides a 50% discount in service fees with free drops at the Fire Hall, City Hall, and Tourism Center.

There were no public comments. No written comments were received.

On motion by McBroom, seconded by Schnoor, all voting in favor, to close the public hearing and open the regular meeting at 6:06 pm.

Public Comment: None.

On motion by Schnoor, seconded by McBroom, all voting in favor, the 2022 Designations were approved as presented:

- a. Regular Council meeting date and time: Second Monday of each month at 6:00 pm unless otherwise designated.
- b. Appointments / Assignments:
 - i. Mayor Pro Tem – Dennis Schnoor
 - ii. Official Depository – Elysian Bank and Northland Securities
 - iii. Official Publication – MN South Lake Region Life Enterprise

- iv. Legal Counsel – Jason Moran, Law Firm of Christian, Keogh, Moran & King – Criminal and Civil
- v. Auditor – Burkhardt & Burkhardt, Ltd
- vi. Planning and Zoning
 - Member from Council – Tom McBroom – 1 year term
 - Member from Public – Dan Engebretson - 3 year term
 - Member from Public – Al Linse – 3 year term
- vii. EDA
 - Member from Council – Bobby Houlihan – 1 year term
 - Member from Council – Derek Westby – 1 year term
 - Administrator – Lorri Kopischke – 1 year term
- viii. Park Committee
 - Member from Council – Tom McBroom - 1 year term
 - Member from Council – Bobby Houlihan - 1 year term
 - Member from Staff – Ron Greenwald - 1 year term
 - Member from Staff – Nicole Lamont – 1 year term
- ix. WEM Community Education Advisory Board – Tom McBroom - 1 year term
- x. Representative to the MVCOG General Assembly – Tom McBroom - 1 year term
- xi. Fire Relief Association
 - Member from Council – Dennis Schnoor – 1 year term
 - Member Appointed – City Administrator Lorri Kopischke – 1 year term
- xii. Joint Fire Board Representative – Dennis Schnoor
- xiii. Emergency Management
 - Director – Brian Rutt

On motion by Schnoor, seconded by Houlihan, all voting in favor, to approve the Fire Department Chief Appointments as follows:

- a. Chief – Jason James
- b. First Assistant Chief – Richard Droog
- c. Second Assistant Chief – Jacob James

The Council discussed the Committees meeting and/or monthly payment amounts. There was consensus that all committee members should receive payment for their commitment to the betterment of the City.

On motion by Schnoor, seconded by Suemnick, all voting in favor, to approve the following meeting and/or monthly payment amounts:

- a. Fire Chief - \$316.67 per month
- b. Planning and Zoning Commissioners - \$50 per meeting or training attended
- c. EDA Commissioners - \$40 per month plus \$40 per special meeting or training attended
- d. Park Committee Members - \$25 per meeting or training attended
- e. WEM Community Education Advisory Board - \$25 per meeting or training attended
- f. Representative to the MVCOG General Assembly - \$25 per meeting or training attended
- g. Fire Relief Association - \$25 per meeting or training attended
- h. Joint Fire Board - \$25 per meeting or training attended.

The Council then considered Ordinance No. 100/22 – An Ordinance Granting a Franchise to CMN-RUS, Inc. (“MetroNet”) to construct, operate, and maintain a Cable System in the City of Elysian.

On motion by Houlihan, seconded by McBroom, all voting in favor, to approve and adopt Ordinance No. 100/22 – An Ordinance Granting a Franchise to CMN-RUS, Inc. (“MetroNet”) to Construct, Operate, and Maintain a Cable System in the City of Elysian, Minnesota; Setting Forth Conditions Accompanying the Grant of the Franchise; Providing for Regulation and Use of the System; and Prescribing Penalties for the Violation of its Provisions. (Please see full text of Ordinance No. 100/22 attached as Exhibit A.)

Staff had no updates in regard to the Coronavirus COVID-19 Pandemic.

Ron Greenwald, Public Works Director, presented a quote from MacQueen Equipment for the parts to repair the street sweeper conveyor in the amount of \$1,816.19.

On motion by Schnoor, seconded by Suemnick, all voting in favor, to approve the quote from MacQueen Equipment for the parts to repair the street sweeper conveyor in the amount of \$1,816.19.

Greenwald reported he had contacted the John Deere Equipment Representative and he advised the 6000 series tractor would operate the snow blower adequately and would be best fit for the needs of the City of Elysian. John Deere does offer several payment and lease options. However, there is a 13-month wait for a new 6000 series tractor due to the recent John Deere strike and the current supply issues. Greenwald will provide the contract / agreement at the February Council meeting.

Greenwald reported his inspection of the Elysian School tennis courts and asked if the Council would be interested in more than an asphalt overlay to the courts. City Attorney Moran will contact WEM Superintendent to discuss the details of an agreement and Greenwald was asked to obtain estimates for blacktop and other surface overlays to the courts.

The Council discussed blacktopping of the alley to the north of the businesses on Main Street East. There was consensus to hold a workshop meeting and invite the property owners to attend and discuss the options for blacktopping of that alley. Greenwald was directed to obtain an estimate to blacktop the alley north of the businesses on Main Street East, north of the DNR trail on State Highway 60 between County Road #11 and Second Street SE, and the tennis courts.

On motion by McBroom, seconded by Schnoor, all voting in favor, to schedule a workshop meeting for Monday, February 14, 2022 from 5:30 to 6:00 pm and invite all property owners of Park Avenue NE and Main Street E between County Road #11 and Second Street NE to discuss options for blacktopping of the alley.

The Council considered a draft Compliance Agreement between the Minnesota Department of Health (MDH) and the City of Elysian, Minnesota with regard to Contaminant: Combined Radium 226 & 228. Corrective Actions Required include A. Complete Preliminary Design Review of future treatment no later than March 31, 2022; b. Provide MDH with actions and timetable to return to compliance based on the Preliminary Design Review. These actions will be used to create a new compliance agreement no later than June 30, 2022; and C. Sign and return new compliance agreement no later than October 31, 2022.

On motion by Schnoor, seconded by Suemnick, all voting in favor, to request that the dates of the Compliance Agreement between the Minnesota Department of Health (MDH) and the City of Elysian,

Minnesota with regard to Contaminant: Combined Radium 226 & 228 be revised as follows: A. July 2022 and B. November 2022.

The Council discussed Resolution No. 744/22 – Approving an Interfund Loan to Fund the Preliminary Design Phase Services of the proposed Water Treatment Plant. The Council had previously approved funding this project via a short-term loan from the Elysian Bank. In discussing this with the City Auditor, it was preferred that the funding be done via either bonding or an interfund loan. Bonding would have administrative fees and interest. An interfund loan could be accomplished without any costs to the City. There is a balance of \$349,988.80 in the sewer savings account that could be loaned and reimbursed when the bonding bill is received.

Councilmembers Schnoor and Suemnick expressed concern with drawing those funds down in case there was an emergency, and a sewer repair was needed.

After much discussion, Mayor McBroom introduced the resolution and was seconded by Councilmember Houlihan.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION NO. 744/22

A RESOLUTION APPROVING AN INTERFUND LOAN TO FUND THE PROJECT DESCRIBED AS:
NEW WATER TREATMENT PLANT – PRELIMINARY DESIGN PHASE SERVICES

WHEREAS, in November 2020 the City of Elysian was notified by the Minnesota Department of Health (MDH) that the primary well serving the City exceeded the maximum contaminant level (MCL) for gross alpha and combined radium 226 and 228.

WHEREAS, the MDH has required the City of Elysian to complete a feasibility study to return the system to compliance.

WHEREAS, the City of Elysian does have a secondary well that is inundated by iron bacteria and cannot be used as a potable water source water for the City.

WHEREAS, the feasibility study has been completed and the final recommendation of the study was the construction of a filtration water treatment plant which would allow the City full use of both wells.

WHEREAS, the City has initiated steps to apply for the Minnesota State Bonding Bill to fund the partial costs of the water treatment plant.

WHEREAS, the City Council met and approved a Supplemental Letter Agreement with the engineering firm of Short Elliott Hendrickson, Inc. to prepare preliminary designs and budgetary cost estimates for a New Water Treatment Plant in the amount of \$113,900 for the City on September 13, 2021.

WHEREAS, in an effort to not drain the City resources in the water fund account while awaiting funding from the State of Minnesota, the City Council does approve and authorize an interfund loan from the sewer fund account to the water fund account in the amount of \$113,900 to provide the monies to fund the services in the Supplemental Letter Agreement.

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

1. That the City Council approves and authorizes an Interfund Loan from the sewer fund account to the water fund account in the amount of \$113,900. The City intends to reimburse itself when monies are received through the State of Minnesota Bonding Bill.
2. This Interfund Loan is evidence of an internal borrowing by the City in accordance with Minnesota Statutes, Section 469.176, Subd 4, from its general fund or any other fund under which it has authority to do so.
3. The City may amend the terms of the Interfund Loan at any time by resolution of the City Council, including a determination to forgive the outstanding principal amount to the extent permissible by law.

Upon vote being taken:

Council Members voting in the affirmative: Houlihan, McBroom, Schnoor, Suemnick

Council Members voting in the negative: None

Adopted by the City Council of the City of Elysian this 10th day of January, 2022.

Approved:

Tom McBroom, Mayor

Attested:

Lorri Kopischke, City Administrator

Reminder of the Le Sueur County Officials Association Meeting Wednesday, January 26, 2022 at El Molino's Waterville, 6:15 Social Hour – 7:00 pm meeting.

City Attorney Moran reported that the owner of the property with the nuisance structure at 402 Frank Avenue NW has passed away.

On motion by Houlihan, seconded by Schnoor, all voting in favor, bills, payroll, and transfers were approved in the amount of \$278,114.44.

Public Comment: None.

On motion by McBroom, seconded by Houlihan, all voting in favor, to adjourn the meeting at 6:52 pm.

Approved:

Tom McBroom, Mayor

Attested:

Lorri Kopischke, City Administrator