

**ELYSIAN CITY COUNCIL  
SPECIAL WORKSHOP MEETING  
APRIL 11, 2022**

The Elysian City Council held a special workshop meeting on Monday, April 11, 2022 at City Hall at 5:30 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: Derek Westby.

Chris Cavett, SEH Engineering, outlined a preliminary report (feasibility study) for Main Street Alley Paving based on a field survey of the alley and property boundaries and review of the deeds for the area properties.

The proposed improvements would provide a 16-foot-wide bituminous paved surface, located entirely south of the rear property line. It is recommended that the north edge of the pavement surface be placed at 2-foot south of the property line and within a 20-foot documented public alleyway.

The following findings are based on review of the deeds recorded with Le Sueur County:

1. The westerly half of the alley (gravel edge) encroaches onto the properties to the north (Lots 5-10).
2. A sanitary sewer easement is documented on lots 11-16, but none were found on lots 17-20.
3. We only found a telephone easement on Lots 1-10 which seems to capture most of the fiber optic line on Lots 7-10.
4. A standard title search in Minnesota goes back 40 years, but it is possible there are easement(s) older than a standard 40-year title search would uncover.
5. There are NO easements found as it relates to an alley for public ingress and egress.
6. The storm sewer located almost directly on the property line would appear to not have any easement from the north side properties (lots 1-10) nor lots on south side (lots 17-20), or it may be an older easement that just has not been found in the title search.

Based on the current use of the alley and the fact the City does provide some maintenance in the alley, it could be implied that the alley easement is prescriptive.

SEH Engineering recommends the following:

1. Accept this feasibility report and order a public hearing to be held as soon as possible.
2. After holding the public hearing, the City Council should consider ordering the improvement and authorizing the preparation of plans and specifications.
3. Authorize the City Engineer and City Attorney to prepare legal descriptions and easement documents to acquire the property under street and utility easement or fee-title.
4. The cost of the improvements will be recovered through assessments to the benefitted properties and possibly through other city contributions.

Cavett provided an estimate of apportioned costs to the benefitting properties (businesses to the south of the alley) – Preliminary Assessment Roll. A 4” option and a 5” option were presented. One with 100% costs assessed and one with the City covering the engineering, surveying, and legal costs.

Ron Greenwald, Public Works Director, noted there are two manholes and two storm sewer intakes on the northern edge of the alley. The OnFireGuy lot gets a lot of semi-trucks, and the American Legion has their dumpsters located in an area that would make it difficult for the waste truck to turn around if the alley was located 2 feet off the northern line. Greenwald stated he would prefer to see the alley located on the northern property line or as close to it as possible.

Marlys Boyum, 103 Second Street NE, noted the semis off Second Street NE come on her property quite a bit when turning into the alley.

Patricia Nusbaum, Elysian Area Library, asked that in the design the area at the west end of the alley that juts out be removed. Everyone runs over it, and removal would make the turn better.

McBroom asked if the blacktop would degrade if the property owners do not pave their gravel aprons. Cavett stated it is basically for aesthetics although there would be a benefit because there would be less gravel in the alley.

Joyce and Curtis Bohlen, 106 First Street N, asked if the property owners to the north would be assessed? Cavett stated the question is if paving the alley is a benefit to owners on both sides, north and south.

Jane Doran, 122 East Main Street, stated she would like to see the alley tarred to keep down the dust and dirt. Her business continues to grow and the alley in its current state is difficult for semis. Extending the pavement to the north would benefit her semi traffic and would benefit the public by providing more parking especially during the 4<sup>th</sup> of July celebration. She will have to make a decision to expand her facility or to move to a larger location in a different city and this alley being paved or not will influence that decision.

Staff reported Dan Wingert, 109 Park Avenue NE, called today and stated support for paving of the alley and a willingness to pay their "fair share". Wingert stated this project would be an improvement to the City.

Greenwald stated the alley has a good base. There was discussion questioning the need of a 4", 5" or 6" pavement for the alley. Cavett explained that most residential streets are 4". He is confident a 5" pavement will be adequate.

On motion by McBroom, seconded by Suemnick, all voting in favor, to adjourn the meeting at 6:00 pm.

Approved:

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Tom McBroom, Mayor

Attested:

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Lorri Kopischke, City Administrator