

**ELYSIAN CITY COUNCIL
REGULAR MEETING
DECEMBER 12, 2022**

The Elysian City Council met in regular session on Monday, December 12, 2022 at City Hall at 6:00 pm.

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

On motion by Westby, seconded by Suemnick, all voting in favor, to approve the minutes of the November 14, 2022 Regular Meeting and November 28, 2022 Special Workshop Meeting as presented.

On motion by Houlihan, seconded by McBroom, all voting in favor, to approve the agenda of the December 12, 2022 Regular Meeting as presented.

Le Sueur County Captain Bruce Collins reported things have been calm in the City. There have been some burglaries in vehicles in the rural north/northwest of the county. The department was awarded TZD Hours and has been doing more traffic work for impaired driving, seat belt use, and distracted driving.

On motion by McBroom, seconded by Schnoor, all voting in favor, to close the meeting and open the Public Hearing at 6:04 pm.

The purpose of the public hearing is to receive public input on the final 2023 budget and the tax levy for 2022 payable 2023.

Staff presented the final tax levy for 2022 payable 2023 in the amount of \$802,483. This is a 5.4% increase from the payable 2022 tax levy in the amount of \$761,450. Increases to the levy include increased health, liability, and work comp insurance costs, projected increased fuel, electric and natural gas costs, increased required Fire Relief contribution, wayside rest expense, maintenance equipment costs, and various security items.

The City's tax rate has decreased over the last 3 years as follows: 2021 – 65.144%, 2022 – 62.520%, and 2023 – 53.150%. So effectively, if there are no changes to the value of a home, or the homestead status, etc. the city portion of the taxes would be reduced.

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

On motion by McBroom, seconded by Westby, all voting in favor, to close the public hearing and open the regular meeting at 6:08 pm.

Public Comment: None.

The Council then considered Ordinance #104/22 – Approving a Lot Split and Amending the Zoning Ordinances of the City of Elysian, Le Sueur County, MN thereby effectively rezoning property from C-2 Highway Commercial District to Single Family Residential calling for a change in the Zoning Map reflecting the Rezoning of said property.

Bryan Suemnick is requesting a lot split and a partial rezoning of the property at 105 First Street S (PID# 16.035.7000). The parcel is zoned C-2 Highway Commercial. The request is that a 170.9 by

128.1 foot (21,892 square foot) parcel where the house is located be split and rezoned to R-1 Single Family Residential. The home is located on the southeast corner of the lot adjacent to First Street S and the property directly to the east on First Street S is zoned R-1 Residential.

A conditional use permit is in place for a Commercial Tree Service that is operating on the lot with the main building for that business located in the southwest corner of the lot. That area and the property along the State Highway 60 corridor would remain C-2 Highway Commercial which would be consistent with the intent of the City's Comprehensive Land Use Plan.

Mr. Suemnick states that he would like to separate the residence and the business. At some point down the road, he may want to sell the house and keep his business in this location. This would allow him to do that.

The Planning and Zoning Commission held a public hearing on the request on December 6, 2022 and has recommended approval based on the following facts:

1. Zoning this parcel R-1 Residential would be consistent with the current use of the property – residential housing.
2. This portion of the lot is 67.6 feet south of State Highway 60 and would not adversely affect the intent of the Elysian Comprehensive Land Use Plan to retain that corridor as C-2 Highway Commercial for commercial uses.
3. Zoning the parcel R-1 Residential would be a consistent designation as the property directly to the east is zoned R-1 Residential.
4. In addition, rezoning this portion to R-1 Single Family Residential will certainly enhance the City's tax base, keep the neighborhood in harmony with the land use comprehensive plan and will be in the overall best interest and general welfare of the City of Elysian.

Ordinance No. 104/22 was presented by Councilmember Schnoor and seconded by Councilmember Houlihan.

ORDINANCE NO. 104/22
CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

AN ORDINANCE APPROVING A LOT SPLIT AND AMENDING THE ZONING ORDINANCES OF THE CITY OF ELYSIAN, LE SUEUR COUNTY, MN THEREBY EFFECTIVELY REZONING PROPERTY FROM C-2 HIGHWAY COMMERCIAL DISTRICT TO SINGLE FAMILY RESIDENTIAL CALLING FOR A CHANGE IN THE ZONING MAP REFLECTING THE REZONING OF SAID PROPERTY.

The City Council for the City of Elysian, Le Sueur County, Minnesota, does hereby and herein Ordain as follows:

- (A) Purpose. The purpose of this Amended Ordinance is to ensure for the well being and general welfare of the citizens of the City of Elysian. Elysian currently has zoning regulations in place and a zoning map exists whereby zoning and land use control designations are in place. The City of Elysian Planning and Zoning Commission met on December 6, 2022, held a public hearing pertaining to a lot split, change in the city's zoning designation and zoning map, and upon majority vote affirmatively recommended approval of the lot split and the following Amendment to the City's Zoning Designation concerning the following properties:

The property known as The West Five (5) acres of Government Lot Numbered Three (3), in Section Numbered Thirty Five (35) Township One Hundred Nine North, Range Numbered Twenty Four West, in the Village of Elysian, which lies South of and is southerly of the right of way of the Chicago Great Western Railway Company, subject to existing highways (PID # 16.035.7000) would be split with the southeast section on which the home is located and is 67.6 feet south of the highway going south 170.9 feet and west 128.1 feet (21,892 square feet total) would be rezoned to R-1 General Residential Zone. (see attached)

The Planning and Zoning Commission determined the following findings of fact:

1. Zoning this parcel R-1 General Residential would be consistent with the current use of the property – residential housing.
2. This portion of the lot is 67.6 feet south of State Highway 60 and would not adversely affect the intent of the Elysian Comprehensive Plan to retain that corridor as C-2 Highway Commercial for commercial uses.
3. Zoning the parcel R-1 Residential would be a consistent designation as the property directly to the east is zoned R-1 Residential.
4. In addition, rezoning this portion to R-1 Single Family Residential will certainly enhance the City's tax base, keep the neighborhood in harmony with the land use comprehensive plan and will be in the overall best interest and general welfare of the City of Elysian.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN,
LE SUEUR COUNTY MINNESOTA,
HEREBY AND HEREIN ORDAINS AS FOLLOWS:

1. The property known as The West Five (5) acres of Government Lot Numbered Three (3), in Section Numbered Thirty Five (35) Township One Hundred Nine North, Range Numbered Twenty Four West, in the Village of Elysian, which lies South of and is southerly of the right of way of the Chicago Great Western Railway Company, subject to existing highways (PID # 16.035.7000) would be split with the southeast section on which the home is located and is 67.6 feet south of the highway going south 170.9 feet and west 128.1 feet (21,892 square feet total) would be rezoned to R-1 General Residential Zone.
2. The City's Zoning Map shall be changed to reflect this re-zone.

This Amending Ordinance shall take effect upon publication.

Passed this 12th day of December, 2022.

The Ordinance was presented by Councilmember Schnoor, seconded by Councilmember Houlihan with the following vote being taken:

Voting Yes: Houlihan, McBroom, Schnoor, Westby

Voting No: None

Abstain: Suemnick

By: _____
Tom McBroom, Sr., Mayor

ATTEST:

Lorri Kopischke, City Administrator

Councilmember Schnoor introduced the resolution and was seconded by Councilmember Houlihan.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION NO. 819/22

A RESOLUTION DIRECTING DELINQUENT UTILITY CHARGES BE PLACED
ON THE PROPERTY TAXES PAYABLE IN 2023

WHEREAS, Elysian City Code provides for the City to place utility charges on the succeeding year property tax rolls for the specified properties; and

WHEREAS, the City Council has scheduled the consideration of the certification of such charges and has caused notice to be mailed to the affected property owners; and

WHEREAS, the City Council has considered such charges at its regular council meeting of December 12, 2022 and has made a determination that delinquent utility charges exist for the specified properties set forth in "Exhibit A" attached hereto and made a part hereof.

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

That the Le Sueur County Auditor-Treasurer's Office is hereby authorized to place the delinquent utility charges on the property taxes payable in 2023, against the specified properties as set forth in "Exhibit A".

Upon vote being taken:

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

Council Members voting in the negative: None

Adopted by the City Council of the City of Elysian this 12th day of December, 2022.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

Exhibit A:

TO: CITY OF ELYSIAN MAYOR AND COUNCIL MEMBERS

DATE: DECEMBER 12, 2022

**SUBJECT: DELINQUENT UTILITY BILLS YEAR
2022**

PLEASE CONSIDER THE FOLLOWING DELINQUENT UTILITY BILLS TO BE PLACED ON TAXES PAYABLE YEAR OF 2023:

Address	PID #	Amount to Certify
106 Second Street NE	R-16.440.0690	\$209.58
105 Park Avenue NE	R-16.440.0530	\$111.03
205 Third Street NW	R-16.410.0470	\$145.76
1278 Lewis Lane	R-16.435.0050	\$374.69
112 Park Avenue NE	R-16.440.0480	\$290.22
304 Park Avenue NW	R-16.410.0510	\$444.54
	Total	\$1,575.82

On motion by Westby, seconded by Suemnick, all voting in favor, the following licenses are approved for the period of January 1, 2023 to January 1, 2024:

Fischer's Corner Bar Inc.	On Sale, Off Sale, Soft Drink, Sunday
Tom's Bar Inc. dba Thirsty Beaver Bar	On Sale, Off Sale, Soft Drink, Sunday
Tuckers Tavern Inc.	On Sale, Off Sale, Soft Drink, Sunday
Ahavah Drops LLC	On Sale, Off Sale, Soft Drink, Sunday
American Legion 311	Club, Soft Drink, Sunday
Casey's	Soft Drink
Alley Scoops LLC	Soft Drink
Mama's Mercantile Bakery & Cafe	Soft Drink
Fire Department	Soft Drink

It was noted that S&K Roemhildt did not apply for renewal. Trostem's Campground has sold, and the new owner has not applied for a liquor license.

Councilmember Schnoor introduced the resolution and was seconded by Councilmember Westby.

RESOLUTION NO. 820/22
RESOLUTION ADOPTING THE 2023 FINAL BUDGET
FOR THE CITY OF ELYSIAN
LESUEUR AND WASECA COUNTIES

WHEREAS, the City of Elysian has considered and discussed the budget for the year 2023;
and

WHEREAS, the 2023 FINAL budget is attached to this Resolution.

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

1. That the attached FINAL budget for 2023 marked as "Exhibit A" is
hereby adopted.

Upon vote being taken:

Councilmembers voting in the affirmative: Houlihan, McBroom, Schnoor, Suemnick, Westby

Councilmembers voting in the negative: None

Whereupon said resolution was declared duly passed and adopted.

Dated this 12th day of December, 2022.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

Councilmember Schnoor introduced the resolution and was seconded by Councilmember Houlihan.

RESOLUTION NO. 821/22
RESOLUTION ADOPTING FINAL 2022 TAX LEVY, PAYABLE 2023
CITY OF ELYSIAN
LE SUEUR AND WASECA COUNTIES

BE IT RESOLVED; by the City Council of the City of Elysian, Le Sueur and Waseca Counties,
Minnesota, that the following sums of money are levied for the current year, collectible in 2023, upon
taxable property in the City of Elysian, for the following purposes:

General Fund	\$530,826
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Fire Relief	\$ 24,402
Maintenance Replacement Eq.	\$ 10,000
Storm Sewer	\$ 5,000
Kaplan	\$ 12,000
2016 Local Improvement Levy	\$ 85,000
2018 Local Improvement Levy	\$110,000
2016 Fire Truck Debt	\$ 20,496
SCBA Tank Fire Debt	<u>\$ 4,759</u>
Total Preliminary Levy	\$802,483

Councilmembers voting in the affirmative: Houlihan, McBroom, Schnoor, Suemnick, Westby

Councilmembers voting in the negative: None

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 12, 2022.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

On motion by Houlihan, seconded by McBroom, all voting in favor, to approve the City of Elysian 2023 Full-Time Employee Health Insurance Monthly Contributions as follows:

FAMILY COVERAGE	DENTAL	LIFE BASIC	HEALTH	Total
PREMIUM	\$37.71	\$1.80	\$1,335.29	\$1,374.80
City Paid	\$12.45	\$1.80	\$754.73	\$768.98
Employee Deduction	\$25.26	\$0.00	\$580.56	\$605.82
SINGLE COVERAGE	DENTAL	LIFE BASIC	HEALTH	Total
PREMIUM	\$12.45	\$1.80	\$502.09	\$516.34
City Paid	\$12.45	\$1.80	\$502.09	\$516.34

Employee Deduction \$0.00 \$0.00 \$0.00 \$0.00

Employer Annual HSA Contribution: \$3,850.00

On motion by Schnoor, seconded by Westby, all voting in favor, to approve the wage adjustments for 2023 for four (4) full-time employees of 3.5% cost of living plus an additional \$.25 per hour effective the first payroll in January 2023.

On motion by Westby, seconded by Suemnick, all voting in favor, to approve a wage increase for Donald Doehling in the amount of \$.40 per hour for obtaining Class C Water Operator License effective the first payroll in January 2023.

On motion by Suemnick, seconded by Houlihan, all voting in favor, to approve a proposal from Midwest IT Systems in the amount of \$2,467.91 for the purchase of a Desktop Computer, Monitor, Technical Service, and Backup for the front office.

On motion by Schnoor, seconded by Suemnick, all voting in favor, to approve Hawk Alarm Systems Inc. Proposal #3151 to install maglocks and keypad to doors at Lake Francis Pavilion and interface with timer in the amount of \$3,704.34 and Hawk Alarms Systems Inc. Proposal #3145 for installation of a 2-door access control system for the west door of the Tourism Building in the amount of \$4,823.29. Both items to be completed in 2023 Budget cycle.

On motion by Schnoor, seconded by Westby, all voting in favor, to schedule end of year meeting for December 28, 2022 at 6:00 pm.

The following Recap of EDA Activities 2022 was distributed:

- Published (5) Business Spotlights on the EDA Website – Suemnick’s Final Tree Cut Service, Uptown Cuts, Scoops, 107 on Main, and Fischers Bar.
- Purchased (2) two benches for the sidewalk at the Veteran’s Memorial Sunset Park.
- Held a drawing to promote shopping/eating at local businesses during the July 4th Celebration.

Thank you to all those in the community who made 2022 Christmas in Elysian a success. Thank you to Lake Area Women for the trees in the pots. Thank you to Bryan Suemnick for providing the equipment and assisting to hang the lights on Main Street.

On motion by McBroom, seconded by Houlihan, all voting in favor, to close the meeting and open the Public Hearing at 6:16 pm.

The purpose of the hearing is to hear public comment in regard to making of an improvement described as “2023 Street and Utility Improvement Project”, on the following streets:

- Maple Avenue from 5th Street SW to 1st Street S
- Lewis Lane from 5th Street SW to Dead End
- G Avenue SE from 1st Street S to Jason Drive
- Jason Drive from G Avenue SE to Dead End
- 5th Street SW from Maple Avenue to Hwy 60
- 3rd Street SW from Maple Avenue to Hwy 60
- 1st Street S from Maple Avenue to Hwy 60

Brent Kavitz, Engineer, SEH Engineering, presented the 2023 Street and Utility Improvement Project. The project includes full street reconstruction for all project areas, complete water main replacement on G Avenue, Jason Drive, and Lewis Lane, partial water main replacement on First Street S, complete water service replacement to ROW on reconstructed water main sections, drainage improvements, and sanitary sewer spot repair.

Kavitz presented mapping of each street within the project that illustrated the proposed improvements to that street.

The Estimated Project Cost is: Street \$1,359,700, Storm Sewer/Drainage \$416,340, Sanitary Sewer \$75,810, Water Main \$300,360, Construction Contingency \$215,200, and Project Related Costs \$591,900 for an Estimated Total Project Cost of \$2,959,310.

The Estimated Project Funding is: Special Assessments \$591,065 (20%), Sanitary Sewer Utility \$104,310 (4%), Water Utility \$377,240 (13%), Environmental Utility – Storm \$572,440 (19%), General Levy \$1,314,255 (44%) for an Estimated Project Funding of \$2,959,310.

Kavitz explained the City of Elysian Special Assessment Policy. For this project, the preliminary assessment rates are: Water Service \$1,880/Unit (each), Residential Reconstructed Street \$9,570/Unit (each), Commercial/Industrial/Multi-family Reconstructed Street \$127.60/Unit (FF). The Assessment Hearing is proposed for April 2023. Notices of the amount due to be sent prior to the Assessment Hearing. More detail to be provided with notice and at the hearing. Interest Rate to be determined by City Council prior to the hearing.

Proposed Project Schedule:

December 12, 2022: Public Hearing: Council Authorizes Preparation of Plans and Specifications
February 13, 2023: Present Final Plans & Specifications; Council Authorizes Advertisement for Bids
March 9, 2023: Open Bids
March 13, 2023: Council Receives Bids, Declares Costs to be Assessed, Orders Preparation of Assessment Roll, & Calls for Assessment Hearing on Proposed Assessments
April 10, 2023: Council Holds Assessment Hearing, Adopts Assessments, & Considers Award of Contract
April 2023: Preconstruction Conference with Contractor/Utilities
May 2023: Construction Begins
November 2023: Substantial Completion Date
July 2023: Final Completion Date

Public Comments:

Julie Blackburn, 43958 45th Street, resident of Waseca County, in Janesville Township, Elysian Community member. So just curious, based on what you just talked about, as a citizen of the Township, is that going to be assessed or is that a deferred assessment or what is the plans.

Kavitz stated that at this time, Janesville Township is not interested in participating in a cost share.

Blackburn stated she is also the owner of 45992 45th Street, that fronts Maple Avenue. With increasing the width of that road, what does that mean for her property.

Kavitz stated the width of the road will be increased in the public right of way. She would not lose property; she would lose City-owned property/right of way.

Blackburn noted there is quite a slope in that area. Kavitz agreed and stated that part of the project will require a temporary construction easement to do the construction properly, get the proper grades, and then tie back in.

Blackburn stated she had just invested \$3,500 into a whole new planting area and trees in that area so she wants to be careful that it doesn't get damaged.

Blackburn asked the accuracy of the bids now. What is the acceptance level of overbid? Kavitz noted things are hard to estimate accurately as construction costs are changing rapidly.

Blackburn expressed concern for the sustainability of the campground due to the cost of the assessment due to the amount of front footage they have on the streets. The campground provides a lot of summer business for this area. She did the calculations based on front footage and that is a shocking number. She wants the Council to think about that as the campground is an important part of the community here.

There were no further public comments.

No written comments were received.

On motion by McBroom, seconded by Houlihan, all voting in favor, to close the public hearing and open the regular meeting at 6:50 pm.

Councilmember Houlihan introduced the resolution and was seconded by Councilmember Westby.

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA
RESOLUTION NO. 818/22
ORDERING IMPROVEMENT
AND PREPARATION OF PLANS

WHEREAS, a resolution of the city council adopted the 14th day of November, 2022, fixed a date for a council hearing on the proposed improvement of the following streets:

- Maple Avenue from 5th Street SW to 1st Street S
- Lewis Lane from 5th Street SW to Dead End
- G Avenue SE from 1st Street S to Jason Drive
- Jason Drive from G Avenue SE to Dead End
- 5th Street SW from Maple Avenue to Hwy 60
- 3rd Street SW from Maple Avenue to Hwy 60
- 1st Street S from Maple Avenue to Hwy 60

AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the 12th day of December, 2022, at which all persons desiring to be heard were given an opportunity to be heard thereon,

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

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 14th day of November, 2022.

3. Short Elliott Hendrickson Inc. (SEH®) is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement, according to the feasibility report dated November 14, 2022.
4. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of the tax-exempt bond.

Upon vote being taken:

Councilmembers voting in the affirmative: Houlihan, McBroom, Schnoor, Suemnick, Westby

Councilmembers voting in the negative: None

Adopted by the City Council of the City of Elysian this 12th day of December, 2022.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

On motion by Westby, seconded by Houlihan, all voting in favor, to approve the Supplemental Letter Agreement for Professional Services of Short Elliott Hendrickson Inc. for Phase 2 – Final Design as indicated in the attached letter and Task Hour Budget dated December 12, 2022 in the lump sum amount of \$178,800 including expenses and equipment for 2023 Street and Utility Improvement Project.

On motion by Schnoor, seconded by Westby, all voting in favor, to approve the Supplemental Letter Agreement for Professional Services of Short Elliott Hendrickson Inc. for 2022 General Engineering Services in an amount not to exceed \$2,500 for work that has been performed and any future work requests through December 2022.

On motion by McBroom, seconded by Westby, all voting in favor, bills, payroll, and transfers were approved in the amount of \$160,663.83.

Public Comment: None.

On motion by McBroom, seconded by Westby, all voting in favor, to adjourn the meeting at 7:02 pm.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator