

**ELYSIAN CITY COUNCIL
REGULAR MEETING
NOVEMBER 13, 2023**

The Elysian City Council met in regular session on Monday, November 13, 2023 at City Hall at 6:00 pm.

The meeting opened with the Pledge of Allegiance to the US Flag.

Roll Call: Mayor Tom McBroom, Sr.; Councilmembers Bobby Houlihan, Dennis Schnoor, Bryan Suemnick, and Derek Westby; City Administrator Lorri Kopischke; Public Works Director Ron Greenwald; City Attorney Jason Moran. Absent: None.

On motion by Westby, seconded by Houlihan, all voting in favor, to approve the minutes of the October 9, 2023 Special and Regular Meeting, and the October 30, 2023 Special Workshop Meeting as presented.

On motion by Houlihan, seconded by Suemnick, all voting in favor, to approve the agenda of the November 13, 2023 Regular Meeting with the following addition:

13. n. Civil Defense Update

Le Sueur County Chief Deputy Nick Greenig reported all is quiet in the City. The Council requested continued patrol of Main Street for speed and stop sign enforcement especially over the lunch hour.

On motion by McBroom, seconded by Westby, all voting in favor, to close the Regular Meeting and open the Public Hearing at 6:06 pm.

The purpose of the hearing is to allow public input from citizens on proposed Ordinance No. 109/23 – A Moratorium on the Issuance of Additional Short Term Rental Licenses in the Shoreland District.

City Attorney Moran stated that recently there have been a number of short term license requests in a condensed area on the lakeshore. This is a concern due to the increased traffic, noise, boat traffic, etc. This Moratorium would place a “hold” on issuance of short term licenses in the shoreland district and allow time for the Planning and Zoning Commission to complete a study to determine if there should be limits on the number of licenses issued for properties in the area. Once the study is complete, and the ordinance amended, the moratorium can be lifted.

Staff noted there have also been some recent questions related to the short term rental ordinance such as capacity, etc. These could be addressed by the Planning and Zoning Commission as well.

There were no public comments.

There were no written comments.

On motion by McBroom, seconded by Schnoor, all voting in favor, to close the Public Hearing and open the Regular Meeting at 6:12 pm.

Public Comment: None.

Councilmember Houlihan introduced the Ordinance and was seconded by Councilmember Suemnick.

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

A MORATORIUM ON THE ISSUANCE OF ADDITIONAL SHORT TERM RENTAL LICENSES IN
THE SHORELAND DISTRICT
ORDINANCE NO. 109/23

WHEREAS, The City of Elysian is conducting a study of the issuance of short term rental licenses for properties located in the Shoreland Zone within the City. Further, such activity has a direct impact on property values in the City and such a study is in the best interest of the City; and

WHEREAS, it will take approximately six to nine months to complete such a study; and

WHEREAS, The City of Elysian wishes to complete the study prior to issuing any additional short term rental licenses in the City's Shoreland Zone.

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

1. The City of Elysian hereby adopts a Moratorium on accepting applications and on the issuance of licenses for short term rental properties in the City's Shoreland Zone for a period of twelve (12) months unless earlier ended by action of the City Council. No such licenses shall issue during the period of time in which the Moratorium is in place.

Upon motion made by Houlihan, duly seconded by Suemnick, and passed unanimously, this Ordinance is adopted this 13th day of November, 2023. Summary publication is authorized herein.

Thomas McBroom, Sr., Mayor

Attest:

Lorri Kopischke, City Administrator

The Council considered Resolution No. 865/23 – A Conditional Use Permit Request from Jacob and Leslie Lee, owners of The Car Wash, 406 State Highway 60. The permit would allow Lee to convert the building to a short term rental unit. The plan includes eight separate suites with walk-in showers. This design will allow for rooms to be rented separately.

The City Building Inspector has requested that two conditions be added to the conditional use permit.

1. All building permits be approved and picked up prior to the start of any construction.
2. The construction conforms to the requirements of the commercial State Building Code.

The Council changed condition #2 to "A minimum of five feet vegetative screening on the south side of the property.

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

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION NO. 865/23

APPROVING CONDITIONAL USE PERMIT
FOR JACOB AND LESLIE LEE

WHEREAS, the City of Elysian has received an application from Jacob Lee for a conditional use permit to convert the 60x42 foot Car Wash building into a short term rental unit with eight suites with walk-in showers which is a conditional use in §156.068 of the City of Elysian Zoning Ordinance pertaining to C-2 Highway Commercial District Section D. (2); and

WHEREAS, the subject property is known as Le Sueur County Parcel Identification R16.410.1035, and legally described as shown on the attached Exhibit A; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on September 5, 2023 to receive public comment on the conditional use permit request; and

WHEREAS, the use proposed by the Lees is a conditionally permitted use; and

WHEREAS, following the public hearing, the Planning and Zoning Commission recommended approval of the conditional use permit, as the proposed use is within the spirit of the City's Zoning ordinance, it is beneficial to the City's tax base, the use makes good use of the land in issue, the proposed use does comply with the City's existing Zoning Ordinance, the proposed use has the ability to create employment opportunities for the City of Elysian, and is in the best interest and general welfare of the City of Elysian; and

WHEREAS, the City Council for the City of Elysian met, discussed the recommendations of the Planning and Zoning Commission, reviewed the application for the Conditional Use Plan, questioned the Lees regarding the proposed use and reviewed concept plans; and

WHEREAS, considering all of the above:

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Elysian, Minnesota hereby finds that the proposed use is within the spirit of the City's Zoning ordinance, it is beneficial to the City's tax base, the use makes good use of the land in issue, the proposed use does comply with the City's existing Zoning Ordinances, the proposed use has the ability to create employment opportunities for the City of Elysian, and is in the best interest and general welfare of the City of Elysian, and therefore the City Council for the City of Elysian herein and hereby approves the conditional use permit in accordance with and subject to the following conditions:

1. Conditions of City of Elysian Code of Ordinance TITLE XI: BUSINESS REGULATIONS: Chapter 112. SHORT TERM VACATION PROPERTIES.
2. A minimum of five (5) feet of vegetative screening on the south side of the property.
3. All building permits be approved and picked up prior to the start of any construction.
4. The construction conforms to the requirements of the commercial State Building Code.

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 13th day of November, 2023.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

Exhibit A

Parcel A:

That part of Lots 5,6,7,8,9,10,17, 18 & 19, Block 22, Elysium Townsite, according to the plat thereof on file and of record with the Le Sueur County Recorder, together with that part of the vacated 20-foot-wide alley in Block 22, all more particularly described as:

Commencing at the southwest corner of Lot 15, Block 22; thence North 01° 19' 55" East, (assumed bearing), along the west line of said Lot 15, the same being the easterly right of way line of Fifth Street (formerly Fourth Street), a distance of 100.70 feet; thence South 66° 57' 26" East, along a line parallel with the north right of way line of vacated Walnut Street, 116.67 feet to the point of beginning; thence continuing South 66° 57' 28" East, along said parallel line 116.67 feet; thence North 01°19'55" East, 100.67 feet to a point on the southerly right of way line of Minnesota Trunk Highway No. 60; thence North 83°53'09" West, along said right of way line, 86.94 feet to a point on the East line of Lot 9, in said Block 22; thence South 06°06'51" West, along said East line, the same being the southerly right of way line of Minnesota Trunk Highway No. 60, a distance of 10.67 feet; thence North 86°20'09" West, along said right of way line, 29.16 feet to the point of intersection with a line which bears North 01°19'55" East from the point of beginning; thence South 01°19'55" West, 99.08 feet to the point of beginning.

Said parcel contains 12,014 square feet, subject to any and all easements of record.

Part of 16.410.1035

Parcel B:

That part of Lots 1,2,3,4,5,19, 20 & 21, Block 22, Elysium Townsite, according to the plat thereof on file and of record with the Le Sueur County Recorder, together with that part of the vacated 20-foot-wide alley in Block 22, all more particularly described as:

Commencing at the southwest corner of Lot 15, Block 22; thence North 01°19'55" East, (assumed bearing), along the west line of said Lot 15, the same being the easterly right of way line of Fifth Street (formerly Fourth Street), a distance of 100.70 feet; thence South 88°57'28" East, along a line parallel with the north right of way line of vacated Walnut Street, 233.34 feet to the point of beginning; thence continuing South 88°57'28" East, along said parallel line, 116.66 feet to a point on the east line of Lot 21 in said Block 22, the same being the westerly right of way line of Fourth Street (formerly Third Street); thence North 01°19'55" East, along said westerly right of way line, 90.31 feet to a point on the southerly right of way line of Minnesota Trunk Highway No. 60; thence North 83°53'09" West; along said right of way line, 117.08 feet to the point of intersection with a line which bears North 01°19'55" East from the point of beginning; thence South 01°19'55" West, 100.57 feet to the point of beginning.

Said parcel contains 11,141 square feet, subject to any and all easement of record.

Together with a 12' easement for utility purposes across the following described property to wit: that parts of Lots 15, 16, 17, 18, 19, 20 & 21, Block 22 Elysium Townsite. Said easement is described as a 12' easement north and south in width and 350' in length and running parallel to the south line of Parcels A, B, & C attached here as Exhibit "A" Said north line of the 12' easement being the same line as the south line of Parcels A, B, & C attached her to as Exhibit "A".

Part of 16.410.1035

Brent Kavitz, SEH Engineering, presented W W Blacktopping, Inc. Pay Application No. 6 in the amount of \$74,369.39. This pay application takes care of all construction to date and through the rest of 2023.

On motion by Schnoor, seconded by Houlihan, all voting in favor, to approve and accept W W Blacktopping, Inc. Pay Application No. 6 in the amount of \$74,369.39.

Brent Kavitz, SEH Engineering, provided an update on the 2023 Street and Utility Improvement Project. The data collection into the Silversmith unit is complete. The record drawings are 50% complete. Construction is completed for this year.

Public Works Director Greenwald presented an invoice from Sweeper Services LLC in the amount of \$991 for work completed to install a used PTO assembly. He also presented an estimate to repair the street sweeper in the amount of \$4,661 to rebuild the faulty PTO and install on the sweeper and adjust, and to replace leaking steering cylinder.

On motion by Schnoor, seconded by Suemnick, all voting in favor, to approve Invoice #23149 in the amount of \$991 for installation of a used PTO assembly on the 1996 Elgin Pelican SE Sweeper and to approve Estimate #2023-6 in the amount of \$4,661 to rebuild and install PTO on sweeper and adjust, and replace leaking steering cylinder.

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

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA
RESOLUTION NO. 876/23
A RESOLUTION ACCEPTING PAYMENT AND SATISFACTION IN FULL
OF SPECIAL ASSESSMENT

WHEREAS, the City Council for the City of Elysian, Le Sueur County, Minnesota, met this 13^h day of November, 2023, and;

WHEREAS, Warren Eddie Quiram, a resident of the City of Elysian, having real estate located at 400 Jason Drive, Elysian, Le Sueur County, Minnesota, identified as parcel identification number 16.430.0010 and legally described as Lot 1, Block 1, James Subdivision, City of Elysian, Le Sueur County, Minnesota, according to the Plat thereof on file and of record in the Office of the County Recorder, Le Sueur County, Minnesota, and;

WHEREAS, Quiram's real estate set forth above is a part of the City's 2023 street and utility improvement project and Quiram's assessment is \$11,290 as set forth in greater detail in the City's Assessment Roll, and;

WHEREAS, Quiram did request and was granted a deferral of the collection of the special assessment associated with the City's 2023 street and improvement project based upon the City's Assessment Policy which grants a deferral of assessments to those retired by virtue of a permanent total disability.

WHEREAS, on October 20, 2023, Quiram did remit check No. 2268 in the amount of \$11,290 as payment for the deferred special assessment for the City's street and utility improvement project as set forth in greater detail in the City's assessment roll.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN HEREIN RESOLVES AS FOLLOWS: That the City does accept the payment for the 2023 Special Assessment associated with Quiram's real estate in the amount of \$11,290 and that it is satisfaction of the assessment in full.

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 13th day of November, 2023.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

Mayor McBroom introduced the resolution and was seconded by Councilmember Suemnick.

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA
RESOLUTION NO. 877/23
A RESOLUTION APPROVING PREPAYMENT OF INSTALLMENT LOAN
FOR 2023 NEW HOLLAND POWERSTAR 120

WHEREAS, on October 25, 2023, United Prairie Bank issued Loan No. 71401000869 in the amount of \$73,120 to the City of Elysian for the purchase of a 2023 New Holland Powerstar 120, and;

WHEREAS, the amount due for satisfaction of the obligation as of November 14, 2023 is \$73,419.23, and;

WHEREAS, the Council believes it is in the best interest of the City to prepay this obligation with funds from the Maintenance Equipment Fund.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN HEREIN RESOLVES AS FOLLOWS: That the City does approve payment to United Prairie Bank in the amount of \$73,419.23 in full satisfaction of the obligation of Loan No. 71401000869 for the purchase of the 2023 New Holland Powerstar 120.

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 13th day of November, 2023.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

The funds will be transferred from the Maintenance Equipment Fund Savings Account.

The Council discussed proposed Ordinance No. 110/23 – An Ordinance Regulating Solar Energy Systems in the City of Elysian, Le Sueur County, Minnesota. This ordinance would provide uniform standard regulations and procedures governing the type, size, structure, location, height, erecting and use of Solar Energy Systems.

On motion by Westby, seconded by McBroom, all voting in favor, to schedule a public hearing to consider Ordinance No. 110/23 for December 11, 2023 at 6:20 pm.

On motion by Houlihan, seconded by Westby, all voting in favor, to schedule a Budget Workshop Meeting for Tuesday, November 28, 2023 at 5:30 pm.

On motion by McBroom, seconded by Houlihan, all voting in favor, to approve the 2024 Full-Time Employee Insurance Benefit Monthly Contributions as follows:

City of Elysian 2024 Full-Time Employee Insurance Benefit Monthly Contributions

Health	Family	Single
PREMIUM	\$1,541.52	\$579.64
City Paid	\$960.96	\$579.64
Employee Deduction	\$580.56	\$0.00

Dental	Family	Single
PREMIUM	\$111.30	\$47.14
City Paid	\$66.78	\$28.28
Employee Deduction	\$44.52	\$18.86

Vision	Family	Single
PREMIUM	\$15.33	\$6.41
City Paid	\$15.33	\$6.41
Employee Deduction	\$0.00	\$0.00

Life Insurance \$50,000	Single
PREMIUM	\$9.00
City Paid	\$9.00
Employee Deduction	\$0.00

Employer Annual HSA Contribution: \$3,850.00

On motion by Westby, seconded by Suemnick, to utilize Menards Rebate Certificates for purchase holiday decorations for the City Hall Building. Vote: Aye – Houlihan, McBroom, Suemnick, Westby. Naye – Schnoor. Motion carried.

Employee evaluations are complete. All employees met or exceeded the requirements of their position. Thank you to the great employees of the City of Elysian.

Reminder of the Truth in Taxation Hearing scheduled for Monday, December 11, 2023 at 6:05 pm.

Thank you to Jane Conroy and friends for decorating Main Street for Halloween

Thank you to the Elysian Area Chamber of Commerce, Elysian Area Fire Department, businesses, City staff, and all the volunteers for a fun and spooky Halloween event.

Winter Hazard Awareness Week – November 13th – 17th (weather.gov/mpx/)

Small Business Saturday in Elysian – November 25, 2023

Holiday Winter Lights Parade and Winter Fun Event, Saturday, December 2, 2023.

On motion by Westby, seconded by McBroom, all voting in favor, to close the City streets for the Holiday Winter Lights Parade on December 2, 2023 as follows: Main Street from 5th Street NW to Fire Hall from 5:00 to 7:00 pm.

Schnoor updated the Council on Civil Defense activities. The 2023 hours worked have been submitted for City payroll. A work session will be scheduled to mount the television in the Tourism Building. The civil defense employees have received entry codes for the building. All have been tested and work. All will attend Sky Warn Training in 2024. Schnoor requested approval to order rechargeable flashlights and wind meters.

On motion by McBroom, seconded by Suernnick, all voting in favor, to approve Civil Defense purchase of rechargeable flashlights and wind meters up to \$700.

On motion by McBroom, seconded by Houlihan, all voting in favor, bills, payroll, and transfers were approved in the amount of \$427,777.87.

Public Comment: None.

On motion by McBroom, seconded by Westby, all voting in favor, to adjourn the meeting at 6:50 pm.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator