

**ELYSIAN CITY COUNCIL  
REGULAR MEETING  
JANUARY 8, 2024**

The Elysian City Council met in regular session on Monday, January 8, 2024 at City Hall at 6:00 pm.

The meeting opened with a Moment of Silence for Elysian Business Owner Tom Graham. Graham passed away at his home on December 23, 2023.

The meeting then continued with the Pledge of Allegiance to the US Flag.

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

On motion by Houlihan, seconded by Suemnick, all voting in favor, to approve the minutes of the December 11, 2023 Regular Meeting as presented.

On motion by Westby, seconded by Suemnick, all voting in favor, to approve the agenda of the January 8, 2024 Regular Meeting with the following addition:

17.i. Consideration of a joint meeting with City Council, Economic Development Authority and Planning and Zoning Commission to discuss the Elysian Land Use Comprehensive Plan Update.

Le Sueur County Captain Bruce Collins reported that there has not been a lot of activity in the City.

Kristy and Mark Sybilrud presented a check in the amount of \$4,000 to the City of Elysian Park Board as a donation toward the cost of the Sports Court Renovation at Sunset Park. The Elysian Area Community Foundation donated \$2,000 and the Southern Minnesota Initiative Foundation matched that donation of \$2,000.

Steve Rohlfing, Le Sueur County Commissioner, offered his condolences for the loss of Tom Graham who was a great business leader and a man people appreciated having around. He thanked the Council for their support of the sports complex which enhances the area and keeps people in the county promoting growth.

Rohlfing reported progress on the remodel of the Government Center with completion expected in August. The final County levy was certified at a 4.9% increase. Road projects in the County are complete. The County is fully staffed, and the Sheriff's Office has two or three openings.

On behalf of the Elysian Area Fire Department, Westby asked that the County install a guardrail on County Road #11 at the curve by Glen's Beach. There have been too many lives lost on that curve that would have been spared with a guardrail.

Public Comment: None.

On motion by Houlihan, seconded by Westby, all voting in favor, bills, payroll, and transfers through December 31, 2023 were approved in the amount of \$426,099.33.

Brent Kavitz, SEH Engineering, presented an annual Supplemental Letter Agreement in a not-to-exceed amount of \$7,500, to continue General Engineering Services for calendar year 2024. The services included will be work requests not associated with current projects.

On motion by Westby, seconded by Suemnick, all voting in favor, to approve the annual Supplemental Letter Agreement for General Engineering Services between City of Elysian and Short Elliott Hendrickson, Inc. in the not-to-exceed amount of \$7,500.

Kavitz provided an update on the reverse osmosis (RO) pilot study. SEH did send out RFPs and did receive a couple of proposals from manufacturers. However, RO manufacturers in general are busy with RO pilots and are not able to make the proposed schedule. There is also the required additional weather protection if the pilot study is completed now. Due to these issues, SEH is recommending working with RO manufacturers to allow a spring start date for the pilot. This will reduce the cost and the complexity of the pilot study. The overall project design can proceed as scheduled and will not be affected. It is in the best interest of the City to maintain the design schedule for completion of plans and specifications to take advantage of PFA funding approval and not have the project referred to USDA RD and meet schedule defined in the MDH compliance agreement.

There was Council consensus for SEH Engineering to work with the RO manufacturers to allow a spring start date for the pilot study and for the overall project design to proceed as scheduled.

The Council considered the 2024 Designations. Paul Hunter, Planning and Zoning appointee and Jane Lebert, Park Board appointee, introduced themselves to the Council.

Paul Hunter, 10 Cedar Point Lane NW, stated they had purchased their home in 2019 and he has since retired and is looking for an opportunity to get involved in the community.

Jane Lebert, 19 Egret Lane, stated they had moved to Elysian in 2019. She is a member of Lake Area Women, the Elysian Auxiliary, and the Chamber. She thanked the Council for supporting the Sports Court and feels the Courts will go a long way to bring together the people here in Elysian.

On motion by Suemnick, seconded by Houlihan, all voting in favor, that the regular Council meeting date and time be the second Monday of each month at 6:00 pm unless otherwise designated.

On motion by Suemnick, seconded by Houlihan, all voting in favor, to approve Appointment/Assignments as follows:

- Mayor Pro Tem – Dennis Schnoor
- Official Depository – Elysian Bank and Northland Securities
- Official Publication – MN South Lake Region Life Enterprise
- Legal Counsel – Jason Moran, Law Firm of Christian, Keogh, and Moran – Criminal and Civil
- Auditor – Burkhardt & Burkhardt, Ltd
- Planning and Zoning
  - Member from Council – Tom McBroom – 1 year term
  - Member from Public – Paul Hunter - 3 year term
- EDA
  - Member from Council – Bobby Houlihan – 1 year term
  - Member from Council – Derek Westby – 1 year term
  - Administrator – Lorri Kopischke – 1 year term
- Park Board
  - 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
  - Member from Public – Shayne Danielson-Copeland – 1 year term

- Member from Public – Jane Lebert – 1 year term
- Member from Public – Roger Quiram – 1 year term
- WEM Community Education Advisory Board – Tom McBroom - 1 year term
- Representative to the MVCOG General Assembly – Tom McBroom - 1 year term
- Fire Relief Association
  - Member from Council – Dennis Schnoor – 1 year term
  - Member Appointed – City Administrator Lorri Kopischke – 1 year term
- Joint Fire Board Representative – Dennis Schnoor
- Emergency Management Director – Dennis Schnoor

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

- Chief – Jason James
- First Assistant Chief – Jacob James
- Second Assistant Chief – Justin Scheurer

On motion by Westby, seconded by Suemnick, all voting in favor, to approve the Meeting/Monthly Payment Amounts as follows:

- Fire Chief - \$316.67 per month
- Planning and Zoning Commissioners - \$50 per meeting / training
- EDA Commissioners / Administrator - \$40 per month plus \$40 per special meeting / training
- Park Board Members - \$25 per meeting
- Fire Relief Representative - \$25 per meeting
- Joint Fire Board Representative - \$25 per meeting

Jeremy Henninger, owner BT Liquors, asked the Council to consider the legal sale of THC products at his store. The liquor store only sells to 21 years of age and older, has registered for the legal sale of the product with the State of Minnesota, the products come from a legal distributor, and the store will not be selling tobacco. He would like to sell the 5 mg THC drinks. This small town business is not doing the best and anything will help out.

Matt Little, co-owner Midwest Extractions Services, suggested BT Liquors be grandfathered in as they were selling the THC products prior to the moratorium being in place. He stated the number one client for this product is women 55 to 65 years of age. Liquor sales are down and especially with January Sober Month. The sale of hemp-infused products is critical for the liquor stores to be sustainable. This is the way of the future.

Westby asked if BT Liquors was selling the THC products prior to the moratorium and if it was a significant revenue source. Henninger stated he was registered to sell the products on August 8, 2023 and he was selling the product until he was informed by City staff that there was a moratorium on the sale within the City of Elysian. And yes, it was a significant revenue source.

Westby commented that people are going to purchase and consume the THC products anyway. They will just buy it somewhere else. The moratorium is not stopping that. From a business standpoint, he would rather see them purchase it from a local business and not go somewhere else.

Suemnick stated he did not want the moratorium to have a crippling effect on a local business.

When asked if he would sell THC gummies, Henninger stated that he would have one rack of gummies.

Schnoor asked if neighboring communities had moratoriums on these products. Moran responded that all of the surrounding communities do have moratoriums except the City of Kilkenny.

On motion by Suemnick, seconded by Westby, all voting in favor, to repeal Ordinance No. 106/23 – An Interim Ordinance Prohibiting the Sale, Testing, Manufacturing, Cultivating, Growing, Transporting, Delivery, and Distribution of Cannabis Products in the City of Elysian.

Ron Greenwald, Public Works Director, presented an estimate from Sweeper Services LLC in the amount of \$1,190.91 to replace the water pump on the John Deere engine of the 1996 Elgin Pelican SE street sweeper. This repair would be completed this winter when other repairs were being done.

On motion by Suemnick, seconded by Houlihan, all voting in favor, to approve the estimate from Sweeper Services LLC in the amount of \$1,190.91 to replace the water pump on the John Deere engine of the 1996 Elgin Pelican SE street sweeper.

Greenwald presented pictures of the wooden sign at the elementary school and at the wayside rest. The sign at the elementary school is in complete disrepair. The sign at the wayside rest is sturdy but needs restoration.

On motion by Schnoor, seconded by Westby, all voting in favor, to remove the sign at the elementary school and to contact the MN DNR to confirm City ownership of the sign at the wayside rest.

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

CITY OF ELYSIAN  
LE SUEUR COUNTY, MINNESOTA  
RESOLUTION NO. 882/24  
RESOLUTION SETTING WATER AND SEWER  
UTILITY RATES FOR 2024

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 and sewer 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 2024 are set as follows:

Water Utility Rates

Service Base Charge:	\$19.00 per month
User Charge:	\$ 9.50 per 1,000 gallons

Sewer Utility Rates

Service Base Charge:	\$20.50 per month
User Charge:	\$ 7.00 per 1,000 gallons

NOW THEREFORE BE IT FURTHER RESOLVED: that these rates will become effective on January 1, 2024.

Upon vote being taken:

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

Councilmembers voting in the negative: None

Adopted by the City Council of the City of Elysian this 8<sup>th</sup> day of January, 2024.

Approved:

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Tom McBroom, Sr., Mayor

Attested:

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Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN  
LE SUEUR COUNTY, MINNESOTA  
RESOLUTION NO. 883/24  
RESOLUTION SETTING ENVIRONMENTAL  
UTILITY FUND RATES FOR 2024

WHEREAS, the City is required to establish utility rates such that revenues generated are sufficient to offset the cost of improvements and make provision for debt repayment, and

WHEREAS, the City has undertaken storm sewer utility projects that require additional storm sewer system debt repayment.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELYSIAN: that the environmental utility rates for 2024 are set as follows:

Residential	\$12.50 per month
Base Rate	\$37.50 per month
Commercial	(Fee = REF x Acreage x Rate)

NOW THEREFORE BE IT FURTHER RESOLVED: that these rates will become effective on January 1, 2024.

Upon vote being taken:

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

Councilmembers voting in the negative: None

Adopted by the City Council of the City of Elysian this 8<sup>th</sup> day of January, 2024.

Approved:

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Tom McBroom, Sr., Mayor

Attested:

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Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN  
LE SUEUR COUNTY, MINNESOTA  
RESOLUTION NO. 884/24  
RESOLUTION ACKNOWLEDGING AND ACCEPTING A DONATION FROM  
ELYSIAN FIRE RELIEF ASSOCIATION

WHEREAS, the City of Elysian has received a donation in the amount of \$27,000.00 from the Elysian Fire Relief Association toward the purchase of equipment.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts a donation from the Elysian Fire Relief Association in the amount of \$27,000.00 toward the purchase of equipment.

Upon vote being taken:

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

Councilmembers voting in the negative: None

Adopted by the City Council of the City of Elysian this 8<sup>th</sup> day of January, 2024.

Approved:

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Tom McBroom, Sr., Mayor

Attested:

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Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN  
LE SUEUR COUNTY, MINNESOTA  
RESOLUTION NO. 885/24  
RESOLUTION ACKNOWLEDGING AND ACCEPTING  
A DONATION FROM THE ELYSIAN AREA COMMUNITY FOUNDATION  
AND THE SOUTHERN MINNESOTA INITIATIVE FOUNDATION

WHEREAS, the City of Elysian has received a donation in the amount of \$2,000.00 from the Elysian Area Community Foundation and a matching donation in the amount of \$2,000.00 from the Southern Minnesota Initiative Foundation for the Sunset Park Sports Courts renovation;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts a donation from the Elysian Area Community Foundation in the amount of \$2,000.00 and a matching donation from the Southern Minnesota Initiative Foundation in the amount of \$2,000.00 for the Sunset Park Sports Courts renovation.

Upon vote being taken:

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

Council Members voting in the negative: None

Adopted by the City Council of the City of Elysian this 8<sup>th</sup> day of January, 2024.

Approved:

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Tom McBroom Sr., Mayor

Attested:

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Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN  
LE SUEUR COUNTY, MINNESOTA  
RESOLUTION NO. 886/24  
REQUEST FOR LAWFUL GAMBLING  
SONS OF THE AMERICAN LEGION POST #311 RAFFLE

WHEREAS, the Elysian City Council was presented with a request from the Sons of American Legion Post #311 for a lawful gambling event – raffle: date of drawing March 23, 2024.

WHEREAS, State Laws of Minnesota require approval be granted by the local governing body, thus the City of Elysian.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: The Elysian City Council grants approval to the Sons of the American Legion Post #311 for a lawful gambling event – raffle: date of drawing March 23, 2024.

Upon vote being taken:

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

Councilmembers voting in the negative: None

Adopted by the City Council of the City of Elysian this 8<sup>th</sup> day of January 2024.

Approved:

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Tom McBroom Sr., Mayor

Attested:

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Lorri Kopischke, City Administrator

On motion by Westby, second by Houlihan, all voting in favor, to approve the 2024 Fee Schedule as presented.

On motion by Houlihan, seconded by Suemnick, all voting in favor, to approve the Proposal from Plunkett's for General Pest Control for the Fire Hall and City Hall in the amount of \$875.96 per year to be paid \$580 from the Fire Department Fund and \$295.96 from General Building Fund.

On motion by Westby, seconded by Schnoor, all voting in favor, to acknowledge receipt of the Minnesota Department of Revenue Public Safety Aid in the amount of \$31,945.

On motion by Suemnick, seconded by Houlihan, all voting in favor, to schedule a joint meeting of the City Council, Economic Development Commission and the Planning and Zoning Commission for Tuesday, February 27, 2024 at 6:00 to discuss the update to the Comprehensive Land Use Plan.

On motion by Houlihan, seconded by Westby, all voting in favor, bills, payroll, and transfers were approved in the amount of \$2,013.11.

Public Comment: None.

On motion by Westby, seconded by Suemnick, all voting in favor, to adjourn the meeting at 6:55 pm.

Approved:

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Dennis Schnoor, Mayor Pro-Tem

Attested:

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Lorri Kopischke, City Administrator