

**ELYSIAN CITY COUNCIL
REGULAR MEETING
MAY 13, 2024**

The Elysian City Council met in regular session on Monday, May 13, 2024 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 and Bryan Suemnick; City Administrator Lorri Kopischke; Public Works Director Ron Greenwald; City Attorney Jason Moran.
Absent: Councilmembers Dennis Schnoor and Derek Westby.

On motion by Houlihan, seconded by Suemnick, all voting in favor, to approve the minutes of the April 8, 2024 Special Meeting, April 8, 2024 Regular Meeting, April 11, 2024 Joint Work Session, and May 9, 2024 Joint Work Session as presented.

On motion by McBroom, seconded by Houlihan, all voting in favor, to approve the agenda of the May 13, 2024 Regular Meeting with the following addition:

5a. Le Sueur County Commissioner Steve Rohlfiing

Le Sueur County Commissioner Steve Rohlfiing reported the County Highway Department will be striping the roads and will only be striping the center line. This will save approximately \$60,000. The sealcoating of 28 miles will be done sometime in August. Progress is being made on the Upper Cannon River Watershed Flood Risk Reduction Study. There will be a tire, appliance, and electronics collection at the Le Sueur County Highway Department located in the City of Le Center on June 8th from 8:00 am to 1:00 pm.

Le Sueur County Captain Bruce Collins reported that there were 18 calls for service to Elysian in the month of April. No calls were for burglary or theft.

On motion by McBroom, seconded by Suemnick, all voting in favor, to close the Regular Meeting and open the Public Hearing at 6:05 pm.

The purpose of the public hearing is to receive public input on proposed Ordinance No. 114/24 – An Ordinance Establishing Salaries for the Mayor and City Council for the City of Elysian Le Sueur / Waseca County.

The current salaries are Mayor \$175 per month, Councilmember \$125 per month, and \$75 for each special, emergency, and workshop meeting attended. The proposed Ordinance No. 114/24 would increase the salaries to Mayor \$200 per month, Councilmember \$150 per month, and \$100 for each special, emergency, and workshop meeting attended. If passed, Ordinance No, 114/24 shall be effective January 1, 2025, which is the first day of the year subsequent to the next general election.

Public Comments: Pat Nusbaum, 104 Park Avenue NE, stated that she is in favor of the increase, but she hopes that the Council would combine special meetings with their regular meetings so that they are not getting paid \$100 every time they have a special meeting.

There were no written comments.

On motion by McBroom, seconded by Houlihan, all voting in favor, to close the Public Hearing and open the Regular Meeting at 6:08 pm.

Public Comment: None.

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

ORDINANCE NO. 114/24
ESTABLISHING SALARIES FOR THE MAYOR AND
CITY COUNCIL FOR THE CITY OF ELYSIAN
LE SUEUR/WASECA COUNTY

WHEREAS, by law under MN Statute 415.11 changes in salary must be approved prior to regular city elections to take effect January in the year following said elections,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Elysian, Le Sueur/Waseca County, Minnesota, as follows:

Section 1. The Mayor shall receive a salary of Two Hundred Dollars (\$200) per month for serving as Mayor and performing all duties associated with the office and One Hundred Dollars (\$100) for each special, emergency, and workshop meeting attended.

Section 2. Each member of the City Council shall receive a salary of One Hundred and Fifty Dollars (\$150) per month for serving on the Council and performing all duties associated with the office and One Hundred Dollars (\$100) for each special, emergency, and workshop meeting attended.

Section 3. EFFECTIVE DATE. This ordinance shall be effective January 1, 2025, which is the first day of the year subsequent to the next general election.

Upon motion made by Councilmember Houlihan and seconded by Councilmember Suemnick, the same passed unanimously on this 13th day of May, 2024. This Ordinance shall be effective upon publication.

Tom McBroom, Sr., Mayor

Attest:

Lorri Kopischke, Administrator

On February 14, 2022, the City Council approved a conditional use permit (CUP) request from Chuck Budde for the property at 204 Fifth Street SW. The permit was granted to allow him to build and operate a storage facility.

One of the conditions of the permit was: 1. A chain link fence around the facility with the south fence located at the 20 foot setback with arborvitae planted in the setback to provide a buffer to the neighborhood. Mr. Budde feels that he does not need the security of a chain link fence at this time, and he is requesting that he not be required to install the east, north and west side fence. He still plans to install the south fence and plant arborvitae in the 20 foot required setback as a buffer to the residential properties.

Chuck Budde, owner of 204 Fifth Street SW, stated he has constructed two buildings on the property. The first building is rented to a business. The second building is not rented out completely. People want the bigger spaces rather than smaller ones.

Budde acknowledged that he needs to do something on the south side of the property for screening, but he does not believe that a chain link fence provides any screening. The arborvitae will provide more screening than a fence.

City Attorney Moran noted a CUP was granted in 2022. The action of passing an amended CUP is complicated in that the CUP is recorded with the County and is included in the chain of title of the property. Modifying the existing CUP requires the recording of a new CUP and payment of the associated fees. The taxpayers should not be funding payment of those fees.

Suemnick agreed that some type of deciduous planting would provide more screening than a chain link fence. But the trees would have to be fairly tall in size. He also suggested they be planted in a staggered pyramid type scheme.

On motion by McBroom, seconded by Houlihan, all voting in favor, to amend Resolution No. 775/22 Approving a Conditional Use Permit for Le Sueur County PID No. R16.410.1037 aka 204 Fifth Street SW, to remove Condition #1) A chain link fence around the facility with the south fence located at the 20 foot setback with arborvitae planted in the setback to provide a buffer to the neighborhood. And to replace that with Condition #1) Plant deciduous (evergreen) trees of at least (6) feet in height in a staggered pyramid type scheme along the south property line no closer than fifteen (15) feet to the property line within one year of today's meeting. The owner, Chuck Budde is responsible for paying all fees associated with the recording of this document.

Richard Parr, SEH Engineering provided an email update of the Water Treatment Facility Design and Funding.

Design Update: SEH wrapped up the final plans and specifications for the water treatment plant (WTP) last week (Friday, May 3 per compliance agreement schedule) and is currently completing a final review/compilation of the documents and printing hardcopies to submit to Minnesota Department of Health (MDH) this week for review (planning to mail to MDH this afternoon). Note that the only design change from the 60% design plans reviewed at last month's Council Meeting is the WTP building orientation and site plan per Council comments and correspondence. I've attached a couple civil site plans showing the new layout. The other plan sheets have simply been updated with additional design details/notes for the Contractor.

Funding/Schedule: Per my previous email (sent Feb 5) about the 2025 Project Priority Lists and Intended Use Plans, we will be submitting a request to be placed on the Intended Use Plan (IUP) by the June 7 deadline. We can discuss potential bidding schedule following MDH approval of the plans and based on potential project funding sources status at that time, but I wouldn't anticipate us advertising the project until this fall at the earliest.

Public Works Director Greenwald presented a quote from Shades of Grey Tint, LLC in the amount of \$1,150 for supplies and labor to tint the City Hall front windows.

Mayor McBroom stated that the window tinting would provide security for those attending meetings in the council chambers.

On motion by Houlihan, seconded by Suemnick, all voting in favor, to approve the quote from Shades of Grey Tint, LLC in the amount of \$1,150 for supplies and labor to tint the City Hall front windows.

Greenwald reported that the high line poles in the City are being changed. The red stamped poles will be changed this spring/summer. The tan stamped poles will be changed this fall. Xcel will no longer allow meter sockets on their poles. On any poles being replaced that currently have a meter socket on them, the meter sockets will be removed and the City will be required to install their own pole and hire an electrician to mount the socket and do the hookups.

Greenwald reported that he had learned that installation of the replay between lifts on the new street would void the warranty so he will not be discussing that agenda item.

Greenwald reported the last Spring discharge of the sewer treatment ponds is complete.

Verizon is designing an upgrade to the antennas on the water tower. They have not disclosed the scope of the project. City Attorney advised not to allow any work to be done on the tower until the City Engineer has reviewed the schematics. Minor maintenance is allowed but anything beyond that would require City approval.

Greenwald reported that the new John Deere lawnmower has arrived. Kibble did honor the price voted on at the last Council meeting. The mower rides nicely.

Greenwald reported there is an issue with a transformer by Well #3. Xcel will fix the transformer as soon as it is able to get the part. The transformer supplies electricity to the well and (6) six houses. The electricity will be down for one half day for the repair unless there are any problems.

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

STATE OF MINNESOTA
COUNTY OF LE SUEUR
CITY OF ELYSIAN, MINNESOTA
RESOLUTION NO. 898/24
RESOLUTION TO ACKNOWLEDGE DONATION
OF LABOR AND USE OF EQUIPMENT

WHEREAS, Lake Francis Park and Tustin Park, both located in the City of Elysian needed posts set into the ground in the parking lots, and;

WHEREAS, the City of Elysian does not own the equipment to set such poles into the ground, and;

WHEREAS, replacement of the posts at both parks is a public benefit to the community by providing a safe and secure parking area at the parks, and;

WHEREAS, MnDOT District #6 Owatonna does have the equipment needed to set the posts at the parks and did indeed provide the labor and use of equipment to set the posts into the ground at the park parking lots.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF ELYSIAN, LE SUEUR COUNTY, MINNESOTA, that it does hereby approve reimbursement to MnDOT District #6

Owatonna in the amount of \$275.00 for the contribution of labor and use of equipment to set the posts in the ground for the parking lots at Lake Francis Park and Tustin Park.

Upon vote being taken:

Councilmembers voting in the affirmative: Houlihan, McBroom, Suemnick

Councilmembers voting in the negative: None

Approved:

Tom McBroom Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION NO. 899/24
RESOLUTION APPROVING 2024 ELECTION JUDGES
FOR BOTH THE STATE PRIMARY AND GENERAL ELECTIONS

BE IT RESOLVED, by the Council of the City of Elysian, County of Le Sueur and County of Waseca, State of Minnesota, that the following persons are appointed as 2024 Election Judges for the August 13th State Primary and the November 5th General Election contingent upon receiving necessary training hours as required by the MN Secretary of State. Their hourly rate of pay will be \$13.00, and they will receive mileage reimbursement for training if applicable. The City will provide election judges with snacks along with one meal per shift.

Judges for Elections: Rita Considine, Janice Evans, James Hansen, Elizabeth Hartzler, Charlene Howe, Lorri Kopischke, Nicole Lamont, Patricia Nusbaum, Judith Quiram, Roger Quiram, Mark Sybilrud, and Brian Van Asperen.

BE IT FURTHER RESOLVED, head election judge duties will be performed by Mark Sybilrud, Brian Van Asperen and Lorri Kopischke, Elysian City Clerk/Administrator. Head Election Judge(s) shall have authority to designate additional election judges should an emergency arise.

Upon vote being taken:

Councilmembers voting in the affirmative: Houlihan, McBroom, Suemnick

Councilmembers voting in the negative: None

Adopted by the City Council of the City of Elysian this 13th day of May, 2024.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

On motion by Suemnick, seconded by Houlihan, all voting in favor, to approve a soft drink license for KRO Bar, Inc, dba Thirsty Beaver Bar.

On motion by Suemnick, seconded by Houlihan, all voting in favor, to approve the recommendation to hire Madden Paul for Temporary Summer Employee Position.

The Council reviewed proposed Ordinance No. 115/24. This Ordinance amends Ordinance No. 95/19 – Short Term Rental Ordinance. Planning and Zoning have recommended the following changes.

1. Maximum Capacity.
 - a. For residential zone, the maximum capacity will remain at “No more than three (3) occupants, excluding children under the age of three (3), per bedroom shall be allowed to stay on the property onsite overnight (overnight being defined from sunset to sunrise).
 - b. For commercial zone, “No more than four (4) occupants, excluding children under age three (3), per bedroom shall be allowed to stay on the property onsite overnight (overnight being defined from sunset to sunrise).
2. Density. Only one (1) short term rental shall be allowed within 1,000 linear feet of an existing short term rental in a residential zone and no more than 5% of the City household units (as determined by the most current Census) may hold short term rental license in the City at one time.

On motion by McBroom, seconded by Suemnick, all voting in favor, to schedule a public hearing to consider Ordinance No. 115/24 – Amending Ordinance No. 95/19 Short Term Rental Ordinance for June 10, 2024 at 6:05 pm.

On motion by McBroom, seconded by Suemnick, all voting in favor, to approve the request by the Elysian Area Chamber of Commerce to provide police protection and porta-pots in the amount of \$3,000 for the 2024 July 4th Celebration.

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

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION NO. 900/24
ELYSIAN AREA CHAMBER OF COMMERCE
REQUEST FOR TEMPORARY 5-DAY LIQUOR LICENSE

WHEREAS, the Elysian City Council was presented with a request from Elysian Area Chamber of Commerce for a temporary 5-day Liquor License, in conjunction with the 2024 4th of July Community Celebration.

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 Elysian Area Chamber of Commerce for a temporary 5-day Liquor License in conjunction with the 2024 4th of July Community Celebration.

Upon vote being taken:

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

Council Members voting in the negative: None

Adopted by the City Council of the City of Elysian this 13th day of May 2024.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator

Pat Nusbaum, July 4th Celebration Event Coordinator, stated she hoped that what is approved for street closures tonight will stay the same when it is time for the actual event.

On motion by McBroom, seconded by Suemnick, all voting in favor, to approve the requested street closures for the 2024 July 4th Celebration.

On motion by Houlihan, seconded by Suemnick, all voting in favor, to accept the resignation of Al Linse from the Planning and Zoning Commission.

On motion by Suemnick, seconded by Houlihan, all voting in favor, to approve the quote from American Legal Publishing in the amount of \$1500-\$1980 for the main editing, plus \$195 for the folio update to update the City of Elysian Code of Ordinance.

It was noted that the City has \$49,451 remaining of the American Rescue Plan Act Funds. These funds must be allocated prior to December 31, 2024.

The Council would like to discuss the alley between Sakatah Trail and Main Street businesses with the MNDNR. Representatives of the MNDNR will be invited to attend the June 10, 2024 Council Meeting.

The City-Wide Clean Up will be held Saturday, May 18, 2024 from 8:00 am 11:00 am at the Lake Francis Parking Lot.

On motion by Suemnick, seconded by Houlihan, all voting in favor, to provide a handicap accessible porta-potty at the Sunset Park Sports Courts from May 1st through October 1st.

The Park Board is planning a Sunset Park Sports Courts Grand Opening and Pickleball Tournament for July 13, 2024 with July 14, 2024 as the rain date.

On motion by Houlihan, seconded by Suemnick, all voting in favor, to approve the appointment of Doug Stanke to the Planning and Zoning Commission.

Houlihan asked if local jurisdictions are required to display the State of Minnesota flag. Moran confirmed that cities are under no obligation to display the State of Minnesota flag.

On motion by Houlihan, seconded by Suemnick, all voting in favor, bills, payroll, and transfers were approved in the amount of \$235,758.89.

Public Comment: Those in attendance asked when the Water Treatment Plant would be operational. The Council reported that it is dependent on financing.

On motion by McBroom, seconded by Suemnick, all voting in favor, to adjourn the meeting at 7:06 pm.

Approved:

Tom McBroom, Sr., Mayor

Attested:

Lorri Kopischke, City Administrator