

**ELYSIAN CITY COUNCIL
REGULAR MEETING
APRIL 10, 2017**

The Elysian City Council met in regular session on Monday, April 10, 2017, at City Hall at 5:30 pm.

Roll Call: Mayor Clinton Stoen; Councilmembers Robert Houlihan, Tom McBroom, Mary Opsahl, and Dennis Schnoor; City Administrator Lorri Kopischke; Public Works Director Ron Greenwald; City Utility Clerk Nicole Lamont; and City Attorney Jason Moran. Absent: None.

Greg Burkhardt, Auditor, Burkhardt & Burkhardt, presented the 2016 Audit Report. He reported that the City Financial Statements are in order and the results of the audit are positive. On motion by Stoen, seconded by McBroom, all voting in favor, to accept the 2016 Audit Report as presented.

On motion by Stoen, seconded by Schnoor, all voting in favor, to close the Regular Meeting and open the Public Hearing at 6:00 pm.

The purpose of the public hearing is to allow public input from citizens on Ordinance No. 85/17 – An Ordinance Pertaining to the Repair of Sidewalks.

City Attorney Moran stated he had drafted the Ordinance so there would be a policy in place to require that the repair of sidewalks was the duty of the homeowner.

There was no public comment and no written comments were received.

On motion by Stoen, seconded by Houlihan, all voting in favor, to close the Public Hearing at 6:02 pm and open the Regular Meeting.

Councilmember McBroom presented a Proclamation of Appreciation to Sheriff David Tietz for his service to the City of Elysian and all of Le Sueur County. Sheriff Tietz expressed his appreciation to the City Council and to all the citizens of Elysian. He stated Elysian is a great community and easy to work with due to the great communication of the residents. He assured the Council that Interim Sheriff Mason and Chief Deputy Greenig will continue that standard of communication going forward.

On motion by Schnoor, seconded by Houlihan, all voting in favor, to approve the minutes of the March 13, 2017 Regular Meeting and April 5, 2017 Goal Setting Meeting as presented.

On motion by Stoen, seconded by McBroom, all voting in favor, to approve the agenda of the April 10, 2017 Regular Meeting with the following addition to bills, transfers and payments:

1. Approval of Payment to Visa in the amount of \$29.99 for Samsung Galaxy Tablet Keyboard with Case.

Public Comment:

Le Sueur County Commissioner Steve Rohlfing updated the Council. The tri-county transit system continues to move forward and hopes to have buses in operation in July, The County Emergency Management purchased a sandbagger which has the capacity to fill 1,600 bags per hour. Progress continues on the new justice center and public hearings sharing the plans and the impact to County resident's taxes will be held in June. A kick-off meeting for the Ray's Lake and Lake Francis septic inspections will be held on May 6 at 10:00 am.

The Council asked if there was any progress on the Sakatah Trail rehabilitation or the allowing of golf carts on County roads. Rohlfing stated he would add both items to the next County Commissioner meeting agenda.

There was no further public comment.

Mike Scott, President and Carl Morsching Vice President, Elysian Fire Relief Association, were present to request an increase to the annual benefit amount. They reported that surrounding communities are receiving benefits as follows: Morristown - \$2,000, Cleveland - \$1,800, Janesville - \$1,800, Waterville - \$1,600, Madison Lake - \$1,500, Kilkenny - \$1,200 and Elysian - \$1,200. They asked the Council to make a commitment to increase the annual benefit to \$1,500 in the 2018 payable budget. They noted there had not been an increase in many years. They felt that with the Townships contributing for the last three years it should allow the City to increase the benefit amount. An increased amount would help attract and retain new firemen to the department.

The Council stated they could not commit to an increase tonight but they would commit to consider an increase to the benefit amount as part of their next budgeting process.

Morsching reported the Fire Department is considering the purchase of an extractor for cleaning their gear. Recent studies have determined that the fibers of the gear are absorbing carcinogens that are not removed by a regular washing machine. The extractor spins at a higher rate of speed and removes more of these chemicals.

Two quotes were presented for 2017 mosquito control services: Clarke Environmental Mosquito Management, Inc. – Nine (9) treatments \$4,590 or fifteen (15) treatments \$6,750 and Mosquito Control of Iowa – Nine (9) treatments \$2,150 or fifteen (15) treatments \$3,250 plus one (1) barrier treatment.

Kopischke reported that Mosquito Control of Iowa was recommended by the City of Pemberton. They currently service 130 cities and have been in business for 35 years. Their approach is a bit different in that they collect mosquitos from your area to determine what type of application will be most effective. They also watch the weather and determine what days will be most effective to spray rather than spraying on one certain day of the week. They also use a TUG unit which allows the chemical to be in the air longer and therefore more effective. City staff will alert residents of the day of treatment via the electronic sign and Facebook. Residents can also contact the office and provide their email address and ask to be notified by email or phone.

On motion by McBroom, seconded by Houlihan, all voting in favor, to award the 2017 Mosquito Control contract to Mosquito Control of Iowa for fifteen (15) treatments in the amount of \$3,250 which will also include one (1) barrier treatment.

Chris Cavett, SEH Engineering and George Eilertson, Northland Securities, were present to discuss Project B Street and Utility Project as identified in the 2015 Capital Improvement Plan. This project would include the following streets:

- Park Avenue NW from 4th Street NW to 1st Street N
- Frank Avenue NW from 4th Street NW to 1st Street N
- 2nd Street NW from Main Street W to Frank Avenue NW
- 3rd Street SW from Hwy 60 to Main Street W
- 3rd Street NW from Main Street W to Frank Avenue NW
- 4th Street NW from Hwy 60 to Main Street E
- 2nd Street SE from dead end south of Hwy 60 to Main Street E
- Possible Stormwater pond

The estimated cost of Project B is \$2.7 million. This project would be funded by assessments, water and sewer utility funds, and general levy monies.

The Council discussed costs for park improvements and the acquisition of land for the stormwater pond. Cavett noted the stormwater pond was not a necessity to the project but would be an opportunity to improve the quality of the lake and the beach. He suggested involving other entities such as the lake associations and DNR in those discussions.

Eilertson discussed the funding process and will provide the Council with more accurate numbers for future consideration.

On motion by Stoen, seconded by McBroom, all voting in favor, to authorize SEH Engineering to proceed with the next action of preparing a resolution for ordering a feasibility study for Project B as identified in the 2015 Capital Improvement Plan.

Schnoor noted there are some issues with the concrete portions of the 2016 Street and Utility Project. Cavett stated there will be a spring walk through to determine work needing to be done. There is a two-year warranty window on those items.

Mayor Stoen presented Ordinance 85-17 and was seconded by Councilmember McBroom:

ORDINANCE NUMBER 85-17
CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

AN ORDINANCE PERTAINING TO THE REPAIR OF SIDEWALKS

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

REPAIR OF SIDEWALKS.

(A) *Duty of owner.*

(1) The owner of any property within in the city abutting a public sidewalk shall keep the sidewalk in good repair and safe for pedestrians.

(B) *Inspections: notice.*

(1) The public works director shall, from time to time, make inspections as are necessary to determine that public sidewalks within the City are kept in good repair and safe for pedestrians.

(2) If he or she finds that any sidewalk abutting private property is unsafe and in need of repairs, he or she shall cause a notice to be sent to the record owner of the property (and the occupant, if the owner does not reside within the city or cannot be found therein) ordering the owner to have the sidewalk repaired and made safe within 45 days and stating that if the owner fails to do so, the public works director will do so on behalf of the city, that the expense thereof must be paid by the owner, and that if unpaid it will be made a special assessment against the property concerned.

(C) *Repair by city.*

(1) If the sidewalk is not repaired within 45 days after receipt of the notice, the public works director shall report the facts to the Council and the Council may by resolution, order the

public works director to repair the sidewalk and make it safe or order the work be done by contract in accordance with law.

(2) The public works director shall keep record of the total cost of the repair attributable to each lot or parcel of property and report the information to the City Administrator.

This Ordinance shall be effect after its passage and publication.

Upon the following vote being taken:

Voting Yes: Houlihan, McBroom, Opsahl, Schnoor, Stoen

Voting No: None.

Passed this 10th day of April 2017.

By: _____

Clinton Stoen, Mayor

Attest:

Lorri Kopischke, City Administrator

On motion by Stoen, seconded by Houlihan, all voting in favor, to approve the hire of Heather Hering and Randy Tuma as Watercraft Inspectors for the 2017 season.

Kopischke reported that both City Ordinance Number 5 and City Ordinance Number 6 (C) require amendment to provide compliance with the recent enactment of Sunday liquor sales as passed by the Minnesota Legislature and as signed by Governor Mark Dayton.

On motion by Stoen, seconded by Schnoor, all voting in favor, to set a Public Hearing to consider Amended Ordinance Number 5 and Amended Ordinance Number 6(C) – to provide compliance with the recent enactment of Sunday liquor sales as passed by the Minnesota Legislature and as signed by Governor Mark Dayton for June 12, 2017 at 6:00 pm.

Minnesota Severe Weather Awareness Week is April 17-21. The two annual statewide tornado drills are scheduled for Thursday, April 20th at 1:45 pm and 6:45 pm.

The Le Sueur County Governmental Official Association Meeting will be held Wednesday, April 26, 2017 in Montgomery (location to be announced) – Meal 6:30 pm, Meeting 7:00 pm

The City-wide Garage Sales will be held Saturday, May 13 with the City-wide Clean-Up on May 20 from 8:30 to 11:00 am at the Lake Francis Parking Lot.

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

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 562/17

RESOLUTION GRANTING APPROVAL FOR ONE-DAY OFF SITE
LAWFUL GAMBLING LICENSE

WHEREAS; The Elysian City Council was presented with a request from the Elysian Fire Department Relief Association for one day off site lawful gambling,

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

WHEREAS; the request was made at a regular meeting of the Elysian City Council,

NOW THEREFORE, BE IT RESOLVED; The Elysian City Council granted approval for a one-day off site lawful gambling license to the Elysian Fire Department Relief Association in conjunction with the July 4th Celebration.

Upon vote being taken:

Council Members voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen.

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 10th day of April 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

On motion by Houlihan, seconded by Stoen, all voting in favor, to provide Police Protection and Porta-Pots for the July 4th celebration in an amount up to \$3,000.

Councilmember Schnoor introduced the resolution and was seconded by Mayor Stoen.

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 564/17

REQUEST FOR LAWFUL GAMBLING
ELYSIAN AREA CHAMBER OF COMMERCE RAFFLE

WHEREAS, the Elysian City Council was presented with a request from Elysian Area Chamber of Commerce for a lawful gambling event: raffle, in conjunction with the 2017 Fourth 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 lawful gambling event: raffle, in conjunction with the 2017 Fourth of July Community Celebration.

Upon vote being taken:

Councilmembers voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen

Councilmembers voting in the negative: None.

Adopted by the City Council of the City of Elysian this 10th day of April 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

On motion by Stoen, seconded by Houlihan, all voting in favor, to approve a Temporary 5-day Liquor License for Elysian Area Chamber of Commerce for the period of June 30th to July 4th in conjunction with the July 4th celebration.

On motion by McBroom, seconded by Houlihan, all voting in favor, to approve the closure of certain streets and vendor policy as follows:

REQUEST OF STREETS TO BE CLOSED DURING JULY 4TH CELEBRATION 2017

JUNE 28TH – JULY 5TH

SECOND STREET FROM MAIN STREET TO THE ALLEY BETWEEN MAIN AND PARK AVENUE
NE - LOCATION OF TENT

SATURDAY, JULY 1ST

MAIN STREET FROM COUNTY ROAD #11 TO FIRE HALL FROM 7:30 P.M. TO END OF DANCE
– 1:00 A.M.

SECOND STREET IN FRONT OF BANK FROM ALLEY TO MAIN STREET – FROM 12:00 NOON
UNTIL AFTER DANCE – 1:00 A.M. (This is also area for Sheriff Department vehicles to be parked.)

SUNDAY, JULY 2ND

MAIN STREET FROM TENT AREA WEST TO 3RD STREET SW – 6:00 A.M. TO AFTER CAR
SHOW. (All intersections will be open to accommodate cross traffic.)

AFTER CAR SHOW – MAIN STREET EAST FROM MID BLOCK TO FIRE HALL UNTIL TIME VENDORS CLOSE.

MONDAY, JULY 3RD

MAIN STREET FROM COUNTY ROAD #11 TO FIRE HALL FROM 7:30 P.M. TO END OF FIREFIGHTERS DANCE.

SECOND STREET IN FRONT OF BANK FROM ALLEY TO MAIN STREET – FROM 5:00 P.M. UNTIL AFTER FIRE FIGHTER'S DANCE – 1:00 A.M. (This is also area for Sheriff Department vehicles to be parked.)

TUESDAY, JULY 4TH

MAIN STREET 10:00 A.M. FROM THIRD STREET NE TO STATE HWY #60 WEST UNTIL AFTER PARADE.

AFTER PARADE – MAIN STREET FROM COUNTY ROAD #11 TO FIRE HALL. (County Road #11 must be kept open at all times.) Need to post signs off Highway # 60 to Main Street and from First Street North at the intersection of First Street North and Park Avenue to Main Street warning traffic of people crossing on Main Street.

SECOND STREET SW - IN FRONT OF BANK FROM ALLEY TO MAIN STREET – FROM 8:00 A.M. UNTIL VENDORS ARE CLOSED.

TRIATHLON – SATURDAY, JULY 8TH

PARTIAL SIDE OF STREET - BIKE ROUTE MAIN STREET WEST FROM COUNTY ROAD #11 TO FIFTH STREET NW

REQUEST TO CONTINUE POLICY FOR 2017 CELEBRATION

Due to activities being sponsored by the Elysian Area Chamber of Commerce in conjunction with the City of Elysian during all July 4th celebration activities, the following has been approved; local Main Street businesses may not allow a vendor, other than their business, or a non-profit organization, to set up on their property; independent vendors will not be allowed to set up and do business during the celebration on any street in Elysian or in front of any business with the exception of Flea market, unless prior approval of the July 4th Committee.

On motion by Stoen, seconded by McBroom, all voting in favor, to accept the recommendation of the Planning and Zoning Commission and send notice to the following properties as nuisance properties: 109 Frank Avenue NE, 130 Main Street East, 200 Frank Avenue NE, and 309 First Street N.

Kopischke reported that in the Planning and Zoning Commission review of the City Land Use Plan, it was noted that a Farmers Market was one of the desired initiatives. This has been studied by staff and the following information has been gathered:

1. The Tourism Center has been identified as a good location for a Farmers Market. The area between State Highway 60 and the DNR trail could be used for vendor setup.
2. The DNR has stated that parking would be available at the Wayside Rest. However, no sales can be transacted in that area.
3. The League of MN Cities Underwriting Department has stated, "As long as the City will be organizing and will be responsible for this Farmers Market activity and this will be held at the City's property, we really don't have much of an issue from an underwriting standpoint."

4. The City of Madison Lake Farmers Market is covered by the city's insurance. The City of Waterville Farmers Market is covered by the Chamber's insurance.
5. Most Farmers Markets charge a fee for participation. Madison Lake = \$5 per time, Faribault = \$40 per season, Waterville = \$20 per season. Monies can go toward advertising.
6. Most Farmers Markets have rules on what type of vendors can participate. Waterville requires that items be grown in Minnesota and are handmade. Madison Lake requires that participants are from a 50-mile radius and that items be grown, raised or handmade by the participating vendor or their family member. They also limit the number of local artisan booths that are allowed.
7. There does appear to be an interest in the Elysian area from vendors who would like to participate. There also are several local residents with experience in managing Farmers Markets who would be willing to help get this established.

Kopischke suggested that if the Council approved moving forward, the first step would be to establish a committee of interested persons to develop the rules. The Farmers Market could hopefully start the beginning of June.

On motion by Opsahl, seconded by Houlihan, all voting in favor, to approve the pursuit of a Farmers Market on the Tourism property between State Highway 60 and the DNR Trail.

Councilmember Houlihan reported that the Park Committee had met and would like to add three (3) at-large members from the public. With this goal in mind, the City Attorney has drafted an enabling resolution to establish the Elysian Park Board and accompanying By-Laws. The Park Board will consist of two (2) Councilmembers, two (2) staff and three (3) members of the public. There will be no residency requirement for service on the Board and appointments will be made by the Council.

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

CITY OF ELYSIAN
 ELYSIAN, MINNESOTA
 RESOLUTION 563/17

ENABLING RESOLUTION ESTABLISHING THE ELYSIAN PARK BOARD

WHEREAS, the City Council for the City of Elysian, Minnesota, has determined that it is in the best interest of the City of Elysian to establish a Park Board to promote the general welfare of the people of the City of Elysian, and preserve its parks; and

WHEREAS, the City Council has met, and discussed this enabling resolution, as well as the proposed By-Laws for the Elysian Park Board, and finds them to be acceptable.

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

1. That a park board shall be established for the City of Elysian. This park board shall be an advisory board, which shall make recommendations to the City of Elysian Council concerning City of Elysian park issues.
2. The Elysian Park Board shall be governed by a board of seven (7) members, two (2) of whom shall be members of the Elysian City Council, two (2) of whom shall be City staff, and three (3) whom shall be at large commissioners. There is no residency requirement for service on the Elysian Park Board. All members shall be appointed by and confirmed by the Elysian City Council.

Upon vote being taken:

Council Members voting in the affirmative: Houlihan, McBroom, Opsahl, Schnoor, Stoen

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 10th day of April 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Lamont reported that the all the picnic tables at the Lake Francis Park had been repaired and repainted and are in very good shape. There is \$3,000 in the budget for picnic tables and benches at the Lake Francis Park. The Park Board has suggested this budgeted amount be used for handicap accessible picnic tables and some sturdy benches. Some examples were included in the Council packet for consideration.

On motion by Houlihan, seconded by Opsahl, all voting in favor, to spend up to \$3,000 of budgeted funds for handicap accessible picnic tables and sturdy benches.

Greenwald reported that the Park Board had also discussed lights at the bathrooms at the Lake Francis Park. There would be one light on each side of the bathroom that would be on a timer. An outside light would be mounted that would run by photo cell. It is LED and would only draw 9 amps. Two quotes were provided: Volkman Electric in the amount of \$1,015 and Ploog Electric, Inc. in the amount of \$1,100.

On motion by Stoen, seconded by McBroom, all voting in favor, to approve the quote from Volkman Electric for lights on the bathroom at Lake Francis Park in the amount of \$1,015.

On motion by McBroom, seconded by Stoen, all voting in favor, bills, payroll, and transfers were approved in the amount of \$72,865.68 (which includes an added bill for VISA in the amount of \$29.99 for Samsung Galaxy Keyboard with case).

Public Comment: None.

On motion by Stoen, seconded by McBroom, all voting in favor, to adjourn the meeting at 7:24 pm.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator