

**ELYSIAN CITY COUNCIL
REGULAR MEETING
JUNE 12, 2017**

The Elysian City Council met in regular session on Monday, June 12, 2017, at City Hall at 6:00 pm.

Roll Call: Mayor Clinton Stoen; Councilmembers Robert Houlihan, 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: Councilmember Tom McBroom.

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

The purpose of the hearing is to allow public input from citizens on Amended Ordinance # 6(C) – Pertaining to the Sale and Consumption of Intoxicating Liquor to comply with the recent enactment of Sunday liquor sales as passed by the Minnesota Legislature and as signed by Governor Dayton.

City Attorney Moran explained that this amendment is written such that whenever the Legislature makes any changes to dates or times this ordinance will automatically follow the State Law and will not require amendment. The current change allows Sunday off sale from 11 am to 6 pm. Businesses who wish to have off sale on Sunday will not be required to pay any additional fees or obtain additional licenses.

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 6:04 pm and open the Regular Meeting.

On motion by Schnoor, seconded by Houlihan, all voting in favor, to approve the minutes of the May 8, 2017 Regular Meeting as presented.

On motion by Stoen, seconded by Schnoor, all voting in favor, to approve the agenda of the June 12, 2017 Regular Meeting with the following additions:

1. Pat Nusbaum, 104 Park Avenue NE, regarding mowing of the boulevard.
2. Mark O'Malley, 504 Frank Avenue NW, regarding implementing a youth soccer program.

Public Comment: None.

Le Sueur County Commissioner Rohlfiing reported that the County Commissioners will be holding a workshop to discuss the regulations of golf carts on June 20th at 10:00 am. They would welcome input from law enforcement and City Councilmembers at that meeting. The Commissioners will also be conducting a blight workshop. Rohlfiing reported that the Commissioners had held a public hearing on bond sales which included a \$7.3 million jail bond, and a \$2.6 million bond (\$1 million for a new public works shop and \$1.6 million for the justice center). The bonds will be opened and awarded on July 18. A five-year Capital Improvement Plan has been approved and the Board of Equalization Meeting will be held on June 14 at 6:30 pm.

On motion by Stoen, seconded by Houlihan, all voting in favor, to close the Regular Meeting and open the Public Hearing at 6:13 pm.

The purpose of the hearing is to allow public input from citizens on Amended Ordinance # 5 – Pertaining to the Licensing and Regulating the Sale and Consumption of Non-Intoxicating Malt

Liquors to comply with the recent enactment of Sunday liquor sales as passed by the Minnesota Legislature and as signed by Governor Dayton.

City Attorney Moran explained that this amendment is similar to the amendment to Ordinance #6C.

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

On motion by Stoen, seconded by Schnoor, all voting in favor, to close the Public Hearing at 6:14 pm and open the Regular Meeting.

Le Sueur County Chief Deputy Nick Greenig updated the Council. His office is currently working on staffing the 4th of July celebration and triathlon.

Jeff Bertram, West Central Sanitation, was present to request renewal of the garbage contract which was scheduled to expire on September 30, 2017. The proposed contract is for a three-year term and includes a 0% increase year one, a 2% increase year two and a 2% increase year three. There are no other proposed changes to the contract. Bertram stated he welcomed comments on what they can do better. West Central continues to have a commitment to service in this area.

The Council expressed their satisfaction with West Central and noted that the customer service has been excellent. On motion by Stoen, seconded by Schnoor, all voting in favor, to approve the three-year contract for garbage services as presented by West Central Sanitation for a term of October 1, 2017 through September 30, 2020.

Mayor Stoen presented the Ordinance Amendment and was seconded by Councilmember Schnoor.

AMENDED ORDINANCE NUMBER 6(C)
CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

AN AMENDED ORDINANCE AMENDING ORDINANCE #6(C) SECTION 13, SUBDIVISION 2, AND PERTAINING TO THE LICENSING AND REGULATING THE SALE AND CONSUMPTION OF INTOXICATING LIQUOR, AND REPEALING INCONSISTENT ORDINANCES, AND PROVIDING FOR A PENALTY FOR THE VIOLATION OF THE SAME THEREOF.

AN ORDINANCE AMENDING ORDINANCE #6(C), SECTION 13, SUBDIVISION 2

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

(A) Purpose. The purpose of this Ordinance is to Amend Section 13, Subdivision 2 of Ordinance # 6 (C) so that it complies with the recent enactment of Sunday liquor sales as passed by the Minnesota Legislature and as signed by Governor Mark Dayton.

(B) Section 13, Subdivision 2 of Ordinance # 6(C) Shall be Amended to read as follows:

Section 13. Sunday Liquor.

The provisions of M.S. Ch. 340A, as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2 percent malt liquor are hereby adopted by reference and are made a part of this Chapter as if set out in full. It is the intention of the City Council that all future amendments to

M.S. Ch. 340A are hereby adopted by reference or referenced as if they had been in existence at the time this Chapter is adopted.

This Amended Ordinance shall take effect at midnight on July 2, 2017.

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

Voting Yes: Houlihan, Opsahl, Schnoor, Stoen.

Voting No: None.

Adopted by the Elysian City Council of the City of Elysian, Minnesota, the 12th day of June, 2017.

Clinton Stoen, Mayor

ATTEST:

Lorri Kopischke, City Administrator

Mayor Stoen presented the Ordinance Amendment and was seconded by Councilmember Houlihan.

AMENDED ORDINANCE NUMBER 5
CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA

AN AMENDED ORDINANCE PERTAINING TO THE LICENSING AND REGULATING THE SALE AND CONSUMPTION OF NON-INTOXICATING MALT LIQUORS AND PROVIDING FOR THE VIOLATION THEREOF.

AN ORDINANCE AMENDING ORDINANCE #5 SECTION 9

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

(C) Purpose. The purpose of this Ordinance is to Amend Section 9 of Ordinance #5 so that it complies with the recent enactment of Sunday liquor sales as passed by the Minnesota Legislature and as signed by Governor Mark Dayton.

(D) Section 9 of Ordinance # 5 Shall be Amended to read as follows:

Section 9. Closing Hours.

The provisions of M.S. Ch. 340A, as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2 percent malt liquor are hereby adopted by reference and are made a part of this Chapter as if set out in full. It is the intention of the City

Council that all future amendments to M.S. Ch. 340A are hereby adopted by reference or referenced as if they had been in existence at the time this Chapter is adopted.

This Amended Ordinance shall take effect at midnight on July 2, 2017.

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

Voting Yes: Houlihan, Opsahl, Schnoor, Stoen.

Voting No: None.

Adopted by the Elysian City Council of the City of Elysian, Minnesota, the 12th day of June, 2017.

Clinton Stoen, Mayor

ATTEST:

Lorri Kopischke, City Administrator

Ron Greenwald, Public Works Director, presented three quotes to clean, inspect, and disinfect the interior of the water tower. The quotes are as follows: Maguire Iron, Inc. - \$1,850, SEH Engineering, Inc. - \$5,000, and Utility Service, Inc. - \$1,500. Greenwald stated he would recommend using the service that drains the tank to inspect it rather than the service that utilizes a diver to do the work. Greenwald also noted that Maguire Iron, Inc. is the company that built the water tower.

On motion by Stoen, seconded by Houlihan, all voting in favor, to approve the contract in the amount of \$1,850 and proceed with Maguire Iron, Inc. for the cleaning, inspection and disinfection of the water tower.

Greenwald then presented two quotes to power wash the exterior of the water tower. The quotes are as follows: Maguire Iron, Inc. - \$4,500 and Utility Service, Inc. - \$7,500. There is a ring around the water tower that is rust caused by the freezing inside the tower. The black on the tower is dirt and tree pollen. The power wash would be for aesthetic reasons only. Greenwald was directed to contact Maguire and inquire if a reduction in price would be given if the interior and exterior services were done at the same time.

Greenwald provided an extended contract option for continued maintenance of the water tower. Council did express an interest in this option and this will be discussed at a work shop meeting.

Greenwald presented a proposal from SEH Engineering, Inc. for Engineering Services for Wastewater Pond Capacity Review in the amount of \$5,800. Completion of this report will help the City identify capital improvement needs for the future.

Commissioner Rohlfing noted that there may be an opportunity for more hook-ups following the septic compliance inspections of the homes on Lake Francis and Rays Lake. Homeowners who are found to be non-compliant will have until 2022 to bring their system into compliance.

There was Council consensus to discuss this proposal during the budget process for next year.

Greenwald presented a quote for a 2017 Rahn Pull Type GL650 Infield Groomer from Kibble Equipment in the amount of \$2,900. The unit has five separate tools and can be pulled with a 4-wheeler, lawn mower, or tractor. This would be beneficial for the ballfields and could also be used for various tasks around the City. There is \$3,000 budgeted for this item in the park fund.

On motion by Schnoor, seconded by Houlihan, all voting in favor, to approve the purchase of a 2017 Rahn Pull Type GL650 Infield Groomer from Kibble Equipment in the amount of \$2,900.

The Council acknowledged a letter of resignation of service on the Elysian Fire Department from Josh Thompson. The Council expressed their appreciation for Thompson's service stating he was an asset to the Department.

On motion by Stoen, seconded by Houlihan, all voting in favor, to accept the resignation of service on the Elysian Fire Department from Josh Thompson.

The Council discussed Resolution 573/17 which requests that Le Sueur County convey tax forfeited Parcel ID # 16.410.0250 to the City of Elysian for a public purpose. The address of this property is 301 6th Street NW. This property abuts the Sixth Street Park and has a large shed on the property. The Public Works Department is in need of more storage space and the proximity of this property to the park would be ideal. Also, the house on the property has become a nuisance property and it would be beneficial to the City to have the house removed and the property cleaned up.

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

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA
RESOLUTION 573/17

A RESOLUTION CONCERNING THE CONVEYANCE OF TAX FORFEITED LAND TO THE CITY
OF ELYSIAN FOR A PUBLIC PURPOSE

WHEREAS, the City Council for the City of Elysian, Le Sueur County, Minnesota met this 12th day of June, 2017, at its regularly scheduled meeting, and;

WHEREAS, property identification number R16.410.0250 is up for tax forfeiture to Le Sueur County, and;

WHEREAS, the City of Elysian met and discussed parcel identification number R16.410.0250, and;

WHEREAS, parcel identification number R16.410.0250 contains a large shed on the property and it is positioned geographically on the west end of town in an area where the City's public works department needs space to house public works equipment, tools, chemicals, and other inventory that directly relates to, and are beneficial to, the general welfare of the City of Elysian. In addition, this parcel of property is currently a public nuisance due to the rank growth of vegetation on it and the neglect of care given to the buildings located on it, and the property will be best served if conveyance to the City for a public purpose is granted.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN HEREIN RESOLVES AS FOLLOWS:

1. That the City of Elysian requests that Le Sueur County convey parcel identification number R16.410.0250 to the City of Elysian for a public purpose.
2. That the City of Elysian will use the property for a public purpose.

Upon vote being taken:

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

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 12th day of June, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

The Council discussed Resolution 574/17 which requests that Le Sueur County convey tax forfeited Parcel ID # 16.457.0250 to the City of Elysian for a public purpose. There currently is a holding pond which is being maintained by the City located on this property.

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

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA
RESOLUTION 574/17

A RESOLUTION CONCERNING THE CONVEYANCE OF TAX FORFEITED LAND TO THE CITY
OF ELYSIAN FOR A PUBLIC PURPOSE

WHEREAS, the City Council for the City of Elysian, Le Sueur County, Minnesota met this 12th day of June, 2017, at its regularly scheduled meeting, and;

WHEREAS, property identification number R16.457.0250 is up for tax forfeiture to Le Sueur County, and;

WHEREAS, the City of Elysian met and discussed parcel identification number R16.457.0250, and;

WHEREAS, parcel identification number R16.457.0250 contains a holding pond on virtually all of the property and it is positioned geographically south of Lake Francis in the City of Elysian. In addition, this parcel of property has historically been used as a holding pond which assists in the purification of water runoff before it reaches Lake Francis which is of great benefit to the residents of the City of Elysian and users of Lake Francis. Finally, the City of Elysian has historically maintained this parcel of property and desires to do so in the future.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN HEREIN RESOLVES AS FOLLOWS:

1. That the City of Elysian requests that Le Sueur County convey parcel identification number R16.457.0250 to the City of Elysian for a public purpose.

2. That the City of Elysian will use the property for a public purpose.

Upon vote being taken:

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

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 12th day of June, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

The Council discussed Resolution 575/17 which requests that Le Sueur County convey tax forfeited Parcel ID # 16.457.0260 to the City of Elysian for a public purpose. This parcel directly abuts the property where the City well house is located. Acquiring this property would allow for future expansion of the well house and also provide a place to store snow.

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

CITY OF ELYSIAN
LE SUEUR COUNTY, MINNESOTA
RESOLUTION 575/17

A RESOLUTION CONCERNING THE CONVEYANCE OF TAX FORFEITED LAND TO THE CITY
OF ELYSIAN FOR A PUBLIC PURPOSE

WHEREAS, the City Council for the City of Elysian, Le Sueur County, Minnesota met this 12th day of June, 2017, at its regularly scheduled meeting, and;

WHEREAS, property identification number R16.457.0260 Outlot A, is up for tax forfeiture to Le Sueur County, and;

WHEREAS, the City of Elysian met and discussed parcel identification number R16.457.0260, Outlot A, and

WHEREAS, parcel identification number R16.457.0260, Outlot A, is a parcel of property that directly abuts a parcel of real estate that the City of Elysian already owns and which contains the City's well house. Acquiring parcel identification number R16.457.0260, Outlot A would benefit the City as it would allow the City additional real estate to expand the City's well house and potentially place a storage shed on it for the City's inventory and equipment. It was also recognized that the City does indeed have issues with the storage of snow in town, and that two parcels of real estate which the City owns and upon which the City stored snow, were recently sold, and that the City's snow storage issues will only increase. Acquiring this parcel would allow the City an additional place to store snow. In short, acquiring parcel identification number R16.457.0260, Outlot A would greatly benefit the City of Elysian and its residents.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ELYSIAN HEREIN RESOLVES AS FOLLOWS:

1. That the City of Elysian requests that Le Sueur County convey parcel identification number R16.457.0260, Outlot A to the City of Elysian for a public purpose.
2. That the City of Elysian will use the property for a public purpose.

Upon vote being taken:

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

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 12th day of June, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

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

CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 572/17

RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN FIRE RELIEF ASSOCIATION

WHEREAS, the City of Elysian has received a donation in the amount of \$8,000.00 from the Elysian Fire Relief Association toward the purchase of an extractor washer;

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 \$8,000.00 toward the purchase of an extractor washer.

Upon vote being taken:

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

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 12th day of June, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

The City currently has a 20-hour per week federally funded employee who processes utility bills, does filing, building permit reports, and other miscellaneous duties. The program is intended to provide training and has a maximum funding period. The funding for this employee is set to terminate on July 27, 2017. This position provides some amount of segregation of duties in the office. The City Auditor has consistently cited segregation of duties as a significant deficiency and staffing this position does help to correct that deficiency. Staff is recommending that the currently federally funded employee, Marlene Zimprich, be hired for 10 hours per week at a rate of \$9.50 per hour effective July 28, 2017.

On motion by Stoen, seconded by Opsahl, all voting in favor, to hire Marlene Zimprich for 10 hours per week at a rate of \$9.50 per hour effective July 28, 2017.

Kopischke reported that the summer hire approved at the May 8, 2017 City Council Meeting was not available. Therefore, Dallas McBroom was offered and did accept the 2017 summer temporary position.

Kopischke reported that the property located at 206 Main Street East had sold for a higher amount than the bid the City had submitted.

Appreciation was expressed to Modern Woodmen of America for the donation of \$75 toward the flowers for the Lake Francis Park.

Appreciation was expressed to Lake Area Women for donating the flowers for the flower pots in front of the businesses in the City.

Appreciation was expressed to Jerry and Cheryl Ellingsworth, Ron, Audene and Kim Greenwald, Michele Hollermann, Brenda Rientz, and Bobbi Radke for planting the flower pots/beds and for providing "extra eyes" to be sure they all stay watered.

Appreciation was expressed to Farmers Friend 4H Club for planting the flower pots at the Lake Francis Park.

Patricia Nusbaum, 104 Park Avenue NE, stated she was speaking to the Council tonight in response to a grass/weed letter she received last week for the north side of her property along Frank Avenue NE. She stated the property is unmowable due to the road being raised when the sanitary sewer was installed in 1974 and the road being raised again in 1993 when the streets were blacktopped. In 2012 the City Engineer told her that the trees would be removed when the waterline was replaced and that street was redone. The road is in the wrong place. She has had a survey done and the trees are in the boulevard. She has spent approximately \$2,900 in the last 15 years maintaining the trees back there. One time her son mowed and he had a hernia. She could get a push mower along the boulevard but it is too steep for a rider mower. She asked the Councilmembers to come over and look at it and determine what it is she should do.

The Council discussed options for caring for this area and noted that the location of the road, etc. would be addressed when the street project is done in that area. There was Council consensus that

one strip should be mowed on the top portion of the boulevard next to the curb and that the noxious weeds need to be sprayed so as not to spread to other properties by June 20, 2017.

Nusbaum stated that her lots in the back area of her property could be used for Fourth of July parking. There is a flat area adjacent to the neighbor's property line for entry into her property. She suggested the City could use their bobcat and haul in some gravel or crushed rock to make an entryway. She would also allow them to store snow on that area in the winter. She has put up a sign for the last five years to invite parking there but the neighbor always parks a truck across the entrance and will not let anyone in.

The Council stated that Nusbaum can allow parking there if she wishes but the City will not be involved.

An application was received for the Park Board – Roger Quiram. On motion by Opsahl, seconded by Houlihan, all voting in favor, to appoint Roger Quiram to the Elysian Park Board for a one-year term ending December 31, 2017.

Nicole Lamont, Utility Billing Clerk, reported that the Elysian Fire Department has requested to place a pop machine at the Lake Francis Park. The machine would be placed next to the bathroom to use the power and the Fire Department would service the machine. The Fire Department currently maintains pop machines at the Elysian Area Club House, the Tri-Valley Learning Center, and James Brothers Construction.

On motion by Schnoor, seconded by Houlihan, to allow the Fire Department to place a pop machine at the Lake Francis Park, to service the machines, and retain the revenue. Following Council discussion, Schnoor and Houlihan withdrew the motion.

Mayor Stoen stated that this was a good idea but he struggled with bringing other entities into the City Park which is the City responsibility. With the upcoming street improvement project the bathrooms may be moved and long term the City may be interested in doing the vending at the park.

On motion by Schnoor, seconded by Opsahl, to allow the Fire Department to place a pop machine at the Lake Francis Park, to service the machines, and retain the revenue until the City decides what they would like to do for vending at the Park. Voting on the motion: Aye – Houlihan, Opsahl, Schnoor. Nay – Stoen. Motion passed.

Mark O'Malley, 504 Frank Avenue NW, explained that he currently is coaching youth girls' soccer in Waseca. There seems to be a lot of interest in soccer in this area but there are no programs available. The City has the goals and the nets and they are not being used. He is requesting permission to utilize and maintain the goals to get something going in Elysian. He will make sure they get put back in the fall. The Council thanked O'Malley for his interest and granted permission for him to use the goals.

On motion by Houlihan, seconded by Stoen, all voting in favor, bills, payroll, and transfers were approved in the amount of \$54,271.36

Public Comment: None.

On motion by Stoen, seconded by Houlihan, all voting in favor, to adjourn the meeting at 7:35 pm.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator