

**ELYSIAN CITY COUNCIL
REGULAR MEETING
AUGUST 14, 2017**

The Elysian City Council met in regular session on Monday, August 14, 2017, at City Hall at 6:00 pm.

Roll Call: Mayor Pro Tem Mary Opsahl; Councilmembers Robert Houlihan, Tom McBroom, and Dennis Schnoor; City Administrator Lorri Kopischke; Public Works Director Ron Greenwald; City Utility Clerk Nicole Lamont; and City Attorney Jason Moran. Absent: Mayor Clinton Stoen.

On motion by Houlihan, seconded by McBroom, all voting in favor, to approve the minutes of the July 10, 2017 Regular Meeting, August 8, 2017 Special Joint Meeting with Park Board, and August 8, 2017 Budget Workshop Meeting as presented.

On motion by McBroom, seconded by Houlihan, all voting in favor, to approve the agenda of the August 14, 2017 Regular Meeting with the following additions:

1. Le Sueur County Commissioner Steve Rohlfiing
2. Le Sueur County Chief Deputy Nick Greenig

Public Comment: None.

Le Sueur County Commissioner Steve Rohlfiing updated the Council. Progress is being made on the new Justice Center. There will be a Public Hearing on the County ATV, Golf Cart Ordinance at the County Courthouse on September 22, 2017 at 10:00 am. The Commissioners considered increasing the Wheelage Tax but instead maintained the tax at \$10. They are considering a local option sales tax of one half percent. The funds generated by this tax would be totally dedicated to roads. The tax is estimated to generate \$775,000 per year.

Le Sueur County Chief Deputy Greenig stated the Elysian July 4th Celebration went well. He encouraged residents to contact the Sheriff's Department with any questions or concerns.

The Council considered Resolution 580/17 – The request of Larry and Sherri Knutson, the property owners of a property located at 6 Cedar Point Drive NW, Elysian, Le Sueur County, Minnesota, for an “after the fact” variance request to install a patio within the required setback to the Ordinary High Water Level (OHWL) on Lake Francis.

On November 14, 2016, the City Council approved a request of Larry and Sherri Knutson, 6 Cedar Point Drive NW, to allow a variance to remove their current house (already removed) and place a new larger home on the lot in the same location. The original home was approximately 55' by 40' and the new home is 78' x 52'.

Since that home was built there have been numerous calls in regard to the size of the driveway, the removal of trees and vegetation on the shoreline, and the installation of a new large patio.

On June 16, 2017, staff visited the site. It appeared that the trees on the shoreline had all been cut and that there was a new patio installed that went from one side of the new house to the other side of the house and basically to the edge of the shoreland. The contractor on the job was emailed and a letter was sent to the owner, expressing concerns with the driveway, the shoreline, and new larger patio. At this point Todd Piepho of the Department of Natural Resources was contacted to obtain his input.

Subsequently the contractor did provide the lot coverage calculation and it appeared to be within the allowed coverage of 25%. The lot is 1.3 acres. There is a wetland on the lot as well.

Todd Piepho, Department of Natural Resources, did visit the site and forwarded pictures. His email dated June 22, 2017 is as follows:

"I was at the Knutson site this morning and took the attached pics. There are a couple items I had further questions on.

1. I assume the OHWL setback variance was given for the structure? From what I can tell that appeared to be roughly what the map showed I didn't measure. However, the paver patio extended out from the house to within ~20' of the shore. The only remaining portion of natural ground on the shoreline was the bank dropping off to the lake. That might be something you want to address assuming the variance was for the house and not patio, which in my opinion when reading MN rule 6120 would be considered a structure, definition below;

Subp. 16. **Structure.** "Structure" means any building or appurtenance, including decks, except aerial or underground utility lines, such as sewer, electric, telephone, telegraph, gas lines, towers, poles, and other supporting facilities.

2. The majority of the trees are removed from the shore. I talked with the landowner and he mentioned the large trees were damaged by a storm event and was going to send photos showing that (have not received them yet). I did notice a handful of small cedar stumps that were cut, not sure if they were damaged from the larger tree falling?? Small cedars were likely not damaged by the storm, but I can't say for sure. Pictures showing the east and west side of the lot show the difference in land coverage, both sides are well wooded so tree removal occurred, I'm just not sure when. I don't know what the site looked like prior to the building.

Depending on how you proceed, maybe a compromise could be made on this site?? I would recommend that if they indeed want to leave the patio that it be reduced to what is proposed in the drawing, essentially a walk way around the back of the house with the addition a small patio area they would be able to have a grill, table etc. I would also recommend they plant trees to provide a screen for view from the lake. Not saying to totally screen off the property, however a handful of trees would go a long way in screening at this site. They appeared to leave the lake alone, I didn't see anything too alarming for work below the OHWL other than the 2 poured in place stairways that extended into the lake (which fall in a grey area because we do allow a 4' walkway or stairway for access to the lake, but I have never seen a poured in place concrete stairway). Give me a call and we can discuss this if you would like. I'll be back on July 5th.

Todd Piepho
Area Hydrologist | Ecological and Water Resources
Minnesota Department of Natural Resources"

The Council was provided with a drawing by the Public Works Department with measurements of the lot, house, driveway, and patio as it is now. Staff has asked but has not been provided with the dimensions of the previous patio. Using a ruler on the google earth pictures, a best estimate is that the previous patio was approximately 160 square feet. If the previous patio extended to the same area as the new patio, it could have been as large as 320 square feet. The new patio is approximately 1,170 square feet. The new patio is approximately 58 feet greater in length.

The Planning and Zoning Commission held a Public Hearing on the after-the-fact variance request on August 1, 2017 and recommend denial of the variance based on the following findings of fact:

1. The request and supporting documentation does not meet Practical Difficulties Condition #1 Reasonableness. The smaller existing patio was allowed as it was existing and would have allowed the homeowner to utilize the property in a reasonable manner.
2. The request and supporting documentation does not meet Practical Difficulties Condition #2 Uniqueness. There are not unique circumstances to this property. The patio is not affected by topography of the lot. The patio is based on the desire of the homeowner and not due to constraints of the land.
3. The request and supporting documentation does not meet Practical Difficulties Condition #3 Essential Character. The patio covering the entire area between the house and the shoreland is not consistent with the Shoreland Ordinance and with what other properties on the lake have in place.
4. The patio is 78 feet long by 15 to 21 feet wide. The patio is right up to the bank that drops down to the lake. This results in run-off of all surface water in the area straight into the lake. The large amount of house, driveway, and patio results in a large amount of water running directly into the lake.
5. Per the Shoreland Ordinance, in shore and bluff impact zones and on steep slopes, limited clearing of trees and shrubs and cutting, pruning and trimming of trees is allowed to provide a view to the water from the principal building site and to accommodate the placement of stairways and landings, picnic areas, access paths, beach and watercraft access areas and permitted water-oriented accessory structures or facilities, provided that: The screening of structures, vehicles or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced. In this instance, almost all of the trees have been removed and the home is not screened from the lake basically from end to end.
6. And to adhere with the recommendation of Todd Piepho, Area Hydrologist, Minnesota Department of Natural Resources as follows: I recommend that if they indeed want to leave the patio that it be reduced to what is proposed in the drawing, essentially a walk way around the back of the house with the addition a small patio area they would be able to have a grill, table etc. I would also recommend they plant trees to provide a screen for view from the lake. Not saying to totally screen off the property, however a handful of trees would go a long way in screening at this site.

Further, after considerable discussion, the Planning and Zoning Commission recommended that the patio be reduced to the size (footprint) of the original patio as shown on google maps and require replacement of the trees that were removed along the altered shoreline per the DNR recommendations for the type and number of trees to be replaced.

Since that meeting, Piepho of the DNR has made the following recommendation:

“Generally, in cases like these we would recommend a 1:1 ratio for replacement. Basically, however many stumps are out there that many trees would need to be replaced. As far as species we always recommend natives. The exact species could be up to the landowner. There are several nurseries that carry MN native species and they are readily available. I’m guessing from the stumps that were onsite when I was there the majority of the trees that were removed were cedar (guessing red) and silver maple (soft maple). Planting to screen the property from the lake would be the DNR’s biggest concern, however full screening isn’t required. If you or the homeowners have questions in the future regarding the trees feel free to call.”

City Attorney Jason Moran stated that there are three conditions that need to be met in order to grant a variance. These are reasonableness, uniqueness, and essential character. If any one of these three conditions are not met, the variance should be denied. The issues here are the 6 to 8

trees that were removed from the shoreline and the enlargement of the patio that is located in the 75-foot setback from a 100-300 square foot patio to a 1,100 to 1,200 square foot patio. The Council can grant the variance, deny the variance, or work with the property owner to find a solution. The Planning and Zoning Commission and the DNR is recommending the patio be put back to the way it was and the homeowner plant 6 to 8 trees along the shoreline.

Lee Morsching, Morsching Tree Service, asked how this worked if the trees were unsafe. Council was referred to the pictures of the trees that were provided in the memorandum from Abby Leach, Leach Law PLLC. Exhibit I is a picture of two hollow tree stumps. Morsching stated the hollow tree stumps are basswoods. Moran noted there are only two that are hollow. The other six appear to be fine. Morsching stated the other trees were elm. One was dead and the others had symptoms. They removed them to save the other trees.

Moran asked Larry Knutson if he was planning to replace the eight trees that had been removed. Knutson stated that he and his wife would be doing landscaping and trees would be planted as part of that.

Moran asked if eight trees were removed. Morsching stated he did not keep track. Moran asked Knutson how many trees he was planning to replace. Knutson stated they didn't have a plan yet but they would have it nice looking when it was all said and done.

Moran asked Knutson if he was willing to replace the trees. Knutson stated he was willing to plant trees. Houlihan asked if the trees would be native. Mrs. Knutson asked what type of trees are native. Council replied that examples of native trees are oaks, maples, cedar. Knutson stated he would plant evergreens. Schnoor asked where he would be planting the trees. Knutson stated he would be having a professional landscaper determine that. Mrs. Knutson stated they would probably be planted back where trees had been removed. Moran asked when the trees would be replaced. Knutson agreed that the trees would be replaced within 60 days.

The Council then discussed the patio. Moran stated that a variance is needed to place a patio within the required 75-foot setback from the OHWL. Houlihan noted that the original patio was located in the 75-foot setback. Moran agreed and noted that the Planning and Zoning has recommended to go back to the original patio size.

McBroom stated that the Council should be following the recommendations of the Planning and Zoning. If not, homeowners and landscapers would be doing whatever they want. The City has recently worked with a business owner in the city to move some trees out of the right-of-way and if the Council grants this variance he may just move those trees right back because we let this request come in after the fact. Which quite frankly he has a problem with. In reading the notes of the Planning and Zoning it is crystal clear that Knutson was to leave the original patio. And the old saying is it is easier to ask for forgiveness than permission. Yes, the house is very beautiful but there are certain guidelines that must be followed. And as a result, Planning and Zoning is requesting that the Council deny the variance and that the patio be restored to its original size.

McBroom stated that Lake Francis is one of the prettiest lakes around and the Council takes the responsibility seriously and works very hard to see that it is not filled up with sediment and that there is proper filtration of run off. At this point, the modifications in the pictures he has seen, there is too much impervious surface to have anything that is going to recycle the water before it goes back in the lake.

Abby Leach, Leach Law PLLC, stated the Planning and Zoning talked a lot about impervious surface. She just measured everything on the lot and the coverage is well below the 25% that is

allowed. She noted the road setbacks and the lake setback and the wetland area on the lot and stated that the placement of the house is the only place on the lot that it could go.

Leach then stated that the original patio was not 8 feet by 20 feet. The original patio was rounded. She noted the pictures she had submitted with her memorandum. They have only added eight to ten feet on both sides.

Leach stated she had tried to read the City Ordinances and she was confused as all get out. What she read said that landscaping was pavers and impervious surface was pea rock and compacted sand. So, in her mind, the pavers are landscaping. She stated a normal standard person in reading the ordinance would be confused on if it were landscaping or an impervious structure or if a variance was needed. It also stated in the original site plan that it only applied to "major" landscaping and they were keeping the original size and only adding a little on each side so that is not "major" landscaping. Also, they could have gone back to cement but they used pavers and packed sand to allow run off. They also installed tile that runs the water to the wetland and spent the extra money to put the mat down to catch the run off while they built the house. And she could not find any language about the original patio in the Council minutes.

Kopischke stated it was discussed at the November 1, 2016 Planning and Zoning Commission Meeting. She read as follows: "The Commissioners suggested the location of the proposed house be moved to the east to avoid placement in the road right-of-way. Peterson stated that the proposed placement of the house was based on maintaining the existing concrete on the lot and removing the least number of trees as possible."

Mrs. Knutson stated that the new patio is no closer to the lake than the previous patio. Houlihan stated the new patio is three times bigger than the previous patio. Mr. Knutson stated that during construction his whole concrete patio was ruined by large equipment. McBroom asked why Knutson didn't just replace the patio to the same size. Knutson stated he had already had Council people out to his house and explained why he made it bigger. He never had to have anything for the first patio. The only thing was that he had to stay under 25%. Why would he think he had to do anything this time?

Leach noted that the original variance for the 36 feet for the house never took into account the patio. Kopischke responded that the Planning and Zoning was told the patio would not be changed. So, the patio was existing. If it was not moved or enlarged, then no action was required.

Moran stated it had been discussed that the previous patio was 167 square feet. Knutson stated it had been discussed but he didn't think that was correct. Moran then asked how much bigger the new patio was compared to the previous patio. Mrs. Knutson stated that the size stated by the city staff had only been an estimate. Houlihan noted that everyone can see that the new patio is much bigger than the previous patio. Mrs. Knutson stated the cabin that was there was built in the 1960s and it was very small. When they built this new house they had some doors coming out and it just makes common sense. Why would they build a larger footprint of a house and have to stay with the smaller footprint of a patio?

Moran stated the original plat was for a small cabin. It is a smaller parcel. There are neighbors who are complaining and the complaints have led to this. Moran stated that a lot of times these things are caught after the fact when someone reports it.

Leach stated she looked back in the Council minutes since 2010 and there has never been a request for a variance for a patio. She drove around and there are houses with patios on the lot line and variances that have been granted to allow 42% lot coverage. There are much larger structures

with more run off on the lake. That same property that has 42% coverage added a massive patio and she didn't see a variance for that.

Houlihan stated that a lot of the uniqueness of this lot came from the trees. And now, when you are on a boat on the lake, looking at the lakeshore, this property sticks out because of the trees that are gone and because of the patio. So, the removal of trees and installation of the large patio has taken away from the uniqueness of it.

Mrs. Knutson stated they had lost 24 trees to the tornado. That opened up the lot on the lakeside but that was by no means to them. All that was left were the trees in the bank that slowly year to year were taken by nature. Yes, someday there needs to be some restoration there. But no fault to them. They are only trying to beautify the lot.

Leach asked who determines the size of the previous patio. Houlihan noted there are two sets of paved stairs there. He thought the patio should be between those steps. Mr. Knutson stated that if you look on the picture, that patio goes past that. Mr. Moran again asked for the size of the previous patio. There was no response.

On motion by McBroom, seconded by Houlihan, all voting in favor, to approve Resolution 580/17 – Adopting Findings of Fact, Conclusions of Law, and Denial of an “After the Fact” Variance Application for Larry and Sherri Knutson for Property located at 6 Cedar Point Drive NW, Elysian, Minnesota as follows:

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 580/17**

**RESOLUTION ADOPTING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DENIAL OF AN
“AFTER THE FACT” VARIANCE APPLICATION
FOR LARRY AND SHERRI KNUTSON FOR
PROPERTY LOCATED AT 6 CEDAR POINT DRIVE NW, ELYSIAN, MINNESOTA**

FACTS

1. Larry and Sherri Knutson are the owners of a parcel of land located at 6 Cedar Point Drive NW, Elysian, Minnesota; and,
2. The subject property is legally described as: Unit 6 CIC #034 Kaplan's Cedar Pointe, Le Sueur County, Minnesota; and,
3. Larry and Sherri Knutson have applied to the City for an “after the fact” variance to install a 78 foot by 15 to 21-foot patio within the Ordinary High Water (OHW) setback on Lake Francis.
4. The proposal the applicants have made would vary from the City of Elysian's Zoning Ordinance, specifically Section 13.0, Shoreland Overlay Zone Subd. G, Shoreland Standards General 1. Residential (R-1 and R-2) a. Recreational Lake (Francis) Setback from OHW mark requires a 75 feet setback from the OHW mark of the Lake. Considering this, applicant's newly installed patio is located entirely within the OHW setback from Lake Francis in clear violation of the Shoreland Ordinance.
5. On November 14, 2016, the City Council for the City of Elysian, did approve a variance request for Larry & Sherri Knutson to build a new home 38.5 foot within the OHW setback of Lake Francis. At that time, there was an existing patio of approximately 160 square feet and the Knutson's stated they would be keeping that patio in place. Importantly, the Knutson's never submitted any drawings, surveys, or other documentation concerning a larger patio than what existed on-site at the time. Since then, the new home has been built, the small

patio has been removed, and it was discovered that the old patio had been ripped out and a very much larger 1,170 square foot patio has been installed. Importantly, the old patio was 160 square foot and the after-the-fact patio has been discovered to be 1,170 square feet. Additionally important, the new patio is completely and entirely within the 75-foot setback in violation of the Shoreland Ordinance setback which specifically requires a 75-foot setback from the OHW mark of the lake. In addition, applicant has clear cut many trees along his shoreline in clear violation of the Ordinances of the City of Elysian which prohibit clear cutting (Section 13-Shoreland Overlay Zone, Subd. I, Section 5).

6. Following a public hearing on the application, the City of Elysian Planning Commission has recommended denial of the "after the fact" patio variance on August 1, 2017.
7. The City Council of the City of Elysian reviewed the requested "after the fact" variance at its regularly scheduled Meeting of August 14, 2017.

APPLICABLE LAW

8. Minnesota Statute Section 462.357, subd. 6 provides:
 - a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the City's comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; and (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.

CONCLUSIONS OF LAW

9. The request and supporting documentation does not meet Practical Difficulties Condition #1 Reasonableness. The smaller existing patio was allowed as it was existing and would have allowed the homeowner to utilize the property in a reasonable manner. A larger patio would increase the impervious surfaces on the property and would lead to additional water run off to Lake Francis.
10. The request and supporting documentation does not meet Practical Difficulties Condition #2 Uniqueness. There are no unique circumstances to this property. The patio is not affected by the topography of the lot. The patio is based on the desire of the homeowner and not due to constraints of the land. The larger patio was created entirely by the homeowner. The property is not unique and there are no unique circumstances that would require a larger patio than what previously existed. The situation is entirely self-created by the property owner and relates to the property owner's desire and want for a much larger patio. The City has enacted the Shoreland Ordinance and enforces the same so that the environment and Lake Francis is protected. The setback requirements in the zoning ordinance are to ensure that the entire community's best interests and general welfare are protected.
11. The request and supporting documentation does not meet Practical Difficulties Condition #3 Essential Character. The patio covering the entire area between the house and the shoreland is not consistent with the Shoreland Ordinance and with what other properties on the lake have in place. Applicant previously had a 160-square foot patio and now, in this

after the fact application, are requesting a variance for an 1170-foot patio. Such a patio is not consistent with the other properties in the neighborhood.

12. The patio is 78 feet long by 15 to 21 feet wide. The patio is right up to the bank that drops down to the lake. This results in run-off of all surface water in the area straight into the lake. The large amount of structural coverage (house, driveway, and patio) results in a large amount of water running directly into the lake. The Minnesota Department of Natural Resources has made a recommendation to deny the variance.
13. Per the Shoreland Ordinance, in shore and bluff impact zones and on steep slopes, limited clearing of trees and shrubs and cutting, pruning and trimming of trees is allowed to provide a view to the water from the principal building site and to accommodate the placement of stairways and landings, picnic areas, access paths, beach and watercraft access areas and permitted water-oriented accessory structures or facilities, provided that: The screening of structures, vehicles or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced. In this instance, almost all of the trees have been removed and the home is not screened from the lake basically from end to end. Clear cutting of trees is prohibited. Applicants have engaged in clear cutting. Applicants have removed all of the trees at their lakeshore and this was evident from the photographs provided to the Council.
14. Todd Piepho, Minnesota Department of Natural Resources, and Area Hydrologist, has recommended as follows: I would also recommend they plant trees to provide a screen for view from the lake.
15. Applicant's actions in installing the much larger patio directly violates Section 13, G, 1 (a) of the Shoreland Ordinance, 75-foot setback rule.
16. Applicant's clear cutting of trees by the lakeshore directly violates Section 13-Shoreland Overlay Zone, Subd. I, Section 5, which prohibits clear cutting.
17. **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Elysian, Minnesota, that the application to issue an "after the fact" variance to allow Larry and Sherri Knutson to install a 78 foot by 15 to 21-foot patio in the OHW setback on Lake Francis so as to deviate from City of Elysian Zoning Ordinance Section 13.0 Shoreland Overlay Zone Subd. G. Shoreland Standards General 1. Residential (R-1 and R-2) a. Recreational Lake (Francis) Setback from O-H-W required 75 feet is hereby Denied. The patio must be reduced to its original size or removed in its entirety by October 15, 2017. In addition, applicants have agreed to work with the City in replacing 8 trees at the lakeshore near the bank per Department of Natural Resources specifications by October 15, 2017 and this issue is therefore moot. Said 8 trees shall be native trees.

Considered and adopted by the City Council for the City of Elysian on this 14th day of August 2017 after considering all of the facts and circumstances of the application.

Variance Denied:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Council was presented with a draft Ordinance #86/17 – Pertaining to Driveways in the City of Elysian. It was noted that at the May 8, 2017 Council Meeting, staff had mentioned the lack of regulation of driveways widths, curb cuts, etc. in the City Ordinances. The City Engineer had recommended an ordinance to regulate these issues and had provided samples from other cities. At that meeting, the Council voted to refer this issue back to Planning and Zoning for consideration. The Planning and Zoning Commission has created the draft ordinance and referred to Council for consideration.

On motion by Opsahl, seconded by Houlihan, all voting in favor, to set a Public Hearing for September 11, 2017 to consider Ordinance 86/17 – An Ordinance Pertaining to Driveways in the City of Elysian.

Council received a request from John H Carpenter, Ramona M Carpenter, and Barbara C Nelson to close and vacate Lakeside Drive NW between Sixth Street NW and to the west to the extent that it is platted up to PID # 16.460.0100. The requestor states “This part of Lakeside Drive has been abandoned and not maintained by the City for many years. If it is closed and the land apportioned it will enable us to consolidate three parcels of land (Reserve Block 1, Block 5 and 35-foot strip of land on the western edge of the two Blocks) into one developable parcel. Any development of the parcel will benefit the City by increasing the tax base”.

On motion by Opsahl, seconded by Schnoor, all voting in favor, to set a Public Hearing for September 11, 2017 pm to consider the request of John H Carpenter, Ramona M Carpenter, and Barbara C Nelson, to close and vacate Lakeside Drive NW between Sixth Street NW and to the west to the extent that it is platted up to PID # 16.460.0100.

Public Works Director Ron Greenwald reported that Maguire Iron, Inc. will be cleaning the interior and the exterior of the water tower on Tuesday, August 15, 2017. There should not be an interruption in water service.

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

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 578/17**

**RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN AMERICAN LEGION POST #311**

WHEREAS, the City of Elysian has received a donation in the amount of \$280.20 from the Elysian American Legion Post #311, for tax relief for the purpose of replacing flag poles caps on the poles located along State Highway 60.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts the donation from the Elysian American Legion Post #311 in the amount of \$280.20 for the purpose of replacing flag pole caps on the poles located along State Highway 60.

Upon vote being taken:

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

Council Members voting in the negative: None.

Adopted by the City Council of the City of Elysian this 14th day of August, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

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

**CITY OF ELYSIAN
ELYSIAN, MINNESOTA
RESOLUTION 579/17**

**RESOLUTION ACKNOWLEDGING A DONATION FROM
ELYSIAN AMERICAN LEGION POST #311**

WHEREAS, the City of Elysian has received a donation in the amount of \$2,664.00 from the Elysian American Legion Post #311, for tax relief for the purpose of replacing flag poles located along State Highway 60.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELYSIAN, MINNESOTA THAT: the City Council of the City of Elysian acknowledges and accepts the donation from the Elysian American Legion Post #311 in the amount of \$2,664.00 for the purpose of replacing flag poles located along State Highway 60.

Upon vote being taken:

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

Council Members voting in the negative: None

Adopted by the City Council of the City of Elysian this 14th day of August, 2017.

Approved:

Clinton Stoen, Mayor

Attested:

Lorri Kopischke, City Administrator

Kopischke presented a quote for a new desktop computer including installation from Pantheon Computers in the amount of \$1,448.00. This item is included in the budget for this year.

On motion by McBroom, seconded by Houlihan, all voting in favor, to approve the purchase and installation of a new desktop computer from Pantheon Computers in the amount of \$1,448.00.

On motion by Houlihan, seconded by Schnoor, all voting in favor, to advertise for a permanent part-time public works employee at the rate of \$13.50 per hour for 25 hours per week.

On motion by Houlihan, seconded by McBroom, all voting in favor, to schedule a budget workshop meeting for Tuesday, August 29, 2017 at 6:00 pm.

Le Sueur County Board of Commissioners will hold a Public Hearing for the purpose of taking public comment on the proposed County of Le Sueur ATV, Golf Cart, Mini Truck Ordinance on Tuesday, August 22, 2017 at 10:00 am at the Le Sueur County Courthouse.

The Council expressed appreciation to the Chamber of Commerce, City Employees, and all the volunteers for a successful National Night Out Event.

Reminder of the Second Annual Lake Francis Bash to be held on Saturday, September 2, 2017 at Lake Francis Park starting at 9:00 am. Events will include a bean bag tournament, volleyball tournament, free kid's activities, vendor show, concessions and beer garden, and Gold Star Band will play in the evening.

Park Board member Nicole Lamont presented a picture of striping on the Lake Francis Park parking lot. The Park Board would like to see the parking lot striped again. Lamont asked the Council to approve the design of the striping and also the expenditure.

On motion by McBroom, seconded by Houlihan, all voting in favor, to approve striping of the Lake Francis Park parking lot with the same design as previously done and in an amount up to \$600.

Lamont reported that three or four of the companies who donated to the park are not included on the sponsor sign as there is no more room available. The Park Board has suggested purchasing a second sign to mount next to the current sign to include the remaining contributors and any who donate in the future. The cost would be approximately \$372 plus the post and concrete.

On motion by McBroom, seconded by Houlihan, all voting in favor, to approve the purchase of a sponsor sign for the park similar to the current sign at an approximate cost of \$372.

On motion by Schnoor, seconded by McBroom, all voting in favor, bills, payroll, and transfers were approved in the amount of \$147,588.15.

Public Comment: None.

On motion by Houlihan, seconded by McBroom, all voting in favor, meeting adjourned to closed session to discuss possible land purchase at 7:08 pm.

On motion by Opsahl, seconded by McBroom, all voting in favor, to reopen the meeting at 7:19 pm.

On motion by Schnoor, seconded by Opsahl, all voting in favor, to contact the owner of property PID # 16.450.0170 to discuss hiring an appraiser to have the property appraised for consideration of purchase for installation of a storm water basin in conjunction with the proposed 2018 Street and Utility Project.

On motion by McBroom, seconded by Houlihan, all voting in favor, to adjourn the meeting at 7:20 pm.

Approved:

Mary Opsahl, Mayor Pro Tem

Attested:

Lorri Kopischke, City Administrator