

**CITY OF EYOTA  
CITY COUNCIL MINUTES  
MARCH 28, 2013**

Members Present: Mayor Tyrel Clark, Tony Nelson, Ray Schuchard, Bryan Cornell and Kurt Holst

Members Absent: none

Staff Present: Marlis Knowlton, Clerk/Treasurer; Jeff Peck, Fire Department Training Officer and Deputy Tracey Pagel, Community Officer

**Call to Order:** Mayor Clark called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**Approve Agenda:** Motion was made by Nelson and seconded by Holst to approve the agenda with addition of: reports 5.D.3 MCFOA conference report, reports 5.E Community Officer, other business 7.A Rochester Sales Tax; and move the regular agenda items prior to the reports. Ayes (5), Nays (0). Motion carried.

**Approve Consent Agenda:**

Motion was made by Schuchard and seconded by Cornell to approve consent agenda items 4.A through 4.F as presented. Ayes (5), Nays (0). Motion carried. See "Exhibit 4.C"

4.A. Approve the minutes of the March 14, 2013 regular Council meeting

4.B. Approve Fire Department member, Bob Littlefield, resignation

4.C. Move Resolution #2013-11 RESOLUTION EXPRESSING ACCEPTANCE OF,  
APPRECIATION FOR AND DESIGNATION OF DONATIONS RECEIVED accepting  
donations of \$125.00 to the Fire Department

4.D. Authorize entering into Street Sweeping Agreement with Wigham Services

4.E. Authorize training request, sending Marlis Knowlton to a Fred Pryor Seminar

4.F. Authorize curb stop replacement (15 4 ST SE) to be completed by Pearson Backhoe Service

**Community Officer Report:** Deputy Pagel reported to the Council recent activities, including vehicle damage involving BB guns in Eyota and in Dover.

**REGULAR AGENDA ITEMS:**

**Hiawatha Broadband Communications Lease Amendment:** HBC requested to add a small (25") dish on the water tower and add an additional 3.65 GHZ frequency. Motion was made by Nelson and seconded by Holst to approve amending Exhibit A, Description of Equipment in the Tower Lease Agreement with HBC to include a Backhaul Dish and a 3.65 GHZ frequency. Ayes (5), Nays (0). Motion carried.

Note: HBC will furnish an amended agreement for signatures.

**Water/Sewer Billing Adjustment Request:** Resident (30 Park DR NW) had a frozen and broken water line to an outside water faucet creating a large water usage and bill. Resident is requesting the sewer portion of the bill be waived because the water did not enter the sanitary sewer. Motion was made by Nelson and seconded by Cornell to approve the sewer portion of the bill be reduced by \$88 (16,000 gallons), the water portion be billed 100%, waive the late penalty fee of \$18.73, and reduce the amount reported and paid to the Sewer District by the 16,000 gallons. Ayes (5), Nays (0). Motion carried.

**Urban Chicken Presentation:** Resident, Steve Juenemann, presented pros and cons of urban chickens; and encouraged the City to establish a reasonable pro-chicken policy. The Council, by consensus, authorized the Planning Commission to consider this request.

**Generator Ready Project:** Bids were received for electrical improvements to make the following buildings wired for portable generator use and add a soft start on to the city well.

Motion was made by Nelson and seconded by Cornell to award a contract to Winkels Electric, Inc.; Base Bid B (generator ready improvements for the well house and the fire hall) and Alternate No. 1 (generator ready improvement for city hall). Total cost \$43,793: the soft start cost will come out of the water fund, use the \$35,000 budgeted for the project, and the excess will be paid from reserves set aside for city hall improvements. Ayes (5), Nays (0). Motion carried.

**Local Government Aid Support:** Motion was made by Nelson and seconded by Holst to send the recommended letter of support and move Resolution #2013-12 A JOINT RESOLUTION IN SUPPORT OF AN ADDITIONAL APPROPRIATION OF \$80 MILLION FOR LOCAL GOVERNMENT AID AND HF 1608, WHICH PROVIDES FOR A CHANGE IN THE LOCAL GOVERNMENT AID FORMULA CALCULATION. Ayes (5), Nays (0). Motion carried. See "Exhibit 6.E"

**Accounts Payable:** Motion was made by Nelson and seconded by Holst to approve the accounts payable in the amount of \$70,293.61. Ayes (5), Nays (0). Motion carried. See "Exhibit 6.F"

## **REPORTS**

**DESCASD Sewer Board:** Schuchard reported: plant assets of \$1,073,877.00, draft audit looks good, new job descriptions have been completed, new computer equipment is being purchased and March 9 excessive thawing created high inflow and infiltration levels.

**Planning Commission:** Schuchard reported the public hearing was held for the wind generation systems ordinance and the ordinance will be sent to the Council for adoption. The Planning Commission requested more information on the proposed Arbor Gardens expansion in order to review potential land use issues. Motion was made by Nelson and seconded by Schuchard to accept the Planning Commission's recommendation and appoint Chad Ohl as a member; term will expire December 31, 2014. Ayes (5), Nays (0). Motion carried.

**Economic Development Authority (EDA):** Cornell reported Arbor Gardens': financials, it is full with twelve on the waiting list, the stone façade project will start April 1, and the EDA recommends refinancing the bond in February if the interest rates are acceptable. Other EDA activities: city welcome sign project is progressing, resolution passed to support Mayo Clinic's Destination Medical Center concept, and the financial status was reported.

### **Clerk's Report:**

**Bridge Inspection:** Olmsted County's annual bridge inspection resulted in no major repairs needed for the bridge on North Madison Avenue near the intersection of Carolann Street NW.

**Local Trail Connections Grant Application Resolution:** Motion was made by Nelson and seconded by Holst to move RESOLUTION #2013-13 RESOLUTION SUPPORTING GRANT APPLICATION TO MINNESOTA DEPARTMENT OF NATURAL RESOURCES, supporting the grant application made to the Minnesota DNR for the Local Trail Connections Program, to construct a short connecting section of paved trail to complete Eyota's West Side Connection Trail located along Highway 42, between Carolann Street NW and Second Street SW. Ayes (5), Nays (0). Motion carried. See "Exhibit 5.D"

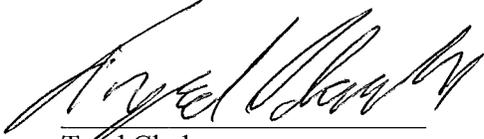
**MCFOA Report:** Knowlton reported on the Municipal Clerks and Finance Officers Association annual conference she attended.

**Other Business:**

**Rochester Sales Tax Distribution:** Another city has requested Eyota support their effort to fight a legislative bill submitted to change the original agreement how the half percent Rochester sales tax revenues will be distributed to local municipalities. The Council agreed, by consensus, that no action will be taken, let the legislative process proceed as it will.

**Fire Department:** Fire Department Training Officer Jeff Peck reported there will be a local house burn on Saturday, March 30. The house will be used as a required certified burn training session.

**Adjourn:** Motion was made by Nelson and seconded by Cornell to adjourn. Ayes (5), Nays (0). Motion carried. The meeting was declared adjourned at 8:15 p.m.

  
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Tyrel Clark  
Mayor

  
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Marlis Knowlton  
Clerk/Treasurer