

**CITY OF EYOTA  
CITY COUNCIL MINUTES  
AUGUST 22, 2013**

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

Members Absent: Kurt Holst

Staff Present: Marlis Knowlton, Clerk/Treasurer

**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 Cornell and seconded by Schuchard to approve the agenda with the following additions: 5.G. Emergency Management Report, 7.A Johnson utility billing, 7.B Generator Ready pay request #2 and 7.C. Brubaker driveway request. Ayes (4), Nays (0). Motion carried.

**Minute Approval:** Motion was made by Nelson and seconded by Schuchard to approve the regular Council meeting minutes of August 8, 2013 as presented. Nelson, Schuchard and Clark voted in favor. Cornell abstained, he was absent August 8. Ayes (3), Nays (0), Abstained (1). Motion carried.

**REPORTS:**

**Eyota Volunteer Ambulance Service:** Information reported at the Eyota Township Board meeting, attended by Knowlton: now that the City has offered to make a lump sum payment of the city's share of the building, the Ambulance Service has obtained a preliminary agreement with a bank for the balance needed; a six year note at 4.7% interest, as long as all the city and township entities pledge to make the required supporting payments. The Eyota Township Board agreed to pay their portion: almost \$73,000 plus interest.

**Park Board:** The Board discussed the 2014 budget. Nelson mentioned the West Side Park pavilion outside ceiling and soffits. Motion was made by Nelson and seconded by Cornell, the paint should be purchased and schedule the Sentence-to-Serve crew to paint the pavilion's picnic area ceilings. Ayes (4), Nays (0). Motion carried.

**DESCASD Sewer Board:** Schuchard reported assets are at \$1,129,396.85, and a resolution was passed to approve an easement around the perimeter of the plant for a bike trail. Both sides of the plant are still operating, sewer flows are subsiding and one side is expected to be shut down soon, and for the winter.

**Economic Development Authority (EDA):**

**Welcome/Entrance Sign:** The final easement agreement and sign design contract was submitted for the proposed city entrance sign on Highway 14. Motion was made by Nelson and seconded by Schuchard to accept the EDA's recommendation to approve the sign easement and the sign purchase agreement for the Eyota welcome/entrance sign. Ayes (4), Nays (0). Motion carried. The solar lighting proposal for the sign was reviewed and more bids were requested: both solar and electric. The base for the sign was suggested to be large limestone rock, that will be finalized at a later date.

Financial reports were discussed for both Arbor Gardens and the EDA. The EDA recommended the special assessments on the tax forfeiture townhome lots in the Stone Ridge subdivision should be reduced to \$14,500, currently \$18,077. Council requested more information and to discuss this at the upcoming special council meeting.

Motion was made by Nelson and seconded by Cornell to approve paying up to \$100 in labor cost for data entry of the health surveys being submitted. Ayes (4), Nays (0). Motion carried.

Council considered the request to authorize accepting debit and credit cards at the Farmers Market. This will be reevaluated in 2014. No action was taken.

Project ideas have been compiled for possible use of the revenues to be received from the Rochester sales tax agreement. All ideas may not meet the agreement requirements; a bond attorney will need to review them. Motion was made by Cornell to send the project list to the bond attorney for review. Motion died for lack of a second. Council requested the bond attorney cost be determined first. No other action taken.

**Planning Commission:** Cornell reported the Commission approved an updated new commercial construction zoning requirement summary sheet. The possible purchase of land for a new ambulance facility was determined to be consistent with the city's Comprehensive Plan. There is a land use workshop in Rochester coming up in September. Motion was made by Clark and seconded by Schuchard to approve any of the Commission members to go, city will pay the registration fee and travel expenses will be reimbursed. Ayes (4), Nays (0). Motion carried.

**Clerk's Report:**

**Board of Appeal and Equalization Training:** Motion was made by Nelson and seconded by Cornell to approve reimbursing any Councilmember for travel expenses to attend upcoming Board of Appeal and Equalization Training. Ayes (4), Nays (0). Motion carried.

**Connection Trail Grant:** Minnesota Department of Natural Resources will now provide \$76,500 grant dollars of the previously denied application for \$89,842, for the C014-13-3C Eyota's West Side Connection Trail (adjacent to Highway 42, from Carolann Street NW to Second Street SW). The required original twenty five percent city matching funds will now increase from \$29,948 to \$43,290. Motion was made by Nelson and seconded by Cornell to approve moving forward with the project and the added expense. Ayes (4), Nays (0). Motion carried.

**Schedule Special Meeting:** Motion was made by Nelson and seconded by Schuchard to schedule a special Council meeting on Tuesday, September 3, 7:00 p.m. to discuss: 2014 budget preparation, consider reducing the special assessment amounts on the Stone Ridge townhome parcels and consider authorizing the bond attorney to review the proposed Rochester sales tax revenue projects. Ayes (4), Nays (0). Motion carried.

**Emergency Management:** Emergency Management Director Tony Nelson explained Olmsted County controls the timing and volume of the weekly warning siren testing. Sirens are blown a longer period of time during the summer months to exercise the motors to ensure they continue to be in proper working condition.

The recent damage in northwest Eyota caused by winds, possibly a micro burst, was contained to approximately fifteen homes. City staff cleaned up trees out of the street and off the boulevards. The amount of tree debris would be overwhelming for the Dover Compost Site, so it was taken to the Eyota brush site to be chipped later. Motion was made by Schuchard and seconded by Cornell to approve renting a chipper out of the street budget for storm damage expenses. Ayes (4), Nays (0). Motion carried.

**REGULAR AGENDA ITEMS:**

**Recreational Vehicles Allowed on City Streets - Proposed Ordinance:** The proposed ordinances were reviewed: golf carts, all-terrain vehicles and utility vehicles within the City.

Nelson requested the ATV ordinance be revised to add to Section 3. General Permit Requirements, F. add: and a current Department of Natural Resources registration. Final ordinances will be reviewed at the next Council meeting. No other action taken.

**430 Third Street SW:** Rick Boynton, 430 Third Street SW has requested to be able to discharge his sump pump into a tile that will extend to the culverts under Second Street SW; either through his neighbors private yards or on city land, through West Side Park. Tom Connaughty, Boynton's excavating contractor, reported it is planned to be a solid corrugated field tile. The Council concurred it would not be acceptable to install a private drain tile on park land. The Council also recommended all the property owners must agree, create a proper drainage easement, recorded at the courthouse and a copy be provided to the City for reference.

**LMCIT Liability Coverage Waiver:** Motion was made by Nelson and seconded by Schuchard to approve a \$500,000 liability coverage limit from the League of Minnesota Cities Insurance Trust and the City does not waive the monetary limits on municipal tort liability. Ayes (4), Nays (0). Motion carried.

**Animal Boarding:** The Eyota Vet Clinic will no longer board dogs or cats for the City of Eyota, a new facility must be found. Nelson will talk to Public Works about keeping a boarding facility in house and possibly converting the second (un-used) bathroom on the north side of the public works shop into a kennel.

**Accounts Payable:** Motion was made by Nelson and seconded by Cornell to approve the accounts payable as presented in the amount of \$36,776.95. Ayes (4), Nays (0). Motion carried. See "Exhibit 6.E"

**Other Business:**

**Darrell Johnson Requests Sewer Charge be Reduced:** Mr. Johnson requested the sewer portion of his water bill be credited for the amount of water that was used to water sod. Standard procedure is for home owners to purchase a second meter for outdoor water use, to avoid the sanitary sewer volume charges. Motion was made by Cornell and seconded by Schuchard to waive the penalty fee on the water bill because the due date of the water bill was just prior to this council meeting and decision. Ayes (4), Nays (0). Motion carried. No other action was taken.

**Generator Ready Project – Pay Request #2:** Motion was made by Nelson and seconded by Schuchard to approve the Generator Ready Improvement Project pay Request #2, payable to Winkels Electric in the amount of \$24,700. Discussion: regarding approved accounts payable. Motion to amend the original accounts payable approval to add this \$24,700 (total payable will be \$61,546.95). Ayes (4), Nays (0). Motion carried. See "Exhibit 7.B"

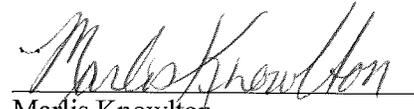
**Driveway Installation Request – Larry Brubaker – Fifth Street NE:** Mr. Brubaker requested authorization to install a field driveway in to his agricultural property, north off of Fifth Street NE, just east of County Road 7. Motion was made by Nelson and seconded by Cornell to approve the driveway installation request with the recommendation that it be installed at least one hundred feet (100') east of the County Road 7 and Fifth Street NE intersection and the culvert to be installed is a minimum of eighteen inches (18"). Ayes (4), Nays (0). Motion carried.

**City Brush/Storage Area Complaint:** Jeff Holbein, 316 Second Street SE submitted a complaint, comment and suggestion letter regarding the current and future activities and use of the city brush/public works storage site that is located at the far end of Second Street SE. The recent storm damage was previously discussed this evening. The idea of establishing a brush/compost site out of town should be discussed at a later date.

Railroad Crossing Removal – Highway 14 west of Highway 42: The railroad tracks that crossed Highway 14 have been removed. This abandons the north/south line between Highway 14 and County Road 9. This may be good news for extending the regional trail from Viola/Elgin/Plainview.

Adjourn: Motion was made by Nelson and seconded by Cornell to adjourn. Ayes (4), Nays (0). Motion carried. The meeting was declared adjourned at 8:37 p.m.

  
Tyrel Clark  
Mayor

  
Marlis Knowlton  
Clerk/Treasurer