

**CITY OF EYOTA
CITY COUNCIL MINUTES
SEPTEMBER 12, 2013**

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

Members Absent: none

Staff Present: Brad Boice, Public Works Supervisor and 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 Holst to approve the agenda with the following addition to 7.C. Brad Boice, South Avenue project issues. Ayes (5), Nays (0). Motion carried.

Minute Approval: Motion was made by Schuchard and seconded by Nelson to approve the Council meeting minutes of both the August 22, 2013 regular meeting and the September 3, 2013 special meeting as presented. Ayes (5), Nays (0). Motion carried.

Consent Agenda: Motion was made by Nelson and seconded by Cornel to approve the consent agenda items 5.A through 5.C as presented. Ayes (5), Nays (0). Motion carried. See "Exhibit 5.B and 5.C"

- 5.A. Approve entering into the Minnesota Municipal Utilities Association 2013-14 Safety Management Program Contract Renewal, in the amount of \$6,640.17.
- 5. B. Approve paying South Avenue Street and Drainage Improvements Project Pay Request #1 to Pember Companies, Inc. in the amount of \$50,223.89.
- 5.C. Move Resolution #2013-20, RESOLUTION REDUCING ASSESSMENTS ON TAX FOREFEITED LAND IN STONE RIDGE CIC #174, to \$14,000 per parcel.

REPORTS:

Fire Department: Nelson reported the Department planned upcoming training burns, including one with an ethanol burn trailer; and discussed procedures for fire call reporting to city staff.

Motion was made by Schuchard and seconded by Holst to approve Jeremy Newton and Jerry Pike to attend the Minnesota State Fire Chiefs Association 2013 Annual Conference, October 17-19, in Rochester, \$440 plus travel expenses. Ayes (5), Nays (0). Motion carried.

Eyota Volunteer Ambulance Service: Nelson reported the Service is still waiting for financial commitments from Dover (city and township) to obtain financing for the construction of the proposed new building. Soil borings have been completed for construction preparation. Council requested Charter and Hiawatha Broadband be contacted and have their services moved to the new building if/when appropriate.

Park Board: Knowlton relayed information. The Board approved Iris Neumann's fall tree planting plans for West Side Park; their only concern were the trees planned adjacent to the Safe Routes to School project path extension, which is in limbo at this time. The Board also approved the revised Parks Plan (master) and noted the Council can make additional updates as they see fit.

The Board also approved a proposal to install a permanent sign advertising the Farmers Market in West Side Park; preferably installed as a freestanding sign, not on the building, and to be removed during the winter months. The Council discussed the sign and will reserve a final decision until approval is received if the grant will pay for the sign and an exact sign installation location is investigated. No other action was taken.

Clerk's Report:

Training: Motion was made by Nelson and seconded by Cornell to approve Ben Trogstad to attend the Minnesota Rural Water Association Class C & D Water and Wastewater Operation Refresher Courses, October 15-16, St. Cloud, \$225 plus lodging and travel expenses. Ayes (5), Nays (0). Motion carried.

REGULAR AGENDA ITEMS:

Ordinance #134 Regulating Golf Carts: Council reviewed details of the ordinance; and stated permits will be issued for a calendar year (January – December). There will not be any late fee for purchasing the permit anytime during the year. If a driver is stopped and does not have a current permit, they will be issued a citation for no permit. Motion was made by Nelson and seconded by Cornell to approve ORDINANCE #134, USE OF GOLF CARTS ORDINANCE, AN ORDINANCE REGULATING THE PERMITTING OF GOLF CARTS WITHIN THE CITY OF EYOTA, INCLUDING ADMINISTRATIVE PROCEDURES AND PROVIDING PENALTY FOR VIOLATION; including publication in summary form as presented. Ayes (5), Nays (0). Motion carried. See "Exhibit 7.A"

Ordinance #135 Regulating All-terrain Vehicles and Utility Task Vehicles: The Council discussed in length the points of the proposed ordinance, along with pros and cons to allowing such vehicles on city streets. By passing this ordinance the city will have the means to regulate these type of vehicles even more so than current state wide regulations; which will hopefully improve safety. All-terrain vehicles must be registered with the Minnesota Department of Natural Resources to be legally used on city streets now and after an ordinance is passed. Motion was made by Nelson and seconded by Schuchard to approve ORDINANCE #135, USE OF ALL-TERRAIN VEHICLES AND UTILITY TASK VEHICLES ORDINANCE, AN ORDINANCE REGULATING THE PERMITTING OF ALL-TERRAIN AND UTILITY TASK VEHICLES WITHIN THE CITY OF EYOTA, INCLUDING ADMINISTRATIVE PROCEDURES AND PROVIDING PENALTY FOR VIOLATION, including publication in summary form as presented. Discussion: Clark stated he will vote in favor of this because it will increase regulations, Schuchard stated persons driving these vehicles from outside the city limits, into the city, will need to obtain a permit first. Clark, Nelson, Schuchard and Holst voted in favor. Cornell voted opposed. Ayes (4), Nays (1). Motion carried. See "Exhibit 7.B"

Ordinance #134 and #135: Motion was made by Holst and seconded by Nelson to set the permit registration fee at \$25, and to be annually, January 1 through December 31. Ayes (5), Nays (0). Motion carried.

Motion was made by Holst and seconded by Schuchard for both ordinances (#134 and #135) to be effective January 1, 2014. Ayes (5), Nays (0). Motion carried.

Chipper: A quote was received from St. Joseph Equipment for \$4,114.69 for a wood chipper; a comparable bid was requested from Beck Implement but has not been received. Motion was made by Nelson and seconded by Holst to approve purchasing a Wallenstein BX 623 Chipper from which ever company (St. Joseph Equipment or Beck Implement) is less expensive. Discussion: use budgeted funds in the General Fund, Tree Maintenance; price has just been stated on camera. Amend motion to purchase the chipper from St. Joseph Equipment. Ayes (5), Nays (0). Motion carried.

South Avenue Project: The Safe Routes to School (SRTS) project includes three pedestrian ramps on Fifth and Sixth Street that are also affected by the South Avenue improvement project. The SRTS project is on hold at this point. Brad Boice, Public Works Supervisor questioned if the ramps should be installed during the South Avenue project, built to SRTS specifications and paid for by the City, knowing that the SRTS grant will not reimburse for the cost after the fact.

Motion was made by Cornell and seconded by Schuchard to approve three pedestrian ramps be constructed during the South Avenue project, estimated cost \$5,300; funds to come from the General Fund, Streets account, with other South Avenue construction costs. Ayes (5), Nays (0). Motion carried.

The original plans for the South Avenue project called for blacktop along the entire west property line adjacent to South Avenue in front of the ambulance building. After reviewing the details and needs, it was proposed to eliminate the blacktop and install concrete from the street to the ambulance building, only the width of the building. Motion was made by Cornell and seconded by Nelson to request a change order to remove the blacktop on the ambulance parcel and install a concrete approach to the building; for a cost reduction of approximately \$2,000. Ayes (5), Nays (0). Motion carried.

Generator Ready Project: Boice reported the correct sizes for the generators have been obtained and units will be found and tested. The soft start on the well is being confirmed by the contractor (Winkels) and the manufacturer (Allen-Bradley) that it is appropriately sized and will work. Boice requested confirmation in writing from both the contractor and manufacturer that it will work and will be warrantied.

2014 Preliminary Budget: The Council reviewed the preliminary 2014 budget and 2013 levy collectible in 2014.

Motion was made by Nelson and seconded by Holst to reschedule the second November council meeting from November 28 to Tuesday, November 26, 7:00 p.m. Ayes (5), Nays (0). Motion carried.

Motion was made by Nelson and seconded by Cornell to schedule the Truth-in-Taxation meeting on Thursday, December 12, 7:15 p.m. Ayes (5), Nays (0). Motion carried.

Motion was made by Nelson and seconded by Holst to approve the 2014 preliminary budget and levy, via RESOLUTION #2013-21, RESOLUTION ADOPTING PROPOSED TAX LEVY RESOLUTION APPROVING 2013 TAX LEVY, COLLECTIBLE IN 2014, \$549,759. Ayes (5), Nays (0). Motion carried. See "Exhibit 7.D"

Accounts Payable: Motion was made by Nelson and seconded by Schuchard to approve the accounts payable with the addition of the \$50,223.89 to Pember Companies, total payables of \$94,173.47. Ayes (5), Nays (0). Motion carried. See "Exhibit 7.E"

Other Business:

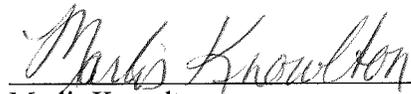
Peoples Energy Cooperative: Alliant Energy will be selling their electric assets to Peoples Energy Cooperative in the Eyota area. The Council has numerous questions and concerns. It would be nice to have a municipal representative on the Peoples board of directors; versus all rural members.

Ducks: Schuchard questioned the status of known ducks residing in town. Council agreed duck owners should be followed up with; ducks are not allowed in city limits and need to be removed.

Adjourn: Motion was made by Nelson and seconded by Cornell to adjourn. Ayes (5), Nays (0). Motion carried. The meeting was declared adjourned at 9:03 p.m.



Tyrel Clark
Mayor



Marlis Knowlton
Clerk/Treasurer