

**CITY OF EYOTA
PLANNING COMMISSION MINUTES
AUGUST 17, 2016**

Present: Members: Lief Hughes, Janet Hughes, Casey Johnson and Chad Ohl
Secretary: Marlis Knowlton

Absent: Member: John Chesney Council Reps: Bryan Cornell and Ray Schuchard

Call to Order: Chair Lief Hughes called the meeting to order at 7:00 p.m.

Approve Agenda: Motion was made by Ohl and seconded by Janet Hughes to approve the agenda with the addition of Ohl's resignation. Ayes 4, Nays 0. Motion carried.

Minutes: Motion was made by Johnson and seconded by Janet Hughes to approve the July 17, 2016 regular meeting minutes. Ayes 4, Nays 0. Motion carried.

Animal Ordinance: The current Animal Ordinance #133 was reviewed again for additional changes. The Commission discussed specific references and some of the decisions made were:

- Article II, Section 2, Tags – request to at least require the rabies vaccination tag be on the animal at all times.
- Article II, Section 11, Subdivision 6 – remove “in addition to any regular dog licensing fees”.
- Article II, Section 11, Subdivision 12 – discussed “good reason to believe”, but no changes were suggested.
- Dogs and cats in general – Commission still does not recommend any type of a onetime registration because that would take staff time and the information would be out of date in such a short time it does not make sense to bother with the process.
- Article III, Chickens – The Commission discussed, at length, the need to permit, the permit fee and banding chickens. Should permitting, or maybe just the fee, be eliminated like the dogs and cats. Enforcing chicken coops and runs, was agreed, is still important to regulate. The Commission agreed to leave the chicken regulations as is, except for increasing the permit fee from \$25 to \$30. But each member was encouraged to think about it and it will be discussed again at the next meeting.

It was suggested all the fees be removed from the ordinance so that changes could be easily made annually on the City's fee schedule. Knowlton will research the legality of that suggestion.

Motion was made by Ohl and seconded by Janet Hughes to review the ordinance one more time at the next meeting, after the fee structure suggestion is researched; and to give time to think about the chicken regulations. Ayes 4, Nays 0. Motion carried.

Parking Ordinances: The Commission reviewed the previous suggested changes to Ordinance #142 Regulating Parking and made a few minor edits. The Commission was satisfied with the changes.

Motion was made by Ohl and seconded by Janet Hughes to move the new Ordinance #145 Regulating Parking to the Council and recommended adoption. Ayes 4, Nays 0. Motion carried. See "Exhibit A"

It was again noted that long term and/or regular parking along the north side of Second Street SW (west of 411 Second Street SW to Jefferson Avenue SW), in the ditch or in the Second Street Wetlands parcel should not be allowed. Area residents should be notified.

Kwik Trip Expansion: Kwik Trip has submitted a partial plan to build a blending station on the parcel north of the existing operations. Kwik Trip suggested a conditional use permit would be sufficient as this is an extension of their current business. Referring to the zoning ordinance, this new operation sounds like it belongs in a manufacturing zoning district. The Commission debated and recommended the City Attorney be contacted for clarification.

Temporary Home Health Care Dwellings: The Commission discussed the new Minnesota law allowing temporary mobile residential dwellings to provide transitional housing for caregivers in specific defined situations. The City would be required to allow such dwellings unless an ordinance is passed to opt-out. The Commission agreed it made sense to opt-out now and research local regulations for such dwellings at a later date.

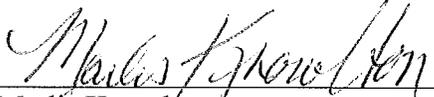
Motion was made by Ohl and seconded by Johnson to recommend to the Council to hold the required public hearing, at the September Planning Commission meeting, to create an ordinance to opt-out of this new regulation. Ohl, Johnson and Lief Hughes voted in favor. Janet Hughes voted opposed. Ayes 3, Nays 1. Motion carried.

Ordinance Codification: A preliminary draft manuscript of the Code of Ordinances has been received for review purposes. The Commission requested paper copies be made and distributed for their review.

Other Business: Chad Ohl is in the process of selling his house and will be moving out of town. Subsequently Ohl will need to resign from the Commission once he is no longer an Eyota citizen; this may not be until very late September or early October. Ohl will wait to submit a formal resignation and is hopeful to attend the September Commission meeting.

NOTE: John Chesney did arrive at the meeting at 8:30 p.m., but was not involved in any decisions or motions.

Adjourn: Motion was made by Ohl and seconded by Janet Hughes to adjourn. Ayes 4, Nays 0. Motion carried. Meeting was declared adjourned at 8:35 p.m.



Marlis Knowlton
Clerk/Treasurer

Ordinance #145

AN ORDINANCE TO REGULATE PARKING IN THE CITY OF EYOTA

Eyota City Ordinance #142 is hereby repealed.

The City Council of Eyota, Minnesota ordains:

Section 1. Definitions.

Street or highway. The entire width between boundary lines of any way of place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

Motor vehicle. Every vehicle which is self-propelled. Motor vehicle does not include a vehicle moved solely by human power.

Right of Way. A corridor of land, in which the city has an interest, that is occupied or intended to be occupied by a street, highway, railroad, alley, including other purposes dedicated for travel purposes, utilities, or other special use.

Section 2. Parking Regulations.

Subdivision 1. Duty to Post Signs Restricting, Prohibiting Parking. The chief of the city's designated law enforcement provider or any other person authorized by the Council shall cause signs to be posted in all areas where parking shall be limited or prohibited, indicating the limitations or prohibitions.

Subdivision 2. Angle and Parallel Parking. Angle parking shall be required on streets, where indicated by painted lines and/or signs. Parallel parking shall be required on all other streets.

Subdivision 3. Campers, Travel Trailers or Motorcoach. No person shall, for camping purposes, leave or park a camper, travel trailer or motorcoach on any street or municipal parking lot.

Subdivision 4. Permit Parking. No person shall leave or park a motor vehicle in an area designated as "Permit Parking Only", without obtaining a permit from City Hall.

Subdivision 5. Setbacks. It shall be unlawful to park any motor vehicle or motor vehicle and trailer combination in such a manner so that any part of the vehicle or trailer totally or partially blocks any public or private driveway or alley. It shall also be unlawful to park any vehicle or vehicle and trailer combination in such a manner so that any part of the vehicle or trailer is located within five (5) feet of the intersection of any street or alley and a public or private driveway.

Subdivision 6. Properly licensed. Any motor vehicle that is parked in the street or street right-of-way must be properly licensed.

Section 3. Unlawful Overtime Parking. It shall be unlawful to park any motor vehicle for a longer consecutive period of time than that designated.

Subdivision 1. No motor vehicle shall be parked on a public street, alley, right of way or public parking lot for longer than 48 consecutive hours, except where indicated by a sign.

Subdivision 2. The following described motor vehicles shall not be parked on any street or right of way for more than one (1) hour.

1. Trucks of a capacity of more than one (1) ton, according to manufacturer's rating.
2. Trucks having an overall length of more than twenty (20) feet, or width at any point of more than 102 inches.
3. Dump trucks, tractors, truck-tractors, trailers, semi-trailers, house trailers or any heavy machinery.

The following described motor vehicles shall not be parked on any street or right of way from more than twenty-four (24) hours: campers, travel trailers or motorcoaches.

Subdivision 3. During or following any snow fall or significant ice accumulation, it shall be unlawful to park, or permit any vehicle or trailer to remain parked, upon any alley or street from November 1st to April 1st between the hours of 2:00 a.m. and 6:00 a.m. or until streets are plowed from curb to curb.

In the event of a continuous and/or substantial snowfall, a citywide "snow emergency" may be declared by the Public Works Supervisor or his/her designee. It shall be unlawful to park on any city street during the time in which a snow emergency has been declared, until such time as the snow emergency is rescinded.

Section 4. Unlawful Parking in Municipal Parking Lots.

Subdivision 1. Parking Lots in City Parks. The following described motor vehicles shall not be parked in parking lots located in city parks.

1. Trucks having an overall length of more than twenty (20) feet, or width at any point of more than eight (8) feet.
2. Dump trucks, tractors, truck-tractors, trailers, semi-trailers, house trailers, or any heavy machinery.

Subdivision 2. Parking Lot located on East South Front Street, across from Fire Hall. Parking restricted to Eyota Volunteer Fire Fighters and semi tractors and trailers.

1. Permit parking only. Permits are available at City Hall.
2. No motor vehicle shall be parked more than 72 hours.
3. Fire fighters shall use the west portion of lot. Semi-truck drivers shall use the east portion of the lot. Areas for each purpose shall be designated by signs.

Section 5. Temporary “No Parking”. Temporary “No Parking” signs may be placed by the City on any street(s) of the City to permit construction, repair, snow removal, street cleaning or other temporary activities. While such signs are in place it shall be unlawful to park any motor vehicle on the street(s) so posted.

Section 6. Removal of Violating Vehicles: Authority to Provide Removal Service. Any motor vehicle parked in violation of this Chapter may be removed by the Public Works Director or other authorized City employee, including the Sheriff, and towed away and stored at the expensed of the owner. The City Council may make reasonable agreements with persons, firms or corporations who have facilities and equipment, in regard to the towing and storage of vehicles. The firms may be authorized by City representatives to tow and store vehicles located on any streets, alleys, rights of way, or parking lots.

A letter will be sent to the owner of the vehicle in violation of the parking ordinance by the City Administrator. The owner will be given 10 days to remove the vehicle. If the owner of the vehicle fails to remove the vehicle in the prescribed time, a citation shall be issued by the sheriff’s office, and the vehicle will be towed at the owner’s expense.

Subdivision 1. Impoundment – Vehicles removed and impounded by the sheriff’s office pursuant to Section 6 shall be surrendered to the duly identified owner only after the following criteria have been met:

1. The owner has shown proof of identification and ownership;
2. The owner has shown proof of insurance and current registration of the vehicle;
3. All cost of towing and storage has been paid to the tow operator.

Any damage occasioned to any such vehicles by such towing operations shall be the responsibility of the vehicle owner and no liability for damages shall be imposed against, nor shall any liability be assumed by the City of Eyota.

Section 7. Violations. Unless otherwise indicated, any person who violates any of the provisions or this ordinance shall be guilty of a petty misdemeanor.

Section 8. Issuance of Citations. The removal of a vehicle in violation of this ordinance does not preclude citation and prosecution of this ordinance.

Section 9. Effective date. This ordinance shall be effective on September 1, 2016.

PASSED AND ADOPTED BY THE EYOTA CITY COUNCIL this ___ day of August, 2016.

Marlis Knowlton
Clerk/Treasurer

Tyrel Clark
Mayor