

**CITY OF EYOTA  
CITY COUNCIL MINUTES  
APRIL 10, 2014**

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

Members Absent: none

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 Nelson and seconded by Cornell to approve the agenda with one change, move 6.A. Potentially Dangerous Dog before 5. Reports. Ayes (5), Nays (0). Motion carried.

**Consent Agenda:** Motion was made by Holst and seconded by Nelson to approve the consent agenda items 4.A through 4.F as presented. Ayes (5), Nays (0). Motion carried.  
See "Exhibit 4.B" and "Exhibit 4.F"

- 4.A. Approve the minutes of the March 27, 2014 regular Council meeting
- 4.B. Move Resolution #2014-11 RESOLUTION EXPRESSING ACCEPTANCE OF, APPRECIATION FOR AND DESIGNATION OF DONATIONS RECEIVED, \$125 to the Fire Department designated for future equipment
- 4.C. Accept the Eyota Volunteer Fire Department's recommendation and appoint Josh Presson as an EVFD member contingent on a successful physical/medical examination.
- 4.D. Approve scheduling a joint work meeting with the Economic Development Authority on Monday, April 14, 7:00 p.m. at City Hall.
- 4.E. Accept Ben Trogstad's resignation submitted April 2, 2014; and authorize advertising and accepting applications to fill the public works maintenance position.
- 4.F. Authorize South Avenue Street and Drainage Improvements Project pay request #4 to Pember Companies, Inc. in the amount of \$9,229.67.

**REGULAR AGENDA ITEM:**

**Potentially Dangerous Dog Issue 4/2/14 Summerfield Park Incident:** A dog, George, an Old English Bull dog, owned by Dianne Schmidt, 319 Summerfield Drive NE, crawled under the fence and bit a child in Summerfield Park on April 2, 2014. The Council heard Ms. Schmidt's statement and comments from witnesses and many neighbors. After a lengthy discussion and considerable thought, due to the location, the severity of the injuries and the reported continued attack the Council deemed the dog as dangerous.

Motion was made by Holst and seconded by Cornell to declare the dog (bull dog) at 319 Summerfield Drive NE, owned by Dianne Schmidt as dangerous per the Animal Ordinance #133. Discussion: the dog is to be muzzled and on a leash when it is outside until such time the dangerous dog regulations have been met. Ayes (5), Nays (0). Motion carried.

**REPORTS:**

**Fire Department:** Nelson reported the Department is gearing up for spring grass fires, both accidental and planned burns. The Department discussed possibly starting a waiting list for new member inquiries because they are currently at twenty seven members which is about maximum for equipment.

**Park Board:** Holst reported the Board received a request for park improvement ideas for a possible future donation from the family and friends of Jackie Reiland. The Board made recommendations regarding park bench locations and tree plans that will be presented on the next Council agenda. The Board recommended purchasing a cover the back side of the south scoreboard in West Side Park with "West Side Park" on it; prices and details will be presented at a later date.

Motion was made by Nelson and seconded by Cornell to accept the Board's recommendation and reduce the summer youth team's fees to \$40; adult team's will remain at \$80 per season. Ayes (5), Nays (0). Motion carried.

**Clerk's Report:** Southeastern Minnesota League of Municipalities spring meeting will be April 30, 2014 in Spring Valley.

### **REGULAR AGENDA ITEMS:**

**Community Gardens:** The Community Garden committee made recommendations for the 2014 growing season. Motion was made by Nelson and seconded by Cornell to charge \$20 dollars for plots (both regular and raised bed) and a half sized plot will be \$10 rent; and approve adding six (6) additional raised bed pots. Ayes (5), Nays (0). Motion carried.

**Liquor Ordinance #137:** The revised Liquor Ordinance #137: including on-sale brewer taproom license, off-sale brewer malt liquor license (growlers), fees for both brewer licenses, on-sale hours to match State Statute, remove on-sale Sunday sales restriction of only forty Sundays in any one year, off-sale restriction of no Sunday sales be removed to imply the ordinance is in compliance with State Statute that may be changing to allow all or some limited amount of Sunday off-sales was reviewed.

Motion was made by Nelson and seconded by Schuchard to adopt Ordinance #137 LIQUOR ORDINANCE, AN ORDINANCE RELATING TO INTOXICATING LIQUOR AND 3.2% MALT LIQUOR LICENSING as presented and revised. Ayes (5), Nays (0). Motion carried. See "Exhibit 6.C.1"

Motion was made by Nelson and seconded by Holst to approve Ordinance #137 be published in summary form; publication date April 16, ordinance to be effective April 17, 2014. Ayes (5), Nays (0). Motion carried. See "Exhibit 6.C.2"

**Farmers Market:** Motion was made by Nelson and seconded by Cornell to accept debit and credit cards for the 2014 season and to increase the annual vendor payment to \$60. Discussion: Council requested the debit and credit card use be reviewed in detail at the end of the season to evaluate the success and determine if the process will be continued in 2015. Ayes (5), Nays (0). Motion carried.

**Public Works Seasonal Maintenance Position:** Motion was made by Nelson and seconded by Cornell to approve creating a Public Works Seasonal Maintenance position, part time summer help, and to advertise the opening. Discussion: the job description is acceptable and the Council requested daily ball field dragging should remain a priority task. Ayes (5), Nays (0). Motion carried.

**Parking Lot Lease:** Motion was made by Cornell and seconded by Schuchard to authorize entering into the submitted parking lot lease with Joshua Jones, Jonesy's Tune-n-Lube. Ayes (5), Nays (0). Motion carried. See "Exhibit 6.F."

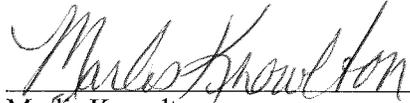
**Accounts Payable:** Motion was made by Nelson and seconded by Cornell to approve the accounts payable with additional payment of \$9,229.67 to Pember Companies for a total payment amount of \$28,918.68. Ayes (5), Nays (0). Motion carried. See "Exhibit 6.G"

**Other Business:** Jacob Hughes, citizen, requested additional law enforcement patrol in the Summerfield neighborhood regarding a few incidents that concern him.

**Adjourn:** Motion was made by Nelson and seconded by Holst to adjourn. Ayes (5), Nays (0). Motion carried. The meeting was declared adjourned at 8:38 p.m.



Tyrel Clark  
Mayor



Marlis Knowlton  
Clerk/Treasurer