

CITY OF EYOTA
CITY COUNCIL MINUTES
APRIL 14, 2016

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

Members Absent: none

Staff Present: Community Officer Deputy Johnson; Fire Department Chiefs Jeff Peck, Justin Wendt and Bill MacMonegle; and Marlis Knowlton, Clerk/Treasurer

Guests: City Engineer Daren Sikkink, WHKS & Co.

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 as presented. Ayes 5, Nays 0. Motion carried.

Consent Agenda: Motion was made by Nelson and seconded by Holst to approve the consent agenda items 4.A and 4.E as presented. Ayes 5, Nays 0. Motion carried.

- 4.A. Minutes of the March 24, 2016 regular Council meeting
- 4.B. Resolution 2016-18 RESOLUTION EXPRESSING ACCEPTANCE OF, APPRECIATION FOR AND DESIGNATION OF DONATIONS RECEIVED from Tony Schwartz, area resident, numerous items of used sporting equipment to be designated to the Park Department.
- 4.C. Training; approved Kathie Hall to attend the Minnesota Municipal Clerks Institute, May 2-6, in Plymouth, registration cost \$410, plus travel, meals and lodging.
- 4.D. Resolution 2016-19 RESOLUTION EXPRESSING ACCEPTANCE OF, APPRECIATION FOR AND DESIGNATION OF DONATIONS RECEIVED from an area resident requesting to remain anonymous, donating extrication equipment, a TeleCrib Strut Modified Engine Kit with two long struts, invoiced as \$2,025.28 to be designated to the Fire Department.
- 4.E. Fire Hydrant upgrades for a higher ISO Rating, approved to purchase ten properly configured hydrant heads with large streamer nozzles for \$2,500 from Minnesota Pipe.

REPORTS:

Fire Department: Fire Chief Jeff Peck reported on a few items as a status update for the Council. Assistant Chief Justin Wendt discussed Engine 5 is still for sale, suggested placing it with an auction site, but requested the Council to consider lowering the sale price; it is currently listed at \$33,000. The Council was in agreement to lower the price to \$29,000, but the Eyota Township Board would need to agree to that also. Wendt will address the Township on April 18.

Park Board: Holst reported the Board discussed the status of general park maintenance, park bathrooms are scheduled to be open May 1, Bush Park maintenance will be discussed with the neighbors and discussed the Summer Rec Program.

Freedom Park Score Board: The Park Board is recommending the City accept a ball field score board and installation costs from members of the Jackie Reiland Memorial. The group did request a banner be added to the sign to read: Jackie Reiland Field. Details of the score board specifications, installation, location and memorial request will be finalized before the City moves to accept the donation.

Clerks Report:

Southeastern Minnesota League of Municipalities Annual Meeting: Motion was made by Nelson and seconded by Schuchard to approve Marlis Knowlton, Tyrel Clark and tentatively Bryan Cornell to attend the Southeastern Minnesota League of Municipalities annual meeting in Elgin, April 27, registration \$30, plus mileage. Ayes 5, Nays 0. Motion carried.

Farmers Market: Knowlton updated the Council: the 2016 Market will run from May 17 through October 18 and the new EBT/credit/debit machine and processing agreement is being finalized.

People's Energy Cooperative Franchise Agreement: Knowlton has been working with People's to create an updated franchise agreement. The Council requested the draft agreement be sent to the City Attorney for review prior to coming to the Council for approval.

REGULAR AGENDA ITEMS:

2016 Street and Utility Improvement Projects: Daren Sikkink, WHKS & Co. recapped: Monday was the public hearing to hear public comments regarding the special assessments for the project. There were three (3) objections submitted. The Council is to discuss if there was sufficient evidence submitted by the property owner to warrant lowering the assessment. If the assessment is not lowered the property owner has the right to appeal to District Court.

Faith United Methodist Church – 27 Fourth Street SW parking lot – PIN 62.14.24.028289
The Church argued there is no need for a water and/or sanitary sewer service to their parking lot, and thus requested the assessment be lowered the value of the utility cost. The current assessment is \$8,645.83; the value of the water service has been calculated to be twenty five percent (25%) which is \$2,161.46. There is no sanitary sewer service lines included in the assessment. If water service is requested at a later date it would be the financial responsibility of the Church.
Motion was made by Cornell and seconded by Holst to amend the assessment for the Church parking lot, 27 Fourth Street SW, PIN 62.14.24.028289 to \$6,484.37 (\$8,645.83 minus \$2,161.46).
Ayes 5, Nays 0. Motion carried.

Ted and Cherie Perzynski – 223 Third Street SW – PIN 62.14.24.028263
Perzynski's raised numerous questions and concerns during the public hearing; and Clark commented that the points in their letter were addressed at the hearing. Perzynski's were not present at this Council meeting. Clark asked twice for a motion to amend the assessment amount, no motion was made. No action was taken.

Steven Wilkinson – 219 Lafayette Avenue SW – PIN 62.14.24.051700

Clark read Wilkinson's April 1 letter opposing the assessments and Wilkinson's letter submitted today, April 14. The April 1 points of opposition were discussed at the public hearing, including the fact that Wilkinson's property is very similar in square footage to the other parcels included in the project. Clark asked twice for a motion to amend the assessment amount, no motion was made. No action was taken. Wilkinson intends to appeal to district court.

Award the Contract: Motion was made by Cornell and seconded by Schuchard to move RESOLUTION #2016-20, RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT ON 2016 STREET & UTILITY IMPROVEMENTS, awarding the contract bid to A-1 Excavating, Inc., Bloomer, Wisconsin in the amount of \$1,020,327.25 for the construction of said improvements. Ayes 5, Nays 0. Motion carried. See "Exhibit 6.A.1"

It was noted the contractor would like to start as early as May and they will be doing their own sodding, not contracting out the work.

Final Assessments Set: The final assessment list was reviewed and noted that the Faith Church parking lot assessment will be reduced from \$8,645.83 down to \$6,484.37.

Motion was made by Holst and seconded by Cornell to move RESOLUTION #2016-21 RESOLUTION ADOPTING ASSESSMENT 2016 STREET AND UTILITY IMPROVEMENT PROJECT to accept and set the special assessments for said project with the said change. Clark, Cornell, Schuchard and Holst voted in favor. Nelson abstained as a property owner in the project area. Ayes 4, Nays 0, Abstained 1. Motion carried. See "Exhibit 6.A.2"

2015 Project Update: The second lift/layer of blacktop is scheduled in June and any landscaping and sodding work will not start until May.

Margie's Addition Stormwater Issues: Jerry Dallmann, 808 Jefferson Avenue SW addressed the Council with concerns regarding his property and neighboring properties in reference to storm water issues. Storm water in the Margie's Addition flows to the east, on to and through the School District's property. It has been a problem for years, for numerous reasons, but basically there is not enough slope for the water to run away efficiently. Engineers shot elevations today: there is just over a nine foot of drop in the 1,400 plus feet from the city storm outlets to the east, to County Road 142. This calculates out to be just over 0.6 % grade; not enough grade for water to run. Normally a minimum of 2% grade is needed for water to run through grass; and 1% grade is needed on a blacktop street and a 0.5% on cement. Numerous neighborhood property owners explained water issues and the Council acknowledged the City knows storm water is a problem in the area. Ideas were suggested, like a pond, water way ditch, tiling, storm sewer system, etc. The next step of planning is to talk to the School District and ask if they are willing to discuss improvements which would be on their property; which is private property.

Council consensus: Knowlton should contact the School and ask if the District is willing to discuss the issue.

514 South Avenue SE Driveway: The driveway apron moved long after the South Avenue project was completed years ago. The property owner has requested the City repair the driveway. The details were discussed.

It was made clear by the Council that every project and situation is different and should be looked at as unique. No precedence is being set here for future street projects by repairing this one driveway. Three concrete bids were received.

Motion was made by Nelson and seconded by Schuchard to authorize Jeff Peterson Concrete to remove and replace three driveway panels (not the apron) at a cost of \$1,248. Discussion: if it heaves or cracks it will not be the City's responsibility to correct it again. Amended motion: this is a onetime fix and any other future repairs will be the homeowner's responsibility.

Ayes 5, Nays 0. Motion carried.

Employee Life and Disability Insurance: Coverage and premium rates were submitted from seven companies to provide life, short term disability and long term disability insurance for the employees. Motion was made by Nelson and seconded by Cornell to approve purchasing life and both long and short term disability insurance coverage for the employees from Sun Life. Life insurance benefit will be increased to \$50,000 and the City will continue to pay 100% of these premiums. Ayes 5, Nays 0. Motion carried.

Verizon Water Tower Antenna Lease: The Verizon water tower lease expires in May 2017 and Verizon Wireless would like to renew the lease contract. Verizon proposed a simple amendment that would extend the contract for three additional five-year terms, commencing June 1, 2017, proposed rent would be \$962.88 monthly with 2% annual increases. Motion was made Cornell and seconded by Nelson to renew the contract with three five-year terms and a two percent annual increase; with the caveat to have the League of Minnesota Cities review the contract.

Ayes 5, Nays 0. Motion carried.

*** Councilman Cornell left the meeting at 8:40 p.m.

Advanced Disposal Contract: Advanced Disposal is proposing to renew the contract with special pricing, a five year contract, prices will be frozen the first two years, not more than a three percent annual increase and invoices with pricing will be furnished to the City regularly. The pricing is very competitive and can not be shared here if the Council plans to go out for bids.

Council Consensus: move forward to approve the contract as offered by Advanced Disposal.

Accounts Payable: Motion was made by Nelson and seconded by Holst to approve the accounts payable as presented, total payable amount of \$159,832.49. Ayes 4, Nays 0. Motion carried. See "Exhibit 6.G"

Other Business: None.

Adjourn: Motion was made by Nelson and seconded by Holst to adjourn the meeting. Ayes 4, Nays 0. Motion carried. The meeting was declared adjourned at 8:54 p.m.



Tyrel Clark
Mayor



Marlis Knowlton
Clerk/Treasurer