

CITY OF EYOTA  
CITY COUNCIL MINUTES  
APRIL 23, 2015

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

Members Absent: Tony Nelson

Staff Present: Brad Boice, Public Works Supervisor; Community Officer Deputy Pagel and Marlis Knowlton, Clerk/Treasurer

**Call to Order:** Mayor Clark called the meeting to order at 7:00 pm with the Pledge of Allegiance.

**Approve Agenda:** Motion was made by Cornell and seconded by Schuchard to approve the agenda as presented. Ayes (4), Nays (0). Motion carried.

**Consent Agenda:** Motion was made by Schuchard and seconded by Holst to approve the consent agenda item 4.A as presented. Ayes (4), Nays (0). Motion carried.

4.A Minutes of the April 9, 2015 regular Council meeting were approved.

**REPORTS:**

**Girls Scout Troop 47839:** The Scouts requested approval to install two lending libraries in both West Side Park and Sunrise Park; one for children's and one for adult books. Council requested they be placed near the playground equipment and benches; Public Works will mark locations for consideration. The City will provide the concrete and install the pole; installation is planned for June 29. The first year Troop 47839 will take care of the libraries and it was recommended for them to pass on the responsibility to the next group of girls.

These libraries will be registered online as a Free Little Library. City Hall will be a drop off location for book donations.

**Community Officer:** Deputy Pagel reported service calls were about the same this last month. Reminder: recreational fires are for recreation only, not for trash and should be only three by three feet.

Eyota Days additional law enforcement coverage for Friday and Saturday was requested, identical to last year. Motion was made by Schuchard and seconded by Holst to request an extra deputy for the Friday and Saturday of Eyota Days, eight hour shifts. Ayes (4), Nays (0). Motion carried.

**Planning Commission:** The Planning Commission reviewed the Comprehensive Plan regarding the Council's proposed purchase of land for a city brush site. The site is outside city limits, south of 19 Street SE approximately one half mile west of Highway 42; it is the railroad abandoned wye. The Commission voted to recommend to the Council a brush site is a facility within the City's services and the purchase of land for a brush site is compliant with the Comprehensive Plan.

**DESCASD Sewer District:** Schuchard reported assets are \$1,193,469.64. There were no current plant violations and the District received an award for no violations in 2014. Everyone on the rural line has now installed a water meter. Mowing bids were received. The plant may not be required to abide by new phosphorus regulations. Nitrate regulations change in 2016, it may cost \$100,000 for improvements; but it is starting to appear that a large portion of nitrates are coming from agriculture and Rochester may fight the proposed new regulations. New Board member Wes Bussell was appointed to the personnel committee.

**Economic Development Authority (EDA):** The new memory care units in Arbor Gardens are scheduled to be open on May 18; Arbor Gardens now employs thirty three employees. Arbor Gardens has a pool table and couch for sale. Financials were discussed. Gary Smith of RAEDI spoke to the EDA about Journey to Growth and how the entire region needs to bring diverse businesses to the area to compliment and balance the growing medical field in Rochester. A \$5,000 membership to RAEDI will secure a seat on their Board. Transportation video is being created with St. Charles to highlight the Rolling Hills bus.

City Entrance Sign Rider: Motion was made by Holst and seconded by Schuchard to approve spending \$225 for a sign rider on the city sign on the corner of Knowledge Road SW and Highway 42 recognizing Girls Basketball State Championship in 2015. Ayes (4), Nays (0). Motion carried.

**Clerks Report:** Knowlton reported the requested joint meeting with the Eyota Township Board has been scheduled for May 28.

**Public Works:** Brad Boice reported Public Works information; status of projects and spring tasks completed. The West Side Park play equipment was repainted and has been reinstalled. Some minor repairs have been made; waiting for pricing to replace Turbo Slide and cover damaged parts.

Scott Schmidt has obtained his water license. Boice recommended giving Schmidt a twenty five cent raise now and the other promised twenty five cents this fall if and when he passes the sewer test. Motion was made by Cornell and seconded by Holst to give Scott Schmidt a twenty five cent raise now and the other twenty five cent raise in the fall when he passes the sewer exam. Ayes (4), Nays (0). Motion carried.

### **REGULAR AGENDA ITEMS:**

**2015 Street and Utility Improvement Project:** WHKS & Co. City Engineer Daren Sikkink presented the Council with construction bid results. Five bids were received: Elcor Construction, Rochester, MN \$1,989,622.85, Swenke Ims Contracting, Kasson, MN \$2,215,119.06, S.L. Contracting, Rochester, MN \$2,378,776.80, BCM Construction, Faribault, MN \$2,435,414.60 and A-1 Excavating, Bloomer, WI \$2,468,886.00. Bid results were forwarded to Mike Bubany, Financial Advisor to estimated bond expenses. Construction costs plus a contingency amount, engineering and bonding expenses total \$2,390,993. Assessments were calculated at 25% and on a lot bases to total \$7,334.33 per lot and four and a half percent interest.

Water improvements were calculated to be 25% of the project costs. Parcels on the west side of Center Avenue will only receive water improvements. Council approved assessments for those four parcels will be the water cost only, \$1,833.58 (25% of \$7,334.33) the City pays the other 75%. The water service replacement for 214 Center Avenue will be included in a future project and will be assessed at that time; no assessment during this project.

Motion was made by Cornell and seconded by Schuchard to approve the revised assessment roll totaling \$586,746.75. Ayes (4), Nays (0). Motion carried.

Motion was made by Holst and seconded by Cornell to move RESOLUTION #2015-16 RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT IN CONNECTION WITH 2015 STREET & UTILITY IMPROVEMENTS; total cost of said improvements is \$2,390,993; the City shall pay \$1,804,246.25 and the sum of \$586,746.75 shall be assessed against benefitted property owners. Ayes (4), Nays (0). Motion carried. See "Exhibit 6.A.1"

Motion was made by Cornell and seconded by Schuchard to move RESOLUTION #2015-17 RESOLUTION CALLING HEARING ON ASSESSMENTS FOR 2015 STREET & UTILITY IMPROVEMENTS, Council will meet to consider the proposed assessments on May 12, 2015, 7:00 P.M. in the Eyota Volunteer Ambulance Service facility, 753 Robert Avenue SW. Ayes (4), Nays (0). Motion carried. See "Exhibit 6.A.2"

**Fire Hall Storm Sewer:** During the 2015 Street and Utility Improvement project, South Front Street will be open in front of the fire hall; this would be an opportunity to install storm water improvements for the back/south side of the fire hall. To tie into the storm sewer, add a catch basin and piping to the back of the building is estimated to be \$7,500. There is at least \$15,000 in reserves and/or the budget for such improvements. Motion was made by Schuchard and seconded by Cornell to authorize installing a storm sewer to the back of the fire hall building, \$15,000 in reserves, this will not be part of the Street and Utility project construction plan. Ayes (4), Nays (0). Motion carried.

**Mower Purchase:** The Council discussed in detail the pros and cons of purchasing new and used mowers. Available mowers were discussed: being used or old, purchase prices, trade in value, maintenance costs, size versus staff time and model features. The final decision was made to purchase a Toro 4000 D, Tier 4 fuel compliant, 2014, eleven foot mower, \$54,058.88. Only \$33,000 has been reserved and budgeted for a new mower; Council requested the Park Board review their budget and make a recommendation where the additional \$21,000 will come from. Motion was made by Schuchard and seconded by Cornell to purchase the new Toro, using the \$33,000 from reserves and have the Park Board review their finances for the balance due. Ayes (4), Nays (0). Motion carried.

**Jones Property Planting:** Brad Boice made recommendations for planting the Jones parcel, north of Second Street SW: the tillable land should be disked two or three times or as needed throughout the summer months to keep the land black, then in the fall of 2015 seed it with either an annual Rye Grass or a mixture of perennial seeds suitable for wetland areas. A tractor and rear tillage implement can be rented from St. Joseph Equipment for approximately \$300 per use.

Motion was made by Holst and seconded by Cornell to authorize Boice to rent equipment from St. Joseph Equipment to keep the field black for the summer, not to exceed \$1,000. Ayes (4), Nays (0). Motion carried.

Council requested a work meeting be scheduled, possibly in early August, to review the City's storm water management plan and discuss with WHKS & Co. delineation.

**Sanitary Sewer Service Connection:** Existing residence, 96 Fifth Street NE has a private sanitary sewer system (septic) and is requesting the cost to hook up to the City sanitary sewer system. The Dover Eyota St. Charles Area Sewer District charge for a new connection is \$2,640 and Eyota's fees for new homes are \$1,800; both have been waived for new homes as an incentive for new construction in 2015. This is not new construction; connection should have been made in 2003 when services were first made available. Total connection cost will now be \$4,400. Motion was made by Schuchard and seconded by Holst to charge the full \$4,400, connection to be completed by the end of June 2015; with the option to offer a payment schedule, payable within three years and zero interest. Ayes (4), Nays (0). Motion carried.

**Firearms Ordinance:**

The Planning Commission reviewed and revised the Firearms Ordinance #75 as requested by the Council. Proposed items to be added to the revised ordinance:

- Prohibited to discharge any firearm that is propelled by a gas.
- Ok to discharge firearms in an approved indoor shooting range.
- Ok to discharge blank ammunition during sporting events or ceremonial occasions.
- Prohibited to discharge a cross bow or any other type of bow type mechanism.
- Penalty increased to \$300, today's standard maximum petty misdemeanor fine.

The Council approved of the draft ordinance and agreed the Commission should begin reviewing the Zoning Ordinance to make recommendations for indoor shooting range zoning regulations.

**Accounts Payable:** Motion was made by Holst and seconded by Cornell to approve the accounts payable in the amount of \$39,126.78; which includes the additions of Southeastern Minnesota League of Municipalities meeting registration fees \$70 and Canadian Pacific Railroad West Side Connection Trail crossing construction cost \$8,000; both previously approved for payment. Ayes (4), Nays (0). Motion carried. See "Exhibit 6.G"

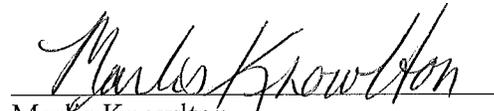
**Any Other Business:**

**Nuisance Properties:** Nuisance properties are often repeat offenders. Consensus of the Council: authorize Knowlton to follow up monthly on properties that have not been cleaned up and ride with Community Officer Pagel if necessary to document and enforce cleanup requirements.

**City Brush Site Location:** The City has been investigating establishing an Eyota brush site on the Dakota MN and Eastern Railroad abandoned wye west of town, south of 19 Street SE. Attorney Frank McAnulty contacted a railroad representative who made the assumption the property would sell for the same amount as other railroad property in the area; which is much higher than the Council anticipated. Council authorized Knowlton to have McAnulty talk to the railroad again, ask for a more specific price and negotiate with them if possible.

**Adjourn:** Motion made by Cornell and seconded by Holst to adjourn the meeting. Ayes (4), Nays (0). Motion carried. The meeting was declared adjourned at 9:16 p.m.

  
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Tyrel Clark  
Mayor

  
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Marlis Knowlton  
Clerk/Treasurer