

CITY OF EYOTA
CITY COUNCIL MINUTES
MAY 28, 2015

Members Present: Tyrel Clark, Bryan Cornell and Tony Nelson

Members Absent: Ray Schuchard. Kurt Holst was absent at roll call but arrived later.

Staff Present: Fire Department Members: Jeremy Newton, Jerry Pike, Jeff Peck; Community Officer, Deputy Pagel; Brad Boice, Public Works Supervisor; Daren Sikkink, WHKS & Co. and Marlis Knowlton, Clerk/Treasurer

Call to Order: Mayor Clark called the meeting to order at 7:02 pm with the Pledge of Allegiance.

Approve Agenda: Motion was made by Cornell and seconded by Nelson to approve the agenda and then amended the motion to remove and delay 6.D. 514 South Avenue SE driveway discussion until the June 11 meeting. Ayes (3), Nays (0). Motion carried.

Consent Agenda: Motion was made by Nelson and seconded by Cornell to approve the consent agenda items 4.A and 4.B as presented. Ayes (3), Nays (0). Motion carried.

4.A. Minutes of the May 12, 2015 street project public hearing

4.B. Minutes of the May 14, 2015 regular Council meeting

REPORTS:

Community Officer: Deputy Pagel reported the monthly calls are higher because there are six additional days included. Please drive safely now that the elementary school children are done with school and out and about; along with the extra traffic created by area construction projects.

DESCASD Sewer Board: The May 19 meeting report will be postponed until the June 11 meeting.

Planning Commission: Knowlton reported the Commission reviewed the Zoning Ordinance #53 and recommended indoor shooting ranges to be added to the listed recreational services under: Section 4.01 Use Categories, 3. Commercial Recreation. This addition will allow an indoor shooting range in both commercial and agricultural zoned districts with a conditional use permit. The Commission also recommended the Zoning Ordinance change be put on hold until need or when another change is required to save time and money on the required public hearings.

Summer meetings (June, July, August) will be held the third Wednesday of the month.

Economic Development Authority (EDA): Cornell reported Arbor Gardens' memory care units will open on June 2; there are a few minor construction details to finish. The EDA decided not to join RAEDI (Rochester Area Economic Development Inc.) due to the cost. Also discussed: People's Energy offering gap lending program and energy audits for businesses, creating a promotional flier to attract a dentist to town, new business coming to Eyota, videos being filmed, and other business assistance to improve facades.

EDA recommended appointing Fran Filzen from Bremer Bank to fill Tom Aleshire's board seat.
** Kurt Holst arrived at the meeting 7:14 p.m.

Motion was made by Clark and seconded by Nelson to appoint Fran Filzen to the Tom Aleshire's seat. Ayes (3), Nays (0). Motion carried. Note: term expires 12/2016

The EDA recommended lowering the assessments on the Stone Ridge townhome tax forfeiture lots to \$10,000 to be competitive. They were previously lowered to \$14,000. Motion was made by Cornell and seconded by Holst to reduce the assessments to make the ending sale price \$10,000. Ayes (4), Nays (0). Motion carried.

Public Works: Brad Boice reported: dying cottonwood tree in Freedom Park was removed, hole in the street at Madison Avenue and Third Street SW is from a water main valve repair and asphalt will be coming to patch it, and chloride for gravel streets and alleys will be coming the first part of June. The new mower is working as hoped; West Side Park can now be mowed in approximately five hours compared to the previous eleven and a half hours.

The MXU's that are attached to the water meters send out a radio frequency that is able to be read from a vehicle. They include a battery and the original MXU's are starting to fail and need to be replaced because of the age of the batteries. New MXU batteries last twice as long; twenty years. Boice explained quantities, cost and replacement needs and options. Consensus of the Council: order MXU's by the case as needed.

REGULAR AGENDA ITEMS:

2015 Street and Utility Improvement Project:

Public Hearing – continued from May 12, 2015.

Mayor Clark announced the regular meeting to be closed and open the continuation of the public hearing. 7:40 p.m.

Brian Kroning, representing Jem's Confections, LLC, 110 Center Avenue S; Kroning explained they received the public hearing notice that did not include a real explanation of the project and assessment amount. He had some specific questions.

How long will the water be shut off, they need ample warning and it needs to be sanitary. Daren Sikkink (WHKS) explained the contractor will supply temporary water, it will be hooked up on the outside of the building, the water is tested and must pass bacteria regulations, and there is no additional cost to the property owners. In that area sanitary sewer manholes will be replaced; but they should not be affected. Storm sewers are being added in other areas of the project that will connect to the existing sewers in this area.

Kroning questioned access to the business while the street, curb, gutter and sidewalk work is being completed. South Front Street will be done first in 2015 and Center Avenue construction will be completed in 2016. Contractor needs to provide access but it will not be without some inconveniences. The sidewalk will be replaced and some sort of board walk will need to be provided during construction.

Kroning expressed concern that this is a large amount of money to be assessed and would be hard for any small business, what are the options to pay. Clark explained payments will be spread over fifteen years and the interest rate will now be 3.5%, lower than the original estimated 4.5%; anytime during the fifteen years the balance can be paid off.

Kroning then discussed information the Council had discussed earlier during the regular meeting regarding steps being taken to encourage shop locally and proposed programs to financially help businesses improve the facades of downtown buildings.

Jeff Peck, 114 South Front Street SE: Peck questioned how the amount per lot was decided, because the City has assessed per linear foot in the past. Sikkink explained the City has options on how to assess and assessing per lot was done for the last large project in the northwest section of town. Clark further explained the justification was based somewhat on trying to be fair to corner parcels. Sikkink also commented the current assessment policy allows for a fifty percent assessment and this project is based on twenty five percent, but ends up being closer to twenty percent once you factor in what the City ends up paying for. Peck questioned his sixty foot lot versus the very large lot on the corner of his block that has an equal assessment amount. Clark reiterated his comments about corner lots. Peck was satisfied, he just wanted an explanation.

Seeing that there were no other comments or questions; Mayor Clark closed the hearing and opened the regular meeting. 8:00 p.m.

Motion was made by Nelson and seconded by Cornell to move RESOLUTION #2015-21 RESOLUTION ADOPTING ASSESSMENT 2015 STREET AND UTILITY IMPROVEMENT PROJECT, adopting assessments as presented, collectible over fifteen years and the interest rate will be three and one half percent (3.5%). Ayes (4), Nays (0). Motion carried. See "Exhibit 6.A"

The pre-construction meeting was held last week, Elcor Construction wants to start construction the first week of June if contracts, bonding and insurance are all finalized and received. Phase one will be South Front Street, South Avenue and Washington Avenue up to Second Street SE; then work their way south. Brochures will be hung on doors and information will be posted on the City website. Send the City your email address if you would like to receive updates. Special plans will be made to house the fire trucks and gear while the fire hall is not accessible.

West Side Connection Trail: The trail is being rocked today, should be paved next week and completed by June 3. The special rubber for the railroad crossing will be installed by railroad crews later this summer.

Eyota Township Board: Town Board Chair Jim Schumann and Supervisor Bob Pennington discussed Fire Department issues with the Council and Fire Chief Newton. The new fire truck is in production; Department reps will inspect it in September and it should be delivered in October. The Township has paid off the loan on the newest tanker and has secured financing for the new truck; the City prepaid the majority of their share in order to earn interest on the payment through a special agreement. All agreed that every option be utilized to sell the old truck.

The Fire Department is recommending the membership be increased from twenty eight to thirty. There is adequate gear and it will increase the amount of members available for daytime calls. Township was in agreement as long as it did not create additional expenses; as they are on a very tight budget with the truck financing. Motion was made by Holst and seconded by Cornell to approve increasing the maximum Fire Department membership from twenty eight (28) to thirty (30). Ayes (4) and Nay (0). Motion carried.

The Fire Protection Agreement was discussed, should or could it be revised to include the City being half responsible for the older tanker that the City uses monthly to flush sanitary sewers and periodically for other minor maintenance tasks. More questions and concerns came up and it will be discussed again later; the agreement expires at year end. It was also discussed if a fire district and board be established replacing the current process of sharing expenses. This is something that could be considered and discussed at a later date.

The Fire Department was requested to update their long term budget. Jeff Peck also commented that the Department is using calendar proceeds to purchase equipment which reduces expenses for the City and Township.

The Township also discussed their concerns with the amount of traffic on the local township gravel roads being used as alternate routes due to the roundabout construction. For instance Nineteenth Street SE had an average ~~thirty~~ vehicles in 2014 and in three days in 2015 there were ~~2,700~~. More signage may be requested to discourage large vehicles from using township roads.

2014 = less than 15 per day 2015 = three day total was 2,600

Brush Site: The proposed city facility east of town may need a conditional use permit per County regulations. Scott Harnack has verbally agreed to the agreement being five years. The agreement should have months of operation; and Council questioned if there should be wording regarding holidays and vacations, etc. Signs need to be ordered without delay. Motion was made by Nelson and seconded by Holst to authorize Boice to order the appropriate signs; obtain prices from Shea Design, CJ Signage and Earl F Anderson. Ayes (4), Nays (0). Motion carried.

Fire Hall Plumbing Changes: Boice recommended eliminating one of the two water service lines coming from the water main in South Front Street SE and simplify some of the plumbing inside the Fire Hall. Bids received: B & C Plumbing \$2,435.07 and Southeast Mechanical \$2,435.00. A third bid was requested from Himec that has not yet been received. Motion was made by Holst and seconded by Cornell to award the job to B & C Plumbing, the local business, unless B & C is more than ten percent higher than the Himec bid, when it comes in. Ayes (4), Nays (0). Motion carried.

Accounts Payable: Motion was made by Nelson and seconded by Holst to approve the accounts payable in the amount of \$16,368.92 as presented. Ayes (4), Nays (0). Motion carried.
See "Exhibit 6.F"

Clerks Report:

Patio Pavers: The Eyota Volunteer Ambulance Service has inquired if they can obtain the pavers the City has in storage that were from the patio west of City Hall, removed years ago. Motion was made by Nelson and seconded by Cornell to give the Ambulance (no charge) enough pavers for them to make their patio as an improvement to their building (which the City has the majority investment in) and sell the remaining pavers for twenty five cents (\$.25) a piece on Craigslist.
Ayes (4), Nays (0). Motion carried.

Wetland Violation Issue: It appears David Castleberg has field tiled the parcel of land in the northwest corner of Highway 42 and Nineteenth Street SE; and this could be a violation of wetland regulations.

minute
correction
approved
6-11-15

Per Resolution #2008-30 RESOLUTION ADOPTING THE PERMANENT RULES OF THE WETLAND CONSERVATION ACT (WCA) AND DESIGNATION OF WETLANDS ADMINISTRATOR the Technical Evaluation panel will meet and discuss the details of the situation and issue a determination. The Council requested to be kept informed.

Any Other Business:

Planning Commission Member Recommendations: The Planning Commission received two new member applications and recommend both be approved and appointed by the Council.

Motion was made by Nelson and seconded by Cornell to appoint Casey Johnson as a Planning Commission member. Ayes (4), Nays (0). Motion carried.

Motion was made by Nelson and seconded by Cornell to appoint Lief (Alex) Hughes as a Planning Commission member. Discussion: Lief is the husband of Janet, a current member of the Commission. Holst voiced concern that they are married and neighbors; with the daycare there could easily be a quorum discussing Planning issues. Nelson has experienced the same situation with neighbors and they just knew not to talk business. Clark requested Knowlton explain open meeting regulations to all the Planning members. Nelson and Cornell voted in favor. Clark and Holst voted opposed. Ayes (2), Nays (2). Motion did not pass. Clark specifically requested this be put on the next agenda for additional discussion with the full Council present.

Adjourn: Motion was made by Nelson and seconded by Cornell to adjourn the meeting. Ayes (4), Nays (0). Motion carried. The meeting was declared adjourned at 9:22 p.m.



Tyrel Clark
Mayor



Marlis Knowlton
Clerk/Treasurer