

CITY OF EYOTA
CITY COUNCIL MINUTES
FEBRUARY 9, 2017

Members Present: Tyrel Clark, Bryan Cornell and Kurt Holst

Members Absent: Tony Nelson and Ray Schuchard

Staff Present: Brad Boice, Public Works Supervisor; Jeff Peck, Fire Chief and 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: Request to add seal coating bids to Public Works report and delete 4.B from the Consent Agenda because donations need a four-fifths vote to pass. Motion was made by Cornell and seconded by Holst to approve the agenda with the changes noted. Ayes 3, Nays 0. Motion carried.

Consent Agenda: Motion was made by Holst and seconded by Cornell to approve the consent agenda items 4.A, 4.C and 4.D as presented. Ayes 3, Nays 0. Motion carried.

4.A Minutes of the January 26, 2017 regular Council meeting approved as presented.

4.B was deleted

4.C Authorize Marlis Knowlton and Brad Boice attend the LMCIT Safety and Loss Control Workshops in Rochester on April 12, \$40 registration fee (\$20 x 2) plus travel expenses.

4.D Outdoor Services approved to treat seven Freedom Park Ash trees, in the spring of 2017 for \$248.

REPORTS:

Fire Department: Motion was made by Cornell and seconded by Holst to approve replacing the remaining five optical eye overhead door sensors for \$1,322.10 through Thompson's Garage Door and Openers. Ayes 3, Nays 0. Motion carried.

Chief Jeff Peck reported the Building Committee has been formed (committee to research current fire hall building assets, deficiencies and possible future improvements). Council requested they set a meeting date and a Council representative will plan on attending.

Planning Commission: Knowlton reported the February 8 special meeting was again spent on the process of codifying the ordinances. Proposed substantial changes to the zoning ordinance will be presented to the Council for their consideration before moving forward with the final ordinance approval.

Park Board: Clark reported on the numerous items the Board discussed: Public Works update, Freedom Park ball field fence advertising sign letters, 2017 Summer Rec program planning, Sunset Square Park area planning and Bush Park changes with the Boy Scouts help.

There is a grant opportunity available that may be appropriate for the snowmobile and pedestrian paths through the Second Street Wetlands area. Council Consensus: Request Iris Neumann be hired to help apply for this grant; Cornell will negotiate compensation with Neumann.

There have been some people that have volunteered to be on the committee to investigate a pool or splash pad. The Park Board is looking for a few more, please consider being involved.

Public Works: Items presented by Brad Boice, Public Works Supervisor:

Second Street Wetlands Trees: Request to cut down the trees, bushes and brush on the west end of the north lot line; the stumps will not be removed. Also, thin out the undesirable trees and brush in among the willows towards the middle of the lot line. Council Consensus: staff can start removing the trees as recommended.

Well #2 Pump Maintenance: Well #2 is now due to be pulled and inspected. This is the well inside the well house building and was last inspected in 2008. An estimate from Bergeson-Caswell to pull, clean, inspect and reinstall pump is \$5,400. Any repairs that may be needed will be at an additional cost. Motion was made by Holst and seconded by Cornell to approve Bergeson-Caswell to pull and inspect Well #2. Discussion: cost will come out of the Water Fund. Ayes 3, Nays 0.

Public Works Vehicles: Boice submitted pros and cons to replace the 1994 Dodge pickup or purchase a recreational terrain vehicle (RTV). The Council was in favor of purchasing the RTV but requested this decision be put on the next agenda when a full Council would be presented. Cornell commented he will not be at the next meeting but is in favor of purchasing the RTV versus a pickup.

2017 Street Seal Coating: Bids were received to seal coat almost fifteen blocks with 6,200 gallons of seal coat and 225 ton of aggregate. Pearson Bros., Inc. \$36,563.00 and Fahrner Asphalt Sealers, LLC \$42,720.50. The bid from Pearson is lower because they are scheduled to be in St. Charles. There is \$35,000 in 2017 budget and there is aggregate sweepings saved that could be reused and reduce the final cost. Clark requested Boice get a bid to seal coat Arbor Gardens' also. Motion was made by Cornell and seconded by Holst to approve Pearson Bros. seal coat bid of \$36,563. Ayes 3, Nays 0. Motion carried.

Other: Boice was instructed to contact the DE school superintendent to plan the scheduled drain tiling project. Boice suggested purchasing large concrete blocks to create material storage bins in the future compost site; details will be presented at the next meeting. Public Works was instructed to clean the Dollar General sidewalks and bill them; this is in response to no action being taken by Dollar General after numerous complaints.

Clerk Report: Clark and Knowlton will plan on attending a luncheon meeting on February 21 with the Board of Directors at Peoples Energy Cooperative in Oronoco. One topic of discussion will be information regarding their plan to upgrade the Eyota substation.

REGULAR AGENDA ITEMS:

Rezoning Request 123 Center Avenue S: Galyn Speltz requested 123 Center Avenue S, PIN 62.14.24.028199, lot 10, block 9 of the Original Eyota Plat, currently zoned C-1 (commercial) to have the zoning changed to R-2 (high density residential). This is the vacant building on the northwest corner of Center AVE and Second ST SW.

Current C-1 zoning allows for living quarters on the second floor, but the main level is to be commercial use. Speltz would like to have apartment units on both floors; it would need to be rezoned to R-2 to allow that. The building takes up the entire parcel; there is no space for parking. R-2 requires off-street parking on lands owned by the owner of the building and the land is to be located within two hundred (200) feet of the building they are intended to serve. Minimum parking spaces required for six apartments are nine, per multi-family requirements.

The City Attorney stated the current ordinance states the building owner is also required to own the parking spots, so leased parking would not be acceptable. And if the parcel was rezoned to R-2 it would not meet most (if any) of the R-2 regulations (setbacks/lot coverage/density/etc.). He strongly discouraged changing the zoning. Also, the current ordinance states only one dwelling unit (apartment) is permitted where adequate on-site parking is available in a commercial district.

January 25 the Commission voted to recommend to the Council to deny the rezoning request. The City Attorney also recommended denying the request.

Motion was made by Cornell and seconded by Holst to deny Speltz's rezoning request with the current Finding of Facts:

- There is no parking available within the required two hundred feet to provide enough parking spaces for six apartment units in an R-2 district.
- The City needs small business commercial type spaces for business that do not need or cannot afford to build in a new commercial district.
- Parking spaces are not required to be provided for in the current commercial district, street parking is acceptable.
- Contracted parking spaces, being rented from residential or commercial neighbors are not a permanent solution to provide the required parking spaces for apartment units.
- For all existing commercial uses located in the downtown commercial area there is no off-street parking required.

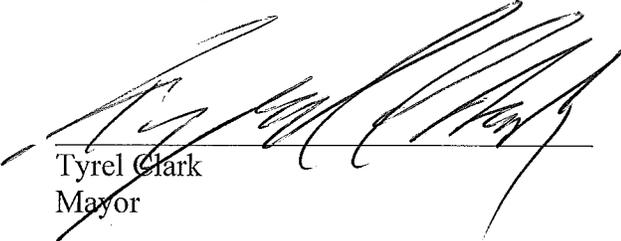
Ayes 3, Nays 0. Motion carried.

The Council went on to discuss the logic of limiting the dwelling units to only one and the requirement of owned parking areas. The Council requested the Planning Commission look at changing the zoning ordinance accordingly. The Council also suggested that Mr. Speltz could come back to the City to discuss multi apartment units and parking.

Accounts Payable: Motion was made by Cornell and seconded by Holst to approve the accounts payable in the total amount of \$36,266.54. Ayes 3, Nays 0. Motion carried.
See "Exhibit 6.B"

Other Business: The Council requested Public Works investigate purchasing a snow gate for snow removal.

Adjourn: Motion was made by Cornell and seconded by Holst to adjourn the meeting. Ayes 3, Nays 0. Motion carried. The meeting was declared adjourned at 8:22 p.m.



Tyrel Clark
Mayor



Maris Knowlton
Clerk/Treasurer