

**CITY OF EYOTA
CITY COUNCIL PUBLIC HEARING MINUTES
MAY 12, 2015**

Members Present: Tyrel Clark, Tony Nelson and Kurt Holst

Members Absent: Bryan Cornell was absent. Ray Schuchard was absent at roll call but arrived later.

Staff Present: City Engineer Daren Sikkink, WHKS & Co., and Marlis Knowlton, Clerk/Treasurer

Guests: See list "Exhibit A"

Location: Eyota Volunteer Ambulance Service, 753 Robert Avenue SW, Eyota

Call to Order: Mayor Clark called the meeting and public hearing to order at 7:02 p.m.

Agenda: The purpose of this public hearing is to receive public comment regarding the final assessment amounts for the proposed 2015 Street and Utility Improvement project.

Daren Sikkink reviewed the project: improvements, project area, costs, assessments and appeal process. As part of the assessment process, which requires specific procedures be followed (MN Statute Chapter 429); which includes a minimum percentage of the total project cost is assessed, and includes consideration of public comments and means to appeal.

Some of the bids for construction were less than the engineering estimates. The total project cost (construction plus engineering, bond costs, etc.) is \$2,390,993. Assessments were calculated on a per lot basis, equaling \$7,334.33. This final per lot assessment is less than the original estimated amount.

Ray Schuchard arrived: 7:09 p.m.

Senior Citizens have the option to defer the assessment. Assessments can be prepaid prior to December 15, or they will be payable with the 2016 taxes, with an interest rate of 4.5%. The City is paying 75% of the project and the assessment amounts on city owned land and the railroad property. The construction contract can be awarded at the May 14 council meeting.

The plan is to start on north end of the project, on South Front Street SE and work south in phases. Homeowners should have access to their property; there may be times during excavation when this is not possible for twenty-four hours. When concrete is poured, it must cure and should not be driven on for up to seven days. The contractor would like to start construction as early as June 1. Center Avenue construction will be done in 2016 to avoid other area construction traffic. Only one layer of blacktop will be put on the street this summer, the second lift will be applied in 2016.

Assessment appeals must be in writing and done within thirty days to the district court after May 28, which is the continuation of this hearing. The court will either affirm the assessment, require it to be re-assessed and determine how much it should be lowered. Assessments are never reduced to zero. If a property does appeal and loses, they are required to pay all the court costs.

Bob Lovejoy 15 3 ST SE: Bob questioned how he can appeal the assessment now because he doesn't know what his property will be like when the construction is completed; he would rather appeal it in the fall when he sees what it looks like. Sikkink explained by setting the assessment before construction the city takes on the risk of any extra construction costs from change orders. Bob was concerned what he can do if the construction job is sub-standard; property owners have the means to go to the Council and request it be improved.

Lovejoy commented on the grass seeding for the 2014 Safe Routes to School project and the grass still is not growing. Sikkink explained the job has not been completed, engineers are reviewing the job and the final payment has not been made. Lovejoy does not know if his property will be worth \$7,000 more when the project is completed. He is going to give the City pictures of his property as it looks now with the blacktop out front and hopes it looks as good when completed. He is concerned that the City is trying to jack up the east side of town to make it another Bush Court. Tyrel commented that is not the intent. And Lovejoy agreed that he realizes the water mains do need to be replaced.

Mary St. Mane 222 Washington AVE SE: Mary questioned how wide the streets will be when it is finished and what parking will be allowed. Clark: streets will be thirty two feet wide (curb to curb) and there will be parking on both sides. The current streets vary in width. Jeff St. Mane also commented that they have a double lot which means a \$15,000 assessment; it is hard to see the house value will go up that much.

Amanda Brandt 122 2 ST SE: Amanda is single, lives alone and can not afford an increase in taxes or the assessment. She has lived here eight years and has not seen any issues regarding the street or water.

Clark: The main issue is the fact that the water mains are original and only four inches, which is undersized.

Tony Nelson commented that there are sections of town that the Fire Department can not hook up to a hydrant because they will collapse the water main; drop tanks are required to be used. Some of the four inch mains are corroded and down to only one inch.

Amanda Brandt 122 2 ST SE: This project affects her wallet, along with all the other projects like the roundabout, etc. The taxpayers still have to pay for all of them and she can not afford it. There is no way out.

David Tritten 127 3 ST SE: David questioned how the street width of thirty two feet was decided. Clark explained that it was a council decision and a twenty eight foot street would only allow for parking on one side of the street; while thirty two feet allows for parking on both sides and two lanes of moving traffic. Jeff St. Mane said the stakes in his yard look a lot wider than that; Sikkink explained those were property line markers, not street width. Clark: most places the street will be about the same width as what the gravel is now. Mary St. Mane asked about the stake that is marked do not disturb. Sikkink explained this is a survey stake set by the engineers for the contractor to use as a base mark for the construction, do not remove it.

Mary Thacher 122 South AVE SE: There are stakes in her yard that are on the other side of the power poles; will the poles need to be moved? Sikkink said if they need moving the power company will be contacted.

Karen Larson, Greendoor 119 Center AVE S: She was assuming that Center AVE wouldn't be touched in 2015, but still need to pay assessments now. Knowlton: the assessments are not payable until 2016. Only the water service will be replaced for 119 Center Ave S, the assessments were reduced to twenty five percent of the total assessment cost, equal to the water cost.

Amanda Brandt 122 2 ST SE: Questioned what happens when she sells her home. Clark explained it depends on how the sale agreement is written. Kurt Holst commented he had an assessment on his previous home, when he sold the buyer was requested to pay; but it did deter some buyers.

Mary Thacher 122 South AVE SE: Her driveway is steep, will it be reworked? Sikkink, yes.

Pam Littlefield 318 Center AVE S: Questioned when the curb and gutter is installed on 4th Street how much land will she lose. Measure sixteen feet from the center of the street and that will be approximately where the new curb will be. Bob Lovejoy suggested it would be comparable to his yard. Littlefield was concerned her house will be too close to the street then and will be grandfathered in regarding zoning regulations. Clark explained no, the house was set from the property lines not the street edge. Littlefield also questioned what will happen to the storm water on the south side of 4th Street and the current ditch. Sikkink said the storm water will then go over the street and into the storm sewer.

Notice: this hearing will continue at the May 28 regular Council meeting, 7:00 p.m. at City Hall.

Bob Lovejoy 15 3 ST SE: He had written down from the first assessment hearing that properties on Center AVE would be assessed at 50%. Sikkink clarified that was only the properties between South Front and Second Street. Lovejoy would think that Littlefield would be only charged 50% because they are on Center AVE. Sikkink: they are assessed for Fourth Street.

No more comments or questions were brought forward.

Continuation of this Hearing: Mayor Clark declared seeing that there are no more comments at this time, this hearing will be continued at the regular Council meeting Thursday, May 28, 7:00 p.m., at City Hall. This hearing ended at 7:40 p.m.



Tyrel Clark
Mayor



Marlis Knowlton
Clerk/Treasurer