

CITY OF EYOTA
CITY COUNCIL MINUTES
JULY 14, 2016

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

Members Absent: none

Staff Present: Chief Jeff Peck and Asst. Justin Wendt, Fire Department; Community Officer
Deputy Johnson and Marlis Knowlton, Clerk/Treasurer City Auditor: Tom Cummings

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; with the addition of 6.H. storm water management with the School District and 6.I. Stone Garden Estates subdivision agreement. Ayes 5, Nays 0. Motion carried.

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

A. Minutes of the June 23, 2016 regular Council meeting

REPORTS:

Fire Department: The Department members volunteered their time to paint the front of the fire hall – thank you.

Motion was made by Nelson and seconded by Schuchard to accept the retirement request from Mark Allen effective February 1, 2016. Ayes 5, Nays 0. Motion declared carried.

Motion was made Nelson and seconded by Cornell to accept the retirement request from Stan Jones to be effective at midnight July 31, 2016. Ayes 5, Nays 0. Motion declared carried.

Mark served sixteen years and Stan has served forty years! Thank you to both Mark and Stan for their many years of service and dedication.

Park Board: No report. The July 13 meeting was rescheduled to July 18.

Clerks Report: No report.

REGULAR AGENDA ITEMS:

Annual Transfers to or from Reserve Fund #410: Motion was made by Nelson and seconded by Holst to approve the transfers to and from the #410 Reserve Fund as presented. Ayes (5), Nays (0). Motion carried. See “Exhibit 6.A”

2015 Financial Audit: City Auditor, Tom Cummings presented and reviewed the 2015 audit to the Council. All funds are financially strong and the budget process is working well; including putting surpluses in reserves for large purchases in order to keep tax increases minimal. Sanitary sewer fund cash reserves continue to dwindle; rate increases will be required soon. The City is in great financial position.

Motion was made by Nelson and seconded by Cornell to acknowledge receipt of the 2015 Audit as presented. Ayes (5), Nays (0). Motion carried.

2015 Street & Utility Improvements - pay request #5: Elcor Construction has completed additional project work and City Engineer's WHKS & Co is recommending payment of Pay Request #5 of \$293,920.22.

Motion was made by Holst and seconded by Nelson to approve the 2015 Street & Utility Improvements Project pay request #5, payable to Elcor Construction, \$293,920.22. Clark, Cornell, Nelson and Holst voted in favor. Schuchard abstained; his wife is employed by Elcor Construction. Ayes 4, Nays 0, Abstained 1. Motion carried.

2016 Street & Utility Improvements - pay request #1: A-1 Excavating Inc. has completed initial construction, submitted a pay request and WHKS & Co is recommending payment of Pay Request #1 of \$189,226.70.

Motion was made by Holst and seconded by Cornell to approve the 2016 Street & Utility Improvements Project pay request #1, payable to A-1 Excavating Inc., \$189,226.70. Ayes 5, Nays 0. Motion carried.

2016 Sixth Street Reconstruction Project – pay request #1: Rochester Sand and Gravel has completed the majority of the construction, submitted a pay request and WHKS & Co is recommending payment of Pay Request #1 of \$95,155.03.

Motion was made by Cornell and seconded by Schuchard to approve the 2016 Sixth Street Reconstruction Project pay request #1, payable to Rochester Sand and Gravel, \$95,155.03. Ayes 5, Nays 0. Motion carried.

Ordinance #143 Regulating Public Dances: A proposed ordinance was presented. The Council again discussed the difference between a dance and a gathering or event that is outside with music. An example is outdoor activities planned during Eyota Days at the Greendoor that is scheduled to begin at 10:00 a.m. with a DJ. The hours of allowed outdoor public dances can stay from noon to 12:30 a.m.; but add the option for special approval for this type of situation.

Motion was made by Cornell and seconded by Nelson to approve Ordinance #143 Regulating Public Dances with the addition to Section 3, Subdivision 1 to include: without prior approval. Ayes 5, Nays 0. Motion carried. See "Exhibit 6.F"

Motion was made by Cornell and seconded by Schuchard to approve publishing the summary ordinance as presented. Ayes 5, Nays 0. Motion carried.

Motion was made by Cornell and seconded by Holst to move RESOLUTION #2016-25, RESOLUTION AMENDING THE 2016 FEE SCHEDULE approving the Fee Schedule 2016 to be amended to include a dance permit fee of \$25, effective August 1, 2016. Clark, Cornell, Schuchard and Holst voted in favor. Nelson opposed. Ayes 4, Nays 1. Motion carried.

Accounts Payable: Motion was made by Nelson and seconded by Schuchard to approve the accounts payable amount of \$720,574.89. Ayes 5, Nays 0. Motion carried. See "Exhibit 6.G"

Storm Water Management with DE School: Mayor Clark met with a small group and then later attended a School Board meeting regarding a proposed storm water drainage system from the Jefferson Avenue SW area, across school grounds and then under County Road 142 to the east. The School Board was in favor of working together to create an underground tile system of some sort. The City will move forward to investigate options and cost estimates.

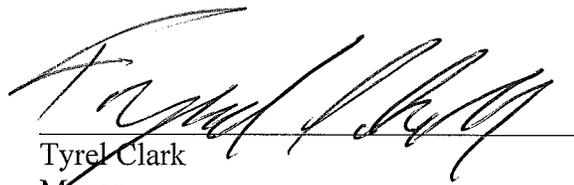
Motion was made by Nelson and seconded by Cornell to request estimates from tiling contractors and engineers. Discussion: include the home owners on the west side of Jefferson that are north of Glen Street that have a drainage easement in their back yards. Authorize Brad Boice to get the estimates and he can consult with engineers if needed. Ayes 5, Nays 0. Motion carried.

Stone Garden Estates Development Agreement: Last fall John Keefe, the Developer, requested the utilities and grading be allowed to be put in prior to the development agreement being approved in order to get some construction work done before winter; that was approved. Keefe is now requesting the concrete work (curb and gutter) be allowed to be installed next week, again before the development agreement has been approved. Because the Council understands how difficult it is to get concrete contractors and because the City wants to see this project to continue and be completed; they agreed to allow the concrete work to be done. But it is in the City's best interest to require the development agreement be completed and approved; and require the Developer submit a bond or letter of credit before any additional work is done.

Motion was made by Nelson and seconded by Cornell to allow the concrete work to be completed next week but then all construction will stop until the development agreement is approved and a bond or letter of credit is supplied. Ayes 5, Nays 0. Motion carried.

Other Business: Council had a short discussion with Deputy Johnson regarding law enforcement during Eyota Days this weekend. No special action was taken.

Adjourn: Motion was made by Cornell and seconded by Holst to adjourn the meeting. Ayes 5, Nays 0. Motion carried. The meeting was declared adjourned at 8:04 p.m.



Tyrel Clark
Mayor



Marlis Knowlton
Clerk/Treasurer