

CITY OF EAGLE LAKE
January 4, 2021
CITY COUNCIL MEETING – GoTo Meeting

CALL TO ORDER

- Mayor Auringer called the meeting to order at 6:00 p.m.

ROLL CALL

- Council Members present: Dennis Terrell, Garrett Steinberg, Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Brian Goettl, Police Chief John Kopp, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

OATH OF OFFICE

- Council Members Rohrich and White and Mayor Auringer were sworn in individually prior to the City Council meeting.

APPROVAL OF THE AGENDA

- Administrator Bromeland asked to add the American Engineering proposal and ice rink lighting under New Business.
- Council Member Steinberg moved, seconded by Council Member Terrell, to approve the agenda as amended. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Terrell moved, seconded by Council Member Rohrich, to approve the December 7, 2020 City Council meeting minutes. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member Rohrich moved, seconded by Council Member Terrell, to approve the consent agenda.
 - Monthly Bills
 - Fire Report
 - Gambling Report
 - Resolution 2021- 01 Designating Official Depositories
 - Resolution 2021-02 Designating Official Newspaper
 - Resolution 2021-04 Approving Donation to Park Project
 - Treasurer’s Report
 - Public Works Report
 - Appointing Garrett Steinberg as Mayor Pro Tem
 - Police Report
 - Building & Zoning Permits
- A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

PRESENTATIONS

1. Christian Wilson: Manufactured Home Request
 - Administrator Bromeland explained that Mr. Wilson brought a 1990 mobile home into Regency Mobile Home Park without a permit and that there is an agreement between the City and the mobile home park stating that homes brought in must be 1995 or newer. City code states that mobile homes must be a 1972 model or newer. Building Official Mr. Murphy has indicated that the agreement supersedes what is in city code. Mr. Murphy has inspected the mobile home.
 - Mr. Murphy stated he has inspected the mobile home and it is in good shape and that the work done on the home to date is good. If permitted to remain, a building permit will be needed. The manager of the park made an agreement with Mr. Wilson that the garage would be included with the lot.

- Council discussion included the desire for improvements to be made to the garage as well as the mobile home and requested Mr. Wilson to work with the management of Regency on garage improvements.
 - Mr. Wilson stated it is his goal that this home be his selling factor and to add a privacy fence and patio. He has a new roof and siding purchased for the home. He plans to have the exterior completed this winter. He would then like to bring in an additional 30 homes from North Dakota.
 - Administrator Bromeland will check if Southern MN Initiative Foundation (SMIF) has grants available for this type of project.
 - City staff will work with the City Attorney to draft an agreement between Mr. Wilson and the City of Eagle Lake setting expectations for new siding, new roofing, and other state building code compliance items as well as the need to improve the exterior appearance of the garage that is owned by Regency that will be made available for use by the tenant of 30 Country Manor Court.
 - Council Member Rohrich moved, seconded by Council Member Terrell, to allow the 1990 home Mr. Wilson moved in to remain. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
 - Council directed staff to have the Planning Commission review code language relating to the year requirement to move a mobile home into the park.
 - Mr. Murphy stated that he will work with Mr. Wilson on inspections for future homes he will move into the park.
2. Brian Sarff, Bolton and Menk: Presentation on Preliminary Engineering Report for CSAH 27 (Agency St)
- Mr. Sarff stated the full report will be presented at the assessment hearing and recapped the project scope for the new council members and provided a brief overview of Minnesota Statute 429 which allows for special assessments to benefiting properties.
 - Blue Earth County and the City of Eagle Lake will be holding a virtual informational meeting on January 19, 2020 to inform the public of this project. Property owners who are most impacted by this project will be contacted.
 - Blue Earth County may want to accept bids sooner than one month after bids are opened. Mr. Sarff will work with staff and legal counsel on this.
 - Council discussion included the requirements for the deferral of special assessments. The requirements will be reviewed.
 - Council Member Steinberg moved, seconded by Council Member Terrell to accept the preliminary engineering report and to schedule an improvement hearing for February 1, 2020 at 6:00 p.m. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

PUBLIC HEARINGS

- None

OLD BUSINESS

- None

NEW BUSINESS

1. Resolution Adopting Preliminary Engineering Report and Scheduling of Improvement Hearing
 - See Presentations number 2.
2. Resume Special Benefit Analysis Discussion for CSAH 27 (Agency Street) Reconstruction Project
 - Administrator Bromeland stated she has contacted three cities and heard back from two. Both highly recommended utilizing the special benefit analysis and felt it was very helpful. Neither have had a special assessments appealed to comment on if it holds up. The city attorney feels this is a step the city should take to show the city has done its due diligence. The cost of this analysis is between \$10,000 - \$12,000.
 - Council Member Terrell moved, seconded by Council Member Rohrich, to proceed with the special benefit analysis. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
3. New Police Squad Car Request
 - Chief Kopp stated he has obtained state bid pricing for a new squad car to replace the 2017 squad which has 107,000 miles. If approved, it will take approximately 6 months to get the new vehicle into service. Bids are for the Explorer Ecoboost and Explorer Hybrid.
 - Capital outlay information will be provided to Council at next meeting.
 - Council directed Chief Kopp to compile a list of pros and cons for each vehicle to present to Council.

4. Part-Time Police Officer Hiring Request
 - Administrator Bromeland asked Council to consider hiring a part-time police officer. An application has been received and staff is asking Council to approve interviewing the applicant.
 - Chief Kopp explained that part-time police officers are difficult to find and by hiring an additional officer it would help run the department more efficiently and overtime would be reduced.
 - Council Member White moved, seconded by Council Member Steinberg, to authorize hiring a part-time police officer. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
5. Resolution Adopting Proposed 2021 Fee Schedule
 - Administrator Bromeland stated the only changes to the fee schedule are the water rates, which Council approved at the December meeting, and refuse and recycling rates which are proposed to increase to cover the increased cost to the city.
 - Council asked what the format for spring cleanup in 2021 will be. This will be determined by LJP based on Covid-19 guidelines. The possibility of reducing liquor license fee for 2021 due to Covid-19 mandated closures was discussed. Council directed staff to determine the time frame bars were closed in 2020 due to Covid-19 mandates.
 - Council Member Rohrich moved, seconded by Council Member Terrell, to approve the 2021 Fee Schedule as presented. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
6. Planning Commission Recommendation Approving Zoning Code Amendments
 - The property owners of 325 LeRay Avenue have submitted a variance request for the shed installed on their property that is one and a half feet outside the required five (5) foot setback. The property owner has indicated the shed would be very difficult to move.
 - The Planning Commission held a public hearing on December 21, 2020 with only one comment in favor of granting the variance request being received. The Planning Commission is recommending approval of the variance request.
 - Council Member Rohrich moved, seconded by Council Member Terrell, to approve the variance request. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
7. Planning Commission Recommendation Approving Zoning Code Amendments
 - City Administrator Bromeland stated that the City's building official recently notified City Hall of state building code changes that impact zoning permit requirements. An excerpt of code and proposed changes was attached to the agenda and referenced. Staff noted that the City needs to amend code to reflect the required legal standard of "practical difficulties" which prior to 2011 were called "undue hardship" which is still reflected in Eagle Lake code. Staff went on to state that there are other areas in the zoning code that also likely need to be reviewed and amended in the not-too-distant future, but for the present time, a public hearing was held for the aforementioned changes.
 - A public hearing was held at the December 21, 2020 Planning Commission meeting with notice published in the City's legal newspaper, the Mankato Free Press. No comments, oral or in writing, were received in opposition. One inquiry was received from the public as to whether the zoning code amendments were in relation to the proposed motorsports park. Staff clarified that the proposed zoning code amendments are not related to the proposed motorsports park. State building code has changed "undue hardship" to "practical difficulties".
 - Council Member White moved, seconded by Council Member Rohrich, to amend Chapter 6 of city code as presented. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
8. Re-Evaluate Resuming In-Person Meetings
 - City Administrator Bromeland stated that at the request of the City Council, discussion should ensue related to whether to resume in-person meetings during the COVID-19 health pandemic. As per Executive Order 20-74, limits on indoor gatherings do not apply to government meetings. Remote meetings are strongly encouraged whenever possible as permitted by state or local authority. Masks are required for in-person council meetings, with an exception being when someone is testifying or speaking at a meeting. Social distancing must still be maintained at in-person meetings. Staff went on to state that for purposes of providing background, Resolution No. 2020-16, a copy of which was attached to the agenda, was adopted on March 27, 2020. Included in the resolution is a provision determining that in-person meetings are not practical or prudent due to the health pandemic. Since the resolution was

adopted, all meetings of the City Council and its advisory boards and commissions have been held remotely.

- Staff advised that if the City Council wishes to resume in-person meetings, then a resolution to that effect is necessary amending provision #2 as it relates to allowing in-person meetings during the COVID-19 health pandemic. The remainder of the resolution should remain intact. Since July 25, 2020, per the Governor's Executive Order 20-81, people in Minnesota are required to wear a face covering in all indoor businesses and public indoor spaces, unless alone. This means that everyone attending an in-person meeting must wear a face covering as per the Governor's above-referenced order. In addition, social distancing should occur, and limitations placed on the number of persons that the meeting room can hold while complying with social distance measures in place. The option for remote participation must remain available to the public.
 - Staff shared that the new audio and video equipment that was purchased this fall using funding from the CARES Act arrived within the last two weeks and has been installed. Once the system is ready to go live and staff has been sufficiently trained, a postcard will be sent to all 56024 postal patrons with information about how to view live streamed City Council meetings. In the meantime, the City can provide audio using GoToMeeting in the meeting room until the new set up is rolled out. Currently, both audio and video are available using GoToMeeting remotely. The purpose of the audio and video system is to encourage better public participation in City Council meetings for those that may wish to participate but are unable to do so in person due to health and safety concerns during the COVID-19 health pandemic.
 - Mayor Auringer stated the city has new streaming services which staff is learning to operate. In order to resume in-person meetings Resolution 2020-16 would need to be rescinded. Resolution 2021-06 is proposed to replace the rescinded motion. The proposed resolution would still allow for GoTo Meetings if needed.
 - Council discussion included how it would be handled if more people want to attend the meeting than what Covid-19 mandates allow. Nine people from the public will be allowed in the council chambers at a given time. If more attend they will be asked to remain in the hall.
 - Council Member Steinberg explained that live streaming can be a disaster and that he would recommend looking for a person to do this for the city who has experience. He also recommended that a mock meeting be held with five people in the room to ensure the system works correctly.
 - Residents will be sent a notice via mail when the city is ready to begin streaming service.
 - Discussion included how to include the public in discussion. It was determined that one central streamer would be needed. Residents could contact the city in advance if they want to attend the meeting to get an idea of how many will be present.
 - Council Member Rohrich moved to rescind Resolution 2020-16 and to approve Resolution 21-06., Council Member Steinberg asked to amend the motion to include researching live streaming. Council Member Steinberg seconded the motion. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
9. Re-Evaluation: Resuming Water Disconnections for Non-Payment
- Administrator Bromeland stated that in 2019 there were approximately thirty (30) disconnect notices sent out each month and only nine (9) water disconnections that year.
 - Council discussion included if there are any restrictions with Covid-19 prohibiting the disconnection of water services. This is something staff will look into and be mindful of.
 - Council Member Terrell moved, seconded by Council Member Rohrich, to reinstate water disconnections. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
10. 2021 Committees/ Commissions/ Assignment
- The following committee assignments were presented: personnel committee - Mayor Auringer and Garrett Steinberg, EDA – Anthony White and Dennis Terrell, ASA Board – Anthony White, Park Board – Beth Rohrich and Tim Auringer.
 - Council Member Terrell moved, seconded by Council Member Rohrich, to approve committee assignments as presented. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
11. American Engineering Proposal
- A proposal from American Engineering has been received to assist with boring of utilities under the railroad tracks with the Agency Street project. Total price estimate is \$8,575.00.

- Council Member Terrell moved, seconded by Council Member White, to accept American Engineering's proposal. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

12. Ice Rink Lights

- Administrator Bromeland explained that the lights at the ice rink are not working properly and Public Works Director Goettl stated the lights are 17 years old and that a timer is set to run the lights for two hours.
- Council discussion included the desire to have the timer removed and to have the lights come on automatically at 4:00 p.m. and to turn off at 10:00 p.m. Council asked staff to obtain pricing to replace the current lights with LED lighting.
- Council Member White mentioned that he has access to a Zamboni, for this year only, but the city would need to be able to store it inside and be able to trailer it to Eagle Lake. He also stated the person that drives the Zamboni would be compensated \$50 per use and that it is anticipated it would be used one to two times a week.
- Public Works Director Goettl stated that the Public Works shop has space to store this.
- Council voiced no concerns with utilizing the Zamboni.

OTHER

1. Whistle Free Zone inquiry from Resident

- Mayor Auringer stated that the City Council had looked into this previously with DM&E Railroad and that this could be a lot of work and that crossings would need to be modified. He asked Administrator Bromeland to check into what Mankato is doing and provide Council a to do list.

2. Notice of Upcoming CSAH 27 (Agency Street)/Thomas Drive to LeRay Avenue Reconstruction Project Virtual Open House Meeting

- Blue Earth County will hold a virtual open house meeting on January 19, 2021 from 4:00 p.m. to 6:00 p.m. for this project. A separate meeting will be held for special assessments.

3. Schedule Work Session to Review City Goals

- A work session will be scheduled for setting city goals for 2021.

CITY ADMINISTRATOR REPORT

1. Water Study

- Administrator Bromeland and Public Works Director Goettl have meet with Bolton and Menk on this study and Bolton and Menk will be at the February 1, 2021 council meeting to present findings.

2. Winter Newsletter

- The winter newsletter will be mailed this week.

3. Community Forestry Member

- The community forestry member is working with public works staff on removing Buckthorn.

COUNCIL MEMBER'S REPORT

1. Council Member Steinberg mentioned the desire to start working the on the Music on Parkway program.
2. Council Member Rohrich asked if there was an update on the damage to the baseball field. It appears the person entered the park from the sledding hill. Mr. Terrell stated that a camera could be installed with internet sending pictures to a computer when there is activity.

ADJOURNMENT

- Council Member Terrell moved, seconded by Council Member Rohrich, to adjourn the meeting at 9:07 p.m. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk