

CITY OF EAGLE LAKE
February 1, 2021
CITY COUNCIL 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

APPROVAL OF THE AGENDA

- Council Member Terrell moved, seconded by Council Member Rohrich, 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 White moved, seconded by Council Member Rohrich, to approve the January 4 and January 19, 2021 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 Terrell moved, seconded by Council Member White, to approve the consent agenda.

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| Monthly Bills | Treasurer's Report | Police Report |
| Fire Report | Public Works Report | Building & Zoning Permits |
| Gambling Report | | |

 - Resolution 2021- 06 Appoint Hartman to Day Time Rescue
 - Resolution 2021-07 Approve Zachary Keesey for Police PERA
 - Pay Estimate #5 and Final: Watermain Looping Project
- A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

PUBLIC HEARING

1. Improvement Hearing for CSAH 27 (Agency Street) Project

- Brian Sarff with Bolton and Menk explained that the Agency Street project would run from Thomas Drive to LeRay Avenue and that the project was initiated due to infrastructure issues with the water and sewer lines. The City has entered into a corporate agreement with Blue Earth County and held an open house information meeting about this project. A preliminary engineering report was authorized by the City Council on December 7, 2020 and information was sent to property owners about tonight's improvement hearing.
- Sanitary Sewer Collection System: The existing 8-inch clay pipe will be replaced with an 8-inch PVC pipe. New precast concrete manholes with gasketed joints will be installed and sanitary sewer services will be reconstructed from the main to the property line. These repairs will replace the cracked and broken pipes and eliminate root intrusions and inflow and infiltration.
- Water Distribution System: The existing water main is 4- to 8-inch cast iron and will be replaced with an 8- to 10-inch PVC line. Most of the original pipe was constructed prior to the 1980s and have corroded which has resulted in numerous watermain breaks. The fire hydrants and isolation valves will be installed, and the water service lines will be reconstructed from the main to the property line.

- Storm Sewer System: The existing 8- to 24-inch concrete pipe will be replaced with 12- to 30-inch reinforced concrete pipe which will increase inlet capacity and be sized to meet state standards. The current system is on top of the existing sanitary sewer line. Road subsurface drains and sump pump drains will be installed.
- Private Utilities: The City and County are working with private utility service providers on necessary relocations and replacements.
- Street and Surface: The existing roadway is a 44-foot urban road with curb and gutter, 12-foot through lanes, and 10-foot parking lanes. Pavement conditions vary throughout the project. There is currently a 4-foot sidewalk on the west side from north of Linda Drive to the railroad tracks. There are sidewalks on both sides from the railroad tracks to LeRay Avenue which have steep slopes. There is no sidewalk between Linda Drive and the southeast part of Eagle Lake. The proposed improvements include a 40-foot urban road with 12-foot lands and 8-foot parking/shoulder with curb and gutter. This design is consistent with other Blue Earth County highways. Pedestrian accommodations are to include a 5- to 6-foot sidewalk on the west side from Thomas Drive to the railroad tracks and a 5-foot sidewalk on both sides from the railroad track to LeRay Avenue. Pedestrian ramps would be installed in accordance to the City's ADA Transition Plan. Boulevard restoration will include the reconstruction of concrete driveway aprons through the sidewalk and turf reestablishment.
- The estimated cost of the project is \$3,620,915 which includes allowances for contingencies, administrative, engineering, and financing costs.
- The City's assessment policy was reviewed with it being noted that the City has the ability to deviate from the policy. The estimated assessment for a 50-foot parcel is \$21,500. The actual assessment amount for each property will be provide in a mailed notice approximately two weeks before the assessment hearing with final assessment amounts being certified to the County Auditor and added to property tax statements starting in 2022. Assessments can be prepaid with no interest. The prepayment date will be determined by the Council and provided in the assessment hearing. The remaining principal and accrued interest can be prepaid in future years with no penalty.
- Project Schedule: March 1, 2021-approve plans and specifications and order advertisement for bids; March 31, 2021 – open bids; April 5, 2021-declare cost to be assessed and call for assessment hearing; May 3, 2021-assessment hearing, adopt assessments, and accept bids; June – November 2021-construction; Summer 2022 – complete final paving.
- The public hearing was opened with the following comments taken.
- Roger Bechel, 308 S. Agency Street, asked who would be responsible for the private utilities. The work will be done by the private utility companies. The private utility company will determine how the cost of the work will be handled. Mr. Bechel asked if there would be a cap to the amount a property can be assessed. State law states that an assessment to a property may not exceed the value of the improvement to the property. Mr. Bechel also inquired about the possibility to defer assessments for the elderly. Staff indicated they would provide Mr. Bechel with requirements as written in city code.
- Administrator Bromeland read a letter submitted by Jeremy Horkey, 520 S. Agency Street. Mr. Horkey wrote that at the January 11, 2021 meeting with Blue Earth County a couple of items were brought to his attention. The first attachment shows a signature page which shows the property owners along Agency Street granting the easement to the county in the mid-1950s. The properties located at 520 and 524 S. Agency Street were not part of this document. The second item references the attached map which shows that the above-mentioned properties were never plotted and thus easements never granted to the city nor the county and stated that in looking at the abstracts for these properties, that both properties actually extend to the to "the middle of the road", with no easement ever granted. He wrote that the city/county would need to purchase the easements necessary from the property owners at fair market value. Mr. Horkey's emailed letter and attachments are attached at the end of the minutes.
- Administrator Bromeland read a letter submitted by Mike Foley, relating to 513 S. Agency Street. Mr. Foley wrote that as per an article in the Lake Region Times of Thursday, April 7, 1983 regarding the upgrading of County Road 27 (Agency Street), a Special Council Meeting held on March 30, 1983 was held to determine an equitable solution to access the agriculture property of Mr. Foley. As per the article (see attachment), Mr. and Mrs. Foley will be assessed for the project in two sections. Section one – The agriculture property would be assessed the same amount per foot as other city lots, with the assessment to be deferred without interest being charged until such time as any part of the land is sold, developed or changes hands. At that time the assessment is payable and due. Section two-the residential area where the house is located will be assessed the same amount as the other city lots. This is as it was then and should be now. Mr. Foley also wrote that given prior precedent by the City, the land remaining agricultural, and new road overlay and utilities have no immediate value for agricultural production, the trustees respectfully

request the agricultural land be assessed at the same amount per foot as other city lots, with the assessment to be deferred without interest being charged until such time as any part of the agricultural land is sold, developed or changes hands. At that time, the assessment would be payable and due. Mr. Foley went on to write that to provide benefit to the City in terms of future disruption to their portion of CSAH 27/Agency Street, the trustees notified the city's engineer that they require water and sewer stubbed in on their side of Blace Avenue and water stubbed in on their side of Connie Lane. As for Thomas Drive, the city's engineer said the trust would need to do nothing as there was sewer and water at the southwest corner between their agricultural land and the trailer court. The current estimated expense to the Donald P. Foley Trust is \$6,900. In addition, they must reimburse the lessee for disruption to agricultural production as a result of the work. Mr. Foley's letter and attachments are at the end of the minutes.

- Administrator Bromeland read a letter from Earl Jensen, 420 S. Agency Street. Mr. Jensen wrote to express his concerns about the proposed construction and stated this is the fourth time a sidewalk has been proposed for Agency Street. He disagrees with installing them for many reasons, which included the street was widened about thirty years ago to allow for walking and or bike path and that a sidewalk would take more property from homeowners, and the burden to remove snow. Mr. Jensen's letter is attached at the end of these minutes.
- Nathan Bechel, 312 S. Agency and 137 N. Agency, stated that a family member has special medical needs and asked if special consideration could be given so that access to the property when medical needs arise is available. Mr. Sarff stated the goal is to have drivable access for most of the time and that they are aware of this need, but at some point there will not be drivable access. Project updates will be communicated during the construction of this project.
- A resident attending the meeting remotely via GoTo Meeting asked if the sidewalk portion of this project would be eligible for Safe Routes to School grant. It was determined that a grant would not be feasible for this portion of the project due to increased project cost and time constraints.
- The public hearing was closed.
- Council discussion included that Blue Earth County and Bolton and Menk are aware of the of the lack of easements for properties located at 420 and 524 S. Agency Street as well as irregularities in the property lines which abut Agency Street and that the parcels have not been platted.
- City Attorney Chris Kennedy stated that City Council may want to review the current assessment policy in light of the fact that they have altered the amounts assessed with the past projects and stated the policy should be followed for the majority of City projects. Mr. Kennedy also explained that a past deferred assessment on the Foley agricultural property does not have much input with the current assessment. Mayor Auringer stated that he feels it would be appropriate to handle assessments to agricultural property differently than residential property.
- Mr. Sarff stated the Special Benefit Analysis will take 8-10 weeks and is expected to be completed by mid-March.
- Council Member Terrell moved, seconded by Council Member White, to approve Resolution 2021-08 Resolution Ordering Improvement and Preparation of Plans. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
- Council Member Rohrich stated she would like the City to work with property owners to lessen the assessment burden to the extent it can be done.

PRESENTATIONS

1. Brian Sarff with Bolton and Menk: CSAH 27 (Agency Street) Project

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2. John Graupman with Bolton and Menk: Water Treatment Study Presentation

- Mr. Graupman presented the findings of the water treatment study for information purposes.
- Supply: Currently the city has two primary wells with firm well capacity of 400 gallons per minute or 58,000 gallons per day. The typical life cycle of a well is 40-60 years with well number two being 47 years old and well number three is 13 years old. Well number one is an emergency back up well and is seven years old. All are in the Prairie du Chien aquifer.
- Storage: The existing water tower storage is 300,000 gallons. The goal is to have the capacity of one day water storage which the city has above that capacity. The typical life of a tower is 65-75 life with the existing tower at 27 years.
- Treatment facilities: The City has a chemical treatment facility located near wells two and three.
- Water Quality: The primary concerns are iron and manganese. Iron turns water orange and manganese creates black or dark staining. The water system supports nuisance bacteria, but none are health issues.
- There are a lot of similarities of complaints relating to water odor, primarily in the older parts of town and where there is older water. Water complaints received consisted of mostly discolored water north of the railroad tracks and mostly odor complaints south of the railroad tracks and only light discoloration. In the south east corner of town, the majority of houses had odor complaints which is from water sitting longer.
- Looking forward: Eagle Lake is growing steadily which is expected to continue and estimated to reach a population of 5,000 in next 20 years which would exceed current well capacity and the city could look at drilling a replacement well for well number 2 within 10-15 years if growth continues.
- Water treatment alternatives:
 - Option 1: Regionalization from Mankato Water Treatment System. Administrator Bromeland has reached out to the City of Mankato but has not heard back from them yet. They do have capacity for Eagle Lake. The City would need to construct a water main into Mankato. Eagle Lake's water tower is lower than Mankato's so corrections to Eagle Lake's tower would be needed. Mankato's water will be older but is lime treated water with less risk of water odor. It was recommended council and staff tour Mankato's water treatment facility. An agreement with the City of Mankato would be needed. Eagle Lake would benefit by working out details and lead this discussion, if interested in pursuing this option. Grants would most like not be available due to no public health risks in current water supply. If the current wells are be used for emergency standby purposes, no new well would need to be drilled. The cost for this option is approximately \$2 million without any cost share from Mankato. This would provide softened water to residents. There could be a delay in implementation and the city would lose sole control.
 - Option 2: Construct a new water treatment facility with concrete gravity filters. This is a typical system in Minnesota and would be designed for a population of 5,000. Water quality would be better but would not be softened water. With this option a new well would be needed in about 10 years. The City would need to locate a parcel of land to build this facility and it was recommended to look west of town. The cost of the plant would \$8.5 million. Would need a licensed operator.
 - Option 3: Construct a new water treatment facility with steel gravity filters which would be constructed in two phases. Property would be needed to construct the facility but could be sized smaller than option 2. About every 20-25 years the steel would need to be painted. The cost of a well would be approximately \$250,000. Total project cost \$5.3 million and a licensed operator would be required.
 - Option 4: Do nothing. Find property for a future well.
- Estimated User Rates:
 - Current average water rate is \$24 a month; Option 1 would increase to \$31 plus Mankato's fees for water, Option 2 would increase to \$77 and Option 3 would increase to \$61.

3. Jesse Samuelson with LJP Waste Solutions: Garbage and Recycling Contract

- Jesse Samuelson stated the current contract expires at the end of February and based on the terms of the contract has automatically renewed for another year. Mr. Samuelson asked the City Council to consider extending the contract for five (5) years, to February 28, 2026. If extended, the collection fee increase for 2021 would be waived.
- Council discussion included issues with clean up days in 2020 due to the COVID-19 pandemic. LJP will provide some kind of curb side pick in 2021.

- Administrator Bromeland stated there have not been many complaints and that LJP is responsive when there are issues and asked if there could be an agreement to spring cleanup charges.
 - Council Member Terrell moved, seconded by Council Member Rohrich. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
4. Scott McConkey with Office of Traffic Safety Southern MN Lay Enforcement Liaison: Speed and Aggressive Driving Grant
- Mr. McConkey spoke about the Towards Zero Death (TZD) program which brings together enforcement, engineering, education, and emergency medical and trauma services to respond to traffic safety in a coordinated effort. Eagle Lake is a part of this initiative.
 - In the past year the miles driven went down drastically but fatalities increased. Peak speeds are a serious component in this issue. There is an emphasis on speed from now until the fall season so that awareness can be increased and education can be provided. A coalition of Mankato, Blue Earth County and Eagle Lake has been formed to have impact in this region/area. Extra funds will be available to focus time on speed issues.
 - This program is geared for speed and aggressive driving and Deputy Wellner will be submitting paperwork for the grant. If approved, it will be brought back to the City Council for approval. There is a 20% match requested of the city and cities who are willing to match more than 20% will be given priority in the application process.
 - Chief Kopp stated the goal is to fill the shifts for this program.
 - Discussion the City would need to approve a resolution to enter into this agreement. Officers will be able to focus both on the highway and roadways within the city limits. This is not a highway program; it is a program for all roadways.
 - A Resolution authorizing the execution of the agreement will need to be approved and submitted.
 - Council Member White moved, seconded by Council Member Rohrich, to approve a resolution authorizing the execution of the agreement. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

OLD BUSINESS

- None

NEW BUSINESS

1. Resolution Ordering Improvement
 - Handled under number one in Presentations.
2. Review CSAH 27 (Agency Street) Project Schedule
 - Presented in the Public Hearing
3. Pricing for New Police Squad Car
 - Administrator Bromeland stated that Chief Kopp has obtained pricing from Mankato Ford for a new squad car to replace the 2017 squad car. Squad cars are typically replaced every four years. The first quote is for a 2021 Ford Police Interceptor Utility EcoBoost in the amount of \$38,058 and the second quote is for a 2021 Ford Police Interceptor Utility Hybrid in the amount of \$37,353. Chief Kopp recommends the quote for the 2021 Ford Police Interceptor EcoBoost in the amount of \$38,058. Included in the 2021 budget was \$40,000 set aside specifically for police capital outlay. The current balance in the capital outlay for police is \$129,654.73.
 - Chief Kopp presented the pros and cons for each of the quoted vehicles. It would take approximately three months to build the vehicle and another couple of weeks to have equipment installed. Existing equipment will be reused where possible.
 - Council Member Terrell moved, seconded by Council Member Steinberg, to approve the purchase of the 2021 Ford Police Interceptor Utility EcoBoost in the amount of \$38,058. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
4. Pricing for New Police Radios
 - Chief Kopp explained the current radios are 10-12 years old and that residents are able to listen to the scanner. He requested to move to radios with encrypted channels which provides for officer safety. Blue Earth County will be changing their radios as well. Currently five of the city's portable radios are not repairable if they have issues. The new radios will be able to communicate with the current style radios used by other agencies.
 - Alpha Wireless's bid for squad and portable radios is \$31,137.15 which is equivalent to the state bid price.

- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the purchase of squad and portable radios.
 - Discussion included the desire to verify the state bid prices.
 - Council Member Rohrich amended the original motion to approve the purchase of the radios upon confirmation that Alpha Wireless's bid is equivalent to the state bid price. Council Member Steinberg seconded the amended motion. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
5. Pricing for LED Lights at Ice Rink
- Per City Council's direction pricing was obtained for replacing the lights at the ice rink with LED lights and to add one to two lights to the existing streetlight near the sledding hill. Two proposals for the lights at the rink were obtained with BLK's in the amount of \$5,000 and Ploog Electric's in the amount of \$5,400. Both electrical contractors indicated they could install the lights within 2-3 weeks of their proposal being accepted.
 - Xcel Energy was contacted to add 1-2 fixtures to the street light pole at the sledding hill. There is currently a 400-watt light at this location. According to Xcel, there are 3 different wattages for LED, ranging from 30W to 75W, each costing the same amount at \$8 per month. The lights would be on year-round from dusk to dawn. The recurring monthly cost would be paid for out of the electric utilities line item of the Park and Recreation budget.
 - Since replacing the lights was not previously discussed or planned for until the special meeting in January, the purchase of the lights is not an expenditure that was accounted for in the 2021 budget. Staff recommends that the City Council authorize transferring funds from General Government capital outlay (101-41000-550) to line item 101-42500-550 for this purpose and to make that capital outlay line whole.
 - Director Goettl stated the price difference on the lights is Ploog's Electric is 4,000 lumina more than the bid from BLK Electric. The new lights for the ice rink are similar in wattage as the current lights and will shine down more than the current lights.
 - Council Member White moved, seconded by Council Member Rohrich, to accept the bid from BLK for LED lights at the ice rink in the amount of \$5,000. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
 - Currently there is a 400-watt light now and Xcel is recommending going with 30-75-watt range LED lights. Council discussion included wanting to install two additional lights.
 - Council Member White moved, seconded by Council Member Steinberg, to authorize Xcel Energy to install two LED lights on the existing pole. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, authorizing the transfer of funds from General Government capital outlay to line item 101-42500-550 to cover the cost of adding LED list at the ice rink. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
6. Utility Disconnection Follow-Up
- Administrator Bromeland stated that the League of MN Cities (LMC) advises against cities disconnecting utilities due to the current executive orders prohibiting most evictions. The Minnesota attorney general has said that shutting off residential water service could be considered a "constructive eviction" because homes are not considered habitable if there is not running water. Instead, cities are encouraged to approach collection of past-due accounts with voluntary payment plan arrangements or transmittal to the county for collection of unpaid balances through property tax collection.
 - City staff will continue to place a hold on any utility disconnections during the peacetime emergency and work with utility customers to make payment plan arrangements or if necessary, certify unpaid amounts next November for collection with property taxes.
7. Sale of City Council Issued iPad to Former Elected Official
- Former elected official John Ries has offered to purchase the 5th generation iPad for \$100 that he was assigned to use from 2017-2020. It is not uncommon for cities to have a policy allowing outgoing elected officials the opportunity to buy their assigned devices at fair market value. City staff has researched the fair market value which ranges between \$77 - \$124. If the City were to trade directly with Apple for a newer device, the trade in value would be higher than selling direct to a buyer, however in 2020 the City purchases new notebooks for City Council's use.
 - Council Member Terrell moved, seconded by Council Member White, authorizing the sale of the used 5th generation iPad for \$100 to John Ries. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

OTHER

1. Email of Commendation Received for Chief of Police John Kopp
 - Administrator Bromeland stated she received an email of commendation for Chief Kopp in his assistance to the Mankato Department of Public Safety in which Chief Kopp responded quickly and effectively to their call for assistance with an Eagle Lake resident that has a good rapport with Chief Kopp.
2. Upcoming February 6th Park and Recreation Event at Lake Eagle Park
 - Due to the bitter cold forecast for the February 6th Winter Park Event organizers are considering rescheduling the event. An announcement will be made on February 2nd as to when this event will be rescheduled to.
3. Follow-Up to Whistle Free Zone Inquiry from Resident
 - Administrator Bromeland reported at the January 4th meeting that a resident recently contacted the City asking if Eagle Lake will be working towards a Whistle Free Zone at railroad crossings. The inquiry was prompted by a newspaper article about the City of Mankato undertaking a railroad quiet zone study. City staff was directed at the January 4th meeting to report back findings of the process involved, etc. Administrator Bromeland stated that included with the packet is a link to the City of Mankato's website with more information about achieving a railroad quiet zone: <https://www.mplshdrshared.com/mankatoquietzone/>. She encouraged council members to visit the City of Mankato's website which has a lot of great information on this subject and to be able to gauge timeframe involved, cost, and the need for a consultant.

CITY ADMINISTRATOR REPORT

1. Update on Prospect of Refinancing of Bonds
 - Administrator Bromeland reported that discussion took place recently about the possibility of refinancing bonds. The City's bond consultant indicated that it may be possible to achieve interest savings on the 2013A Bonds through refinance. It is recommended that this be evaluated at the same time as financing is put in place for the Agency Street Project to reduce issuance costs through a lower credit rating fee.
2. Upcoming Mosquito Control Treatment Presentation
 - A resident reached out recently with concerns about the effectiveness of mosquito control treatments. An invitation was extended to Rob Olson with Clarke to attend the March 1st meeting to discuss the mosquito control treatments used in Eagle Lake and answer any questions that you might have about effectiveness.

COUNCIL MEMBER'S REPORT

1. CER Advisory Council Report (Rohrich)
 - Nothing to report currently.
2. City Council Meetings
 - Mayor Auringer asked residents to contact City Hall if they would like to attend the March 1st City Council meeting in person and stated he wants to make sure residents know that the City is now live streaming City Council meetings. Resident feedback on the livestreaming would be appreciated.

ADJOURNMENT

- Council Member Terrell moved, seconded by Council Member Rohrich, to adjourn the meeting at 9:31 p.m.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk