

**CITY OF EAGLE LAKE  
JUNE 3, 2019  
CITY COUNCIL MEETING**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

- The Pledge of Allegiance was said.

**ROLL CALL**

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

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

- Council Member Terrell moved, seconded by Council Member Short, to approve the agenda. Motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.

**APPROVAL OF MEETING MINUTES**

- Council Member Short moved, seconded by Council Member Steinberg, to approve the May 6, 2019 City Council minutes. The motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.

**CONSENT AGENDA**

- Council Member Short moved, seconded by Council Member Terrell, to approve the consent agenda.
  - Monthly Bills
  - Police Report
  - Fire Report
  - Public Works Report
  - Building/Zoning Permits
  - Gambling Report
  - Contiguous Liquor License
  - Resolution 2019-10 Peterka PERA
  - Resolution 2019-11 Cole Hoines and Michael Moriarty Resignations from Park Board
  - Resolution 2019-12 Appoint Ryan Wersal to Park Board
  - Resolution 2019-13 Resignation of Hunter Koch and Colin Johnson from fire department
  - Resolution 2019-14 to Not Waive Statutory Tort Limits
  - Resolution 2019-15 Appointing Aran Augustine to fire department active rosterMotion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.

**PRESENTATION**

1. 2019 Drainage Improvement Findings-Brian Sarff with Bolton and Menk
  - Brian Sarff with Bolton and Menk provided drainage improvement recommendations for three distinct areas.
  - Area 1: Linda Drive north of LeSueur. This area has no subsurface drains and many sump pumps discharge to the street causing roadway deterioration. Recommended solution: install drain tile below the curb which would require driveway and road restoration. Approximate cost is \$73,000.
  - Area 2: 207 Diane Dr. Lots from the north and east drains into 207 Diane Drive and there is no defined drainageway. Installing a storm sewer is not a cost-effective option for this area and it is not a good practice to put surface water into the edge drains. Mr. Sarff stated the northeast corner of the lot where

the garage is located is too low. Grading could be done between garages to create a swale. Approximate cost is \$8,000. If a pipe is installed the approximate cost would be \$32,000.

- Area 3: South side of Linda Drive. Area has a well-defined drainageway which runs from east to west. Recommended solution: connect to existing storm sewer in street. In large rain events the 21” line may surcharge water back into this area. There is an existing easements to the rear of 228 and 232 Blace; however due to trees, a fence and a shed in this area an alternative easement may need to be obtained. Jeff Kaul of 232 Blace Avenue indicated that his trees and fence need to be removed anyway and that he would be willing to relocate the shed. Approximate cost is \$45,000.
  - Total cost for all three areas is \$118,000 to \$168,000 depending which alternative is chosen.
  - Council Member Ries stating he is struggling with this discussion since his property is included in one of the works area and that he is a member of the Council.
  - Council discussion included Mayor Auringer stating this a private property and would typically be assessed and asked what the next step would be. Mr. Sarff indicated the next step would be to initiate the 429 process and that bids may be received in September.
  - Council Member Ries stated the argument could be made that this is a city issue and feels the city should pay for these projects.
  - City Administrator Bromeland shared that she receives inquiries from residents often regarding drainage issues. She said that she tells residents drainage issues are private nuisance matters and does not involve the City. Bromeland suggested that legal counsel be consulted to ensure that taking on this project at City expense won't open the floodgates to future similar requests from property owners with drainage issues.
  - Council expressed the desire to continue moving forward with this project and that later discussion will occur as to how to pay for the projects.
2. MS4 Annual Public Meeting-Travis Fristed with ISG
- Mr. Fristed presented an overview of MS4 explaining that Eagle Lake is a regulated community and that his presentation is a requirement of the permit. The SWPPP report will be available at city hall and will be online.
  - Mr. Fristed reported on the six minimum control measures required by MS4 and explained where the city is at with each of them. New requirements will be added when the current permit expires.
3. Southern Minnesota Initiative Foundation Update (SMIF)-Alissa Oeltjenbruns
- Ms. Oeltjenbruns thanked the city council for their support and presented an overview of SMIF's areas of involvement which are Early Childhood Education, GAP lending, and Community Vitality. She also stated they will have a small-town grant opening in August.
4. All Seasons Arena Joint Powers Board Information – Mark Piepho
- Mr. Piepho explained that each community has a voting member on the board and that each community contributes a proportionate share. Eagle Lake is being asked to be a community member and the city's share would be \$1,763 per year. If approved a council member would need to be appointed to the board which meets at 7:00 a.m.
  - Council Member Ries moved, seconded by Council Member Steinberg, to approve becoming a community member of the All Seasons Arena Joint Powers Board. Motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.
5. Regional Economic Development Alliance (REDA) – Jim Santori
- Mr. Santori presented the substantial changes within REDA and stated all members receive notice of new business opportunities. REDA's advisory committee consists of members outside of Mankato. Marketplace enhancements assist in facilitating strategy development and programming impacting economic development.

- City Administrator Bromeland that Eagle Lake's EDA could use some guidance to establish goals and strategic plans.
6. Minnesota Valley Action Council (MVAC) – Judd Schultz
- Mr. Schultz stated a new round of Small City Development grants will be opening and that preliminary applications must be submitted by November. He also explained that applications can be written for different needs which could include owner occupied homes, rental properties, and commercial properties; all with their specific requirements which would need to be met.
  - This grant program utilizes HUD funds and is administered by DEED.
  - MVAC could write the grant application, at no cost, if the city decides to move forward. The first step would be to survey the community to gauge interest.
  - Mayor Auringer moved, seconded by Council Member Ries, to have MVAC assist in the grant writing process. Motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.
7. City Gravel Road Paving Request – Dale and Elizabeth Stoltman
- Elizabeth Stoltman presented a request for the city to consider improvements to 598<sup>th</sup> for the section which is currently gravel stating this winter it was impossible for them to access their property just south of where 598 leaves the city limits.
  - The Stoltman's preferred improvement is to have the roadway paved. Other options presented were to trim back trees in area to allow for more sun to reach the road, install a snow fence to limit snow on roadway or have rock added to roadway to lessen softness of road.
  - Public Works Director Goettl stated that the city has an agreement with Mankato Township and the township will gravel the city's portion of this road when they place gravel on their portion of the road.
  - Since the trees belong to a developer the city can not trim back or remove the trees.
  - Council directed staff to coordinate with Mankato Township so that a better base can be obtained.
8. Appeal Rental License Denial – Mariah Chapman, 304 LeRay Avenue
- Currently Ms. Chapman is unable to obtain a rental license since there is a rental license issued within the 250 feet as specified by city code.
  - Mariah Chapman asked for special consideration to allow her to obtain a rental license since she would be utilizing a professional company to manage the rental property.
  - Council discussion included the restrictions are in place to maintain the single-family home characteristics of neighborhoods and the concern that if a property is rezoned to R-2 to allow a rental license it would be spot zoning.
  - Council stated that if the majority of property owners in the neighborhood were in favor of rezoning from an R-1, single family residential district, to an R-2, one- and two-family residential district, they could consider rezoning the neighborhood.
  - Craig Groebner, owner of 401 LeRay Avenue, stated he went before the planning commission to ask for approval of a rental license and was told he would have to demonstrate a hardship.
  - Both Mariah Chapman and Craig Groebner were directed to attend the June 17, 2019 Planning Commission meeting on this matter.

## **PUBLIC HEARINGS**

- None

## **OLD BUSINESS**

### 1. Social Media Policy

- City Administrator Bromeland highlighted the proposed changes to the draft policy and stated this policy would apply to staff, fire department members, board and commission members and city council members. If approved all persons will be provided with a copy of the policy and be asked to sign off on receiving a copy of the policy which will be put in their personnel file.

- Council Member Short moved, seconded by Council Member Ries, to approve the social media policy as presented. Motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.

## **NEW BUSINESS**

1. All Seasons Arena Operating Service Agreement
  - Addressed under presentations.
2. Regional Economic Development Alliance Joint Service Agreement
  - Addressed under presentations.
3. Resolution 2019-16: A Resolution Adoption Part I and II of the MAOP ADA Transition Plan and Inventory
  - Council Member Ries moved, seconded by Council Member Short, to approve Resolution 2019-16. Motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.
4. SLOW Children at Play Sign Request
  - A request was received by the residents at 701 Linda Drive for a Children at Play sign. The public works department replaced a faded sign and will put a similar sign on opposite side of road.
5. Right of Way Parcels along Parkway Avenue
  - Mayor Auringer stated he would like to look into giving the right of way parcels included in the Parkway Avenue Turnback projects to the adjacent property owners. If given to adjacent property owners, they would be responsible to maintaining.
6. Sidewalk Repair Pricing
  - Two bids were received to repair sidewalks with the lowest bid coming in at \$12,680 from Clint Adams.
  - Council Member Ries moved, seconded by Council Member Steinberg, to approve Clint Adam's bid for sidewalk repairs. Motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.
7. Daschner's Lot Along Parkway Avenue
  - Council Member Terrell inquired to the status of the Daschner's agreement to construct a building on the lot east of Dasch Salon.
  - City Administrator Bromeland indicated the Daschners have until January or February of 2020 to have a building constructed. Administrator Bromeland will check with Daschners as to the status.

## **OTHER**

1. Mankato Motorsports Update
  - There will be an open house regarding this project on June 12, 2019 at City Hall. A promotional flyer will be mailed by the developer.
2. Manufactured Home Park and Nuisances
  - Police Chief Kopp is working with the mobile home park manager and has provided her with a list of properties with tall grass and junk violations. If the issues are not addressed within one week the city will initiate the abatement process. The building inspector does not have authority in this area unless there is a public safety hazard. The possibility of starting a subcommittee to resolve issues was discussed.
  - Other discussion included the need to invite management to a city council meeting and the possibility of charging the park rental license fees for each pad. Administrator Bromeland will contact the City of Mankato to see how they handle issues.
3. Vandalism at Lake Eagle Park
  - Due to recent vandalism Administrator Bromeland will notify residents via email asking for residents to report issues of vandalism.
  - Public Works Director Goettl stated there are data plans available for security cameras.
  - Council discussion included that residents could be asked to notify the city if they have home security systems and if they would allow the city's police officers to view footage if there area of incidents occur.

## **ADMINISTRATOR'S UPDATE**

1. Rec on the GO! – Kick off event will be held June 19, 2016 from 5:30 to 7:00 p.m. at Lake Eagle Park. Council members were invited to help with the event.

2. Decision Notice from Blue Earth County – Notice was provided Council for informational purposes.
3. Abandoned Sewer Line and Televising Work - Empire Pipe will be videoing the line along County Road 17 in late June or July.
4. Status of Property at 308 Agency Street – Since this property has not been issued a certificate of occupancy the person living in this house has been removed and the water has been turned off. The property owner has been given 30 days to complete work. This parcel still needs to be split into two parcels.
5. League of MN Cities Loss Control Meeting Recap – The meeting went well.
6. State Demographers Estimate – The 2018 estimate has Eagle Lake’s population at 3,137 with 1177 households.

## **COUNCIL MEMBER REPORTS**

- None

## **CLOSED MEETING**

- Prior to closing the meeting City Administrator Bromeland stated that the city’s attorney has recommended that Council Member Terrell not attend the closed meeting to void any perceptions of conflict of interest.
- Council Member Terrell briefly explained that he has a purchase agreement for this property and if the council decides to purchase this property, he would have the purchase agreement transferred to the city. He also stated he would receive no financial benefit from this purchase. Council Member Terrell removed himself from the closed meeting.

## **REOPENING OF PUBLIC MEETING**

- Council Member Ries moved, seconded by Council Member Short, to close the public meeting to discuss the possible purchase of 241 Oak Drive for the purpose of adding a park in the Eagle Heights Subdivision. Motion carried with Council Members Ries, Short, Steinberg, and Mayor Auringer voting in favor.
- Council Member Ries moved, seconded by Council Member Steinberg, to reopen the public meeting. Motion carried with Council Members Ries, Short, Steinberg, and Mayor Auringer voting in favor. Council Member Terrell was not present for the remainder of the public meeting.
- Council Member Short moved, seconded by Council Member Steinberg, to purchase 241 Oak Drive by transferring the purchase agreement to the City of Eagle Lake and that this purchase for future development and be purchased using general fund monies. Motion carried with Council Members Ries, Short, Steinberg, and Mayor Auringer voting in favor.

## Public Works Follow Up

- Director Goettl informed the Council of a sag in the underdrain line in the area of 300 Blace and asked if this could be repaired if the Council moves ahead with the storm water drainage issue in this area. Council indicated this repair could be done at that time.
- The sidewalk in front of 416 Owl Lane has been damaged, most likely by a contractor. The city directed that this portion of the sidewalk be repaired along with the other sidewalks this summer. If future sidewalk damage occurs due to development, the developer/contractor will be required to make said repairs.

## **ADJOURNMENT**

- Council Member Short moved, seconded by Council Member Ries, to adjourn the meeting at 9:15 p.m. Motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.

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Tim Auringer, Mayor

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Kerry Rausch, Deputy Clerk