

at 1 mg/liter with 0.3 mg/liter the standard. Manganese levels are 0.17-0.2 mg/liter and the standard is 0.5 mg/liter. These levels could cause black and brown staining.

- Possible solutions include constructing a filtration facility, utilizing a regional/joint water treatment system, and adding sequestering agents to the water system. The cost of a filtration system would cost approximately \$2-\$5 million and would be a 30-40-year investment. The cost of a regionalized system is unknown. Another option is to do nothing.
 - Discussion included why these issues seem to be localized and not city-wide. It may be due to the length of time the water is in the system.
 - Council asked staff to look into the cost of sequestering agents and a filtration system.
2. South Agency Street Project-Brian Sarff with Bolton and Menk
- Mr. Sarff stated he has been communicating with Blue Earth County staff and the rough total construction cost of Agency Street from Thomas Drive to LeRay Avenue is approximately \$2.4-\$2.5 million for a full reconstruction and that a trenchless (pipe bursting) option would cost approximately \$1.6-\$1.7 million. With the trenchless option the curb and gutter would remain intact and would result in several potholes.
 - Blue Earth County is looking at their options. A work session with Blue Earth County was recommended to determine next steps and to determine if the county would contribute to the project.
 - The lifespan of the utilities is similar with both options. Pipe bursting for the sanitary sewer line will limit the depth of the line to the current depth. The unknown is the services to houses.
 - The lifespan of the road with a full reconstruction is 25 years. The last time there has been a full reconstruction of this road was 1983 but it has been milled and overlaid since then. Most utilities are older than 35 years.

PUBLIC HEARING

1. Shoreland Ordinance

- Administrator Bromeland stated that the public notice was published in the Free Press and posted on the city's website. Local governments are required to adopt a shoreland ordinance and with the annexation of land in 2019 the city is required to have a shoreland ordinance.
- The proposed ordinance is based on the DNR's model ordinance and includes land use regulations and is a guide for land development. The DNR has given conditional approval of the city's draft ordinance. Upon Council approval the DNR will need to give final approval.
- The Public Hearing was opened with the following comments being taken.
 - Erin Guentzel, 60374 244th Lane, Madison Lake, asked what the intent of the ordinance is and that on page 12 of the ordinance she had questions relating to the permitted, conditional, and not permitted uses. Administrator Bromeland stated two classifications were incorrect due to an error with reformatting the table but are noted and will be corrected.
 - Mike Guentzel, 60374 244th Lane Madison Lake, asked if anything is intended to be built in the shoreland area, which was stated that there is not and that this ordinance would establish what, if anything, could be built in this area.
 - Nicole Davros, 101 Valley Lane, stated it is disappointing that it took so long for the city to reach out to the DNR about the designation but is glad the city did. She also stated that the wildlife designation of Lake Eagle is a rare designation.
 - Gary Borchardt, 21402 598th Ave, stated he did not see in the ordinance how far back the proposed fuel tanks will be required to be. Jan Kansier with Bolton and Menk stated she considers fuel tanks to be structures and would be required to be 150 feet from the ordinary high-water level. Dan Girolamo with the DNR stated this is not covered well in any shoreland ordinance and stated it would depend on what the city includes as a definition of structures. He also stated that fuel tanks are regulated by other agencies. Mr. Borchardt also asked how this parcel will be zoned. It was explained that the rezoning process has not taken place and that most likely this will be addressed as a Planned Unit Development (PUD).
- Administrator Bromeland addressed questions relating to guest cottages and vacation rentals by owners (VRBO) and stated that the shoreland ordinance is intended to protect surface water quality and aesthetics and asked if the language for guest cottages and VRBO should be removed. Jane Kansier stated these could be addressed within the regular section of city code which would include the entire city and not just the shoreland section of the city.
- Council discussion included that section 6.25, Lake Minimum Lot Area and Width Standards could be deleted as well as references to rivers and streams. Dan Girolamo explained that the lake is the city's only

designated public waterway. The need to modify section 4.23's classification of permitted, conditional and not permitted uses.

- Casey's General Store is most likely within the shoreland ordinance area, but this type of business is highly regulated by MN Pollution Control Agency.

OLD BUSINESS

- None

NEW BUSINESS

1. Adoption of Shoreland Ordinance

- Council Member Terrell moved, seconded by Council Member Short, to adopt the Shoreland Ordinance as presented with changes made to sections 4.23 and 6.25 and to include language that fuel tanks shall follow MN Pollution Control Agency guidelines. A roll call vote was taken with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.

2. Resolution 2020-22 Resolution in the Matter of an Abandoned Sewer Line by the City of Eagle Lake

- Administrator Bromeland explained that Blue Earth County firm that the county's engineer's concurrence is required of any segments being abandoned without fill due to the reasoning that the line is only in existence in its present location by permit.
- Council discussion included they are not in favor of this language because the county could insist that the entire line be filled and that it is not possible to push sand that far and holes would need to be drilled in the roadway. This item will be added to the work session with the county.
- Also discussed was the manhole that is buckling due to hear wave, and the county's engineer has indicated this repair would be done by the county but at the city's expense. The city has the casting needed for this repair work.

3. Planning Commission Recommendation Regarding Variance for 716 Maple Lane

- The applicants are seeking a variance from code regulation prohibiting unenclosed porches, landings, or steps exceeding 64 feet into the required side yard. The property owners are seeking a variance to construct a deck in the side yard totaling 132 feet.
- A public hearing was held on June 15, 2020 at the Planning Commission meeting with notice sent to all property owners within 350 feet of subject property. No written or oral comments were received in opposition and one written comment was received in support of the variance application.
- Administrator Bromeland explained that "Practical Difficulties" is a three-factor test including reasonableness, uniqueness, and essential character. The Planning Commission determined that the variance would result in the property being used in a reasonable manner, that the landowner's problem is due to circumstances unique to the property and not caused by the landowner, and finally that if the variance were granted that it would not alter the essential character of the locality. The Planning Commission recommends approval of the variance request.
- Council discussion included that the entire deck is within the side yard setback of the garage.
- Council Member Ries moved, seconded by Council Member Steinberg, to approve the variance request for 716 Maple Lake. A roll call vote was taken with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.

4. Coronavirus Relief Fund Certification Form

- The City of Eagle Lake has received notification from the MN Dept of Revenue that it is eligible to be reimbursed up to \$236,342 in qualifying COVID-19 expenses. The certification form needs to be submitted by September 15, 2020 which the city certifies they will submit only eligible expenses. Once this certification form is submitted the city will submit eligible expenses incurred to date with the first disbursement being received in July. All eligible expenses must be submitted by December 1, 2020.
- Unused funds will go back to Blue Earth County.
- Council Member Short moved, seconded by Council Member Ries, authorizing Administrator Bromeland to fill out and submit certification form to the state through the MN Cares Act. A roll call vote was taken with Council Members Ries, Terrell, Short, Steinberg and Mayor Auringer voting in favor.

OTHER

1. Review of Swimming Pool Regulations-Section 6.210, Subdivision 7

- Administrator Bromeland stated with COVID-19 there has been an increase in pools being installed and complaints from residents with concerns about safety. Current code requires pools containing 3,000 gallons or a depth of 3.5 feet are required to install a security fence and the fence should be screened. A request has

been received from a property owner to install a fence on top of the pool. The property owner is present at the meeting. The Planning Commission recommended that this request go before City Council.

- Jamie Johnson, 100 Linda Drive, explained the fence attaches to the outside of the pool and includes one section with a ladder system. The ladder system would have safety locks and be completely covered so no stairs are exposed when pool is not being used. He asked what the intent of city code is, to make it safe or to hide the pool.
- Council discussion included if there are code differences for above and below ground pools. If a fence on top of the pool would be a hinderance if there is a medical emergency. Other concerns include the proximity to house and potential damage to the home's foundation. Council Member Ries stated he is not in favor of altering city code for one individual and if there are other pools in town this section of code pertains to.
- Administrator Bromeland stated there are several pools in city limits and there is no way to know how many people this may affect. The city does not have staff to actively look for violations and operates on a complaint basis. Two complaints were received on this pool.
- Mr. Johnson stated the pool is up to the deck but there is a slab 10 feet from the house and the pool is beyond the concrete. The pool is semi-permanent and designed to have water mostly drained for the winter and would not have any lighting. The pool is right on the property line and he has the neighboring property owner's permission.
- Council directed Mr. Johnson to take a step back and submit a zoning permit application with a site plan for review to allow for a more educated decision to be made.

CITY ADMINISTRATOR REPORT

1. Status of Stormwater Pond Inspections and Possible Solutions to Address Resident Concerns about Algae Cover and Order

- Administrator Bromeland and Brian Goettl met with ISG to inspect ponds and review pond complaints relating to odor and algae. Inspections verified that ponds are functioning correctly. Staff is working with ISG to possible solutions to the algae growth, but the city is limited in what can be done as an MS4 city. Many of the ponds required 10-foot buffer that has not been maintained by property owners which can help slow down nutrients entering the ponds. The city's engineer encouraged the city to educate residents about the need to leave a 10-foot buffer.
- Council discussion included asking ISG to look at pond depths and dredging options. Many of the ponds have limited to no access to dredge because of landscaping. Public Works will measure pond depths this winter.

2. Parks Project and Fundraising Tools

- The city's auditor has advised against the city setting up a Go Fund Me account to raise funds for a park project. If a private person or organization set one up and would like to make a contribution to the city, that is allowable.

3. Eagle Path Development and Street Extension Request

- The developer's agreement states that once 75% of the development is completed the city would extend the street 250 feet to the west. The developer changed the access point to the development and would need 450-foot extension to the road. The developer is concerned with water run off onto his property.
- Discussion included if the developer has buffers or sleeves in place, which it does not. There is no erosion control in place. The developer built lower than the existing road and has changed plans from what was presented. Discussion took place verifying existence of proper permits.
- Council asked the developer to put the street extension request in writing. Currently there are two completed units and two being constructed out of a total of 16 units planned.
- Developer, Craig Theuninck, stated that storm water runoff drains onto his property. Council discussion included that Eagle Avenue was installed prior to the development and that this should be looked at by the engineer. He also stated that he has changed the design layout of the development and would like to see the road extended prior to reaching 75% of project being developed and would like the road to be extended 450 feet instead of the 250 feet as indicated in the developer's agreement.
- Administrator Bromeland stated she would set up a meeting with Mr. Theuninck.

4. Possibility of City Sign in CSAH 56 ROW

- Administrator Bromeland has spoken with Blue Earth County and they indicated they would work with the city and discuss locations for a sign. It would need to be determined if electricity could be brought to the location and if there is a possibility of solar lighting.
- This could be included in the work session with the county.

- Mayor Auringer asked if there is a sculpture winner in the Mankato Sculpture Walk that would be appropriate for Eagle Lake that the City should contact Greater Mankato Growth to see if it could be donated and installed in Eagle Lake.
5. Mountain Biking Proposal and Request from Resident
 - Resident Brett Walker met with the Park Board about the possibility of installing a mountain bike track on the property owned by KJ Walk at the south end of 598th Avenue. KJ Walk is open to it but has liability concerns. Administrator Bromeland would like to receive input from the League of MN Cities and legal counsel if City Council approves. Council authorized staff to seek input from the League of MN Cities and legal counsel.
 6. 2019 Audit Recap
 - The audit went smoothly, and the financial report has been submitted to the state. The auditor will be at the August meeting to present audit report.
 7. Storm Water Concern
 - Council Member Terrell stated that storm water is pooling in the Eagle Heights subdivision. Public Works Director Goettl stated he was not sure if the catch basin could be lowered the way it was designed and felt this was a developer/engineer issue.
 - Administrator Bromeland stated she would reach out to the city engineer to see if the catch basin could be lowered.

COUNCIL MEMBER'S REPORT

- Discussion included the current regulations for public meeting during the COVID-19 pandemic; if it is acceptable for council to hold meetings in the council chambers with other attendees attending virtually and could meetings be live streamed.

ADJOURNMENT

- Council Member Terrell moved, seconded by Council Member Ries, to adjourn the meeting at 9:12 p.m. Motion carried with Council Members Ries, Terrell, Short, Steinberg and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk