

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
JANUARY 8, 2024**

CALL TO ORDER

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

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland, Community Development Coordinator Olivia Adomabea, Public Works Director Andrew Hartman, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- Jodi McDonough, 116 N. Second Street, stated there is a person living in a fish house behind her house and would like to see it removed.

APPROVAL OF THE AGENDA

- Council Member White moved, seconded by Council Member Rohrich, to approve the agenda. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- After the presentation portion of the agenda Mayor Norton asked if the Council would consider amending the agenda to add item 12 to approve the amendments to Chapter 6 of city code. Council Member Whittington moved, seconded by Council Member Steinberg, to add item 12 under New Business. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member White moved, seconded by Council Member Rohrich, to approve the December 4, and December 7, 2023 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

CONSENT AGENDA

- Mayor Norton brought to the Council’s attention the resolution accepting donations for the park pavilion and thanked donors for their generosity.
- Council Member Rohrich moved, seconded by Council Member Whittington, to approve the consent agenda.

Monthly Bills	Treasurer’s Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Res. 2024-02 Official Newspaper	Res. 2024-03 Fee Schedule
Res. 2024-04 Designate Bank Signatories & Delegating	Authorizing Electronic Fund Transfers	
Res. 2024-05 Accept Donations		
Res. 2024-06 Wages 2024		

- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

PUBLIC HEARING

1. Amendments to Chapter 6 of City Code Related to Planning & Zoning Regulations

- Council Member White moved, seconded by Council Member Steinberg, to move into a public hearing.
- Community Development Coordinator Olivia Adomabea presented the following recommended amendments to Chapter 6 of City Code.
- General Arrangement of Code: The code will be organized into Articles allowing for ease in finding needed information by topics/categories.
- Scope Definition and Establishment of Districts: Updating scope and definitions to clarify meaning and create definitions where needed. Staff in consultation with the city attorney found it necessary to add this to promote orderly growth and development of the city to help avoid haphazard development. Upon recommendation of the city attorney the historical and architectural portion of code relating to bed and breakfast establishments will be removed due to being difficult to explain and defend. The section of code relating to bedrooms would be modified as well. One definition to be added would be for hard surfaces as asked for by the Planning Commission. Also added would be the word “required” yard. This would create for example a side yard and a required side yard.
- Administration & Enforcement: Currently City code states the Zoning Administrator will be the City Administrator. The proposed change would allow for another member of city staff to serve as Zoning Administrator as well. This would allow for more than one person to serve in this position and would provide backup to this role.
- Zoning Districts: A section titled classification of districts would be created. Each district would be rewritten to eliminate redundancy and simplify for ease of understanding. Information in the current code lists the same information in each zoning district. The proposed change would create a new section such as accessory structures so that all information is located in one place.
- Special Districts: Districts which do not fall under zoning districts because they do not follow zoning districts’ regulations, such as PUDs, Parkway Avenue District, manufactured homes, etc. will be included in a stand-alone section titled Special Districts sections. These districts follow specific regulations and usually go through a different process. Staff has consulted the city attorney regarding the existing chapter of the city code which addresses manufactured homes and details are still under discussion as to if this separate code should remain or move into Chapter 6. If changes are needed in the future, the recommendations will be brought before the City Council.
- Adult Uses: The city attorney feels there are terms that would be difficult to defend in this section those terms would be eliminated.
- Signs: The existing code does not address signs. There are many different types of signs which need to be established and defined and a sign permit application purpose will be established to set forth procedures. Suggested changes would also define which signs do and do not need a permit and where signs are allowed. The enforcement process of this section of code would also be included as well as legal actions.
- Mayor Norton asked if adult use would include cannabis and alcohol establishments. Administrator Bromeland responded that this question will be forwarded on to the City’s attorney.
- No comments were offered by the public.
- Council Member Steinberg moved, seconded by Council Member White, to close the public hearing. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

SCHEDULED GUEST/PRESENTATIONS

1. MSU Graduate Student Studio Project Final Presentation for Land Use Plan Update

- Mankato State University-Mankato's graduate students Aaron, Brandon, Maryse and Michael, as part of a Capstone Project, worked on the City of Eagle Lake's Land Use Plan and presented their Studio Final Presentation.
- It was explained that the Land Use Plan is a part of a City's Comprehensive Plan providing guidance for the City. The last time the Comprehensive Plan was updated was 1991. The Land Use Plan was last updated in 2017. The plan presented tonight is a result of the student's observations and it can be modified.
- The following demographic information was presented. A population pyramid which included the number of males and females by age group was presented and it was explained that this data provides much input and insight and can change over time. Household income was also presented, which is a good indication of economy and well-being. Through a demographic analysis, Eagle Lake's population has increased from 1,787 people to 3,064 people for a total increase of 1,277 residents between 2000 and 2020. The number of households increased from 651 to 1,229, which is an increase of 578 households during this same 20-year time period. If this growth trend continues it is estimated that by 2040 the population will be 6,926 and the number of required homes will be 2,547. The reason for Eagle Lake's growth is quality of life, the housing market, and its location.
- The purpose of land use planning is to provide efficiency and effectiveness as well as to protect, mitigate, manage, and minimize environmental conservation. Other key purposes of land use planning are to prepare for infrastructure and service needs such as roads and utilities and to allow for economic development for residential, commercial and industrial area. The city's established land use classifications were reviewed as well as the goal and objective of each classification. It was explained that land use classifications are important when considering future growth needs. A survey completed by Region 9 Development Commission in 2022 was included in the presentation and it was explained how those results can be used with land use planning. The results of the survey completed in 2023 as part of this Land Use Plan project indicated the desire for a balance between population/small town feel and the desire for more businesses. Participants indicated the desire for more public spaces and would like to see more single-family homes instead of multi-family housing.
- Maps for land use planning were presented and it was explained that economy, health and safety, convenience, harmony, aesthetics, functionality, and preservation all need to be considered. The following three scenarios for zoning districts were presented along with the strengths and weaknesses of each. Scenario 1 would keep the zoning districts as they are currently, scenario 2 would include northward development, scenario 3 would allow for southward development. Also presented were area transportation system and transit routes. Anticipated land use changes were also presented for the year 2023 and 2040.
- The following recommendations were presented. Zoning annexed areas and/or rezoning existing areas to provide adequate housing needs to coincide with MN Statute 473.859 subd. 2, bring water treatment facilities up to date, economic development, improve transit through the community, establish more public spaces (green spaces and community center), and lake rehabilitation.

NEW BUSINESS

1. Contractor's Pay Request No. 2 for Water Tower Rehab Project

- Administrator Bromeland stated a pay request for the water tower rehab project has been received in the amount of \$158,835. Bolton and Menk Engineer John Graupman recommends payment of the contractor's pay request.
- Council Member Whittington moved, seconded by Council Member White, to approve the pay request. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

2. Sale of Surplus ELPD Ammunition to BECSO

- Administrator Bromeland explained that the surplus Eagle Lake Police Department ammunition was inventoried and appraised based on recent invoices for ammunition. The Blue Earth County Sheriff's Office (BECSO) has submitted an offer of \$3,500. Per an inquiry to legal counsel, it is acceptable to sell the surplus ammunition to BECSO.
- Council Member Steinberg moved, seconded by Council Member White, to authorize the sale of police department surplus ammunition to BECSO in the amount of \$3,500. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

3. ASCAP License Agreement

- Administrator Bromeland stated that before Council is the paperwork for a license agreement with the American Society of Composers, Authors, and Publishers (ASCAP) to play copyrighted music on premises owned by the City of Eagle Lake. Any music played in a public space could potentially open the city up to liability without a license. The fee for the one-year license is \$434.
- Council Member White moved, seconded by Council Member Steinberg, to approve the licensing agreement with ASCAP. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

4. VOTER Funds Agreement

- Administrator Bromeland explained that according to Michael Stalberger with Blue Earth County Property and Environmental Resources, the Legislature enacted the first-of-its-kind ongoing state appropriation to support the cost of administering elections at the city, town, and county levels. The intent of the annual funding is to share the burden of certain election costs with the state, rather than it being solely a local taxpayer responsibility. Blue Earth County will retain Eagle Lake's share and use the funds for qualifying election expenses. This will reduce the City's cost for its election equipment contribution, ballot mailing costs, etc. that are typically billed back to Eagle Lake. By signing the VOTER funds agreement, the City of Eagle Lake is allowing Blue Earth County to retain all funds so that the City will not have any reporting or recordkeeping responsibilities for the VOTERS Funds. Eagle Lake's portion of these funds are \$170.73.
- Council Member Whittington moved, seconded by Council Member Rohrich, to approve the VOTERS Fund Agreement. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Norton voting in favor.

5. Intent to Cost Participate Agreement with Blue Earth County for Eagle Lake Pedestrian Connectivity Project

- Administrator Bromeland explained that before Council is an Intent to Cost Participate Agreement between Blue Earth County and the City of Eagle Lake. The purpose of this agreement is to define terms, responsibilities, and formalize County and City intent to participate in cost sharing for the Eagle Lake Pedestrian Connectivity Project development and design of pedestrian facilities including a shared-use trail along CSAH 27 (Agency Street) from Thomas Drive to 211th Street, a sidewalk along CSAH 27 (Agency Street) from Thomas Drive to Blace Avenue, and a sidewalk along 211th Street from Agency Street to Maple Lane.
- Administrator Bromeland provided background information stating the City was awarded a transportation Alternative Grant totaling \$475,982 in April 2023 to apply towards the construction cost of the Eagle Lake Pedestrian Connectivity Project in fiscal year 2026. To help offset the local share, the DNR grant application will be submitted. Under this agreement, if that application is unsuccessful, the City and County agree to pay their respective proportionate shares of the remaining project construction cost.
- Administrator Bromeland directed Council Members to Exhibit A in the packet which details the terms of the agreement as well as the responsibilities of the City and County. Blue Earth County approved and signed the agreement at its January 2, 2024 meeting.
- Mayor Norton asked for clarification if these sidewalks would be ADA compliant, which they would.

- Council Member Whittington moved, seconded by Council Member Steinberg, to approve entering into a Cost Participate Agreement with Blue Earth County for a Pedestrian Connectivity Project. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
6. Resolution 2024-07 Adopting ADA Transition Plan and Inventory for Public Right-of-Way
- Administrator Bromeland stated that the Americans with Disability Act (ADA) transition plan update is complete, the Mankato/North Mankato Area Planning Organization (MAPO) is asking that each governing body adopt the plan update. Before the Council is a resolution adopting Part I and Part II of the MAPO ADA Transition Plan and Inventory for Public Right-of-Way. The inventory has been updated. The previous plan was adopted in 2017.
 - Council Member White moved, seconded by Council Member Rohrich, to approve Resolution 2024-07 Part I and Part II of the MAPO ADA Transition Plan and Inventory for Public Right-of-Way. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
7. League of Minnesota Cities Grant Navigator Application
- Administrator Bromeland stated before Council is a resolution authorizing an application for grant navigation support for the City of Eagle Lake. The League of Minnesota Cities (LMC) has created a pilot Grants Navigation Program in which the LMC will provide grants up to \$5,000 per city to use with industry partners to ease the process of identifying matching funds to city projects and aid in the grant application process. City staff is seeking LMC Grant Navigator Funding to retain Bolton and Menk to assist with a 2024 grant application for the DNR Local Trail Connections Program. The DNR Local Trails Connection grant is a prime funding source that can fill the large gap left over from the Transportation Alternatives local match requirement. The cost of Bolton and Menk's help is \$4,200.
 - Council Member Steinberg moved, seconded by Council Member White, to approve resolution 2024-08 Authorizing Application for Grant Navigation Support for the City of Eagle Lake. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
8. Conditional State Approval of Floodplain Ordinance & Required Next Steps
- Administrator Bromeland directed Council to a letter of conditional approval of Eagle Lake's draft floodplain management ordinance. The ordinance is being amended to incorporate the updated Flood Insurance Rate Map panels and accompanying Flood Insurance Study for Blue Earth County, with an effective date of February 22, 2024, and maintain participation in the National Flood Insurance Program. The next step would be to schedule a public hearing for the February 5, 2024 City Council meeting.
 - Administrator Bromeland explained that the City's attorney has reviewed the draft ordinance and has suggested that Section 5 be deleted and added to Chapter 6 under the non-conformities section.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, to schedule a public hearing for the February 5, 2024 City Council meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
9. Proposal for State Lobbying Services for Water Treatment Plan Project
- Administrator Bromeland stated that before Council is a proposal for State Lobbying Services for the proposed Water Treatment Plant Project for which the City is seeking state capital investment funding. The Jacobson Law Group proposes to help the City secure 50% of the projected project cost in capital investment funding for a new water treatment facility, work with relevant legislative staff and counsel to draft legislation, if necessary, help facilitate and schedule meetings with lawmakers and other stakeholders, monitor the legislature on issues related to the City, attend hearings and report back to the City, and provide regular updates and recommendations for action.
 - Administrator Bromeland also explained that a Capital Budget Request was submitted in June 2023 totaling \$7,077,000 (50% of the estimated \$14,153,000 total project cost) for the construction of a new water treatment facility. During the 2023 legislative session, a bill was introduced relating to appropriating money for Eagle Lake's water project, but no funding was ultimately appropriated. A request for placement on the

Drinking Water Revolving Loan Fund (DWRLF) 2024 Intended Use Plan for water treatment improvements was submitted to the Minnesota Department of Health (MDH) DWRLF Program and Minnesota Public Facilities Authority in June 2023. Eagle Lake's Water Treatment Project is currently ranked 125th on the MDH 2024 PPL and assigned 2024 PPL points.

- Jacobson Law Group proposes a flat-fee retainer of \$15,000 for state and local government lobbying. City staff submitted a request for proposal to the Coalition of Grater MN Cities for lobbying services but has not yet received a response.
- Discussion included Mayor Norton stating she feels this would be a good fit and that Jacobson Law has former legislative people on staff and that they have community outreach ideas.
- Council Member Whittington asked why they would pursue only 50% of the needed funding. Administrator Bromeland explained that capital budget requests require a local share. This local share can be offset by low interest loans. City staff is looking into federal funding sources as well.
- Administrator Bromeland stated she has contacted larger cities who indicated they felt lobbying efforts were worthwhile when they contracted for these services.
- Council Member Rohrich moved, seconded by Council Member White, to approve the proposal from Jacobson Law Group for State Lobbying Services in the amount of \$15,000. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

10. Professional Credit Analysts of MN Retainer Agreement

- Administrator Bromeland explained that before Council is a retainer agreement form Professional Credit Analysts (PCA) of Minnesota to collect past due miscellaneous accounts receivables, such as accident and fire calls. City staff currently sends out past due notices each quarter. Currently, there are approximately \$5,000 in unpaid accident and fire calls.
- PCA charges a one-time set up fee of \$50.00 and the will collect a 40% contingency fee on all monies paid to PCA or to the City after referral to PCA. City staff will utilize the free contract review service by the League of Minnesota Cities for the PCA of MN agreement upon Council's approval.
- Council Member Steinberg moved, seconded by Council Member White, to approve entering into an agreement with Professional Credit Analysts of MN upon legal review by the League of MN Cities. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

11. Approve Selling Surplus ELPD Cellphones to Verizon

- Administrator Bromeland stated approval is being sought to sell five (5) Eagle Lake Police Department surplus cell phones back to Verizon at \$80 per phone, totaling \$400.00. City staff worked with IT to preserve data and ensure the phones were wiped.
- Council discussion included that the going rate for these phones may be higher on the open market, but also that staff time to research this needs to be considered.
- Council Member Steinberg moved, seconded by Council Member White, to do a quick online search for the going rate for these cell phones and utilize the best pricing to sell the phones. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

12. Approval of Chapter 6 Amendments

- Council Member Rohrich moved, seconded by Council Member White, to approve amendments to Chapter 6 of the Zoning Code as presented and to allow for a summary publication. A roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting gin favor. The motion carried.

OTHER

- None

CITY ADMINISTRATOR REPORT

1. Alliance Pipeline Fueling Futures grant Award for Park Pavilion Project
 - A grant award letter was received advising that the City’s application has been approved in the amount of \$5,000 from Alliance Pipeline Fueling Futures Grant Program to apply towards the Park Pavilion Project. Paul Kleist with Alliance Pipeline will notify staff when he is available for a photo opportunity so that the City can recognize Mr. Kleist and Alliance Pipeline for their generous contribution to the Lake Eagle Park pavilion.
2. Expenditure and Revenue Report
 - The unaudited year-end revenue and expenditures are included in the Council packet. A quick overview was presented stating that revenues came in higher than budgeted and expenditures lower than budgeted.
3. Recap of Recent Congressman Finstad Visit
 - Council Member White, Mayor Norton, Administrator Bromeland and staff met with Congressman Finstad at City Hall regarding the need to secure funding for a water treatment plant, ongoing safety concerns with Highway 14, and the need to secure funding for a new fire hall. City officials will stay in communication with Congressman Finstad’s office on these issues.
 - An invitation was extended to Congressman Finstad for Eagle Lake to host a town hall meeting.
4. Employee Paid Leave Balances
 - Discussion took place at the December meeting concerning paid leave and the desire to study paid leave in 2024 to ensure competitiveness with other cities. City staff is currently working with MVCOG to conduct a review of the City’s leave program and will report findings in early 2024. In the meantime, before Council is a current listing of leave banks for employees to provide Council with a better idea of the current leave accruals.

COUNCIL REPORTS

1. Council Member Steinberg stated that planning for Music on Parkway will begin soon and the location(s) for these events will be determined.
2. Mayor Norton stated that the meeting with Congressman Finstad was excellent and that he pledged his commitment to work towards securing \$5 million in funding for Eagle Lake
3. Mayor Norton stated she is very proud of the response of the Fire Department, Sheriff’s department, and the residents of Eagle Lake for the turnout for Sargeant Cade Wolfe’s fallen hero procession.

ADJOURNMENT

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 8:12 p.m. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

Lisa Norton, Mayor

Kerry Rausch, Deputy Clerk