

CITY OF EAGLE LAKE
JANUARY 9, 2023
CITY COUNCIL MEETING AGENDA
705 Parkway Avenue at 6:00 P.M.

City Council meetings are held the first Monday of every month at 6 p.m. All meetings are open to the public. If you wish to address the City Council in person, please contact City Hall at 507-257-3218 or email krausch@eaglelakemn.com or jbromeland@eaglelakemn.com. Written comments or questions for the City Council can be submitted via USPS, email, or dropped off at City Hall. City Council meetings are now live streamed to the City of Eagle Lake’s official YouTube Channel. To view meetings, please visit the City of Eagle Lake website at eaglelakemn.com and click on the “City of Eagle Lake MN City Council Meetings” icon on the home page of the website.

The City Council is provided with background information for agenda items in advance by staff, committees, and boards. Many decisions regarding agenda items are based upon this information, as well as: city policy and practices, input from constituents and a Council Members personal judgment. If you have any comments, questions or information that has not yet been presented or discussed regarding an agenda item, please ask to be recognized by the mayor during the “Open Public Comments” section on the agenda. Please state your name and address for the record. All comments are appreciated.

CALL TO ORDER

ROLL CALL

___ Norton ___ Steinberg ___ Rohrich ___ White ___ Whittington

OPEN PUBLIC COMMENTS

Persons may take one opportunity to address the council for three minutes on a topic not on the agenda. Persons commenting on consent agenda may use this opportunity to speak. There will be no discussion or action taken at that time. This is merely to inform the City Council of your issue(s) or concern(s) and for City Staff to do further research.

APPROVAL OF THE AGENDA

APPROVAL OF MEETING MINUTES

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- City Council Meeting Minutes of December 5, 2022

CONSENT AGENDA

1. Monthly Bills	Pg. 14	2. Treasurer’s Report	Pg.
3. Police Report	Pg. 61	4. Fire Report	Pg. 65
5. Public Works Report	Pg. 67	6. Building and Zoning Permits	Pg. 68
7. Gambling Report	Pg. 69	8. Res. 2023-01 Designating Official Depositories	Pg. 71
9. Resolution 2023-02 Designate Official Newspaper	Pg. 72	10. Res. 2023-03 Approving 2023 Fee Schedule	Pg. 73
11. Res. 2023-04 Electronic Fund Transfer Designated Authority	Pg. 74	12. Res. 2023-05 Mayoral Appointments	Pg. 75

If you have any questions, please feel free to contact City Hall at 507.257.3218 or email at jbromeland@eaglelakemn.com.

13. Res. 2023-06 Resign. Wallert	Pg. 76	14. Res. 2023-07 Appoint Tom Paulson to Planning Comm.	Pg. 77
15. Res. 2023-08 Accept Grant from Compeer Financial	Pg. 78	16.	Pg.

PRESENTATIONS

1. Luke Israelson, KJ Walk: Escrow Funds	Pg. 79
2. Brian Sarff, Bolton and Menk: WTP Campus Concept Plan, and 2023 Infrastructure CIP	Pg. 93
3. Randy King, Prokore Inspection: Building Inspection Services	Pg. 100

NEW BUSINESS

1. Resolution Requesting Parking Restrictions on CSAH 56 from CSAH 17 to Highway 14	Pg. 104
2. Resolution Supporting State Bonding for Regional Water Resource Recovery Facility	Pg. 106
3. Resolution Providing for Issuance and Sale of GO Water Revenue Note, Series 2023A	Pg. 108
4. Fox Meadow Townhomes, LCC, TIF Agreement Modification and Resolution	Pg. 126
5. Use Agreement with Gary and Kim Hiniker and Steve Wolfe	Pg. 133
6. Planning Commission CUP Recommendation for Fox Meadows Housing Development	Pg. 139
7. Website Redesign	Pg. 155

OTHER

CITY ADMINISTRATOR REPORT

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- Hiring Update for 4th FT PW Worker, 4th FT Police Officer, and Community Development Coordinator
- Upcoming Friday Family Fun Programming
- Upcoming 4th Annual Winter Activities at Lake Eagle Park on 2/4 from 2-4 pm
- Winter Newsletter

COUNCIL MEMBER'S REPORT

ANNOUNCEMENTS

- Next Regular **City Council** Meeting – February 6, 2023 at 6:00 PM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **EDA** Meeting – January 26, 2023 at 6:45 AM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **Park Board** Meeting – January 12, 2023 at 6:45 AM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **Planning Commission** Meeting – January 30, 2023 at 6:00 PM, City Hall-Council Chambers, 705 Parkway Ave

ADJOURNMENT

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
DECEMBER 5, 2022**

CALL TO ORDER

- Mayor Auringer 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 Tim Auringer.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, Public Works Director Andrew Hartman, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

APPROVAL OF THE AGENDA

- Mayor Auringer removed Randall King from Presentations and noted that he will be at the January meeting instead. Administrator Bromeland stated that she received an email from Nancy Reason, 305 Maywood Ave. related to the Mankato Motorsports Park Project and forwarded it onto the Council.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the agenda as amended. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Steinberg moved, seconded by Council Member Whittington, to approve the Council minutes as presented. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member White moved, seconded by Council Member Rohrich, to approve the consent agenda.
 - Monthly Bills
 - Treasurer's Report
 - Police Report
 - Fire Report
 - Public Works Report
 - Building & Zoning Permits
 - Gambling Report
 - Resolution Accepting Donation to Parks
 - Resolution Accepting Chelsea Britton's Resignation from Fire Department
 - Resolution Accepting Jacob Fangmann's Resignation from Fire Department
- Mayor Auringer expressed his thanks to the Sedar's for their donation to the parks and pointed out the resignations of Chelsea Britton and Jacob Fangmann from the fire department.
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

PUBLIC HEARING

1. Truth-In-Taxation Hearing for Final Property Tax Levy Collectible in 2023
 - Administrator Bromeland explained the purpose of this meeting is to provide an overview of the final budget and that changes in a property's market value should be addressed with Blue Earth County's Property and Environmental Resources department.

- Administrator Bromeland presented the following as part of the Truth-In-Taxation meeting.
- The final levy must be certified to the county auditor by December 28th and the City must file a certificate of compliance with the Department of Revenue by that same date. The levy is comprised of the general fund, EDA, and debt service. The property tax statements residents receive show all levy authorities which include the county, school district, special taxing districts, and the state of Minnesota.
- Eagle Lake's preliminary tax levy was set at 9% over 2022 for an approximate increase of \$80,361. Proposed final general fund revenues are \$1,879,390 and proposed final expenditures are \$1,945,100. The budget would be balanced but for planned deficit spending using capital outlay reserves. These are reserves that were previously set aside for capital outlay expenditures. Planned deficit spending is the intentional drawing down of capital outlay funds previously set aside in the general fund.
- The 2023 levy includes \$769,952 for the general fund, \$51,000 for the EDA, and \$152,310 for debt service for a total of \$973,262.
- Per an inquiry to Blue Earth County Property and Land staff, the average residential sale price in the City of Eagle Lake was \$300,100 for the 2022 assessment. The average market value percent increase on residential homes was 8.44%. It was noted that the City's net tax capacity has increased recently due to new residential and commercial construction. This is important because with more taxpayers, the tax base has expanded and helps to spread the burden of taxes over more taxpayers.
- In summarizing revenues Administrator Bromeland explained that local government aid comprises approximately 38% of general fund revenues while property taxes comprise about 41% while the remaining 21% is received through licenses, permit fees, interest earnings, franchise fees, police and fire state aid and other miscellaneous sources. On the expenditure side, police, fire and streets comprise the bulk of the general fund expenditures at approximately 60%.
- The overall health of the City is favorable with a bond rating of AA -. The City has a policy to maintain a minimum unassigned general fund balance of 50% of the annual general fund budget. The city has a positive fund balance, which offers a cushion for unexpected expenditures or revenue shortfall.
- The public hearing was opened with no comments being offered.
- The Truth-In-Taxation hearing concluded, and action will take place later on the agenda.

PRESENTATIONS

1. Bradford Development: Mankato Motorsports Park Project

- Dan Donayre, Project Manager with Bolton and Menk, who represents the Mankato Motorsports Park was present to answer questions.
- Mayor Auringer stated the public comment period ended October 20, 2022 and that Council has received all the responses to the public comments.
- Mayor Auringer asked if the shoreline of Lake Eagle will be encroached up with the project. Mr. Donayre stated it will not, there will be a buffer with a native plant mix. The design of the vegetative plans will occur later and will be discussed with the DNR. They will restore habitat for bees and other species to come back. Additional tree planting could be considered as well as the possibility of extending the tree line with native trees. The best way to handle environmental planting/restoration could be looked at through the DNR permitting.
- Mayor Auringer asked about the in-depth wildlife analysis. Mr. Donayre explained that this is a DNR study. Lake Eagle is a low-quality lake and stated that geese are not affected by noise and that other wildlife has adjusted to the noise of the highway, the distribution center, etc. The details of the study include bird counts and drones will be utilized to allow for digitization. This would most likely be done during migration periods and would be done over the course of one growing season. This study has been done by

the DNR in the past and it will identify species and migration periods. This lake, on the south side, is a shallow marsh with cattails. On the north side there is more shoreline.

- Mayor Auringer asked about sound projections and his concern for noise if the condos do not get built. He asked what the fallback protection would be. Mr. Brad Bass stated that the condos would be constructed in phases and that they could consider adding berms to mitigate noise and then remove the berms when building the condos.
 - Council Member White stated noise is a common theme with the comments and asked if there is more that can be done to mitigate noise. Mr. Donayre explained that sound barriers will lower noise by 5 decibels. He also stated that the track will not be running at night and that cars will not be souped up, that they will be high performance cars. He stated the sound barriers should work on this track. Mr. White asked if tall trees and or a tall fence would be good to consider to which Mr. Donayre stated they could possibly plant trees on the highway side.
 - Mayor Auringer referred to the topography of the land, stating that the north side is higher than the south side. He asked if the track would be higher than any of the berms or sound barriers. Jason Femrite with Bolton and Menk stated they have not gotten into the final details of this yet but stated that the purpose of the sound barrier is to mitigate the noise adjacent to that. He thinks that the track is about equal to the 20-foot sound barrier. He reiterated from previous meetings that the developer will adhere to the decibel levels stated per their agreement. Items can be addressed along the way in the development of this project.
 - Council Member Whittington stated that the DNR will have a lot of weight in how wildlife mitigation will be address. He also asked about the interior grass design. Mr. Femrite stated that the grass will only be manicured by the condos.
 - Council Member Steinberg stated there will be things discovered as the project moves along. He is glad to see that native habitat such as prairie grass will be included for animals.
 - Council Member Rohrich stated that prairie grass is against city code and that council will need to address this. City Attorney, Chris Kennedy stated council can look to modify city code and that cities such as Mankato and North Mankato have amended their code to allow for prairie grass.
 - Mr. Donayre summarized that most comments were related to noise and that the information they have showed with sound barriers, that noise will be diminished greatly. The next steps will be DNR permits and working with other organizations. The DNR will determine what studies they will require.
2. Mike and Erin Guentzel: Citizens Against Motorsports Park (CAMP)
- Mike Guentzel stated that when looking at the comments, the DNR is questioning the validity of the sound study and is anticipating wildlife will be affected. He stated that a study to identify what wildlife in is in this area should be conducted.
 - He also stated the car study was conducted in Melborme Australia during the Grand Prix and black swans were the only species studied and they showed evident of stress. Due to this he asked this be studied further.
 - Mr. Guentzel continued by stating the DNR is requesting more information with the noise modeling and that the response that they used on the 2020 EAW was the modeling which was objected by the appellate court. Bolton and Menk are saying the sensors won't work on water and water is what there are trying to protect. A way to model on the water needs to be figured out.
 - The responses state that inversions only happen at night. The most common times for inversions are in the morning and the evening which are during daylight hours. This track is supposed to be operating during daylight hours.
 - He also stated that most of the responses to the DNR's questions were send back with responses from the insufficient 2020 EAW.

- The EAW which was remanded back was largely related to global warming. The report states the track will produce of carbon monoxide. Just because the highway and Mankato are producing carbon monoxide does not mean we have to make it here. The report also stated the track may affect air quality with fumes and may affect wildlife.
 - Mr. Guentzel voiced concern as to whether the high-performance cars will be driven in or if they may be trailered in. The shops on site may soup up the cars, thus being legal when they come in but not when they go on the track. He also questioned if the cars would be legal to drive on the roads in the United States. Also mentioned was this track may have exotic car rentals, this could mean illegal to United States cars.
 - The study of the facility in California relating to greenhouse gas emissions does not exist. It was shot down by the City Council after they got the study back. The size of the driving strip was not similar in size to what is proposed with this motorsports park.
 - The question on topography was absolutely avoided and he stated the track is higher than the 20-foot wall. There is a 40-foot elevation change from the north to the south. The house across the street from the park is higher than the wall as are the apartments along the highway.
 - It was brought up that the DNR does not have control of the lake's outlet and Mr. Guentzel stated they do have control of this and that Mr. Stein with the DNR will be getting the dam replaced, the DNR wants to improve this lake.
 - There needs to be a long-term feasibility study of this motorsports park. How will they make enough on the condos to get this going. Is this a get your foot in the door and then not have enough money so they will want to offer other types of events at the facility. He stated that he has spoken to people at the Hasting's track, which is similar, who told him there is no way they could keep their track open without their grudge matches. Brainerd says it is not the road course that keeps them going, it is the speedway track.
 - The geese were addressed in the report stating they will take further action, but don't say what that action is. None of the studies take into account the wildlife in the tree line, it was only about the shoreline.
 - Mr. Guentzel asked if there will be additional development, because that box was not checked.
 - He stated that any violations of the MPCA noise standards is going to be on the City Council to enforce those standards. This could be the noise committee. But when they are in violation it is on the Council to handle it or it will be the City that is liable for the detriment of the neighbors.
 - He mentioned that the eagles in this area are in breeding season at the time the track is in operation. It has not been stated if the track will affect this.
 - The intersection at Highway 14 and County Road 27 was deemed acceptable but has since been changed twice by MnDOT. He asked with the changes made how can it be said that it is now acceptable without further study.
 - The developers have said there is no significant changes to the integrity of this project. He does not believe this to be true. The first design does not have the condos where they are proposed now. The driving range and hotel are completely gone. They traffic study was done on a driving range and a hotel. There is a new business included now with the Steffensmeier business and this was not included when the storm water design was done.
 - He asked the City Council to vote for an EIS.
3. Brian Sarff with Bolton and Menk: Water Tower Rehabilitation
- Mr. Sarff explained that seven bids were received and they were opened on November 3rd with John Graupman leading the opening. The bids ranged from \$463,000 to \$758,700. The low bid was received from Maquire Iron, Inc from Sioux Falls, South Dakota.
 - Mr. Sarff stated the company is aware of the July 10, 2023 completion deadline and has no concern and recommended Council consider awarding the bid to Maguire Iron in the amount of \$463,000.
 - It was recommended that Council continue moving forward on logo design and water tower color choices.

- Council Member Steinberg moved, seconded by Council Member White, to accept the bid from Maguire Iron for the water tower rehabilitation. The motion carried with Council Members Steinberg, Rohrich, White, Whitington, and Mayor Auringer voting in favor.
4. Alejandra Bejarano with Region 9: Presentation of Strategic Economic Development Plan
- Ms. Bejarano and Kristian Baekkan explained Region 9 was established by Minnesota statute 462.381 to provide technical assistance to local units of government in each region by providing services based on the region's unique needs. They partner with numerous state and federal agencies to obtain and administer grants for programs and projects at the local level. They are governed by volunteer commissions composed of elected officials, business and community leaders.
 - Region 9 serves Blue Earth, Brown, Faribault, LeSueur, Martin, Nicollet, Sibley, Waseca, and Watonwan counties, along with 72 cities, 147 townships, 33 school districts, and 232,411 citizens.
 - Services Region 9 provides includes, General services relating to fiscal sponsorship, loan funds, policy development and research and data analysis, community and economic development planning and special studies, and transportation planning.
 - The strategic planning document is a living vehicle for community leaders to think strategically, to make sound decisions, to focus efforts, and to develop consensus for collaboratively solving problems.
 - This planning shapes a community's future, defines the purpose of the community, allows the community to be responsive and better positioned to attract funding opportunities, and coordinates efforts and lays the foundation for effective and practical economic development efforts.
 - The process of developing Eagle Lake's strategic economic development plan was explained along with population and housing trends and predictions. Key points included Eagle Lake's very high growth rate, high education attainment levels, high housing costs, and above average household incomes. Also included was that the poverty rate is highest in female householder, no husband present with children under 18.
 - Recommendations included concern with staff capacity, and the need to leverage residents and local colleges and universities for volunteers, interns and knowledge and skills.
 - Learning points included the need of affordable housing, preservation of the small-town identity, location and school, as well as quietness and safety are drawing point for the community. Equity and inclusion should remain a focus.
5. Al Kiefer and Mitch Kleist: MAYBA Agreement
- Mr. Kiefer, MAYBA General Manager, explained that MAYBA encompasses District 77 youth ages 5-18 years. Youth ages 5-9 are grouped into teams by schools they attend. Eagle Lake as a great participation in MAYBA.
 - Appreciation of the MAYBA/Eagle Lake partnership was expressed.
 - An update on the baseball field was provided. Due to the drought this past summer, part of the outfield collapsed so dirt was brought in which may be an ongoing need based on soil conditions. This fall MAYBA turfed in some areas of the field and also brought in a storage unit to store supplies. This storage will also be used by Eagle Lake's t-ball group. MAYBA is looking to do concrete work in the dug outs as well as fascia work and will install AstroTurf in the batting cage. A long-term goal, 2-5 years, is to have MAYBA and the fire department pay for a sprinkler system for this field and would ask the City to cover the cost of the water. MAYBA may consider improvements to the bleachers, but stated they would not remove the sliding hill.
 - Mitch Kleist, who has been involved with the field repairs, stated he appreciates the City's help this fall and stated this field has a lot of potential and that fields are in high demand.
 - Mr. Kiefer stated this field is used by MAYBA and the school district in April and continues to be used almost nightly through June. The Eagle Lake Expos also use this field.

- Administrator Bromeland stated the next step will be to work on a new agreement and bring it back to Council.

OLD BUSINESS

1. Detachment Request from LeRay Township for Parcels Annexed for MMS

- Council sent this item back to staff due to the need to see if the developer will purchase this property. Council would like to review this at the January meeting.
- Phyllis Daschner was present at tonight's meeting and will bring information to the township at their next meeting.
- Administrator Bromeland stated concerns about making a lump sum payment to the township and would like an annual payment considered.

NEW BUSINESS

1. EIS Need Decision for Mankato Motorsports Park Supplemental EAW

- Mayor Auringer explained that there are four criteria in deciding whether a project has the potential for significant environmental effects, and the following should be considered. 1)-Type, extent, and reversibility of environmental effects, 2)-Cumulative potential effects. The RGU shall consider the following factors: whether the cumulative potential effect is significant, whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect, the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect, and the efforts of the proposer to minimize the contributions from the project. 3)- The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project. 4)-The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.
- Mr. Donayre explained that if an EIS is asked for it would include a more in-depth process of research and a longer review with more agencies involved.
- Council discussion included asking what would be gained by an EIS and that the DNR could require a more in-depth study as part of their licensing process. Concern about wildlife impact was expressed.
- Mr. Guentzel stated there is more to an EIS, they could look at traffic, environmental, cumulative effects and take a deep look at wildlife impacts.
- Jason Femrite explained that explained that an EIS could look further into a specific topic as directed.
- Gary Borchardt, 21402 598th Ave, stated that specific information has not been addressed about wildlife and effects on wildlife.
- Mr. Donayre stated he felt they addressed the DNR's focus on wildlife risks, in that more study is not necessary since this is a shallow lake with no species of significance.
- Council Members White and Whittington expressed their opinions that an EIS is not needed since the DNR will be involved throughout the process and that mitigation measures can be added throughout the process.
- Council Member Whittington moved, seconded by Council Member White, for a negative declaration on the need for an EIS. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor. Mayor Auringer voted in opposition.
- Mr. Bass stated he will look to work with land sellers.

2. Water Tower Rehabilitation Project Bids

- Handled under Presentations.

3. Minnesota Rural Water Midi Loan Program for Water Tower Rehabilitation Project

- Administrator Bromeland stated that Shannon Sweeney with David Drown and Associates has provided the City with preliminary project financing recommendations for the rehabilitation of the water tower. The total estimated project cost is \$549,000. This includes engineering costs and a recommended contingency of \$25,000. City staff recommends a cash contribution using \$100,000 of the remaining unallocated \$129,598.31 of American Rescue Plan Act (ARPA) funds.
- It was also explained that Mr. Sweeney recommended an application be made to the Minnesota Rural Water Midi Loan Program. Mr. Sweeney's cash flow projection was shared reflecting current interest payments of approximately \$58,880. An updated rate projections for the water funds was completed in September of 2022 and included the water tower rehabilitation project, assuming annual debt service payments of approximately \$61,000 to come out of the water fund.
- Council Member White moved, seconded by Council Member Rohrich, authorizing City Administrator Bromeland to apply to the Minnesota Rural Water Midi Loan program. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

4. Resolution Adopting Final Tax Levy Collectible in 2023

- Administrator Bromeland noted that the proposed 2023 tax rate is slightly below that of 2022's tax rate, the City has a healthy fund balance, and the budget includes the addition of a 4th full-time police officer, a 4th full-time public works worker, and a community development coordinator position.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve Resolution 2022-47 Setting the Fiscal Year 2023 Final Property Tax Levy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Council Member White moved, seconded by Council Member Steinberg, to adopt the 2023 budget. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

5. Developer's Agreement between Fox Meadow Townhomes LLC and City of Eagle Lake

- Administrator Bromeland stated a proposed developer's agreement for Phase 1 of Fox Meadows is before Council for consideration and that the City's attorney, Chris Kennedy has reviewed the agreement. The agreement addresses land disturbance and Mr. Kennedy has recommended this language remain in the agreement and that Mr. Schrom can proceed at his own risk. Also addressed includes storm sewer crossing Agency Street, sidewalks, sanitary sewer and watermain and the cost sharing between the developer and the City. Park dedication includes the developer dedicating 0.38 acres of land and pay the City \$24,495.68. Water and sewer area charges are also addressed.
- Blue Earth County is requiring the driveways for 513 and 425 Agency Street be relocated off of Agency Street and as far away from the intersection as possible.
- Street lighting will be the responsibility of the developer.
- Council Member Rohrich moved, seconded by Council Member White, to approve the developer's agreement as presented. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voted in favor.

6. Planning Commission Recommendation for Fox Meadow Final Plat

- Administrator Bromeland explained that a public hearing was held on November 21st to consider an application for final plat from Troy Schrom for the Fox Meadow Housing Development. Notice was published in the newspaper and sent to property owners within 350 feet of parcel R.12.10.184.000.13.
- Brian Sarff with Bolton and Menk has been involved with both the review of the concept plan, preliminary plat, and final plat to ensure proposed street and utility infrastructure conform with City standards.
- The developer will make new applications in the future for the planned unit developments for Blocks 2, 3, and 6. Each of these applications will have new public notices and public hearings.

- A motion was made and passed at the November 21st Planning Commission meeting recommending approval of the final plat with the notation that the driveways of 425 and 513 S. Agency Street being relocated off of Agency Street.
 - Council Member Steinberg moved, seconded by Council Member White, to approve Resolution 2022-48 to approve the final plat of Fox Meadows phase One. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
7. Pricing for F-250 for Public Works Department
- Administrator Bromeland explained that a capital outlay expenditure request from the Public Works Department for the replacement of the 2008 Ford F-250 has been received. Bids were received for a 2023 Ford F-205 and a 2023 Chevy Silverado 2500HD.
 - The public works department included \$11,000 in each of the five departments -water, sewer, storm, streets, and parks for this purchase in 2023. Previously there was \$50,000 allocated in the streets capital outlay for this purchase. Since these will be unused funds in the street capital outlay fund, those funds can be applied towards the additional outfitting needed for the truck including plow, lightbar, etc. since the base cost of the vehicle exceeded what was anticipated.
 - Public Works Director Andrew Hartman stated he would like to sell the 2008 F-250 and that even though the F-250 was higher in price, he would like to purchase the Ford F-250 to maintain fleet uniformity.
 - Council Member Steinberg moved, seconded by Council Member White, authorizing the purchase of the 2023 Ford F-250. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer.
8. MetroNet Quote for Fiber at City Locations
- Administrator Bromeland stated the proposal and business agreements from MetroNet for fiber internet at City for Eagle Lake locations including City Hall/Police, Fire Hall, Public Works, Main Lift Station, Pump House, and Water tower is before Council. The business agreement has a term of 60 months, and the price will not increase during the service agreement term. The City will not be billed until the service is installed.
 - Discussion included that the SCADA system will work with the new fiber, and that MetroNet has contacted the SCADA company to confirm what is needed for their system. The pricing would increase but service will improve as well. Park vandalism was also discussed, and fiber internet would be possible to locate in the parks for security systems.
 - Council Member Rohrich moved, seconded by Council Member Whittington, to approve the proposal and business agreement from MetroNet for fiber internet. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
9. Resolution TA Application
- Administrator Bromeland stated that before Council are two resolutions needed for the Transpiration Alternatives (TA) funding application for the Eagle Lake Pedestrian Connectivity Project. As was discussed at the November 7th City Council meeting, a letter of intent has been submitted. The next step in the process is to submit a full application. The deadline to submit a full application is Friday, January 13th. Since the January meeting is not until the 9th, City staff requests that the resolutions be adopted this evening to ensure submittal of all application materials by the deadline.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, to approve Resolution 2022-49 A Resolution of Sponsorship. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
 - Council Member Steinberg moved, seconded by Council Member White, to approve Resolution 2022-50 A Resolution Agreeing to Maintain the Facility for its Useful Life. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

10. Release of Escrow for Eagle Ridge, Phase II, from KJ Walk

- Administrator Bromeland stated she received a request from Amy Skillestad, Vice President of KJ Walk Inc, for a release of funds deposited with the City of Eagle Lake in 2021 for outstanding punch list items for Phase Two of the Eagle Ridge Subdivision. The funds were required as part of a supplemental agreement to the original developer's agreement.
- Brian Sarff with Bolton and Menk stated that in 2021 KJ Walk provided the City with \$154,257.50 to be placed in escrow to cover items on the punch list. Punch list items included a damaged gate valve in the street, storm water pond corrections, bituminous wear course, and the sidewalks. All items on the punch list have been completed, however the restoration work along the installed sidewalk remains incomplete. It was noted that the sidewalks were constructed but the restoration in conjunction with the sidewalks is outstanding. The boulevards were left untouched since the sidewalk crew came in. There is gravel in the boulevard and it is not graded properly. Due to this Mr. Sarff deems the work incomplete and that funds should be retained in the event that the City hires a contractor in the spring to complete the work. He also recommended that if the City chooses to complete this work, that the work be completed by May 1st to allow for the seeding window to adequately restore the project. The escrow portion of for the sidewalks was \$46,057.50.
- Mr. Sarff stated that KJ Walk is aware of the restoration work still needed. The supplemental agreement states that the plan was to release the funds as the issues were completed.
- Council Member Rohrich asked how excess retained funds would be handled if restoration work cost less than the retained funds. Brian Sarff stated this would be a legal question. He also stated that the deadline to have the work completed was September 30, 2022 and that there were several items on the punch list that did not meet this deadline. All items except for the boulevard restoration have been completed.
- Council Member Rohrich asked at what point the City may want to take over the completion of the restoration work to ensure that it is completed in a timely manner. Discussion included that we are at that point.
- Mayor Auringer asked the status of streetlight installation. Due to adverse weather conditions the installation has been pushed out to next week and that the original plan was to have streetlighting installed by the end of December.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to release escrow funds in excess of the anticipated \$46,057.50 needed to complete restoration work.
- Council Member Rohrich added to her motion to include that the City will take responsibility of the boulevard restoration work and may choose to contract out this service. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Public Works Director Andrew Hartman asked about street plowing of Eagle Ridge Phase II. Council discussion included the desire to verify if the street has been accepted. Mr. Sarff stated the street work is complete.
- Council asked that all property owners of this development be sent a letter informing them of the City's code requirement of snow removal on sidewalks.
- Mayor Auringer stated next year's Council may want to review City code which requires snow to be removed from sidewalks within 12 hours.

11. Parking along County Road 567 in Eagle Lake between Highway 14 and County Road 17

- Administrator Bromeland explained that staff fielded a question asking if parking should be allowed along County Road 56 in Eagle Lake between Highway 14 and County Road 17. Cars were observed parked along this stretch of road for a short duration.
- City staff reached out to Blue Earth County Engineer Ryan Thilges to find out which entity has the authority to make the determination about whether parking is allowed on a county roadway within city limits. Mr.

Thilges indicated that they do not encourage parking along that segment. Ultimately, Blue Earth County has the authority as to whether to restrict parking on a road, however, they take city feedback into account because they rely on the local police department to enforce no parking. Unless there is a significant hazard on the road, Blue Earth County defers to state statute.

- Police Chief Kopp stated that he spoke with Chad Wilde with Blue Earth County who stated that if there is room in the parking lots along this roadway, that people should not park on the road. Chief Kopp recommended Council consider posting No Parking signs along this segment of road because there is no sidewalk/trail in the area and residents use the shoulder as the walking area and that if cars are parked on this road, it will force walkers and bikers onto the road itself. Chief Kopp stated that the county attorney has indicated the addition of no parking signs will make enforcement cleaner.
- Council Member White moved, seconded by Council Member Steinberg, recommending that No Parking signs be installed on County Road 56 between Highway 14 and County Road 17. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

OTHER

1. Fox Meadows TIF Agreement Modification

- Administrator Bromeland explained that due to unforeseen delays on the developer's end with the wetland delineation and EAW process, the construction start and end dates will require modification. According to Shannon Sweeney with David Drown and Associates, the TIF agreement will need to be modified to reflect actual start and end dates and be approved by the City Council. Mr. Sweeney was made aware that Mr. Schrom has expressed his intent to submit permit applications required as it relates to land disturbance to start "digging" this winter. The recommendation from Mr. Sweeney is that the City Council be informed that Mr. Schrom wishes to start work on the project and in the meantime, the TIF agreement will be revised to reflect a different start and end date for the project. The subsidy term and duration will remain unchanged.
- Mr. Troy Schrom thanked the City Council and expressed kudo's to City Administrator Bromeland through this process, she has done a great job and shown patience, while having a lot on her plate. She and the Council have been very transparent throughout this process. He also stated extra help for the current staff would be appreciated.

2. Plaque Presentation Thanking Mayor Auringer for Many Years of Dedicated Service

- Mayor Auringer was presented with a plaque in recognition of his years of service to the City.

CITY ADMINISTRATOR REPORT

1. Builders Workshop with MPCA

- Due to inclement weather this workshop was postponed until December 15th.

2. Recap of Fall Sewer Customer Meeting

- A fall sewer customer meeting was held on November 15th at the City of Mankato. Topics discussed included intermunicipal contract updates, flow updates, and capital expenditure updates. Discussion included the disinfection and digester project. It was initially projected to cost about \$45 million but is now estimated to cost between \$84-\$89 million. The previous bond funding request by the City of Mankato for this project totaled \$30 million. Unfortunately, the session ended without a bonding bill. The City of Mankato is asking member jurisdictions to partner together to lobby our legislators for bond funding for this project since it is a critical regional project. This is a need, not a want. City staff will assist as needed with lobbying efforts. It was noted that due to the drought, Eagle Lake's flows are down for a second year. This may result in a rebate but that has not yet been determined. Since contracts are up for renewal, a draft contract will be sent to member jurisdictions towards the end of the year. The term of the contract is proposed to be set at 5 years. More information will be provided as it becomes available.

3. Preparing for EAB Grant Application

- The paperwork for the DNR grant to remove and replace 10 ash trees in 2022 has been closed out and payment has been received. The overall grant funding available for the next grant cycle has decreased making the process more competitive. The grant application is now open and staff will submit a grant application shortly. Our EAB management plan was written to include a goal of removing and replacing 10 ash trees per year on City property, depending of course on funding available.

4. Indoor Rec on the Go through MAPS Community Education and Recreation

- Mankato Community Education and Recreation in partnership with the Eagle Lake Park Board is coordinating Indoor Rec on the Go this winter at Eagle Lake Elementary to encourage physical activity during the winter months. The holiday mailer will include information on this opportunity.

COUNCIL REPORTS

1. Council Member Steinberg thanked Mayor Auringer for his service.
2. Council Member Steinberg stated he would like to begin working on the Music on Parkway event and that he has spoken to members of the community. The need to move this event was mentioned due to the water tower rehabilitation project.

ADJOURNMENT

- Council Member White moved, seconded by Council Member Rohrich, to adjourn the meeting at 9:01 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

Lisa Norton, Mayor

Kerry Rausch, Deputy Clerk

CITY OF EAGLE LAKE

*Check Summary Register©

December 2022

Name	Check Date	Check Amt	
10100 Cash			
1608e MN DEPT OF REVENUE	12/6/2022	\$1,668.00	November Sales Tax
1609e WEX HEALTH INC.	12/6/2022	\$248.64	BW 12-08-22
1610e PERA	12/6/2022	\$4,960.25	BW 12-08-22
1611e PSN	12/6/2022	\$666.02	November Fees
1612e PERA	12/14/2022	\$32.50	MO 12-22
1613e PERA	12/20/2022	\$4,945.28	BW 12-22-22
1614e WEX HEALTH INC.	12/21/2022	\$7,832.24	BW 12-22-22 EE and ER Contributions
1615e PITNEY BOWES GLOBAL FINAN	12/27/2022	\$124.44	1st Qtr Leter Rent
44945 ACTIVE 911 INC	12/5/2022	\$0.00	Family SMS for an Agency
44946 ALPHA WIRELESS	12/5/2022	\$336.00	Radio Maintenance Agreement
44947 ARAMARK	12/5/2022	\$91.00	
44948 BADGER METER	12/5/2022	\$95.34	Hosting Service
44949 BHE COMMUNITY SOLAR LLC	12/5/2022	\$3,278.15	SOLAR GARDEN
44950 CARRIAGE REPAIR INC	12/5/2022	\$70.15	2020 Explorer Oil Change
44951 CENTER POINT ENERGY	12/5/2022	\$328.76	
44952 CHRISTOPHER KENNEDY	12/5/2022	\$954.00	
44953 COMPUTER TECHNOLOGY SOL	12/5/2022	\$2,236.51	
44954 EAGLE EXPRESS	12/5/2022	\$1,396.14	Fuel
44955 EMERGENCY APPARATUS	12/5/2022	\$948.70	Tanker 4321
44956 FERGUSON ENTERPRISES LLC	12/5/2022	\$526.49	
44957 FREE PRESS	12/5/2022	\$93.67	Public Hearing-CUP Fox Meadows
44958 GOPHER STATE ONE CALL	12/5/2022	\$94.50	November Tickets
44959 J.R. BRUENDER CONSTRUCTIO	12/5/2022	\$245.00	Skating Rink Location
44960 LANDS END BUSINESS OUTFITT	12/5/2022	\$427.63	
44961 M & H ENGRAVING	12/5/2022	\$34.50	Auringer Plaque
44962 MATHESON TRI GAS INC	12/5/2022	\$87.08	
44963 MCMASTER-CARR	12/5/2022	\$799.68	Duct Hose
44964 MENARDS	12/5/2022	\$109.95	
44965 PRINCIPAL LIFE INSURANCE CO	12/5/2022	\$188.46	December/January Premium
44966 US BANK EQUIPMENT FINANCE	12/5/2022	\$114.00	
44968 BCBS OF MN	12/14/2022	\$10,982.02	January 2023 Premium
44969 LOFFLER COMPANIES INC	12/14/2022	\$171.00	Contract Rate Charge
44970 MN SOUTH CENTRAL INVESTIG	12/14/2022	\$250.00	2023 MSCIC Conference-Kopp & Jensen
44971 Verizon Wireless	12/14/2022	\$277.04	
44972 WEX HEALTH INC.	12/14/2022	\$22.00	November Fees
44973 ADP, LLC	12/30/2022	\$553.50	
44974 AFFORDABLE TOWING OF MAN	12/30/2022	\$330.00	Police Impound Tow
44975 ARAMARK	12/30/2022	\$270.41	
44976 AURINGER, MANDY	12/30/2022	\$171.28	Mileage Reimbursement
44977 BADGER METER	12/30/2022	\$95.58	HOSTING SERVICE
44978 BENCO ELECTRIC	12/30/2022	\$514.48	STREET LIGHTING
44979 BHE COMMUNITY SOLAR LLC	12/30/2022	\$1,831.14	
44980 BLUE EARTH COUNTY FINANCE	12/30/2022	\$255.18	TNT Notices
44981 BLUE EARTH COUNTY HIGHWA	12/30/2022	\$125,852.98	SAND/SALT
44982 BOLTON & MENK INC	12/30/2022	\$18,939.50	Water Tower Rehab
44983 C & S SUPPLY CO INC	12/30/2022	\$571.22	BOOTS-RUEL AND OPERATING SUPPLIES
44984 CANON FINANCIAL SERVICES IN	12/30/2022	\$217.00	Copier Rental
44985 CASEYS BUSINESS MASTERCA	12/30/2022	\$2,167.35	
44986 CEDAR POINT TOWNHOMES	12/30/2022	\$45,878.14	TIF Payment
44987 CENTER POINT ENERGY	12/30/2022	\$955.27	
44988 MAPS COMMUNITY EDUCATION	12/30/2022	\$1,225.00	Rec on Go, Music Parkway, Family Fun Night
44989 DITTRICH MECHANICAL & FABRI	12/30/2022	\$125.00	Repair SS
44990 EMERGENCY APPARATUS	12/30/2022	\$2,096.26	TANKER 4321
44991 FRESH START CLEANING AND	12/30/2022	\$100.00	November Service

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CITY OF EAGLE LAKE

*Check Summary Register©

December 2022

Name	Check Date	Check Amt	
44992	HAWKINS	12/30/2022	\$5,985.88
44993	HEITNER, STEVEN	12/30/2022	\$165.00 EMR COURSE MILEAGE
44994	J.R. BRUENDER CONSTRUCTIO	12/30/2022	\$3,575.00
44995	JOHN KOPP	12/30/2022	\$313.85 CLOTHING-KOPP
44996	LINDE GAS & EQUIPMENT INC	12/30/2022	\$434.92
44997	LJP ENTERPRISES	12/30/2022	\$10,976.45 Small=944 large=121
44998	MADDEN GALANTER HANSEN	12/30/2022	\$701.60 November Services
44999	CITY OF MANKATO	12/30/2022	\$27,182.34 ASA CONTRIBUTION
45000	MCMASTER-CARR	12/30/2022	\$65.15 Duct Hose
45001	MENARDS	12/30/2022	\$497.94
45002	MN DEPT OF HEALTH	12/30/2022	\$2,631.00 4th Quarter Connection Fee
45003	MINNESOTA WASTE PROCESSI	12/30/2022	\$6,992.52 November Charges
45004	PLUNKETTS PEST CONTROL	12/30/2022	\$50.11 December service
45005	PRO GRAPHIX	12/30/2022	\$560.00 Parks Signs-Dog Related
45006	KERRY RAUSCH	12/30/2022	\$90.78 Mileage Reimbursement
45007	SANCO EQUIPMENT LLC	12/30/2022	\$29.70 Hose Retainer
45008	SIMPSON, VERN	12/30/2022	\$44.96
45009	SKOGEN MECHANICAL LLC	12/30/2022	\$102.00 aire filters
45010	SOUTHERN MN INSPECTION	12/30/2022	\$150.00 Periodic Lift Inspection
45011	STAPLES BUSINESS ADVANTA	12/30/2022	\$145.04 Office Supplies
45012	TOPPERS & TRAILERS PLUS INC	12/30/2022	\$70.00 Hose and Plow Oil
45013	TSB JANESVILLE LLC	12/30/2022	\$31,923.33 2022 Tax Abatement
45014	UC LABORATORY	12/30/2022	\$544.98 Chemicals
45015	XCEL	12/30/2022	\$5,412.69
Total Checks			\$345,429.67

FILTER: ((([Act Year]='2022' and [period] in (12)))) and ((([Check Nbr]>0 and not EFT and not [Source] like 'PAY?????????.??') or [EFT])) and [Cash Act]='10100'

CITY OF EAGLE LAKE

12/30/22 3:26 PM

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*Check Summary Register©

December 2022

Name	Check Date	Check Amt
10101 EDA Cash		
474 UNITED STATES POSTAL SERVI	12/5/2022	\$289.00 Holiday Flyer Postage
	Total Checks	\$289.00

FILTER: ((([Act Year]='2022' and [period] in (12)))) and ((([Check Nbr]>0 and not EFT and not [Source] like 'PAY?????????.??') or [EFT])) and [Cash Act]='10101'

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CITY OF EAGLE LAKE

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***Check Summary Register©**

Batch: PAY 01-04-23

Name	Check Date	Check Amt	
10100 Cash			
45016 ARAMARK	1/5/2023	\$50.69	
45017 BUREAU OF CRIMINAL APPREH	1/5/2023	\$375.00	Gullemette 2023 Training
45018 CETRIX TECHNOLOGIES INC	1/5/2023	\$159.00	GLOVES
45019 CHRISTOPHER KENNEDY	1/5/2023	\$783.00	December Fees
45020 CITY BUILDING INSPECTION SR	1/5/2023	\$6,549.41	2022 Inspections
45021 COALITION OF GREATER MN CI	1/5/2023	\$6,122.00	2023 Dues
45022 COMPUTER TECHNOLOGY SOL	1/5/2023	\$2,236.51	
45023 CONSOLIDATED COMMUNICATI	1/5/2023	\$577.42	Acct 507-150-0101/0
45024 CORNERSTONE STATE BANK-LE	1/5/2023	\$194,622.00	Refunding Bond, Series 2021B
45025 DELTA DENTAL OF MN	1/5/2023	\$841.21	January 2023 Premium
45026 EAGLE EXPRESS	1/5/2023	\$1,365.25	December 2022 Fuel
45027 EMBLEM ENTERPRISES INC	1/5/2023	\$386.95	
45028 FRESH START CLEANING AND	1/5/2023	\$100.00	December Service
45029 GOPHER STATE ONE CALL	1/5/2023	\$21.60	December Tickets
45030 LEAGUE OF MN CITIES	1/5/2023	\$350.00	Lisa Norton-Elected Leaders Institute
45031 MATHESON TRI GAS INC	1/5/2023	\$101.62	
45032 MENARDS	1/5/2023	\$171.96	
45033 MJM MEDICAL DIRECTION CONS	1/5/2023	\$500.00	2023 Medical Direction
45034 MN CHIEFS OF POLICE ASSOC.	1/5/2023	\$342.00	Membership Renewal
45035 MN STATE FIRE DEPT ASSOC.	1/5/2023	\$225.00	2023 Membership Dues
45036 NORTHLAND TRUST SERVICES	1/5/2023	\$60,068.75	Refunding Bond Series 2017A
45037 PRINCIPAL LIFE INSURANCE CO	1/5/2023	\$202.84	Jan-Feb 2023 Premium
45038 STREICHERS	1/5/2023	\$192.98	John Kopp
45039 U.S. BANK	1/5/2023	\$87,120.00	GO Bond Series 2021A
45040 UNITED STATES POSTAL SERVI	1/5/2023	\$289.00	Winter Newsletter
45041 VOLUNTEER FIREFIGHTERS BE	1/5/2023	\$190.00	2023 Membership Dues
	Total Checks	\$363,944.19	

FILTER: (([Act Year]='2023' and [period] in (1))) and (Source in ('PAY 01-04-23'))

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Pay Dates 12/08/2022, 12/22/2022, 12/29/2022

Payroll Name	Pay Date	Net Pay
Anderson, Joseph D.	12/08/2022	489.45
Augustin, Aran F	12/08/2022	83.11
Auringer, Mandy L	12/08/2022	777.11
Auringer, Mandy L	12/22/2022	777.12
Auringer, Timothy A	12/29/2022	304.04
Bomstad, Jesse S	12/08/2022	707.02
Britton, Chelsea M	12/08/2022	999.71
Bromeland, Jennifer J	12/08/2022	2,792.61
Bromeland, Jennifer J	12/22/2022	2,792.83
Ehlert, Benjamin A	12/08/2022	312.46
Fangmann, Jacob P	12/08/2022	535.67
Goettl, Brian K	12/08/2022	1,916.82
Goettl, Brian K	12/22/2022	1,992.52
Guillemette, Connor M	12/08/2022	1,621.04
Guillemette, Connor M	12/22/2022	1,398.43
Haber, Jerald L	12/08/2022	81.06
Haber, Jerald L	12/22/2022	121.62
Hartman, Andrew R	12/08/2022	2,304.88
Hartman, Andrew R	12/22/2022	1,954.03
Heitner, Steven M	12/08/2022	573.73
Jensen, Dustin D	12/08/2022	1,746.97
Jensen, Dustin D	12/22/2022	1,434.71
Johnson, Adam M.	12/08/2022	267.81
Johnson, Heidi M	12/08/2022	230.87
Kolles, Spencer D	12/08/2022	648.74
Konz, Noah J	12/29/2022	36.94
Kopp, John A	12/08/2022	2,125.98
Kopp, John A	12/22/2022	2,684.11
Lee, Matthew A	12/08/2022	55.41
Lee, Matthew A	12/22/2022	175.46
MacKrill, Terry D.	12/08/2022	531.21
Mastin, Galen M.	12/08/2022	138.52
McCarty, Michael	12/08/2022	558.86
McDonough, Jodi L	12/08/2022	970.68
Nicklay, Michael L	12/08/2022	1,215.79
Nicklay, Michael L	12/22/2022	1,172.37
Niemeier, Nona L	12/08/2022	1,508.86
Olson, Kelsey M	12/08/2022	1,155.74
Olson, Terry L	12/08/2022	1,240.42
Rausch, Kerry L	12/08/2022	1,224.75
Rausch, Kerry L	12/22/2022	1,229.50
Rock, Zachary A	12/08/2022	748.71

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Payroll Name	Pay Date	Net Pay
Rohrich, Elizabeth K	12/29/2022	207.79
Ruel, Nathan W	12/22/2022	1,283.46
Rueter, Kyle J.	12/08/2022	614.62
Ruschmeyer, Daniel S.	12/08/2022	73.88
Sandey, Steven S.	12/08/2022	914.91
Schloesser, Brady Timothy	12/08/2022	817.41
Simpson, Vern L	12/08/2022	756.84
Simpson, Vern L	12/29/2022	199.40
Steinberg, Garrett R	12/29/2022	207.79
Stenzel, Timothy L	12/08/2022	506.82
Talle, Trent D.	12/08/2022	1,017.61
Trainor, Matthew	12/08/2022	203.98
Wallert, Tyler E	12/08/2022	1,114.56
Wallert, Tyler E	12/22/2022	366.07
White, Anthony D	12/29/2022	207.79
Whittington, Johnnie L	12/29/2022	207.79
Witte, Chad J.	12/08/2022	378.63

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We participated in the TZD(Towards Zero Deaths) wave from November 23rd to December 31st, 2022. The primary focus is on arresting DWI offenders.

On January 24th thru January 26th, Officers will pick a time slot within the three days, and train with the Blue Earth County Sheriff's office along with other agencies in Blue Earth County. The training will consist of nighttime/inclement weather qualification which is mandated by the Post Board.

Officer Tyler Wallert put in his resignation as of December 23rd, 2022. We will be looking to hire another officer and more discussion will take place at the council meeting.

Officer Jensen and myself will be attending the MSCIC conference on January 9th and 10th. It's a great conference with excellent training at a affordable rate right in Mankato.

We will have an officer at the park event on February 4th at Lake Eagle Park to help out with activities.

If the Council has any questions or concerns, please feel free to contact me at 507-257-3110 or at elpd@eaglelakemn.com.


Chief John Kopp
Eagle Lake Police Department

Eagle Lake Police Department Accumulative Report

	January	February	March	April	May	June	July	August	September	October	November	December	Total
Traffic Ticket Report													
Careless Driving	0	0	0	0	0	0	0	0	0	0	0	0	0
DAS/DAR/DAC	1	1	1	2	1	3	2	5	1	1	3	2	23
Equipment Violations	0	0	0	0	0	0	0	0	0	0	0	0	0
Expired Tabs	0	0	0	0	0	0	0	4	1	0	1	0	6
Other	0	0	4	1	0	5	1	6	1	1	0	3	22
Seatbelt	0	0	0	0	0	0	1	0	0	0	0	0	1
Speeding	1	6	2	18	1	2	2	29	11	4	2	1	79
Stop Sign	0	2	0	0	0	0	0	0	1	0	0	0	3
Traffic Stops	10	32	38	64	15	33	33	63	41	30	45	34	438
Warnings	8	26	31	43	13	23	27	26	30	24	39	30	320
													Total
Calls for Service													
Accidents	1	0	2	2	1	2	0	2	0	0	3	5	18
Administrative Citations	1	0	0	0	0	0	0	0	0	0	0	0	1
Alarms	0	0	2	1	0	2	0	0	0	2	1	3	11
Animal Comp.	5	3	3	3	7	8	7	8	6	11	4	4	69
Assaults	0	0	0	0	0	0	0	0	0	1	1	0	2
Assist	6	2	4	4	6	5	4	4	9	2	2	4	52
Assist Ambulance	8	6	14	7	3	6	7	4	9	11	14	12	101
Assist Fire Dept	1	2	6	4	3	3	1	1	4	3	2	3	33
Assists OA	10	9	8	10	13	15	18	15	15	13	21	9	156
Burglary	0	0	0	2	1	0	2	0	5	0	0	1	11
Call Outs	9	4	13	6	5	12	8	10	10	5	4	5	91
Civil	2	2	3	4	4	4	8	6	6	3	2	2	46
Directed Patrol	60	69	94	60	106	38	34	39	54	49	43	41	687
Disturbance	2	1	2	1	4	2	2	2	0	4	8	1	29
Domestic	1	4	3	1	2	0	2	0	3	1	2	1	19
Driving Comp.	1	1	2	4	3	4	3	5	2	0	1	2	28
DWI	0	0	0	1	0	0	0	0	0	0	1	0	2
Fraud	1	0	3	1	2	1	0	1	0	1	0	0	10
Harrassment	0	0	0	0	1	1	0	2	1	0	1	0	6
Miscellaneous	54	25	18	70	28	45	32	37	31	12	26	25	403
Narcotics	0	0	0	0	0	1	0	1	0	0	0	0	2
Noise Comp	0	0	3	0	2	0	0	1	0	1	1	0	8
Ordinance Viol.	1	20	5	6	58	9	8	7	2	1	2	0	119
Party Comp.	0	1	0	0	0	0	0	1	0	0	0	0	2
Property Damage	3	1	1	0	1	4	4	1	3	0	0	0	18
Runaway/Missing Person	0	1	0	0	0	2	1	0	0	0	1	0	5

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Eagle Lake Police Department Accumulative Report

Suspicious Cir.	5	0	3	1	2	3	1	5	2	5	0	1	28
Suspicious Person	1	1	2	2	1	1	4	5	1	5	1	1	25
Suspicious Vehicle	3	2	2	4	6	4	5	4	0	7	5	1	43
Thefts	0	0	0	1	1	0	2	0	1	1	1	0	7
Threats	0	0	0	0	1	0	0	1	1	0	0	0	3
Warrants Serv.	0	1	1	0	0	1	0	2	1	2	2	1	11
Weapons	0	0	0	0	0	0	1	0	1	0	0	1	3
Welfare Check	1	3	6	2	5	1	6	3	4	10	7	4	52
Total ICRS	177	186	225	255	276	195	185	220	196	187	197	156	2455
Total Mileage													
2021 Explorer	6449	8152	10102	11952	13811	15900	18070	20682	23449	25371	28180	30780	
2020 Explorer	36,841	37,651	38,695	39,532	40,741	42,300	44,126	46,955	48,447	50,363	51,674	53,346	
Monthly Mileage													
2021 Explorer	1,741	1,703	1,950	1,850	1,859	2,089	2,170	2,612	2,767	1,922	2,809	2,600	
2020 Explorer	1,271	810	1,044	837	1,209	1,559	1,826	2,829	1,492	1,916	1,311	1,672	

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ELFD FIRE CHIEF'S REPORT

I have the distinct pleasure of directly overseeing the growth and development of the members of our department as the communities we serve continue to thrive. The City of Eagle Lake is now the second largest city in Blue Earth County. The larger the number of residents, the greater the amount of revenue. This means the tax burden is spread amongst a larger group equating to less from us as individuals. It stands to reason that with the constant growth of the city we would also see an increase in call volume as well. We had a total of 190 calls this year, easily surpassing last years "all time totals". Although having an increased number of calls is not necessarily a good thing for our community, I am able to see some positives from this. We have volunteered our time to refine our skills through a variety of training and education courses designed to ensure our preparedness for any emergencies that should arise. As much as we wish this is not necessary, we would be foolish to think otherwise. Our goal is that when we are called to duty, we have ample abilities to control the chaos and deliver you to safety. We wish you a happy and prosperous New Year!

What if Volunteers didn't?

EAGLE LAKE FIRE DEPARTMENT 2022 CALL REPORT

TYPE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	% OF TOTAL
Assist Law Enforcement	-	-	-	1	-	-	1	1	-	1	-	-	4	2.1%
Explosion (No Fire)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fire (Commercial)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fire (Residential)	-	-	-	-	1	-	-	-	-	-	1	-	2	1.1%
Fire (Standby)	-	-	-	-	-	1	-	-	-	-	-	-	1	0.5%
Fire (Vehicle)	-	-	-	-	-	1	-	-	-	1	-	1	3	1.6%
Fire (Wildland)	-	-	-	-	-	-	-	-	1	-	-	-	2	1.1%
Fire Alarm	1	2	2	-	-	1	-	-	-	-	-	-	6	3.2%
Fire Assist	-	1	3	-	-	-	-	-	-	-	-	-	4	2.1%
Fire CO	-	-	3	-	-	1	-	-	-	-	-	-	4	2.1%
Fire False Alarm	-	-	1	1	1	-	-	-	-	-	-	-	3	1.6%
Fire Mutual Aid	-	2	-	-	-	3	-	-	-	-	-	-	5	2.6%
Gas Leak	-	-	-	-	1	-	-	-	-	-	1	-	2	1.1%
Hazardous (No Fire)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Medical (Cancelled)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Medical (Response)	11	6	11	6	6	9	7	8	9	12	10	13	108	56.8%
Medical Lift Assist	-	-	-	-	-	1	2	1	2	1	2	-	12	6.3%
Missing Person Search	-	-	-	-	3	-	-	-	-	-	-	-	3	1.6%
Motor Vehicle Accident w/Injury	1	-	-	-	2	-	2	2	1	-	-	-	8	4.2%
Motor Vehicle Accident w/o Injury	-	-	-	-	-	1	-	-	-	-	1	-	2	1.1%
Motor Vehicle Accident (Fatality)	-	-	-	-	1	-	-	-	1	-	-	-	2	1.1%
Motor Vehicle Accident (Cancelled)	-	-	-	-	-	-	-	-	-	-	-	2	1	0.5%
Odor Investigation	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Power Lines	-	-	-	-	-	-	-	-	2	-	-	-	2	1.1%
Rescue (Entrapment/Machinery)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rescue (Grain Bin)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rescue (Water)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Smoke Investigation	-	-	-	-	-	-	-	-	1	1	1	-	3	1.6%
Smoke/CO Detector Malfunction	-	-	-	-	-	-	2	-	-	1	-	-	3	1.6%
Special Incident	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Weather	-	-	-	1	5	-	-	-	-	-	-	-	6	3.2%
Total	13	11	20	12	20	18	14	12	17	18	17	19	190	100%
RESPONSE AREA														
Eagle Lake	11	9	19	9	7	13	11	11	15	15	14	14	148	77.9%
St. Clair	-	-	-	-	-	1	-	-	-	-	-	-	1	0.5%
Good Thunder	-	-	-	-	-	1	-	-	-	-	-	-	1	0.5%
Kasota (Lime Twp)	-	1	-	-	-	-	-	-	-	-	-	-	1	0.5%
Le Ray TWP	-	-	-	-	-	1	1	-	3	3	2	3	12	6.3%
Madison Lake (Le Ray Twp)	2	1	1	-	8	-	-	-	-	-	-	-	12	6.3%
Mapleton	-	-	-	-	-	1	-	-	-	-	-	-	1	0.5%
Mankato	-	-	-	-	-	-	1	-	-	-	-	-	1	0.5%
Mankato Twp	-	-	-	-	4	1	1	1	-	-	1	2	13	6.8%
Total	13	11	20	12	19	18	14	12	18	18	17	19	190	100%

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Andrew Hartman
Public Works Director
90 LeRay Avenue
Eagle Lake, MN, 56024
(507)257-3218
elpw@eaglelakemn.com

January 2023

To: Mayor Auringer, City Council and City Administrator Jennifer Bromeland

From: Andrew Hartman Public Works Director

Water: We have been working with Bolton Menk to set up a meeting with Verizon to let them know about our tower project this spring, to get a plan for a temp pole for their antennas.

Sewer: We have been monitoring the temp controls at the main lift station.

Streets: We had to hire Bruender's Construction to push back 598th and make some wind rows in the field out there. We are hauling out snow from cul-de-sacs.

Parks: We have been clearing paths of snow. Anthony has gotten the rink ready and useable.

Storm Sewer: We had our contractor meeting for MS4, that went really well.

If you have any questions or concerns, please feel free to contact me at elpw@eaglelakemn.com



Andrew Hartman

Building Permits Issued
December 2022

<u>HOUSE #</u>	<u>STREET</u>	<u>VALUE</u>	<u>Project Description</u>
100	Valley Ln	\$ 45,000.00	Remodel
116	Mathew Ct	\$ 2,700.00	Water heater

Eagle Lake Fire Relief
Gambling Fund Report November 2022

Balance	11/1/22	\$60,620.89
Income:		
Paper Pull Tabs		\$5,389.00
Electronic		\$23,079.00
Interest Income		\$24.38
Total Income		<u>\$28,492.38</u>
Total Funds Available		\$89,113.27
Less Total Disbursements		<u>(\$21,133.29)</u>
Balance	11/30/22	\$67,979.98

2022 Profit / Community Donations

Net Profit:		
	1/22	(\$5,877.13)
	2/22	\$247.53
	3/22	\$19,562.14
	4/22	(\$18,336.69)
	5/22	\$2,590.75
	6/22	\$11,110.62
	7/22	\$4,036.35
	8/22	\$11,881.79
	9/22	\$11,572.76
	10/22	\$8,113.50
	11/22	\$10,975.95
Total Profit To Date:		\$55,877.57
Community Donations To Date:		\$5,300.00

Eagle Lake Fire Relief
December 13 2022
Items To Be Approved

<u>To</u>	<u>For</u>	<u>Amount</u>
Eagles Nest	Rent	\$4,581.03
Randy Hoffmann	Accounting	\$700.00
Chad Witte	Wages	\$277.05
Triple Crown Gaming	Pull Tabs	\$402.54
	Invoice #9160307	
	Due 12/15/22	
Pilot Games	E-Bingo Prizes & Fees	\$514.19
Triple Crown Gaming	E-Tabs (No Check)	\$7,811.12
MN Revenue	State Tax	\$7,104.00
City of Eagle Lake	Donation	
Total		\$21,389.93

**CITY OF EAGLE LAKE, MINNESOTA
CITY COUNCIL RESOLUTION 2023-01**

**Resolution Establishing the Following as the Official Depositories for the City of Eagle Lake,
Minnesota**

WHEREAS, Minnesota Statutes require the nomination of a bank depository for Minnesota municipalities; and

WHEREAS, the City of Eagle Lake is a Minnesota municipality; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE LAKE,
MINNESOTA:**

The following banks shall be named as official depositories:

- Bank of New York Clearing Services
- Bremer Bank of Mankato, Minnesota
- Citizens Community Federal Bank of Mankato, Minnesota
- Community Bank of Eagle Lake, Minnesota
- Cornerstone State Bank, Eagle Lake, Minnesota
- First National Bank Minnesota of Mankato, Minnesota
- Frandsen Bank and Trust of Mankato, Minnesota
- Huntington Bank of Mankato, Minnesota
- MBIA – 4M Fund and 4M Plus Fund
- Minnesota Valley Federal Credit Union of Mankato, Minnesota
- MinnStar Bank of Mankato, Minnesota
- Odin State Bank, Odin State Bank
- Old National Bank of Mankato, Minnesota
- Pioneer Bank of Mankato, Minnesota
- Progrowth Bank of Mankato, Minnesota
- United Prairie Bank of Mankato, Minnesota
- US Bank of Mankato, Minnesota
- Wells Fargo Bank NA of Mankato, Minnesota

Adopted by the City Council of Eagle Lake, Minnesota this 9th day of January 2023.

Lisa Norton, Mayor

ATTEST:

Jennifer Bromeland, City Administrator

(S E A L)

**CITY OF EAGLE LAKE, MINNESOTA
CITY COUNCIL RESOLUTION 2023-02**

Resolution to Designate the City Official Newspaper

WHEREAS, Minnesota Statutes require the City to designate an official newspaper at the first meeting of the year; and

WHEREAS, the City of Eagle Lake City Council has declared the *Mankato Free Press* as the official newspaper in past years; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Eagle Lake, Minnesota that the Mankato Free Press is declared as the City's official newspaper.

Adopted by the City Council of Eagle Lake, Minnesota this 9th day of January 2023.

Lisa Norton, Mayor

ATTEST:

Jennifer Bromeland, City Administrator

(S E A L)

**CITY OF EAGLE LAKE, MINNESOTA
CITY COUNCIL RESOLUTION 2023-03**

**A Resolution to Adopt the 2023 Fee Schedule
for the City of Eagle Lake, Minnesota**

WHEREAS, the City Code allows the City Council to adjust fees for licenses, services, permits, and violations; and

WHEREAS, the City Code establishes the procedures for the issuance of violations, licenses and permits, including the requirement that a fee be paid to the City of Eagle Lake; and

WHEREAS, developing a “City Fee Schedule” allows the city to approve multiple fees for services, licenses, violations and permits more efficiently and effectively.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Eagle Lake, Minnesota, that by adopting the 2023 City Fee Schedule the amounts shall be in effect immediately and shall remain in effect until modified by resolution of the City Council.

Adopted by the City Council of Eagle Lake, Minnesota this 9th day of January 2023.

Lisa Norton, Mayor

ATTEST:

Jennifer J. Bromeland,
City Administrator

(S E A L)

**CITY OF EAGLE LAKE, MINNESOTA
CITY COUNCIL RESOLUTION 2023-04**

**A Resolution Designation of Bank Signatories and Delegating Authority to Make
Electronic Funds Transfers**

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Eagle Lake that the following persons are designated official signatories for the City of Eagle Lake for 2023:

Lisa Norton, Mayor
Garrett Steinberg, Mayor Pro Tem
Jennifer Bromeland, City Administrator
Kerry Rausch, Deputy Clerk

BE IT FURTHER RESOLVED, by the City Council of the City of Eagle Lake DOES HEREBY DELEGATE AUTHORITY TO MAKE ELECTRONIC FUNDS TRANFERS TO THE Deputy Clerk for the fiscal year 2023.

Lisa Norton, Mayor

ATTEST:

Jennifer J. Bromeland, City Administrator
(S E A L)

**CITY OF EAGLE LAKE, MINNESOTA
CITY COUNCIL RESOLUTION 2023-05**

Resolution Accepting the Mayor’s Council Appointments for the City of Eagle Lake, Minnesota

WHEREAS, the Mayor has full authority to appoint Councilors to various boards and committees; and

WHEREAS, the Mayor has appointed Councilors to the following committees; and

<u>Park Board</u> Beth Rohrich Garrett Steinberg	<u>EDA</u> Anthony White John Whittington	<u>Charitable Gambling Board</u> Full Council	<u>Personnel Committee</u> Beth Rohrich John Whittington
<u>Fire Board</u> Full Council	<u>Budget Committee</u> Full Council	<u>Safety Committee</u> Full Council	<u>Community Education Recreation</u> Beth Rohrich
<u>Mayor Pro Tem</u> Garrett Steinberg	<u>MAPO</u> Lisa Norton	<u>Music on Parkway</u> Garrett Steinberg	

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Eagle Lake, Minnesota that

Adopted by the City Council of Eagle Lake, Minnesota this 9th day of January 2023.

Lisa Norton, Mayor

ATTEST:

Jennifer Bromeland, City Administrator

(S E A L)

**CITY OF EAGLE LAKE, MINNESOTA
CITY COUNCIL RESOLUTION 2023-06**

**A Resolution Accepting the Resignation of Tyler Wallert from the
City of Eagle Lake, Minnesota**

WHEREAS, Tyler Wallert has resigned from the City of Eagle Lake as Police Officer, effective December 23, 2022; and

WHEREAS, the City Council recognizes and appreciates the service from Tyler Wallert in the role of Police Officer; and

NOW BE IT RESOLVED, the City accepts the resignation of Tyler Wallert from the City of Eagle Lake, effective December 23, 2022.

Adopted by the City Council of Eagle Lake, Minnesota, this 9th day of January 2023.

Lisa Norton, Mayor

ATTEST:

Jennifer Bromeland, City Administrator

(S E A L)

**CITY OF EAGLE LAKE, MINNESOTA
CITY COUNCIL RESOLUTION 2023-07**

A Resolution Appointing Tom Paulson to the City of Eagle Lake Planning Commission

WHEREAS, the City had an open seat available and Tom Paulson has agreed to serve on the City of Eagle Lake Planning Commission; and

WHEREAS, the City feels it is in the best interest of the community to have Tom Paulson serve on the City of Eagle Lake Planning Commission; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Eagle Lake, Minnesota that Tom Paulson is hereby appointed to serve on the City of Eagle Lake Planning Commission.

Adopted by the City Council of Eagle Lake, Minnesota this 9th day of January 2023.

Lisa Norton, Mayor

ATTEST:

Jennifer J. Bromeland, City Administrator

(S E A L)

**RESOLUTION NO. 2023-08:
A RESOLUTION ACCEPTING GRANT FUNDS TO THE CITY.**

WHEREAS the City of Eagle Lake is generally authorized to accept grant funds pursuant to Minnesota Statutes.

WHEREAS Compeer Financial has awarded the Eagle Lake Fire Department \$4,000 in grant funds to purchase rescue/lift air bags.

WHEREAS, the terms or conditions of the grant, if any, are as follows:

To be applied towards the purchase of rescue/lift air bags.

WHEREAS, the City Council finds that it is appropriate to accept the grant as awarded.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF Eagle Lake, MINNESOTA AS FOLLOWS:

1. The grant award as described above is accepted and shall be used towards the purchase of rescue/lift air bags.

Passed by the City Council of Eagle Lake, Minnesota this 9th day of January 2023.

Lisa Norton
Mayor

Attested:

Jennifer J. Bromeland
Administrator




705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

January 9, 2023

To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Escrow Funds - KJ Walk, Inc.

Luke Israelson with KJ Walk has requested the ability to appear before the City Council this evening to contest the escrow funds that have been withheld for the purpose of completing necessary restoration work involving boulevards.

For reference purposes, attached is an excerpt of last month's minutes in which this matter was discussed and other supporting informational items. Included are some pictures showing the unsatisfactory condition of the boulevards which were sent to Mr. Israelson on September 29th by Mr. Sarff. Included in Mr. Sarff's email was a reminder to finish the boulevard restoration and that some areas would need to be excavated to allow for 6" of topsoil. City staff is unaware of any follow-up communication by Mr. Israelson acknowledging the concern about boulevard restoration corrective action or a timeline for when the restoration work would be completed so that a timely follow-up inspection could take place to verify that the final product did or did not meet city standards.

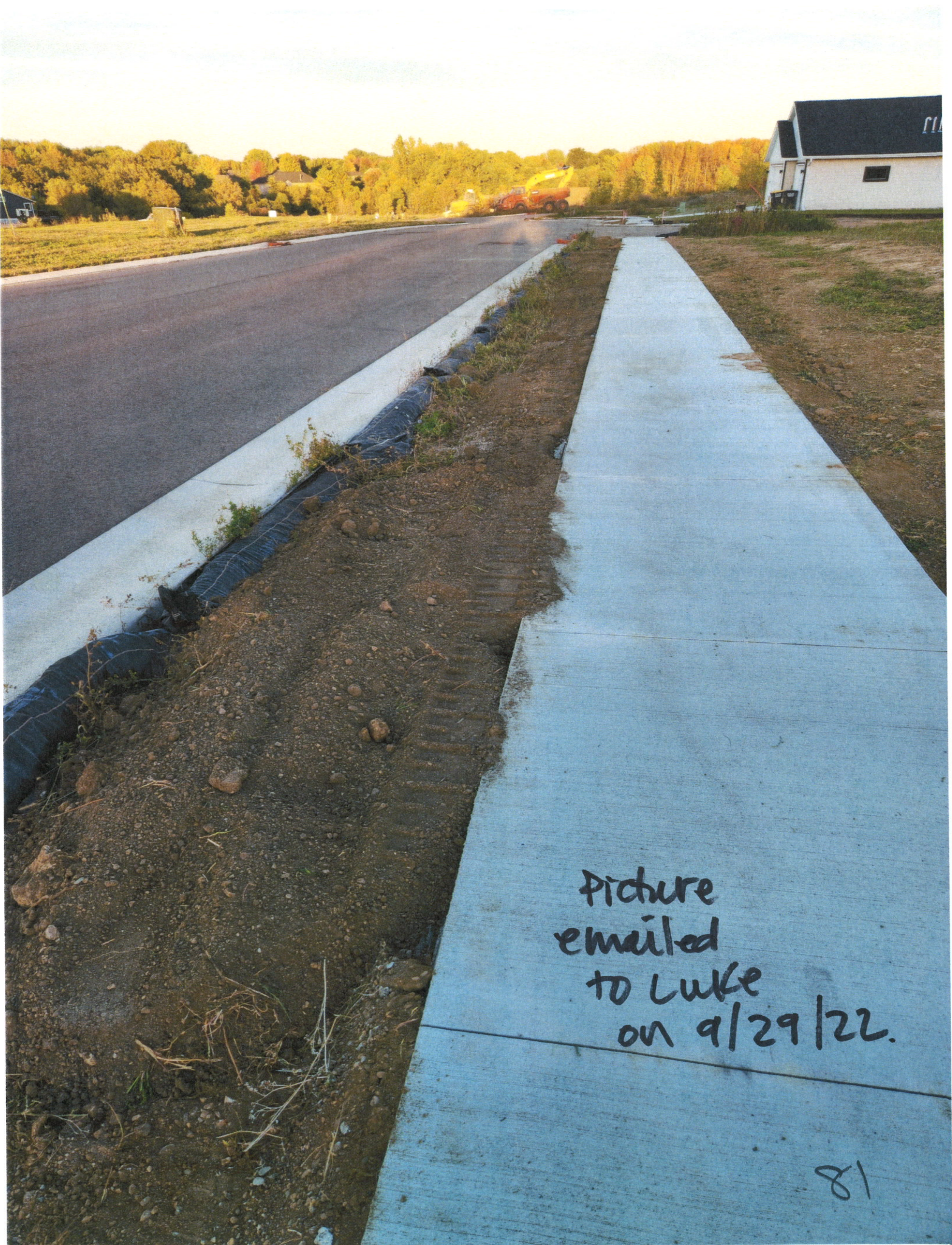

Jennifer J. Bromeland
City Administrator

10. Release of Escrow for Eagle Ridge, Phase II, from KJ Walk

- Administrator Bromeland stated she received a request from Amy Skillestad, Vice President of KJ Walk Inc, for a release of funds deposited with the City of Eagle Lake in 2021 for outstanding punch list items for Phase Two of the Eagle Ridge Subdivision. The funds were required as part of a supplemental agreement to the original developer's agreement.
- Brian Sarff with Bolton and Menk stated that in 2021 KJ Walk provided the City with \$154,257.50 to be placed in escrow to cover items on the punch list. Punch list items included a damaged gate valve in the street, storm water pond corrections, bituminous warecourse, and the sidewalks. All items on the punch list have been completed, however the restoration work along the installed sidewalk remains incomplete. It was noted that the sidewalks were constructed but the restoration in conjunction with the sidewalks is outstanding. The boulevards were left untouched since the sidewalk crew came in. There is gravel in the boulevard and it is not graded properly. Due to this Mr. Sarff deems the work incomplete and that funds should be retained in the event that the City hires a contractor in the spring to complete the work. He also recommended that if the City chooses to complete this work, that the work be completed by May 1st to allow for the seeding window to adequately restore the project. The escrow portion of for the sidewalks was \$46,057.50.
- Mr. Sarff stated that KJ Walk is aware of the restoration work still needed. The supplemental agreement states that the plan was to release the funds as the issues were completed.
- Council Member Rohrich asked how excess retained funds would be handled if restoration work cost less than the retained funds. Brian Sarff stated this would be a legal question. He also stated that the deadline to have the work completed was September 30, 2022 and that there were several items on the punch list that did not meet this deadline. All items except for the boulevard restoration have been completed.
- Council Member Rohrich asked at what point the City may want to take over the completion of the restoration work to ensure that it is completed in a timely manner. Discussion included that we are at that point.
- Mayor Auringer asked the status of streetlight installation. Due to adverse weather conditions the installation has been pushed out to next week and that the original plan was to have streetlighting installed by the end of December.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to release escrow funds in excess of the anticipated \$46,057.50 needed to complete restoration work.
- Council Member Rohrich added to her motion to include that the City will take responsibility of the boulevard restoration work and may choose to contract out this service. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Public Works Director Andrew Hartman asked about street plowing of Eagle Ridge Phase II. Council discussion included the desire to verify if the street has been accepted. Mr. Sarff stated the street work is complete.
- Council asked that all property owners of this development be sent a letter informing them of the City's code requirement of snow removal on sidewalks.
- Mayor Auringer stated next year's Council may want to review City code which requires snow to be removed from sidewalks within 12 hours.

11. Parking along County Road 567 in Eagle Lake between Highway 14 and County Road 17

- Administrator Bromeland explained that staff fielded a question asking if parking should be allowed along County Road 56 in Eagle Lake between Highway 14 and County Road 17. Cars were observed parked along this stretch of road for a short duration.
- City staff reached out to Blue Earth County Engineer Ryan Thilges to find out which entity has the authority to make the determination about whether parking is allowed on a county roadway within city limits. Mr.



Picture
emailed
to Luke
on 9/29/22.

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Pictured emailed
on 9/29/22.





705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

December 5, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Request to Release Security Funds

Attached is an email request from Amy Skillestad, Vice President of KJ Walk Inc, for a release of funds deposited to the City of Eagle Lake in 2021 for outstanding punch list items for Phase Two of the Eagle Ridge Subdivision. The funds were required as part of a supplemental agreement to the original developer's agreement.

Also attached you will find a copy of the Supplemental Agreement.

Brian Sarff with Bolton and Menk will be at this evening's meeting and will provide a recommendation on the amount to release at this time based on punch list items satisfactorily completed.

Discussion should ensue and a motion made to release escrow funds in the amount recommended by Mr. Sarff.

Jennifer J. Bromeland
City Administrator

CITY OF EAGLE LAKE
BLUE EARTH COUNTY, MINNESOTA

SUPPLEMENTAL AGREEMENT TO THE EAGLE RIDGE DEVELOPER'S AGREEMENT

THIS SUPPLEMENTAL AGREEMENT made and entered into this 4th day of November, 2021, by and between the City of Eagle Lake, a municipal corporation, in the State of Minnesota, hereafter called "City" and KJ Walk, Inc. a Florida Corporation, hereafter called the "Developers".

The Developers have asked the City to temporary allow the issues of building permits for sale of lots in Eagle Ridge Second Addition with a cash deposit to the City of \$154,257.50 to complete items on Exhibit "A" for Item # 1-4.

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

1. The City agrees that it will allow for the submission of applications for building permits, and will issue building permits to those properties that qualify, prior to KJ Walk's completion of the project, as long as this agreement is in place. Once the items in Exhibit A have been completed, the City agrees to review building permit applications and issue building permits as it would in any case.
2. The City agrees to draw down the cash deposit of \$154,257.50 and reimburse KJ Walk, Inc. for completion of items on Exhibit "A" listed as Item # 1-4.
3. The Developers understands that the amount reimbursement will be based on the estimate amount on Exhibit "A" and not actual cost by the Developers.
4. The Developers agrees and understands that the amount reimbursement will be the estimated amount listed on Exhibit "A" minus engineering fees from the City. Payment will be made by the City to the Developer 30 days after the City has received a completion notice and invoice from the City Engineer. Reimbursements will be made as each item is completed.
5. The Developers agrees to forfeit the remaining amount of the cash deposit if Items #1-4 of Exhibit "A" has not been completed by September 30, 2022.
6. Developers agree and understand that this is a supplemental agreement and not intended to replace the original agreement.
7. After completion of #1-4 of Exhibit "A", the remaining amount of the \$154,257.50 minus engineering fees from the City will be reimburse to the Developers.
8. This Supplemental Agreement will expire on September 30, 2022.

CITY OF EAGLE LAKE

Janifer J. Bromeland 11/9/21
City Administrator

KJ Walk, Inc.

[Signature]
Owner

Drafted by:
KJ walk

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" EXHIBIT A"

COST ESTIMATE: EAGLE RIDGE SECOND ADDITION PUNCH LIST

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
PAVING CONSTRUCTION					
1	1 1/2" Bit Wear Course	Ton	810	\$ 70.00	\$ 56,700.00
2	5" Sidewalk	SF	10235	\$ 4.50	\$ 46,057.50
3	Repair GV	Each	1	\$ 1,500.00	\$ 1,500.00
4	Pond Corrections	Lump Sum	1	\$ 50,000.00	\$ 50,000.00
TOTAL					\$ 154,257.50

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Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

Ph: (507) 625-4171
Fax: (507) 625-4177
Bolton-Menk.com

December 2, 2022

Jennifer Bromeland
City Administrator
City of Eagle Lake
705 Parkway Avenue
Eagle Lake, MN 56024-0159

RE:
Eagle Ridge Phase II Improvements
City of Eagle Lake, MN
Project No.: M17.114487

Dear Ms. Bromeland,

The City entered into a supplemental agreement with Developer KJ Walk, Inc on November 9th, 2021. The developer issued a cash deposit of \$154,257.50 to the City that would be drawn down as the developer completed the outstanding items needed before turning the public infrastructure over to City control. The supplemental agreement states that items of work left incomplete by September 30, 2022 would result in forfeiture of the respective portion of the cash deposit.

To date, the developer has completed the following work:

- Damaged gate valve was repaired
- Corrections to the stormwater pond were completed
- Bituminous wearing course was constructed on October 11th, 2022.

The concrete sidewalks were constructed this year; however, the associated boulevard turf restoration was not. The boulevards need to be excavated to remove gravel and concrete, graded to the planned grades, and reseeded. **Therefore, I recommend that the \$46,057.50 sidewalk cash deposit be retained in the event that the City needs to hire a contractor to finish restoration in the spring.**

Though the pond corrections were completed, our inspection this fall revealed that the soil, rock, and debris need to be removed from the outlet control structure and casting assemblies need to be furnished and installed on the storm sewer outfall structures leading to the new pond. I believe the \$46,057.50 sidewalk cash deposit to be adequate to cover these and the boulevard restoration costs if the developer fails to complete the work. I recommend that all work be completed by May 1, 2023.

Please contact me if you have any questions.

Sincerely,

Bolton & Menk, Inc.

Brian J. Sarff, P.E.

Consultant City Engineer

Jennifer Bromeland

From: Jennifer Bromeland
Sent: Friday, November 18, 2022 12:46 PM
To: Brian Sarff
Subject: FW: Eagle Lake Security Refund

Hi Brian,

Forwarding an email from Amy with KJ Walk. She is asking about acceptance of the infrastructure and release of escrow funds. Would you be able to provide a letter for the December 5th City Council meeting advising what items should be accepted and which should not and what amount of security should be retained for the boulevard restoration and any other outstanding items?

Thank you.

Jennifer J. Bromeland

City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218



From: Jennifer Bromeland
Sent: Friday, November 18, 2022 12:43 PM
To: 'Amy Skillestad' <amy@kjwalk.com>
Subject: RE: Eagle Lake Security Refund

Hi Amy,

I will forward this to the City's engineer and be in touch shortly. This matter will be added to the December 5th City Council agenda. We are not able to process payment until approval by the City Council is obtained to release funds in escrow. They will want to hear from the City's engineer about acceptance.

Thank you.

Sincerely,

Jennifer J. Bromeland

City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218



From: Amy Skillestad <amy@kjwalk.com>
Sent: Wednesday, November 16, 2022 12:53 PM
To: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Subject: Eagle Lake Security Refund

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Jennifer,

Luke asked me to reach out to see if the City has been able to inspect the wear course and verify that all the punchlist items were completed for Eagle Ridge 2nd. We would like to formally request acceptance and the subsequent release of the security we have held at the city.

Thank you,

Amy Skillestad, Vice President



Jennifer Bromeland

From: Brian Sarff <Brian.Sarff@bolton-menk.com>
Sent: Thursday, September 29, 2022 10:48 AM
To: Jennifer Bromeland; luke@kjwalk.com
Cc: Public Works; Brian Goettl; Lyle Femrite
Subject: RE: Safety concern
Attachments: 20220928_184550.jpg; 20220928_184006.jpg

Importance: High

Thanks for the heads up, Jennifer. We will continue to monitor the work, including the boulevard restoration.

Luke, can you talk to your crew that's out there digging the pond? For the time being they should fill this spot at the lip of curb with gravel and compact – they should do it today.

As a reminder, when you come to finish the boulevard restoration, some areas will need to be excavated to allow for the 6" of topsoil.

Let me know that you received this. Thanks.

Brian Sarff P.E.
Bolton & Menk, Inc.
Phone: 507-625-4171 ext. 2812
Mobile: 507-327-2825

(email included
two pictures)

From: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Sent: Thursday, September 29, 2022 10:29 AM
To: Brian Sarff <Brian.Sarff@bolton-menk.com>
Cc: Public Works <elpw@eaglelakemn.com>; Brian Goettl <bkgoettl@eaglelakemn.com>
Subject: FW: Safety concern

Hi Brian,

Forwarding an email from the Mayor about Falcon Run and Owl Lane and the new sidewalk.

Thank you.

Jennifer J. Bromeland
City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218
C: (507) 399-1030



From: Tim Auringer <mayorauringer@eaglelakemn.com>
Sent: Thursday, September 29, 2022 10:06 AM
To: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Subject: Safety concern

Jennifer,

I was walking last night and noticed that the bituminous at the intersection of Falcon Run and Owl Lane where KJ Walk installed sidewalk.

Can we get them to cone it off or fill it in ASAP. It's been this way for a while and someone is going to get hurt pretty badly if it is not addressed.

Will Bolton & Menk inspect the boulevard sodding/seeding to make sure proper material is used when planting is accomplished. It all looks like clay and gravel with lots of concrete mixed in.

Jennifer Bromeland

From: Jennifer Bromeland
Sent: Tuesday, October 11, 2022 10:39 AM
To: Brian Sarff
Subject: FW: Eagle Ridge Wear Course

Hi Brian,

Before we release any escrow monies, wanted to get a letter from you advising that all punch list items are complete (restoration work complete, meets city standards, etc.). Have the outlets and inlets been checked with the pond to make sure they are cleaned out and not full of sediment?

Thank you.

Jennifer J. Bromeland

City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218



From: Luke Israelson <luke@kjwalk.com>
Sent: Tuesday, October 11, 2022 10:12 AM
To: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Subject: Re: Eagle Ridge Wear Course

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Jennifer,

Now that we've got all the punch list items complete, how do we go about getting the cash escrow back from the city?

Thanks,

Jennifer Bromeland

From: Jennifer Bromeland
Sent: Wednesday, July 20, 2022 11:47 AM
To: Luke Israelson
Cc: Brian Sarff; Brian Goettl
Subject: Supplemental Agreement
Attachments: Supplemental Agreement.pdf

Hi Luke,

Attached is a copy of the supplemental agreement. It is set to expire September 30, 2022. Are you available for a phone call or meeting with me and the City's engineer with Bolton and Menk (Brian Sarff) to review outstanding items and anticipated timeframe to complete? What day or time works best for you?

Also, please let us know in advance when you will be putting in the sidewalks. Brian Sarff can let you know the City's benchmark for sidewalk specs.

Thank you.

Jennifer J. Bromeland

City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218
C: (507) 399-1030



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax


January 9, 2023

To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Water Treatment Facility Concept Plan, and 2023 Infrastructure CIP

Water Treatment Facility Campus Concept Plan: Brian Sarff with Bolton and Menk will be at tonight’s meeting to review a draft water treatment facility campus concept plan, a copy of which is attached, to keep the dialogue open and gather input from elected officials as we continue working through the process of trying to obtain funding for the project. The project is estimated to cost approximately \$12.5 million. City staff met with Mr. Sarff and John Graupman with Bolton and Menk on December 20th to review the proposed concept plan and talk about future needs of the City. An option to purchase agreement was obtained from Gary and Kim Hiniker in May of 2022 that has an option period of five years. An updated request for funding will be sent to legislators.

2023 Infrastructure Capital Improvement Plan: Attached is a letter from Mr. Sarff which includes project cost estimates for the City’s 2023 Infrastructure Capital Improvement Plan (CIP). Having an updated CIP is important for planning purposes and prioritizing needed future infrastructure projects and spending. City staff will reach out to Shannon Sweeney with DDA to explore possible financing strategies for the identified projects, except for those projects that are not financially possible without grant funding.

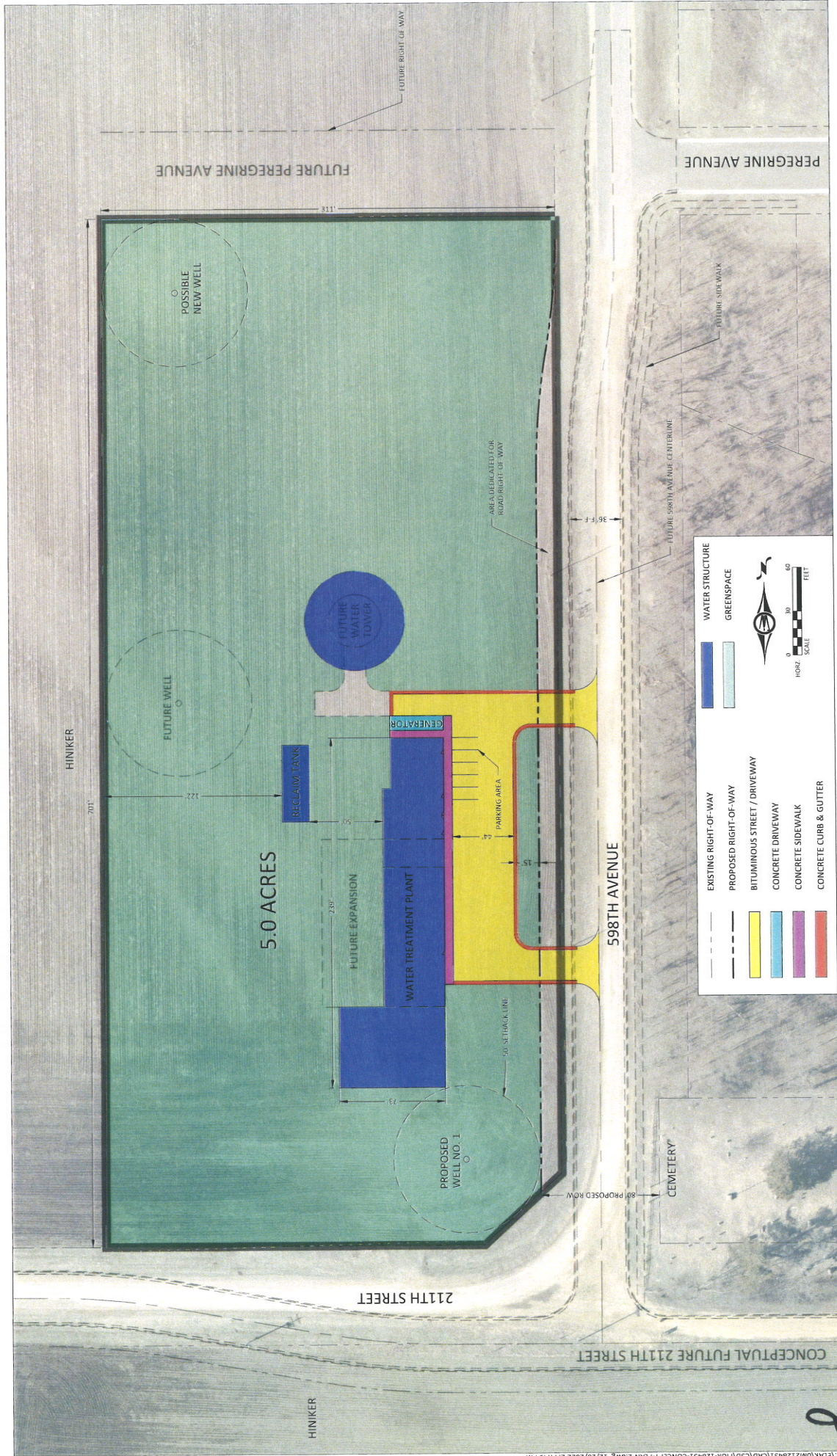
We will review both the WTP Concept Plan and 2023 infrastructure CIP in more detail at the meeting. No formal action is needed this evening as these items are intended for discussion purposes at this time.


Jennifer J. Bromeland
City Administrator



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Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

Ph: (507) 625-4171
Fax: (507) 625-4177
Bolton-Menk.com

December 29, 2022

Jennifer Bromeland
City Administrator
City of Eagle Lake
705 Parkway Avenue
Eagle Lake, MN 56024-0159

RE: 2023 Infrastructure Capital Improvement Plan
City of Eagle Lake, MN

Dear Ms. Bromeland,

Attached to this letter, please find project cost estimates for the City's infrastructure Capital Improvement Plan. Planning-level estimates were made of the quantities of work required to replace the utilities and street surfaces on the blocks shown in the attached overview map. The water treatment facility and CSAH 27 pedestrian connection projects have also be included in this plan. Unit prices from similar recent projects were applied to provide the City with budgetary information regarding needed improvements. Project segments were numbered and cost estimates for each segment are likewise correspondingly numbered.

These projects consist of various segments of street and utility improvements which you can now prioritize for construction in the coming years. The cost estimates should provide guidance as the City plans for infrastructure improvement projects the next several years.

The following assumptions were made in preparing these cost estimates:

- Street Construction – all of the existing asphalt street pavement and curb and gutter will be removed and replaced in conjunction with the projects. Streets are assumed to be a standard 36 feet wide, except in areas where the right-of-way is limited.
- In conjunction with the project, all of the driveway approaches will be replaced from the curb and gutter to the right-of-way line. A concrete sidewalk is assumed on one side of each street and pedestrian ramps will be reconstructed to ADA standards.
- Utility Construction –nearly all of the utilities on the project streets will be replaced as part of the improvements. This work would include both the main lines and service lines from the mains to the right-of-way line.
- Detailed analyses were conducted for the water treatment facility and CSAH 27 pedestrian connectivity. Information from those studies were utilized to provide planning cost estimates.

The total project cost for all of the infrastructure improvements is about \$18.2 million. In the case of street and utility reconstruction projects, some of the project cost may be assessed to benefitting properties in accordance with Minnesota Statute 429. The costs presented here are the total project costs, but it is our understanding that outside funding will be necessary before moving forward with a water treatment facility and a CSAH 27 trail.

Name: City of Eagle Lake, MN
Date: 12/29/2022
Page: 2

With this information, staff and the Council can continue to prioritize these projects so that they best fit with your needs and your financial plan over the next few years. Preliminary prioritization assumptions were made based on logical construction sequencing, funding parameters, and other factors.

I recommend that these necessary projects be considered as the City continues to plan and invest for its future. I look forward to providing continued to assistance you with these projects.

Sincerely,

Bolton & Menk, Inc.



Brian J. Sarff, P.E.
Consultant City Engineer

Enclosures

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SUMMARY OF ESTIMATED COSTS
2023 Infrastructure Capital Improvement Plan Update
City of Eagle Lake, MN

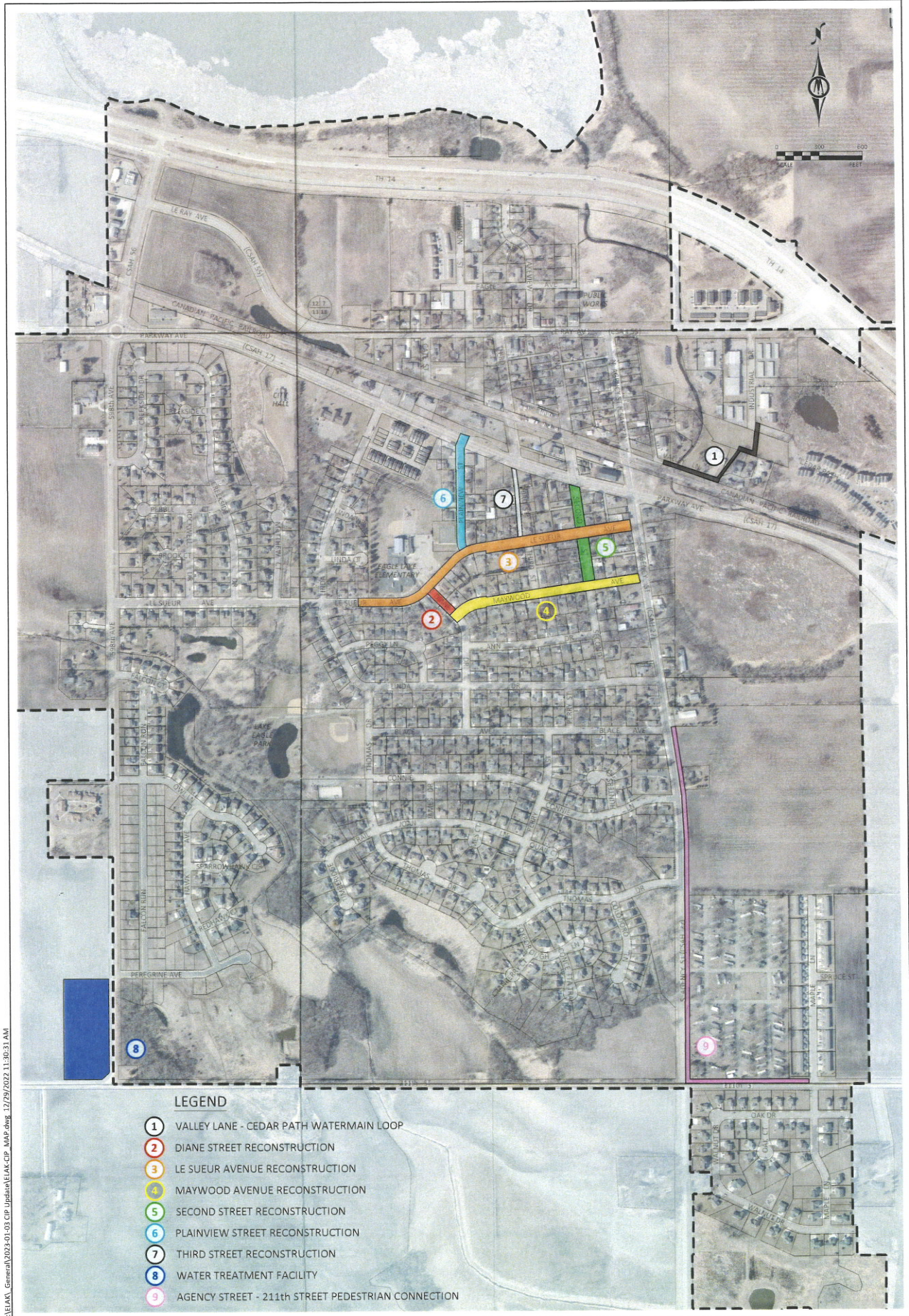
H:\ELAK_General\2023-01-03 CIP Update\[2023-01-03 CIP Cost Estimates.xlsx]Summary

Date: 1/3/2023

PROJECT I.D.	PROJECT NAME	ESTIMATED PROJECT COST (1)					NOTES
		2024	→	→	→	2028	
1	Valley Lane - Cedar Path WM Looping				\$208,000		
2	Diane Drive Reconstruction	\$314,000					(2)
3	Le Sueur Avenue Reconstruction			\$1,979,000			(2)
4	Maywood Avenue Reconstruction	\$1,233,000					(2)
5	Second Street Reconstruction	\$311,500		\$311,500			(2)
6	Plainview Street Reconstruction					\$590,000	(2)
7	Third Street Reconstruction					\$393,000	(2)
8	Water Treatment Facility		\$12,500,000				(3)
9	Agency Street - 211th Street Pedestrian Connection				\$360,000		(4)
TOTALS		\$1,858,500	\$12,500,000	\$2,290,500	\$568,000	\$983,000	\$18,200,000

Notes:

- (1) All estimated costs are represented in year 2022 dollars.
- (2) Project to be funded, in part, by Special Assessments.
- (3) Estimated cost does not include outside funding sources.
- (4) Estimated cost does not include outside trail funding sources and County participation. Federal funds are typically made available 4 years after successful application.



F:\EIA\1_General\2023-01-03_CIP_Update\EAGLE_CIP_MAP.dwg 1/7/2023 11:38:31 AM

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705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

January 9, 2023

To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Building Inspection Services

Randy King with Prokore Inspections recently contacted the City of Eagle Lake to request the ability to present information to the City Council about building inspection services that he offers. Attached is an informational sheet about inspection services.

For purposes of providing background, the City has been contracting with City Building Inspection Services, LLC (Dan Murphy) since at least 2007.

If the City wishes to consider proposals for building inspection services outside of the current contract with City Building Inspections Services, LLC, then a request for proposal can be put together and advertised to the public. Specifics of compensation should not be discussed at tonight's meeting.

Jennifer J. Bromeland
City Administrator



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IN BUILDING SAFETY**



INSPECTIONS. REIMAGINED

SOLUTIONS DESIGNED FOR YOUR COMMUNITY

Since 2007, our inspection and building safety solutions have helped Minnesota communities build and maintain safe, sustainable and durable buildings enforced through State and nationally recognized building codes and standards.

Whether your facing unpredictable building growth, large project demand, staff shortage, or require a dedicated building department, we can provide cost-effective solutions built around your communities needs.

BUILDING DEPARTMENT SOLUTIONS

Dedicated Building Department

- MN State Building Officials
- Building Plan Review
- Building Inspection
- Permit Issuance

Plan Review

- Residential
- Commercial
- New Construction
- Plumbing
- Energy
- Post-Disaster
- Structural
- Electronic


Building Inspection

- Residential
- Commercial
- New Construction
- Mechanical
- Plumbing
- Energy
- Post-Disaster
- Structural
- Roof
- Rental
- Property Maintenance
- Nuisance
- Erosion & Stormwater
- Remote Virtual

INSPECTIONS. REIMAGINED

THE PROKORE DIFFERENCE


 Lower Costs & Stabilized Budgets

 Minimize Staffing

 Improved Customer Service

 Expedite Department Services

 Increased Community Revenue

 Manage Demand Fluctuations

FREQUENTLY ASKED QUESTIONS

Our small community can't staff a building inspector or official, can you help?

Yes. We staff experienced building inspectors and Minnesota licensed building officials that can fulfill the role of your communities building inspector or the designated building official. In addition, we provide small and medium size communities with dedicated, full-service building department needs including permits issuance, citizen correspondence and meetings, and building plan review and inspection.

What is an ordinary implementation period?

Depending on the needs of the community, we can provide assistance in as little as 24-48 hours after an executed contract. For most dedicated building department needs, assistance can begin in as little as 1-2 weeks after an executed contract.

How do you charge for your services?

Services are charged based on the scope of work, but ordinarily involve an hourly charge for staff augmentation needs, and a permit percentage split for dedicated building department assistance.

How long is an ordinary contract?

Contracts can be tailored to the current needs of the community, but ordinary contracts for staff augmentation range from 1 to 5 years, and 2 to 5 years for dedicated services.

Why should we select Prokore?

At Prokore, we constantly evolve to better serve the communities we assist and remain in constant alignment with the goals of the community. Our staff provides unparalleled building code knowledge combined with first-rate community service including extended office hours of Monday – Friday, 8am – 8pm, flexible inspection schedules including Saturdays, online permitting, electronic plan review, and remote virtual inspections.

How Can We Serve Your Community? Contact Us Today!

507.388.4224

www.prokoreinspections.com

INSPECTIONS. REIMAGINED



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

January 9, 2023


To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Resolution Requesting Parking Restrictions on CSAH 56 from CSAH 17 to Highway 14

Discussion took place at the December 5th City Council meeting about whether parking should be allowed on CSAH 56 from CSAH 17 to Highway 14. A motion was made and passed to recommend that “No Parking” signs be installed on CSAH 56 from CSAH 17 to Highway 14. Following the December 5th meeting, City staff reached out to Blue Earth County Engineer Ryan Thilges to find out the next step in the process. Mr. Thilges advised that the City of Eagle Lake needs to adopt a resolution requesting that the County prohibit parking on CSAH 56 from CSAH 17 to Highway 14. The resolution should state that the City agrees that it will post no parking signs and that the City will be responsible for enforcement of the parking restrictions in this area.

For purposes of providing background, City staff was asked by a council member to research whether parking should be allowed in this area as vehicles have been observed parked along this stretch of road for relatively short durations. Absent any “no parking” signs in this area, City staff reached out to Blue Earth County Engineer Ryan Thilges to find out which entity had the authority to make the determination about whether parking is allowed on a county roadway within city limits. Mr. Thilges indicated that parking along this segment is not encouraged due to the road width and that, ultimately, Blue Earth County has the authority to restrict parking with input from a city because the County would rely on the local police department to enforce no parking. When asked for his input, Police Chief John Kopp stated that he recommended that no parking signs be posted in this area because there is no sidewalk or trail and residents often use the shoulder for walking and biking and explained that if vehicles are parked along the shoulder, it will force pedestrians onto the road itself. Chief Kopp also indicated that the county attorney advised that the addition of no parking signs would make enforcement cleaner.

Attached is a resolution recommending that “No Parking” signs be installed on CSAH 56 from CSAH 17 to Highway 14. Included in the resolution is an acknowledgment that the City will be responsible for enforcement of the parking restrictions in this area.

A motion is necessary to adopt the above-described resolution.


Jennifer J. Bromeland
City Administrator

**RESOLUTION NO. 2023-09:
A RESOLUTION REQUESTING PARKING RESTRICTIONS
ALONG CSAH 56 FROM CSAH 17 TO US HIGHWAY 14**

WHEREAS, the City of Eagle Lake is hereby requesting that Blue Earth County restrict parking along CSAH 56 from CSAH 17 to US Highway 14, and

WHEREAS, the City of Eagle Lake will be responsible for posting “No Parking” signs and enforcing parking restrictions along CSAH 56 from CSAH 17 to US Highway 14.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

That the City of Eagle Lake will post “No Parking” signage and enforce no parking on CSAH 56 from CSAH 17 to US Highway 14 following approval from Blue Earth County to restrict parking in this area.

Dated this 9th day of January 2023.

ATTEST:

City of Eagle Lake, Minnesota.

Lisa Norton
Mayor

Jennifer J. Bromeland
Administrator



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

January 9, 2023

To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Resolution Supporting State Bonding for the Regional Water Resource Recovery Facility

An update was provided at the fall sewer customer meeting that was held on November 15th at the City of Mankato about the Water Resource Recovery Facility (WRRF) disinfection and digester project costs. The project was initially projected to cost about \$45 million but now is estimated to cost between \$84 million and \$89 million. The previous bond funding request by the City of Mankato for this project totaled \$30 million. Unfortunately, the session ended without a bonding bill.

The City of Mankato is asking member jurisdictions to partner together to lobby our legislators for bond funding for this project since it is a critical regional project. Eagle Lake sends its sewage and wastewater to the City of Mankato WRRF for treatment before it is discharged into the Minnesota River. This is a need, not a want. Without improvements, the sewer capacity of the region becomes more fragile.

Attached is a resolution supporting bonding for the project.

A motion is needed to adopt the resolution of support.

Jennifer J. Bromeland
City Administrator

**Resolution No. 2023-10: A Resolution Supporting State Bonding for the
Regional Water Resource Recovery Facility**

City of Eagle Lake

WHEREAS, the City of Eagle Lake provides sewer and wastewater services to its residents and that sewage and wastewater is treated at the City of Mankato Wastewater Recovery Resource Facility (WRRF) to ensure that the water meets state and federal water quality standards before it is discharged into the Minnesota River, and

WHEREAS, the City of Eagle Lake is supportive of a regional bonding appropriation request along with six other partner Greater Mankato Jurisdictions, that will have significant regional impact; and

WHEREAS, by processing wastewater through the Mankato WRRF, the City of Eagle Lake has avoided building a separate facility and has saved its ratepayers and the state from the additional cost of building and operating a separate facility, and

WHEREAS, the Mankato WRRF is aging and requires upgrades that will cost an estimated \$89 Million to continue operating and to meet current and future water quality regulations, and

WHEREAS, providing \$44.5 Million in bond appropriations to finance this upgrade to the Mankato WRRF will keep our sewer rates affordable, and

WHEREAS, upgrading the WRRF will protect and preserve Minnesota waters downstream of our city benefiting Minnesota residents throughout the state;

BE IT RESOLVED that the City Council of Eagle Lake, Minnesota urges through this Resolution that the Minnesota Legislature pass a bonding bill that includes \$44.5 Million to pay for the Mankato WRRF and that Governor Tim Walz sign such a bonding bill;

BE IT FURTHER RESOLVED that this resolution be transmitted to Senator Nick Frentz, Representative Luke Fredrick, Representative Jeff Brand, Speaker of the House Melissa Hortman, Senate Majority Leader Kari Dziedzic, House Minority Leader Lisa Demuth, Senate Minority Leader Melissa López Franzen, and Governor Tim Walz.

Adopted: January _____, 2023.

Lisa Norton
Mayor

Attest:

Jennifer J. Bromeland
City Administrator



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

January 9, 2023

To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: General Obligation Water Revenue Note -Series 2023A

Attached you will find a financing recommendation letter from Shannon Sweeney with David Drown Associates (DDA) regarding the sale of bonds to finance a portion of the Water Tower Rehab Project costs. The total project cost is \$561,690. This includes construction, engineering, and contingency costs and MN Rural Water fees. The funding sources to be utilized to finance the project include a 2023A General Obligation Note totaling \$462,000 and a cash contribution of \$99,690 using American Rescue Plan Act (ARPA) funds.

Mr. Sweeney advises in the above-referenced letter that if the City Council chooses to finance the project costs as proposed, DDA recommends the following:


- 10-year term on project financing consistent with prior capital planning
- Bonds callable any time after 2/1/2030
- Utilization of the Minnesota Rural Water Midi-Loan Program (3.75% Interest Rate)
- Utilization of \$99,690 of ARPA funds to reduce borrowing for the project.

For purposes of providing background, bids for the water tower rehab project were presented at the December 5th meeting. The lowest responsible bid for the project was accepted from Maguire Iron, Inc. in the amount of \$463,000 (approximately 15 percent below the engineer's estimate of \$550,000). The project has an anticipated start date of April 15, 2023, with a completion date of July 10, 2023.

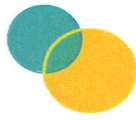
If determined appropriate to proceed, the proposed schedule would include an award sale on January 9th and closing on January 23rd.

Also attached is a resolution providing for the award of the sale.

A motion is needed to adopt the resolution.



Jennifer J. Bromeland
City Administrator



January 4, 2023

City of Eagle Lake
 Attn: Jennifer Bromeland, City Administrator
 P.O. Box 159
 Eagle Lake, MN 56024

RE: General Obligation Water Revenue Note – Series 2023A

Honorable Mayor, Council Members, and Administrator Bromeland:

The purpose of this letter is to provide our recommendations regarding the sale of bonds to finance a portion of the project costs for the water tower refurbishment project. Bids have been obtained at this time for the proposed project and have been used to prepare these recommendations.

Our estimate of all costs to be included in the proposed project financing include the following:

Construction, Engineering, & Contingency	\$549,000.00
MN Rural Water Program Fees	12,690.00
TOTAL PROJECT COST:	\$561,690

The funding sources to be utilized to finance the costs outlined above include the following:

2023A General Obligation Note	\$462,000.00
Cash Contribution (ARPA Funds)	99,690.00
TOTAL SOURCES OF FUNDS:	\$561,690.00

Payment and Revenue Requirements:

The attached cash flow provides the annual debt service costs which average approximately \$56,000 per year. A recommendation has been made by staff to use \$99,690 in ARPA funds (federal grant) to cover a portion of the project costs with cash.

Impact to Water Rates:

In September of this year I provided an updated projection for the water fund that included the water tower rehabilitation project. I had assumed the project would be financed over 10-years resulting in debt payments of approximately \$61,000, which is close to our final annual debt service payments as outlined above. The impact of the debt service of the tower project along with the 2021 Improvement Project will require modifications to water rates. Based on those assumptions I previously recommended 5% increases to water rates each year for 2023 through 2026 to reach a break even result in 2026 recognizing that small deficits will be incurred in 2024 and 2025.

For 2027 and 2028 I had previously projected 3% increases each year to generate a surplus and rebuild cash reserves. Debt service payments of \$50,000 on the 2008 bonds will end in 2028

which will create capacity for other projects. The water treatment facility has not been factored into the projection as it is anticipated that the project will rely on grant funding for implementation.

In 2022 a 5,000 gallon per month water user paid \$31.30 per month based on the existing rate structure. By 2026 when break even is achieved, it is estimated that the same usage will result in a bill of approximately \$38.05 per month.

Alternatives Considered:

The Minnesota Public Facilities Authority and USDA-Rural Development are governmental sources of loan and grant funds for infrastructure projects but are not typically feasible for smaller projects like this due to additional standards that are imposed. The MN Rural Water Midi-Loan was considered a better alternative due to its lower issuance costs as compared to conventional competitive sales.

\$462,000 General Obligation Water Revenue Note:

If the Council chooses to finance the project costs as proposed, David Drown Associates, Inc. recommends the following:

- 10-year term on project financing consistent with prior capital planning
- Bonds callable any time after 2/1/2030
- Utilization of the Minnesota Rural Water Midi-Loan Program (3.75% Interest Rate)
- We do recommend the use of \$99,690 of ARPA funds to reduce borrowing for the project

Schedule and Issuance:

If determined to be appropriate to proceed, the proposed schedule would be as follows:

January 9, 2023	Award Sale
January 23, 2023	Closing

Attached you will find a resolution providing for the award of sale. We recommend that the City Council approve this resolution if it is determined to be appropriate to proceed with the project financing as proposed. Please feel free to contact me with any questions regarding the attached materials. Thank you for your time and consideration.

Sincerely,



Shannon Sweeney
David Drown Associates, Inc.

City of Eagle Lake, Minnesota

\$462,000

General Obligation Water Revenue Note, Series 2023A

Minnesota Rural Water Association "MIDI-Loan"

12/8/2022

FINAL



Uses of Funds

Project Costs	524,000.00
Contingency	25,000.00
Other	-
Total Project Costs	549,000.00
MN Rural Water Loan Fee	12,690.00
Capitalized Interest	-
Rounding	-
	<hr/>
	561,690.00

Sources of Funds

Bond Issue	462,000.00
Other	-
City Cash	99,690.00
	<hr/>
	561,690.00

Closing Allocations

Purchaser	First Independent Bank, Russell, Minnesota	
Proceeds to Issuer		
Construction Account (Net of City Cash)	449,310.00	
Debt Service Account	-	
Total to Issuer >>	<hr/>	449,310.00
Checks Issued for Expenses		
David Drown Associates, Inc. (FA)	8,740.00	
Taft Law (Bond Counsel)	3,100.00	
Pay Agent (City Clerk)	-	
MN Rural Water Ass'n (Sponsor)	850.00	
Total for Expenses >>	<hr/>	12,690.00

Calendar

Application Received	12/8/2022
Sale Date	1/9/2023
Dated Date & Closing Date	1/23/2023
1st Interest Payment	8/1/2023
Proceeds spent by:	12/31/2024

Statistics

Purchase Price (Issue Price)	462,000.00
Net Interest Cost	100,997.50
Net Effective Rate	3.75000%
Average Coupon	3.75000%
IRS Yield	3.74984%
WAM (This Issue)	5.830

Call Option	2/1/2030 @ par plus acc'd interest
-------------	------------------------------------

Tax Status	Tax Exempt, Bank Qualified
Rebate	\$5 million small issuer exemption
Continuing Disclosure	none -- audits upon request
Statutory Authority	M.S. Chapter 444, 475

How to make payments

Payments are made directly to First Independent Bank, Russell, Minnesota. The lender will provide you with notice of pending payments due prior to each scheduled payment. Generally, you should mail payments at least 3 days early - wired funds can be transferred on the date payment is due. Questions? Contact (507) 823-4391

111

City of Eagle Lake, Minnesota
 \$462,000
 General Obligation Water Revenue Note, Series 2023A

12/8/2022

FINAL



PAYMENT SCHEDULE AND CASHFLOW

Note Payments				Payment Total	Annual plus 5%	Pay Agent Servicing	TOTAL PAYMENTS	Collection Year	Water Revenues	D/S Fund Balance	
Payment Date	Principal	Rate	Interest							Surplus (deficit)	Account Balance
1/23/2023	<i>Dated Date</i>									Deposit to Debt Service Account >	
8/1/2023			9,047.50	9,047.50							-
2/1/2024	39,000	3.75%	8,662.50	47,662.50	59,546	-	59,546	2023	59,546	-	-
8/1/2024			7,931.25	7,931.25							-
2/1/2025	40,000	3.75%	7,931.25	47,931.25	58,656	-	58,656	2024	58,656	-	-
8/1/2025			7,181.25	7,181.25							-
2/1/2026	42,000	3.75%	7,181.25	49,181.25	59,181	-	59,181	2025	59,181	-	-
8/1/2026			6,393.75	6,393.75							-
2/1/2027	43,000	3.75%	6,393.75	49,393.75	58,577	-	58,577	2026	58,577	-	-
8/1/2027			5,587.50	5,587.50							-
2/1/2028	45,000	3.75%	5,587.50	50,587.50	58,984	-	58,984	2027	58,984	-	-
8/1/2028			4,743.75	4,743.75							-
2/1/2029	47,000	3.75%	4,743.75	51,743.75	59,312	-	59,312	2028	59,312	-	-
8/1/2029			3,862.50	3,862.50							-
2/1/2030	49,000	3.75%	3,862.50	52,862.50	59,561	-	59,561	2029	59,561	-	-
8/1/2030			2,943.75	2,943.75							-
2/1/2031	51,000	3.75%	2,943.75	53,943.75	59,732	-	59,732	2030	59,732	-	-
8/1/2031			1,987.50	1,987.50							-
2/1/2032	52,000	3.75%	1,987.50	53,987.50	58,774	-	58,774	2031	58,774	-	-
8/1/2032			1,012.50	1,012.50							-
2/1/2033	54,000	3.75%	1,012.50	55,012.50	58,826	-	58,826	2032	58,826	-	-
	462,000		100,997.50	562,997.50	591,147	-	591,147		591,147	-	-

Prepared by: David Drown Associates, Inc.
 612-920-3320

Cashflow

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EXTRACT OF MINUTES OF A MEETING
OF THE CITY COUNCIL
CITY OF EAGLE LAKE, MINNESOTA

HELD: JANUARY 9, 2023

Pursuant to due call and notice thereof, a regular or special meeting of the City Council of the City of Eagle Lake, Blue Earth County, Minnesota, was duly called and held at the City Hall on January 9, 2023, at 6:00 P.M., for the purpose, in part, of authorizing the issuance and awarding the sale of a \$462,000 General Obligation Water Revenue Note, Series 2023A.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-11

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF A \$462,000 GENERAL
OBLIGATION WATER REVENUE NOTE, SERIES 2023A, AND PLEDGING NET
REVENUES FOR THE SECURITY AND PAYMENT THEREOF

A. WHEREAS, the City of Eagle Lake, Minnesota (the "City"), owns and operates a municipal water system (the "Water System"), operated as a separate revenue producing public utility; and

B. WHEREAS, the City has no outstanding obligations of the Water System which constitute a prior lien upon the net revenues of the Water System; and

C. WHEREAS, the City Council has heretofore determined and declared that it is necessary and expedient to issue a \$462,000 General Obligation Water Revenue Note, Series 2023A ("Note"), pursuant to Minnesota Statutes, Chapter 475 and Section 444.075, to finance improvements to the City's municipal water system (the "Project"); and

D. WHEREAS, the City has retained David Drown Associates, Inc., in Minneapolis, Minnesota ("David Drown"), as its independent municipal advisor for the sale of the Note and was therefore authorized to sell the Note by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9); and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Eagle Lake, Minnesota, as follows:

1. Acceptance of Offer. The offer of First Independent Bank, in Russell, Minnesota (the "Purchaser"), to purchase the Note and to pay therefor the sum of \$462,000, plus interest accrued to settlement, if any, all in accordance with the terms and at the rates of interest hereinafter set forth, is hereby accepted.

2. Note Terms; Original Issue Date; Denominations; Maturities; Interest and Redemption. The City shall forthwith issue the Note, which shall be in fully registered form without interest coupons, shall be dated, mature, be subject to redemption, bear interest and be payable as provided in the form of the Note.

3. Purpose. The Note shall provide funds to finance the Project and the total cost of the Project, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Note. The City covenants that it shall do all things and perform all acts required of it to assure that work on the Project proceeds with due diligence to completion and that any and all permits and studies required under law for the Project are obtained.

4. Registrar. The City Administrator, of the City of Eagle Lake, Minnesota, is appointed to act as registrar and transfer agent with respect to the Note (the "Registrar"), and shall do so unless and until a successor Registrar is duly appointed, all pursuant to any contract the City and Registrar shall execute which is consistent herewith. The Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Note shall be paid to the registered owner of the Note in the manner set forth in the form of Note.

5. Form of Note. The Note, together with the Certificate of Registration, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF BLUE EARTH
CITY OF EAGLE LAKE

R-1

\$462,000

GENERAL OBLIGATION WATER REVENUE NOTE, SERIES 2023A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
3.750%	February 1, 2033	January 23, 2023

REGISTERED OWNER: FIRST INDEPENDENT BANK, RUSSELL, MINNESOTA

PRINCIPAL AMOUNT: FOUR HUNDRED SIXTY-TWO THOUSAND DOLLARS

THE CITY OF EAGLE LAKE, BLUE EARTH COUNTY, MINNESOTA (the "Issuer" or "City"), certifies that it is indebted and, for value received, hereby promises to pay to the registered owner specified above, or assigns duly certified on the Certificate of Registration attached to and made a part of this Note (the "Owner"), unless called for earlier redemption, in the manner hereinafter set forth, the \$462,000 principal amount of this Note in the principal installments due on February 1 of the years and in the amounts, respectively, as follows, with each such principal installment bearing interest until paid at the interest rate of 3.750% per annum:

<u>Principal Installments</u> <u>Due February 1</u>	<u>Amount</u>
2024	\$39,000
2025	40,000
2026	42,000
2027	43,000
2028	45,000
2029	47,000
2030	49,000
2031	51,000
2032	52,000
2033	54,000

Interest. Interest shall be payable semiannually on February 1 and August 1 of each year, commencing August 1, 2023, and shall be calculated on the basis of a 360-day year consisting of twelve thirty-day months.

Payment. Principal installments and interest shall be paid by check, ACH debit, wire transfer or draft mailed to the Owner at the address listed on the Certificate of Registration attached to and made a part of this Note. At the time of final payment of all principal of and interest on this

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Note, the Owner shall surrender this Note to the City Administrator, City of Eagle Lake, Minnesota (the "Registrar").

Redemption. This Note is subject to redemption and prepayment at the option of the Issuer on February 1, 2030 and on any day thereafter, in whole or in part, at a price of par plus accrued interest. If redemption is in part, the principal amount to be redeemed shall be determined by the Issuer. Mailed notice of redemption shall be given to the Registrar and to the Owner of the Note at least thirty (30) days prior to the date fixed for redemption.

Date of Payment Not a Business Day. If the nominal date for payment of any principal of or interest on this Note shall not be a business day of the Issuer or of the Owner, then the date for such payment shall be the next such business day and payment on such business day shall have the same force and effect as if made on the nominal date of payment.

Fees upon Transfer or Loss. The Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Note and any legal or unusual costs relating thereto.

Treatment of Registered Owner. The Issuer and Registrar may treat the person in whose name this Note is registered as the Owner hereof for the purpose of receiving payment as herein provided and for all other purposes, whether or not this Note shall be overdue, and neither the Issuer nor the Registrar shall be affected by notice to the contrary.

Issuance; Purpose; General Obligation. This Note is issued as a single instrument in the total principal amount of \$462,000, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota and a resolution adopted by the City Council on January 9, 2023 (the "Resolution") for the purpose of providing money to finance the City's improvements to the municipal water system (the "Water System") within the jurisdiction of the Issuer. This Note is payable out of the General Obligation Water Revenue Note, Series 2023A Fund of the Issuer. This Note constitutes a general obligation of the Issuer, and to provide moneys for the prompt and full payment of its principal, premium, if any, and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

Transfer. This Note is transferable, as provided in the Resolution, upon the Register kept by the Registrar upon surrender of this Note together with a written instrument of transfer duly executed by the Owner or the Owner's attorney duly authorized in writing, and thereupon a new, fully registered Note in the same aggregate principal amount shall be issued to the transferee in exchange therefor (or the transfer shall be duly recorded on the Register and the Certificate of Registration hereof), upon the payment of charges and satisfaction of applicable conditions, if any, as therein prescribed; provided that such transfer may occur only with respect to the entire Note and all of the remaining principal amount hereof. The Issuer may treat and consider the person in whose name this Note is registered as the absolute Owner hereof for the purpose of receiving payment of or on account of the principal of and interest on this Note and for all other purposes whatsoever.

Registration. This Note shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Registration hereon shall have been executed by the Registrar.

Qualified Tax-Exempt Obligation. This Note has been designated by the Issuer as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed, precedent to and in the issuance of this Note, have been done, have happened and have been performed, in regular and due form, time and manner as required by law; that the Issuer has covenanted and agreed with the Owner of the Note that it will impose and collect charges for the service, use and availability of its Water System at the times and in amounts necessary to produce net revenues adequate to pay all principal and interest when due on the Note; and that the Issuer will levy a direct, annual, irrevocable ad valorem tax upon all of the taxable property of the Issuer, without limitation as to rate or amount, for the years and in amounts sufficient to pay the principal installments and interest on this Note as they respectively become due, if the net revenues from the Water System, and any other sums irrevocably pledged or appropriated to the Debt Service Account are insufficient therefor; and that this Note, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of its issuance and delivery to the original purchaser, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City of Eagle Lake, Blue Earth County, Minnesota, by its City Council has caused this Note to be executed on its behalf by the manual signatures of its Mayor and its City Administrator, the corporate seal of the City having been intentionally omitted as permitted by law.

Date of Registration:

CITY OF EAGLE LAKE,
BLUE EARTH COUNTY, MINNESOTA

January 23, 2023

REGISTRABLE BY AND
PAYABLE AT:

By: DO NOT SIGN
Mayor

The Office of the
City Administrator
City of Eagle Lake, Minnesota

By: DO NOT SIGN
City Administrator

6. Execution. The Note shall be executed on behalf of the City by the manual signatures of its Mayor and City Administrator, the seal of the City having been omitted as permitted by law. In the event of disability or resignation or other absence of either such officer, the Note may be signed by the signature of the officer who may act on behalf of such absent or disabled officer. In case either such officer whose signature shall appear on the Note shall cease to be such officer before the delivery of the Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery.

7. Delivery; Application of Proceeds. The Note when so prepared and executed shall be delivered by the City Administrator to the Purchaser upon receipt of the purchase price, and the Purchaser shall not be obliged to see to the proper application thereof.

8. Fund and Accounts. There is hereby created a special fund to be designated the "General Obligation Water Revenue Note, Series 2023A Fund" (the "Fund") to be administered and maintained by the City Administrator, or designee, as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Fund shall be maintained in the manner herein specified until all of the Note and the interest thereon have been fully paid. The Operation and Maintenance Account heretofore established by the City for the Water System shall continue to be maintained in the manner heretofore and herein provided by the City. All moneys remaining after paying or providing for the items set forth in the resolution establishing the Operation and Maintenance Account shall constitute or are referred to as "net revenues" until the Note has been paid. In such records there shall be established accounts of the Fund for the purposes and in the amounts as follows:

(a) Construction Account. To the Construction Account there shall be credited the proceeds of the sale of the Note. From the Construction Account there shall be paid all costs and expenses of the Project, including the cost of any construction contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65. Any balance remaining in the fund after completion of the costs shall be transferred to the Debt Service Account.

(b) Debt Service Account. There are hereby irrevocably appropriated and pledged to, and there shall be credited to the Debt Service Account: (i) the net revenues of the Water System not otherwise pledged and applied to the payment of other obligations of the City, in an amount, together with other funds which may herein or hereafter from time to time be irrevocably appropriated to the account sufficient to meet the requirements of Minnesota Statutes, Section 475.61 for the payment of the principal and interest of the Note; (ii) all collections of all taxes which may hereafter be levied in the event that the net revenues of the Water System and other funds herein pledged to the payment of the principal and interest on the Note are insufficient therefor; (iii) all funds remaining in the Construction Account after completion of the Project and payment of the costs thereof; (iv) all investment earnings on funds held in the Debt Service Account; and (v) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Debt Service Account. The amount of any surplus remaining in the Debt Service Account when the Note and interest thereon are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4. The moneys in the Debt Service Account shall be used solely to pay the principal of and interest on the Note or any other bonds hereafter issued and made payable from the Fund.

No portion of the proceeds of the Note shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Note was issued and (2) in addition to the above in an amount not greater than the lesser of five percent of the proceeds of the Note or \$100,000. To this effect, any proceeds of the Note and any sums from time to time held in the Construction Account, Operation and Maintenance Account, or Debt Service Account (or any other City account which will be used to pay principal or interest to become due on the Note payable therefrom) in excess of amounts which under then applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Note to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

9. Sufficiency of Net Revenues. It is hereby found, determined and declared that the net revenues of the Water System are sufficient in amount to pay when due one hundred five percent of the principal of and interest on the Note. The net revenues of the Water System are hereby pledged for the payment of the Note, but solely to the extent required to meet, with other pledged sources, the principal and interest requirements of the Note as the same become due. Nothing contained herein shall be deemed to preclude the City from making further pledges and appropriations of the net revenues of the Water System for the payment of other or additional obligations of the City, provided that it has first been determined by the City Council that the estimated net revenues of the Water System will be sufficient in addition to all other sources, for the payment of the Note and such additional obligations and any such pledge and appropriation of the net revenues of the Water System may be made superior or subordinate to, or on a parity with the pledge and appropriation herein.

10. Excess Net Revenues. Net revenues in excess of those required for the foregoing may be used for any proper purpose.

11. Covenant to Maintain Rates and Charges. In accordance with Minnesota Statutes, Section 444.075, the City hereby covenants and agrees with the Owner of the Note that it will impose and collect charges for the service, use, availability and connection to the Water System at the times and in the amounts required to produce net revenues adequate to pay all principal and interest when due on the Note. Minnesota Statutes, Section 444.075, Subdivision 2, provides as follows: "Real estate tax revenues should be used only, and then on a temporary basis, to pay general or special obligations when the other revenues are insufficient to meet the obligations."

12. Defeasance. When the Note has been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered owners of the Note shall, to the extent permitted by law, cease. The City may discharge its obligations with respect to the Note which is due on any date by irrevocably depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; or if the Note should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment

thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligations with respect to principal installments of the Note called for redemption on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full, provided that notice of redemption thereof has been duly given. The City may also at any time discharge its obligations with respect to the Note, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without regard to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

13. Compliance With Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the City's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Note, being those portions thereof which will be used by the City to reimburse itself for any expenditure which the City paid or will have paid prior to the closing date (a "Reimbursement Expenditure").

The City hereby certifies and/or covenants as follows:

(a) Not later than sixty days after the date of payment of a Reimbursement Expenditure, the City (or person designated to do so on behalf of the City) has made or will have made a written declaration of the City's official intent (a "Declaration") which effectively (i) states the City's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the City and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "Program"); and (iii) states the maximum principal amount of debt expected to be issued by the City for the purpose of financing the Program; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the Program, defined in the Reimbursement Regulations to include engineering or architectural, surveying and soil testing expenses and similar prefatory costs, which in the aggregate do not exceed twenty percent of the "issue price" of the Note, and (ii) a *de minimis* amount of Reimbursement Expenditures not in excess of the lesser of \$100,000 or five percent of the proceeds of the Note.

(b) Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Note or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

(c) The "reimbursement allocation" described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Note, and not later than three years after the later of (i) the date of the payment of the Reimbursement Expenditure, or (ii) the date on which the Project to which the Reimbursement Expenditure relates is first placed in service.

(d) Each such reimbursement allocation will be made in a writing that evidences the City's use of Note proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Note is issued, shall be treated as made on the day the Note is issued.

Provided, however, that the City may take action contrary to any of the foregoing covenants in this paragraph upon receipt of an opinion of its Bond Counsel for the Note stating in effect that such action will not impair the tax-exempt status of the Note.

14. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Note, as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the net revenues of the Water System appropriated and pledged to the payment of principal and interest on the Note, together with other funds irrevocably appropriated to the Debt Service Account herein established, shall at any time be insufficient to pay such principal and interest when due, the City covenants and agrees to levy, without limitation as to rate or amount an ad valorem tax upon all taxable property in the City sufficient to pay such principal and interest as it becomes due. If the balance in the Debt Service Account is ever insufficient to pay all principal and interest then due on the Note and any other bonds payable therefrom, the deficiency shall be promptly paid out of any other funds of the City which are available for such purpose, and such other funds may be reimbursed with or without interest from the Debt Service Account when a sufficient balance is available therein.

15. Certificate of Registration. The City Administrator is hereby directed to file a certified copy of this resolution with the County Auditor of Blue Earth County, Minnesota, together with such other information as the County Auditor shall require, and to obtain the County Auditor's certificate that the Note has been entered in the County Auditor's Bond Register.

16. Records and Certificates. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Note, certified copies of all proceedings and records of the City relating to the Note and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Note as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

17. Negative Covenant as to Use of Proceeds and Project. The City hereby covenants not to use the proceeds of the Note or to use the Project, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Project, in such a manner as to cause the Note to be a "private activity bond" within the meaning of Sections 103 and 141 through 150 of the Code. The City hereby covenants not to use the proceeds of the Note in such a manner as to cause the Note to be "hedge bonds" within the meaning of Section 149(g) of the Code.

18. Tax-Exempt Status of the Note; Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Note, including without limitation (1) requirements relating to temporary periods for investments, (2) limitations on amounts invested at a yield greater than the yield on the Note, and (3) the rebate of excess investment earnings to the United States, if the

Note (together with other obligations reasonably expected to be issued and outstanding at one time in this calendar year) exceeds the small-issuer exception amount of \$5,000,000. For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements for governmental units issuing \$5,000,000 or less of bonds, the City hereby finds, determines and declares that:

- (a) the Note is issued by a governmental unit with general taxing powers;
- (b) the Note is not a private activity bond;
- (c) ninety-five percent or more of the net proceeds of the Note is to be used for local governmental activities of the City (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the City); and
- (d) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City (and all subordinate entities thereof, and all entities treated as one issuer with the City) during the calendar year in which the Note is issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

19. Designation of Qualified Tax-Exempt Obligations. In order to qualify the Note as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code, the City hereby makes the following factual statements and representations:

- (a) the Note is issued after August 7, 1986;
- (b) the Note is not a "private activity bond" as defined in Section 141 of the Code;
- (c) the City hereby designates the Note as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;
- (d) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the City (and all entities treated as one issuer with the City, and all subordinate entities whose obligations are treated as issued by the City) during this calendar year 2023 will not exceed \$10,000,000;
- (e) not more than \$10,000,000 of obligations issued by the City during this calendar year 2023 will be designated for purposes of Section 265(b)(3) of the Code; and
- (f) the aggregate face amount of the Note does not exceed \$10,000,000.

The City shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

20. Offering Circular. The Offering Circular relating to the Note prepared and distributed by David Drown Associates, Inc., is hereby approved and the officers of the City are

authorized in connection with the delivery of the Note to sign such certificates as may be necessary with respect to the completeness and accuracy of the Offering Circular.

21. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

22. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon the resolution was declared duly passed and adopted.

STATE OF MINNESOTA
COUNTY OF BLUE EARTH
CITY OF EAGLE LAKE

I, the undersigned, being the duly qualified and acting Deputy Clerk of the City of Eagle Lake, Minnesota, do hereby certify that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council, duly called and held on the date therein indicated, insofar as such minutes relate to authorizing the issuance and awarding the sale of a \$462,000 General Obligation Water Revenue Note, Series 2023A.

Dated: January 9, 2023.

Deputy Clerk



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

January 9, 2023

To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Fox Meadows TIF Agreement Modification

A development agreement by and between the City of Eagle Lake and Fox Meadow Townhome, LLC, was adopted in April of 2022 and included a construction start date of August 1, 2022 and a construction end date of January 1, 2023. Due to unforeseen delays on the developer's end with the wetland delineation and EAW processes, the construction start and end dates will now require modification. According to Shannon Sweeney with David Drown Associates, the TIF agreement will need to be modified to reflect actual start and end dates and be approved by the City Council.

Attached please find a First Amendment to Development Agreement with corresponding resolution, both of which were drafted by Taft Law. The amendment consists of the following language: "Construction shall begin by May 1, 2023 and the construction of the Project will be substantially completed on or before July 1, 2024, subject to Unavoidable Delays." Except for this amendment, all terms and provisions of the TIF Development Agreement shall remain in full force and effect.

A motion is needed to approve the above-described amendment and corresponding resolution.


Jennifer J. Bromeland
City Administrator

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (the "Amendment"), dated as of the 9th day of January, 2023, by and between the CITY OF EAGLE LAKE, MINNESOTA (the "City"), a municipal corporation and political subdivision of the State of Minnesota, and Fox Meadow Townhome, LLC, a Minnesota limited liability company (the "Developer")

WITNESSES:

WHEREAS, the City and the Developer entered into a Development Agreement dated as of April 4, 2022 (the "Development Agreement") relating to the development of certain real property; and

WHEREAS, the City and the Developer propose to amend the Development Agreement as provided in this Amendment; and

WHEREAS, the City and the Developer have both duly authorized the Amendment; and

NOW, THEREFORE, the Development Agreement is amended as provided herein.

1. Section 2.2(7) of the Development Agreement is amended and restated as follows:

"Construction shall begin by May 1, 2023 and the construction of the Project will be substantially completed on or before July 1, 2024, subject to Unavoidable Delays."

2. Except as herein amended, all terms and provisions of the Development Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City and the Developer have caused this Amendment to be duly executed on the date first written above.

Fox Meadow Townhome, LLC

By: _____
Its President

This is a signature page to the First Amendment to Development Agreement by and between the City of Eagle Lake and Fox Meadow Townhome, LLC.

CITY OF EAGLE LAKE, MINNESOTA

By: _____
Mayor

By: _____
City Administrator

This is a signature page to the First Amendment to Development Agreement by and between the City of Eagle Lake and Fox Meadow Townhome, LLC.

EXTRACT OF MINUTES OF MEETING
OF THE CITY COUNCIL OF THE
CITY OF EAGLE LAKE, MINNESOTA

HELD: January 9, 2023

Pursuant to due call and notice thereof, a regular or special meeting of the City Council of the City of Eagle Lake, Blue Earth County, Minnesota, was duly called and held at the City Hall in said City on January 9, 2023, at 6:00 P.M.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

AUTHORIZING EXECUTION OF A FIRST
AMENDMENT TO DEVELOPMENT AGREEMENT

A. WHEREAS, the City of Eagle Lake, Minnesota (the "City") and Fox Meadow Townhome, LLC, a Minnesota limited liability company (the "Developer") entered into a Development Agreement, dated as of April 4, 2022 (the "Development Agreement") in connection with the construction of a 64-unit multifamily rental project located in the City (the "Project"); and

B. WHEREAS, the City and the Developer wish to amend the Development Agreement as provided in the First Amendment to Development Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eagle Lake, Minnesota, as follows:

1. The City Council hereby approves the First Amendment to Development Agreement in substantially the form submitted, and the Mayor and City Administrator are hereby authorized and directed to execute the First Amendment to Development Agreement on behalf of the City.

2. The approval hereby given to the First Amendment to Development Agreement includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City officials authorized by this resolution to execute the First Amendment to Development Agreement. The execution of the First Amendment to Development Agreement by the appropriate officer or officers of the City shall be conclusive

evidence of the approval of the First Amendment to Development Agreement in accordance with the terms hereof.

The motion for adoption of the foregoing resolution was duly seconded by member _____ and, after full discussion thereof, and upon a vote being taken thereof, the following voted in favor thereof:

and the following voted against same:

Adopted this 9th day of January, 2023.

Mayor

Attest: _____
City Administrator

STATE OF MINNESOTA
COUNTY OF BLUE EARTH
CITY OF EAGLE LAKE

I, the undersigned, being the duly qualified and acting City Administrator of the City Council of the City of Eagle Lake, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes with the original minutes of a meeting of the City Council of the City held on the date therein indicated, which are on file and of record in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to a Resolution Authorizing Execution of a First Amendment to Development Agreement.

WITNESS my hand as such City Administrator of the City Council of the City of Eagle Lake, Minnesota this 9th day of January, 2023.

City Administrator



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

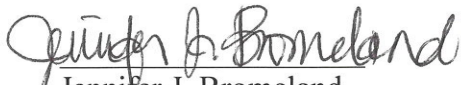
January 9, 2023

To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Use Agreement

Attached is a proposed "Use Agreement" by and between Gary and Kim Hiniker, Steve Wolfe, and the City of Eagle Lake. The proposed agreement was drafted by legal counsel. The purpose of the agreement is to allow the City of Eagle Lake the ability to create wind rows on farmland owned by Gary and Kim Hiniker when necessary to help combat snow drifting along 598th Avenue in exchange for performing snow removal on three vacant lots owned by Hiniker's on Creekside Drive. The agreement also contains a provision giving staff the authority to issue monetary compensation to the tenant that farms the land in exchange for leaving up rows of either corn or beans to serve as a snow fence in this area.

Discussion should ensue.

If the City Council is agreeable to the terms of the proposed agreement, then a motion to that effect is necessary.


Jennifer J. Bromeland
City Administrator

USE AGREEMENT

THIS USE AGREEMENT, is made and entered into this ____ day of _____, 2023, by and between Gary and Kim Hiniker, sometimes hereinafter called "Hinikers", Steve Wolfe, sometimes hereinafter called "tenant" and the City of Eagle Lake, sometimes hereinafter called "City".

WHEREAS:

1. Hinikers are the owners of real property located next to but not in the City of Eagle Lake. They own a parcel of land R43.09.13.400.005 that contains one acre. The property adjoins the city limits of the City of Eagle Lake, the property is located on the west side of 598th Avenue, Eagle Lake, Minnesota. Tenant rents the property from the Hinikers for the purpose of growing crops.

2. The public works department for the City of Eagle Lake has determined that if it can make a number of wind rows on the property that this would combat snow drifting on the road of the City of Eagle Lake in particular 598th Avenue.

3. The Hinikers own three lots that need be plowed;

4. That the City can perform the plowing of the lots as part of its normal snow plowing routine.

Based on a mutual desire to work together the Hinikers grant the City the right and agree to leave up rows of crops on the property in order to provide wind rows and prevent drifting in the city, upon the following terms and conditions:

**ARTICLE I.
TERM**

This agreement shall be in effect for the winter season of 2023 and the 2023 and 2024 winter season as defined as November 1 to May 15, unless otherwise agreed by the Hinikers and City Administrator for the City of Eagle Lake. This agreement will continue for each successive winter season until termination.

**ARTICLE II.
TERMINATION**

Either party may terminate this agreement by providing written notice to the other party.

**ARTICLE III.
CONSIDERATION**

The Hinikers will leave on the property rows of crops to provide wind rows and to help prevent drifting in the City of Eagle Lake. The City of Eagle Lake will remove snow from the three lots owned by the Hinikers. The City will also compensate the tenant for the value of the crops that are left in the field. The value of the of the crops will be determined by the number of bushels left in the field and the sales price for those bushels on November 1 of the year.

**ARTICLE IV.
ASSIGNABILITY**

Section 1. The City may not assign this agreement without written agreement of the Hinikers.

Section 2. The Hinikers may not assign this agreement without written consent of the City.

Section 3. The tenant may not assign this agreement without written consent of the Hinikers and City.

**ARTICLE V.
PERSONS BOUND**

The benefits and obligations of the option herein shall inure to and bind respective heirs, personal representatives, successors and assigns (where assignment is permitted) of the parties hereto. Whenever used, singular number include plural, the plural singular, and use of any gender shall include all genders.

**ARTICLE VI.
MISCELLANEOLUS**

Repairs. The parties understand the conditions of the property. Neither party shall be obligated to make repairs to the other party's property that may be caused by the normal use of the properties. If the damage to property is based on the negligence of a party, an employee or agent of a party, the property will be repaired to the state that it was in at the commencement of this agreement

Survival of Covenants. No agreement unless incorporated in this agreement shall be binding upon the parties. No covenants and agreements herein shall survive the

closing except warranties of title. All covenants and representations are binding upon and inure to the benefit of the heirs, executors, administrators and assigns of the parties.

IN WITNESS WHEREOF, THE PARTIES have signed and sealed this Option to Purchase as of the day and year first above written.

CITY OF EAGLE LAKE

By: _____
Its: _____

By: _____
Its: _____

By: _____
Kim Hiniker

By: _____
Gary Hiniker

By: _____
Steve Wolfe

STATE OF MINNESOTA)
) SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by Lisa Norton and Jennifer J. Bromeland, the Mayor and City Administrator, of the City of Eagle Lake, a public body corporate and politic of the State of Minnesota, on behalf of said City.

Notary Public

STATE OF MINNESOTA)
) SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by Gary and Kim Hiniker.

Notary Public

STATE OF MINNESOTA)
) SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023 by Steve Wolfe.

Notary Public





705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

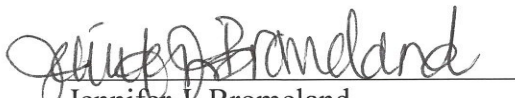
January 9, 2023

To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Planning Commission Recommendation

A public hearing was held at the December 19th Planning Commission meeting to consider an application for Conditional Use Permit (CUP) from Troy Schrom and the area in the Fox Meadows Housing Development that is zoned R-4 for the 8-plex structures. Mr. Schrom intends to construct thirteen 8-plex structures in the part of the development that is zoned R-4, totaling 104 units. A CUP is being sought for grouped housing consisting of a total of thirteen buildings, each containing eight units to be located in the plat of Fox Meadows. Three buildings to be located in Block 4, eight buildings to be located in Block 5, and two buildings to be located in Block 7. Grouped housing projects are allowed in an R-4 district subject to the regulations for conditional uses. The applicant indicates that no variances will be required. Attached for reference purposes is a printout from the League of MN Cities related to Conditional Use Permits.

The Planning Commission recommends that the CUP application for the area zoned R-4 in the Fox Meadows Housing Development be approved.

A motion is necessary to grant the CUP, grant the CUP subject to conditions, or deny the CUP.


Jennifer J. Bromeland
City Administrator

APPLICATION FOR CONDITIONAL USE

CITY OF
EAGLE LAKE

705 Parkway Ave., PO Box 159
Eagle Lake MN 56024
Phone 507-2574-3218
Fax 507-257-3220

Applicant's Name Fox Meadow Townhomes LLC
Day Phone 507-257-5110 Alternate Phone _____
Applicant's Address 704 Parkway Avenue, Eagle Lake
Email Address Troy M Schrom@gmail.com

Property Address for Conditional Use Thomas Avenue/Connie Lane
Parcel ID # TBD - part of R121018400013
Current Zoning A-1 R-1 R-2 R-3 R-4 B-1 L-1 H-1
Zoned R-4

In detail, please describe the type of conditional use permit you are applying for.
Grouped housing for a total of 13 buildings, each containing 8 units to be located in the plat of Fox Meadow. Three buildings to be located in Block 4, eight buildings to be located in Block 5, and two buildings to be located in Block 7. The current legal description of the property prior to the platting of Fox Meadow is attached. No variances will be required.

Troy M Schrom
Applicant Signature

11-18-22
Date

Office Use Only

- Application Fee: \$100 Paid
- Notification Letter to Residents Sent
- Billing for Notification Sent _____ notices x \$2.00 / notices = \$ _____ (properties within 350 feet)
- Billing for Notices Paid
- Planning Commission Hearing Held
- Planning Commission Action Approved Denied Tabled
- Planning Commission Comments _____
- City Council Meeting Held
- City Council Action Approved Denied Tabled
- City Council Comments _____

Current Legal Description

All that part of the NE 1/4 of the SW 1/4 of Section 18, T108N, R25W., east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW 1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW 1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder, being the point of beginning.

thence South 89°50'06" East a distance of 872.66 feet on the south line said NE 1/4, SE 1/4;
thence North 00°26'26" West a distance of 680.59 feet
thence North 89°51'01" West a distance of 884.54 feet to the east line said plat
thence on said east line on a tangential curve, concave to the west, a distance of 297.02, said curve having a chord bearing of South 3°05'14" East, a chord distance of 296.88 feet, a central angle of 5°50'19", and a radius of 2914.79 feet.
thence South 00°10'05" East a distance of 383.91 feet on said east line to the point of beginning.



November 22, 2022

**PUBLIC NOTICE
PLANNING COMMISSION OF EAGLE LAKE**

Notice is hereby given that the Planning Commission of the City of Eagle Lake, Blue Earth County, Minnesota, will meet at 6:00 p.m. on Monday, December 19, 2022 at City Hall, 705 Parkway Avenue, Eagle Lake, MN, and hold a Public Hearing to consider an application for a Conditional Use Permit from Troy Schrom with Fox Meadow Townhomes LLC for part of R121018400013 that is legally described below (prior to platting) for grouped housing consisting of a total of thirteen buildings, each containing eight units to be located in the plat of Fox Meadows. Three buildings to be located in Block 4, eight buildings to be located in Block 5, and two buildings to be located in Block 7. Grouped housing is one of the listed uses that may be allowed in the R-4, Multiple-Family Residential District, subject to the regulations for conditional uses.

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder, being the point of beginning;

thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4;
thence North 00°26'26" West a distance of 680.59 feet
thence North 89°51'01" West a distance of 884.54 feet to the east line said plat;
thence on said east line on a tangential curve, concave to the west, a distance of 297.02, said curve having a chord bearing of South 3°05'14" East, a chord distance of 296.89 feet, a central angle of 5°50'19', and a radius of 2914.79 feet;
thence South 00°10'05" East a distance of 383.91 feet on said east line to the point of beginning.

Upon conclusion of the public hearing, the Planning Commission shall transmit its recommendation to the City Council. The Planning Commission shall either recommend the granting of the Conditional Use Permit, granting the Conditional Use Permit subject to conditions, or denying the Conditional Use Permit.

You are receiving this notice because your property is located within 350 feet from the proposed location of the conditional use. Please contact me at 507-257-3218 with any questions.

Jennifer J. Bromeland
City Administrator
(507) 257-3218
Email: jbromeland@eaglelakemn.com

The Free Press THE LAND

MEDIA

P.O. Box 3287, Mankato, MN 56002
www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

Ad Proof

This is the proof of your ad scheduled to run on the dates indicated below. Please proofread carefully and if changes are needed, contact us prior to deadline at or email at mthomas@mankatofreepress.com.

DATE 11/22/22

Client:

CITY OF EAGLE LAKE
PO BOX 159
EAGLE LAKE, MN 56024-0000
(507) 257-3218

ACCOUNT NUMBER: 110586
ACCOUNT REP: DANNY CREEL
ACCOUNT REP PHONE: (507) 344-6351
ACCOUNT REP EMAIL:
DCREEL@MANKATOFREEPRESS.COM

Ad ID: 660270

Start: 11/28/22

Stop: 11/28/22

Total Cost: \$93.67

of Lines: 80

Columns Wide: 1

of Inserts: 2

Ad Class: Legals

Phone #

Email: mthomas@mankatofreepress.com

Publications:

The Free Press
MankatoFreePress.com

Public Notice

November 28, 2022

**PLANNING COMMISSION
OF EAGLE LAKE**

Notice is hereby given that the Planning Commission of the City of Eagle Lake, Blue Earth County, Minnesota, will meet at 6:00 p.m. on Monday, December 19, 2022 at City Hall, 705 Parkway Avenue, Eagle Lake, MN, and hold a Public Hearing to consider an application for a Conditional Use Permit from Troy Schrom with Fox Meadow Townhomes LLC for part of R121018400013 that is legally described below (prior to platting) for grouped housing consisting of a total of thirteen buildings, each containing eight units to be located in the plat of Fox Meadows. Three buildings to be located in Block 4, eight buildings to be located in Block 5, and two buildings to be located in Block 7. Grouped housing is one of the listed uses that may be allowed in the R-4, Multiple-Family Residential District, subject to the regulations for conditional uses.

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder, being the point of beginning;

thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4;

thence North 00°26'26" West a distance of 680.59 feet

thence North 89°51'01" West a distance of 884.54 feet to the east line said plat;

thence on said east line on a tangential curve, concave to the west, a distance of 297.02, said curve having a chord bearing of South 3°05'14" East, a chord distance of 296.89 feet, a central angle of 5°50'19", and a radius of 2914.79 feet;

thence South 00°10'05" East a distance of 383.91 feet on said east line to the point of beginning.

Upon conclusion of the public hearing, the Planning Commission shall transmit its recommendation to the City Council. The Planning Commission shall either recommend the granting of the Conditional Use Permit, granting the Conditional Use Permit subject to conditions, or denying the Conditional Use Permit.

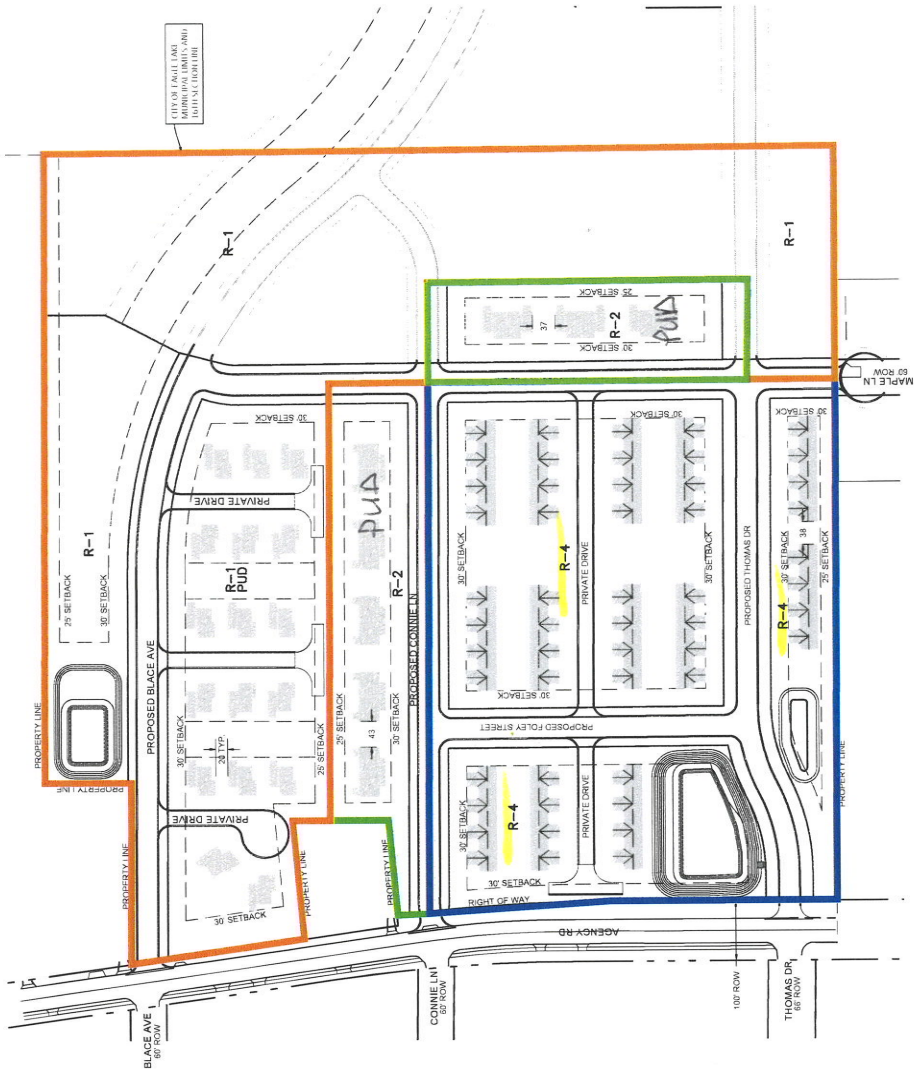
Jennifer J. Bromeland
City Administrator

FOX MEADOWS

PRELIMINARY PLAT - ZONING MAP

PART OF SW1/4 & SE1/4 18-T108N-R25W

EAGLE LAKE, BLUE EARTH COUNTY, MN



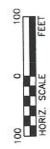
- SETBACKS**
- R-1 - ONE-FAMILY RESIDENTIAL
 - 30' FRONT
 - 25' SIDE
 - 25' REAR
 - R-2 - ONE AND TWO-FAMILY RESIDENTIAL
 - 30' FRONT
 - 10% OR MIN. 8' SIDE
 - 30' REAR
 - 10% OR MIN. 8' SIDE
 - R-4 - MULTIFAMILY RESIDENTIAL
 - 30' FRONT
 - 10% OR MIN. 8' SIDE

ENDORSEMENT OF OWNER

Troy M. Schrom _____ Date _____

ENDORSEMENT OF PLANNING COMMISSION
 Reviewed by the Planning Commission of the City of Eagle Lake, Minnesota, this _____ day
 of _____, 2022

Signed Commission Chair _____ Date _____



DRAWINGS ON 11x17 SHEETS ARE HALF SCALE

REVISION	DATE	BY
1	12/15/22	JMS

JONES LAUGH
SMITH
 CIVIL ENGINEERS

415 West North Street, Chaska, MN 55318
 Phone: 952-438-4439 Fax: 952-438-4438

RECORD #	JMS
DRAWN #	JMS
CHECKED #	SAT
DATE	12/15/22
DATE	12/15/22
DATE	12/15/22

I hereby certify that the site, subdivision, or plat, and any other information shown on this plat, was prepared by a duly Licensed Professional Engineer under the laws of the State of Minnesota.

JOHN H. SCHROM, P.E.
 License No. 44829 Date: 12/15/22

SCHROM CONSTRUCTION
FOX MEADOWS
EAGLE LAKE
PRELIMINARY PLAT - ZONING MAP

SHEET 1 OF 1

Land Use Conditional Use Permits

Published: May 10, 2021

This content conveys general information. Do not use it as a substitute for legal advice. Any attorney general opinions cited are available from the League's Research staff.

Conditional use

A conditional use is a land use the city permits in a zoning district only when the applicant meets certain standards. The zoning ordinance typically sets out:

- General standards that apply to all conditional uses, and
- Specific standards that apply to a particular conditional use in a given zoning district.

A use is typically conditional because of:

- Hazards inherent in the use itself, or
- Special problems that its proposed location may present.

For example, cities often designate uses that generate traffic (such as family child care, service stations, convenience stores, or drive-thrus) as conditional uses.

Conditional use permit

A conditional use permit (CUP) is a document. A city issues a permit to allow a conditional use when the applicant meets the general and specific ordinance standards. The permit allows the use only if the applicant addresses the standards set forth in the zoning ordinance. State law authorizes conditional use permits ([Minn. Stat. § 462.3595](#)).

General CUP standards

A zoning ordinance typically details general standards that apply to all conditional uses. For example, an ordinance might require all conditional uses to conform to the comprehensive land use plan of the community, be compatible with adjoining properties, and be served by adequate roads and public utilities.

Specific CUP standards

Many zoning ordinances will also set out specific standards for a particular conditional use, such as businesses operating a drive-thru. Specific standards often address off-street parking and loading areas, landscaping and site plan, and hours of business operation.

Granting conditional use permits

Generally, cities may only grant CUPs for uses specifically listed in the zoning ordinance as conditional uses in a particular zoning district.

If a use is not designated as a conditional use in a zoning district, then arguably the city may not issue a CUP without first amending the zoning ordinance to provide for the conditional use. This would, of course, allow other applicants to apply for a conditional use permit under the same standards.

Who grants a CUP

Planning commissions often first consider the CUP application and make recommendations to the city council. State statute allows the city council to assign its CUP approval to another authority. Some cities designate the planning commission as the approving body but typically the city council approves a CUP.

Required approval

If a proposed conditional use satisfies both the general and specific standards set out in the zoning ordinance, the applicant is entitled to the conditional use permit. If the applicant meets all the ordinance standards, the city usually has no legal basis to deny the CUP.

60-Day rule

A written request for a CUP is subject to Minnesota's 60-day rule. It must be approved or denied within 60 days of the time it is submitted to the city. A city may extend the time period for an additional 60 days, but only if it does so in writing before expiration of the initial 60-day period. Under the 60-day rule, failure to approve or deny a request within the statutory time period is considered an approval (Minn. Stat. § 15.99).

Other conditions on permits

A city may attach reasonable conditions relating to the ordinance standards to a CUP based upon factual evidence contained in public record. For example, if a zoning ordinance says a conditional use should not have adverse visual or noise impacts on any

adjacent property, a city might require specific screening and landscaping conditions to address any potential impacts established in the record.

Time limits not permitted

State statute says a CUP remains in effect as long as the conditions agreed upon are observed (Minn. Stat. § 462.3595, subd. 3). The attorney general says time limits, such as sunset provisions or automatic annual review, are not consistent with state law, explaining that cities may not enact or enforce provisions that allow a city to terminate CUPs without regard to whether the conditions agreed upon are observed (A.G. Op. 59-A-32 (February 27, 1990)).

If a city wishes to place time constraints on particular uses, the appropriate zoning tool is an interim use permit, not a conditional use permit. State law authorizes interim use permits for:

- A temporary use of property until a particular date;
- Until the occurrence of a particular event; or
- Until zoning regulations no longer permit it (Stat. § 462.3597).

Public hearings

The city may allow a proposed conditional use only after a statutorily required public hearing (Minn. Stat. § 462.3595, subd. 2). The city must provide published notice of the time, place, and purpose of the hearing on a proposed CUP at least 10 days prior to the day of the hearing. If the decision affects an area of five acres or less, the city may need to mail notice to property owners within a 350-foot radius of the land in question. The purpose of the public hearing is to help develop a factual record as to whether the applicant meets the relevant ordinance standards such that the CUP should be granted (Minn. Stat. § 462.357, subd. 3).

City role in hearing

A city exercises “quasi-judicial” authority when considering a CUP application. This means the city’s role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards. If the applicant meets the standards, then the CUP should be granted.

In contrast, when the city designates certain uses as conditional in the zoning ordinance the city is exercising “legislative” authority and has much broader discretion.

Learn more about conducting public hearings in the League’s *Zoning Guide for Cities*

Role of neighborhood opinion

Neighborhood opinion alone is not a valid basis for granting or denying a CUP. While city officials may feel their decision should reflect the overall preferences of residents, their task is limited to evaluating how the CUP application meets the ordinance standards. Residents can often provide important facts to help the city address whether the application meets the standards, but unsubstantiated opinions and reactions to an application are not a legitimate basis for a CUP decision. If neighborhood opinion serves as the sole basis of the decision, it could be overturned by a court if challenged.

Documentation of hearing

Whatever its decision, a city should create a record that will support it. If a city denies a CUP application, the 60-day rule requires the reasons for the denial be put in writing. Even if a city approves a CUP, a written statement explaining the decision is advisable. The written statement should address the general and specific ordinance standards and explain the relevant facts and conclusions.

For information on creating a record, see *Taking the Mystery Out of Findings of Fact*

Conditional use permit after issuance

A conditional use permit is a property right that “runs with the land.” That is, it attaches to and benefits the land and is not limited to a particular landowner (Minn. Stat. § 462.3595, subd. 3). State statute requires CUPs be recorded with the county recorder’s office (Minn. Stat. § 462.3595, subd. 4). When the property is sold, the new landowner will have the continued right to the CUP so long as the conditions are met.

A city can revoke a conditional use permit if there is not substantial compliance with conditions. The revocation must be based upon factual evidence, after appropriate notice and hearing. Because a CUP is a property right, a city should work closely with the city attorney if considering a CUP revocation.

SECTION 6.150 R-4 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Subd. 1. Purpose. The R-4, Multiple-Family Residential District is intended to provide for high-density residential development.

Subd. 2. Permitted Uses. Except as specifically limited herein, the following uses are permitted in the R-4, Multiple-Family Residential District:

- A. Dwellings, one-family (attached or detached), two-family, and multiple-family.
- B. Gardens, provided no retail sales.
- C. Level I Home Occupations, as regulated in Section 6.220.
- D. Parks, playgrounds, tennis courts, swimming pools, ball fields, and other recreational facilities.
- E. Schools, public and private elementary, middle, and secondary.

Subd. 3. Conditional Uses. Except as specifically limited herein, the following uses may be allowed in the R-4, Multiple-Family Residential District, subject to the regulations for conditional uses as forth in Section 6.070 of this Ordinance:

- A. Bed and breakfast residences, as regulated in Section 6.210.
- B. Cemeteries, crematories, and mausoleums.
- C. Child daycare facilities, when not operated as a home occupation, and as regulated in Section 6.210.
- D. Congregate housing.
- E. Golf and country clubs.
- F. Government institutions, municipal buildings, museums, and libraries.
- G. Grouped housing projects.
- H. Hospitals and medical clinics.
- I. Manufactured and mobile home parks, as regulated in Section 6.200.
- J. Nursing homes and similar institutions.
- K. Parking lots providing off-street parking for a use permitted in a residential zoning district provided the parking lot is within five hundred (500) feet of the main building of said use.
- L. Public housing units, including multiple-family dwelling units.

M. Other residential, institutional, or government service uses determined by the City Council to be of the same general character as the permitted and conditional uses above and found not to be detrimental to the existing uses and the general public health, safety, and welfare.

N. Level II Home Occupations, as regulated by Section 6.22

Subd. 4. All Buildings. Height, Yard, and Area Regulations.

A. Height Regulations: No building hereafter erected or altered shall exceed forty-five (45) feet. Accessory structures shall not exceed a height of twenty (20) feet.

B. Front Yard Regulations: Each lot in the district shall have a front yard having a depth of not less than thirty (30) feet from the street right-of-way.

C. Side Yard Regulations: Each lot in the district shall have two (2) side yards, one on each side of the building. Each side yard shall have a width of not less than ten percent (10%) of the lot width, provided the side yard is a minimum of (10) feet or a maximum of thirty (30) feet.

1. For buildings exceeding twenty-five (25) feet in height, there shall be a side yard on each side having a width of ten (10) feet, plus one (1) foot of side yard for each one (1) foot of building height over twenty-five (25).

D. Rear Yard Regulations: For one- and two-family dwellings the lot depth shall be a minimum of twenty-five (25) feet. For multiple-family dwellings and all other principal buildings and uses shall have a minimum rear yard depth of twenty percent (20%) of the lot depth, provided the yard is a minimum of twenty-five (25) feet or a maximum of seventy-five (75) feet.

E. Rear Yard with Adjoining Alley: When computing the depth of a rear yard in a Residential District where the rear lot line adjoins an alley, one half (1/2) the width of the alley up to ten (10) feet may be included as part of the lot area. Unattached garages must be a minimum of twenty-five (25) feet from an alley.

F. Lot Area Regulations: Each lot in the district shall contain an area of not less than ten thousand (10,000) square feet for up to four (4) dwelling units, plus an additional two thousand (2,000) square feet for each dwelling unit in excess of four (4) units.

G. Corner Lots: All corner lots shall have a thirty (30) foot front yard setback and a minimum of twenty (20) foot setback on the side yard.

H. All Other Principal Buildings and Uses: Ten percent (10%) of the lot width provided the side yard width is a minimum of ten (10) feet or a maximum of thirty (30) feet. Two (2) side yards shall be required for each zoning lot.

Subd. 5. Minimum Lot Width and Depth. For an R-4, Multiple-Family Residential District, the minimum lot width is seventy (70) feet as measured at the street right-of-way.

Subd. 6. Accessory Buildings. Accessory buildings shall not be allowed in the required front or side yards. Accessory buildings may be located in the rear yard, provided the building is located at least five (5) feet from any property line and ten (10) feet from any alley.

All accessory garage buildings must be a minimum of twenty-five feet from any alley.

Subd. 7. Minimum Structural Requirements. Accessory buildings in residential zoning districts shall conform to the following minimum structural requirements:

- A. The roof and siding style of the accessory building shall be similar to the roof and siding style of the main building.
- B. The construction shall conform to the Minnesota Uniform Building Code as adopted by the City Council.
- C. The building shall be constructed on a concrete slab or footing and be secured down.

Subd. 8. Parking.

- A. Except for the property's driveway, all parking surfaces shall be set back a minimum of five (5) feet from the any property line.
- B. Not more than thirty-five percent (35%) of the required front, corner side yard, or rear yard setbacks shall be hard-surfaced or used for driveways and/or unenclosed motor vehicle parking. Motor vehicle parking shall not be allowed in the required side yard setback. The paved driveway surface shall not exceed a width of twenty-four (24) feet measured at the curb line.

Subd. 9. Maximum Ground Coverage.

- A. The sum total of lot area that may be covered by all structures located on a zoning lot in the R-4, Multiple-Family Residential District, shall not exceed thirty-five percent (35%) of the total lot area.
- B. Accessory buildings shall occupy not more than fifty percent (50%) of the total area of a required rear yard.

Subd. 10. Maximum Building Height. The maximum building height in the R-4, Multiple-Family Residential District, is forty-five (45) feet. Accessory structures shall not exceed a height of twenty (20) feet.

Subd. 11. Sump Pumps. All new single and multiple-family constructions must have a sump pump hooked-up and in running condition. Sump pumps must have a permanent line running to the outside of the building to pump the water outside. All sump pumps must be connected to a storm sewer if one is available. At no time shall the sump pump discharge into the sanitary sewer.

Subd. 12. Minimum Structural Requirements. The following shall be minimum structural requirements in the R-4, Multiple-Family Residential District:

All structures used for residential occupancy shall have a minimum width of twenty (20) feet at the structure's narrowest dimension and the structure shall be affixed to a continuous permanent perimeter foundation constructed of wood, concrete block or poured concrete. All structures, either principal or accessory, shall be constructed in conformance with the Minnesota State Building Code, as amended from time to time.



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

January 9, 2023


To: Honorable Mayor Norton and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Website Re-Design

The City of Eagle Lake website was down on Monday, January 2nd, and appears to have been compromised. Per an inquiry to the City's current web host, Greg Lee with Webicine, the most likely reason that the website was compromised is because the site is running from an older version of Concrete5 and needs to be updated to get security holes patched. Mr. Lee recommends that the site be moved to WordPress now to secure it better.

The last website refresh was in 2016. At that time, a redesign was completed using the same CMS (Concrete5) but updated to the latest version which included better mobile views of the site. Current costs include a \$300 annual fee for web hosting and a \$25 fee for the domain renewal.

Attached are two proposals for a website redesign. The first is from Webicine in the one-time amount of \$5,100. The other is from GovOffice in the form of a 4 year contract with an annual cost of \$4,475. The proposal from Webicine is more basic while the proposal from GovOffice offers new and different features and services but at a higher annual cost.

According to Mr. Lee, WordPress is user friendly and similar to what we are using at the present time with on-page editing. It is anticipated that the process to move to the new platform would take approximately one month. Given that the City's website platform is currently obsolete and the website is vulnerable to being compromised, City staff recommends that the estimate from Webicine be approved using funds set aside in general government, and that the conversion process be implemented as soon as possible.


Jennifer J. Bromeland
City Administrator

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THE CURE FOR YOUR TECHNOLOGY HEADACHES

27881 Stevens St.
New Prague, MN 56071
612 208-2543
support@webicine.com

Estimate

Date	Estimate #
1/2/2023	1877

Name / Address
City of Eagle Lake 705 Parkway Avenue PO Box 159 Eagle Lake, MN 56024

Item	Description	Time/Qty	Cost	Total
Website re-design	Move the Website to the Wordpress platform for better security and ease of management. We will give it a new look if desired. This includes moving all of the current content and incorporating it into the new design and creating screencasts showing all the major editing functions of the Website.	1	5,100.00	5,100.00
	50% down to start the project. Remainder due upon completion and site launch Sales Tax -		7.375%	0.00
I look forward to working with you on this project.		Total		\$5,100.00

Signature _____

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GOV OFFICE



**Showcase Your Community.
Empower Staff.
Engage Citizens.**

Prepared For

City of Eagle Lake, MN

Proposal Valid

January 6, 2023 – April 6, 2023

Prepared By

Phil Neenan
Regional Sales Manager

phil@govoffice.com

952-484-1827

govoffice.com

Dear City of Eagle Lake Elected Officials and Staff,

Thank you for your interest in seeing a website development and service proposal from GovOffice!

Following you will find a solution for planning, drafting, restructuring, revising, programming, testing, implementing, hosting, securing, and supporting a modern, professional website to better serve your residents.

- The website will be fully **mobile-friendly**, and each design element will be programmed for **compliance with ADA and WCAG* standards**.
- Included in your service are upgrades to the core GovOffice Content Management System for greater editing features, **unlimited training and support**, and expanded infrastructure for increased speed, security, and support.
- Navigation, presentation, and delivery of Web content will be optimized as well—with a focus on **ease of use for residents and staff**.
- Our **all-inclusive** Service Contract has a term of 4 years. Your **fixed, annual payment** will be guaranteed for a minimum of 8 years and will include **two scheduled upgrades** in that time.

On behalf of the entire GovOffice Team, I thank you for considering my *next generation website* proposal, and I look forward to speaking with you soon about it.

Sincerely,

Phil

*Americans with Disabilities Act and Web Content Accessibility Guidelines

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Background

Since 2001, Minneapolis, Minnesota-based GovOffice has been a leader in cost-effective, state-of-the-art websites for local governments. Our proven, easy-to-use Web technologies help make our 1000+ clients in the United States and Canada more efficient and responsive to residents' needs.

4,200,000
U.S. Residents
Served by Our Websites

21
Years in
Business

984,000
Daily Page Views
on Our Websites

11
Successful Launches
Per Month

33,000
Daily Searches
on Our Websites

99.9%+
Uptime/ Performance,
All-Time

1,000+
Clients in
42 States

95%+
Average Annual
Client Retention

500+
Staff Years'
Experience

0
Security Breaches,
All-Time

Value Versus Price

GovOffice has made substantial, organization wide changes in 2022 to meet the following goals:

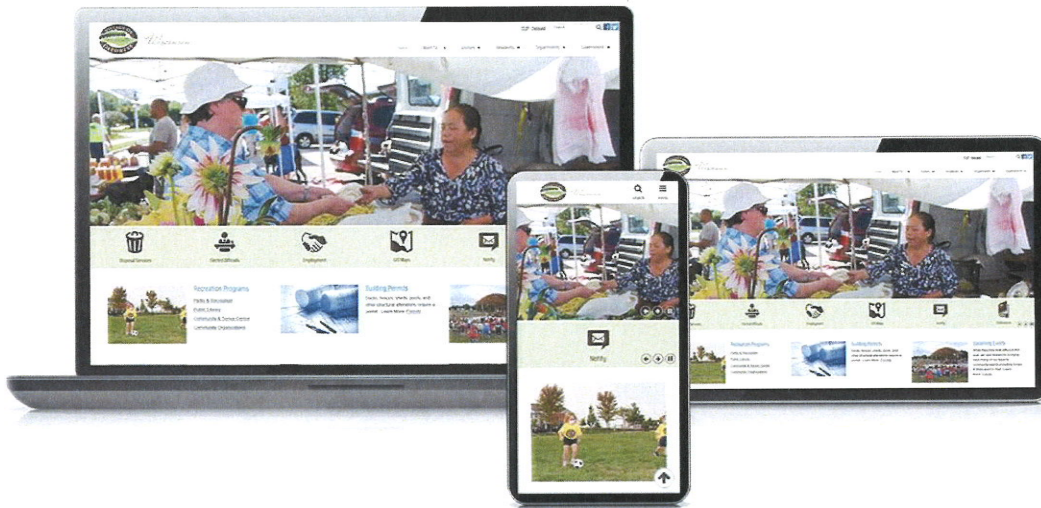
- To improve the user experience of both clients and their residents on our websites
- To deliver unmatched value, thereby creating **raving fans** at our clients' offices

Starting in 2022, our mission no longer is to offer good service at a low price, rather **outstanding** service at an **exceptional** value.

	Proposed
Agreement Type	Service Contract
Branded, Mobile-Friendly Design	✓
Design Features	✓
Additional Programming Annually	Included
Full Navigation & Content Services	✓
Exempt from Rate Increases	✓
Auto-Install of Software Enhancements	Included
Scheduled Design, Navigation, & Content Upgrades	✓
Scheduled Service Reviews*	✓

*Up to 2 Account/ Service Reviews per year with your Customer Success Specialist

Responsive Website Design (RWD)



What is RWD?

A Responsive Website Design (RWD) is one that conforms to any device, from large desktop monitor to small smartphone screen in both portrait/ vertical and landscape/ horizontal views, without losing any navigation menu, content, or graphic design element.

Why RWD?

The number of U.S. residents using smartphones increases each year, and the number of visits to community websites increases annually, too. Naturally, the way to serve a public that is increasingly mobile is to inform, engage, and notify them within a mobile friendly format.

Interestingly, RWD improves Search Engine Optimization (SEO) by avoiding duplicate content that negatively impacts a website's search ranking. In fact, since 2015, Google has been prioritizing mobile friendliness as a key ranking attribute.

Why Now?

Today your website receives twice the number of visits from someone using their smartphone than from any other type of device. Simply put, RWD is not only the future, but also the present.

Meet Objectives with RWD Features

1. Showcase Your Branding.

Your official logo may appear in the header on Home and interior pages or overlap the hero image (see #2) on Home and appear in the header of interiors. If no official logo, GovOffice will create a custom title graphic for you.

2. Promote Amenities and Services.

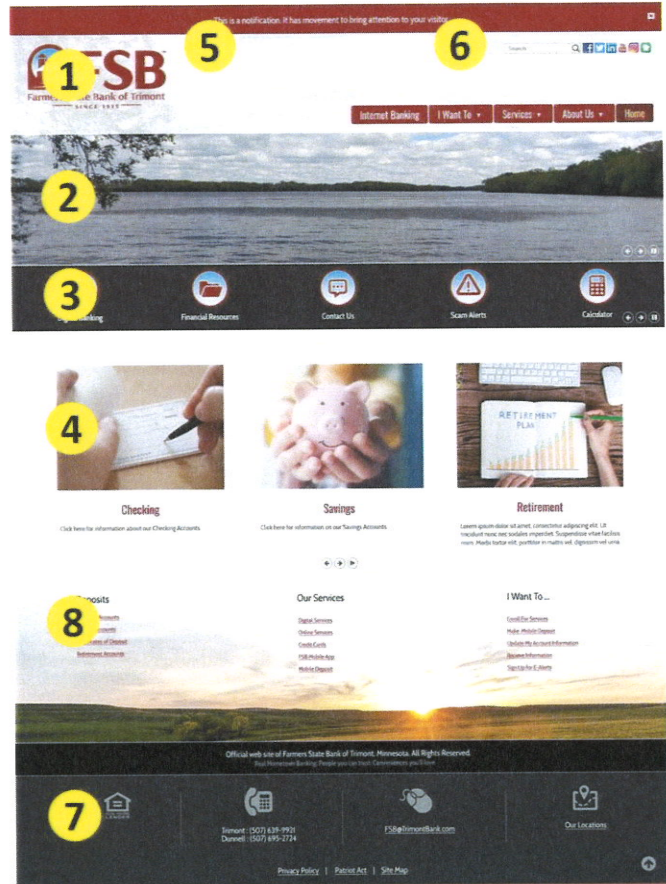
Image Sliders may be added to Home and to any interior section/ sub-section. Get creative in showing what's available to residents within the community.

3. Shortcut to Most Popular Pages.

Graphical, linked icons to your most highly trafficked pages will enable residents to find their desired page quickly. With or without a Quicks Links icon, sections and sub-sections may be assigned a friendly URL, such as *townname.gov/staff*.

4. Draw Attention to What's New.

The Carousel works much like icons, but icons will be mostly unchanged over time. Self-admin Carousel items are changed regularly and bring greater visual appeal to the website with custom images. If you lack quality images to incorporate into your Carousel (or Image Sliders; see #2), you may use professional stock photography licensed by GovOffice.



5. **Communicate Timely Messages.**

The self-admin Notifications Banner will draw visitors' attention to your most urgent notices. For example, *October is Fire Prevention Safety Month. Visit our calendar for a list of upcoming events.* A separate Notifications Banner may be added to any section/ sub-section, too.

6. **Make All Content Searchable.**

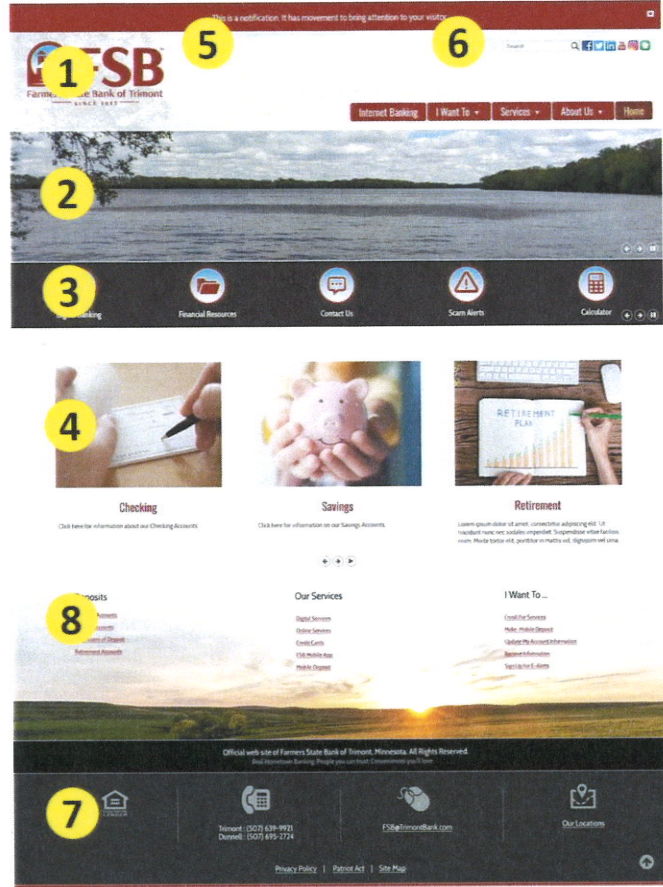
Search is included in all GovOffice websites, on all viewports. To make your social media icons easily identifiable, they may be placed next to Search.

7. **Make It Easy for Residents to Reach**

You. Because a footer appears on every page of the website, use it for information that is relevant no matter what page a visitor is on. Contact information is the best use for a footer, and with the Advanced Footer included, it can be dressed up for an added touch of sophistication.

8. **Make a Deep Navigation Menu More Usable.**

The Secondary Navigation Block (optional to use) is a terrific means to put even more clickable paths to your interior pages at your residents' fingertips. Such sections/ sub-sections may be used in concert with the Quick Links and Carousel items for deliberate redundancy. A popular use of Secondary Navigation Block is *I Want To...*



Service Solutions

ePayment—Optional

What

GovOffice ePayment provides a secure mobile, desktop, and in-person solution for payments by credit, debit, eCheck, and Digital Wallet for utilities, permits, licenses, citations, and programs. Included are taxation, shopping cart, real time reporting, and more.

Why

To improve your office's efficiency in collecting revenue, enhance cash flow, and exceed residents' expectation of reliable, contactless service and greater payment flexibility.

How Much

There is no setup or service charge to our clients. Instead, a convenience fee is charged to the payer in the following amounts: 2.95% credit, 2.50% debit, \$1.95 eCheck (\$1.95 minimum on all).

Accessibility Review & Remediation—Optional

What

GovOffice will identify (Review) areas of your website that are not in compliance with the Americans with Disabilities Act (ADA) and Website Content Accessibility Guide (WCAG) **and** bring those areas back into compliance (Remediate).

Why

While GovOffice's technologies do support ADA & WCAG standards, user error—most of the time unknowingly—may result in non-compliance. Accessibility Review & Remediation is designed to keep your website **in compliance**.

How Much

Accessibility Review & Remediation includes up to 4 hours of professional services, two times per year, at an annual charge of \$750.

Webmaster Plan—*Optional*

What

The GovOffice Team will serve as an on-call Webmaster for routine edits, urgent posts, or anything in between for clients with limited staff, availability, or skill level to always keep their website up to date.

Why

The Plan offers peace of mind that essential updates will be made to the website on time, in a best practices fashion, and in compliance with the Americans with Disabilities Act (ADA) and Website Content Accessibility Guide (WCAG).

How Much

\$795 per year (up to 1 hour of service/ month)

\$1395 per year (up to 2 hours of service/ month)

\$1995 per year (up to 3 hours of service/ month)

\$2495 per year (up to 4 hours of service/ month)

\$2995 per year (up to 5 hours of service/ month)

Training & Technical Support—*Included*

What

Our experienced team of professionals is available by phone, email, and Help Chat, Monday through Friday, to help clients stay on a sustained, successful path as they use our technologies with online training, re-training, answers to “how to” questions, and quick fixes.

Why

The best managed websites are those of clients who take full advantage of this invaluable resource to stay current on the latest features, techniques, and best practices.

How Much

All contracts provide unlimited access to our Support Team, at **no added charge**.

Technology Solutions

Connect—Optional

What

Connect is a modern communications suite that allows government offices to efficiently broadcast SMS text, email, and voice messages, including an eNewsletter, to subscribers 24/7/365, from any device.

Why

Residents want to stay informed and engage with their community using their mobile devices. Messaging via SMS text, email, voice message, and social media will satisfy your residents, and Connect's all-inclusive pricing will keep your communications budget in check.

How Much

Year One of service includes onboarding/migration and is priced at \$4495.
Starting at Year Two the annual charge is \$3995.

Meetings Manager—Optional

What

Meetings Manager is a feature-rich technology that modernizes all activities surrounding a public meeting—before, during, and after. Your Minutes will be created in seconds and made available to the public in an organized, searchable hub in only a few clicks.

Why

Meetings Manager brings efficiency to the government office, transparency to residents, and by switching to paperless public meetings, it is environmentally friendly for everyone.

How Much

Year One of service includes onboarding/migration and is priced at \$5495.
Starting at Year Two the annual charge is \$3995.

Service Tracker—Optional

What

Service Tracker, a management suite designed primarily for Public Works, ensures all online requests are processed in a timely manner with efficient acceptance, tracking, management, communication, and reporting on all requests—large and small.

Why

Residents are more likely to make their government office aware of service needs in the community if provided a quick and convenient tool to do so online.

How Much

Year One of service includes onboarding/populating and is priced at \$4795. Starting at Year Two the annual charge is \$3995.



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Above is the **GovOffice Connect** dashboard. Both **Meetings Manager** and **Service Tracker** have the same user interface on desktop, tablet, and smartphone.

Included Features & Services

Your Service Contract will include **all services and features** (and enhancements to those features) marked on pages 13-20 with a ✓.

Professional, Branded, Mobile-Friendly Design

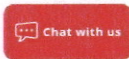
- ✓ GovOffice's design framework supports the latest in ADA (Americans with Disabilities Act) and WCAG (Website Content Accessibility Guidelines) standards
- ✓ Customized/branded graphic design to incorporate a community theme into a mobile-friendly/Responsive Website Design (RWD) format
- ✓ Access to GovOffice's licensed collection of professional, stock photography
- ✓ Incorporation of self-admin community slogan and up to 8 footer fields
- ✓ Self-admin, linked Facebook, Twitter, YouTube, Pinterest, Instagram, LinkedIn, Blogger, and Nextdoor icons

- ✓ Migration to GovOffice RWD system, Navigation Architecture, Homepage Setup, and Accessibility Statement by Content Services Team

Website Hosting, Performance, and Support

- ✓ Hosting and storage of files; unlimited bandwidth, daily data backups at a Tier III hosting facility
- ✓ Maintenance and automatic upgrades of base Content Management System (CMS)
- ✓ DDoS (Distributed Denial of Service) protection
- ✓ SSL (Secure Sockets Layer) encrypted administrative website
- ✓ TLS (Transport Layer Security) encrypted public website
- ✓ 24/7/365 monitor and maintenance of Web servers and security systems
- ✓ Unlimited online training of the GovOffice CMS

- ✓ Unlimited toll-free phone and e-mail access to Technical Support
- ✓ Re-direction of registered domain name to the GovOffice server or 4-year registration of an official domain name
- ✓ Unlimited live Help Chat and enrollment in GovOffice Academy™



Access, Permissions, and Management

- ✓ GovOffice CMS supports Americans with Disabilities Act (ADA) compliance
- ✓ Unlimited number of Superusers and Editors
- ✓ 24/7/365 access to all Superusers and Editors on desktop, tablet, and smartphone
- ✓ Unique set of permissions for each Superuser, Editor, and Group(s) on the system
- ✓ *Search* locates all pages, documents, and Items by keyword in the Site Administration

- ✓ *Preview* feature: how an unsaved edit will appear on the live website if saved and activated
 - ✓ *Live Site* and *Live Page* feature: how a saved edit appears on the live website
 - ✓ *Display View* feature: how a saved edit appears in vertical and horizontal orientations of various modern mobile devices
 - ✓ Data storage tracker to help manage your load of Web content
 - ✓ Audit log shows editing activity of all Superusers and Editors
 - ✓ User level choice of Site Administration color (red or gray)
 - ✓ *Update History* shows, in real time, the date and time on which each section and sub-section was last edited
 - ✓ Google Analytics integration delivers real time reporting of traffic to and within your website
-
- ✓ Single Sign On (SSO) for GovOffice CMS and its modules:
Connect, Meetings Manager, and Service Tracker

Editing Features

- ✓ Content loading templates (Content Types) include: Basic, Basic without Items, Directory, Events, Image Gallery, Jobs, Locations, Meetings, News, Quick List, Quick Poll, Boxes, SmartForms, RSS Subscribe, Site Map, Unsubscribe, and External Link
- ✓ Name, order via drag and drop, hide, turn on/off all navigation menu buttons
- ✓ Import, type, and edit text with formatting controls essential for a Web page
- ✓ Create unlimited number of links to internal pages and external websites
- ✓ *Promotions* feature: create content one time, in one place, but display it in multiple locations
- ✓ Upload, resize, position, and caption photos
- ✓ Upload and/or embed media files
- ✓ Upload, label, and add description of documents, such as permits and newsletters

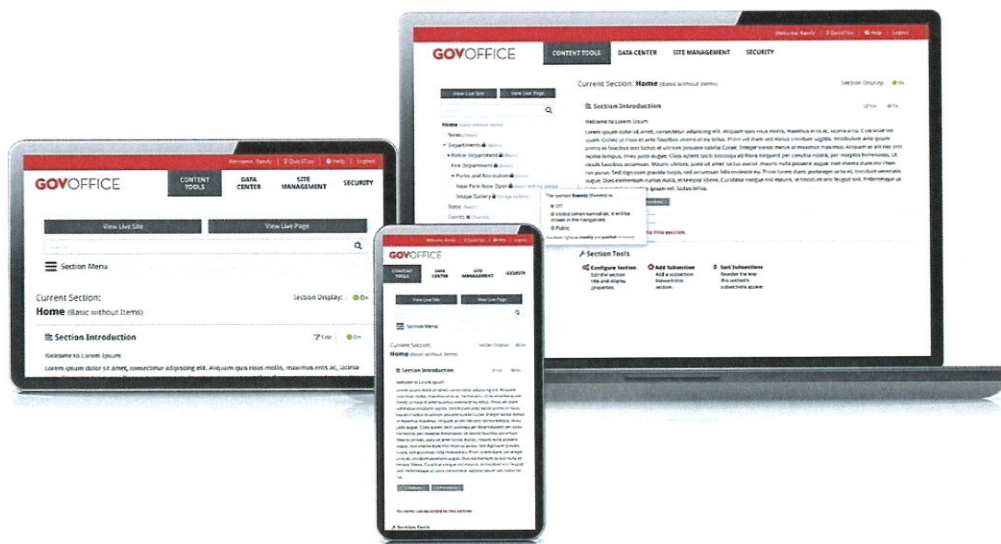
- ✓ Modern Calendar for events, including repeating events
- ✓ Online opinion polls with controlled responses and option to display the results
- ✓ Image gallery for a Community Photo Album; includes slideshow capability
- ✓ Easily add, position, turn on/off, and remove sidebars from any page
- ✓ Directory, including contact information and photos, of Elected Officials and staff
- ✓ Post news stories with a pre-set release date for automatic display on live website
- ✓ Display job listings with post & deadline dates and post the employment application
- ✓ Frequently Asked Questions by department or the entire organization
- ✓ Highlight *related links* to associated websites without posting long URLs

- ✓ Directory of local attractions, offices, and facilities; auto-generated Google Maps
- ✓ Site Map for added ease by site visitors in locating any section of the website
- ✓ *Last Edit* stamp that shows the date on which any Web page was last updated
- ✓ Site-wide search engine that also searches keywords within uploaded documents

Advanced CMS Features

- ✓ Simple and Advanced HTML editors for extended capability—example: embed community videos from your YouTube Channel or Google Maps of your area
- ✓ Friendly URLs (for example, govofficecity.com/staff) for any section or sub-section for quicker and direct access to select sections on the website—bypassing the home page
- ✓ Intranet capability for *Staff Only* areas of the website; accessed only by username and password
- ✓ Basic bulk e-mail tool that allows visitors to opt-in and opt-out of receiving e-mail notifications from your office

- ✓ RSS In feeds from other news-related websites
- ✓ GovOffice ePayment—online payments (taxes, utilities, permits, licenses, citations, recreation programs, and more); shopping cart, inventory control, taxation, reporting, Citizen Engagement Portal; *no charge, but separate Agreement is required*
- ✓ Meetings provides a hybrid of calendar and hub for Agendas, Minutes, packets, and media; includes a dedicated Search engine
- ✓ Smartforms online forms system (online service requests, report code violations, permits, volunteer applications, Contact Us, and more); features over 10 pre-built, customizable forms; includes ePayment integration



Enjoy all above features 24/7/365 on your lightning fast, easy to use, secure **GovOffice Site Administration**—on desktop, tablet, and smartphone!

Proposed Pricing

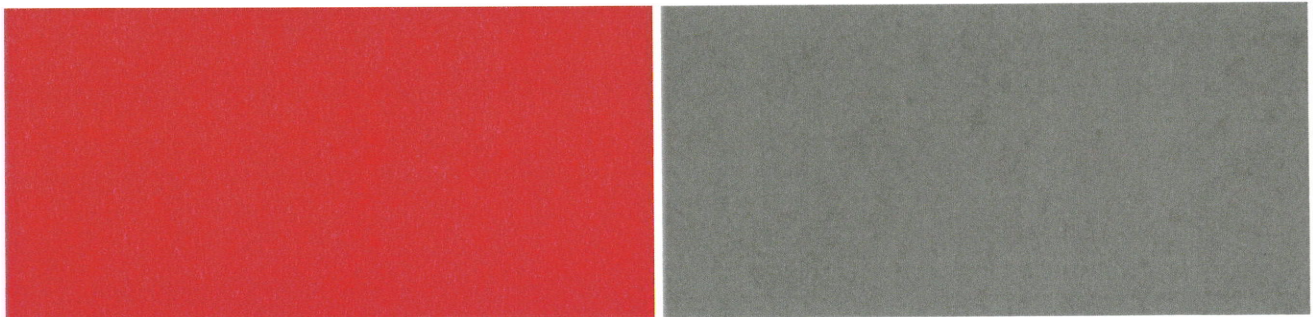
<p>Contract Term</p> <hr/> <p>4 Years</p>	<p>Annual Payment</p> <hr/> <p>\$4475</p>
---	---

INCLUDES

One annual, all-inclusive, fixed price includes all CMS Features & Services listed on [pages 13-20](#), Migration to the GovOffice Responsive Website Design System, Navigation Architecture, Homepage Setup, Accessibility Statement, **all** branded design features on [pages 7-8](#), up to 5 hours per year of additional custom programming, and unlimited training and support.

City of Wyoming, Minnesota <https://www.wyomingmn.org/>

More Examples Long Beach, NY at <https://www.longbeachny.gov/>, Franklin, PA at <https://franklinpa.gov/>, Mandan, ND at <https://www.cityofmandan.com/>, Franklin County, MO at <https://www.franklinmo.org/>, Swift County, MN at <https://www.swiftcounty.com/>



Renewal Option

Extend Original Agreement

The original Agreement may be renewed for another 4 years at the same rate as Years 1-4. At renewal, GovOffice will repeat all services performed in the original Agreement ("Refresh").

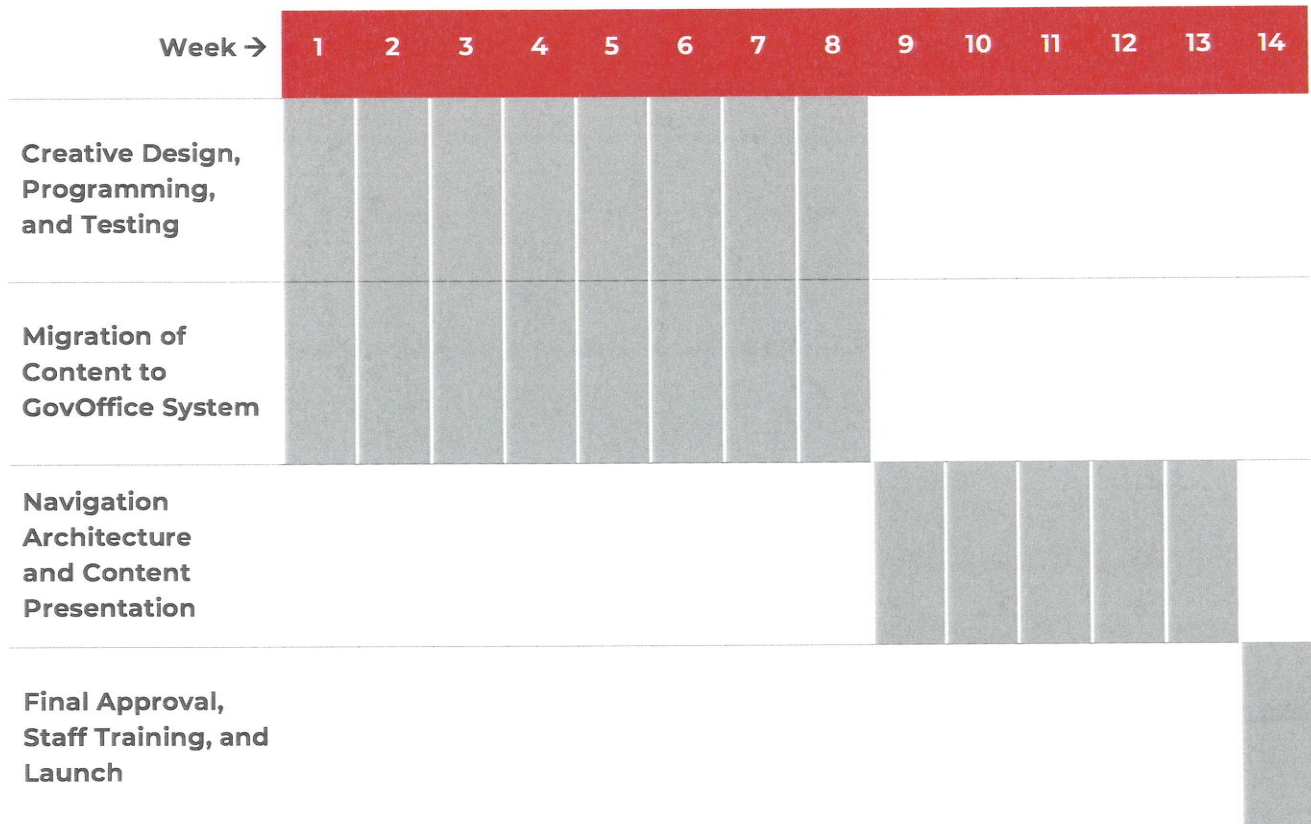
The Service Contract will keep your organization in a modern, compelling website and exempt from any increase over the next **8 years** to our Annual Service & Maintenance, Graphic Website Design, and Professional Content Services rates.

ORIGINAL	2023	ONBOARD—All Technology, Design, Navigation, Content, & Training
	2023	\$4475
	2024	\$4475
	2025	\$4475
	2026	\$4475
RENEWAL	2027	REFRESH— All Technology, Design, Navigation, Content, & Training
	2027	\$4475
	2028	\$4475
	2029	\$4475
	2030	\$4475

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Project Timeline

The implementation timeline for deliverables is subject to client participation, direction, and approvals. Generally, though, clients' projects are completed in 14 weeks (estimated).



Management

Our Implementations Manager will oversee your project and work with you and your team over the course of those 14 weeks (approximate), ensuring the GovOffice Team delivers on three things: cost, quality, and schedule. Our objective is to perform *white glove service* and, as result, create raving fans of GovOffice's technologies and services at your government office.

Testimonials

"Your Customer Service staff is very easy to work with and they provide fast results.

GovOffice is simple to use, but whenever we have a question, it's always good to know that we can call your Customer Service Department to receive quick answers."

-Arizona Fire & Medical Authority

"GovOffice walked side by side with us through the process, **stayed in constant communication, advised and guided us** to an exquisite website that today is the central source for information and connection in our community."

-City of Cascade Locks, Oregon

"GovOffice allowed us to personalize our website with new features so that it remains fresh and innovative for years to come. And their **customer service gets an A+ rating**. Always quick replies, always a positive attitude and all the options you need to decide what fits your city."

-City of Twentynine Palms, California

"**GovOffice is a model for how all IT companies should provide service to the local government sector.** Their focus on being responsive to our needs, affordable and user friendly is a tremendous help in our efforts to do the same for our community and visitors.

GovOffice is a long-term solution to our website needs."

-City of Pickens, South Carolina

"*Sales* was great in getting pricing for different things we may want and patient in waiting for the budget year to cycle around. The whole beauty of his proposal was that we paid only for what we wanted for our website, not what *they* wanted us to purchase.

If we happen to have a question or run into a problem, **there is live support, tutorial videos, and a help website to assist us.** But honestly the content management system is very user-friendly.

You can't go wrong with GovOffice."

-City of Lakesite, Tennessee

"I highly **recommend GovOffice and their team of outstanding professionals.**

We continue to work with them on website redesigns every 3-4 years, and they keep outdoing themselves every time!"

-City of Montevideo, Minnesota

Delivery of Technology, Hosting, and Security

GovOffice has provided website technology to 1000+ local governments for over 20 years. We have developed unique expertise in protecting local government websites from security concerns and delivering a proven record of reliability, performance, and data protection for our clients.

GovOffice CMS Technology

The GovOffice technology stack is architected for redundancy and scalability. We use blade servers with Intel Xeon processors with SSD storage. The GovOffice CMS is hosted on a load-balanced Web farm that can easily be expended as resources require. Our application servers run Windows Server 2016 with IIS 10.0 and SQL Server 2016, which allows SSL communication to be done over TLS 1.2. The GovOffice design framework utilizes jQuery and HTML 5 to provide Responsive designs that look great and are optimized on both desktop and mobile browsers.

In contrast to some widely used software systems, GovOffice CMS is a proprietary system that does not have known exploits published on public websites for hackers to exploit. The GovOffice Team installs patches on a regular basis, adheres to the highest standard of web server administration and access, and logs access to all our infrastructure.

Worry-Free Hosting & Security

All GovOffice websites include our worry-free hosting and support that includes the following services:

- 99.9%+ up-time
- Data center engineers monitor all our servers and infrastructure, 24/7/365
- Daily backups of all website data and are kept for 90 days
- Website data can be restored as needed from backups—typically within hours

Enterprise Class Data Center

GovOffice websites are hosted in a highly secure, cutting-edge global data center with 24/7 monitoring to meet your critical need for robust bandwidth, streamlined data storage, and business continuity.

Located in GovOffice's home of Minneapolis, Minnesota, the data center is monitored by trained technicians with a Network Operations Center (NOC) team. The NOC adheres to a strict escalation procedure to help ensure GovOffice websites are always available to the public. Our primary data center is located in a former US Federal Reserve System building, constructed to withstand natural disasters such as earthquakes, tornadoes, and floods.

Security

The safety and security of your data is our highest priority. Our data center is SAS 70 audited, SOC 2® attested, and SOC 3® certified. We observe industry best-practice standards including, but not limited to:

- Hand biometric and RFID card-controlled access to data center
- Cage door sensors
- Motion activated surveillance cameras
- 24/7/365 monitoring and on-premise security guards

DDoS protection

Federal, state, and local government websites have become prominent targets for both domestic and foreign originated Distributed Denial of Service (DDoS) attacks designed to impair or shut down websites. All GovOffice clients' websites are protected through a system-wide DDoS solution designed to combat this growing threat.

The data center utilizes an enterprise level DDoS solution developed by a leading DDoS security company, Corero. The key benefit of the Corero solution is that it automatically mitigates DDoS attack traffic before it impacts GovOffice clients, enabling us to keep our networks clean of attack traffic.



January 9, 2023

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: City Administrator Report

1. Hiring Updates. Job announcements will be posted externally on January 9th for a 4th full-time public works worker and 4th full-time police officer. Very few applications have been received for the newly created community development coordinator position. A review of applications will take place next and interviews scheduled for those that meet minimum qualifications.
2. Upcoming Friday Family Fun Programming. Beat cabin fever with 8 weeks of Friday Family Fun! This winter, Mankato Area Public Schools Community Education Enrichment staff (in partnership with the City of Eagle Lake Park Board and Eagle Lake Elementary School) will be opening Eagle Lake Elementary School from 6:30 -8:30 p.m. on Friday evenings (February 3-March 24). A variety of activities are being planned, including open gym, library & maker space activities, BINGO, and trivia. Each week, different activities will be offered for families to enjoy together. There is no cost to participate. All activities are FREE and open to the Eagle Lake community.
3. Upcoming 4th Annual Winter Activities Event at Lake Eagle Park. The Park Board will be hosting the 4th Annual Winter Activities Event at Lake Eagle Park on Saturday, February 4th from 2-4 pm. This is a free event and open to the public. It is geared towards encouraging outdoor physical activity and winter fun at the park.
4. Winter Newsletter. The newsletter will be printed and mailed to all postal patrons with a 56024 zip code shortly.

A handwritten signature in black ink, appearing to read "Jennifer J. Bromeland", is written over a horizontal line.

Jennifer J. Bromeland
City Administrator