

**CITY OF EAGLE LAKE
JANUARY 19, 2022
SPECIAL CITY COUNCIL MEETING
6:00 P.M.
CITY HALL, 705 PARKWAY AVENUE
AGENDA**

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 to be read at the meeting. City Council meetings are now live streamed to the City of Eagle Lake's official YouTube Channel. If you are unable to attend a meeting, you can view meetings by visiting 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.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

___ Auringer ___ White ___ Steinberg ___ Rohrich ___ Whittington

NEW BUSINESS

1. Update on Public Hearing Scheduled for Annexation for Parcel R391019251008 (The hearing has been cancelled due to a request by the applicant to withdraw the petition for annexation.)
2. Hearing to Review Conditional Use Permit for 107 598th Avenue (Bella's House of Doodles, LLC)
3. 317 LeRay Avenue and Next Steps for Nuisance Abatement Action
4. Contract with Region Nine for Strategic Economic Development Plan Services

OTHER

ANNOUNCEMENT

ADJOURNMENT

NEW BUSINESS #1



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


January 19, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Public Hearing for Petition for Annexation

A public hearing had been scheduled for 6 pm this evening to consider a petition for annexation of parcel R391019251008. The public hearing has been canceled as the applicant that submitted the petition for annexation has since notified the city on January 13th of their intent to withdraw the annexation request at this time.

Attached for reference purposes is a copy of the public hearing notice and supporting documents.

No action is necessary.


Jennifer J. Bromeland
City Administrator



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

December 13, 2021

Name

Address

Eagle Lake, MN 56024

RE: Notice of Public Hearing for Annexation by Ordinance for Parcel R391019251008

Dear Name:

Enclosed you will find a Property Owner Petition to Municipality for Annexation by Ordinance - 120 acres or less – from the property owners of parcel R391019251008. The purpose of this letter is to notify you of a public hearing scheduled on Wednesday, January 19, 2022 at 6:00 p.m. in the Council Chambers at Eagle Lake City Hall, 705 Parkway Avenue, Eagle Lake, MN. The Eagle Lake City Council will be holding a public hearing to consider the adoption of Ordinance 2022-01, a copy of which is enclosed. The ordinance proposes to annex land located in LeRay Township, Blue Earth County, Minnesota, pursuant to Minnesota Statutes 414.033, Subdivision 2(3), permitting annexation by ordinance. **The City is required to provide 30 days' written notice to the township affected and all landowners within and contiguous to the area to be annexed.**

Please let me know if you have any questions. Thank you.

Sincerely,

Jennifer J. Bromeland
City Administrator



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

December 13, 2021

**PUBLIC HEARING NOTICE
CITY COUNCIL**

Notice is hereby given that the City Council of the City of Eagle Lake, Blue Earth County Minnesota, will meet and hold a Public Hearing at 6:00 p.m. at a Special City Council meeting on Wednesday, January 19, 2022 in the Council Chambers located at 705 Parkway Avenue for the purpose of considering the adoption of Ordinance No. 2022-01, an ordinance annexing land (R391019251008) located in LeRay Township, Blue Earth County, Minnesota pursuant to Minnesota Statutes Section 414.033, Subdivision 2(3), permitting annexation by ordinance. A copy of the entire ordinance is available for public inspection upon request.

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
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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 12/13/21

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

Public Notice

December 27, 2021

PUBLIC HEARING NOTICE CITY COUNCIL

Notice is hereby given that the City Council of the City of Eagle Lake, Blue Earth County, Minnesota, will meet and hold a Public Hearing at 6:00 p.m. at a Special City Council meeting on Wednesday, January 19, 2022 in the Council Chambers located at 705 Parkway Avenue for the purpose of considering the adoption of Ordinance No. 2022-01, an ordinance annexing land (R391019251008) located in LeRay Township, Blue Earth County, Minnesota pursuant to Minnesota Statutes Section 414.033, Subdivision 2(3), permitting annexation by ordinance. A copy of the entire ordinance is available for public inspection upon request.

Jennifer J. Bromeland
City Administrator
(507) 257-3218

Email: jbromeland@eaglelakemn.com

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ORDINANCE NO. 2022-01

**AN ORDINANCE OF THE CITY OF EAGLE LAKE, MINNESOTA ANNEXING
LAND LOCATED IN LERAY TOWNSHIP, BLUE EARTH COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described (herein or attached exhibit) be annexed to the City of Eagle Lake Minnesota, was duly presented to the Council of the City of Eagle Lake on the 22nd day of November 2022; and

WHEREAS, said property is unincorporated and abuts the City of Eagle Lake on its northern and eastern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently ag land and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of Eagle Lake held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on January 19, 2022, following thirty (30) days written notice by certified mail to the Town of LeRay and to all landowners within and contiguous to the area legally described (refer to attached exhibit), to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EAGLE LAKE HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of Eagle Lake, Minnesota, are hereby extended to include the following described property, said land abutting the City of Eagle Lake and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

Refer to exhibit for legal description.

The above-described property consists of a total of 47.72 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described (herein or attached exhibit) and hereby annexed is 0.

5. The City of Eagle Lake, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described (attached exhibit), hereby annexed, shall make a cash payment to the Town of LeRay for property taxes payable in 2022.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described (attached exhibit) there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Administrator of the City of Eagle Lake is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Blue Earth County Auditor, and the LeRay Township Clerk.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Eagle Lake, Minnesota , this 19th day of January 2022.

Tim Auringer,
Mayor

ATTEST:

Jennifer J. Bromeland,
City Administrator

(City Seal)



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

January 19, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Angela DeMartini – Bella’s House of Doodles


Angela DeMartini, owner of Bella’s House of Doodles, was asked to appear at this evening’s meeting to review with the City Council the Conditional Use Permit (CUP) for 107 598th Avenue. The purpose of the hearing is to review the CUP and determine whether the current violations warrant its revocation and/or whether an extension of the expired agreement to temporarily operate the business out of the secondary building is appropriate so long as certain conditions are met.

Discuss should include the following:

- 1) Status update for each of the outstanding inspections and anticipated date of completion
 - a. Framing inspection
 - b. Insulation inspection
 - c. Plumbing rough-in
 - d. Plumbing final
 - e. Mechanical permit
 - f. Mechanical rough-in
 - g. Mechanical final
 - h. Verification of electrical final completed by the state electrical engineer
- 2) Timeline for completion of the main building and timeframe needed for an extension to continue operating out of the secondary building
- 3) Approximate number of gallons of water used prior to the meter being installed
- 4) Plans for installing fencing for outdoor exercise area for dogs
- 5) Address trespassing allegations involving adjacent properties and provide assurance that this will not be an ongoing issue
- 6) Provide acknowledgment that there will not be outdoor storage of materials - the business must be enclosed except for the fenced in outdoor exercise area for the dogs

- 7) Timeframe for removal of ancillary building placed on parcel without a permit
- 8) Kennel permit for 2022

Attached for reference purposes is a copy of a letter that was sent to Ms. DeMartini on January 5th as a follow-up to the discussion that took place at the January 3rd City Council meeting.


Jennifer J. Bromeland
City Administrator



January 5, 2022

SENT VIA EMAIL AND USPS

Angela DeMartini, Owner
Bella's House of Doodles, LLC
57370 174th Lane
Good Thunder, MN 56037

RE: Upcoming January 19th Hearing and Outstanding Items Needing Immediate Attention

Dear Angela,

This letter is a follow-up to the January 3rd City Council meeting that you were asked to attend to review with the City Council the current set up and use of each building located at 107 598th Avenue. As was discussed at that meeting, your attendance is **requested** at a Special City Council meeting scheduled for January 19, 2022, at Eagle Lake City Hall, 705 Parkway Avenue, Eagle Lake, MN, and this letter serves as your official notice. **The purpose of the hearing will be to review the CUP and determine whether the current violations warrant its revocation and/or whether an extension of the expired agreement to temporarily operate the business out of the secondary building is appropriate. Discussion will also take place about the expiration of your current kennel license and whether a new license can be issued at this time. Kennel licenses are valid January 1-December 31st of each year and do not renew automatically.** The meeting is scheduled to begin at 6:00 p.m. with a public hearing on another matter not related to the conditional use permit for Bella's House of Doodles at 107 598th Avenue. Please plan to arrive no later than 6:30 p.m.

For purposes of providing background, what prompted my request for you to attend the January 3rd meeting was that you placed an ancillary building on your property without first obtaining a building permit and because after looking at pictures of the inside of the shed, it appears that the shed is being used as part of the business operations. The ancillary building was not included in your business plan as being part of the business operations when the conditional use permit was sought and approved. Per my phone call to you on December 15th, you indicated that the building was being used to house puppies. Then at the January 3rd meeting, you indicated that the building is being used for overflow and boarding of dogs. Clarification of what exactly this building is being used for is needed as it relates to your business operations for which the CUP was approved.

You also appeared before the City Council on August 2nd (per my request), to discuss your plans for construction of the main commercial building and the secondary accessory storage building and to request an exception to the building permit process to accommodate your desire to construct the secondary storage building in advance of the main commercial building. An agreement was approved by the City Council at that meeting allowing for the construction of the secondary building and temporary use of that building to house dogs and operate your business with the condition that a certificate of occupancy be obtained prior to January 1, 2022. You signed that agreement and in

doing so acknowledged the conditions of the agreement. Since you have not completed the necessary inspections, a certificate of occupancy has not been issued for the main commercial building for which the CUP was issued and according to the terms of that agreement, your CUP should be revoked since you are continuing to operate your business out of the secondary building.

When you and I spoke on December 15th, you expressed that your vision for the business had changed and that your business was growing quickly. As was conveyed in an email that I sent to you following our phone conversation, any changes to the business plan and scope of the business that was approved as part of the CUP will need to be reviewed with the Planning Commission and/or City Council. Any changes involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the CUP shall require an amended CUP and all procedures apply as if a new permit were being issued.

Per my inquiry to the City's building inspector, Dan Murphy, the following inspections are needed for you to be able to obtain a certificate of occupancy for the main commercial building:

- 1) Framing inspection
- 2) Insulation inspection
- 3) Plumbing rough-in
- 4) Plumbing final
- 5) Mechanical permit
- 6) Mechanical rough-in
- 7) Mechanical final
- 8) Verification of electrical final completed by the state electrical inspector.

You stopped by City Hall on January 4th to inquire about obtaining a building permit for the ancillary building that you placed on your property. At this time, a permit cannot be issued for this building as the building is being used to operate your business and was not included in the original scope of your business plan that was approved as part of the CUP. If you would like to expand your operations of the business to include another building, the CUP would likely need to be amended and that process followed. The immediate issue at hand is that the main commercial building for which the CUP was sought and approved has not yet obtained a certificate of occupancy. You obtained permission via a separate agreement to temporarily operate your business out of your secondary building with the condition that operations would cease prior to January 1, 2022 and that a certificate of occupancy would be obtained for the main commercial building prior to January 1, 2022. You have not obtained a certificate of occupancy for the main commercial building and are continuing to operate your business out of the secondary building (and ancillary building) even though the agreement has expired.

While you were at City Hall on January 4th, you were asked if you are drawing water and you said "yes". Per City records, you paid for your water and sewer connection fees but the plumbing permit for your project had not been paid and a meter installed. The City's public works director met with you on site and verified with a photograph that you have a line connected to the water line that you are using to draw water even though you are not paying a monthly water fee. Per Section 8.150 of City Code, taking water without authority is declared a misdemeanor. As of today, January 5th, the plumbing permit has now been paid and a meter installed.

My recommendation as staff is for you to immediately remove the ancillary building that you placed on your property and revisit the addition of an additional structure and amending your CUP

following the resolution of the current matter at hand involving obtaining a certificate of occupancy for the main commercial building and obtaining permission to continue operating temporarily out of your secondary building until the main building is ready for occupancy. The placement of the ancillary building is an aggravating factor to an already messy situation with your main building not yet being ready for a certificate of occupancy and the business being operated out of the secondary building. Rick DeMartini inquired about the possibility of placing two temporary structures on the property prior to the construction of the two current buildings and was told that was not allowed. Merely looking at the building on June 22nd was in no way shape or form granting approval for the building to be placed on the property and to argue otherwise is a stretch. The building appears to have been placed on the property following the approval of the temporary agreement in August 2021 when it was discussed that the secondary building would be allowed on a limited basis to begin business operations. There was no mention at that time of needing the ancillary building to begin operations and no mention of the ancillary building in the original plans submitted.

A complaint was received on December 10th related to alleged trespassing by you and/or your employees onto private property when walking/exercising the dogs. The police department notified you of the allegation and you were instructed to walk/exercise the dogs on your property. Per the CUP, an outdoor fenced in area is needed for the limited use of walking or training the dogs. A building permit is needed to construct a fence.

At the hearing on the 19th, please be prepared to: (1) provide a status update for each of the outstanding inspections and anticipated date of completion; (2) provide a timeline for completion of the main building and timeframe needed for an extension to continue operating out of the secondary building; (3) provide approximate gallons of water used prior to meter being installed and details about who made the temporary connection to the water line without a meter being installed; (4) discuss plans for installing fencing for outdoor exercise area for dogs; (5) address trespassing allegations and provide assurance that this is no longer an issue by speaking to your employees and reminding them that they must stay on your property and are not allowed to trespass onto adjacent private property; and (6) provide acknowledgment that there is no outdoor storage of materials – the business must be enclosed with the exception of the fenced in outdoor exercise area for the dogs.

I am more than happy to sit down and review this letter and expectations in detail with you prior to the hearing on the 19th. Please let me know at your earliest convenience if you would like to schedule a meeting. We want your business to be successful, but we also must ensure compliance with the CUP and code regulations and agreed upon deadlines.

Enclosed for reference purposes is a copy of your CUP and business plan, copy of the temporary agreement, and relevant excerpts from City Code.

You can reach me at 507-257-3218 or via email at jbromeland@eaglelakemn.com.

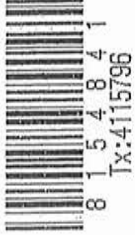
Sincerely,



Jennifer J. Bromeland
City Administrator

cc: Mayor and City Council
City Attorney

City of
Eagle Lake
4 pgs
due



589CR267
CERTIFIED, FILED AND/OR RECORDED ON
04/19/2021 12:53 PM
BLUE EARTH COUNTY, MN
MICHAEL STALBERGER COUNTY RECORDER
PROPERTY AND ENVIRONMENTAL
RESOURCES DIRECTOR
REC FEE: 46.00 EXEMPT: N
MRT PD: EXEMPT: N/A
SPLIT-CURRENT TX PD: N/A
PAGES: 4

STATE OF MINNESOTA

) Authenticating Certification

COUNTY OF BLUE EARTH

I, the undersigned, being duly qualified on behalf of the City of Eagle Lake, certify that the attached Conditional Use Permit, is a true copy of the original, of which is on file at the City of Eagle Lake.

This document was drafted by Jennifer J. Bromeland, City Administrator for the City of Eagle Lake.

Dated this 14th day of April 2021.

A handwritten signature in cursive script that reads "Jennifer J. Bromeland".

Jennifer J. Bromeland
City Administrator
City of Eagle Lake

**SEAL
AFFIXED**

City of Eagle Lake
Resolution No. 2021-15
Conditional Use Permit

A Resolution Approving a Conditional Use Permit (CUP) Application for 107 598th Avenue (R12.09.12.476.005) for the placement of a commercial facility in a "B-1 Community Business District" that will be used for indoor dog kennels, dog breeding and daycare, dog grooming services, show room with dog products, outdoor exercise area for dogs, and veterinarian services with temporary sleeping quarters.

The property for which the CUP is sought is legally described as follows: Lot 2, Block 1, Eagle Lake Commercial Center, according to the plat there of on file and of record with the Blue Earth County Recorder, which lies southerly of the following described line: Commencing at the southwest corner of said Lot 2; thence North 00 degrees 24 minutes 56 seconds West, (Minnesota County Coordinate System – Blue Earth County Zone – HARN NAD83-1996), along the west line of said Lot 2, a distance of 156.60 feet to the point of beginning; thence South 75 degrees 37 minutes 37 seconds East, a distance of 158.87 feet to a point on the easterly line of said Lot 2 and there terminating. Containing 19,249 square feet. An easement of 20.00 feet in width lying over, under and across that part of Lot 2, Block 1, Eagle Lake Commercial Center, according to the plat there of on file and of record with the Blue Earth County Recorder, the center line of which is described as: Commencing at the southwest corner of said Lot 2; thence North 00 degrees 24 minutes 56 seconds West, (Minnesota County Coordinate System – Blue Earth County Zone – HARN NAD83-1996), along the west line of said Lot 2, a distance of 156.60 feet to the point of beginning; thence South 75 degrees 37 minutes 37 seconds East, a distance of 123.44 feet to the point of beginning; thence North 14 degrees 39 minutes 43 seconds East, a distance of 164.29 feet to a point on the southerly line of the northerly 10.00 feet of said Lot 2; thence South 75 degrees 20 minutes 18 seconds East, along said southerly line, a distance of 36.07 feet to the point of intersection with the easterly line of said Lot 2 and there terminating (see parcel B on the attached surveyor's description).

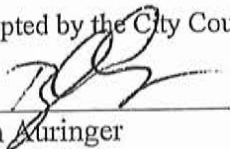
WHEREAS, the City of Eagle Lake held a public hearing at the March 15, 2021 Planning Commission meeting for a Conditional Use Permit (CUP) application from Angela DeMartini of 107 598th Avenue for a conditional use allowed in the B-1 Community Business District and classified as "other commercial uses determined by the City Council to be of the same general character as permitted and conditional uses listed above and found not to be detrimental to existing uses and to the general public, health, safety, and welfare"; and

NOW THEREFORE, BE IT RESOLVED, by the City Council on the City of Eagle Lake, Minnesota, that the CUP application from Angela DeMartini of 107 598th Avenue (R12.09.12.476.005) for a commercial facility for indoor dog kennels, dog breeding and daycare, dog grooming services, show room with dog products, outdoor exercise area for dogs, and veterinarian services with temporary sleeping quarters be approved with the following conditions:

1. Walls must be sound proof.
2. Weekly pickup of fecal waste from site.
3. Odor proof containers for fecal waste storage.

4. Rodent proof food containers.
5. Ventilation system installed.
6. Surprise inspections.
7. Sleeping quarters are not allowed to be used as a residence or for a period in excess of 7 consecutive days.
8. The entire business must be enclosed with the exception of limited use to walk or train the dogs in an outdoor fenced in area. Fence must be routinely inspected and properly maintained.

Adopted by the City Council of Eagle Lake, Minnesota, this 5th day of April 2021.



Tim Auringer
Mayor


Jennifer J. Bromeland
City Administrator

AGREEMENT

NOW COMES FORTH, City of Eagle Lake, hereinafter referred to as "City" and Angela and Rick DeMartini the owners and operators of Bella's House of Doodles, LLC, hereinafter referred to collectively as "Bella's House of Doodles" who make the following agreement.

WHEREAS, Bella's House of Doodles received a conditional use permit for property located at 107 598th Avenue, Eagle Lake to operate a business that breeds and raises Doodles, to train dogs, provide grooming and a doggie day-care facility; and

WHEREAS, the main building on the property has not been constructed but will be completely constructed and receive a certificate of occupancy prior to January 1, 2022, and

WHEREAS, the property is also to contain a secondary building that will be used for storage and would only be used in connection with the main structure; and

WHEREAS, the secondary building will be completed prior to the main structure; and

WHEREAS, Bella's House of Doodles has already paid for the construction of the buildings; and

WHEREAS, the City agrees to allow the secondary building on a limited basis in order to allow the business to begin operation;

NOW, THEREFORE, the parties agree as follows:

1. That Bella's House of Doodles will be allowed to use the secondary building to temporarily "house" dogs and to operate their business;

2. That the use of the secondary building for that purpose shall end on or before January 1, 2022;

3. That the construction of the main building shall be completed and a certificate of occupancy obtained for the main building prior to January 1, 2022;

4. That Bella's House of Doodles shall provide to the City evidence showing that the buildings have been paid for and the time table for construction;

5. That Bella's House of Doodles shall maintain the dogs in a manner that is humane;

THE PARTIES FURTHER AGREE THAT IF THE MAIN BUILDING IS NOT CONSTRUCTED AND READY FOR OCCUPANCY ON OR BEFORE JANUARY 1, 2022 that:

1. The conditional use permit for the property will be revoked;
2. That any operation of the business that requires a conditional use permit will immediately cease;
3. That Bella's House of Doodles, Angela DeMartini ~~and Rick DeMartini~~ will be ~~jointly and~~ severally liable for any costs incurred by the city in enforcing this agreement, including but not limited to time expended by city staff and legal fees and costs.

4. Consideration for this Agreement is the mutual promises of the parties.

Dated: August 12, 2021

CITY OF EAGLE LAKE

BY: [Signature]
Its: MAYOR

BY: [Signature]
Its: CITY ADMINISTRATOR

[Signature]
Angela DeMartini

[Signature]
Rick DeMartini / Financial Backer .

Bella's House of Doodles
By: _____
It's: _____

JK ROUTH CONTRACTING LLC

1835 Creekview LN NE
Owatonna, MN 55060

Jesse Routh

507-383-7892
jrouthbod@yahoo.com

INVOICE #8012021

August 1, 2021

Rick & Angela Demartini
Good Thunder, MN

Down Payment on 40' x 60' x 9' Office Bldg	\$18,000-	Paid 5/5/2021
Down Payment on 40' x 60' x 16' Storage	\$18,000-	Paid 5/5/2021
Balance of Material Payment 40' x 60' x 9'	\$50,000-	Paid 7/26/2021
Balance of Material Payment 40' x 60' x 16'	\$50,000-	Paid 7/26/2021

Progress Payments due later

Any questions please call,

Jesse Routh
JK Routh Contracting LLC



BUSINESS PLAN

Bella House Of Doodles, LLC;
107 598th Ave, Eagle Lake, Minnesota 56024
January 15, 2021

507-822-3393

website: bellashouseofdoodles.com

Executive Summary

The Business

Our family, lost our beloved labradoodle in the winter of 2015. It was heart breaking and emotionally devastating as she was part of our family. She served as a emotional support dog and brought comfort and healing to our family members.

In loving memory of Bella, I wanted to give back to people in need. Those hurting and suffering from array of circumstances along ponding the all great family dog.

To honor our Bella, Bella's House of Doodles evolved and has grown by word of mouth.

On January 15, 2021 our family business was turned into an Limited Liability Company, [LLC.]

The Management

Management structure of the day to day operations will be run by Angela DeMartini..

The Goals and Objectives

At Bella's House of Doodles, we raise the finest designer Doodles. We pride ourselves on raising non-shedding, non-allergenic family loving companions.

Many of our Fur babies have gone off to be service and therapy dogs.

We do intensive puppy training using puppy culture and early neurological stimulation protocols, to get our puppies off to the best start in life.

The Product

With our new facility, we will be able to offer;

1. The finest designer Doodles;
2. Puppy training classes using our proven Baxler & Bella courses;
3. Grooming services of all ages to our current and future costumers;
4. Doggie daycare with boarding facilities;
5. Show room filled with our Outstanding line of Puppy/Dog bathing Products, health & wellness line, Dog Food, Online Training Programs, Dog clothes and Dog apparel shirts and hats;
6. On staff Veterinarian or Veterinary Technician to provide Trans Cervical insemination, Progesterone testing, ultrasound procedures, Miro Chip and registration, Neo Par, Bordetella , and Solo Jec 5 vaccines.

The Target Market

At the present time we have animals in a 7 state area, Our mission is to have our designer puppies in every state. We curranty have a puppy flight nanny that fly's around the country delivering our puppies to customers who will met the flight nanny at the destination airport. Our puppies fly's in cabin with the nanny.

Ownership Background

Angela J DeMartini (owner):

6 years of a Doodle expert/trainer/breeder.

15 years of customer relations.

Company Management Structure

Management structure of the day to day operations of the business will be by Angela DeMartini and would be involved in all aspects of the business: The Creation of designer doodles, doggie day care, grooming and veterinarian services.

The business will have a full -time Veterinary or Veterinary Technician, a Grooming Technician, Administration Assistant, Operations Manager, and Dog Specialists.

Organizational Timeline

At the Moment we are Renting a facility in Eagle lake, MN., and using our guardianship program for our dogs. In the Spring of 2021 we will start construction of a new kennel [40' X 60'] commercial building that will give us enough room for . 8 dogs. We also will be building a [40' X 60'] Pole Barn Shed for our warehouse. We will construct fencing in areas for our dogs to run/play. Construction of the facility should be completed by Nov of 2021 or soon, weather dependent of course....

Company Assets

Bella' House of Doodles substantial assets are at 25 breeding animals, our 30 x 50 Barn, Backup generator, I.p. 4500 pressure washer, kennel fencing, 2017 Nissan Amada, computers, electronics, animal doors, animal kennels, feeders, waters, tools, training programs, products, tool cat with attachments, cam am defender and veterinary equipment.

Location Analysis

Bella's House of Doodles advantage is our location in southern Minnesota, and hour and a half from the twin cities and Minneapolis/St. Paul Airport.

Our furry friends are born and raised in a loving atmosphere, with room to run and develop there unique skills...

Established Customers

Over the years Angela has established customers by word of mouth throughout the united states.

Bella's House of Doodles customers have return to purchase again after there first initial purchase..

Advertising

Signs on our facility, face book, web site, twitter, and animal sites.

Operations

Staffing

The business will have a full-time Veterinary or Veterinary Technician, a Grooming Technician, Administration Assistant, Operations Manager, and Dog Specialists.

Facilities

The Business plans to construct a 40' x 60' commercial building and a 40' x 60' pole barn, located at 107 598th Ave, Eagle Lake, MN 56024. The commercial building would hold the office that the President would operate the business from.

It would have 8 indoor kennels and 8 outside kennel runs which would be used by the mama dogs and their puppies. In addition, there will be 8 indoor kennels for use by the daycare portion of the business. The breeding and daycare care portions of the business will be housed in separate areas of the facility. The daycare portion would also have a fenced outside area with artificial turf to allow the dogs to play outside. The indoor space will be heated and air conditioned.

The facility would have a room dedicated to its grooming services, show room with products, and another room dedicated to veterinarian services for dogs.

The 40' x 60' pole barn will be warehouse for products and equipment.

It is anticipated the construction of these buildings could be completed within 6 months based on approval of construction permits by the City of Eagle Lake.

Licensing and Permitting

Currently the business is working with the State of Minnesota to obtain a license to be a commercial breeder. The Business has applied and received a license from the City of Eagle Lake to operate at 105 598th Ave, Eagle Lake, MN 56024.

Established Market

Bella's House of Doodles uses several social media's sites to promote and advertise our puppies on face book and Instagram. Many of our puppies have their own Instagram accounts and followers.... We here at Bella's House of Doodles have a closed face book page for families that have gotten puppies from us in the past. Its a great way to stay in touch, set play dates and keep up with litter mates. We have an extremely large follower base that has grown over the years, with **MANY** referrals and repeat customers. Many of our families have more than one doodle from us.

Competitors Analysis

What sets Bella's House of Doodles different from our competitors is **WE** here have a kennel free approach to this industry. Its important to us here to provide a loving caring puppy to our customers, and that our customers knowingly are getting a puppy that is in the most humanly way possible. Our difference is, we started with a few hand selected, health tested [via Paw print forensics and/or Embark], great disposition, and lineage to start our breeding program. With much consideration and love for our dogs, we have come up with a guardianship home program, that allows us to carry on our lines without having many dogs in kennels, or retiring and rehoming a older mamma dog.

On occasion we will keep back a puppy or two to carry on the parents lines. We will offer one of these puppies up to a family to raise as their own.[we provide all veterinarian needs along with grooming while under contract with us].

We retain the breeding rights under a contract. As per to our contract, families would get their puppy for no cost at 8 weeks or as soon as one becomes available.

When the female dog goes through their first heat cycle, around 1 year, we will breed them on their second cycle, around 1 1/2 years of age.

We would make arrangements for the family to drop off the female dog, we would do either a natural breeding or Trans Cervical Insemination. After a few hours, the female dog can be picked up and go home... 35 days later the female dog would return for an hour so we can do a ultrasound and check on pregnancy. Once again the female dog would go back home and return one week prior to having puppies. We will warp her litter and return the female dog at 7 weeks. The families, occasionally visit their mama dog and see the puppies.

The female dogs come into heat approximately every 6 months. In our contract we retain the right to breed 2 litters, but up too 4 litters. This would vary on special conditions such as a single pup or complication where we would lose a litter.

Once the contract is fulfilled, we pay for the spay or neuter and release any rights. Its been a win win, as the family is getting a high quality, health tested and outstanding temperament fur member, and we are not rehoming an older dog as well as we are able to carry on our lines.

evidence or change of circumstances warrant it.

Subd. 7. Fees. An applicant for a zoning amendment shall pay a non-refundable filing fee in connection with the submittal of the application in accordance with a fee schedule as established, from time to time, by the City Council.

SECTION 6.070 CONDITIONAL USE PERMITS

Subd. 1. Authority. The City Council, in accordance with the procedures and standards set out in this Section, may grant conditional use permits authorizing the development of uses listed as conditional uses in the regulations applicable to the zoning district in which the specific property is located. The City Council also reserves the right to review, modify, or terminate the approval of any conditional use permit.

Subd. 2. Purpose. The principal objective of this Ordinance is to provide for an orderly arrangement of compatible building and land uses, and for the proper locations of all types of uses required by the City. To accomplish this objective, each type and kind of use is classified as permitted in one (1) or more of the various zoning districts established by this Ordinance. However, in addition to those uses specifically classified and permitted in each district, there are certain additional uses which may be allowed because of their unusual characteristics or the service they provide to the public.

These conditional uses require particular considerations as to their proper location in relation to adjacent established or intended use and the planned development of the community; therefore, each application will be reviewed on a case-by-case basis and will be subject to a public hearing process.

Subd. 3. Procedure. The following procedures shall govern application for Conditional Uses Permits:

1. An application for a Conditional Use Permit shall be filed with the Zoning Administrator on a form provided by the City and shall contain at least the following information: The applicant's name, address, and proof of interest in the property.
2. The owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application.
3. The street address and legal description of the property proposed for the Conditional Use Permit.
4. The zoning classification and present use of the subject property.
5. A general description of the proposed conditional use.
6. A statement indicating whether the applicant will require a variance in

connection with the proposed conditional use.

7. Such other information or documentation as the Zoning Administrator may deem to be necessary or appropriate for a full and proper consideration and disposition of the application.

To defray administrative costs of processing of requests for conditional use permits, a fee as set by the City Council on the City Fee Schedule to include postage for each public hearing notice sent out shall be paid by the petitioner.

Subd. 4. Action of Zoning Administrator. Upon receipt of a properly completed application for a conditional use, the Zoning Administrator shall forthwith transmit to the Planning Commission the application together with all other documents made part thereof.

Subd. 5. Public Hearing. Upon receipt of a properly completed application for a conditional use permit, the Planning Commission shall set a date for a public hearing.

Subd. 6. Public Hearing Notice. The Planning Commission shall hold a public hearing on the conditional use permit application within sixty (60) days after receiving the application by the Zoning Administrator. Notice of said public hearing shall be given in the City's official newspaper a minimum of ten (10) days prior to the hearing date and a maximum of thirty (30) days to the hearing. The Planning Commission may require notice be given to property owners of an area greater than three hundred fifty (350) feet.

Notice shall be given by first class mail to all owners of property within three hundred fifty (350) feet from the proposed location of the conditional use. The notice shall describe the particular conditional use and shall contain a brief description thereof. County records and street addresses shall be deemed sufficient for the location or certification of ownership for notification purposes.

Subd. 7. Action of the Planning Commission. 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.

The failure of the Planning Commission to act within sixty (60) days of receipt of the application shall be deemed a recommendation for the approval of the Conditional Use Permit, unless the Planning Commission tabled the request. When a request is tabled by the Planning Commission, said request shall not be forwarded to the City Council until a recommendation to approve, approve with conditions, or deny has been adopted.

Subd. 8. Standards. The Planning Commission shall only recommend the granting of the Conditional Use Permit, granting the Conditional Use Permit subject to conditions, or denying the Conditional Use Permit based on written findings of fact with regard to

each of the standards set forth below and, where applicable, any special standards for specific uses set forth in the provisions of a specific zoning district.

- A. It is one of the conditional uses listed in the particular zoning district.
- B. It is in keeping with the comprehensive planning policies of the City and this Ordinance as amended from time to time.
- C. It does not interfere with or diminish the use of property in the immediate vicinity.
- D. It can be adequately served by public facilities and services.
- E. It does not cause undue traffic congestion.
- F. It preserves significant historical and architectural resources.
- G. It preserves significant natural and environmental features.
- H. It will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood, and the effect of the proposed type of conditional use upon the City as a whole.
- I. It complies with all other applicable regulations of the zoning district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the granting of a variance.
- J. It will not jeopardize the public's health, safety, or general welfare.

Subd. 9. Action of City Council. After receipt of the Planning Commission's recommendation or its failure to act within sixty (60) days, the City Council shall either deny the Conditional Use Permit, or grant the Conditional Use Permit with or without conditions.

- A. The City Council must take action on the application within sixty (60) days after receiving the report of the Planning Commission. If it grants the conditional use permit, the City Council may impose conditions (including time limits) it considers necessary to protect the public health, safety and welfare and such conditions among other things, may include a time limit for the use to exist or operate.
- B. An amended conditional use permit application shall be administered in a manner similar to that required for a new conditional use permit, requests for changes in conditions, and as otherwise described in this Ordinance.
- C. If a time limit or periodic review is included as a condition by which a Conditional

Use Permit is granted, the Conditional Use Permit may be reviewed at a public hearing with notice of said hearing published at least ten (10) days prior to the review. It shall be the responsibility of the Zoning Administrator to schedule such public hearings and the owner of land having a conditional use permit shall not be required to pay a fee for said review. A public hearing for annual review of a conditional use permit may be granted at the discretion of the City Council.

- D. In the event that the applicant violates any of the conditions set forth in the Conditional Use Permit, the City Council shall have the authority to revoke the Conditional Use Permit.

Subd. 10. Additional Conditions. In permitting a new conditional use or the alteration of an existing conditional use, the City Council may impose additional conditions which the Council considers necessary to protect the best interest of the surrounding area or the community as a whole. These conditions may include, but are not limited to the following:

- A. Increasing the required lot size or yard dimension.
- B. Limiting the height, size or location of buildings.
- C. Controlling the location and number of vehicle access points.
- D. Increasing the street width.
- E. Increasing the number of required off-street parking spaces.
- F. Limiting the number, size, location or lighting of signs.
- G. Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
- H. Designating sites for open space.

Subd. 11. Effect of Approval. The approval of a proposed conditional use by the City Council shall not authorize the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of an application for a building permit.

Subd. 12. Limitations of Conditional Uses. Subject to an extension of time granted by the City Council, no conditional use permit shall be valid for a period longer than twelve (12) consecutive months, unless a Building Permit is issued and the conditional use commenced within that period of time.

- A. Except when otherwise provided in the resolution approving the conditional use, a conditional use shall be deemed to relate to, and be for the benefit of, the use and lot

in question, rather than the owner or operator of such lot.

Subd. 13. Other Requirements. Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the Conditional Use Permit issued, shall require an amended Conditional Use Permit and all procedures apply as if a new permit were being issued. The Zoning Administrator shall maintain a record of all Conditional Use Permits issued including information on the use, location, and conditions imposed by the City Council. Also, time limits, review dates, and such other information as may be appropriate.

- A. No application for a conditional use permit shall be resubmitted for consideration by the Planning Commission for a period of one-year following a denial of such request, except the Planning Commission may permit a new application, if in the opinion of the Planning Commission, new evidence or change of circumstances warrant it.

Subd. 14. Fees. An applicant for a conditional use permit shall pay a non-refundable filing fee in connection with the submittal of the application in accordance with a fee schedule as established, from time to time, by the City Council.

SECTION 6.080 VARIANCES

Subd. 1. Authority. In accordance with the procedures and standards set forth in this Section, the City Council shall have the authority to grant variances from the provisions of this Ordinance in instances where their strict enforcement would cause a practical difficulty because of circumstances unique to the individual property.

Subd. 2. Purpose. The variance procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this Ordinance that create practical difficulties to a particular property.

Subd. 3. Parties Entitled to Seek Variances. Applications for variances may be filed by the owner of, or any person having contractual interest in, the property.

Subd. 4. Procedure. An application for a Variance shall be filed with the Zoning Administrator on a form provided by the City and shall contain at least the following information: To defray administrative costs of processing of requests for variances, a fee as set by the City Council from time to time, to include postage for each public hearing notice sent out, shall be paid by the petitioner.

- A. The applicant's name, address, and proof of interest in the property.
- B. The owner's name and address, if different than the applicant, and owners signed consent to the filing of the application.
- C. The street address and legal description of the property.

NEW BUSINESS #3



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

January 19, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: 317 LeRay Avenue

Discussion took place at the January 3rd meeting regarding the property at 317 LeRay Avenue and alleged nuisance violations related to storing sheet metal. A letter was sent to the property owner by legal counsel on January 4th, giving the property owner seven days to contact the City with a plan to bring the property into compliance within the next fourteen days. The property owner did contact Chief of Police John Kopp within the seven day timeframe but has not yet brought the property into compliance within the fourteen day timeframe given.

Discussion should ensue about next steps if there is an interest in commencing an abatement action.


Jennifer J. Bromeland
City Administrator



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

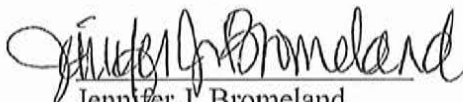
January 3, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: 317 LeRay Avenue

Discussion took place at the December 6th City Council meeting about nuisance complaints (specifically, the storage of scrap metal in unenclosed containers) received against the property located at 317 LeRay Avenue. A status update will be provided at the meeting.

Enclosed for reference purposes is Section 3.090 from City Code.

Direction is needed from the City Council as to whether there is an interest in abating the nuisance if compliance is not achieved with the property owner.


Jennifer J. Bromeland
City Administrator

SECTION 3.090 REFUSE STORAGE

Subd. 1. Definitions. The following terms, as used in this section, shall have the following meanings:

- A. **A. Refuse:** The term "refuse" means all solid waste products or waste products having the character of solids rather than liquids in that such products will not flow readily without additional liquid and which products are composed wholly or partly of such materials as garbage, sweepings, cleanings, trash, industrial solid wastes or domestic solid wastes. Refuse also includes organic wastes, animal excreta or the carcass of animals, tree or shrub trimmings and grass clippings. Refuse also includes brick, plaster or other waste matter resulting from the demolition, alteration or construction of any building or structure; or accumulated waste materials, cans, containers, and; (Approved March 2, 2015)
- B. **B. Junk:** The term "junk" means household appliances, bedding, bottles, boxes, broken glass, cardboard, cartons, furniture manufactured for indoor use only, lumber and building materials that are not neatly stacked, machine parts, motor vehicle parts, tires/rims, pallets, paper, plumbing fixtures, scrap metal, and water heaters. (Approved March 2, 2015)

Subd. 2. Owner to Provide Container. The owner of any premises within the City upon which premises refuse or junk is or may be present, shall provide and maintain on such premises sufficient containers for the storage of all refuse or junk accumulated or stored on such premises, which containers shall be constructed of noncombustible material and have a noncombustible cover.

Subd. 3. Prohibitions.

- A. **Storage Out of Container.** It is unlawful for any person to place, retain or store, or for any person, as an owner or occupant having control of a premises within the City to permit the placement, retention or storage, upon such premises, of any refuse or junk unless placed, retained or stored completely within a container or containers as required by subdivision 2 of this section
- B. **Storage in Container.** It is unlawful for any person to place, retain or store, or for any person, as an owner or occupant having control of a premises within the City, to permit the retention, placement or storage, upon such premises, of any refuse or junk retained or stored completely within a container or containers as required by subdivision 2 of this section for any period of time in excess of seven (7) days.

Subd. 4. Public Nuisance Declared. Any accumulation upon any premises within the City of any refuse, garbage, or junk not stored in a container or containers as required by subdivision 2 of this section, or stored in such a container or containers upon such premises for a period in excess of seven (7) days, is hereby declared to be a hazard to the

public health and safety, and a public nuisance, which may be abated by the City as such.

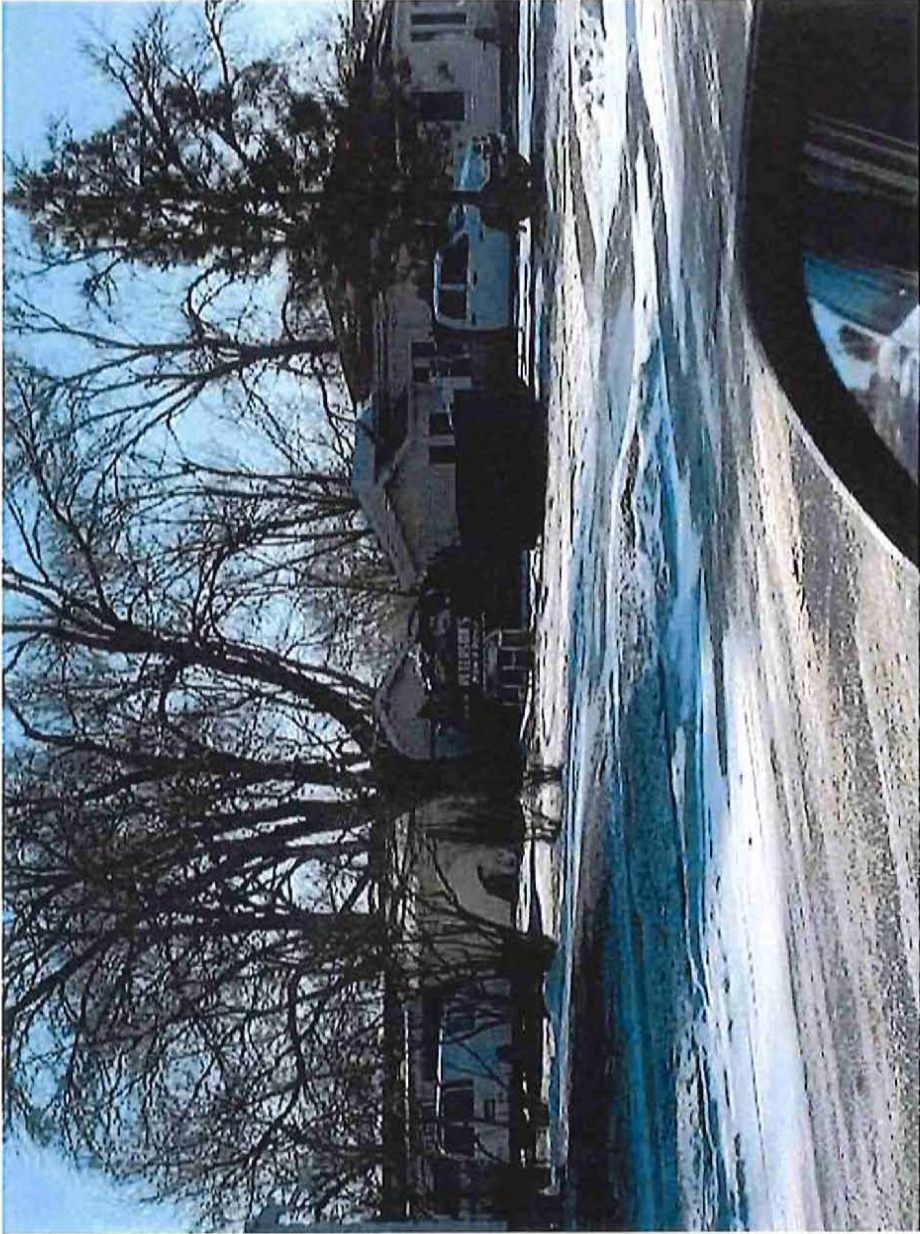
Subd. 5. Elimination of Nuisance.

A. Notice. In the event any accumulation declared by subdivision 4 of this section to be a public nuisance is found by the City to exist, the City may cause to be served upon the owner of the property upon which such accumulation exists, by registered or certified mail, or by personal service, a notice ordering such owner to remove such accumulation within ten (10) days after the date of such notice, and stating that in the event the owner does not comply with such order, the necessary work may be performed or caused to be performed by the City at the expense of the owner, and that if the owner does not pay for such expense, the cost of the work will be assessed against the property benefited.

The notice shall also state that it is in effect for a period of twelve (12) months from the date of the notice and if the nuisance condition re-occurs within that twelve (12) month period, the City shall abate the nuisance without further notification to the property owner. If no owner of the property can be found, the notice shall be posted on the property for a period of ten (10) days, after which period the City may perform any necessary work.

B. Performance of Work by City; Invoice. If the owner of any property fails, within such ten (10) day period, to comply with the order set forth in any notice given pursuant to the provisions of this subdivision, the City may cause to be performed such work as is ordered by such notice. The City shall cause to be maintained a record showing the cost of such work attributable to each separate lot and parcel, shall cause to be prepared and mailed to such owner an invoice setting forth the charge for such work, which shall be immediately due and payable at City Hall and shall forward the information contained in such record to the City Administrator. The fee will be determined by the City Fee Schedule.

C. Assessment. Before December 1st of each year, the City shall cause to be listed the total unpaid charges for each type of work against each separate lot or parcel to which such charges are attributable pursuant to this subdivision. The Council may then assess such charges against the property benefited as a special assessment, pursuant to the provisions of Minnesota Statutes, Chapter 429, for certification to the County Auditor and collection together with current taxes payable in the following year



317 LERAY AVE

January 4, 2022

Jenni Baker
317 LeRay Avenue
Eagle Lake MN 56024

Re: 317 LeRay Avenue, Eagle Lake Minnesota

Dear Ms. Baker:

My office represents the City of Eagle Lake. At the council meeting of January 3, 2022, the City Council discussed the condition of your property and the fact that you are storing sheet metal. City Staff in particular Chief John Kopp have attempted to work with you to bring your property into compliance with the city code. This process begin on February 4, 2021, it not sooner. On February 4, 2021, Chief Kopp provided you a letter with a copy of the City Code regarding the improper storage of materials on your property.

This letter was followed up by visits from the Chief, and additional correspondence on September 28, 2021 where he again provided you a copy of the ordinance on September 27, 2021 and sent a further letters on that date, December 8, 2021 and December 10, 2021.

The property continues to be maintained in a manner that is violation of the City Code. The City has a number of options in this matter. These remedies are not exclusive meaning that the city can take more than one at the same time. These include bringing criminal charges against you for maintaining a nuisance property and/or bringing an abatement action that would allow the City to bring the property into compliance. If the City brings an abatement action the costs of that action, including legal fees and the costs to bring the property into compliance will be assessed against you and the property.

The City Council is concerned about how your property is affecting your neighbors and neighborhood. While they would like to work with you to resolve this matter without litigation and criminal charges, the ball is in your court.

You need to contact the city in the next seven days with a plan to bring your property into compliance with all applicable City Code and State Statutes and the property needs to be in compliance in the next fourteen (14) days.

If no action is taken and a plan is not agreed to, this matter will again be brought to the attention of the City Council and I would expect that at that time an Abatement Action will be commenced.

Sincerely,

KENNEDY & KENNEDY

Christopher M. Kennedy
CMK/cmK

Cc: Jennifer Bromeland
John Kopp

NEW BUSINESS #4




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

January 19, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Contract with Region Nine for Strategic Economic Development Planning

Enclosed is a contract from Region Nine for services related to researching and creating a Strategic Economic Development Plan for the City of Eagle Lake. By signing the contract, Eagle Lake agrees to pay \$75.00 per hour to Region Nine. The cost for services will not exceed \$15,000. The cost for this contract will be paid for utilizing a \$10,000 grant from Southern Minnesota Initiative Foundation (SMIF) that was obtained for the purpose of developing a strategic economic development plan and initiative. The City's match will be paid for using funds allocated in the 2022 budget for this purpose (101-41600-300).

Attached for reference purposes is the Region Nine Contract for Services and a copy of the Small-Town Grant Application with SMIF.


Jennifer J. Bromeland
City Administrator



Contract for Services

Region Nine Development Commission and City of Eagle Lake

This Contract for Services, made this ____ of January 2022, is by and between City of Eagle Lake, hereinafter referred to as EAGLE LAKE, and Region Nine Development Commission, hereinafter referred to as RNDC.

The purpose of this contract is to provide a mutual understanding concerning the services to be rendered to EAGLE LAKE by RNDC.

SECTION I: DESCRIPTION OF SERVICES

RNDC hereby agrees to research and create a Strategic Economic Development Plan for the City of Eagle Lake.

- A. Develop and conduct surveys to solicit input from residents of the city.
- B. Conduct interviews that focus on current economic drivers of the city's economy.
- C. Moderate community input session(s).
- D. Perform comprehensive economic analysis for the city and surrounding area.
- E. Analyze data, draft the report and present for public review.
- F. Incorporate changes from public review and submit for formal adoption by the Eagle Lake City Council.

SECTION II: DESCRIPTION OF EAGLE LAKE'S RESPONSIBILITIES

EAGLE LAKE agrees to:

- A. Appoint a primary contact for this project.
- B. Compensate RNDC in accordance with Section IV of this contract.
- C. Provide RNDC with specific information, plans, resolutions, and documents as needed to complete RNDC's services.
- D. Schedule, conduct, mail and print information for public hearings/meetings as required and assure that all publication and notification requirements are met.
- E. Pay for all cost related to public hearings and corresponding publications and notifications.
- F. Be the party responsible for updating and maintaining all work completed under this contract.



SECTION III: CONTRACT PERIOD

- A. This contract is effective from January 15, 2022 to September 30, 2022.
- B. Dates are contingent upon timely response from EAGLE LAKE to RNDC.
- C. The period for this contract may be amended upon request and signed approval by both EAGLE LAKE and RNDC.

SECTION IV: COMPENSATION FOR SERVICES

- A. EAGLE LAKE agrees to pay \$75.00/hour to RNDC to complete the services outlined in Section I. The cost of services is not to exceed \$15,000.
- B. Mileage will be charged at actual using the current federal IRS rate.
- C. Copies, supplies, and postage will be charged at actual.
- D. RNDC will provide EAGLE LAKE with a monthly invoice indicating services provided and the total amount due.

SECTION V: TERMS AND CONDITIONS

A. Qualifications

RNDC represents that it is qualified and willing to perform the services set forth herein.

B. Amendments

Any alterations, variations, modifications or waivers of terms of this agreement shall be binding upon EAGLE LAKE and RNDC only upon being reduced to writing and being signed by a duly authorized representative of EAGLE LAKE and of RNDC.

C. Assignment

RNDC represents that it will utilize only its personnel in the performance of the services set forth herein, and further agrees that it will neither assign, transfer, or subcontract any rights or obligations under this agreement without prior written consent of EAGLE LAKE.

D. Data and Copyright

- a. All reports, data, information, documentation, and material given to or prepared by RNDC pursuant to this agreement will be confidential and will not be released by RNDC during the contract period without prior authorization from EAGLE LAKE.
- b. No reports, maps, data, commentaries, or other documentation produced in whole or in part under this agreement will be subject of an application for copyright by or on behalf of RNDC or RNDC's agents or personnel.

E. Compliances

RNDC agrees to abide by and assures that no person shall on the basis of race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, age, political beliefs or in any other manner that violates state or federal law be excluded from participating in, be denied the benefits of, or be otherwise subject to discrimination in connection with the operations of this contract.

F. Financial Records

RNDC agrees that it will establish and keep for a period of three years following the receipt of payment from the final invoice for services performed hereunder such financial records as will fully disclose the amount and disposition of the funds received pursuant to this contract.

G. Termination

- a. If either party shall fail to fulfill its obligations hereunder, or shall violate any terms of this contract, the other party shall have the right to terminate this contract by giving written notice to the defaulting party at least thirty (30) days prior to termination. Such written notice shall specify the nature of the default.
- b. In the event of the termination of this contract prior to normal completion, all finished or unfinished documents, data, studies, surveys, drawings, maps, photographs, and reports prepared by RNDC in carrying out the work tasks hereunder shall become property of EAGLE LAKE. RNDC shall be entitled to receive from EAGLE LAKE the reasonable value of such materials. In addition, EAGLE LAKE shall pay RNDC for the services actually and satisfactorily performed by RNDC hereunder up to the time of termination, less any payments previously made to RNDC under this contract.

H. Information

EAGLE LAKE agrees that all information provided to RNDC will be true and correct to the best of its knowledge. RNDC is not liable for its use or dissemination of false or erroneous information, data, or other materials provided by EAGLE LAKE and/or involved volunteers.

I. Severability

Any provision or part of this contract identified by either party as unenforceable under any law or regulation shall be considered stricken, but all remaining provisions shall continue to be valid and binding upon EAGLE LAKE and RNDC. The contract shall be revised to replace such stricken provision with a valid and enforceable provision that comes as close as possible to expressing the intentions of the stricken provision.

SECTION VI: ACCEPTANCE

EAGLE LAKE and RNDC hereby accept this contract for services. Each party warrants that he/she is empowered and authorized to execute this agreement and accept the terms and conditions outlined in Section V of this contract. The parties hereto have caused this contract to be duly executed.

Nicole Griensewic, *Executive Director*
Region Nine Development Commission
3 Civic Center Plaza, Suite 310
Mankato, MN 56001

Jennifer J. Bromeland, *City Administrator*
City of Eagle Lake
705 Parkway Avenue, P.O. Box 159
Eagle Lake, MN 56024

Date: _____

Date: _____

SOUTHERN MINNESOTA INITIATIVE FOUNDATION

LOVE WHERE YOU **LIVE**

a campaign for southern Minnesota

October 1, 2021

Jennifer Bromeland
City of Eagle Lake
705 Parkway Ave
PO Box 159
Eagle Lake, MN 56024-0159

Re: Grant #: FY22-8959
Project Title: Strategic Economic Development Plan and Initiative

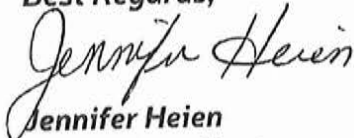
Dear Jennifer,

On behalf of the Southern Minnesota Initiative Foundation, I am happy to present you with the enclosed check in the amount of \$10,000 in support of your Strategic Economic Development Plan and Initiative project.

Enclosed is a copy of the Final Report forms and a signed copy of the Grant Commitment form. The report forms will be sent electronically about 1 month prior to the due date. Please note that the Final Report is due on February 28, 2023.

We wish you success on your project. If you have any questions, please contact me at 507-214-7040 or jenniferh@smifoundation.org.

Best Regards,



Jennifer Heien
Grants Coordinator

encl: Check, Final Report forms, and Grant Commitment form



Small Town Grant Application

Click in the boxes below to type your information. Use the Tab key to navigate through full application. Save and/or print the full application to submit to Southern Minnesota Initiative Foundation (SMIF) via email, fax or mail. **Handwritten applications will not be accepted.**

I. Applicant Organization			
Organization City of Eagle Lake		Federal Employer ID # (FEIN) 41-6005110	
Primary Contact Person Jennifer J. Bromeland		Title City Administrator	
Address 705 Parkway Avenue PO Box 159	City Eagle Lake	Zip 56024	
	County Blue Earth	Telephone 5072573218	
Email Address jbromeland@eaglelakemn.com			
Tax Status (Eligible organizations are tax exempt 501(c)(3) organizations, units/agencies of local, state or federal government and public schools):			
<input type="checkbox"/> 501(c)(3) <input checked="" type="checkbox"/> Unit of Government <input type="checkbox"/> Public Agency (Government Created)			
<input type="checkbox"/> Public School/Higher Education Institution <input type="checkbox"/> *Other (describe):			
<i>*Ineligible organization, requires eligible fiscal agent (see section II.)</i>			

II. Fiscal Agent (if applicable)			
Organization		Federal Tax ID # (FEIN)	
Primary Contact Person		Title	
Address	City	Zip	
	County	Telephone	

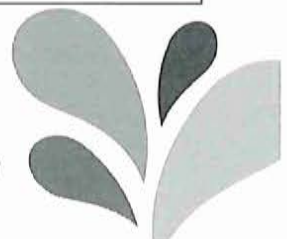




Email Address		
Tax Status (Eligible organizations are tax exempt 501(c)(3) organizations, units/agencies of local, state or federal government and public schools):		
<input type="checkbox"/> 501(c)(3)	<input type="checkbox"/> Unit of Government	<input type="checkbox"/> Public Agency (Government Created)
<input type="checkbox"/> Public School/Higher Education Institution		

III. Project Description	
Grant Request \$10,000	Total Project Cost \$20,000
Project Beginning Date 1/1/2022	Project End Date 8/31/2022
Project Type <input checked="" type="checkbox"/> New Initiative <input type="checkbox"/> Existing Project with New Components	
Project Title Strategic Economic Development Plan and Initiative	
Brief Project Description The proposed plan and initiative will be developed through a three step process: 1. Economic Development Assessment and Markey Analysis; 2. Stakeholder Outreach and Competitive Position; and 3. Development of Recommended Strategies and Implementation. The process will incorporate both quantitative and qualitative elements to create a comprehensive picture of Eagle Lake's local economy, position, and reputation within the region. Each stage of the process will incorporate public engagement in order to verify findings, test assumptions, and uncover additional opportunities or challenges to be addressed in the final implementation plan.	

IV. Narrative (Please limit to no more than 3 pages)
<p>A. Briefly describe your organization and how it is best suited to accomplish project. Eagle Lake is a growing community with a current population of 3,158. It is part of the Mankato-North Mankato Metropolitan Statistical Area. Named the 2nd fastest growing city in Minnesota in 2016, Eagle Lake is a small city with a family friendly atmosphere - a safe, quiet community located just a few minutes from the large regional center of Mankato.</p> <p>B. Provide a timeline for project completion. Begin in January 2022 and complete by the end of August 2022.</p>





C. Which communities/counties will this project serve?

Eagle Lake

D. What are you observing in your communities which is causing struggles or pain points in the town?

Eagle Lake is economically connected with the anchors of the Mankato/North Mankato MSA to a higher degree than most other cities in Blue Earth County due to its close proximity to the larger urban areas. Studies of nearby cities suggest that it can be a blessing and a curse to be closely linked to the larger urban areas. Residents are typically very well educated and enjoy above average income, yet it can be difficult for our community to grow and sustain economic prosperity within city limits as most of our residents commute to Mankato or North Mankato for work. Eagle Lake last completed a strategic plan in 2005, and contacted the Region Nine Development Commission (RNDC) to potentially conduct a new plan for the City. Conversations turned to the need for not only a plan, but an intensive study with community and business input for a plan with clear implementation components that can strengthen the local economy, entrepreneurship within the city, and economic development efforts geared towards long term sustainability and success.

E. How will this initiative make it a better place for people to live?

The purpose of this plan is to position the City as a regional destination with a well-diversified economic base that is prepared both to weather a variety of economic stressors and to grow in a consistent and sustainable manner. An objective of the initiative is to increase engagement with residents and businesses through surveys, interviews, and community input sessions.

F. How will your project impact people's lives?

Foster community engagement and collaboration with residents and businesses. By establishing a strategic plan and vision for our community, the end result will be to increase quality of life opportunities and satisfaction.

G. How will the community's actions change because this work is happening?

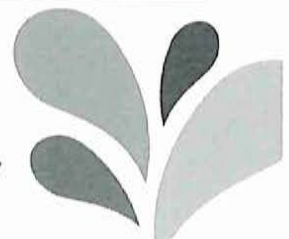
Increased community engagement and collaboration will lead to a more vibrant and strong and successful community.

H. Who are the partners in this project?

City (Staff, City Council, Economic Development Authority, Park Board, Planning Commission) and the RNDC.

I. Identify the talents of the people and resources in your community which will help make this project successful.

Eagle Lake is a growing community with many young families who are interested in being active members of the community. Residents may welcome the opportunity to become more engaged in the process and provide input on their vision for the future of the community. The Economic Development Authority, Planning Commission, Parks Board, City Council, and City staff would participate in the process.





V. Proposal Checklist – Required Documents from Fiscal Agent/Applicant Organization

Nonprofit Organization:

- Completed application
- Audited financials or filed tax forms if unaudited
- IRS 501(c)(3) Determination Letter
- Letter(s) of support from partner organization(s) other than the applicant organization and fiscal agent

Unit of Government, Public Agency or Public School:

- Completed application
- Audited financials or filed tax forms if unaudited
- Letter(s) of support from partner organization(s) other than the applicant organization and fiscal agent

VI. Application Submittal

I have read thoroughly and comply with the Small Town Grant Program Guidelines. To the best of my knowledge, all information provided in this application is true and correct.

Print Name

Jennifer J. Bromeland

Date

July 15, 2021





SOUTHERN MINNESOTA
INITIATIVE FOUNDATION

Attachment - Anticipated 12-Month Project Budget

If you have any questions or the budget does not balance, please contact Jennifer Heien, Grants Coordinator, at 507-214-7040 or jenniferh@smifoundation.org

Applicant Organization/Fiscal Agent Name:	City of Eagle Lake
Applicant Organization or Fiscal Agent Federal ID #:	41-6005110
Project Title:	Strategic Economic Development Plan and Initiative
Amount Requested from SMIF:	\$10,000

Gray fields fill in automatically

Round to nearest dollar

PROJECT REVENUE:	Applicant Match			Total Revenue
	Project Cash In-Hand	Project Cash Requested/ Not Yet Received	*Project Non-Cash Support/ In-kind	
Applicant Organization	\$10,000	-	-	10,000
Nonprofit Organizations (Do not include SMIF request)				-
Government Units/Agencies (local, state, federal)				-
Public Institutions (higher education, school districts, libraries, etc)				-
Corporations/Businesses				-
Clubs/Associations				-
Individuals				-
Participant Tuition/Fees/Memberships				-
Other Sources (describe below):				-
				-
				-
				-
Total Applicant Project Revenue	\$ 10,000	\$ -	\$ -	\$ 10,000
Southern Minnesota Initiative Foundation Grant Request				
Total Project Revenue				10,000
				20,000

*Project Non-Cash Support/In-kind is defined as goods or services (other than cash) that are invested in a project (such as a volunteer's time; or project space, equipment, materials, supplies, etc.).

	Applicant Match		Budget Total
	Project Cash Expenses	Project Non-Cash Expenses	
PROJECT EXPENSES:			
Salaries and Wages/Benefits			-
Consultant Fees/Contract Fees	5,000		15,000
Travel			-
Rent/Lease/Utilities			-
Communications (postage, printing, telephone)	1,500		1,500
Equipment			-
Supplies	2,000		2,000
Technology			-
Marketing/Promotion/Publicity	1,500		1,500
Scholarships/Participant Fees			-
Participant Meals/Transportation/Childcare			-
Other Expenses (describe below):			-
			-
Total Project Expenses	\$ 10,000	\$ -	\$ 20,000

****Use this column to show how you plan to spend the funds you are requesting from SMIF**

	Must all equal OK
Budget Check Figures:	
Maximum SMIF Request: \$10,000	OK
<i>Small Town Grant requests can be up to, but not exceeding \$10,000</i>	
The applicant match total equals or exceeds the amount of SMIF request	OK
<i>All Small Town Grant requests require a dollar-for-dollar match (minimum 25% cash match)</i>	
Applicant cash revenue equals applicant cash expenses	OK
<i>Must show how all project income will be spent and how all project expenses will be paid for</i>	
Applicant non-cash revenue equals applicant non-cash expenses	OK
<i>Must show value and source of non-cash support and break it down by category under expenses</i>	
Applicant cash match is 25% or greater of SMIF request amount**	OK
<i>All Small Town Grant requests require a 25% cash match</i>	
SMIF Grant Request equals SMIF Funds expenses	OK
<i>Small Town Grant Request must equal Project Expenses: SMIF Funds total</i>	
Project expenses equal project revenue	OK
<i>Total Project Revenue should equal Total Project Expenses. If not please make sure project budget shows how all income will be spent and how all expenses will be paid for</i>	




STRATEGIC ECONOMIC DEVELOPMENT PLAN

Region Nine Development Commission (RNDC) proposes to research and create a Strategic Economic Development Plan (PLAN) for the City of Eagle Lake (CITY).

BACKGROUND

The city administrator, Jennifer Bromeland, contacted RNDC to identify our ability to conduct strategic planning. An initial meeting was held to discuss the possibility, ability, and brief context. Jennifer identified the Economic Development Authority Commissioner Handbook, from 2005, was not regularly referred to for guidance or direction.

RNDC agreed to develop a proposal for the city to consider as they work to position themselves as a regional destination with a well-diversified economic base that is prepared to both weather a variety of economic stressors and to grow in a consistent and sustainable manner. Relevant examples of our work include the Feasibility Study for the St. Peter American Legion (available upon request) and the on-going Strategic Economic Development Plan for Lake Crystal.

The plan will culminate in a comprehensive report that both details recommendations for further study and includes specific steps for implementation.




PROPOSED SERVICES

1. Develop and conduct surveys to solicit input from residents of the city and surrounding area to gauge perceptions on a variety of topics, including successes and challenges, hopes and aspirations for community development, retail and commercial preferences, multi-year visions and several others.
2. Conduct interviews that focus on current economic drivers of the city's economy, including builders and developers, store and business owners, and economic development professionals.
3. Moderate community input session(s) in a town-hall style forum to maximize community engagement and maintain focus to the task of economic development planning.
4. Perform comprehensive economic analysis for the city and surrounding area including:
 - a. Profile of employers and regional commuting patterns
 - b. Forecasting for economic performance
 - c. Assessment of housing stock and need
 - d. Overview of workforce and labor gaps
 - e. Industry-level maps and recommendations
 - f. Land-use summary maps and recommendations
 - g. Five-year work plan
5. Receive input following the completion of the draft plan and adjust as necessary for the final comprehensive report.




DELIVERABLES

RNDC proposes to direct and lead all aspects of the planning and writing process. Responsibilities will terminate after formal adoption of the plan by City Council. Implementation assistance could be addressed through a separate agreement later.

The city will compensate RNDC for its staff time and indirect costs – including, but not limited to, contractors, office supplies and space, telecommunications and transportation, and printing.

PROPOSED TIMELINE AND COST

Month 1	In partnership with city officials, draft survey language; establish date(s) and location(s) for community input session(s); begin research on city economy, workforce, industry, etc.; begin mapping
Month 2-3	Post and promote online survey; hold community input session(s); conduct business interviews; continue economic research and mapping
Month 4-5	Hold final community session (if necessary); compile survey, interview, and session date; begin drafting
Month 6	Draft report and present for public review
Month 7	Incorporate changes from public review and submit the final comprehensive report
Estimated Cost:	\$15,000.00