

- Council discussion included an interest to research possible language amendments to code to address appropriate equipment for sidewalk snow removal by residents and the need to consult with the Public Works department on this.
- City Attorney Chris Kennedy stated that nothing indicates that the Bechel's are doing anything wrong and that he would recommend that staff research this and bring back to Council. He also stated that April would be the earliest this could come back to Council.

NEW BUSINESS

1. Recess Regular Meeting and Adjourn into Closed Session as Permitted by Minnesota Statutes
 - a. The meeting will be closed as permitted by the attorney-client privilege (Section 13D.05, subdivision 3(b)) to discuss pending litigation involving Citizens Against Motorsports Park, et al. vs. City of Eagle Lake
 - b. The meeting will be closed as permitted by Section 13D.05, subdivision 3 (b), to consider pending litigation related to the property at 317 LeRay Avenue.
 - Council Member White moved, seconded by Council Member Rohrich to enter into a closed session to discuss items listed above. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
2. Resume Regular Meeting
 - Council Member Steinberg moved, seconded by Council Member Whittington, to adjourn the closed meeting and to enter back into the public meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
3. LeRay Township Detachment
 - Council Member Norton moved, seconded by Council Member Rohrich, to move forward with legal proceedings relating to 317 LeRay Avenue, as discussed in the closed session. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
 - Administrator Bromeland explained that LeRay Township had submitted a request to detach the parcel annexed into the City due to construction not taking place within 36 months, as allowed for in the annexation agreement.
 - Since the initial detachment request, the City of Eagle Lake asked LeRay Township to consider annual payments instead of a lump sum payment. LeRay Township is no longer interested in detachment and is asking for the lump sum payment as written in the annexation agreement. These funds were set aside in the 2022 budget.
 - Council Member Steinberg moved, seconded by Mayor Norton, to authorize staff to make the lump sum payment to LeRay Township. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
4. Schedule Public Hearing to Amend Ordinance Related to Expanding Timeframe to Clear Sidewalks
 - Discussion took place at a recent City Council meeting about the need to look into the timeframe with which property owners have to clear sidewalks of snow and ice following a snow or other precipitation event. Concern was expressed that the current timeframe of twelve hours to remove snow and ice from sidewalks is too short and poses challenges for property owners. Included in the Council packet was survey results from area cities and how long property owners are given to clear sidewalks.
 - Administrator Bromeland explained that before Council tonight is the need to decide if they are interested in amending Chapter 3, section 3.010, Subdivision 3A of City code. She also reminded Council of the need to balance the time residents have to clear snow/ice and that children need to use sidewalks to get to school. Residents will need to be given a 10-day notice of any public hearing on this issue. If code changes are looked at, it will not be able to go into effect this winter due to timeframes needed in this process.

- Council discussion included the thought that twelve hours is not sufficient time for residents to clear sidewalks, the desire to look at acceptable equipment for snow remove on sidewalks, and the concern about snowmobiles using sidewalks.
 - Council Member White moved, seconded by Mayor Norton, to research snow removal timeframes, snow removal equipment and snowmobiles using sidewalks and bring to the March City Council meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
5. Eagle Ridge Phase II Escrow and Request from Developer to Release Remaining Funds
- Administrator Bromeland explained that Luke Israelson with KJ Walk responded to the City Council’s request for him to present his estimated costs for boulevard restoration in the Eagle Heights Phase II development. She read the correspondence received from Mr. Israelson in which he stated his estimated cost for this restoration would be \$5,008 for his crew to do the required work. She also explained that if the developer defaults on making corrections, it will cost the City substantially more to do required work. Also explained was that the developer also inquired about utilizing a letter of credit, but currently the City has the actual funds in hand.
 - Council discussion including the cost the City could expect to haul in the necessary dirt, with Public Works Director Hartman estimating the dirt, hauling and grading cost could be \$10,000 and this would not include seeding costs. Discussion also included that the developer missed the original deadline to have all work completed and that the City was generous to provide a second chance.
 - Council Member White moved, seconded by Council Member Rohrich, to give the developer, KJ Walk, until May 1, 2023 to have work completed to the City’s satisfaction and if work is not completed by May 1, 2023 the City will contract out for this work. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
6. Audit Engagement Letter
- Administrator Bromeland explained the City has received an engagement letter from Eide Bailly for audit services for year end 2022 at cost of \$25,500. She stated she has requested a three-year proposal for years 2023-2025.
 - Council Member Whittington moved, seconded by Council Member Rohrich, to authorize Mayor Norton to sign the Audit Engagement Letter from Eide Bailly. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
7. Assign Committed Fund Balance for Capital Outlay
- Administrator Bromeland explained that the City’s auditors have requested that the Council approve year end 2022 capital outlay balance amounts. The December 31, 2022 year-end capital outlay balance is \$1,712,966.68. Capital outlay funds are reflected as “committed ” funds on the balance sheet of the annual audit.
 - Council Member Whittington moved, seconded by Council Member Rohrich, to establish a balance of \$1,712,966.68 in capital outlay as of December 31, 2022. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
8. Agreement for IT Consulting Services
- Administrator Bromeland stated the City currently contracts with CTS for IT consulting services and has since at least 2014. Due to concerns with increasing IT costs, a request for proposal was put together. In addition to pricing obtained from CTS, proposals have been received from Patheon, CIT, and VC3. An important takeaway from this process is that the police department most likely requires its own server to ensure compliance with BCA requirements. This has been communicated to both the chief of police and CTS, and they are in the process of determining what is appropriate. On average, CTS currently spends about 14 hours a month supporting the City of Eagle Lake.

- Council Member Whittington stated he reviewed the proposal and explained that with CTS the city leases the networking equipment and with the other proposals the City would need to purchase this equipment.
- Council Member White moved, seconded by Council Member Steinberg, to contract with CTS for IT services. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

9. Request for Keeping of Chickens within City Limits

- Administrator Bromeland explained that Mayor Norton and Council Member Steinberg have requested that the topic of keeping chickens within City limits be discussed. If there is interest in allowing chickens within City limits, an ordinance amendment will be needed to exclude chickens from “farm animals”. A chicken ordinance would also be required regulating the keeping of chickens within City limits.
- Mayor Norton stated that backyard chickens are becoming common, and the current ordinance does not allow for this. She stated the current ordinance does not allow for people to provide their own food and that other cities have reasonable restrictions and can serve as good examples.
- Council discussion included that if approved there is a need to be very clear with expectations, such as number of chickens allowed, how to dispose of waste, what to do if chicken dies, compliance checks, and neighbor notification, etc. Planning and zoning would be affected by such an ordinance for the construction of chicken coops/runs.
- Council Member Steinberg moved, seconded by Mayor Norton, directing staff to research language for allowing chickens within City limits.
- Council Member Steinberg amended the motion, seconded by Mayor Norton, directing staff to research what other communities allow for backyard chickens and to mirror that language for City Council to review.
- Council discussion included Council Member Whittington asking to allow staff sufficient time for research and to bring to the April City Council meeting.
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

10. Request to Adjust Emergency Part-Time Snowplow Operator Hourly Wage

- Administrator Bromeland explained that Public Works Director Hartman shared that the current emergency part-time snow plow operator asked for a consideration in a rate increase. This position was brought on a couple of years ago when the department was short staffed. The City has control of when this employee works and the number of hours they work and it saves on overtime with full-time employees. Staff recommended an increase from \$20 to \$25 per hour.
- Council Member Steinberg moved, seconded by Council Member White, to increase the pay for the emergency part-time snowplow operator to \$25 per hour. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

11. Amended Use Agreement

- Administrator Bromeland explained that approval was obtained at the January 9th City Council meeting to enter into a Use Agreement with Gary and Kim Hiniker and Steve Worle. Following the meeting, a copy of the approved agreement was sent to the Hiniker’s. Gary Hiniker called and said the agreement looked fine to him but that he would send to Mr. Wolfe for his review. Per an email from Mr. Wolfe, it appears that in order for Mr. Wolfe to agree to the terms, that an amendment may be necessary as it relates to the number of acres and also total cost per acre. A message was left with Mr. Wolfe asking him to let Administrator Bromeland know what figure he has in mind for the effort to make the snow fence and then come back to remove it.
- Also explained by Administrator Bromeland was that in the past there was only a verbal agreement and that a written agreement would better serve the City and property owners and farmer.

- Administrator Bromeland stated Mr. Wolfe has indicated a fee of \$1,600 per acre and that he would leave 1.8 acres to be used as a snow fence.
- Council discussion included that a crop snow fence would cost \$2,880 a year, if a permanent snow fence would be a possibility, and how effective wind rows are in comparison to a crop fence. Council expressed no desire to leave beans as a wind row and create wind rows when beans are planted.
- Council Member Rohrich moved, seconded by Mayor Norton, to amend the agreement presented to create a one-year agreement which states that in non-corn years the City will need access to the property to create wind rows and in return will clear sidewalks for Mr. Hiniker in the Creekside development. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

12. Agreement for MS4 Services

- Administrator Bromeland stated before Council is a proposal from ISG to provide professional services for SWPPP program administration and implementation of the Municipal Separate Storm Sewer System (MS4) General Permit for the City of Eagle Lake. The proposal encompasses a scope of work that ensures that the City of Eagle Lake implements and meets MS4 program requirements and includes program management and specific tasks for each minimum control measure. The proposal is for 2023-2024 and totals \$30,240 which is \$15,120 per year.
- Council discussion included the non-compliance issue which was due to the program not being implemented at the time when the City was notified of being on MS4 city in 2015. At that time the City had the option to join with Mankato to implement this program, but chose to do this independently.
- Julie Blackburn with ISG explained that the Minnesota Pollution Control Agency (MPCA) selects a certain number of cities every year to audit and that they usually find some areas needing correction. She went on to explain there are four items relating to the MS4 requirements that should be revised to tighten up to have a good record and an ordinance change may be needed.
- Ms. Blackburn stated that the MPCA will be updating their permit in 2025 and will be including water quality and modeling requirements.
- Administrator Bromeland responded to Council's questions about this service and explained that this will be a continual service needed and will need to be contracted out.
- Council Member Rohrich moved, seconded by Council Member Whittington, to accept ISG's MS4 proposal. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

OTHER

1. Bobcat Demo Opportunity for Eagle Lake Public Works at Park – PW Director Hartman

- Administrator Bromeland stated Andrew Hartman has been in contact with a dealership about a demonstration at the park which could save the city money. She also stated that pitfalls have not been researched yet.
- Public Works Director Harman stated that Bobcat approached him asking to put on a demonstration by the ponds. This would allow the City to get rid of trees at no cost and would be a sale opportunity for Bobcat. Bobcat would host the demonstration and the City would provide the site.
- Council discussion included safety concerns for children. This event would take place during the day and would not be open to public participation, rather would be a professional event. Council expressed a desire for Bobcat to provide the promotion information, not the City.
- Mr. Hartman stated that Bobcat's competitor Case has indicated they are not interested in hosting such an event.

- Council Member Rohrich moved, seconded by Mayor Norton, to allow Bobcat to hold their demonstration event at Lake Eagle Park, stating specifically that this is not a City sponsored event. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.1

CITY ADMINISTRATOR REPORT

1. Update on TA Grant Application – An ATP-7 Transportation Alternatives Solicitation Full Application from the City of Eagle Lake was submitted on January 13th. Administrator Bromeland is scheduled to give a presentation to the ATP Review Committee on March 1st. It is anticipated the date to award these grants will be April 14th.
2. Hiring Updates – Four interviews are scheduled for February 14th for the Community Development Coordinator position. Those that will be sitting on the interview committee include Administrator Bromeland, Jess with MVCOG, Personnel Committee members Beth Rohrich and John Whittington, and a rep from the EDA and Planning Commission. It is possible a recommendation to hire will be included on the March 6th agenda if there is a suitable candidate for the position. A review of applications from the 4th Full-Time Public Works Worker and 4th Full-Time Police Officer will be underway this month. It is also possible that a recommendation to hire for each of the positions will be included on the upcoming March 6th agenda if there are suitable candidates for the positions.
3. Water Tower Rehab – With the start date of the water tower rehab project coming up on April 15th (weather permitting), the design for the water tower should be finalized by the March 6th meeting.
4. Upcoming Remote Meeting with Legislators to Discuss WTP Funding - A remote meeting has been scheduled with local legislators, Mayor Norton, and Administrator Bromeland to discuss legislative bills relating to the proposed Water Treatment Plant project. The purpose of the meeting is to keep the lines of communication open and reiterate the importance of the project and need for funding.
5. Recap of Insurance Appraisal – The City of Eagle Lake is insured through the League of Minnesota Cities Insurance Trust (LMCIT). LMCIT partnered with HCA Asset Management to develop a completed appraisal report for the City of Eagle Lake. Administrator Bromeland has reviewed the report and after speaking with the City’s insurance agent, Mike Kennedy with Allied Insurance Agency, the appraisal values are concerning due to some steep increases. This has a direct effect on our premium amounts. It is Administrator Bromeland understanding that LMCIT will update the City’s property schedules to reflect the new values at the upcoming renewal. Mr. Kennedy will attend an upcoming meeting to review the report and talk about next steps and what, if any, options exist or if we have no choice but absorb the premium increases. As per LMCIT, there will not be another appraisal for approximately 6 years.
6. Monthly Financial Reports – Administrator Bromeland stated she will be emailing Council monthly the City’s financial reports.
7. MS4 Audit – Administrator Bromeland gave a brief recap of the MS4 audit and findings.

COUNCIL REPORTS

1. Council Member Rohrich stated she attended the Community Education and Recreation (CER) meeting in January where it was mentioned that the ACES program has 100 kids on a wait list. An increase in wages for next year has been approved. Ms. Rohrich stated she relayed appreciation to CER staff for the events they have organized in Eagle Lake. She also stated that CER is close to getting adult pick up basketball run through the school in Eagle Lake.
2. Council Member Steinberg stated there will be a Music on Parkway meeting in the next couple of weeks. Resident Kyle Rueter has expressed interest in servicing on a task force to explore the possibility of a community room for Eagle Lake.
3. Mr. Steinberg also stated that he suggested the eagle on the water tower be kept as is for branding purposes. Council Members Whittington and Rohrich stated they are not a fan of the Eagle and that they would like to

see the blue wave, not the eagle on the water tower. Council members agreed that the keeping the darker color on the bottom of the tower would be desired.

4. Mayor Norton stated she attended the Region 9 meeting and joined the transportation and legislative committees. She also attended the Mayors and Clerks meeting.

ADJOURNMENT

- Council Member Whittington moved, seconded by Council Member Steinberg, to adjourn the meeting at 9:21 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

Lisa Norton, Mayor

Kerry Rausch, Deputy Clerk