

**CITY OF EAGLE LAKE**  
**MAY 2, 2022**  
**CITY COUNCIL MEETING AGENDA**  
**705 Parkway Avenue at 6:00 P.M.**

City Council meetings are held the first Monday of every month at 6 p.m. All meetings are open to the public. If you wish to address the City Council in person, please contact City Hall at 507-257-3218 or email [krausch@eaglelakemn.com](mailto:krausch@eaglelakemn.com) or [jbromeland@eaglelakemn.com](mailto: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. To view meetings, please visit the City of Eagle Lake website at [eaglelakemn.com](http://eaglelakemn.com) and click on the "City of Eagle Lake MN City Council Meetings" icon on the home page of the website.

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

**CALL TO ORDER**

**ROLL CALL**

\_\_\_ Auringer    \_\_\_ Steinberg    \_\_\_ Rohrich    \_\_\_ White    \_\_\_ Whittington

**OPEN PUBLIC COMMENTS**

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

**APPROVAL OF THE AGENDA**

**APPROVAL OF MEETING MINUTES**

- City Council Meeting Minutes from April 4, 2022 Pg. 3

**CONSENT AGENDA**

- |                        |        |   |        |
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| 1. Monthly Bills       | Pg. 18 | 2. Treasurer's Report                           | Pg. na |
| 3. Police Report       | Pg. 58 | 4. Fire Report                                  | Pg. 62 |
| 5. Public Works Report | Pg. 63 | 6. Building and Zoning Permits                  | Pg. 64 |
| 7. Gambling Report     | Pg. 65 | 8. Res. 2022-22 Accept Donation<br>from Scheels | Pg. 66 |

## PRESENTATIONS

1. Brad Bass, Mankato Motorsports Park

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## PUBLIC HEARING

## OLD BUSINESS

## NEW BUSINESS

1. Review Conditions and Set Public Hearing for Amended CUP (R12.09.12.476.005) Pg. 68
2. Lutter Avenue Access Pg. 74
3. Certificate of Title – Certificate of Forfeiture (R12.09.13.279.028) Pg. 84
4. Outlots F & G in Eagle Lake Parkway Corridor Plat Pg. 103
5. Withdrawal of Annexation Request from R43.09.12.400.006 Pg. 109
6. Resolution Electing Standard Allowance (American Rescue Plan Act) Pg. 111
7. Return Unused Forgivable Child Care Loan Program Funds to BE County Pg. 116
8. Pricing Obtained to Remove and Replace 7 Ash Trees at Lake Eagle Park Pg. 120
9. Hiring of Part-Time Seasonal Public Works Worker Pg. 125
10. Street Sweeping Estimate Pg. 126
11. Baseball Field Repair Pg. 128
12. Community Service Opportunity Request from Resident Pg. 129
13. Lights On! Program Pg. 130
14. Hiring of Part-Time Police Officer Pg. 140

## OTHER

1. All Seasons Arena – Recap of Recent Board Meeting

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## CITY ADMINISTRATOR REPORT

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1. MS4 Update
2. Fox Meadow Development Update
3. Congressionally Directed Spending Requests Submitted for Water Treatment Plant Project
4. Residential Survey Update
5. Audit Report Presentation Scheduled for June

## COUNCIL MEMBER'S REPORT

## ANNOUNCEMENTS

- Next Regular **City Council** Meeting -June 6, 2022 at 6:00 p.m., City Hall – Council Chambers, 705 Parkway Avenue
- Next Regular **EDA** Meeting – May 26, 2022 at 6:45 AM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **Park Board** Meeting – May 12, 2022 at 6:45 AM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **Planning Commission** Meeting – May 16, 2022 at 6:00 PM, City Hall-Council Chambers, 705 Parkway Ave

## ADJOURNMENT

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If you have any questions, please feel free to contact City Hall at 507.257.3218 or email at [jbromeland@eaglelakernm.com](mailto:jbromeland@eaglelakernm.com).

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
APRIL 4, 2022**

**CALL TO ORDER**

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

**ROLL CALL**

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Tim Auringer.
- Staff present: City Administrator Jennifer Bromeland, Police Officer Dustin Jensen, Public Works Director Brian Goettl, Fire Chief Vern Simpson, and Deputy Clerk Kerry Rausch.

**PUBLIC COMMENTS**

1. Bruce Beyer, 104 Creekside Drive, asked if there is a process to allow him to install a parking pad along side his garage. Staff was asked to bring this request to the Planning Commission. This is also an item which could be considered when updating city code.
2. Mike Guentzel, 60374 224<sup>th</sup> Lane, Madison Lake, asked that with only two bids being received and with one of those bids being from Houston who failed to identify items during the initial third-party review, why they are being considered. He stated he hopes the City tries to find someone else to do this review. Since the last EAW there are changes being made to roadways and intersections. He also stated his belief that the supplemental EAW is not a stand-alone document and that it has been tied to the original. He stated there is no supplement to an EAW and that a supplement is part of a whole. He asked that Council look at it as a whole unit. He encouraged new council members to read the original EAW.

**APPROVAL OF THE AGENDA**

- Administrator Bromeland asked that “Parking in Lake Eagle Park” be added under New Business.
- Council Member Rohrich moved, seconded by Council Member White, to approve the agenda as amended. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

**APPROVAL OF MEETING MINUTES**

- Council Member White moved, seconded by Council Member Rohrich, to approve the March 7, 2022 City Council meeting minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

**CONSENT AGENDA**

- Mayor Auringer stated the consent agenda includes a resolution appointing Don Wesely to the Park Board and the resignations of Aran Augustin from the Fire Department and Joshua Norton and Katherine Scheurer from the Planning Commission.
- Council Member White moved, seconded by Council Member Rohrich, to approve the consent agenda.
  - Monthly Bills
  - Fire Report
  - Gambling Report
  - Resolution 2022-16 Appoint Don Wesley to the Park Board
  - Treasurer’s Report
  - Public Works Report
  - Police Report
  - Building & Zoning Permits

Resolution 2022-17 Appoint Election Judges

Resolution 2022-18 Resignation of Aran Augustin from Fire Department

Resolution 2022-19 Resignation of Joshua Norton from Planning Commission

Resolution 2022-20 Resignation of Katherine Scheurer from Planning Commission

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

## PRESENTATIONS

### 1. Tony Steffensmeier: Parcel R12.10.07.200.001

- Administrator Bromeland explained that Tony Steffensmeier, owner of R12.10.07.200.001, has contacted the City to find out what he needs to do to convert his parcel from ag to commercial. Mr. Steffensmeier was advised that he should attend tonight's meeting to discuss his plans with the City Council and find out if there is an interest at this time in allowing the parcel to be developed separate from the proposed Mankato Motorsports Park Project. But for the proposed project, the parcel would not have been annexed into City limits.
- She also explained that for background purposes this parcel was annexed into City limits in October of 2019 as part of a joint resolution for orderly annexation between the City of Eagle Lake and LeRay Township for the proposed Mankato Motorsports Park Project. Once annexed, the parcel converted to an ag district for city zoning purposes. To change the use of the parcel, rezoning would need to occur. At the time of annexation, the parcel was owned by Bernadine Kopachek and then later sold at auction. When contacted by City staff, the developer of Mankato Motorsports Park Project indicated that the sale of the parcel would not affect the viability of his project and that the project could move ahead without the parcel. According to Mr. Steffensmeier, he is a separate entity from the Mankato Motorsports Park Project.
- Administrator Bromeland also explained that the joint resolution includes a reversion clause. As per the agreement, "should the property not be developed and retains its rural character, thirty-six months after the execution of the agreement, the property would revert back to the township. Legal counsel advised that LeRay Township be notified of the matter as the City would not want to approve a use that might not be allowed if the property were to revert to LeRay Township. City staff spoke with Phyllis Daschner, LeRay Township Chair, who was present at the meeting to learn more about Mr. Steffensmeier's plans for the parcel and to ask questions.
- Mr. Steffensmeier explained that he would like to install a pole barn/warehouse for business storage and personal use. He has spoke with the developer who has indicated he is ok with the proposed buildings.
- City Attorney, Chris Kennedy, recommended that the developer of the proposed Motorsports Park figure out what he wants to do with the parcels and that the City Council needs to keep in mind the reversion clause of the annexation agreement and that the City would not want an island of land annexed into the City. He recommended that Mr. Steffensmeier talk with LeRay Township to determine if they would have concerns with the proposed structure(s) in case this property reverts back to the township.
- Council suggested Mr. Steffensmeier prepare a site plan including the size and location of the buildings on the parcel for review.

### 2. Jesse Samuelson with LJP Waste Solutions: Spring Clean up and Fuel Surcharge

- Administrator Bromeland stated that Mr. Samuelson with LJP was asked to attend the meeting to discuss concerns with the spring cleanup change and the fuel surcharge notice that was received at City Hall. City staff has shared with Mr. Samuelson that a comment was received on the City of Eagle Lake Facebook page asking about residents that are disabled and unable to get their items to the drop off location. Mr. Samuelson responded that LJP Waste Solutions will coordinate pickup of items for residents that are disabled and who have no other means to get their items to the drop off location. Residents who have a disability which prevents them from getting their items to the drop off location will need to contact City

Hall so that a pickup time can be coordinated with LJP Waste Solutions. A response was posted to the comment on the City's Facebook page asking the resident to contact City Hall but to date no response has been received. Information will be included in the Spring City Newsletter. Presented to Council was a survey of how other area cities and haulers are handling cleanup events with North Mankato being the only city offering a curbside cleanup event. Mr. Samuelson stated that North Mankato may have their staff assist in the curbside cleanup event.

- Mr. Samuelson addressed suggestions residents shared via Facebook, stating that extra bags for residents to fill and have picked up at normal trash collection would not be an option for the large items disposed of at cleanups. Neighborhood dumpsters could overflow and inappropriate items could be deposited in the dumpsters, incremental curbside cleanups by sectioning off the town would take several weeks and would be too confusing for this spring cleanup, but could be consider in the future, having the garbage trucks park at the entrance to the park so that vehicles don't have to drive into the park and turn around may be a viable option.
  - Council discussion included that the City could look for alternate locations keeping traffic flow in mind.
  - Mr. Samuelson stated that due to driver shortages and the fact that drivers can work only 60 hours a week, their drivers are not able to take a day off during the week to allow for curbside pick up events. There is a lack of available CDL drivers which is causing this issue. A curbside cleanup event required five trucks with three people per truck. By going to a drop off location event this can be done with three trucks and three men. Residents are encouraged to bring help to the clean up event if they need help unloading their items.
  - Mr. Samuelson stated LJP has met with and talked to other cities regarding a fuel surcharge and explained that this is a temporary charge due to high fuel costs. They have calculated the time and fuel used in each city to determine the fuel charge amount. He explained that LJP used a calculation to determine the appropriate temporary fuel charge rate and their calculation shows that LJP uses 346.4 gallons of fuel per month in Eagle Lake. The temporary fuel surcharge would then be calculated by determining the current price of fuel and subtracting \$3.50. This amount would then be multiplied by the 346.4 gallons of fuel used.
  - Attorney Chris Kennedy stated that a fuel surcharge is not in the current contract and that the City Council does not have the authority to modify the contract.
  - Discussion included that LJP feels this is a separate charge from the contract and that future contracts would likely include this type of language.
  - Council discussion included that the annual cost-of-living increases should be used to cover additional expenses and that a new contract would need to be negotiated. The current contract expires in 2026. An addendum to the contract could be considered. If a change to the contract is considered, such a change would need to be in writing.
3. Julie Blackburn and Paul Marston with ISG: Owl Lane Stormwater Pond Testing Options
- Ms. Blackburn presented an overview, explaining that ISG was contracted to study storm water ponds 15 and 16 along Owl Lane due to appearance and odor which became a nuisance to surrounding residents.
  - A pond summary included pond volumes have been reduced only slightly since construction and there are no obvious structural, hydrologic, or hydraulic causes driving nuisance algal conditions. Ponds are consistent with MPCA design criteria with one exception, mature trees are present around the entirety of Pond 16 and within 25 feet of pond 15's outlet structure. Ms. Blackburn also stated that neither of these findings explain the issue.
  - Ms. Blackburn explained that storm water ponds are developed to limit natural stormwater treatment capacity. Runoff reaches stormwater ponds through storm sewers and direct overland runoff. They treat runoff from driveways, streets, and sidewalks by soaking up nutrients and pollutants and slowing the release of runoff prior to entering a natural waterbody or groundwater source. A stormwater pond's sole purpose is to treat stormwater runoff.

- Conditions are likely a result of hypoxia, or low dissolved oxygen (DO) concentrations in the ponds, which can be caused or worsened by: algal growth, fueled by phosphorus, can deplete DO; lack of inflow of stormwater with high DO concentrations, lack of inflows and outflows limit mixing, lack of outflow prevents discharge of phosphorus, hypoxia at the pond bottom can cause the release of additional phosphorus from sediments to the water column, further fueling algal growth.. May of these factors combine to create a snowball effect that can cause rapid deterioration in water quality. Some of the common pollutants which negatively affect ponds are fertilizers, pet waste, tree debris, pesticides, and trash. Such pollutants will increase aquatic plant and algae growth, may result in foul smell, and are aesthetically unappealing.
  - It was also explained that residents can play a roll in making a difference in pond quality. Some examples included proper disposal of pet waste, install native buffer zones such as grasses and flowers, turn downspouts onto lawns instead of driveways and sidewalks, avoid dumping chemicals, including yard chemical such as fertilizer directly into storm drains, avoid overwatering lawns, don't apply fertilizer before a rain event and run water into gardens.
  - Pond management recommendations included additional water quality sampling to evaluate phosphorus loading and discharge and to confirm types of algae, remove all trees and woody vegetation within 25 feet of inlets and outlets, and the selective or complete removal of trees around pond 16.
  - Pond monitoring options were presented along with cost for each along with treatment options.
  - Next steps include providing outreach and education materials to landowners to manage expectations, treatment considerations, and implement the city's monitoring program.
  - Council discussion included that the removal of algae would not eliminate the problem and that algae could return within a couple of weeks, tree removal as budget allows, water depth of 1.5 – 2 feet would be sufficient for barley straw treatment. Pond treatment costs would come out of the storm water pond fund. Many properties landscaping infringes on the storm water pond setback requirements.
  - Ms. Blackburn stated that if the city monitors the ponds, baseline information will be obtained and without this treatment may be difficult.
  - Also discussed was the concern that there are 26 ponds within city limits and how it will be perceived if only one pond is treated. Council indicated that some treatment recommendations can be utilized, and that community education is important. Future ordinance changes relating to storm water would help ensure ponds are maintained correctly.
  - Ms. Blackburn will research if pond 16 could be eliminated.
4. Anne Wolff and Scott Thompson with MnDOT: Hwy 14/CR 56 Construction
- Scott Thompson with MnDOT explained that previously MnDOT conducted an online engagement opportunity for the public to provide input on construction options and the winner was a "restricted crossing". From there MnDOT, Blue Earth County and the City of Eagle Lake agreed on the R-cut design. Mr. Thompson explained this this project has received funding and is fully funded.
  - The project is expected to begin May 16<sup>th</sup> and be completed by the end of June 2022. There will be three stages to the construction and the highway will remain open during construction. No detour is anticipated for Highway 14 through traffic; motorists can expect lane restrictions and speed reductions. There will be phases of construction that don't allow for specific turns at intersection. Staging maps will be posted on the project website in advance of construction [www.mndot.gov/d7/projects/hwy14eaglelake](http://www.mndot.gov/d7/projects/hwy14eaglelake), and roadway signs will direct motorists during construction.
  - Mr. Thompson also explained that an overpass is not financially feasible, costing approximately \$10 million, due to the lake to the north and the business to the south. He also stated that stoplights and reduced speed along this section would not work, stating a reduced speed section would create an enforcement nightmare and explained that drivers tend to drive at a speed they feel safe driving, not the posted speed

limit, and that a reduced speed zone would not change drivers' behavior. Traffic signals would be a recipe for fatal and serious rear end crashes.

- Council discussion included how many vehicles will fit on the R-cut section, which is about 40.

5. Vern Simpson, Eagle Lake Fire Chief: Recap of Recent Truck Inspection

- Mr. Simpson stated that through the annual vehicle inspections this year, it was identified that the ladder truck, #7312, needs a radiator, is having electrical issues when using the ladder, and needs lift cylinders which could cost up to \$10,000. The newest vehicle, the #1 pumper, which is covered under warranty, needs three valves to be replaced. Each vehicle will go in for repairs separately so that multiple vehicles are not out of commission at the same time. The pumper truck will have breaks replaced and the rescue vehicle is getting lighting upgrades.
- The cost for these repairs has not been received, but it is estimated that the cost of repairs for both vehicles could be \$20,000. This is an unexpected and unbudgeted expense. Mr. Simpson stated he will be watching the overall budget for the fire department closely.

## **PUBLIC HEARING**

1. Public Hearing for Tax Increment Financing District 3-2

- Administrator Bromeland stated that a public hearing was scheduled for the modification of municipal development district number 3, the adoption of a modified development program, the creation of tax increment financing district number 3-2, and the adoption of a related tax increment financing plan. Shannon Sweeney with David Drown Associates is in attendance to explain in more detail Tax Increment Financing (TIF) 3-2.
- Administrator Bromeland explained that Troy Schrom of Schrom Construction has been working on the development of a rental housing project within the City of Eagle Lake. The name of the development is Fox Meadow Townhomes, LLC. At this time, TIF is being requested for Phase 1 of the project, which will include 64-units. Once Phase 1 is complete and the developer is ready to commence Phase II, the developer will need to again demonstrate the financial needs, and a new TIF agreement would need to be authorized by the City Council.
- The terms of TIF assistance is 13-years. Income restrictions go away once the subsidy is completed (duration of TIF agreement). If the developer asks for additional TIF for subsequent phases, the income restrictions will need to remain in place for the entire project until the Phase II TIF agreement has expired.
- Administrator Bromeland noted that execution of the TIF agreement will not take place until after a development agreement addressing zoning, construction, and related issues authorized by the City Council has been approved and executed. City staff and the developer have been in communication regarding proposed terms of a development agreement. The developer must also complete the mandatory EAW process to commence construction.
- Shannon Sweeney explained that TIF is a way to capture new property taxes that are generated as a result of new development that occurs within the boundaries of a designated TIF district. For the proposed housing project, this capture period can extend for up to 26-years. Mr. Schrom has requested that the City reimburse 90% of the captured tax increment for a term of 13-years which would be expected to start with taxes payable in 2025. The developer will pay the taxes to the county and the county will send the city its portion of the tax payment. The city will then reimburse the developer for 90% of the taxes received. This is a pay as you go structure which is the method with the least amount of risk. Mr. Schrom will need to provide the City with verification of meeting income requirements by January 1<sup>st</sup> and July 1<sup>st</sup> of each year. Mr. Sweeney will prepare plans and send them to the county and school district; he will review the developer's financials. This is not a rent restriction project. If the city does not use their 10% for development, the funds will be returned to the county.
- Construction will begin this year and is estimated to be completed by January 1, 2023.

- Mr. Sweeney stated that the Mayor and City Administrator can implement the necessary documents.
- The public hearing was opened and closed with no comments being offered.
- Council Member White moved, seconded by Council Member Rohrich, to approve Resolution 2022-21 Approving the Modification of Municipal Development District 3, adoption of Modified Development Plan, the creation of TIF District 3-2, and TIF Plan. Mr. Sweeney verified that the modified plan would include a start date of September 1, 2022, which it would. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

**OLD BUSINESS**

- None

**NEW BUSINESS**

1. Resolution 2022-21: Resolution Adoption Approving the Modification of Municipal Development District No. 3, the Adoption of the Modified Development Plan relating thereto, the Creation of Tax Increment Financing District No. 3-2 therein, and Adoption of the TIF Plan
  - See Public Hearing
2. Letter from LJP Waste Solutions Related to Fuel Surcharge
  - See Presentations
3. Mankato Motorsports Supplemental EAW and Proposals Obtained for Third Party Review
  - Administrator Bromeland explained that a supplemental EAW was recently received from Bradford Development for the Mankato Motorsports Park Project which was done in response to an appeal filed by a group called CAMP “Citizens Against Motorsports Park, Michael Guentzel and Eric Guentzel relating to the initial EAW. The appeal was heard in the State of Minnesota Court of Appeals with the Court of Appeals reversing and remanding a new EIS determination on two issues – impact to wildlife and climate change.
  - Administrator Bromeland also explained that at the March 7<sup>th</sup> City Council meeting it was explained that a third-party review of the supplemental EAW is not mandatory, but having one completed would be consistent with how the original EAW was handled. The developer is not required to pay for a third-party review and has recently expressed that while compensation from him for the second 3<sup>rd</sup> party review isn’t unjustified, he feels that an effort to share the expense could be an equitable alternative for all parties. She also stated that Council should determine whether it feels a third-party review is critical in determining whether the supplemental EAW sufficiently addresses the environmental concerns requiring further review and study as it relates to wildlife and climate change and whether the City is willing to cover all or any part of the expense. Two proposals were received for a third-party review for the Supplemental EAW for the Mankato Motorsports Park Project: one from Braun Intertec in the amount of \$12,915 and the other from Houston Engineering in the amount of \$4,000. Houston Engineering completed the original EAW third-party review.
  - It was also explained that if the City Council does not wish to move ahead with a third-party review, the City Council as the RGU will need to review and determine if the supplemental EAW is complete for distribution or if more information is needed. Once determined complete, the supplemental EAW will be submitted to the EQB and the process for notification and publication is started. This includes a review by the agencies listed in Minnesota Rules 4410.1500 as well as a public comment period.
  - Chris Kennedy, City Attorney, stated this is going through an unique process and that the attorney handling this process is much more versed in this area. He explained that the developer is still looking to purchase the property and that the city has no guarantees that they would be reimbursed for expenses relating to the third-party review.



- Council discussion included that with the land not being purchased there is no guarantee that the project would go through and that the City would be reimbursed.
  - Council Member White moved, seconded by Council Member Steinberg, to table discussion on a third-party review until such time Council is confident the project would move forward. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
4. Request for Annexation for Property Owner of Parcel R43.09.12.400.006
- As an update, Administrator Bromeland stated a letter was sent to the two properties just west of 800 and 804 Parkway Avenue advising of the upcoming utility extension project planned for the summer of 2022 and asking if there was an interest in connecting to City sewer and water. One of the two properties located in this area responded (Roger and Marilyn Barnes) and met with City staff and Bolton and Menk to discuss the process involved with connecting to City sewer and water. Following that meeting, a request for annexation was received.
  - Administrator Bromeland explained there is no formal petition form required in this situation. All that is needed is a request from the property owners to be annexed into city limits. Now that a request has been received, the City Council should review. If there is interest in annexing in this parcel, a joint resolution would be presented and need to be approved by both the City of Eagle Lake and Mankato Township. There is no requirement for a public hearing or notice to nearby properties in this area. Once the joint resolution has been adopted by both the City and Township, it will be forwarded to the Office of Administrative Hearings (OAH) and an order issued within 30 days. The fee to be annexed into City limits is \$500 and the property owner has been invoiced. Once annexed and water and sewer are available, there will be a \$500 water connection fee and a \$400 sewer connection fee.
  - Public Works Director, Brian Goettl, stated that the potential extension would need to run through the back of the properties.
5. Bella's House of Doodles and Upcoming Hearing for Amended CUP
- City Attorney Chris Kennedy explained that the owners of Bella's House of Doodles is looking to modify their conditional use permit (CUP) which is currently in effect. The owners need additional time to come up with necessary items. This matter will need to be put off until the May hearing at which time the owners will hopefully be in a position to move things forward. It is envisioned there will be a public hearing at some point, possibly the May meeting, but most likely the meeting after, dependant on when needed items are available.
  - Mr. Kennedy also stated that the owners are working with the building official and that some inspections were completed last week. The owners are moving forward.
  - Mayor Auringer stated the next step will be to set a public hearing once more information is received and at that point action will be taken, hopefully at the June City Council meeting.
6. All Pets Impound Agreement
- The City has received a modified Impound Agreement from All Pets in Mapleton. One of the major changes is that people were bringing cats into clinic from Eagle Lake. The clinic will only take dogs and won't take cats unless the cat needs to be watched for rabies. An adjustment was also made to the contract in regard to the fees that client need to pay; there will be no change to the fee if the animal is unclaimed.
  - Council Member White moved, seconded by Council Member Rohrich, to approve the modified Impound Agreement with All Pets in Mapleton. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
7. Recommendation to Hire Part-Time Police Officer
- Administrator Bromeland stated that an application was recently received for the position of part-time police officer from Conner Guillemette and an interview was completed. The hiring committee consisted of Jess Steinke with MN Valley Council of Governments, Police Chief John Kopp, and Administrator Bromeland. Connor will be graduating in May with his associate degree from Alexandria Technical

Community College and would like to work part-time as a police officer for Eagle Lake while attending MSU for a two-year program. Connor will be POST license eligible on July 1<sup>st</sup>.

- A conditional offer of employment was extended to Connor Guillemette, subject to approval by the City Council and becoming POST licensed, passing the background check, and demonstrating the ability to meet the department's physical and psychological standards. The current starting rate of pay for a part-time officer is \$19.08. On July 1<sup>st</sup>, the rate of pay will increase to \$19.46 per hour.
  - Council Member Steinberg moved, seconded by Council Member Whittington, to authorize the contingent offer of employment to Connor Guillemette. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
8. Proposal from South Central Service Cooperative
- Administrator Bromeland explained that a proposal from South Central Service Cooperative (SCSC) for planning and zoning services has been received. City staff requested permission to utilize SCSC on an as needed basis, not to exceed 30 hours in 2022, when there are unique and complex planning and zoning matters that are not routine in nature. There is funding available in the professional services budget.
  - Council Member Rohrich moved, seconded by Council Member White, to accept the proposal from SCSC for planning and zoning services. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
9. Eagle Lake Park Parking
- Administrator Bromeland explained that a complaint was received from a resident regarding vehicles parked on the trail by the restrooms in Lake Eagle Park and that City staff is looking for direction on how Council would like this handled.
  - Council consensus was to close and lock the gate at the top of the hill and to make sure all affected parties who need access have a key.

## **OTHER**

1. Electric Vehicle Charging Station Concept
- Mayor Auringer stated that he and Administrator Bromeland met with a company who has a program to install charging stations. There would be no cost to the City. The company would do all the construction and take care of all maintenance.
  - Council discussion included they may investigate the city and determine if the city meets their criteria. Also discussed was the location of this type of structure is important so that people would have something to do while the vehicle is charging and if the city could add a charge to the company for using the space.
  - More information will be gathered on this.
2. Integrated Mosquito Management Program (IMM) – with Larval Control Proposal
- Administrator Bromeland stated that a proposal was received by Clarke Mosquito Control for a program which would include larval control. The program the City has contracted for (adulticiding) will cost \$6,165 for nine (9) applications. A program which includes larval control would cost \$15,768.
  - Council directed staff to contact the company and asked them to attend a Council meeting to answer questions.

## **CITY ADMINISTRATOR REPORT**

1. Community Survey-Part of Strategic Economic Development Planning Process
- The spring newsletter includes information about this and the need for feedback.
2. All Seasons Arena
- With the City of Eagle Lake being a member of the ASA board, notice was recently received advising that the board wishes to explore improvements to the facility. Given the multitude of needs for our community

and funding that may be needed for improvements to the facility and the City's share of those improvements, careful study and evaluation will be needed.

- Council Member White, ASA Council representative, explained that they can provide the City with updates and that the preliminary cost to Eagle Lake could be \$150,000.
3. Rec on the Go and Outdoor Movie Night
    - Mankato Area Public School Community Ed and Recreation (MAPS CER) will hold Rec on the Go! on Wednesdays in Eagle Lake beginning June 15<sup>th</sup> and ending August 10<sup>th</sup>. There will be morning and afternoon sessions at various parks withing Eagle Lake.
  4. Music on Parkway
    - Performances will be held June 16<sup>th</sup>, July 14<sup>th</sup>, and August 18<sup>th</sup> from 7:00 – 10:00 p.m. Council discussion included if the time of these events should run from 6:00 to 9:00 p.m. since attendees left early last year. The time of the event will be brought back to the committee.
  5. Microphone Update
    - VSI and notified the City via email that the microphones for the council chambers will be installed soon. The expander has been shipped. Once it is received, installation will be scheduled.

### **COUNCIL REPORTS**

1. Mayor Auringer stated that the Planning Commission is in need of members and encouraged the Council to consider potential residents to fill vacancies.

### **ADJOURN TO CLOSED SESSION**

1. As permitted by section 13D.05, subdivision 3c, to develop or consider offers for the purchase of a portion of parcel R43.09.13.400.005 for the purpose of acquiring land to construct a possible future new water treatment plant.
  - Council member Rohrich moved, seconded by Council Member White, to close the public meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
  - Council Member Steinberg moved, seconded by Council Member White, to re-open the public meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
  - Council Member Whittington moved, seconded by Council Member Steinberg, authorizing staff to beginning working with landowner on land acquisition.

### **ADJOURNMENT**

- Council Member White moved, seconded by Council Member Rohrich, to adjourn the meeting at 8:02 p.m. The motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.

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Tim Auringer, Mayor

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Kerry Rausch, Deputy Clerk

ECONOMIC DEVELOPMENT AUTHORITY  
WEDNESDAY, MARCH 24, 2022

**Call to Order:** The meeting was called to order by Brian Hughes at 6:49 a.m.

Members Present: Jim Beal, Brooke Wach, Brian Hughes, and Tony Dickmeyer  
Staff Present: Jennifer Bromeland and Mandy Auringer

### Approval of Agenda

#### Treasurer's Report

- The treasurer's report was presented.

#### New Business

##### 1. Resume Strategic Economic Development Planning Process with Region 9

- Alejandra Bejarano with Region Nine was present to go over and receive feedback on the survey. She stated that Region 9 will put out a paper copy of the survey to all residents within city limits which will include a link and a QR code option to complete the survey online. Their distribution will include a paper copy with a postage paid return envelope, flyers, and a reminder letter depending on the resident responses received back. The survey is designed specifically for residents within city limits allowing them to voice their opinions directly to the City instead of on social media.
- Question 1 asks residents to rate the "quality of life" in Eagle Lake, it was recommended to either explain "quality of life" or change the wording to "rate your experience living in Eagle Lake".
- Other suggestions included:
  - Age range of household
  - When you think of Eagle Lake what is your first thought?
  - In the question asking what activities you participate in, add a list of some activities i.e., Music on Parkway, Tator Days, Winter Activities Event, Fire Department open house, Safety Fair etc. Did you know about these activities?
  - When asking about patronizing businesses within Eagle Lake, it was suggested to replace the word "patronize" with easier to understand wording.
  - Rate the quality of each service, i.e., police, fire department, sidewalks, water, crime, city staff, parks, streets etc. Add NA or unknown to the answer options.
  - Have you accessed the City's website in the last 12 months?
  - Which of these sources are you using for city information i.e., Newsletter, website, social media, word of mouth, city staff, city council meetings, other city board meetings?
  - How many of household purchases are purchased in Eagle Lake?
- It was brought up to add to the survey letter, either how long the survey will take or how many questions are on the survey. On the online survey it states at the bottom how many questions there are and how many you have completed.
- More than one person from each household will be able to complete the survey either online or by picking up a copy from City Hall.

**CITY OF EAGLE LAKE  
PARK BOARD MEETING  
THURSDAY, APRIL 14, 2022**

**Call to Order:** The meeting was called to order by Chair Horkey at 6:49 a.m.

Members Present: Don Wesely, Jeremy Horkey, Shane Wendland, Beth Rohrich, Joan Back, and Tim Auringer  
Staff Present: Jennifer Bromeland, Kerry Rausch, and Brian Goettl

**Treasurer's Report**

- The treasurer's report was presented.

**Business:**

1. Lake Eagle Park Master Planning Process (Continued)
  - The draft park survey prepared by Jonathan with Bolton and Menk was reviewed with suggestions compiled. With an EDA survey going out to residents the week of April 25<sup>th</sup>, it was decided that the park survey would be conducted during the summer months with public engagement during public events such as Music on Parkway and Tator Days.
  - Programming ideas were discussed, such as soccer and children's theatre. Discussion included if there would be a need to hire a part-time park activities director position. This may be something Community Ed could do for the City or the City could look into a college intern option.
  - Staff is waiting to hear if a shelter option discussed previously would be able to be relocate, if so desired.
2. Update on Memorial Bench and Balance Beams (PW Director Goettl)
  - Public Works Director Brian Goettl stated the balance beams for Mara Hoffner's memorial will be installed before the week of May 19<sup>th</sup> in Lake Eagle Park where the truck is currently located and the truck will be moved. The United Way is doing programming within the school district for mental health awareness. Discussion included if the City would hold an event and discussion included the desire to let the family have their own time and that the City could include an article in a newsletter to inform residents of why these beams were installed.
  - The memorial bench for Graham Waibel will be installed by the legion. A meeting with the family to determine the exact location will be held and will be brought to council for approval
3. Memorial Benches and Other Memorial Options
  - Board members were encouraged to review information included in the packet regarding additional ideas for memorial benches for future consideration.
4. Baseball Fields Update
  - Staff from East High School found a small sink hole on the baseball field that they feel is not safe and therefore cancelled using this field this year. City staff are looking at a short-term solution.
  - Discussion included what the City's and MAYBA's rolls are relating to field maintenance
  - Brian Goettl stated that the entire backfield is in poor condition due to being peat ground. Once the frost leaves the ground much of this area will settle down. Mr. Goettl stated he would like to speak with MAYBA about reseeding the outfield. The Public Works department will fill the hole with dirt. The estimated cost to improve the outfield is \$5,000.
  - It was stated that MAYBA has done an excellent job maintaining and improving the infield and the Park Board stated they want to maintain a good working relationship with MAYBA.
  - Concern was expressed that there may be tension between the Eagle Lake Expos and MAYBA.

- The possibility of the City purchasing a roller to pull behind the lawn mower to help maintain the outfield may want to be considered.
  - It was stated that MAYBA uses the smaller ballfield for in-house games.
5. 3 on 3 Basketball and Hockey Summer Concept – Park Rink (Don Wesely)
- Don Wesely presented an idea of organizing scheduled 3 on 3 basketball and hockey events this summer in the hopes of establishing activities for youth ages 8-15. Detail plans were presented, and he is looking into adult volunteers to monitor these events. This would not be a huge investment for the City with an estimated cost of \$2,000 to purchase needed equipment and make the needed improvements.
  - The Park Board directed Don Wesely to bring an itemized listing of materials needed and cost to the next Park Board meeting for approval.
6. T-ball Update - Jeremy
- Not discussed.
7. Rec on the Go! Dates
- Dates have been scheduled for Wednesday in June, July, and August at various times and all three parks within the community.
8. Outdoor Movie Under the Stars Date
- The movie event features the movie *SING* and will be held on September 9<sup>th</sup> at 6:00 p.m. at Eagle Lake Elementary School.

**CITY OF EAGLE LAKE**  
**April 18, 2022**  
**PLANNING COMMISSION MEETING**

**CALL TO ORDER**

- Meeting was called to order at 6:00 p.m. by Chair Talle.  
Present: Commissioners Beckel, Hughes, McCarty, Miller, and Chair Talle.  
Absent: Chairman Commissioner Rose.  
Staff Present: City Administrator Jennifer Bromeland and Deputy Clerk Kerry Rausch.

**APPROVAL OF AGENDA**

- Commissioner Beckel moved, seconded by Commissioner Hughes to approve the agenda. The motion carried with Commissioners Beckel, Hughes, McCarty, Miller, and Chair Talle voting in favor.

**APPROVAL OF MINUTES**

- Commissioner Beckel moved, seconded by Commissioner Hughes, to approve the Planning Commission meeting minutes from March 21, 2022. The motion carried with Commissioners Beckel, Hughes, McCarty, Miller, and Chair Talle voting in favor.

**NEW BUISNESS**

1. Parcel R43.09.12.400.006 and Future Rezoning
  - Administrator Bromeland explained that water and sewer will be extended in 2022 to the properties at 800 and 804 Parkway Avenue. City staff was directed to reach out to the two properties located outside of City limits that are just west of 800 and 804 Parkway Avenue and ask if there is an interest in connecting to City water and sewer. Only one response was received, and it was from the owner of parcel R43.09.12.400.006. A meeting was held with the property owner, public works staff, and Bolton and Menk to discuss the process involved with connecting to City sewer and water. Following that meeting, a request for annexation was received. Th request for annexation was presented to the City Council for their review. City staff was directed to move the annexation process forward. Since that time, the property owner has contacted City staff seeking an assurance that they will be able to rezone their property once annexed and be able to rent out their property as a duplex. 800 parkway Avenue is currently zoned commercial while 804 Parkway Avenue is zoned R-1. The Barnes family paid the City's Building Inspector, Dan Murphy, directly to complete an inspection on the property, even though it is located outside of City limits, to determine if modifications could be made to convert the single-family dwelling to a duplex for rental purposes. Mr. Murphy reported that the structure may have been initially constructed as a single-family home but at some point, it was converted into a duplex and can be used as such with some modifications. Dwellings, one and two family, and attached one family, are a permitted use in an R-2 – 1 & 2 Family Residential District. To receive City utilities, the property will need to be annexed and then rezoned.
  - Marlene Barnes, owner of said parcel, stated there are difficulties in putting the utilities where proposed due to a shed's current location, the location of the existing deck and the location of their neighbor's fence. Mrs. Barnes also stated that the house is laid out as a duplex and that she would like to be able to rent it as such once annexed into City limits.
  - Planning Commission discussion included hydrant location for fire suppression purposes, the City's Land Use Plan shows future plans for the Barnes parcel and the one to the west as commercial use.
  - Commissioner McCarty expressed concerns relating to flow issues and stated that his opinion is that grinder pumps will require a lot of city maintenance and that the presented design plans are not the best.

He also stated that with such little amount of flow, there could be a solids problem and there are a lot of challenges with this utilities extension. He also stated the City's Land Use Plan is there to help guide the City.

- Administrator Bromeland stated the City's engineer presented the proposed plans to the City Council and that she will take the Planning Commission's concerns to the engineer and City Council.
- Marlene Barnes indicated that she may be interested in leaving this parcel as is. Administrator Bromeland stated she would follow up with Mrs. Barnes the next day.

## 2. Parcel R12.10.18.130.001 and Lot Split Request

- Administrator Bromeland explained that an administrative lot split request was received for parcel R12.10.18.130.001. A simple lot division can occur if all setbacks, width, and square footage and requirements of Chapter 5 are met. The total square footage of this parcel is 17,870 square feet. Per code, each lot shall contain an area of not less than 10,000 square feet. Scott Wangen, owner of the former Uncle Alberts building, is present. The parcel proposed to be split is currently owned by Allied Overhead Door of Mankato. It was also explained that discussion should include plans for the parcel, whether new buildings would be constructed and used, and options available. In 2021 when a conditional use permit was being considered for the former Uncle Alberts parcel discussion included that platting and combining of parcels in this area may be needed to meet setbacks and lot size requirements.
- Administrator Bromeland also explained there is a lost parcels in this area and that Blue Earth County has a legal process which can be followed to help identify owner of the parcel.
- Mr. Scott Wangen stated that Brian and Anna Fasnacht, owners of Allied Overhead Doors, purchased the mini storage parcel and old Allied Overhead Doors parcel from Mark Fromm. Mr. Wangen has discussed with Mr. and Mrs. Fasnacht the possibility of doing a lot split of parcel R12.103.18.130.001 in which Mr. Wangen would purchase the west end which includes the mini storage. He would potentially add an office building to the storage units and would want water and sewer utilities service at some point. His goal is to purchase the mini storage lot and combine that with his other lots, creating one or two parcels in total. The concern is the lost parcel and that the parcel to be split does not connect to his existing parcels. He would like to add parcel ending in .011 (lost parcel) to mini storage to bring it to the 10,000 square foot requirement.
- Planning Commission discussion included what the cost of extending utilities would be and that utilities could cross a lot with no owner. It was also discussed that the two outlots that the City owns are unusable lots for the City and consideration should be given if these lots should be turned over to the adjacent property owners. It was also discussed that the front of the building would need to be identified.
- Michael McCarty recommended that Mr. Wangen contact Janel with Bolton and Menk to assist him in determining the next best steps and to assist with title research and stated Bolton and Menk have the history with the Parkway Corridor plat. A title attorney can help research parcel ownership.

## **OTHER**

### 1. Monthly Building and Zoning Permit Activity

- Administrator Bromeland stated that five building permits for new home construction have been pulled this year, all of which are located in the Eagle Ridge Phase II development owned by KJ Walk.

### 2. Chapter 6 Zoning Code Review and Update Process

- Administrator Bromeland stated that Jessica Steinke, Program Director with Minnesota Valley Council of Governments (MVCOG) is present to discuss the process for completing a code review and update and ways that MVCOG may be able to assist with the process. The City has an agreement with MVCOG, and therefore there would be no additional charge for this service.



- Administrator Bromeland stated that it may be helpful to start by submitting notes from meetings and that each Commission member review and submit suggested code changes.
  - Ms. Steinke stated the Commission may want to begin with looking at the top three items, such as variances, to help determine what items to address first for code changes. The MVCOG could look at cities such as Mankato, North Mankato, and St. Peter to see how their code reads on specific topics.
  - Michael McCarty stated he feels it may be beneficial to look at the City of Mankato's code for ideas of how to revise Eagle Lake's code and that Eagle Lake could modify Mankato's code to fit Eagle Lake's needs.
3. Motorsports Park Project and Supplemental EAW
- Administrator Bromeland explained that a supplemental EAW has been received. Proposals for a 3<sup>rd</sup> party reviews have been obtained. The City Council tabled taking any action on the matter at their last meeting. It is anticipated that the developer will attend an upcoming meeting to talk about his plans with the City Council and to answer any questions.
4. Fox Meadows Development and Concept Plan Review Phase
- For informational purposes Administrator Bromeland stated a concept plan has been received from the developer, Troy Schrom, for Fox Meadows. City staff has completed an internal concept plan review and will be meeting with the developer and his team in a couple of weeks. City staff has obtained approval from the City Council to contract with Mike Humpal with South Central Service Cooperative (SCSC) on an as needed basis to assist staff with the zoning review to ensure that controls for zoning are in place for multifamily and single family proposed within the development. Included in the proposed development are 104 8-plex structures, 24 twin home structures, 17 single family structures in community, and 83 detached single family home structures. A developer's agreement is also in progress. TIF was approved for phase I at the April 4<sup>th</sup> City Council meeting.
  - Administrator Bromeland stated she has been in contact the school about this development as a question was asked about capacity at the school.

#### ADJOURNMENT

- Commissioner McCarty moved, seconded by Commissioner Miller to adjourn the meeting at 7:12 p.m. The motion carried with Commissioners Beckel, Hughes, McCarty, Miller, and Chair Talle voting in favor.

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**Trent Talle, Chairman**

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**Kerry Rausch, Deputy Clerk**

CITY OF EAGLE LAKE

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\*Check Summary Register©

April 2022

Name	Check Date	Check Amt	
44427	METRO SALES INC	4/28/2022	\$2,209.29
44428	MID-AMERICAN RESEARCH CHE	4/28/2022	\$5,545.23
44429	MN PAVING MATERIALS	4/28/2022	\$28.89
44430	MN PUMP WORKS	4/28/2022	\$1,774.50
44431	MINNESOTA WASTE PROCESSI	4/28/2022	\$6,888.29
44432	NORTHERN SAFETY TECHNOLO	4/28/2022	\$4,591.20
44433	RIVERBEND BUSINESS PROJUC	4/28/2022	\$852.00
44434	RIVERLAND COMMUNITY COLL	4/28/2022	\$165.00
44435	SCHWICKERTS	4/28/2022	\$784.00
44436	STAPLES BUSINESS ADVANTA	4/28/2022	\$463.93
44437	TACTICAL SOLUTIONS	4/28/2022	\$172.00
44438	TEAM LAB	4/28/2022	\$812.00
44439	TGK AUTOMOTIVE OF MANKAT	4/28/2022	\$600.88
44440	VAN ASTEN, JESSIE	4/28/2022	\$155.00
44441	VIKING FIRE & SAFETY LLC	4/28/2022	\$85.13
44442	XCEL	4/28/2022	\$4,238.91
Total Checks			\$142,297.90

FILTER: ((([Act Year]='2022' and [period] in (4))) and ((([Check Nbr]>0 and not EFT and not [Source] like 'PAY?????????.??') or [EFT])) and [Cash Act]='10100')

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CITY OF EAGLE LAKE

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\*Check Summary Register©

April 2022

Name	Check Date	Check Amt	
<b>10100 Cash</b>			
1513e AFLAC	4/1/2022	\$220.14	MARCH PREMIUMS
1514e MN DEPT OF LABOR & INDUSTR	4/1/2022	\$13.79	1ST QTR BUILDING SURCHARGE FEE
1515e MN DEPT OF LABOR & INDUSTR	4/1/2022	\$0.00	MARCH SALES TAX PMT
1516e PSN	4/4/2022	\$561.15	MARCH FEES
1517e FURTHER	4/11/2022	\$387.09	BW 04-14-22
1518e PERA	4/11/2022	\$4,257.53	BW 04-14-22
1519e PITNEY BOWES GLOBAL FINAN	4/14/2022	\$110.99	
1521e PERA	4/22/2022	\$32.50	MO 04-28-22
1522e CORNERSTONE STATE BANK	4/25/2022	\$4.00	BERNARDSON RETURNED CHECK BANK F
1523e PERA	4/25/2022	\$4,145.86	BW 04-28-22
1524e FURTHER	4/25/2022	\$387.09	BW 04-28-22
1525e MN DEPT OF REVENUE	4/28/2022	\$1,722.00	MARCH SALES TAX
44381 TACTICAL ADVANTAGE LLC	3/31/2022	(\$172.00)	RADAR & LASER CERTIFICATION
44386 BCBS OF MN	4/4/2022	\$13,553.62	MAY PREMIUM
44387 EAGLE EXPRESS	4/4/2022	\$943.30	
44388 GOPHER STATE ONE CALL	4/4/2022	\$16.20	
44389 MATHESON TRI GAS INC	4/4/2022	\$61.93	
44390 MN RURAL WATER ASSOCIATIO	4/4/2022	\$300.00	MEMBERSHIP
44391 UC LABORATORY	4/4/2022	\$794.38	
44392 JOHN KOPP	4/13/2022	\$918.62	Conference Reimbursement
44393 Verizon Wireless	4/13/2022	\$277.42	
44394 CASEYS BUSINESS MASTERCA	4/21/2022	\$859.07	
44395 DELTA DENTAL OF MN	4/21/2022	\$733.65	MAY PREMIUM
44396 US BANK EQUIPMENT FINANCE	4/21/2022	\$114.00	
44397 ADP, LLC	4/28/2022	\$372.60	
44398 ARAMARK	4/28/2022	\$216.23	
44399 AUTO ZONE	4/28/2022	\$95.07	OIL AND FILTER
44400 BADGER METER	4/28/2022	\$94.02	OCTOBER 2021 HOSTING SERVICE
44401 MN BCA	4/28/2022	\$150.00	CJDN ACCESS FEE
44402 BENCO ELECTRIC	4/28/2022	\$525.73	STREET LIGHTING
44403 BHE COMMUNITY SOLAR LLC	4/28/2022	\$2,854.51	SOLAR GARDEN
44404 BLUE EARTH COUNTY FINANCE	4/28/2022	\$1,355.50	1ST QTR FEES
44405 BLUE EARTH COUNTY HIGHWA	4/28/2022	\$1,072.50	SAND/SALT MIX
44406 BLUE EARTH COUNTY PROPER	4/28/2022	\$2,892.00	P12.99.18.003.012
44407 B. E. COUNTY SHERIFFS DEPT	4/28/2022	\$540.00	1ST QTR MDT'S
44408 BOLTON & MENK INC	4/28/2022	\$9,401.50	LAKE EAGLE PARK MASTER PLAN
44409 CARRIAGE REPAIR INC	4/28/2022	\$180.00	2022 EXPLORER-BRAKE NOISE
44410 CENTER POINT ENERGY	4/28/2022	\$1,166.34	
44411 CHRISTOPHER KENNEDY	4/28/2022	\$1,242.00	APRIL CHARGES
44412 CITY BUILDING INSPECTION SR	4/28/2022	\$10,350.99	
44413 COALITION OF GREATER MN CI	4/28/2022	\$75.00	LEGISLATIVE ACTION DAY
44414 DAVID DROWN ASSOCIATES, IN	4/28/2022	\$6,250.00	TIF 3-2 FOX MEADOW DEVELOPMENT
44415 EIDE BAILLY	4/28/2022	\$20,000.00	2021 AUDIT SERVICE
44416 EMERGENCY APPARATUS	4/28/2022	\$7,334.14	TRUCK 4311 (NEW)
44417 FEDEX	4/28/2022	\$4.42	
44418 FRESH START CLEANING AND	4/28/2022	\$100.00	MARCH SERVICE
44419 HAWKINS	4/28/2022	\$3,262.11	
44420 I & S GROUP INC	4/28/2022	\$1,609.75	MS4 PROGRAM MANAGEMENT
44421 INTOXIMETERS INC	4/28/2022	\$119.75	
44422 J.R. BRUENDER CONSTRUCTIO	4/28/2022	\$230.00	PARK/RINK LOCATION
44423 LEAGUE OF MN CITIES	4/28/2022	\$35.00	SAFETY & LOSS - HARTMAN
44424 LINDE GAS & EQUIPMENT INC	4/28/2022	\$51.32	
44425 LJP ENTERPRISES	4/28/2022	\$10,879.48	935 SMALL AND 120 LARGE
44426 MENARDS	4/28/2022	\$229.36	RETURN

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CITY OF EAGLE LAKE

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\*Check Summary Register©

April 2022

Name	Check Date	Check Amt	
10101 EDA Cash			
468 STAPLES BUSINESS ADVANTA	4/28/2022	\$119.83	EDA SURVEY ENVELOPES
469 UNITED STATES POSTAL SERVI	4/28/2022	\$270.91	EDA SURVEY BULK MAIL PERMTN #10
	Total Checks	\$390.74	

FILTER: ((([Act Year]='2022' and [period] in (4))) and ((true)) and [Cash Act]='10101')

20

Pay Dates 04/14/2022, 04/28/2022

Payroll Name	Pay Date	Net Pay
Auringer, Mandy L	04/14/2022	797.26
Auringer, Mandy L	04/28/2022	757.62
Auringer, Timothy A	04/28/2022	304.04
Bromeland, Jennifer J	04/14/2022	2,739.96
Bromeland, Jennifer J	04/28/2022	2,739.96
Goettl, Brian K	04/14/2022	1,669.93
Goettl, Brian K	04/28/2022	1,577.93
Hartman, Andrew R	04/14/2022	1,246.95
Hartman, Andrew R	04/28/2022	1,246.92
Jensen, Dustin D	04/14/2022	1,606.53
Jensen, Dustin D	04/28/2022	1,427.27
Konz, Noah J	04/28/2022	36.94
Kopp, John A	04/14/2022	2,371.01
Kopp, John A	04/28/2022	2,423.77
Kopp, John A	04/14/2022	1,149.91
Nicklay, Michael L	04/28/2022	1,149.91
Nicklay, Michael L	04/14/2022	1,255.05
Rausch, Kerry L	04/28/2022	1,169.25
Rohrich, Elizabeth K	04/28/2022	207.79
Romig, Benjamin T	04/14/2022	1,505.50
Romig, Benjamin T	04/28/2022	1,442.82
Shoemaker, Brian J	04/14/2022	362.72
Shoemaker, Brian J	04/28/2022	497.88
Simpson, Vern L	04/28/2022	199.40
Steinberg, Garrett R	04/28/2022	207.79
White, Anthony D	04/28/2022	207.79
Whittington, Johnnie L	04/28/2022	207.79

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We participated in the Towards Zero Deaths (TZD) distracted driving wave in April. This is a campaign to remind people to put the phone down and cut down on the distractions while they are driving. We will also be participating in the Seatbelt enforcement wave in late May.

We will have an officer and a reserve officer helping with the Cleanup on May 14<sup>th</sup>. We will be helping to try to prevent people from blocking driveways during the cleanup and help keep the flow of traffic moving where people dump loads into the garbage truck.

I will be up at the Eagle Lake Elementary school on May 12<sup>th</sup> at 1pm for when the United Way gives away books to 4<sup>th</sup> Graders. The media will also be present. The media picked Eagle Lake Elementary as the school they will be at during the book giveaway.

I will be introducing a new program that I learned about at the Chief's conference in April to the Council. It's called "Lights On" and it basically gives people a voucher to get their headlight, taillight, brake light or anything light related to get it fixed. The voucher has a \$250 dollar limit. The voucher is free for the police department to give to people we stop. There is no cost to the city. I will explain the program in greater detail at the meeting.

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

  
Chief John Kopp  
Eagle Lake Police Department

Eagle Lake Police Department Accumulative Report

Traffic Ticket Report	January	February	March	April	May	June	July	August	September	October	November	December	Total
Careless Driving	0	0	0	0									0
DAS/DAR/DAC	1	1	1	2									5
Equipment Violations	0	0	0	0									0
Expired Tabs	0	0	0	0									0
Other	0	0	4	1									5
Seatbelt	0	0	0	0									0
Speeding	1	6	2	18									27
Stop Sign	0	2	0	0									2
Traffic Stops	10	32	38	64									144
Warnings	8	26	31	43									108
<b>Calls for Service</b>													<b>Total</b>
Accidents	1	0	2	2									5
Administrative Citations	1	0	0	0									1
Alarms	0	0	2	1									3
Animal Comp.	5	3	3	3									14
Assaults	0	0	0	0									0
Assist	6	2	4	4									16
Assist Ambulance	8	6	14	7									35
Assist Fire Dept	1	2	6	4									13
Assists OA	10	9	8	10									37
Burglary	0	0	0	2									2
Call Outs	9	4	13	6									32
Civil	2	2	3	4									11
Directed Patrol	60	69	94	60									283
Disturbance	2	1	2	1									6
Domestic	1	4	3	1									9
Driving Comp.	1	1	2	4									8
DWI	0	0	0	1									1
Fraud	1	0	3	1									5
Harrasment	0	0	0	0									0
Miscellaneous	54	25	18	70									167
Narcotics	0	0	0	0									0
Noise Comp	0	0	3	0									3
Ordinance Viol.	1	20	5	6									32
Party Comp.	0	1	0	0									1
Property Damage	3	1	1	0									5
Runaway/Missing Person	0	1	0	0									1

55

Eagle Lake Police Department Accumulative Report

Suspicious Cir.	5	0	3	1																9
Suspicious Person	1	1	2	2																6
Suspicious Vehicle	3	2	2	4																11
Thefts	0	0	0	1																1
Threats	0	0	0	0																0
Warrants Serv.	0	1	1	0																2
Weapons	0	0	0	0																0
Welfare Check	1	3	6	2																12
Total ICRS	177	186	225	255																843
Total Mileage																				
2021 Explorer	6449	8152	10102	11952																
2020 Explorer	36,841	37,651	38,695	39,532																
Monthly Mileage																				
2021 Explorer	1,741	1,703	1,950	1,850																
2020 Explorer	1,271	810	1,044	837																



# EAGLE LAKE FIRE CHIEF'S REPORT

---

Hello Everyone. We enjoyed the great turnout to the Tri-City Firefighter's Dance. I want to thank everyone who has helped support Eagle Lake, Madison Lake and St. Clair Fire Departments. I apologize if I didn't get a chance to chat with you. We greatly appreciate the contributions and letters we have been receiving by mail as well as the gifts received at the door.

## APRIL CALLS

Assist Law-1  
Explosion (No Fire)-0  
Fire (Commercial)0  
Fire (Residential)-0  
Fire (Wildland)-1  
Fire Alarm-0  
Fire False Alarm-1  
Fire CO-0  
Fire Mutual Aid-0  
Gas Leak-0  
Hazardous (No Fire)-0  
Lift Assist-0  
Medical (Cancelled)-2  
Medical (Response)-6  
Motor Vehicle Accident (W/ Injury)-0  
Motor Vehicle Accident W/O Injury)-0  
Odor Investigation-0  
Rescue (Entrapment-Machinery)-0  
Rescue (Grain Bin)-0  
Rescue (Water)-0  
Smoke Investigation-0  
Special Incident-0  
Weather-1

## CALL AREAS

Eagle Lake-9  
Le Ray TWP-0  
Mankato TWP-3

## WE ARE HIRING

Are you interested in helping in our community by becoming a Firefighter or an EMT?

If so, please complete an application and submit it to the City Clerk's office. We hosted a recruitment open house and enjoyed seeing interest from all of you who attended. There is still time to get those applications turned in! We hope to announce our newest member soon!!

**ONE LAST NOTE: Fishing opener is right around the corner. The water is still dangerously cold. Hypothermia can set in very quickly at these temperatures. Please be careful. Make sure everyone, including yourself, has their life jacket on and properly secured.**



Brian Goettl  
Public Works Director  
90 Le Ray Avenue  
Eagle Lake, MN 56024  
(507)257-3218  
bkgoettl@eaglelakemn.com

May, 2022

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

From: Brian Goettl Public Works Director

**Water:** We will be flushing water mains and the sediments out of the water tower the week of May 16<sup>th</sup>.

**Sewer:** Minnesota Pump Works replaced the floats and controller in the lift station at Eagle Heights that was failing.

**Streets:** I should have the bid for street sweeping to hand out at the Council meeting.

**Parks:** I should have an updated bid for removing 7 ash trees from the park also to hand out at the Council meeting. We will be installing Mara's memorial balance beams at the Lake Eagle Park playground.

**Storm Sewer:** We have started on cutting the trees down around the stormwater ponds, first with the 2 behind Owl Lane and then we will work on the pond on Connie Lane.

If you have any questions or concerns, please feel free to contact me at 507-420-3510 or [bkgoettl@eaglelakemn.com](mailto:bkgoettl@eaglelakemn.com)

Brian K. Goettl

## BUILDING PERMITS

Zoning #	Address	Type
22-2	204 Maywood	Fence
22-3	304 Brook Ct	Fence and Patio
22-4	105 Oak Dr	Admin fee with building permit 22-18
22-5	107 598th Ave	Fence and concrete dog run
22-6	107 598th Ave	Dog run (concrete) and fence
22-7	533 Linda Drive	Driveway and Sidewalk

## ZONING PERMITS

HOUSE #	STREET	VALUE	Project Description
417	Owl Ln	\$ 4,032.00	Deck
194	Creekside Dr.	\$ 3,600.00	Basement bedroom
311	Falcon Run	\$ 240,000.00	New Home
330	Falcon Run	\$ 240,000.00	New Home.
109	Linda Drive	\$ 27,640.00	Reside/reroof
1005	Timberidge Trl	\$ 15,000.00	Basement remodel
217	Maywood	\$ 1,500.00	Egress window
108	Mathew Ct	\$ 10,200.00	Reroof
417	Linda Drive	\$ 5,655.00	
107	Foxborough Ct		Water heater
326	Falcon Run	\$ 300,000.00	New Home
529	LeSueur	\$ 8,000.00	Deck
105	Peggy Ln	\$ 2,372.00	Windows-2
101	James Dr	\$ 1,244.00	Window-1
102	Redhawk Ct	\$ 100,000.00	Bsaement Finish

Eagle Lake Fire Relief  
Gambling Fund Report March 2022

Balance	3/1/22		\$11,869.38
Income:			
Paper Pull Tabs		\$8,848.00	
Electronic		\$32,611.00	
Interest Income		\$1.50	
Cash Bank		\$10.00	
Total Income			<u>\$41,470.50</u>
Total Funds Available			\$53,339.88
Less Total Disbursements			<u>(\$24,113.17)</u>
Balance	3/31/22		\$29,226.71

2022 Profit / Community Donations

Net Profit:			
	1/22	(\$5,877.13)	
	2/22	\$247.53	
	3/22	\$19,562.14	

Total Profit To Date: \$13,932.54

Community Donations To Date: \$0.00

**RESOLUTION NO. 2022-22:  
A RESOLUTION ACCEPTING A DONATION TO THE CITY.**

**WHEREAS** the City of Eagle Lake is generally authorized to accept donations pursuant to Minnesota Statutes for the benefit of its public recreational services.

**WHEREAS** Scheel's has offered to contribute a \$200 gift card to the Park Board:

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

To be applied towards the purchase of equipment for the Eagle Lake 3 on 3 sports program:

**WHEREAS**, such donation has been contributed to the city for the benefit of its citizens, as allowed by law; and

**WHEREAS**, the City Council finds that it is appropriate to accept the donation offered.

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

1. The donation described above is accepted and shall be used to establish and/or operate services either alone or in cooperation with others, as allowed by law.
2. The city clerk is hereby directed to issue receipt to donor acknowledging the city's receipt of the donor's donation.

Passed by the City Council of Eagle Lake, Minnesota this 2nd day of May 2022.

\_\_\_\_\_  
Tim Auringer  
Mayor

Attested:

\_\_\_\_\_  
Jennifer J. Bromeland  
Administrator

L66



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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Mankato Motorsports Park Project

No action was taken at the April 4<sup>th</sup> City Council meeting related to the proposals obtained to complete a third-party review of the supplemental EAW. As was discussed at that meeting, there is no requirement that a third-party review be completed. Since a third-party review was completed on the original EAW, doing the same for the supplemental EAW would promote consistency.

A question was asked at the April meeting as to whether there is a timeline to determine completeness of the supplemental EAW. There is no specific timeline to determine completeness. The City Council (as the RGU) does have an obligation to complete the environmental review process.

Brad Bass with Bradford Development (Project Proposer) will be at the meeting to answer any questions that you might have as it relates to the Mankato Motorsports Park Project.

Jennifer J. Bromeland  
City Administrator



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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Review Conditions and Set Public Hearing for Amended CUP

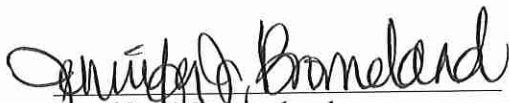
Per an email from Rick DeMartini with Bella's House of Doodles, a code analysis has been completed on the storage building. The code analysis was forwarded to the City's building inspector, Dan Murphy, and deemed acceptable by Mr. Murphy.

For purposes of providing background, the City's building inspector Dan Murphy previously requested that a code analysis be completed for a change of occupancy. Attached is a copy of the code analysis.

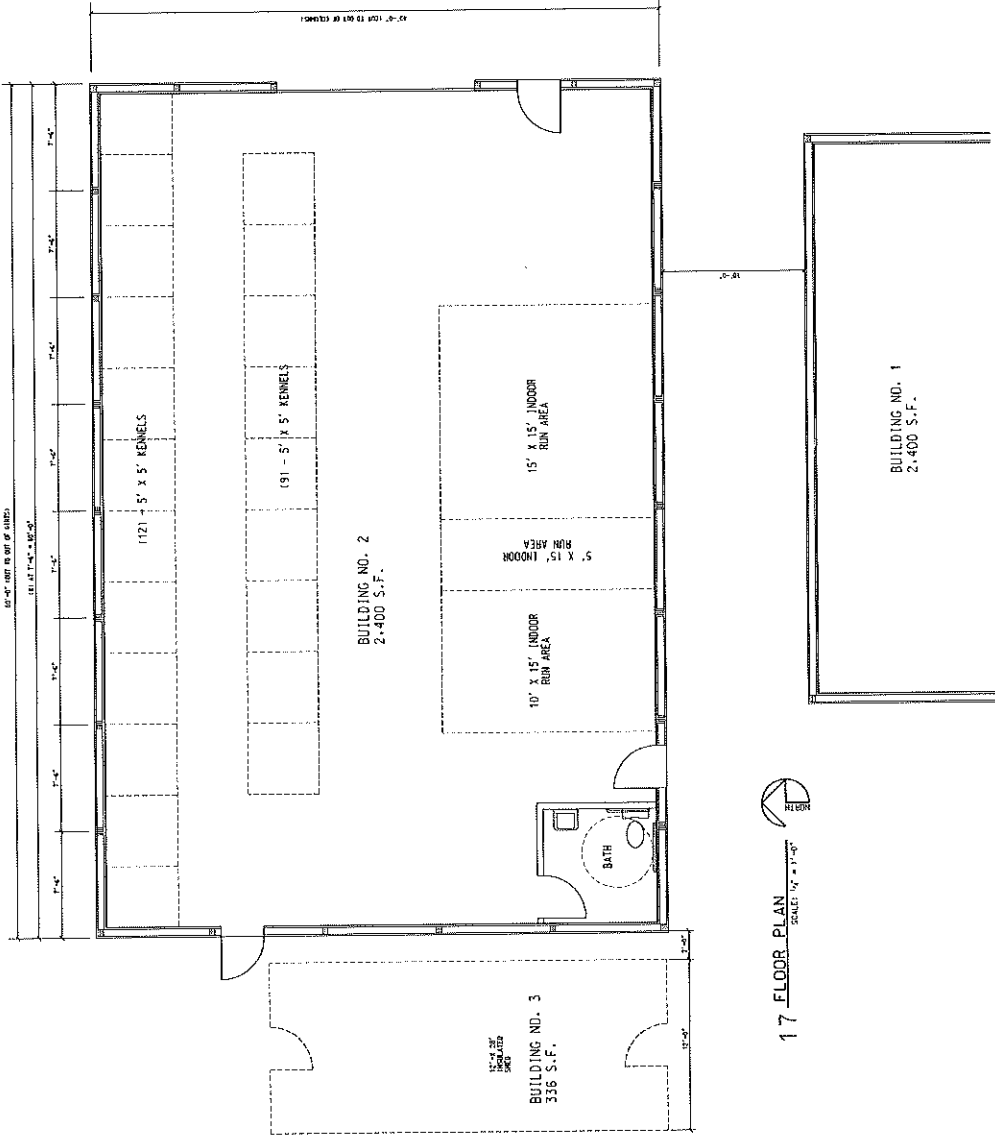
A public hearing should be scheduled, and discussion ensue about conditions to attach to the revised CUP.

Attached is a draft revised CUP from legal counsel. Conditions will need to be included in the public notice that will be mailed out and posted in advance of the public hearing.

We will plan to review and discuss conditions for the revised CUP at the meeting.

  
Jennifer J. Bromeland  
City Administrator





Code Analysis:

Project: Demartini Dog Kennel  
101 598th Avenue  
Eagle Lake, Minnesota

Code: 2020 MSBFC  
Occupancy: B - Dog Kennel  
Construction Type: V-B  
Fire Sprinkling: No

Basic Allowable Area: B Occupancy, Single Story-Not Sprinkled 9,000 S.F.  
Actual Area: Building 1 2,400 S.F.  
Building 2 2,400 S.F.  
Building 3 336 S.F.  
Total 5,136 S.F.

Fire Resistivity: V-B = 0 HR  
Fire Resistivity based upon Fire Separation Distance:  
 $< 5' = 1$  HR  
 $5' \leq X < 10' = 1$  HR  
 $10' \leq X < 30' = 0$  HR

Occupants: 2,400/300 (Dog Kennel) = 8.0 Occup.

Plumbing: Occupancy

Item	Required	Provided
Kennel	8/25 = 0.32	1
Water Closet	8/40 = 0.2	1
Lavatories	8 less than 50 none required	8
Service Sink	24 less than 50 none required	24
Drinking Fountain	24 less than 50 none required	24

**CONDITIONAL USE PERMIT  
BELLA'S HOUSE OF DOODBLE**

**Conditions for Use**

Project Name: Bella's House of Doodles

Location:

**I. General Conditions of Use**

A. The property may be used to operate a business that breeds and raises Doodles, in addition the property may be used to train, groom, care for dogs of all breeds, including the provision of a doggie day care facility.

B. That the property shall consist of a main building and a secondary building. The main building shall be used for the sheltering of all animals. The secondary building shall be used for storage and as an ancillary use the main building.

C. All buildings will be well maintained and any building in which animals may use shall be maintained in a manner that provides for the humanitarian care of those animals.

D. Any expansion of the facilities including adding on to the square footage of any business will require a review of the conditional use permit and the City at its discretion may require modifications or a public hearing.

E. The conditional use may be amended at any time at the pleasure of the City Council through the proper public hearing process as provided for under City Code.

**II Bella's House of Doodles**

A. That Bella's House of Doodles shall maintain the dogs in a manner that is humane, this includes but is not limited to providing adequate food, water and shelter. in addition the facility must provide an appropriate amount of space for each animal to move about; the property will also be well ventilated;

B. That the maximum number animals that may be boarded at the facility at any given time is forty (40), this shall include animals that are owned by owners, officers, or employees of the business;

C. That the business shall have sufficient kennels for the animals so that they are able to freely move around and no kennel shall have more than two adult dogs, each kennel will be a minimum of 5 feet by 10 feet and any kennel in which two animals are kept will be a minimum of 7 feet by 14 feet

D. The property may also contain puppies (animals that are less than ninety (90) days old, but only the number of puppies in which there is proper care;

E. That the property will be maintained in a manner that mitigates the sound of barking from neighboring properties;

F. All animals will be housed indoors from 9:00 p.m. to 7:00 a.m., the buildings must be constructed with walls that keep the sound in

G. All animals will be kept on the property of the facility. The business will ensure that all employees and customers are aware of the property limits and will take action to ensure that no person or animal strays onto an adjoining property.

H. That a fence will be constructed and maintained around the perimeter of the property;

I. All waste products shall be removed from the property on a weekly basis.

J. That all fecal waste and food waste will be stored in sealed and odor proof containers.

K. All food products will be stored in rodent proof containers

L. The premises may include sleeping quarters for an employee, but not employee shall live on the premises, stay there for more than 7 consecutive nights or more than fifteen total nights in a month

**III. Remedies on Default**

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, or their successors and/or heirs 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.

Dated: \_\_\_\_\_

**CITY OF EAGLE LAKE**

BY: \_\_\_\_\_  
Its: \_\_\_\_\_

BY: \_\_\_\_\_  
Its: \_\_\_\_\_



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

May 2, 2022


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

A request was received from the Patti Schuch family in 2021 to access ag land with farm equipment using the City of Eagle Lake’s ROW referred to as “Lutter Avenue”. The request was presented to the City Council and approval was granted for the City to enter into an Access Agreement with the Schuch family. Since that time, the Schuch family has challenged some of the proposed terms in the agreement and questioned whether the property owner of the parcel to the north of the access has a similar agreement with the City. Per staff’s research, the owner of the parcel to the north approached the City back in 2009 asking who owned “Lutter Avenue”. According to an excerpt of the November 7, 2009 City Council minutes, a copy of which is attached, the property owner was directed to develop the access.

Per an email in October 2021, the Schuch family indicated that it was more work than it was worth at the time negotiating terms and no further action was taken. The Schuch family reached back out in early April 2022 asking that the matter be revisited.

Also attached is a letter from legal counsel advising on the matter, a copy of the Eagle Lake Commercial Center Plat, excerpts of City Council minutes related to the matter, and copy of the proposed Access Agreement.

Discussion should ensue.

  
Jennifer J. Bromeland  
City Administrator

- Also discussed was the possibility of waiting to pave new parking lot until it could be determined if Hoffman Construction could be relocated.

12. Street Project – N 2<sup>nd</sup> Street, N 3<sup>rd</sup> Street and Parkway Avenue

- Brian Malm of Bolton and Menk presented the revised preliminary assessment roll with assessment options and stated the next step would be to call for a public hearing on the project.
- Mayor Auringer clarified that assessment for this project would come online in 2011.
- Mr. Thongvanh stated that costs would be incurred in 2010, but Council could authorize reimbursing the City with bond proceeds.
- Mr. Malm answer Council's question as to how other Cities handle such assessment projects by stating that many small cities are capping assessment amounts and that the entire community shares in the cost. He also indicated that an assessment rate does not need to be decided at this time, but recommended that Council have a good idea of how they will handle assessments prior to public hearings.
- Council discussed assessment rates and when polled agreed that a 25% assessment rate should be considered.
- Mayor Auringer moved to call for a public hearing at the December 2, 2009 Council meeting and Ms. Marie seconded. The motion carried unanimously with Mr. Hager, Mr. Quist, Mr. Ries, Ms. Marie, and Mayor Auringer voting in favor.
- Council asked if the width of streets would change with this project. 3<sup>rd</sup> Street will go from 44 feet to 36 feet.

13. Engineering Feasibility Study – Linda Extension and Stormwater

- Mr. Malm stated the first step would be to dissolve existing storm water district and establish a new storm water district. Three options for a new storm water district were discussed and will need to be determined prior to start of project and prior to public hearing.
- Mr. Malm stated the proposed watershed boundary was determined by Blue Earth County's contours in elevation.
- Mr. Malm stated in the options presented, commercial properties were established on a square foot bases and residential properties as a flat rate of \$1,780.00. Council discussed the fact that parcels are not the same size and had concern that larger properties would pay the same as smaller properties. Mr. Malm stated residential properties could be calculated on a square footage basis.
- Council discussed what percentage of a property within the boundary should be considered for the storm water district, agreeing on greater than 25%.
- Ms. Marie moved to approve Resolution 2009-45 Resolution Ordering Preparation of Preliminary Engineering Report of Linda Drive and Stormsewer District and Mr. Ries seconded. The motion carried unanimously with Mr. Hager, Mr. Quist, Mr. Ries, Ms. Marie, and Mayor Auringer voting in favor.
- Mr. Malm asked if Council is confident they will proceed with both projects within next couple of years, they might want to consider authorizing topographical surveys at this time. This would allow survey work to be done prior to snow falls, therefore reducing costs. If projects are delayed, these surveys could be used later.
- Mr. Quist moved to authorize topographical surveys and Ms. Marie seconded. The motion carried unanimously with Mr. Hager, Mr. Quist, Mr. Ries, Ms. Marie, and Mayor Auringer voting in favor.

**ADMINISTRATOR'S UPDATE**

- Staff is expecting to receive the site plan for the Casey's store this week.
- Jim Johnson is looking to putting a building south of the proposed Casey's Store and inquired about the road, Lutter Ave., and is asking who owns it. The City does not own the road and Mr. Johnson was directed to develop this access himself.
- Staff is waiting for Mr. Terrell to sign agreement for water and sewer connection. This will need to be signed before the water will be turned on to the property at 316 LeRay Avenue.

April 5, 2022

Jennifer J. Bromeland  
City Administrator  
City of Eagle Lake  
705 Parkway Avenue  
Post Office Box 159  
Eagle Lake MN 56024

Re: Lutter Avenue

Dear Administrator Bromeland:

The City has been approached by Patti Schuch and her family about obtaining access to their agricultural land using a city right of way that is referred to as Lutter Avenue. This request has been lingering since July 2021. Jim Johnson, an owner of another parcel uses this same access to access his property.

According the minutes of the City Council on November 7, 2009, Mr. Johnson approached the city about putting a building south of the then proposed Casey's Store. He inquired as to who owned Lutter Avenue. He was advised that the City did not own the property and that he would have to develop access himself.

At the Council meeting of July 12, 2021 the Patti Schuch Family contacted the city about obtaining access to their agricultural land using the Lutter Avenue right of way. The area was described as overgrown and in need of clearing. The Schuch family indicated that they would insure the right of way under their farm policy and there would be no liability for the City. The City Council agreed to provide access under those terms and directed city staff to put together an agreement.

In between these two meetings the city confirmed that Lutter Avenue is a city right of way with the County.

City Staff prepared an access agreement for the Patti Schuch family that provided that the Schuch family would clear the brush from the access, maintain the access way and that the Schuch family would provide insurance for the access and assume all responsibility for the use of the same. These provisions were put into the agreement at the direction of the City Council. The agreement was not assignable by the Schuch family but was revocable by the City at any time.

The Schuch family had issues with the proposed language. They were concerned about the access granted to Mr. Johnson. They were concerned about accepting liability for the access. They were concerned that the agreement could be cancelled by the City. They were also concerned about

99 Navaho Avenue, Suite 104 Mankato, MN 56001

Phone: 507/345-4582 Fax: 507/345-1010

Email: knklaw@hickorytech.net

Website: kennedykennedylaw.lawoffice.com

\* Also Admitted in Iowa

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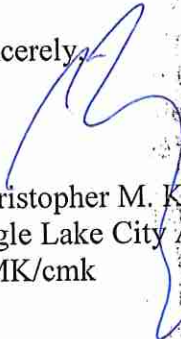
public access and asked that they be able to post the land against trespassers. The City and the Schuch family were not able to come to an agreement.

At the present time, the Schuch family has approached the City again in regards to access to the property. They have also inquired in regards to the agreement that the city has with Mr. Johnson.

At the present time, the provisions of any agreement must follow the conditions set for by the council at its meeting of July 12, 2021. This would include a provision that the property owners would have to accept responsibility for any damages or injuries caused to, on or by the access. The Council may change the provisions of what they required but they will need to find a public benefit. At the present time there does not appear to be any public benefit to allowing the Schuch family access to the property, any benefit would be derived by them. Any agreement to provide access needs to ensure that the City is not accepting any additional liability and that it has the ability to use the property as it was originally dedicated to be used.

In regards to Mr. Johnson, there does not appear to be any understanding in regards to his use of the access. Any access agreement should be the same and he should be required to sign a similar document or advised that he is not able to use the city access. It is not clear why he was advised in 2009 that the property was not the cities but it does not appear that he had any reason to believe that the property was his.

Sincerely,

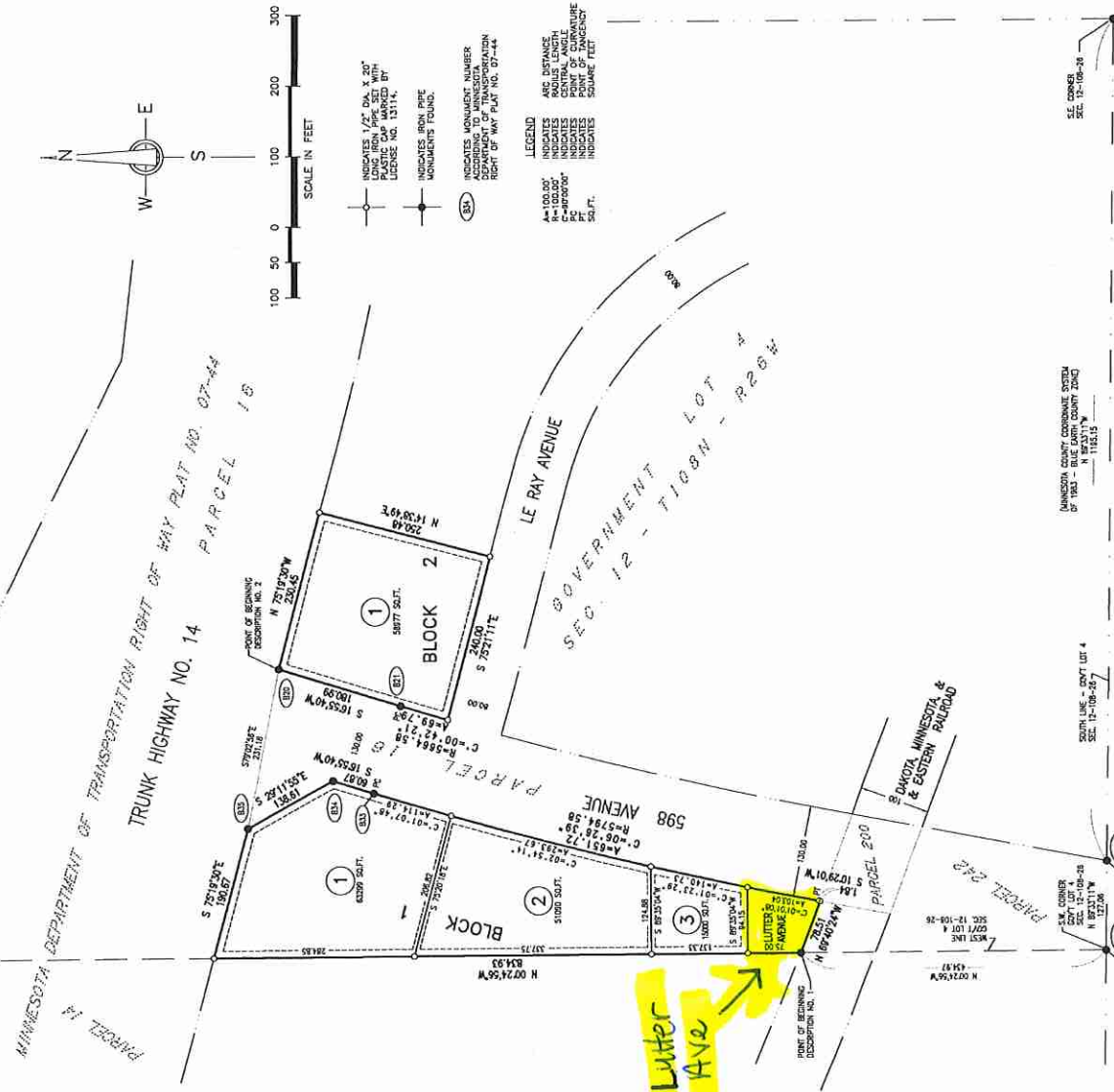


Christopher M. Kennedy  
Eagle Lake City Attorney  
CMK/cmk

Approved 2003

# EAGLE LAKE COMMERCIAL CENTER

## CITY OF EAGLE LAKE BLUE EARTH COUNTY, MINNESOTA



**INSTRUMENT OF CONVEYANCE**

Know all men by these presents that Carol L. Johnson and Joan M. Johnson, husband and wife, owners of the following described property, to-wit: Lot 4 in Section 12, Township 108 North Range 28 West, Blue Earth County, Minnesota, as described as follows: (Minnesota County Coordinate System of 1983, Blue Earth County Zone), along the south line said Government Lot 4 a distance of 175.15 feet to Monument B33 according to Minnesota Earth City Recorder; thence continuing North 89 degrees 33 minutes 11 seconds West, along said north line, a distance of 127.08 feet to monument B29 according to said right of way plat, the same being the west line of said Government Lot 4, a distance of 434.87 feet to the point of intersection with the southerly right of way line of the Began, Minnesota & Eastern Railroad, thence South 75 degrees 19 minutes 30 seconds East, along said right of way line, 195.87 feet to Monument B35 according to said right of way plat, thence South 29 degrees 11 minutes 11 seconds East, along said right of way line, 80.97 feet to Monument B33 according to said right of way plat, said point being the point of intersection with the southerly right of way line of the Began, Minnesota & Eastern Railroad, thence South 55 minutes 40 seconds West, along said right of way line, 5794.55 feet radius curve, center angle = 68 degrees 28 minutes 38 seconds, on a distance of 451.72 feet to the point of intersection with the southerly right of way line of the Began, Minnesota & Eastern Railroad, thence North 69 degrees 40 minutes 24 seconds West, along said right of way line, 78.51 feet to the point of beginning, containing 3.14 acres.

ALSO: Description No. 2: That part of Government Lot 4 in Section 12, Township 108 North Range 28 West, Blue Earth County, Minnesota, as described as follows: (Minnesota County Coordinate System of 1983, Blue Earth County Zone), along the south line of said Government Lot 4 a distance of 175.15 feet to Monument B29 according to Minnesota Earth City Recorder; thence continuing North 89 degrees 33 minutes 11 seconds West, along said north line, a distance of 127.08 feet to monument B29 according to said right of way plat, the same being the west line of said Government Lot 4, a distance of 434.87 feet to the point of intersection with the southerly right of way line of the Began, Minnesota & Eastern Railroad, thence South 75 degrees 19 minutes 30 seconds East, along said right of way line, 195.87 feet to Monument B35 according to said right of way line of Trunk Highway No. 14, South 75 degrees 19 minutes 30 seconds East, along said right of way line, 190.87 feet to Monument B33 according to said right of way plat, thence South 79 degrees 02 minutes 58 seconds East, 231.18 feet to Monument B33 according to said right of way plat, thence South 18 degrees 42 minutes 21 seconds, on a distance of 89.79 feet to the point of intersection with the southerly right of way line of the Began, Minnesota & Eastern Railroad, thence North 21 degrees 14 minutes 11 seconds East, along said right of way line, 240.00 feet to the point of intersection with the southerly right of way line, 200.45 feet to the point of beginning, containing 1.30 acres.

Surveyor's Declaration: I, the undersigned, being duly sworn, depose and state that I am a duly licensed and qualified surveyor in the State of Minnesota, and that I have made a personal and diligent examination of the above described property, and that the monuments to be set, that I have named and plotted are in accordance with the original and correct records of the public use of the street and easements shown hereon.

SIGNED: *Carol L. Johnson*  
*Joan M. Johnson*  
 Carol L. Johnson  
 Joan M. Johnson  
 State of Minnesota  
 County of Blue Earth

**NOTARY CERTIFICATE**

On this 25th day of October 2003, before me a Notary Public within and for said County of Blue Earth, Minnesota, the persons named in the foregoing instrument and who do acknowledge said instrument to be their free act and deed.

*JOHN P. HEB*  
 Notary Public  
 Commission Expires 03/31/2006

Surveyor's Certification: I, the undersigned, being duly sworn, depose and state that I am a duly licensed and qualified surveyor in the State of Minnesota, and that I have made a personal and diligent examination of the above described property, and that the monuments to be set, that I have named and plotted are in accordance with the original and correct records of the public use of the street and easements shown hereon.

SIGNED: *David P. Loom*  
 David P. Loom  
 State of Minnesota  
 County of Blue Earth

On this the 25th day of December 2003, before me a Notary Public within and for said County of Blue Earth, Minnesota, the persons named in the foregoing instrument and who do acknowledge said instrument to be their free act and deed.

*Victoria A. Bergstrom*  
 Notary Public  
 Commission Expires 03/31/2006

Be it known that on this the 25th day of August 2003, the Planning Commission of the City of Eagle Lake did duly review this plat of EAGLE LAKE COMMERCIAL CENTER.

*Victoria A. Bergstrom*  
 Chairperson

Be it known that on this the 8th day of September 2003, the City Council of the City of Eagle Lake did duly approve this plat of EAGLE LAKE COMMERCIAL CENTER, and that, as per Minnesota Statutes, Chapter 372, Section 03, the City Council has approved this plat of EAGLE LAKE COMMERCIAL CENTER as received from the Commissioner of Transportation and from the Blue Earth County Highway Engineer.

*David P. Loom*  
 Mayor

On this the 25th day of December 2003, before me a Notary Public within and for said County of Blue Earth, Minnesota, the persons named in the foregoing instrument and who do acknowledge said instrument to be their free act and deed.

*David A. Loom*  
 Notary Public  
 Commission Expires 03/31/2006

I hereby certify that there are no delinquent taxes and/or delinquent special assessments, that the taxes and special assessments due on the property described herein have been paid.

*Patricia Conroy*  
 Taxpayer Services Director

I hereby certify that this instrument was filed for record on this 25th day of October 2003, at 1:30 PM, and that it was duly recorded on this 27th day of October 2003, at 1:30 PM.

*Patricia Conroy*  
 County Recorder

THIS PLAT WAS PREPARED BY SURVEY SERVICES, INC.

Official Plat

## Jennifer Bromeland

---

**From:** Mitchell Ludkey <Mitchell.Ludkey@blueearthcountymn.gov>  
**Sent:** Monday, October 11, 2021 10:31 AM  
**To:** Jennifer Bromeland  
**Subject:** RE: [External]RE: [External]Parcel Question  
**Attachments:** EAGLE LAKE COMMERCIAL CENTER.PDF

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

This Right of way was approved by the city in August 2003, I have attached a copy of the Eagle lake Commercial Center Plat which created the ROW. ROW would not be shown with ownership in beacon, since it is being treated as nontaxable road.

Mitchell Ludkey | Mapping / GIS Technician  
**Blue Earth County**  
Property & Environmental Resources  
Desk: 507-304-4140  
410 South Fifth Street | PO Box 3566 | Mankato, MN  
[www.blueearthcountymn.gov](http://www.blueearthcountymn.gov)

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**From:** Jennifer Bromeland <jbromeland@eaglelakemn.com>  
**Sent:** Friday, October 8, 2021 9:34 AM  
**To:** Mitchell Ludkey <Mitchell.Ludkey@blueearthcountymn.gov>  
**Subject:** [External]RE: [External]Parcel Question

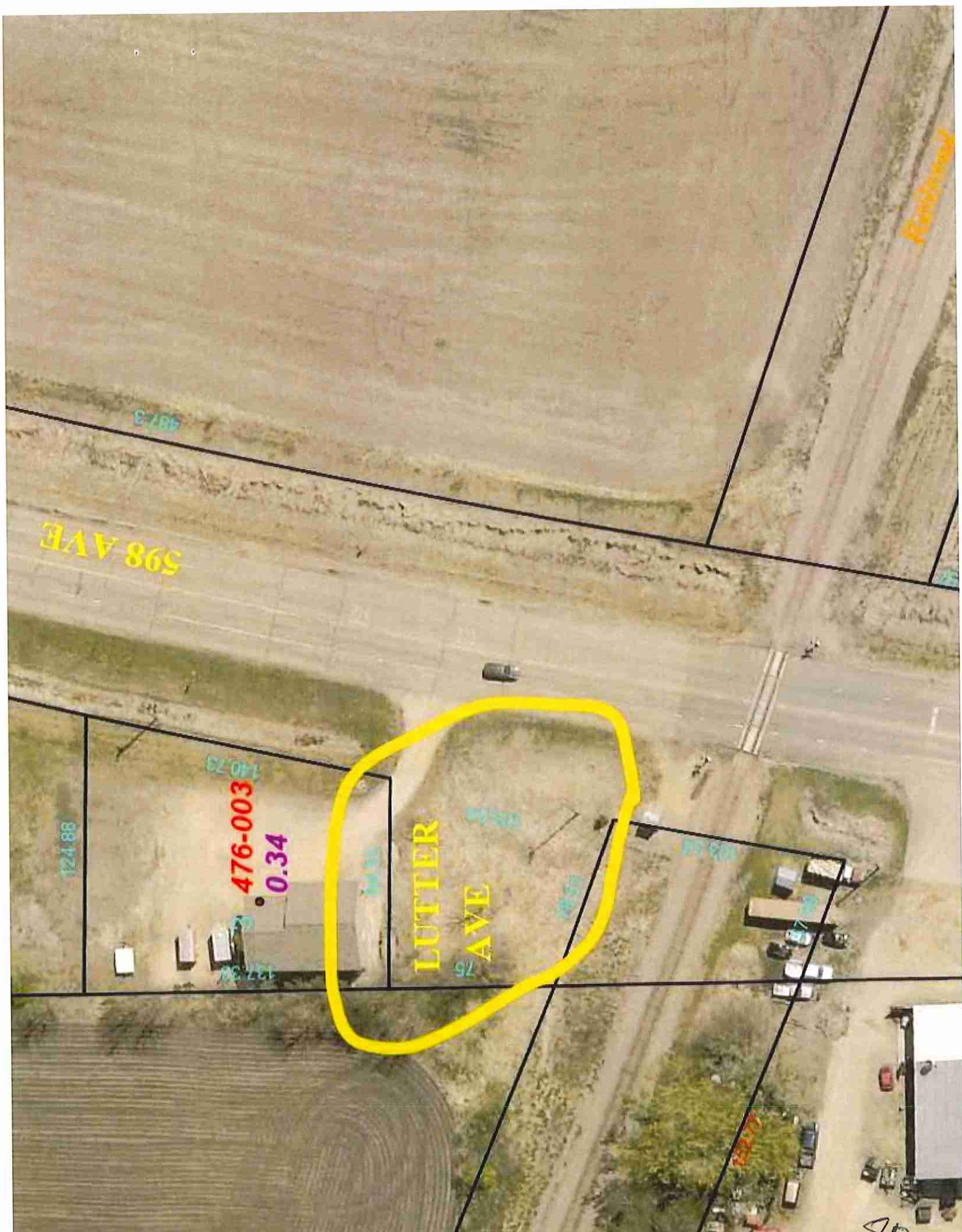
CAUTION: This email originated from outside the BEC Network. Be aware that if the email contains links, use extreme caution before clicking. If the sender appears to be impersonating a coworker or department, report the email using the phishing alert button.

Hi Mitchell,

Is it possible to find out how long the City has had ownership of this ROW parcel? Do you know why it isn't reflected on the BEACON as being owned by the City of Eagle Lake?

Thank you.

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



598 AVE

487.3

476-003  
0.34

124.86

LUTTER  
AVE

Ranchway

80

## 2. Patti Schuch Family: Ag Land Access Request

- A request was received from the Patti Schuch family about obtaining access to their agricultural land that they farm using City of Eagle Lake right of way north of the railroad tracks along 598<sup>th</sup> Avenue or CSAH 56. This right of way parcel is referred to as Lutter Avenue. The area is currently overgrown with brush and would need to be cleared. The parcel is in compliance with the railroads required 50-foot setback.
- The Schuch family has expressed that they will be responsible for clearing the brush, establishing a driveway, installing a culvert in the driveway to let water through and not disrupt waterflow, and that they will ensure that their farm policy covers the right of way area for insurance purposes.
- If Council approves this request City staff will work with legal counsel to develop an agreement which would include these details.
- Patti and John Schuch confirmed that their farm policy would include coverage for the right of way and there would be no liability for the City. They also indicated they would begin this work in the fall.
- Council discussion included the need to talk to Blue Earth County regarding this access and how it would affect the adjacent property owner.
- Council Member White moved, seconded by Council Member Rohrich, to approve access via the right of way. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.

## 3. Bradley Van Deinse, Auditor with Eide Bailly: Annual Audit Report Presentation

- Mr. Van Deinse stated that they are able to report a clean, unmodified opinion for the audit and that the city has a positive fund balance and is in compliance with its fund balance policy. He reviewed fund balances for the general fund and enterprise funds.
- Mr. Van Deinse presented a finding of requiring two signatures on all checks. A policy to this effect will be proposed later on the agenda.
- Eide Bailly is responsible for state filings.

## 4. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Reconstruction Project

- Mr. Sarff explained that sanitary sewer and water work has been completed for phase one of the CSAH 27 project and that once the storm sewer has been completed the road will be put back together. Work on phase two will be from Linda Drive to Thomas Drive, followed by phase three which is Parkway Avenue to LeRay Avenue.
- Mr. Sarff reminded Council that the sanitary sewer line for 524 S. Agency Street is located on Connie Lane and in order for the property owner to connect it would result in a large expense to the property owner who would need a grinder pump. The existing line will not work for a gravity feed due to depth of the line. Per Council's prior request Mr. Sarff presented a cost of \$28,000 to extend the sanitary sewer line from Thomas Drive to this property. If approved, Blue Earth County would be responsible for the change order.
- Council discussion included if the property owner is interested in making the connection at this time, the cost, if the City decides to pursue this at a later date, would be substantially higher. Also discussed is when the property owner would need to connect if a new line is installed. Mr. Sarff stated that a delay in this decision could delay the entire CSAH 27 project.
- Public Works Director Brian Goettl stated he feels the City should extend this line and the City may want to consider contacting Blue Earth Council to determine if the septic system is in compliance.
- Council White moved, seconded by Council Member Rohrich, to extend the sanitary sewer line from Thomas Drive to 524 S. Agency Street. Motion carried with Council Member Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Mr. Sarff stated he has made note of Mr. Winkler's concerns and they will be addressed.

## NEW BUSINESS

### 1. Memorial Bench Request

- A request was received from Judy Born to place a memorial bench along the north side of Parkway Avenue at the intersection of Linda Drive and Parkway Avenue in memory of Chuck Born, Robert Jacobs, Jan Hedge, and Bryce Olson. The bench will be paid for by the families of those being memorialized as will a name plate recognizing each person for their community service. Chuck served on the American Legion Post 617 board and Jaycees, Robert served on the Planning Commission, Jan served on the City Council, and Bryce serves as a former Mayor. The families are requesting that the City order and install the bench on their behalf with the cost for the bench to be reimbursed by the families.
- The estimated bench cost is \$2,520.11 and will be blue in color.

**CITY OF EAGLE LAKE**  
**Access Agreement**

**Introduction**

The City of Eagle Lake ("City") and the Patti Schuch family ("Schuch family") enter into this agreement. The Schuch family are the owners of the agricultural land that abuts the City of Eagle Lake and they are seeking access to that land by using a City of Eagle Lake right-of-way north of the railroad tracks along 598<sup>th</sup> Avenue or CSAH 56, this parcel is referred to as Lutter Avenue. The land owned by the City is currently overgrown with brush.

**Terms of Agreement**

1) That the Schuch family agrees to clear the brush from the property. The Schuch family further agrees that it will establish a driveway and install a culvert in the driveway to let water through and not disrupt the water flow. The costs of the clearing of the brush and establishing a driveway with a culvert will be responsibility of the Schuch family and they will hold the city harmless for any costs.

2) That prior to removing the brush and constructing the driveway the Schuch family will submit plans to the City, the City shall review the plans and may make alterations to the plans, no action will be taken by the Schuch family until they receive approval from the city.

3) That the Schuch family will accept all responsibility for the maintenance of the driveway;

4) That the Schuch family will obtain and maintain an insurance policy that will provide for any claims made in connection with the use of the property or the construction of the driveway and culvert.

5) That prior to the construction of the project the Schuch family will work with Blue Earth County in regards to the construction of this access and they will determine how this affect any adjacent property owners;

6) That if the construction of the driveway and culvert impacts any adjacent property owner that the plan for mitigation of those impacts will be presented to the city for its approval;

7) The Schuch family understands that they assume all responsibility for any damage whether to person or property of the city, to them or their assignees or any third

party shall be solely their responsibility and that they will hold the city harmless, therefrom.

8) Should the construction, use or maintenance result in any litigation whether threatened, served or filed, the Schuch or their heirs shall indemnify the city for any costs of defending such action.

9) The terms of this agreement are not assignable by the Schuch Family and any other party seeking access to the property through any land owned by the City must contact the city for permission.

10) The City retains the right to revoke the access to property for any reason or no reason, including but not limited to the further development of the area or concerns over the upkeep of the driveway.

\_\_\_\_\_  
City of Eagle Lake  
By

\_\_\_\_\_  
Patti Schuch

\_\_\_\_\_  
City of Eagle Lake  
By  
It's

\_\_\_\_\_  
Patti Schuch Family  
By  
It's



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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Certificate of Title – Certificate of Forfeiture

It was noted on a recent property tax statement received from Blue Earth County that the City of Eagle Lake is listed as the alternate taxpayer and the not the primary taxpayer for parcel R1210913279028. Per a phone call to Blue Earth County, this is Torrens property. Staff was advised to obtain a directive from an examiner of title and referred to contact Kim Literovich, attorney and Blue Earth County Examiner of Titles with Blethen Berens Law Firm.

For purposes of providing background, a letter was received from Blue Earth County in June of 2021 advising of two parcels forfeited to the State of Minnesota for nonpayment of property taxes. Both parcels were classified as nonconservation lands located in the City of Eagle Lake. Per MN Statute 282.01, Subdivision 1 (g)(h)(i), Blue Earth County asked the City of Eagle Lake to approve the classification of each parcel and approve sale by public auction or auction to adjacent owners. Another option was for the City to request a sale or conveyance to itself.

Given the parcels function as a stormwater pond, it was discussed in August of 2021 that the City may wish to consider conveyance of the parcels. A resolution was adopted at that time acknowledging that the forfeited land would enhance the public service facilities of the City of Eagle Lake by providing ownership of the parcels on which the stormwater pond that it maintained lies. Following that action, paperwork was submitted and recorded, and fees paid. No mention was made at that time about the subject parcel being Torrens property and other steps involved.

A conference call was held with special legal counsel Kim Literovich with Blethen Berens Law Firm. Ms. Literovich advised that the most cost-efficient option for the City of Eagle Lake is to wait until November 2030 and request an Examiner's Directive to have a new Certificate of Title issued in the name of the City of Eagle Lake. As outlined in an email from Ms. Literovich, a copy of which is attached, a primary benefit of Torrens property is the assurance that no one may gain adverse possession rights against the title to the property. Adverse possession is where a non-owner occupies or uses another's property for a length of time and thereby acquires ownership rights.

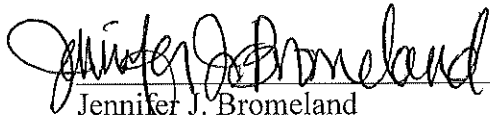
The alternative option is to pursue a Proceeding Subsequent which would include attorney's fees, Examiner of Title fees, court fees, and recording fees. The estimated cost for a Proceeding Subsequent is estimated to run approximately \$3,000.



Discussion should ensue as to whether to pursue a Proceeding Subsequent and Examiner's Directive now or wait until November 2030 and request an Examiner's Directive to have a new Certificate of Title issued in the name of the City of Eagle Lake.

Also attached is additional background information about the forfeited parcels.

A motion is needed.

  
Jennifer J. Bromeland  
City Administrator

## Jennifer Bromeland

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**From:** Kim Literovich <Kliterovich@blethenberens.com>  
**Sent:** Tuesday, April 26, 2022 3:28 PM  
**To:** Jennifer Bromeland  
**Subject:** Storm Water Parcels  
**Attachments:** Certificate of Title-Certificate of Forfeiture (B1569147xC04B9).pdf

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

Jennifer,

This correspondence confirms our telephone conference of April 25.

The City of Eagle Lake acquired tax forfeiture property in 2021, Outlots C and D, Eagle Ridge First Addition ("Outlot C" and "Outlot D"). Both parcels are used for storm water ponds. Outlot D is abstract property and Outlot C is Torrens property. The Certificate of Title and the tax statement for Outlot C continue to identify the owner as Progress Land Company, Inc. The tax statement identifies the City of Eagle Lake as the alternate tax payer.

The question to my office was what would be required to show ownership of Outlot C as the City of Eagle Lake?

Torrens property is property that was registered in a Court action and is governed by Minnesota statutes and has a Certificate of Title similar to the title for a vehicle. When Torrens property is subject to a tax forfeiture there are two options to obtain a new Certificate of Title with ownership in the State of Minnesota or the purchaser in a Conveyance of Forfeited Land. A court action called a Proceeding Subsequent, or an Examiner of Title's Directive which directs the County Registrar of Titles (part of the Recorder's office) to issue a new Certificate of Title. An Examiner's Directive is not an option until 10 years after recording of the Certificate of Forfeiture filed by the County verifying the tax forfeiture of the property.

The Certificate of Forfeiture for Outlot C was recorded on November 13, 2020, and an Examiner's Directive is not an option until after November 13, 2030.

The estimated cost of a Proceeding Subsequent is \$3,000.00. This includes attorney fees, Examiner of Titles fees, court fees and recording fees. The current cost for an Examiner's Directive is \$200.

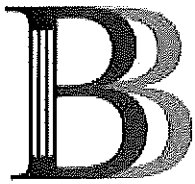
The cost efficient option for the City of Eagle Lake is to wait until November 2030 and request an Examiner's Directive to have a new Certificate of Title issued in the name of the City of Eagle Lake.

One of the primary benefits of Torrens property is the assurance that no one may gain adverse possession rights against the title to the property. Adverse possession is where a non-owner occupies or uses another's property for a length of time and thereby acquires ownership rights.

I have attached copies of the Certificate of Title, recorded Certificate of Forfeiture and recorded Conveyance of Forfeited Lands for your records.

Please let me know if there are further questions. If the City elects to move forward with the Proceeding Subsequent we can handle that for you.

Kim Literovich



Kimberly A. Literovich  
*Partner*  
*Blue Earth County Examiner of Titles*

BLETHEN | BERENS  
100 Warren Street, Suite 400 | Mankato, MN 56001  
507-345-1166

*Legal Excellence. Personal Commitment.*

**Parking Instructions** – We are located in the Profinium Place Building on the corner of Warren Street and Riverfront Drive. Park in the City Center Parking Ramp, on the first or second level, which can be accessed on Warren Street, Cherry Street, or Riverfront Drive. Parking anywhere in the ramp is free for two hours or less, even though you will have to take a ticket when going through the parking ramp gate. There are three buildings connected to the ramp. Our building is the only one with glass doors on the first and second levels. Enter the building through those glass doors. Once inside, take the elevator to the 4<sup>th</sup> floor. The parking cost for more than two hours is \$3 per day.

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# Certificate Of Title

No. 28774

Transfer from No. 25138 - Originally registered the 24th day of September 1998, Volume 52, Page 51.

**STATE of Minnesota** } **S.S. REGISTRATION**  
**COUNTY of Blue Earth**

*This is to certify that*

PROGRESS LAND COMPANY, INC,  
having its principal place of business at 6001 Eagan Drive, #100, Savage, MN 55378 USA

is now the owner of an estate; In fee simple, of and in the following described land, situated in the County of Blue Earth and State of Minnesota:

Outlot C, Eagle Ridge First Addition.

*Subject to the encumbrances, liens, and interest noted by the memorial underwritten or endorsed hereon; and subject to the following rights or encumbrances subsisting, as provided in Laws 1905, chapter 305, section 24, namely:*

- 1 liens, claims, or rights arising or existing under the laws or the Constitution of the United States, which this state cannot require to appear of record;
- 2 the lien of any real property tax or special assessment;
- 3 any lease for a period not exceeding three years when there is actual occupation of the premises thereunder;
- 4 all rights in public highways upon the land;
- 5 the right of appeal, or right to appear and contest the application, petition, or other proceeding affecting the title, as is allowed by this chapter;
- 6 the rights of any person in possession under deed or contract for deed from the owner of the certificate of title; and
- 7 any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of my office this 3rd day of March, 2009

**Patty O'Connor**

Registrar of Titles

In and for the County of Blue Earth and State of Minnesota

By Patricia A. Bergemann, Deputy

## MEMORIAL

OF ESTATES EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
376CR230	CONTRACT	05/20/1998 10:35 am	05/04/1998		Patty O'Connor Patricia A. Bergemann, Deputy
<b>RUNNING IN FAVOR OF</b>					
CITY OF EAGLE LAKE & GARY HINIKER					
T58561	RESOLUTION	09/29/1998 11:00 am	05/19/1998		Patty O'Connor Patricia A. Bergemann, Deputy
Memorial Note: (Wetland Replacement Plan)					
<b>RUNNING IN FAVOR OF</b>					
BLUE EARTH CO BOARD OF COMMISSIONERS TO THE PUBLIC					
T141375	CERT FORFEITURE	11/13/2020 03:10 pm	05/01/2020		Michael Stalberger Jennifer L. Robinson, Deputy
<b>RUNNING IN FAVOR OF</b>					
STATE OF MINNESOTA					

98

# MEMORIAL

OF ESTATES EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
T145232	STATE DEED	10/18/2021 08:30 am	08/18/2021		Michael Stalberger Jennifer L. Robinson, Deputy

**RUNNING IN FAVOR OF**  
CITY OF EAGLE LAKE

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49



T  
28774  
Property & Environmental  
SUS  
(3) Taxation  
DUE

**T141375**  
CERTIFIED, FILED AND/OR RECORDED ON  
11/13/2020 09:10 PM  
BLUE EARTH COUNTY, MN  
MICHAEL STALBERGER COUNTY RECORDER  
PROPERTY AND ENVIRONMENTAL  
RESOURCES DIRECTOR  
REC FEE: 46.00 EXEMPT: N/A  
DT PD: EXEMPT: N/A  
DELINQ TX: N/A /TRANS ENTER: Y  
eCREV/CREV: N/A  
SPLIT-CURRENT TX PD: N/A  
PAGES: 1  
AFFECTED CERTIFICATES:  
28774

R12.09.13.279.028

**PROPERTY & ENVIRONMENTAL RESOURCES CERTIFICATE OF FORFEITURE**

State of Minnesota

County of Blue Earth

I, Michael Stalberger, Blue Earth County Director of Property & Environmental Resources, certify pursuant to Minnesota Statutes, Section 281.23, Subdivision 9, that the parcel of real property situated in Blue Earth County and described below was bid in for and sold to the State of Minnesota on the second Monday of May, May 11, 2015, after judgment was entered in the District Court in Blue Earth County on June 4, 2015, in the proceedings to enforce the payment of delinquent property taxes payable in the year 2014.

I further certify that the time for redemption of the parcel of real property described below has expired after notice given pursuant to Minnesota Statutes, Section 281.23, Subdivisions 2, 3, 5, and 6, and filing of proof thereof in the office of the taxpayer services, and that absolute title to the parcel has vested in the State of Minnesota in trust for the respective taxing districts.


Parcel ID: R12.09.13.279.028

Abbreviated Legal Description: EAGLE RIDGE FIRST ADD, O.L.C. 000 000 00

Complete Legal Description: OUTLOT C, EAGLE RIDGE FIRST ADDITION

Witness my hand and official seal on May 1, 2020.

SEAL  
AFFIXED

  
\_\_\_\_\_  
Michael Stalberger  
Director of Property & Environmental Resources  
Blue Earth County

Drafted by: Property & Environmental Resources Department, 410 S. 5<sup>th</sup> St., Mankato,  
MN 56001

910



T  
28774  
BEC Property & Env  
Resources  
282 (T)  
(4)  
pd

**T145232**  
CERTIFIED, FILED AND/OR RECORDED ON  
10/18/2021 08:30 AM  
BLUE EARTH COUNTY, MN  
MICHAEL STALBERGER COUNTY RECORDER  
PROPERTY AND ENVIRONMENTAL  
RESOURCES DIRECTOR  
REC FEE: 46.00 EXEMPT: N/A  
DT PD: 1.65 EXEMPT: N/A  
DELINQ TX: N / TRANS ENTER: Y  
eCREV/CREV: N/A  
SPLIT-CURRENT TX PD: N/A  
PAGES: 1  
AFFECTED CERTIFICATES:  
28774

R12.09.13.279.028

**Conveyance of Forfeited Lands**  
Issued Pursuant to Minnesota Statute, Chapter 282

Deed Tax Due: \$1.65  
Date: 8/18/21

Commissioner's Deed No. 02237281

WHEREAS, the real property described below has become duly forfeited to the State of Minnesota to be held in trust in favor of the taxing districts for the nonpayment of taxes or otherwise, and,

WHEREAS, pursuant to Minnesota Statutes section 282.01, subdivision 1a, paragraph (e) and related provisions, the Grantee has applied to the Commissioner of Revenue to convey to the Grantee the real property described below to be used for an authorized public use and the County Board has made a favorable recommendation with respect to the conveyance, and

WHEREAS, the Commissioner of Revenue has determined that the Grantee has fully complied with the conditions for said conveyance and is entitled to an appropriate conveyance of the real property, and,

NOW, THEREFORE, for valuable consideration and pursuant to said laws, the Commissioner of Revenue, acting on behalf of the State of Minnesota, a sovereign body (Grantor), does hereby convey and quitclaim free from any trust to City of Eagle Lake (Grantee), for so long as the Grantee shall continue to use the Property for a stormwater pond, real property in Blue Earth County, State of Minnesota legally described as follows:

Outlot C, Eagle Ridge First Addition  
R12.09.13.279.028

Check here if all or part of the described real property is Registered (Torrens) ( X )

together with all hereditaments and appurtenances belonging thereto, but excepting and reserving to the said state, in trust of the taxing districts concerned, all mineral rights, as provided by law.

Check applicable box:

- ( X ) The Seller certifies that the Seller does not know of any wells on the described real property.
- ( ) A well disclosure certificate accompanies this document.  
(If electronically filed, insert WDC number: )
- ( ) I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

NOTE: The State of Minnesota is issuing this deed for the county and other taxing jurisdictions and in reliance on the Auditor's certification stating the above.

THE MONETARY CONSIDERATION FOR THIS CONVEYANCE IS \$3000 OR LESS.

BY STATE OF MINNESOTA, ROBERT DOTY, Commissioner of Revenue

By: SARAH ADAM, duly appointed representative of the Commissioner of Revenue.

State of Minnesota  
County of Ramsey

This instrument was acknowledged before me on 5th day of October, 2021, by SARAH ADAM, duly appointed representative of the Commissioner of Revenue, on behalf of the State.

*Julie Marie Rosalez*

THIS INSTRUMENT WAS DRAFTED BY:  
Minnesota Department of Revenue  
600 North Robert Street, 4<sup>th</sup> Floor  
St. Paul, MN 55146



Tax statements for the real property described in this document should be sent to:  
Name:  
Address:

CITY OF EAGLE LAKE  
PO BOX 159  
705 PARKWAY AVE  
EAGLE LAKE, MN 56024

dl



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

August 2, 2021

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Tax-Forfeited Parcels

Attached you will find a letter from Blue Earth County Taxpayer Services regarding parcels forfeited to the State of Minnesota for nonpayment of property taxes. Each of the parcels listed is classified as nonconservation lands located in the City of Eagle Lake.

Per Minnesota Statutes 282.01 Subdivision 1 (g)(h)(i), they are requesting that the City approve the classification of each parcel and approve sale by public auction or auction to adjacent owners. Alternatively, the City may request a sale or conveyance to itself.

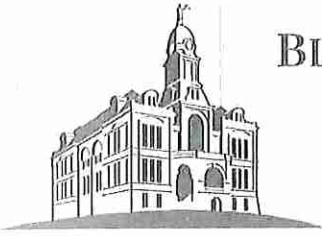
Attached is a printout from BEACON showing wetlands in Eagle Lake and ownership. Since the wetlands are an important part of stormwater infrastructure, the City may wish to request conveyance of parcels R12.09.13.279.028 and R12.09.13.402.008.

If there is an interest in obtaining the above listed parcels, then a motion to that effect is necessary.

  
Jennifer J. Bromeland  
City Administrator

ms  
-92





# BLUE EARTH COUNTY

*Effectively and Efficiently  
Delivering Essential Services*

[www.blueearthcountymn.gov](http://www.blueearthcountymn.gov)

## COMMISSIONERS

- District 1 Colleen Landkamer
- District 2 Vance Stuehrenberg
- District 3 Mark Piepho
- District 4 Kevin Paap
- District 5 Kip Bruender

## Historic

**Courthouse**  
204 S. Fifth St.  
PO Box 168  
Mankato, MN 56002

**Administration**  
TEL: 507-304-4150  
FAX: 507-304-4344

**Human Resources**  
TEL: 507-304-4150  
FAX: 507-304-4344

**Extension**  
TEL: 507-304-4325  
FAX: 507-304-4059

**Facilities Management**  
TEL: 507-304-4249

**Government Center**  
410 S. Fifth St.  
Mankato, MN 56001

**Human Services**  
PO Box 3526  
TEL: 507-304-4319  
FAX: 507-304-4379

**Property and Environmental Resources**  
PO Box 3566  
TEL: 507-304-4251  
FAX: 507-304-4431

**License Center**  
PO Box 3524  
TEL: 507-304-4340  
FAX: 507-304-4396

**Veterans Services**  
PO Box 168  
TEL: 507-304-4246  
FAX: 507-304-4225

**Finance**  
PO Box 3524  
TEL: 507-304-4182  
FAX: 507-304-4077

**Information Technology**  
PO Box 168  
TEL: 507-304-4204  
FAX: 507-304-4355

**Public Works**  
35 Map Dr.  
PO Box 3083  
Mankato, MN 56002  
TEL: 507-304-4025  
FAX: 507-304-4049

**Justice Center**  
401 Carver Road  
Mankato, MN 56001

**Sheriff's Office**  
PO Box 228  
TEL: 507-304-4800  
FAX: 507-304-4818

**County Attorney**  
PO Box 3129  
TEL: 507-304-4600  
FAX: 507-304-4620

**Probation**  
PO Box 3245  
TEL: 507-304-4750  
FAX: 507-304-4710

**Library**  
100 E. Main St.  
Mankato, MN 56001  
TEL: 507-304-4001  
FAX: 507-304-4009  
[www.beclibrary.org](http://www.beclibrary.org)  
TDD: 507-304-4399

June 9, 2021

City of Eagle Lake  
PO Box 159  
Eagle Lake, MN 56024

To Whom It May Concern:

The parcels described in the attached list forfeited to the State of Minnesota for nonpayment of property taxes. Each of the parcels is classified as nonconservation lands and all are located in your city or township.

Per Minn. Stat. § 282.01 Subd 1 (g)(h)(i), we request that you approve the classification of each parcel and approve sale by public auction or auction to adjacent owners. Alternatively, you may request a sale or conveyance to your city.

If you request that a parcel be conveyed to your city, we require a certified copy of the City Council resolution authorizing any action taken. In addition, the city will eventually need to complete the "Application for State Deed for Tax-Forfeiture Land" and "Supplemental Information for a Conditional Use Deed." Instructions and forms can be found at the following address and by searching for "State Deed Application":

<https://www.revenue.state.mn.us/>

Special assessments that were levied before the forfeiture do not need to be certified to this office. They were canceled at forfeiture and will be paid from the sale price. Special assessments that are levied after the forfeiture should be certified to this office. They will be added to the appraised value and paid from the sale price.

Please be advised that if the City Council fails to respond within sixty (60) days of the date of this letter, the sale will be deemed to be approved. If you have any questions, please feel free to contact Tracy Loreth or Kelly Othoudt at (507) 304-4251.

Sincerely,

Michael Stalberger  
Director of Property and Environmental Resources

**Parcel Identification  
Number (PIN)**

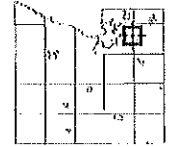
**Situs Address**

**Recording (FULL) Legal Description**

R12.09.13.279.028		OUTLOT C, EAGLE RIDGE FIRST ADDITION
R12.09.13.402.008		OUTLOT B, EAGLE RIDGE FIRST ADDITION



Overview



Legend

- Parcel Point Urban
  - Centroid
  - Non Centroid
- Tax Parcels
- ⊗ Monument

Parcel ID	R120913279028	Class	PILT-Payment In-Lieu of Taxes	Owner Address	PROGRESS LAND COMPANY INC
Sec/Twp/Rng	n/a	Acreage	n/a		6001 EAGAN DR STE 100
Property Address					SAVAGE MN 55378
District	EAGLE LAKE CITY SCH 0077				
Brief Tax Description	EAGLE RIDGE FIRST ADD, O.L.C. 000 000 00				
	(Note: Not to be used on legal documents)				

Date created: 7/30/2021  
 Last Data Uploaded: 7/30/2021 6:28:26 AM

Developed by  Schneider GEOSPATIAL

915  
 1111  
 111



**Summary**

Parcel ID R12.09.13.279.028  
 Property Address N/A  
 Sec/Twp/Rng N/A  
 Brief Tax Description EAGLE RIDGE FIRST ADD, O.L.C. 000 000 00  
 (Note: Not to be used on legal documents)  
 Area N/A  
 Use Code PILT-Payment In-Lieu of Taxes  
 Tax Authority Group EAGLE LAKE CITY SCH 0077

\* The Use Code is the Assessor Office's determination of the use of the property for the current assessment year and is not the same as the property's zoning.

\* Please contact the zoning authority for information regarding zoning.

**Owners**

**Primary Owner**  
 PROGRESS LAND COMPANY INC  
 6001 Eagan Dr Ste 100  
 Savage MN 55378

**Alternate Taxpayer**  
 BLUE EARTH COUNTY PROPERTY &  
 ENVIRONMENTAL RESOURCES  
 410 S 5th St PO Box 3567  
 Mankato MN 56002

**Fee Owner**

**Land**

Lot Area 0.63 Acres ; 27,269 SF

**Valuation - Assessment Year**

	2021 Values	2020 Values	2019 Values	2018 Values	2017 Values
EMV Improvement	\$0	\$0	\$0	\$0	\$0
EMV Land	\$1,600	\$1,600	\$1,600	\$1,600	\$1,600
EMV Machine	\$0	\$0	\$0	\$0	\$0
EMV (Estimated Market Value) Total	\$1,600	\$1,600	\$1,600	\$1,600	\$1,600
Green Acres Value	\$0	\$0	\$0	\$0	\$0

No data available for the following modules: Doing Business As, Agricultural Land, Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Sales, Permits, Taxation, Pay Property Taxes, Delinquent Taxes, Taxes Paid, Amortized Special Assessments, Ditch Special Assessments, Photos, Sketches.

[User Privacy Policy](#)  
[GDPR Privacy Notice](#)

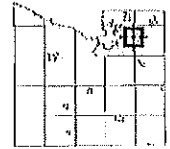
Last Data Upload: 7/30/2021, 5:28:26 AM



9/6



Overview



Legend

- Parcel Point Urban
  - Centroid
  - Non Centroid
- Tax Parcels
- ⊗ Monument

Parcel ID	R120913402008	Class	PILT-Payment In-Lieu of Taxes	Owner Address	STATE OF MINNESOTA
Sec/Twp/Rng	n/a	Acreage	n/a		MAIL STATION 3340
Property Address					SAINT PAUL MN 55146-3340
District	EAGLE LAKE CITY SCH 0077				
Brief Tax Description	EAGLE RIDGE FIRST ADD, O.L.B. 000 000 00				
	(Note: Not to be used on legal documents)				

Date created: 7/30/2021  
 Last Data Uploaded: 7/30/2021 6:28:26 AM

Developed by  **Schneider**  
 GEOSPATIAL



**Summary**

Parcel ID R12.09.13.402.008  
 Property Address N/A  
 Sec/Twp/Rng N/A  
 Brief Tax Description EAGLE RIDGE FIRST ADD, O.L.B. 000 000 00  
 (Note: Not to be used on legal documents)  
 Area N/A  
 Use Code PILT-Payment In-Lieu of Taxes  
 Tax Authority Group EAGLE LAKE CITY SCH 0077

\* The Use Code is the Assessor Office's determination of the use of the property for the current assessment year and is not the same as the property's zoning.  
 \* Please contact the zoning authority for information regarding zoning.

**Owners**

<b>Primary Owner</b>	<b>Alternate Taxpayer</b>	<b>Fee Owner</b>
STATE OF MINNESOTA	BLUE EARTH COUNTY PROPERTY &	
Mail Station 3340	ENVIRONMENTAL RESOURCES	
Saint Paul MN 55146-3340	410 S 5th St PO Box 3567	
	Mankato MN 56002	

**Land**

Lot Area 1.86 Acres ; 81,022 SF

**Valuation - Assessment Year**

	2021 Values	2020 Values	2019 Values	2018 Values	2017 Values
EMV Improvement	\$0	\$0	\$0	\$0	\$0
EMV Land	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700
EMV Machine	\$0	\$0	\$0	\$0	\$0
EMV (Estimated Market Value) Total	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700
Green Acres Value	\$0	\$0	\$0	\$0	\$0

No data available for the following modules: Doing Business As, Agricultural Land, Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Sales, Permits, Taxation, Pay Property Taxes, Delinquent Taxes, Taxes Paid, Amortized Special Assessments, Ditch Special Assessments, Photos, Sketches.

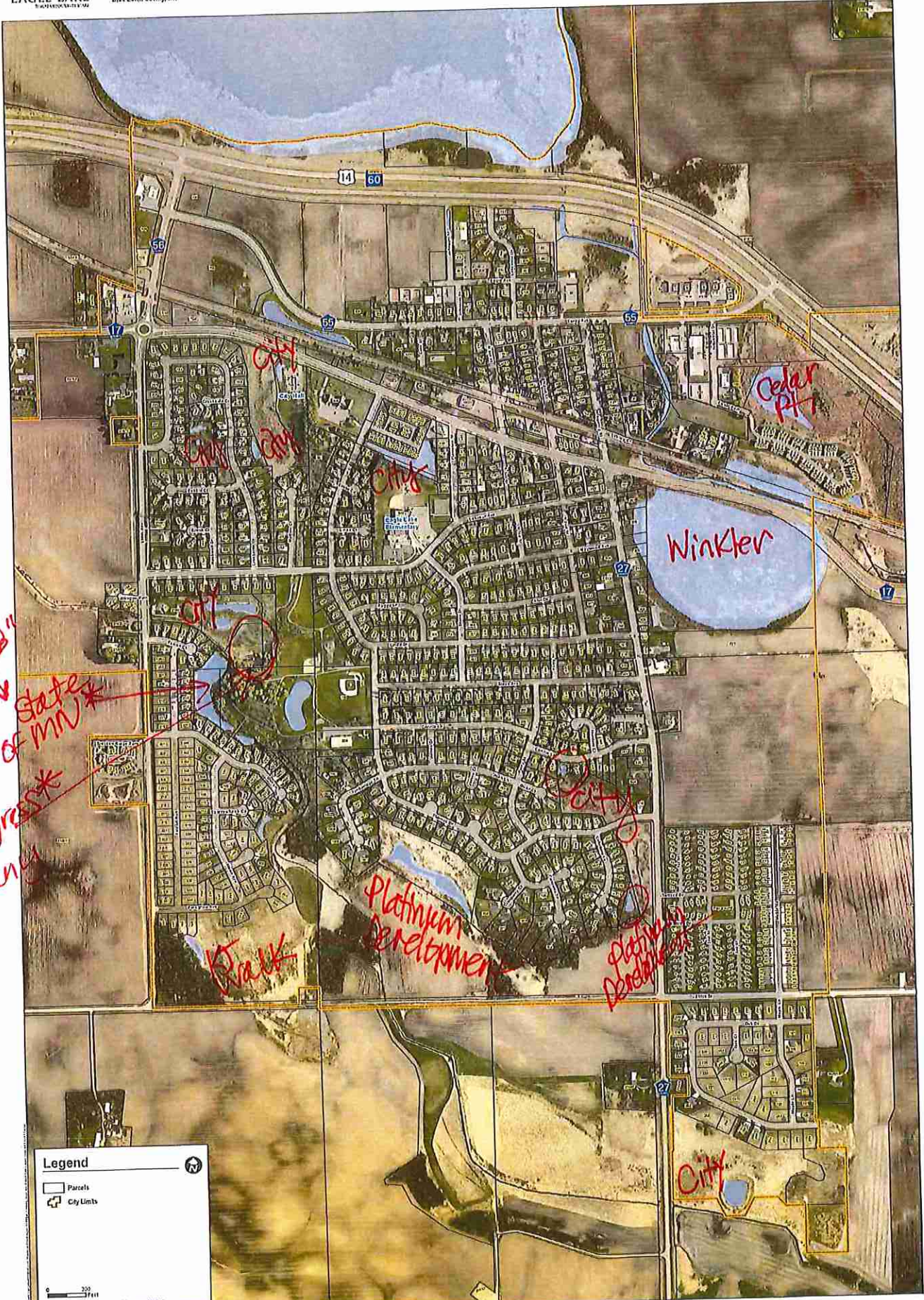
[User Privacy Policy](#)  
[GDPR Privacy Notice](#)

Last Data Upload: 7/30/2021, 5:28:26 AM



98

AUGUST 2021



"outlet B"  
 ↓  
 State of MN  
 \*  
 Progress \*  
 Land Company  
 ↓  
 "outlet C"  
 C

**Legend**

- Parcels
- City Limits

0 200 Feet

Source: Dixie Earth County, 2018 to 2019, M-018

2. Steve Mohr, Project Director with MetroNet: Location for Fiber Cabinet

- Mr. Steve Mohr with MetroNet explained there was a need to change fiber plans due to the fact that they are no longer going into Mankato. Because of this they will need to install a cabinet. He met with Administrator Bromeland and Public Works Director Goettl and identified a location close to the water tower. They are looking for a utility easement to build a 30 x 12 foot cabinet to hold network equipment.
- Discussion included that MetroNet could draft an agreement for the City's legal counsel to review. The ballard posts would be 12 inches from the sidewalk and MetroNet does not anticipate needing to expand the cabinet. Council desire is for the agreement to include language that MetroNet would remove the cabinet in the future if no longer needed. The agreement would be filed with Blue Earth County.
- Council directed MetroNet and staff to move forward with in writing the agreement.

3. John Jensen, VP of Economic Development with MetroNet: Franchise Agreement

- Mr. Jensen was unable to attend the Council meeting.
- Mayor Auringer asked if the franchise agreement was standard language based on the agreements with Consolidated Communications and Spectrum, which it is with a 3 percent of gross revenues.
- A public hearing would need to be scheduled for this ordinance change.
- Council Member Rohrich moved, seconded by Council Member Whittington, to schedule a public hearing for Monday, September 13, 2021 at the City Council meeting. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
- Mr. Mohr updated Council on the fiberoptic build out stating 25,000 feet of the 32,000 feet of underground work has been completed on the south side and that 5,000 feet of underground on the north side still need to be done. They are still waiting for pole permits for above ground work. It is anticipated that the underground work will be completed by the end of September. They will continue working as long as weather allows. Two of the drills have been pulled from this project temporarily.

4. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Project Updated

- Mr. Sarff explained that the underground utilities from Linda Drive to Parkway have been completed and that the concrete curb and gutter will be poured tomorrow.
- The asphalt from Linda Drive to Thomas Drive has been stripped and the connection of the temporary water line will take place tomorrow.
- The railroad permit for the needed underground work has been fully executed.
- It is anticipated the project will be substantially completed by the middle to end of October and there is no major concerns with the schedule.
- It is anticipated that the east access to Thomas Drive will be closed sometime this week and will be closed for a two to three days.
- People using the minimum maintenance road as a detour are doing so at their own risk.
- The contractor will most likely lay Phase 1 and 2 bituminous at the same time.

## NEW BUSINESS

1. Utility Easement Needed for Fiber Cabinet for MetroNet

- This item was handled under Presentations.

2. Franchise Agreement with MetroNet

- This item was handled under Presentations

3. All Seasons Arena Operating Service Agreement

- The City entered into an agreement with All Seasons Arena two years ago and the agreement is up for renewal for a three year period. Eagle Lake's share is 4.524% or \$1,809.57 per year, which is the same amount Eagle Lake paid in 2019 and 2020.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the agreement with All Seasons Arena. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

4. Tax Forfeited Parcels

- There are two parcels forfeited to the State of Minnesota for nonpayment of property taxes. Each of the parcels listed is classified as non conservation lands located in the City of Eagle Lake. Per MN Statutes 282.01 Subdivision 1(g)(h)(i), they are requesting that the City approve the classification of each parcel and approve the sale by public auction or auction to adjacent owners. Alternatively, the City may request a sale or conveyance to itself. Since these parcels are classified as wetlands and are an important part of stormwater infrastructure. The City may wish to request conveyance of parcels R12.09.13.279.028 and R12.09.13.402.008 which are classified as outlots.
- Council discussion included that it would be wise for the City to have control of these parcels.

100



- Council Member Whittington moved, seconded by Council Member Rohrich, to approve Resolution 2021-33. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
5. Authorization to Apply for Walmart Community Grant for Parks Project
    - Administrator Bromeland explained that the City previously received \$5,000 from the Walmart Community Grants Program for the Parks Project. The City received notification of another grant opportunity through the Walmart Community Grants Program to apply for additional funds for the Parks Project. It was explained that the application process has changed, and applicants are now required to apply through Cybergrants FrontDoor. As part of the process, banking information is required as a way of confirming that the person who is trying to claim the organization is in fact an authorized member of the organization. Administrator Bromeland stated that providing this information is not typical when applying for a grant and noted that it was verified with a local Walmart Store Manager that Cybergrants FrontDoor is used as part of the application process. A request was sent to Cybergrants asking if there is an alternative to submitting this information, but no response has been received. Administrator Bromeland stated she wanted to review the new application process with the City Council to determine if there is still an interest in having staff submit a grant application.
    - Council discussion included the desire to find a secure way to submit the grant application.
  6. Authorization to Advertise Sale of 2017 Police Squad Car
    - Police Chief John Kopp asked for permission to sell the 2017 squad car through the MN Bid state system utilizing Blue Earth County as the seller. The County would handle any questions that come in as well as the sale and the transferring of the title. In return they would keep a small percentage of the sale price.
    - Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the sale of the police squad using Mn Bid. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
  7. Water Bill Relief Request
    - Administrator Bromeland explained the last time relief was given for utility bills was in 2014 when residents ran water to prevent pipes from freezing in the winter. One option for Council to consider is the waiving of late fees if property owner enters into a payment plan agreement. It was also explained that this summer there have been several residents with high water usage and that staff has notified them of their usage.
    - Discussion included Rachel Calsbeek has come before Council in good faith. It was also explained that most payment plans which are entered into are due to delinquent utility bills to avoid water disconnection. The City is unable to adjust sewer charges due to the fact that Mankato bills the City for sewer pumped to them.
    - Council consensus was to waive the late fees for Rachel Calsbeek if she enters into a payment agreement.

## OTHER

1. Mankato Motorsports Appeals Court Response – Next Steps
  - Following the July 12, 2021 City Council meeting, a conference call was held with legal counsel and the developer and the developer's team to discuss what is required by the City and next steps. The developer and his team were advised that the process so outlined in Minnesota Rules 4410 will be followed, meaning that the same timelines and process should be adhered to as if this was a new EAW, with the exception that it will be limited to the remand issues and referred to as a "supplement to the EAW". The process is not intended to revisit the entire EAW, but rather to focus on the two narrow issues outlined by the Court of Appeals: 1) The project's potential effects on wildlife; and 2) The project's cumulative effects on climate change.
  - Mike Guentzel stated this is not the same project and asked if there will be a public comment period. The City will have 30 days to review the published EAW and after that resident will have the right to appeal the two items remanded back. Mike Guentzel asked at what point does Council say this project is not what was talked about. He asked to start the process over and stated the City should take into account the county's concerns regarding traffic. That this process should include the automall and racetrack.
  - Cindy Guentzel stated she saw more concern about the puppies at Bella House of Doodles than she did for humans and this project will be in her backyard.
2. Follow-Up to Access Off of CSAH 56 Using City ROW
  - Following Patti Schuch's request to access agricultural land via Lutter Avenue Administrator Bromeland contacted Blue Earth County and they responded that the existing access for agricultural access is fine, but a street construction would need to be looked at by the county.

CITY OF EAGLE LAKE  
RESOLUTION NO. 2021-33

A RESOLUTION REQUESTING PROPERTY IDENTIFICATION NUMBER  
R12.09.13.279.028 AND R12.09.13.402.008 OUTLOTS C AND B OF EAGLE RIDGE FIRST  
ADDITION BE CONVEYED TO THE CITY OF EAGLE LAKE

WHEREAS, Minnesota State Statutes 282.01 provides for the conveyance of tax-forfeited land  
to public entities for public service facilities; and

WHEREAS, the City of Eagle Lake has been notified by Blue Earth County that  
R12.09.13.279.028 and R12.09.13.402.008 have been forfeited to the State of Minnesota for  
non-payment of property taxes; and

WHEREAS, Blue Earth County has classified the forfeited land as non-conservation lands; and

WHEREAS, a City of Eagle Lake stormwater pond is located on subject parcels; and

WHEREAS, the forfeited land would enhance the public service facilities of the City of Eagle  
Lake by providing ownership of the parcels on which the stormwater pond that it maintains lies;  
and

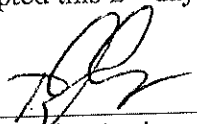
WHEREAS, the City of Eagle Lake should acquire the forfeited land.

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

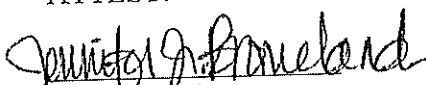
1. The Council requests that Blue Earth County withhold the following from sale and  
convey to the City of Eagle Lake the forfeited land, described as follows:

R12.09.13.279.028    Outlot C, Eagle Ridge First Addition  
R12.09.13.402.008    Outlot B, Eagle Ridge First Addition.

Adopted this 2<sup>nd</sup> day of August 2021.

  
\_\_\_\_\_  
Mayor Tim Auringer

ATTEST:

  
\_\_\_\_\_  
City Administrator  
Jennifer J. Bromeland



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


May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Outlots F & G in Eagle Lake

There are two outlots in the Eagle Lake Parkway Corridor referred to as "Outlot F" and "Outlot G" that are owned by the City of Eagle Lake.

Attached you will find a copy of the Eagle Lake Parkway Corridor Plat showing the above referenced outlots. Also attached you will find 2022 Property Tax Statements for the outlots. The City does not pay any taxes on the outlots.

We will plan to discuss in more detail at the meeting and next steps as it relates to public property if the City no longer wishes to be the owner of the outlots.

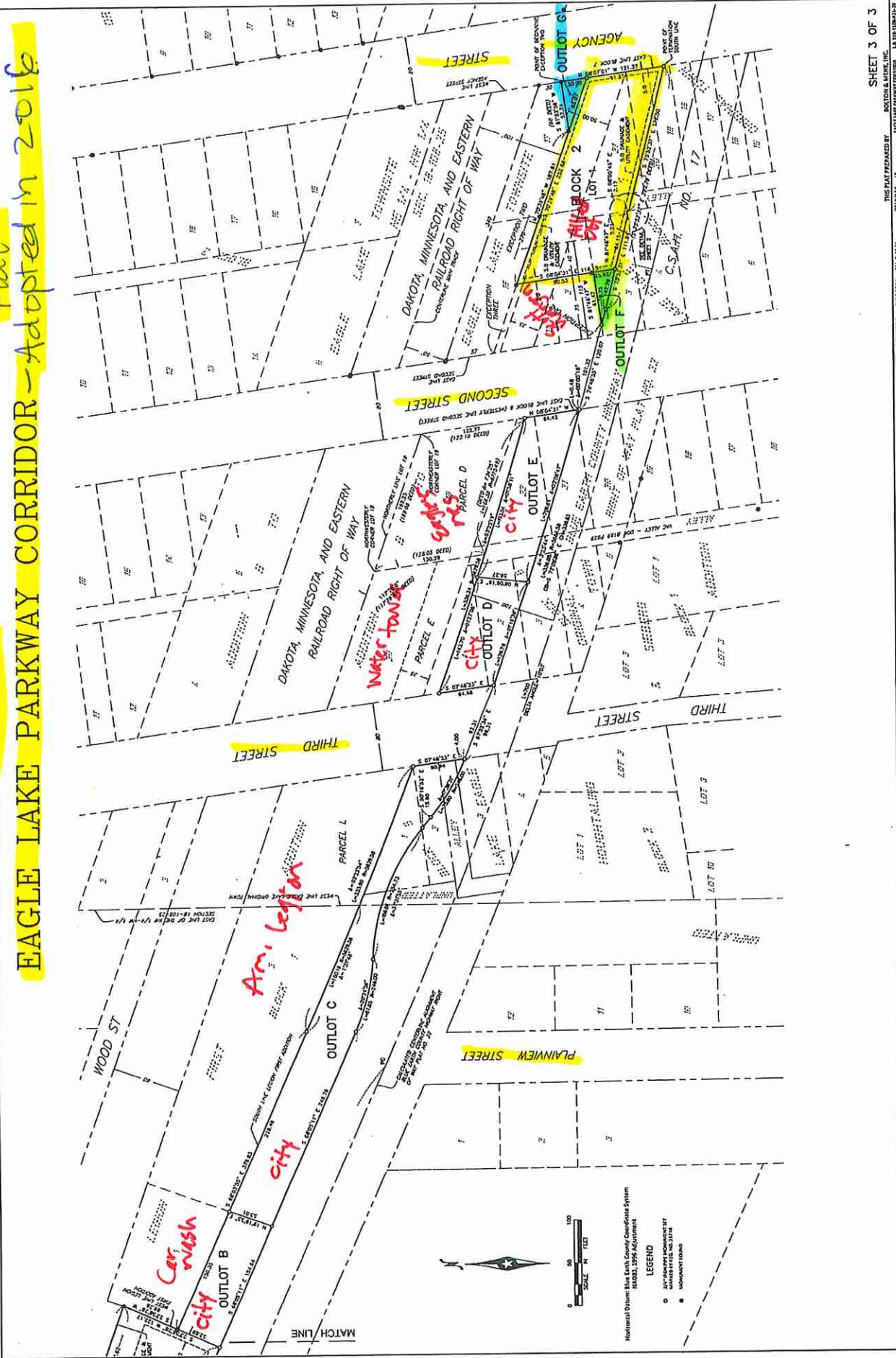
  
Jennifer J. Bromeland  
City Administrator

# Outlots F & G

OFFICIAL PLAT

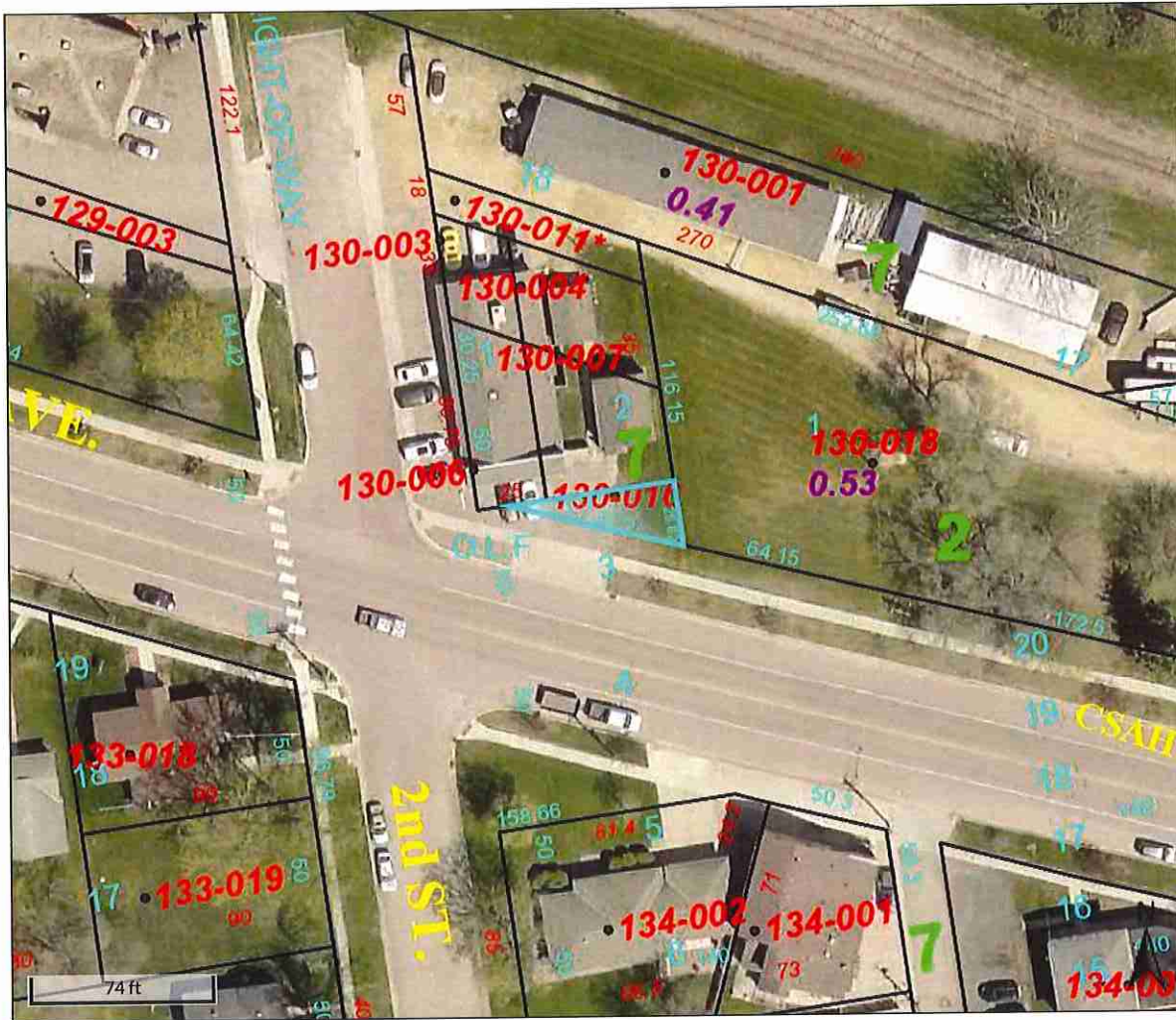
Plat

## EAGLE LAKE PARKWAY CORRIDOR - Adopted in 2016

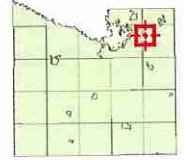


104

Outlot F



Overview



Legend

- Parcel Point Urban
- Centroid
- Non Centroid
- Tax Parcels
- ⊗ Monument

Parcel ID	R121018130016	Class	5E-Exempt Properties	Owner Address	CITY OF EAGLE LAKE
Sec/Twp/Rng	018/108/25	Acreage	0.02		PO BOX 159
Property Address					EAGLE LAKE MN 56024-0159
District	EAGLE LAKE CITY SCH 0077				
Brief Tax Description	EAGLE LAKE PARKWAY CORRIDOR, OUTLOT F 0.02A				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 4/28/2022  
 Last Data Uploaded: 4/28/2022 6:25:07 AM

Developed by Schneider GEOSPATIAL

OUTLOT F



Blue Earth County
Property & Environmental Resources
P.O. Box 3567
Mankato, MN 56002-3567
507-304-4251
www.blueearthcountymn.gov

Bill#: 2045527
Owner Name: CITY OF EAGLE LAKE

Property ID Number: R12.10.18.130.016



Taxpayer: CITY OF EAGLE LAKE
PO BOX 159
EAGLE LAKE MN 56024-0159

\$\$\$

REFUNDS?

You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply.

Property Address:

Property Description:

EAGLE LAKE PARKWAY CORRIDOR,
OUTLOT F 0.02A

2022 Property Tax Statement

Table with columns: Taxes Payable Year (2021, 2022), Step 1 (Estimated Market Value, Homestead Exclusion, Taxable Market Value, New Improvements/Expired Exclusions, Property Classification), Step 2 (PROPOSED TAX), Step 3 (PROPERTY TAX STATEMENT).

Tax Detail for Your Property: Table with columns: Taxes Payable Year (2021, 2022), 1-14 (Refund eligibility, Credits, Property taxes before/after credits, County/City/State/School taxes, Special Taxing Districts, Non-school voter approved referenda levies, Total property tax before special assessments, Special assessments, YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS).

2

PAYABLE 2022 2nd HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE:

Property ID#:

SECOND 1/2 TAX AMOUNT DUE:

0.00

Bill #:

Taxpayer:

Make checks payable to and remit to:

Blue Earth County
PO Box 3567
Mankato, MN 56002-3567



Your cancelled check is proof of payment. Please write your Property ID # on your check. Postdated checks are not held. Only official U.S. Postmark determines payment mail date. No receipt sent unless requested and is void until check is honored.

1

PAYABLE 2022 1st HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE: 5/16/2022

Property ID#: R12.10.18.130.016

FULL TAX AMOUNT:

0.00

FIRST 1/2 TAX AMOUNT DUE:

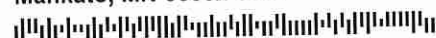
0.00

Bill #: 2045527

Taxpayer: CITY OF EAGLE LAKE
PO BOX 159
EAGLE LAKE MN 56024-0159

Make checks payable to and remit to:

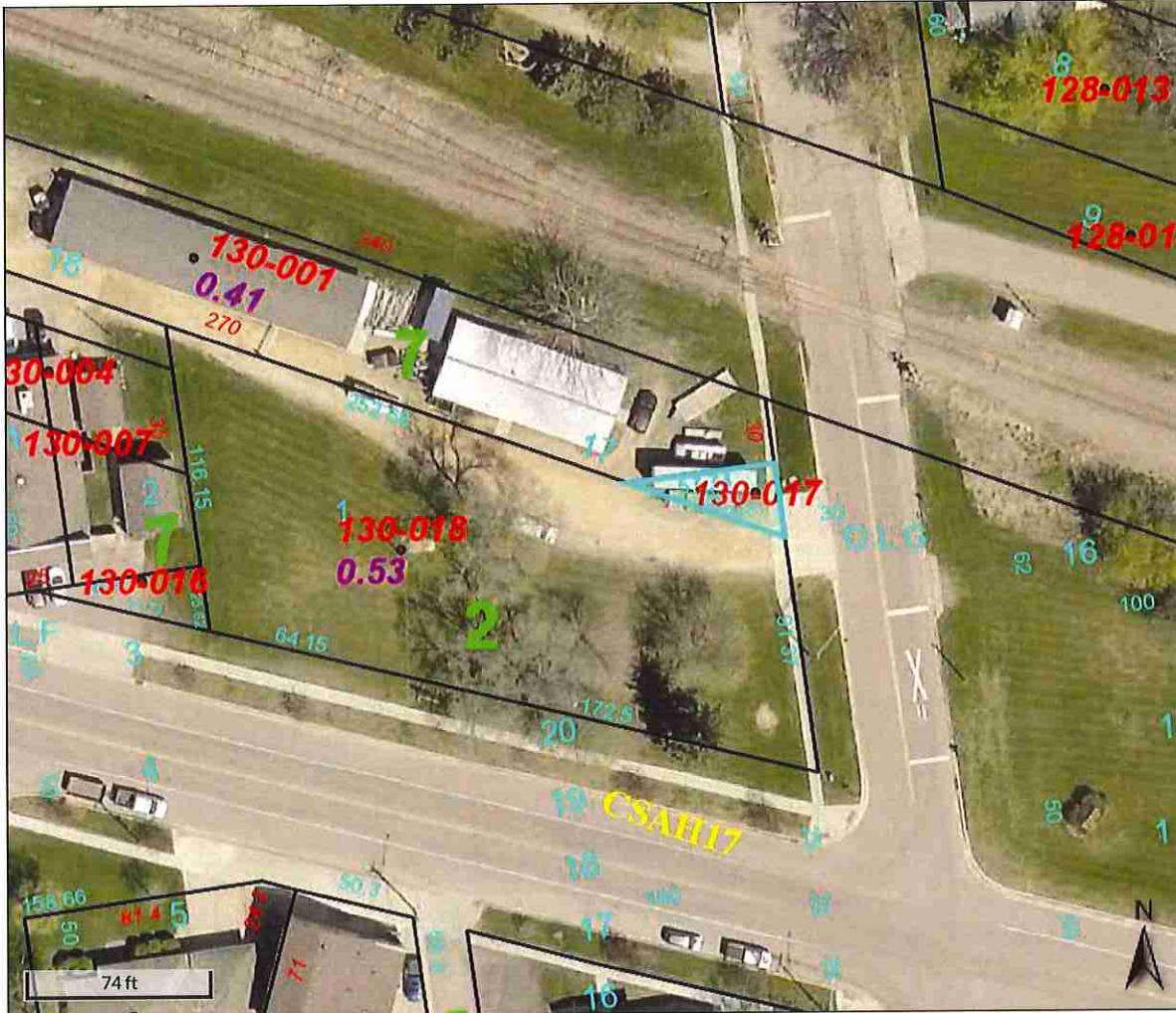
Blue Earth County
PO Box 3567
Mankato, MN 56002-3567



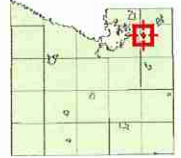
Your cancelled check is proof of payment. Please write your Property ID # on your check. Postdated checks are not held. Only official U.S. Postmark determines payment mail date.

106

Outlot G



Overview



Legend

- Parcel Point Urban
  - Centroid
  - Non Centroid
- Tax Parcels
- ⊗ Monument

Parcel ID	R121018130017	Class	5E-Exempt Properties	Owner Address	CITY OF EAGLE LAKE
Sec/Twp/Rng	018/108/25	Acreage	0.02		PO BOX 159
Property Address					EAGLE LAKE MN 56024-0159
District	EAGLE LAKE CITY SCH 0077				
Brief Tax Description	EAGLE LAKE PARKWAY CORRIDOR, OUTLOT G 0.02A				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 4/28/2022  
 Last Data Uploaded: 4/28/2022 6:25:07 AM

Developed by  Schneider GEOSPATIAL

Outlot G



Blue Earth County
Property & Environmental Resources
P.O. Box 3567
Mankato, MN 56002-3567
507-304-4251
www.blueearthcountymn.gov

Bill#: 2045526
Owner Name: CITY OF EAGLE LAKE

Property ID Number: R12.10.18.130.017



99001491

Taxpayer: CITY OF EAGLE LAKE
PO BOX 159
EAGLE LAKE MN 56024-0159

\$\$\$

REFUNDS?

You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply.

Property Address:

Property Description:

EAGLE LAKE PARKWAY CORRIDOR,
OUTLOT G 0.02A

2022 Property Tax Statement

Table with columns: Taxes Payable Year (2021, 2022), Values and Classification (Estimated Market Value, Homestead Exclusion, Taxable Market Value, New Improvements/Expired Exclusions, Property Classification), Proposed Tax (\$0.00), and Property Tax Statement (First half taxes due, Second half taxes due, Total Taxes Due in 2022).

Table: Tax Detail for Your Property. Taxes Payable Year: 2021, 2022. Includes rows for credits (Agricultural market value credit, Other Credits), taxes before credits, taxes after credits, and total property tax and special assessments.

PAYABLE 2022 2nd HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE:
Property ID#:

2

SECOND 1/2 TAX AMOUNT DUE: 0.00

Bill #:
Taxpayer:

Make checks payable to and remit to:

Blue Earth County
PO Box 3567
Mankato, MN 56002-3567



99001491



Your cancelled check is proof of payment. Please write your Property ID # on your check. Postdated checks are not held. Only official U.S. Postmark determines payment mail date. No receipt sent unless requested and is void until check is honored.

PAYABLE 2022 1st HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE: 5/16/2022
Property ID#: R12.10.18.130.017

1

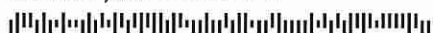
FULL TAX AMOUNT: 0.00
FIRST 1/2 TAX AMOUNT DUE: 0.00

Bill #: 2045526

Taxpayer: CITY OF EAGLE LAKE
PO BOX 159
EAGLE LAKE MN 56024-0159

Make checks payable to and remit to:

Blue Earth County
PO Box 3567
Mankato, MN 56002-3567



Your cancelled check is proof of payment. Please write your Property ID # on your check. Postdated checks are not held. Only official U.S. Postmark determines payment mail date. No receipt sent unless requested and is void until check is honored.



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


May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Withdrawal of Annexation Request

An annexation request was received from the property owners of parcel R43.09.12.400.006 and presented at the April 4th City Council meeting. The consensus at that meeting was to work on drafting a joint resolution for the annexation of the above-referenced parcel between Mankato Township and the City of Eagle Lake. The property owner has since submitted notice via email indicating that they are no longer interested in annexing into Eagle Lake at this time and that they wish to remove their request for annexation.

Attached is a copy of the notice received.

We will plan to discuss the matter in more detail at the meeting.

  
Jennifer J. Bromeland  
City Administrator

**Jennifer Bromeland**

Withdrawal of Annexation Request

**From:** Marlene Barnes <marlene@c21landmarkrealtors.com>  
**Sent:** Tuesday, April 19, 2022 12:39 PM  
**To:** Jennifer Bromeland  
**Subject:** Re: Planning Commission Agenda - Meeting Tonight at 6 PM at City Hall

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

Hi Jennifer,

Due to many obstacles involved with the annexation process, we are no longer interested in annexing into Eagle Lake at this time.

We are hereby removing our request for annexation.

Thank you,

Marlene Barnes

---

**From:** Jennifer Bromeland <jbromeland@eaglelakemn.com>  
**Sent:** Monday, April 18, 2022 9:40 AM  
**To:** Marlene Barnes <marlene@c21landmarkrealtors.com>  
**Subject:** Planning Commission Agenda - Meeting Tonight at 6 PM at City Hall

Good Morning,

Attached is the agenda for tonight's Planning Commission meeting at 6 pm at City Hall.

Sincerely,

**Jennifer J. Bromeland**

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





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

May 2, 2022


To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Resolution to Elect Standard Allowance

Attached is Resolution No. 2022-23, a resolution to elect the standard allowance available under the revenue loss provision of the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act (ARPA). The League of Minnesota Cities (LMC) recommends that cities adopt a resolution to elect the standard allowance of up to \$10 million available under the revenue replacement provision of ARPA even if cities have not yet determined how funding will be used. Electing the standard allowance allows for a streamlined reporting process as per a final rule issued by the Department of Treasury on January 6, 2022.

City staff has submitted the necessary report to the US Treasury, which was due April 30<sup>th</sup> and required regardless of the resolution to elect the standard allowance. The specific use of funds does not yet need to be determined.

To date, no ARPA funds have been spent. The first half of the ARPA allocation was received in 2021 and the second half will be received in the summer or fall of 2022.

A motion is needed to adopt Resolution No. 2022-23.

  
Jennifer J. Bromeland  
City Administrator

**CITY OF EAGLE LAKE, MINNESOTA  
RESOLUTION NO. 2022-23**

**A RESOLUTION TO ELECT THE STANDARD ALLOWANCE  
AVAILABLE UNDER THE REVENUE LOSS PROVISION OF THE  
CORONAVIRUS LOCAL FISCAL RECOVERY FUND  
ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT**

**WHEREAS**, Congress adopted the American Rescue Plan Act in March 2021 (“ARPA”) which included \$65 billion in recovery funds for cities across the country.

**WHEREAS**, ARPA funds are intended to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses.

**WHEREAS**, The Fiscal Recovery Funds provides for \$19.53 billion in payments to be made to States and territories which will distribute the funds to non entitlement units of local government (NEUs).

**WHEREAS**, The ARPA requires that States and territories allocate funding to NEUs in an amount that bears the same proportion as the population of the NEU bears to the total population of all NEUs in the State or territory.

**WHEREAS**, \$337,354.26 has been allocated to the City of Eagle Lake (“City”) pursuant to the ARPA.

**WHEREAS**, The Coronavirus State and Local Fiscal Recovery Funds ensures that governments have the resources needed to fight the pandemic and support families and businesses struggling with its public health and economic impacts, maintain vital public services, even amid declines in revenue, and build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity.

**WHEREAS**, In May 2021, the US Department of Treasury (“Treasury”) published the Interim Final Rule describing eligible and ineligible uses of funds as well as other program provisions, sought feedback from the public on these program rules, and began to distribute funds.

**WHEREAS**, on January 6, 2022, Treasury issued the final rule. The final rule delivers broader flexibility and greater simplicity in the program, responsive to feedback in the comment process.

**WHEREAS**, the final rule offers a standard allowance for revenue loss of up to \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation.

**WHEREAS**, recipients that select the standard allowance may use that amount, in many cases their full award, for government services, with streamlined reporting requirements.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE LAKE, MINNESOTA, THE CITY ELECTS THE STANDARD ALLOWANCE AVAILABLE UNDER THE REVENUE LOSS PROVISION OF THE AMERICAN RESCUE PLAN ACT IN THE AMOUNT OF \$337,354.26 TO BE USED FOR THE GENERAL PROVISION OF GOVERNMENT SERVICES.**

Adopted by the City Council of Eagle Lake, Minnesota this 2nd day of May, 2022.

\_\_\_\_\_  
Tim Auringer  
Mayor

Attested:

\_\_\_\_\_  
Jennifer J. Bromeland  
City Administrator

## Q12. Do cities need to demonstrate that reduction in revenue is due to the COVID-19 public health emergency?

**A12. No.** In the Treasury guidance, any diminution in actual revenue calculated using the formula in the FAQ would be presumed to have been “due to” the COVID-19 public health emergency. This presumption is made for administrative ease and in recognition of the broad-based economic damage that the pandemic has wrought. (Treasury FAQ 5/10/21)

According to the final rule, recipients may elect a “standard allowance” of \$10 million to spend on government services through the period of performance (March 3, 2020, to Dec. 31, 2024, or Dec. 31, 2026, for projects in process). Under this option, the Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss, particularly for ARPA’s smallest recipients.

All recipients may elect to use this standard allowance instead of calculating lost revenue using the formula.

Recipients may use ARPA funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the formula approach. Government services generally include any service traditionally provided by a government, unless Treasury has stated otherwise. Here are some common examples, although this list is not exhaustive:

- Road building and maintenance, and other infrastructure.
- Health services.
- General government administration, staff, and administrative facilities.
- Environmental remediation.
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles).

Government services is the most flexible eligible use category under the ARPA program, and funds are subject to streamlined reporting and compliance requirements. Recipients should be mindful that certain restrictions, which apply to all uses of funds, apply to government services as well. These restrictions include deposits into pension

funds, debt service, replenishing financial reserves, settlements and judgments, or any projects that conflict with or contravene the purpose of the American Rescue Plan Act.

[Return to top of page](#)

**Q13. Should my city adopt a resolution to elect the standard allowance of up to \$10 million available under the revenue replacement provision of ARPA?**

A13. Although a resolution is not specifically required under ARPA, the League recommends that cities adopt a resolution to clearly memorialize the intentions of the council. The League has created a model resolution, available at the link below.

[View the ARPA Standard Allowance Revenue Loss Model Resolution \(doc\).](#)



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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Return Unused Forgivable Child Care Loan Funds

In July of 2019, Little Sprouts was approved for a Blue Earth County Childcare Forgivable Loan in the amount of \$19,142.62 for the purchase of play equipment and supplies. To date, there have only been three draws totaling \$3,876.89. A request was made by Little Sprouts to utilize the remaining funds for rent and wages. Per an inquiry to Blue Earth County, the loan funds can only be used for items for which the application for funding was submitted and approved. An email was received on April 6<sup>th</sup> from Little Sprouts advising that they do not plan to use any additional funds. The next step in the process is for the City to return the unused funds to Blue Earth County so that the interest payments can be recalculated for the rest of the term and a new amortization schedule put together.

For purposes of providing background, the Blue Earth County Childcare Forgivable Loan Program was created in 2018 to serve as funds to expand or improve the availability of childcare in small cities and townships across Blue Earth County. Three of Eagle Lake’s childcare providers submitted applications for funding – a home based daycare and two childcare centers.

The Eagle Lake Economic Development Authority (EDA) reviewed the original application for forgivable loan funds from Little Sprouts and ultimately recommended approval to the City Council back in 2019. The City Council accepted the EDA’s recommendation and approved the application which next was presented to the Blue Earth County Commissioners and approved in July 2019.

A motion is necessary to acknowledge the correspondence from Little Sprouts directing that the remaining funds be returned to Blue Earth County. Following tonight’s meeting, a check will be issued to Blue Earth County in the amount of \$15,265.73.

  
Jennifer J. Bromeland  
City Administrator



## BLUE EARTH COUNTY CHILDCARE FORGIVABLE LOAN PROGRAM

### INTENT

The Blue Earth County Childcare Forgivable Loan Program is intended to serve as funds to expand or improve the availability of childcare in small cities and townships across Blue Earth County.

### LOAN PARAMETERS

<b>ELIGIBLE PROJECT AREA:</b>	To qualify for the Blue Earth County Childcare Forgivable Loan Program, the project must NOT be located within a city with a population greater than 5,000. The childcare center can be either home-based or center-based, as well as either for-profit or non-profit. The applicant must provide full time care (40+ hours per week) to at least 5 children. Individual cities may require a higher number of children to be cared for.
<b>LOAN AMOUNT:</b>	Up to \$10,000 for home-based licensed or legally non-licensed. Up to \$35,000 for center-based.
<b>TERM OF LOAN:</b>	Five (5) years — semi-annual interest only payments.
<b>INTEREST RATE:</b>	Determined annually by the Blue Earth County Board of Commissioners.
<b>LOAN FORGIVENESS:</b>	20% of the original loan is forgiven annually, as long as the Center remains in business AND continues to make interest payments. After 5 years of business operations and interest payments, the loan is forgiven in its entirety.
<b>PROMISSORY NOTES:</b>	A Promissory Note signed by the applicant(s). Where possible, the City will hold the first mortgage as collateral for the loan.
<b>COLLATERAL:</b>	Applicant must provide collateral to secure the loan.
<b>PRIVATE FINANCING:</b>	The applicant must demonstrate that they have pursued private financing options prior to submitting an application.

### ELIGIBLE PROJECTS

- Training and licensing costs
- Fixed machinery and equipment
- Building purchase, construction and renovation
- Leasehold improvements
- Create additional employment
- Operational costs

## Jennifer Bromeland

---

**From:** Andrew Miller <acmiller216@gmail.com>  
**Sent:** Wednesday, April 6, 2022 2:04 PM  
**To:** Jennifer Bromeland  
**Cc:** sproutspreschool@outlook.com; Bryan Stading  
**Subject:** RE: Forgivable Loan

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

Hi Jennifer,

We don't plan to use any additional funds. The remaining funds can be returned.

Andrew Miller

On Mar 24, 2022, at 11:01 AM, Jennifer Bromeland <[jbromeland@eaglelakemn.com](mailto:jbromeland@eaglelakemn.com)> wrote:

Hi Krystal and Andrew,

Wanted to reach out and see if you would like to set up a phone call or meeting with Bryan Stading with RCEF to review financials. The City will have to return any unused funds from your forgivable loan allocation back to BE County by July 15, 2022. If you don't intend to draw the remaining funds for items included on your initial application, we should go ahead and return the funds to BE County.

Just let me know what we can do to help. Thank you.

### Jennifer J. Bromeland

City Administrator

City of Eagle Lake

705 Parkway Avenue

PO Box 159

Eagle Lake, MN 56024

P: (507) 257-3218

C: (507) 399-1030

**From:** Jennifer Bromeland  
**Sent:** Friday, January 14, 2022 10:00 AM  
**To:** Krystal Miller <Sproutspreschool@outlook.com>  
**Cc:** 'acmiller216@gmail.com' <acmiller216@gmail.com>  
**Subject:** RE: Forgivable Loan

Good Morning,

Yes, we can issue reimbursement for the items listed on the original application for which receipts have been submitted. Payment will be processed shortly in the amount of \$413.79 for infant, toddler, and preschool books.

Per my earlier inquiry to Blue Earth County, when the unused funds have been returned, they will recalculate interest payments for the rest of the term and send us a new amortization schedule. The interest due at this time is what is shown on the current amortization schedule.

Below is a recap of your forgivable loan and what has been drawn to date:

<b>Original Loan Amount</b>	<b>\$19,142.62</b>
Draw #1 (Crib Sheets, Cot Sheets, Paint Supplies)	\$1,289.83
Draw #2 (Storage Shed)	\$2,173.27
Draw #3 (Infant, Toddler, Preschool Books) – PENDING PAYMENT	\$413.79
<b>Unused Balance</b>	<b>15,265.73</b>



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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Pricing Obtained to Remove and Replace Ash Trees

Attached you will find pricing to remove and replace seven ash trees at Lake Eagle Park totaling \$7,084.93. Melchior's will remove the ash trees. New trees will be purchased from Traverse des Sioux Garden Center in St. Peter.

For purposes of providing background, the City of Eagle Lake received a matching grant from the Minnesota Department of Natural Resources Preparing for Emerald Ash Borer Grant Program to begin removing and replacing ash trees on public property.

Eagle Lake's Community Forestry Member, Rachel James, will assist with the planting of the new trees. The new trees will be a variety of St. Croix Elm, Hackberry, Autumn Brilliance Serviceberry, and Espresso Kentucky Coffee Tree.

A motion is needed to authorize the removal and replacement of seven ash trees at Lake Eagle Park, totaling approximately \$7,084.93, and using matching grant funds to do so.

Jennifer J. Bromeland  
City Administrator

# INVOICE



# Melchior's

## TREE SERVICE

48808 State Hwy 22  
Kasota, MN 56050  
(507) 779-5077

City of Eagle Lake
Remove 7 ash trees
-leave wood grind brush
Grind stumps -no clean up
total \$6,125.00

Traverse des Sioux Garden Center  
1702 N Hwy 169  
Saint Peter, MN 56082 US  
karl@tdsgardencenter.com  
tdsgardencenter.com



Traverse des Sioux  
Garden Center

# INVOICE

**BILL TO**

City of Eagle Lake

**INVOICE #** 1490

**DATE** 04/15/2022

**DUE DATE** 04/15/2022

**TERMS** Due on receipt

**PROJECT NAME/LOCATION**

City of Eagle Lake Blvd trees

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	St. Croix Elm (#10)		2	119.99	239.98
	Hackberry (#10)		2	119.99	239.98
	Autumn Brilliance Serviceberry (#15)		2	129.99	259.98
	Espresso Kentucky Coffee Tree (#20)		1	219.99	219.99

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SUBTOTAL	959.93
TAX	0.00
TOTAL	959.93
BALANCE DUE	<b>\$959.93</b>

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**Jennifer Bromeland**

---

**From:** Brian Goettl  
**Sent:** Wednesday, April 13, 2022 3:37 PM  
**To:** Forestry Member  
**Cc:** Jennifer Bromeland  
**Subject:** RE: Tree Varieties

Rachal,

They all look like a good choice my top pick would be  
Hackberry  
St Croix Elm  
Serviceberry  
Expresso Coffeetree

Brian.

**From:** Forestry Member <forestrymemberellc@gmail.com>  
**Sent:** Tuesday, April 12, 2022 12:40 PM  
**To:** Brian Goettl <bkgoettl@eaglelakemn.com>  
**Cc:** Jennifer Bromeland <jbromeland@eaglelakemn.com>  
**Subject:** Tree Varieties

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

Hello Brian!

What do you think about these varieties?

Large trees:

**Hackberry-**

Native shade trees, relatively inexpensive, fast growing, produce small berries that are a favorite of song birds, though not particularly messy, they're quite small-- not poisonous to humans or dogs, edible. \$130-- all trees will be in #10 pots, probably around 6'-9' tall at time of ordering for deciduous trees.



**Siouxland poplar**

a "cotton-less cottonwood", was introduced by South Dakota State University. Also an inexpensive, fast growing shade tree. Would do well in any areas that are too wet. \$120

**St. Croix Elm-**

DED resistant elm tree. Inexpensive shade tree. Few elms in the current canopy. \$120

**Swamp White Oak-**

Slow growing, long-lived. White oaks are more resistant to oak wilt than red oaks. Oak wilt is also a growing problem in the state. Produces acorns, as all oaks do. \$140

**Espresso Kentucky Coffeetree-**

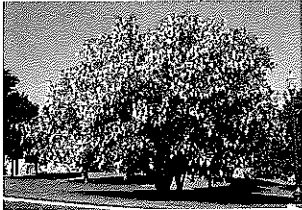
This is a seedless variety. The closest similarity to ash trees. Nice tall shade tree. Definitely recommend at least one of these. They are more expensive, which I just realize is also because they come in #20 pots. These would be probably quite a bit larger than the others. I might need help with planting these if they're too heavy for me to lift on my own. \$220

This one is more of a 'medium' sized tree:

**Yellowwood, American**

Height: 30-50', Width: 40-50'

Oval crown with yellow to gold fall color. Produces clusters of fragrant white pendulous flowers in May. Cost: \$180



Small specimen trees or ornamentals:

**Serviceberry 'Autumn Brilliance'**

*Amelanchier x grandiflora*

Height: 15-25', Width: 15-25'

Oval, vase shaped crown with red, orange, and yellow fall color. Produces showy white flowers in April. Attracts birds. No serious insect or disease problems.

Cost: \$130



**Magnolia, Star**

*Magnolia stellata*

Height: 15-20', Width: 10-15'

Spreading, rounded crown, yellow-gold fall color. Produces large distinctive buds and star shaped, white flowers in March.

Cost: \$190







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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Hiring of Seasonal Public Works Worker


An interview was held recently with Lawrence Kuster for the position of Seasonal Public Works Worker. The hiring committee consisted of Public Works Director Brian Goettl and me.

Mr. Kuster most recently served as a seasonal public works worker helping this past fall with the leaf collection effort.

The hiring committee recommends that Lawrence Kuster be hired as a Seasonal Public Works Worker to help with mowing and weed trimming in public spaces during the months of May-September. The hourly rate of pay for this position is \$12.22 (will increase to \$12.46, effective July 1<sup>st</sup>).

With the addition of Mr. Kuster, the Public Works Department roster will include Public Works Director Brian Goettl, Public Works Supervisor Andrew Hartman, Public Works Worker Mike Nicklay, Part-Time Public Works Worker Brian Shoemaker, and Seasonal Public Works Worker Jerry Haber.

A motion is needed to accept the hiring committee's recommendation.

  
Jennifer J. Bromeland  
City Administrator



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

May 2, 2022

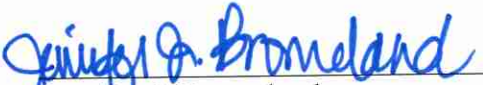
To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Street Sweeping

Attached is pricing from Loken's Asphalt Maintenance, Inc. for street sweeping. The estimate totals \$4,095.

As a comparison, last year an estimate was obtained from Loken's in the amount of \$3,705 with the actual cost being \$2,775. Street sweeping was completed in house in 2020, and in 2019, Loken's was hired at a cost of \$2,945 to perform street sweeping.

Public Works Director Brian Goettl recommends that the estimate be approved and that street sweeping work be scheduled.

If there is an interest in approving the estimate from Loken's in the amount of \$4,095, then a motion to that effect is needed with the cost to be paid for using funds allocated in line item 201-00000-300.

  
Jennifer J. Bromeland  
City Administrator

Loken's Asphalt Maintenance, Inc

17427 568th Ave.  
Good Thunder, MN 56037

# Estimate

Date	Estimate #
4/27/2022	545750-S

Name / Address
City of Eagle Lake 705 Parkway Ave. Eagle Lake, MN 56024

Project

Description	Qty	Rate	Total
Street Sweeping- Spring clean up Approximately 39 hours @ \$105.00	39	105.00	4,095.00
<b>Total</b>			\$4,095.00

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

May 2, 2022

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

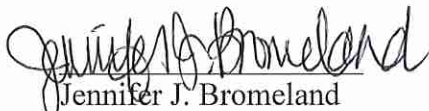
A meeting was recently held with reps from Mankato Area Public Schools (MAPS), Mankato Area Youth Baseball Association (MAYBA), and the City of Eagle Lake. The purpose of the meeting was to discuss the outfield at the baseball field and needed repairs.

For purposes of providing background, MAYBA noticed a safety hazard when assessing the ballfield prior to a game on April 11<sup>th</sup>. The City was notified of the safety hazard, assessed the field, and then installed a temporary green fence around the area deemed unsafe for players.

It was agreed upon at that meeting with MAPS and MAYBA that the City would reach out to a local contractor and obtain pricing for pulverized black dirt to level the outfield. Grass seed will be planted. The fence will be left up until the grass is established. The consensus of all at the meeting is that the ballfield can be playable as long as black dirt is brought in to level the outfield and the green fence is left up until grass is established.

Public Works Director Brian Goettl estimates that the cost for the pulverized black dirt will range between \$1,000 - \$2,000.

A motion is necessary to authorize the purchase of pulverized black dirt for this purpose and to pay for this expenditure using funds in 101-42500-220 (repair and maintenance).

  
Jennifer J. Bromeland  
City Administrator



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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Community Service Request from Resident

Chief of Police John Kopp was recently contacted by a resident asking about community service opportunities as the individual has court ordered community service hours to complete. According to Chief Kopp, the individual is willing to pick up garbage in the parks, paint the ice rink, and detail vehicles.

If there is an interest in allowing community service hours, specific community service projects should be identified, and a staff person assigned to oversee community service work. A waiver would need to be drafted, reviewed by legal counsel, and then signed by the individual completing community service.

Discussion should ensue.

Jennifer J. Bromeland  
City Administrator



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

May 2, 2022

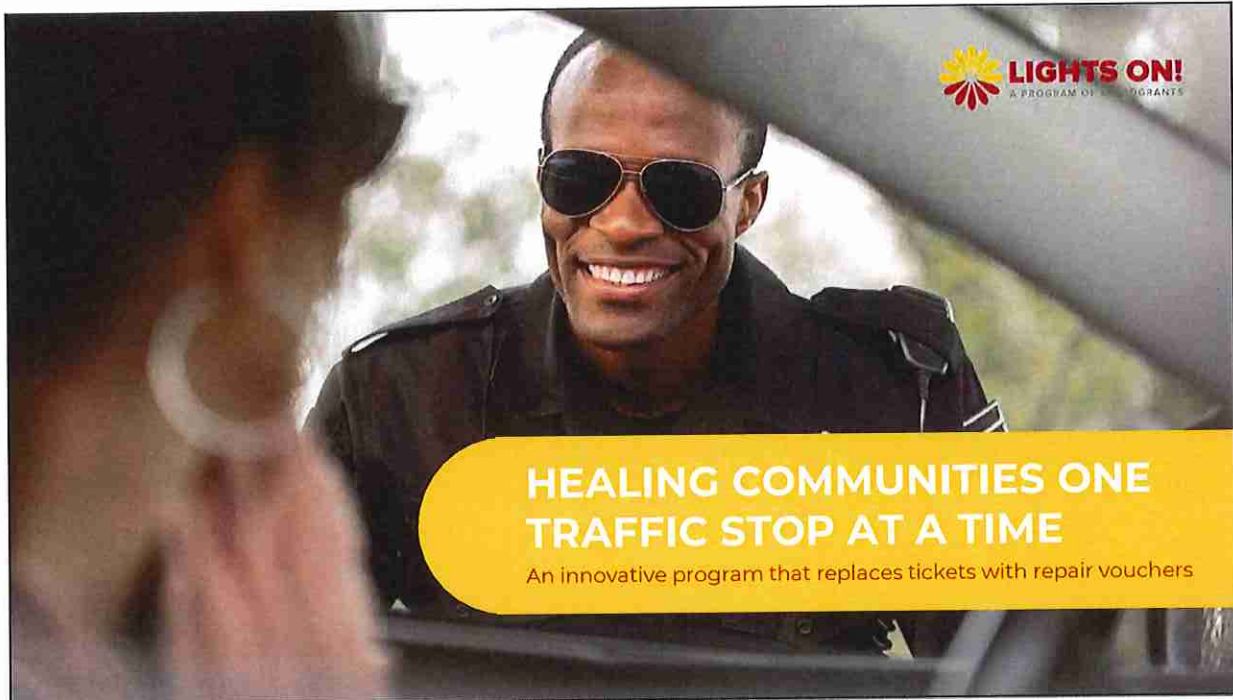
To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Lights On! Program

Chief of Police John Kopp recently attended the Annual Chiefs of Police Conference and learned about a program that is designed to turn traffic stops into an opportunity to create positive and restorative interactions. Lights On! is a program that replaces tickets with repair vouchers for things such as a headlight or brake light being out or broken. According to Chief Kopp, there is no cost to the City to participate in this program.

Attached is a handout with more information about the program.


Chief Kopp will be at the meeting to bring awareness to the program and answer any questions that you might have.

Jennifer J. Bromeland  
City Administrator




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**Agenda**  
Learn about bringing Lights On! to your community



- I. Overview of Lights On!**
  - I. Problem/Solution
  - II. Benefits
  - III. Key Figures
- II. Voucher & Survey**
- III. Funding**
- IV. Process of Joining Lights On!**
- V. Next Steps**



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## Police-Community Relationships Need Healing

Positive interactions with law enforcement restore trust



# 52% 20% 53%

Of Americans **do not have confidence in the police**

(Gallup, 2020)

Of people who interact with police have a **household income of \$25K or less** while making up 13.7% of the population

(U.S. Department of Justice)

Of drivers involved in traffic stops **are Black** while making up 19.4% of the population

(U.S. Census Bureau)

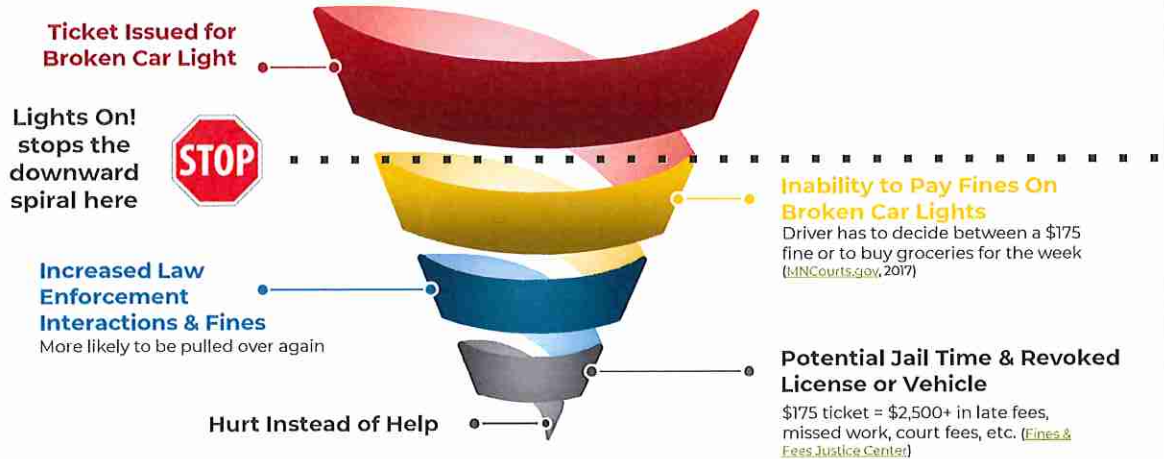


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## The Downward Spiral

Equipment violation tickets inadvertently become a poor tax



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## How We Heal Police-Community Relationships



A simple idea with a powerful impact



Law enforcement officer gives a voucher instead of a ticket



Driver redeems voucher at participating auto center



Lights On! coordinates all administration

*Lights On! turns dreaded traffic stops into an opportunity to create positive and restorative interactions.*

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## Benefits

It is a win-win-win



### Law Enforcement Benefits

- Less law enforcement officer stress
- Law enforcement builds stronger community bonds
- A new approach to societal problems



### Voucher Recipient Benefits

- Positive path for low-income drivers
- Restorative interaction with police
- Safer car fixed at no-cost to driver



### Community Benefits

- Safer cars on the road
- Local business (auto shop) promotion
- Improved police-community relations
- Better prioritized community resources


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## Impact in the Numbers

Reaching the Marginalized Community with Positive Interactions




<h3 style="margin: 0;">6K +</h3> <p style="margin: 0;">6,000 + vouchers redeemed to date.</p>	<h3 style="margin: 0;">98.5%</h3> <p style="margin: 0;">Voucher recipients were satisfied or very satisfied with their interaction with the officer who gave them the Lights On! voucher</p>	 <h3 style="margin: 0;">1 in 3</h3> <p style="margin: 0;">Voucher recipients have household incomes below \$30,000</p>
 <h3 style="margin: 0;">35.8%</h3> <p style="margin: 0;">Voucher recipients identify as BIPOC</p>	<h3 style="margin: 0;">122</h3> <p style="margin: 0;">Participating law enforcement agencies to date (Feb 2022)</p>	<h3 style="margin: 0;">21%</h3> <p style="margin: 0;">Voucher recipients would have been unlikely or very unlikely to fix their light without the voucher</p>

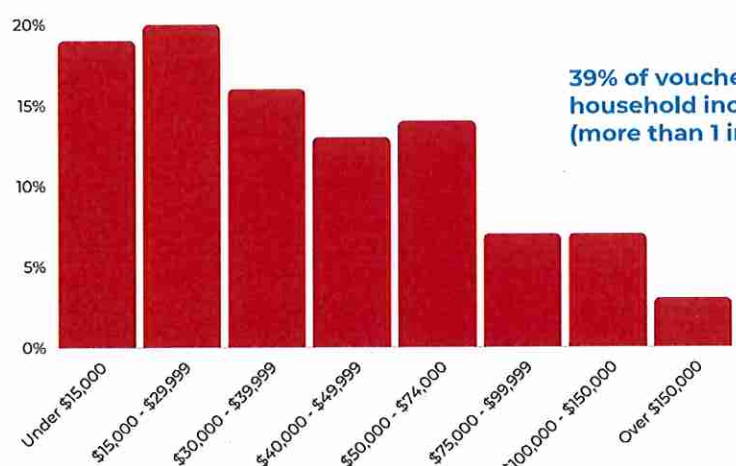
\*Data taken from 2020 - 2021 Lights On! surveys Proprietary & Confidential | 7

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## Voucher Recipient Income Distribution

Helping those that need it most





**39% of voucher recipients have a household income under \$30,000 (more than 1 in 3)**

\*Based on 2020 - 2021 YTD Survey Data  
\*22% of respondents declined to answer Proprietary & Confidential | 8

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## What Healing Looks Like

How our communities are transformed



“I am a mother of three. We were without a vehicle, walking in the snow for two months after our car was totaled. I worked and saved to get a cheap car. Then I got pulled over for having my taillights out. **I was so scared I would get a ticket and wouldn't be able to pay. I am so grateful.**”

- Ashley, Voucher Recipient

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## The Voucher

Back

**CÓMO FUNCIONA ESE VALE**

- La policía le da un vale para reparar las luces de su carro GRATIS.
- Vamos a reparar su luz delantera, luz trasera, luz de freno, o señal de giro.
- Ve a un mecánico que participe en nuestro programa, y él puede reparar tu luz GRATIS.

**PUEDEN ENCONTRAR UNA LISTA DE MECÁNICOS QUE PARTICIPAN EN NUESTRO PROGRAMA EN LA RED**

[www.lightsonus.org](http://www.lightsonus.org)

**VISIT OUR WEBSITE TO FIND THE AUTO CENTER NEAREST YOU!**

[www.lightsonus.org](http://www.lightsonus.org)

**HOW THIS VOUCHER WORKS**

1. Police hand you a voucher that is good for FREE car light repair.
2. We will fix your headlight, taillight, brake light or turn signal light.
3. Go to any participating auto repair center, and they fix the light for FREE.

**BENEFITS**

- Safer cars on the road
- Improved police and community relations
- A positive path for low-income drivers
- Less police officer stress
- A new approach to societal problems

Front

**FREE CAR BULB REPLACEMENT**

Burned-out light? We can help!

HEADLIGHTS • TAIL LIGHTS • BRAKE LIGHTS • TURN SIGNALS

**PARTNERING WITH**

Vehicle Plate # \_\_\_\_\_ Officer Badge # \_\_\_\_\_ Date Issued \_\_\_\_\_

Serial Number: \_\_\_\_\_

This voucher expires 14 days after date issued.  
\$250 limit on light-related repairs.

[www.lightsonus.org](http://www.lightsonus.org)
[lightsonus](https://twitter.com/lightsonus)
[@lightsonus](https://www.instagram.com/lightsonus)  
 Go to [www.lightsonus.org](http://www.lightsonus.org) for locations for more information.


**To Note:**


- Unique serial number printed on every voucher for tracking purposes
- Expires 14 days after date issued
- \$250 limit on light-related repairs (average repair is \$80)
- Spanish & English instructions on back (or languages of your choosing... you must find someone to translate if we do not yet have that language)

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## The Survey



<div style="text-align: center;">  </div> <p>This survey will be used to help demonstrate the impact of the Lights On! program and to help us improve it.</p> <p>Your participation is voluntary.</p> <p style="text-align: center;">Thank you for your feedback!</p> <p>1. Please indicate the approximate date, time and location (cross streets &amp; city) where you received your Lights On! voucher:              Date: ___/___/___ Time: ___:___ a.m./p.m.              Location: _____</p> <p>2. Which law enforcement agency gave you the Lights On! voucher? (Agency logo on voucher)              _____</p> <p>3. How satisfied are you with the interaction you had with the police officer who gave you the Lights On! voucher?  <input type="checkbox"/> Very satisfied  <input type="checkbox"/> Satisfied  <input type="checkbox"/> Dissatisfied  <input type="checkbox"/> Very dissatisfied</p> <p>Please add any comments that will help us understand your response:              _____</p> <p>4. Which auto service location did you redeem your Lights On! voucher at?              Name: _____ City: _____</p>	<p>5. How satisfied are you with the service you received at the auto repair location?  <input type="checkbox"/> Very satisfied  <input type="checkbox"/> Satisfied  <input type="checkbox"/> Dissatisfied  <input type="checkbox"/> Very dissatisfied</p> <p>6. Before you received the Lights On! voucher, how satisfied were you with your interactions with the police in the same community?  <input type="checkbox"/> I never interacted with police in this community before I got the voucher  <input type="checkbox"/> Very satisfied  <input type="checkbox"/> Satisfied  <input type="checkbox"/> Dissatisfied  <input type="checkbox"/> Very dissatisfied</p> <p>Please add any comments that will help us understand your response:              _____</p> <p>7. If you had not received the Lights On! voucher, and instead you had gotten a warning or ticket from the police officer who stopped you, how likely would it have been that you had gotten your vehicle light/horn signal repaired?  <input type="checkbox"/> Very likely  <input type="checkbox"/> Likely  <input type="checkbox"/> Unlikely  <input type="checkbox"/> Very unlikely</p> <p>IF YOU ANSWERED UNLIKELY OR VERY UNLIKELY, what would have prevented you from getting your vehicle repaired?              _____</p> <p>8. What is the impact for you of getting the voucher from Lights On! (What would have happened to you if you had gotten a ticket or a warning instead?)              _____</p>	<p>9. What is your age (in years)?  <input type="checkbox"/> Under 18  <input type="checkbox"/> 18 - 24  <input type="checkbox"/> 25 - 34  <input type="checkbox"/> 35 - 44  <input type="checkbox"/> 45 - 54  <input type="checkbox"/> 55 - 64  <input type="checkbox"/> 65+</p> <p>10. How do you identify your gender?  <input type="checkbox"/> Female  <input type="checkbox"/> Male  <input type="checkbox"/> Non-Binary  <input type="checkbox"/> Another way  <input type="checkbox"/> Prefer not to answer</p> <p>11. How do you identify your race/ethnicity? (Check all that apply)  <input type="checkbox"/> White or Caucasian  <input type="checkbox"/> Black, African American or African  <input type="checkbox"/> Hispanic or Latinx  <input type="checkbox"/> Asian or Asian American  <input type="checkbox"/> American Indian, Native American or Alaskan Native  <input type="checkbox"/> Prefer not to answer</p> <p>12. What is the highest level of education you have completed?  <input type="checkbox"/> Less than high school  <input type="checkbox"/> High school graduate or GED  <input type="checkbox"/> Some college, vocational, technical or trade school, or 2 year degree  <input type="checkbox"/> 4 year degree (bachelor's degree)  <input type="checkbox"/> Post graduate or professional degree  <input type="checkbox"/> Prefer not to answer</p> <p>13. What is your total annual household income from all sources and all sources?  <input type="checkbox"/> Under \$15,000  <input type="checkbox"/> \$15,000 to \$29,999  <input type="checkbox"/> \$30,000 to \$39,999  <input type="checkbox"/> \$40,000 to \$49,999  <input type="checkbox"/> \$50,000 to \$74,999  <input type="checkbox"/> \$75,000 to \$99,999  <input type="checkbox"/> \$100,000 to \$150,000  <input type="checkbox"/> Over \$150,000  <input type="checkbox"/> Prefer not to answer</p> <p>14. Please leave any additional comments about your Lights On! experience in the space below:              _____</p>
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## The Program is Working

Positive Feedback from Law Enforcement

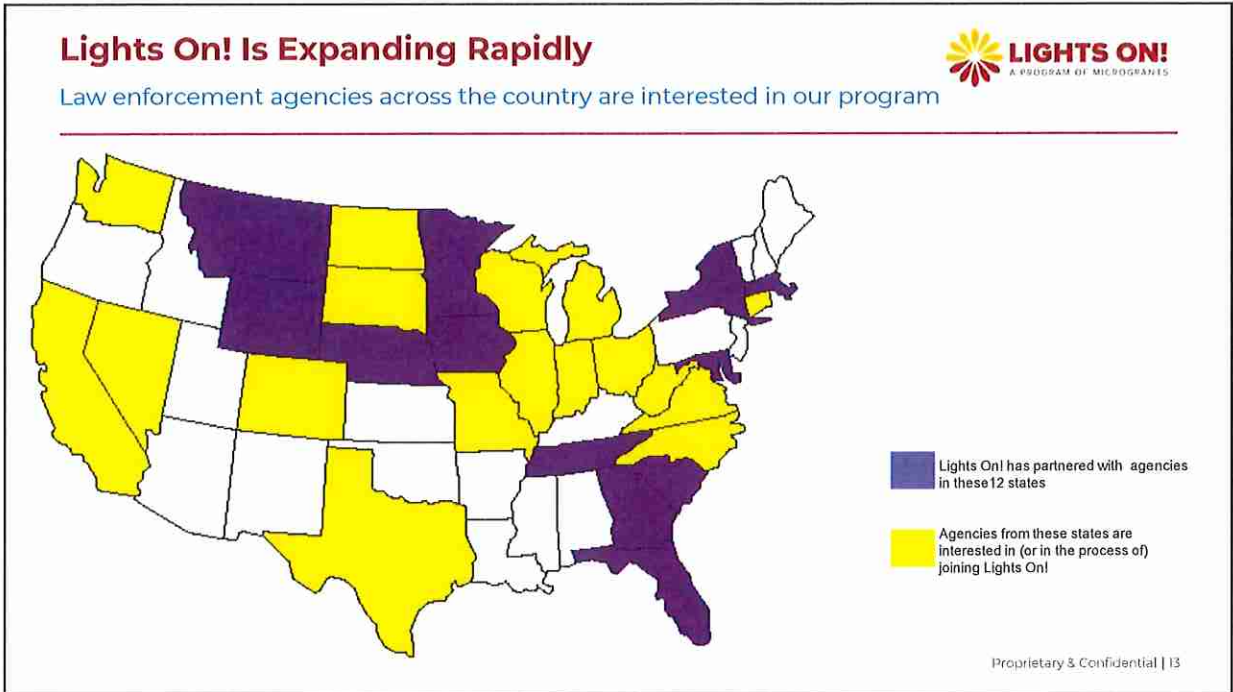


“Lights On! absolutely makes a difference. In this time, where trust and legitimacy with police departments and communities are at a tipping point, **Lights On! helps us start the dialogue and restores trust.**”

-Police Chief Medaria Arradondo, Minneapolis

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## Funding Lights On! in Your Community



Each law enforcement agency, outside of MN, pays half of the cost of the program. Lights On! funds the other half.

- Annual costs are estimated on a sliding scale, based on population
- Your dollars go to printing the vouchers and paying for the repairs in your community (*not to any administrative costs*)
- Lights On! gives quarterly updates on the number of vouchers redeemed, use of funds, and remaining balance
- If costs increase beyond projections, agencies can reassess and increase funding accordingly; unused funds roll over to the next year
- We will review the MOU every year to adjust funding requirements
- Law enforcement agencies find various sources of funding (internal, outside foundations, sports teams, etc.)



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## Joining Lights On!



Bring our healing program to your community

1. **Both parties agree to MOU**
2. **State licensing submitted by Lights On! (can take a month for approval)**
3. **Law enforcement agency secures funding & submits donation to Lights On!**
4. **Law enforcement agency orders vouchers**
  - Lights On! contacts agency with needed information
  - The vouchers are mailed directly from the printer
5. **Law enforcement agency talks to local auto service providers about joining**
  - Lights On! provides agency with a flyer to help when recruiting providers
  - Agency gives Lights On! the contact info of interested providers
  - Lights On! gives the service providers more info – providers confirm they want to join – they are added to the website
6. **Press release, press conference (optional)**
  - Lights On! has a PR/marketing firm that can assist
7. **Law enforcement agency begins giving vouchers!**
  - Set an agency standard as to when to hand out vouchers
  - Tell Lights On! any great stories
  - Data request (Lights On! will request data on # of vouchers given, etc.)



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## Next Steps



When you are ready to join!

1. Your law enforcement agency confirms interest in joining Lights On!
2. We begin MOU process
  - Lights On! will need *(please email [pam@microgrants.net](mailto:pam@microgrants.net) with this information)*
    - i. Name & address of law enforcement agency
    - ii. Name & contact info of a key point person
    - iii. Population of the area served by the agency
    - iv. Zip codes for the area served
3. You start looking for funding!

MicroGrants-Lights On!  
3817 Pleasant Ave S,  
Minneapolis, MN 55409

**Email:** [lightson@microgrants.net](mailto:lightson@microgrants.net)

**Learn more:** [www.lightson.org](http://www.lightson.org)

**Follow:** @LightsOn\_US

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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Hiring of New Part-Time Police Officer

An application was recently received for the position of part-time police officer from Tyler Wallert, and an interview completed.

The hiring committee, consisting of Jess Steinke with Minnesota Valley Council of Governments (MVCOG), Police Chief John Kopp, and me, recommend that Tyler be hired as a part-time police officer. Tyler will be POST license eligible this summer.

A conditional offer of employment was extended to Tyler Wallert, subject to approval by the City Council and becoming POST licensed, passing the background check, and demonstrating the ability to meet the department's physical and psychological standards. The current starting rate of pay for a part-time police officer is \$19.08. On July 1<sup>st</sup>, the rate of pay will increase to \$19.46 per hour.

The current Police Department roster includes Chief of Police John Kopp, Full-Time Officers Dustin Jensen and Ben Romig, and Part-Time Officer Connor Guillemette (hired 4-4-22).

A motion is necessary to hire Tyler Wallert as a Part-Time Police Officer at an hourly rate of \$19.08, subject to the completion of all the above-listed necessary employment eligibility requirements.

Jennifer J. Bromeland  
City Administrator





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

May 2, 2022

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: All Seasons Arena Joint Powers Board

Discussion took place at the April 29<sup>th</sup> All Seasons Board of Directors meeting regarding a review of All Seasons Arena (ASA) facility recommendations as it relates to needed capital improvements for the continued viability of the rink. A condensed summary of needed improvements and background will be forthcoming shortly from the City of Mankato, but for the time being, an excerpt from the April 29<sup>th</sup> ASA board meeting materials is being included to illustrate the potential financial impact to member jurisdictions such as Eagle Lake. A deeper analysis will be completed by ASA staff and consultants and more detailed information to follow in the coming months.

For purposes of providing background, the City of Eagle Lake was approached in May of 2019 about becoming a member of the ASA Joint Powers Board. An agreement was entered in June of 2019 and then in July of 2021, the City of Eagle Lake was asked to renew the agreement due to changes with the agreement. The current expiration of the agreement is December 2023.

Councilmember Anthony White currently sits on the ASA Joint Powers Board and may provide additional background information at the meeting.

Discussion should take place about whether being a part of the ASA Joint Powers Board is in the best interest of the community. No funding has been set aside for capital improvements as this is new information. For a community the size of Eagle Lake, levying a yearly payment (\$19,328) to pay for its share of debt service associated with rink improvements will be a challenge.

Jennifer J. Bromeland  
City Administrator

## Financial Impact

The Mankato City Staff have developed a cost consideration for the project. Below is a chart that shows the anticipated costs for each partner for a 15 year repayment period. The costs shown include an ammonia ice system for both rinks, new floors, and dasher boards. The costs also include the estimates that were presented for the lobby renovation. We believe the lobby renovation concept needs significant further evaluation. We were not able to obtain better floor plans from ISG and based on what was shown, there is a significant amount of reconfiguration of the front lobby, office, and restroom areas without significant gain of space. In addition, the shrinking of the North Rink should involve some engagement with the users of the facility.

The table below, shows costs for the project starting in 2023. We recommend that we allow each partner jurisdiction to review the proposed project with the Board/Councils and work to include the project into the 2023 Capital Improvement list for debt issuance in 2023, with payments starting in 2024. We would also recommend that the Board authorize at a future meeting, the administrators of the jurisdictions to begin working on more formal design of the plan and use existing cash to fund the planning and project development costs. Currently there is \$866,000 (\$550,000 unrestricted) available for this work.

Jurisdiction	Apportionment	Payback Period (Years)	Annual Interest rate	2023 Starting Balance	2023 Annual Payment	Previous Payment
City of Mankato	66.597%	15	1.500%	\$3,796,543	(\$284,529)	\$(42,728)
City of North Mankato	21.883%	15	1.500%	\$1,247,500	(\$93,493)	\$(14,375)
City of Skyline	0.473%	15	1.500%	\$26,965	(\$2,021)	\$(462)
County of Blue Earth	6.523%	15	1.500%	\$371,861	(\$27,869)	\$(8,435)
City of Eagle Lake	4.524%	15	1.500%	\$257,903	(\$19,328)	\$0

Given the cost and timing of new construction, there is a chance that a new arena may be built in the future. With this, the All Seasons Arena, in a renovated state, would continue to serve the community well as we explore additional ice facilities in the community.

In closing, one thing is for certain the state of the current ice system infrastructure provides far too much risk for operational and service failure to the jurisdiction in which we serve. We as the board ultimately tasked with ensuring the overall success of the facility must begin the process of identifying a replacement strategy and corresponding financial plan immediately.

the garage is located is too low. Grading could be done between garages to create a swale. Approximate cost is \$8,000. If a pipe is installed the approximate cost would be \$32,000.

- Area 3: South side of Linda Drive. Area has a well-defined drainageway which runs from east to west. Recommended solution: connect to existing storm sewer in street. In large rain events the 21" line may surcharge water back into this area. There is an existing easements to the rear of 228 and 232 Blace; however due to trees, a fence and a shed in this area an alternative easement may need to be obtained. Jeff Kaul of 232 Blace Avenue indicated that his trees and fence need to be removed anyway and that he would be willing to relocate the shed. Approximate cost is \$45,000.
  - Total cost for all three areas is \$118,000 to \$168,000 depending which alternative is chosen.
  - Council Member Ries stating he is struggling with this discussion since his property is included in one of the works area and that he is a member of the Council.
  - Council discussion included Mayor Auringer stating this a private property and would typically be assessed and asked what the next step would be. Mr. Sarff indicated the next step would be to initiate the 429 process and that bids may be received in September.
  - Council Member Ries stated the argument could be made that this is a city issue and feels the city should pay for these projects.
  - City Administrator Bromeland shared that she receives inquiries from residents often regarding drainage issues. She said that she tells residents drainage issues are private nuisance matters and does not involve the City. Bromeland suggested that legal counsel be consulted to ensure that taking on this project at City expense won't open the floodgates to future similar requests from property owners with drainage issues.
  - Council expressed the desire to continue moving forward with this project and that later discussion will occur as to how to pay for the projects.
2. MS4 Annual Public Meeting-Travis Fristed with ISG
    - Mr. Fristed presented an overview of MS4 explaining that Eagle Lake is a regulated community and that his presentation is a requirement of the permit. The SWPPP report will be available at city hall and will be online.
    - Mr. Fristed reported on the six minimum control measures required by MS4 and explained where the city is at with each of them. New requirements will be added when the current permit expires.
  3. Southern Minnesota Initiative Foundation Update (SMIF)-Alissa Oeltjenbruns
    - Ms. Oeltjenbruns thanked the city council for their support and presented an overview of SMIF's areas of involvement which are Early Childhood Education, GAP lending, and Community Vitality. She also stated they will have a small-town grant opening in August.
  4. All Seasons Arena Joint Powers Board Information – Mark Piepho
    - Mr. Piepho explained that each community has a voting member on the board and that each community contributes a proportionate share. Eagle Lake is being asked to be a community member and the city's share would be \$1,763 per year. If approved a council member would need to be appointed to the board which meets at 7:00 a.m.
    - Council Member Ries moved, seconded by Council Member Steinberg, to approve becoming a community member of the All Seasons Arena Joint Powers Board. Motion carried with Council Members Ries, Terrell, Short, Steinberg, and Mayor Auringer voting in favor.
  5. Regional Economic Development Alliance (REDA) – Jim Santori
    - Mr. Santori presented the substantial changes within REDA and stated all members receive notice of new business opportunities. REDA's advisory committee consists of members outside of Mankato. Marketplace enhancements assist in facilitating strategy development and programming impacting economic development.

May 24, 2019

Dear Mayor Tim Auringer,

Thank you for attending the last All Seasons Arena Joint Powers Board meeting and for your consideration of becoming an operating owner of the entity. The purpose of this letter is to communicate the All Seasons Arena Joint Powers Board's discussion of various topics asked by entities in attendance. Enclosed is a draft operating agreement for your review.

As noted at the meeting, should your jurisdiction choose to join the All Seasons Arena Joint Powers Board, you will be named an owner of the facility and be given a full voting seat on the All Seasons Arena Joint Powers Board. This board seat is equal to all other board members. For over forty years the operating subsidy has been \$40,000. Should your organization choose to join the partnership, the proposed operating agreement the subsidy will remain at \$40,000 and distributes this amount by population percentage basis of the Mankato Area School District. The Board does not anticipate this amount increasing for the duration of the proposed three year agreement. As outlined in the operating agreement, changes will only be considered if there is a 5% change in census population.

Finally, your jurisdiction may be aware or become aware of efforts by local hockey enthusiasts to construct a new youth hockey facility in the Mankato Area. The proposed operating agreement is completely separate from any obligations associated with proposed new facilities. The proposed operating agreement is for the existing hockey facility owned by the All Seasons Arena Joint Powers Board. No commitment has been made by the All Seasons Arena Joint Powers Board to operate an expanded facility or a new facility. Lastly, while the current owners pay a portion of outstanding debt associated with a previous rink expansion, the proposed operating agreement does not in any way obligate your jurisdiction to fund debt on any expansion of the existing facility or a possible new facility, should it be approved by the partnership. Again, these topics and All Seasons Arena Joint Powers Board participation in any of these efforts has yet to be determined.

Again, we thank you for considering participation in our partnership and if you would like a representative from the partnership to present this opportunity to your governing body, we can make ourselves available at your request.

Sincerely,

Mark Piepho

Chair, All Seasons Arena Joint Powers Board

## OPERATING SERVICE AGREEMENT

This Agreement is made between the City of Mankato, the City of North Mankato, the City of Skyline, the City of Eagle Lake, County of Blue Earth, and the County of Nicollet (hereinafter jointly referred to as "Owners") and Independent School District 77 (hereinafter referred to as "Operator").

The parties agree that the All Seasons Arena is an asset to the citizens living within the geographical boundaries of the governmental units involved in the Agreement. They further agree that said facility is to be operated in the best interest of the general public. Now, therefore, in order to meet those requirements, it is hereby agreed by the parties hereto as follows:

1.) The Operator shall manage the All Seasons Arena facility through the Community Education and Recreation Advisory Council (CERAC) and Community Education and Recreation Department (CER), an agency of Independent School District 77. CER shall conduct the day-to-day activities and operations at the Arena facility. The Operator shall consult with the Arena Board with reference to operating methods, procedures, programming, and policy. Job descriptions of fulltime employees, salaries, benefits, and individual responsibilities of employees shall be determined by the Arena Board, with input and recommendations for same to be furnished by CERAC/CER. All fulltime employees and personnel will be hired, selected and approved by the Arena Board and shall serve at the discretion of and under such conditions as are established by the Board and employee in any employment agreement which may be established. All fulltime employees shall be reviewed and evaluated on at least an annual basis to determine retention and any adjustments in salary or benefits as may be appropriate..

2.) The Operator shall be responsible for maintaining the financial records and statements of the All Seasons Arena in conformity of Generally Accepted Accounting Principles (GAAP). An audit of the financial statements shall be performed by an independent auditing firm annually. A statement of income and expenses will be prepared by the Operator and presented to the Arena Board on a monthly basis.

3.) The Operator shall limit expenditures to budgeted amount and shall not incur expenses outside budget limitations except with the consent of the Owners.

4.) The Operator shall not be required to advance any funds or pay any portion of the expenses except from income received by the Operator pursuant to the terms of this Agreement.

5.) The term of the Operator's Agreement shall be for a period of three (3) years, expiring June 30, 2022, unless renewed by mutual agreement.

6.) The governmental units designated as Owners shall provide to the Operator the sum of forty thousand dollars (\$40,000) in operating funds per operating year. Proportions are to be based on the formula as outlined in Exhibit A attached hereto and incorporated by reference. Said operating funds are to be requested in writing within fifteen (15) days' notice of desired receipt date. If the census formula changes by 5% or more, adjustment will be made to the formula accordingly. The governmental units will be notified if changes are made.

7.) The Operator does further agree to keep in full force and effect during the terms of this contract, either individually or through Independent School District 77, a general liability insurance policy with coverage for bodily injury liability in the amount of at least two million dollars (\$2,000,000.00) per person, with a limit of one million dollars (\$1,000,000.00) per occurrence. The undersigned individuals state that they have the authority from their respective governmental units and that they execute this Agreement on behalf of said governmental units.

City of Mankato:

BY \_\_\_\_\_ Its \_\_\_\_\_

DATE \_\_\_\_\_

City of North Mankato

BY \_\_\_\_\_ Its \_\_\_\_\_

DATE \_\_\_\_\_

City of Skyline

BY \_\_\_\_\_ Its \_\_\_\_\_

DATE \_\_\_\_\_

City of Eagle Lake

BY \_\_\_\_\_ Its \_\_\_\_\_

DATE \_\_\_\_\_

County of Blue Earth

BY \_\_\_\_\_ Its \_\_\_\_\_

DATE \_\_\_\_\_

County of Nicollet

BY \_\_\_\_\_ Its \_\_\_\_\_

DATE \_\_\_\_\_

Independent School District 77:

BY \_\_\_\_\_ Its \_\_\_\_\_

DATE \_\_\_\_\_

Exhibit A:

ALL SEASONS ARENA  
OWNERSHIP FORMULA

<u>Unit</u>	<u>Unit Share 6-Owners</u>	<u>Owner Share</u>
Mankato	64.89 %	\$25,955.92
North Mankato	21.32 %	\$ 8,528.96
Blue Earth County	6.36 %	\$ 2,542.29
Eagle Lake	4.41%	\$1,763.20
Nicollet County	2.56%	\$1,025.12
Skyline	.46%	\$184.52
		\$40,000.00



## Jennifer Bromeland

---

**From:** Kopischke, Renae <rkopischke@mankatomn.gov>  
**Sent:** Friday, July 16, 2021 8:24 AM  
**To:** Jennifer Bromeland  
**Subject:** ASA Operating Service Agreement  
**Attachments:** ASA OPERATING SERVICE AGREEMENT FINAL.pdf

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

When you get a chance, could you please sign the attached and return to my attention?

Thanks,

*Renae Kopischke, MMC*  
City Clerk/Administrative Coordinator  
PO Box 3368  
Mankato MN 56002-3368  
PH: (507) 387-8690  
FAX: (507) 387-8481  
Email: [rkopischke@mankatomn.gov](mailto:rkopischke@mankatomn.gov)

2. Steve Mohr, Project Director with MetroNet: Location for Fiber Cabinet
  - Mr. Steve Mohr with MetroNet explained there was a need to change fiber plans due to the fact that they are no longer going into Mankato. Because of this they will need to install a cabinet. He met with Administrator Bromeland and Public Works Director Goettl and identified a location close to the water tower. They are looking for a utility easement to build a 30 x 12 foot cabinet to hold network equipment.
  - Discussion included that MetroNet could draft an agreement for the City's legal counsel to review. The ballard posts would be 12 inches from the sidewalk and MetroNet does not anticipate needing to expand the cabinet. Council desire is for the agreement to include language that MetroNet would remove the cabinet in the future if no longer needed. The agreement would be filed with Blue Earth County.
  - Council directed MetroNet and staff to move forward with in writing the agreement.
3. John Jensen, VP of Economic Development with MetroNet: Franchise Agreement
  - Mr. Jensen was unable to attend the Council meeting.
  - Mayor Auringer asked if the franchise agreement was standard language based on the agreements with Consolidated Communications and Spectrum, which it is with a 3 percent of gross revenues.
  - A public hearing would need to be scheduled for this ordinance change.
  - Council Member Rohrich moved, seconded by Council Member Whittington, to schedule a public hearing for Monday, September 13, 2021 at the City Council meeting. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
  - Mr. Mohr updated Council on the fiberoptic build out stating 25,000 feet of the 32,000 feet of underground work has been completed on the south side and that 5,000 feet of underground on the north side still need to be done. They are still waiting for pole permits for above ground work. It is anticipated that the underground work will be completed by the end of September. They will continue working as long as weather allows. Two of the drills have been pulled from this project temporarily.
4. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Project Updated
  - Mr. Sarff explained that the underground utilities from Linda Drive to Parkway have been completed and that the concrete curb and gutter will be poured tomorrow.
  - The asphalt from Linda Drive to Thomas Drive has been stripped and the connection of the temporary water line will take place tomorrow.
  - The railroad permit for the needed underground work has been fully executed.
  - It is anticipated the project will be substantially completed by the middle to end of October and there is no major concerns with the schedule.
  - It is anticipated that the east access to Thomas Drive will be closed sometime this week and will be closed for a two to three days.
  - People using the minimum maintenance road as a detour are doing so at their own risk.
  - The contractor will most likely lay Phase 1 and 2 bituminous at the same time.

## NEW BUSINESS

1. Utility Easement Needed for Fiber Cabinet for MetroNet
  - This item was handled under Presentations.
2. Franchise Agreement with MetroNet
  - This item was handled under Presentations
3. All Seasons Arena Operating Service Agreement
  - The City entered into an agreement with All Seasons Arena two years ago and the agreement is up for renewal for a three year period. Eagle Lake's share is 4.524% or \$1,809.57 per year, which is the same amount Eagle Lake paid in 2019 and 2020.
  - Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the agreement with All Seasons Arena. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
4. Tax Forfeited Parcels
  - There are two parcels forfeited to the State of Minnesota for nonpayment of property taxes. Each of the parcels listed is classified as non conservation lands located in the City of Eagle Lake. Per MN Statutes 282.01 Subdivision 1(g)(h)(i), they are requesting that the City approve the classification of each parcel and approve the sale by public auction or auction to adjacent owners. Alternatively, the City may request a sale or conveyance to itself. Since these parcels are classified as wetlands and are an important part of stormwater infrastructure. The City may wish to request conveyance of parcels R12.09.13.279.028 and R12.09.13.402.008 which are classified as outlots.
  - Council discussion included that it would be wise for the City to have control of these parcels.

**OPERATING SERVICE AGREEMENT  
ALL SEASONS ARENA**

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The parties agree that the All Seasons Arena is an asset to the citizens living within the geographical boundaries of the governmental units involved in the Agreement. They further agree that said facility is to be operated in the best interest of the public. Now, therefore, to meet those requirements, it is hereby agreed by the Owners hereto as follows:

- 1.) The Operator shall manage the All Seasons Arena facility. The Operator shall conduct the day-to-day activities and operations at the Arena facility. The Operator shall consult with the Arena Board with reference to operating methods, procedures, programming, budget, and policy. Staffing levels and budget for wages and benefits shall be determined by the Arena Board, with input and recommendations from the Operator. All fulltime employees and personnel will be hired, selected, trained, and supervised by the Operator.
- 2.) The Operator shall be responsible for maintaining the financial records and statements of the All Seasons Arena in conformity of Generally Accepted Accounting Principles (GAAP). An audit of the financial statements shall be performed by an independent auditing firm annually. A statement of income and expenses will be prepared by the Operator and presented to the Arena Board monthly.
- 3.) The Operator shall limit expenditures to budgeted amount and shall not incur expenses outside budget limitations except with the consent of the Owners.
- 4.) The Operator shall not be required to advance any funds or pay any portion of the expenses except from income received by the Operator pursuant to the terms of this Agreement.
- 5.) The term of the Operator's Agreement shall be for a period of three (3) years, expiring December 2023, unless renewed by mutual agreement.
- 6.) The governmental units designated as Owners shall provide to the Operator the sum of forty thousand dollars (\$40,000) in operating funds per operating year. Proportions are to be based on the formula as outlined in Exhibit A attached hereto and incorporated by reference. Said operating funds are to be requested in writing within fifteen (15) days' notice of desired receipt date. If the census formula changes by 5% or more, adjustment will be made to the formula accordingly. The governmental units will be notified if changes are made.
- 7.) The Operator does further agree to keep in full force and effect during the terms of this contract, a general liability insurance policy with coverage for bodily injury liability in the amount of at least two million dollars (\$2,000,000.00) per person, with a limit of one million dollars (\$1,000,000.00) per occurrence. The undersigned individuals state that they have the authority from their respective governmental units and that they execute this Agreement on behalf of said governmental units.

City of Mankato:

BY Susan M. Amb Its City Manager DATE

July 12, 2021

City of North Mankato

BY [Signature] Its City Admin DATE  
7/21/21

City of Skyline

BY \_\_\_\_\_ Its \_\_\_\_\_ DATE

City of Eagle Lake

BY Jennifer J. Bromeland Its City Administrator DATE

August 3, 2021

County of Blue Earth

BY \_\_\_\_\_ Its \_\_\_\_\_ DATE

Exhibit A

All Seasons Arena Ownership Formula		
Unit	Unit Share 5 - Owners	Owner Share
Mankato	66.597%	\$26,638.61
North Mankato	21.883%	\$8,753.29
Blue Earth County	6.523%	\$2,609.15
Eagle Lake	4.524%	\$1,809.57
Skyline	.473%	\$189.38
		\$40,000



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

May 2, 2022

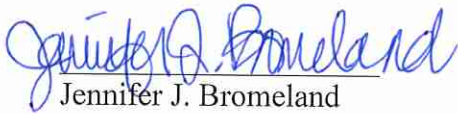
To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: City Administrator Report

1. MS4 Update. Public Works Director Brian Goettl and I continue to work with ISG on MS4 program management. It is a lot of work for a small community like Eagle Lake with limited staff resources but manageable with the help of ISG as a consultant. The tasks within Phase 2 are designed to ensure that the City meets all the MS4 program requirements related to the six minimum control measures (MCM) within the allotted 12-month compliance timeframe. We are currently reviewing suggested ordinance language to meet minimum control measures. Draft ordinance language will be presented at the June 6<sup>th</sup> City Council meeting.
2. Fox Meadow Development Update. City staff recently met with the developer of the proposed Fox Meadow development to review layout of the proposed development and utilities and infrastructure. A developer's agreement is in progress. The developer will be completing wetland delineation and working through the EAW process next. Zoning and platting will follow.
3. Congressionally Directed Spending Requests Submitted for Water Treatment Plant Project. Two requests were submitted for funding for the proposed water treatment plant project – one was submitted to Senator Amy Klobuchar and the other to Senator Tina Smith.
4. Residential Survey Update. The front office at City Hall has been working diligently to print and fold residential surveys which will go out in the mail shortly. Region 9 is running an ad on Facebook promoting the survey. To date, over 120 survey responses have been submitted using the on-line survey. The survey will be open until the end of May. More than one survey can be completed per household.
5. Fire Department Trucks. A question came up recently about utilizing public works staff to assist the fire department when delivering or picking up fire trucks that have been sent out of town for service. Sometimes the service can be a couple hours' drive from Eagle Lake each way. The Public Works Department indicated that it's been several years since they've been asked to help with delivering or picking up trucks. Per an inquiry to the City's insurance (LMCIT), there are no property or casualty or work comp coverage issues so long as it is within the course and scope of employee duties to help deliver or pick up fire vehicles. Departments work together and help each other out when needed. Absent any insurance coverage issues, there does not appear to be any reason why public works staff would not be able to assist the fire department with delivery and pick up of fire trucks sent out for service except for when there is scheduled work and potential

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disruption to work flow. City staff will communicate to the Fire Chief the need to provide sufficient advance notice to the City Administrator and Public Works Director to avoid unnecessary disruption to planned work activities prior to authorizing Public Works staff to leave city limits for this purpose.

6. Annual Audit Report. The auditors have confirmed that the annual audit report will be presented at the June 6<sup>th</sup> meeting.



Jennifer J. Bromeland  
City Administrator