

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
JUNE 3,2024**

CALL TO ORDE

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

ROLL CALL

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

PUBLIC COMMENTS

- No public comments were offered.

APPROVAL OF THE AGENDA

- Administrator Bromeland asked to move Petition for Detachment from New Business Item #1 to Presentations #3. **Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the agenda as amended. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

APPROVAL OF MEETING MINUTES

- **Council Member Steinberg moved, seconded by Council Member White, to approve the April 1, 2024 City Council minutes and the May 6, 2024. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

CONSENT AGENDA

- Mayor Norton thanked all the people making donations to the City for their generosity. She also pointed out Jeremy Horkey’s resignation from the Park Board and thanked him for his service.
- Administrator Bromeland stated that before Council is an updated Resolution 2024-27 which states the donor would like the Eagle Sculpture on display at City Hall specifically. She also stated there is a resolution appointing Michael Hughes to the Planning Commission and that there are two other people interested in serving on the Planning Commission.
- **Council Member Rohrich moved, seconded by Council Member Whittington, to accept the Eagle Sculpture from Todd and Diane Substad. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
- **Council Member Rohrich moved, seconded by Council Member White, to approve the consent agenda.**

Monthly Bills

Treasurer’s Report

Public Works Report

Fire Report

BECSO Report

Gambling Report

Building and Zoning Permits

Board and Commission Minutes

Res. 2024-23 Accept Donations for Basketball Hoop

Contiguous Area Permits

Res. 2024-224 Appoint Election Judges

Res. 2024-25 Accept Summer Sounds Donation

Res. 2024-26 Resignation of Horkey from Park Board

Res. 2024-27 Accept Donation of Eagle Sculpture

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

PRESENTATIONS

1. Brian Sarff with Bolton and Menk: Survey Work for WTP Project

- Mr. Sarff stated that the state bonding bill was not passed and explained that to keep this project moving forward survey work needs to be completed to allow design work to be started. He also stated it is necessary to complete the survey work to determine site feasibility. It is anticipated that the survey would not exceed \$4,000.
- Administrator Bromeland asked that Bolton and Menk submit a letter of proposal for this work, if approved.
- **Council Member Whittington moved, seconded by Council Member Rohrich, to approve the survey work proposal from Bolton and Menk, not to exceed \$4,000. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

2. Annette Larson and/or Mark Griffith with Toward Zero Deaths (TZD): Safe and Sober Ride

- Annette Larson, State TZD Program and Operation Director explained the TZD program and that their goal is to reduce traffic fatalities to zero. This program focuses on seat belts, speed, distracted driving, and impairment though enforcement, engineering, education and outreach, EMS and Everyone. This program started in 2003 and to date has seen a 37% reduction in traffic related fatalities.
- Mark Griffith, SC EMS Director explained that Joy Ride became in Blue Earth County in 2016 and is free to users. The goal of this program is to reduce drunk driving and they are looking to provide service again in 2024 during the Tator Days celebrations. This project is funded through sponsorships. Also explained that to date in 2024 there have been 151 traffic related deaths which is ahead of the 2023 numbers for the same time period.
- Council discussion included that the City of Eagle Lake has partnered with JoyRide in 2016 and 2019.
- **Council Member White moved, seconded by Council Member Steinberg, to partner with JoyRide by contributing \$1,000 and to review during the budget process to make this an annual expenditure. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

3. Petition for Detachment Received for Parcel ID R12.10.07.200.001

- Administrator Bromeland explained that the City has received a property owner petition for the department of property from the City by Daryl and Cynthia Guentzel, owners of parcel R12.10.07.200.001.
- Administrator Bromeland explained that the only way to detach land that is already part of a city is with the approval of the Municipal Boundary Adjustment Unit. To qualify, the land must be adjacent to the City's boundaries, rural in character, and not developed for urban-residential, commercial, or industrial purposes. The subject parcel is situated within the City of Eagle Lake, abuts the municipal boundary, and is in the County of Blue Earth.
- Administrator Bromeland explained the reason detachment is being requested as per the petitioners is that since the annexation took place effective 2019, the property ownership has changed. The petitioners state that they have no intention of developing the property and wish to maintain its rural character by keeping it in crop production. The number of acres in the property proposed for detachment is 78.90.
- Staff research with the Municipal Boundary Adjustment Unit and also after reviewing reference materials authored by the League of Minnesota Cities related to detachment, it appears that after receiving a detachment notice, the town board for the town to which the land is proposed to be attached may submit a

resolution stating that the town board supports, opposes, or is neutral to the petition. The failure to submit a resolution before any required hearing is deemed a position of neutrality. City staff reached out to LeRay Township to inquire about whether a detachment notice was received and if any action was taken. No response has been received to date, but Phyllis Daschner with LeRay Township is present. If both the City and Township submit a resolution opposing the petition, a hearing must not be held, and the chief administrative law judge shall deny the petition. In any other case, a hearing shall be held. The chief administrative law judge shall order parties to participate in a mediation session. The administrative law judge shall divide the costs of the mediation and hearing in an equitable manner, but unless the chief administrative law judge makes specific findings as to why a party shall be responsible for a greater share, the petitioning landowners are responsible for at least 50 percent of the total costs. It is entirely reasonable to expect fees in the range of \$10,000 or higher for mediation and a hearing.

- Administrator Bromeland stated she spoke with a representative of the Guentzel family to ask if there might be an interest in creating a rural service district to allow the parcel to be taxed at a lower rate. The representative indicated that while the rate of taxes is a concern, they do not wish to pursue a rural service district since they have no plans to develop the parcel and wish to keep it in crop production.
- Phyllis Daschner with LeRay Township indicated that the township wishes to remain neutral on this matter.
- Council discussion included if there is a way to recapture part of the \$53,000 the City paid to the township as part of the annexation process.
- **Council Member White moved, seconded by John Whittington, to support the detachment process for parcel R12.10.07.200.001. The motion carried with Council Members Steinberg, White, Whittington, and Mayor Norton voting in favor. Council Member Rohrich voted in opposition.**

4. Nathan Hyde with Climate Impact Corps: Community Forestry Member Presentation

- Mr. Hyde stated that his service term ends July 5, 2024 and that his presentation is an overview of what he has been working on for the City. Items included in Mr. Hydes report included Emerald Ash Bore (EAB), a Tree Identification and Planting Guide, and Minnesota's Problematic Plants Information Guide and the updating and expanding of the tree inventory created by former Community Forestry Members.
- Council discussion included options for the treatment of EAB and options for removal of buckthorn from city parks specifically interested in the use of goats. The Council also asked about possible treatments for wild cucumber and if this is something the city should address.
- Administrator Bromeland stated that the City adopted an EAB tree plan four years ago and reviews annually how many ash trees can be removed and replaced. It was noted that there is grant funding available and that the City has been successful in the past with securing a grant but that in recent years the amount available has decreased and become more competitive. The City will continue submitting grant applications for funding.

NEW BUSINESS

1. Pricing for Replacement of Fire Department for AC

- Fire Chief Vern Simpson explained that the existing air conditioner was installed in 1992 and is no longer working. Davis Comfort Systems has submitted a quote in the amount of \$6,758 for the replacement of the air conditioning unit. This quote does not include electrical work which anticipated to cost approximately \$1,500.
- **Council Member Steinberg moved, seconded by Council Member White, to authorize the replacement of the air conditioning unit at the fire hall as presented. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

2. Replacement of Basketball Hoops at Lake Eagle Park

- Administrator Bromeland explained that Park Board member Don Wesely recently spearheaded an effort to secure donations from area individuals and businesses for the purpose of replacing four (4) basketball hoops and posts at Lake Eagle Park. The new hoops will be adjustable. To date, donations totaling \$10,250.01 have been received and the anticipated total project cost is \$10,676. Any cost above and beyond what is collected in donations will be paid for using budgeted park funds.
 - **Council Member White moved, seconded by Council Member Steinberg, to authorize the purchase and installation of basketball hoops as presented. The motion carried with Council Members Steinberg, Rohrich, Whiting, Whittington, and Mayor Norton voting in favor.**
3. Review City Code Related to Golf Cart and Registration
- Administrator Bromeland explained that the City has received complaints about kids driving golf carts on roads and that some do not have slow moving vehicle signs. In 2018 a resident requested the City adopt Blue Earth County’s ordinance relating to golf carts.
 - Administrator Bromeland further explained that prior to 2018, the City issued permits to residents wishing to operate golf carts on roadways in city limits. A resident approached the City Council in 2018 requesting that ATVs and golf carts register with Blue Earth County instead of both the County and City. The ordinance at that time was amended and persons wishing to register an ATV/UTV or golf cart were directed to contact Blue Earth County to obtain a permit. Staff is working with Blue Earth County Sheriff’s Office to ensure registration requirements as laid out in code are being adhered to by residents operating golf carts on roadways in city limits.
 - Council discussion included if permits/registration are even needed, if there is an age requirement to drive golf carts (must be a licensed driver) and that law enforcement can ask for proof of registration.
 - Council discussion also included electric scooters, pedal assist bicycles and if there is a desire to establish where these can be used. Council Member Steinberg asked that staff research electric scooters for the July meeting with Mayor Norton stating this may be better suited for a work session.
4. Annual Review of Emergency Management Response Plan
- Administrator Bromeland explained that before Council is an updated Emergency Response Plan. This plan should be reviewed and updated annually.
 - **Council Member White moved, seconded by Council Member Rohrich, to approve the updated Emergency Management Response Plan. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
5. Approval of Required Safety Policy for City Departments
- Administrator Bromeland stated the Blood Borne Pathogens policy is an OSHA required policy for cities and that if adopted there will be some expenses for sharps containers.
 - **Council Member Steinberg moved, seconded by Council Member White, to adopt the Blood Borne Pathogens policy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton.**
6. Display of New Minnesota State Flag at City Facilities
- Administrator Bromeland explained the new Minnesota state flag became official on May 11, 2024. Per City staff’s research, there does not appear to be an official date by which cities must retire the former state flag and transition to the new flag. At the present time, the City has three (3) Minnesota state flags, located in front of City Hall, inside the Council Chambers, and on top of the Fire Hall.

- **Council Member White moved, seconded by Council Member Whittington, to continue using the old flag until it becomes mandatory to fly the new flag design. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

7. Fee Schedule for New Pavilion

- Administrator Bromeland stated that before the Council is the Park Board’s proposed fees for renting the pavilion.
- The Council discussed the need for a locked dumpster at Lake Eagle Park.
- Council determined there should be only one rental per day, the renters will need to provide the start and end time of their rental, and the fee for renting the pavilion shall be \$25 for Eagle Lake residents and \$100 for non-residents. All rentals shall require a \$50 refundable deposit.
- Also discussed was the desire to leave the gate open at the park and whether to place signage for no vehicles beyond this point.
- **Council Member White moved, seconded by Council Member Steinberg, to establish a rental policy of one rental per day, the renter will need to provide the start and end time for the rental and the fees shall be \$25 for Eagle Lake residents, \$100 for non-Eagle Lake residents, and all shall pay a \$50 refundable deposit. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voted in favor.**

8. Planning Grant Agreement for Stormwater, Wastewater, and Community Resilience

- Administrator Bromeland stated the City has been awarded a \$48,680 grant from Minnesota Pollution Control Agency for the Increasing Stormwater and Community Resilience in the City of Eagle Lake Project. The grant funds will be used to develop a future flooding resilience plan and develop a community-wide climate vulnerability assessment and compost site feasibility study. Also before the Council is a proposal from the City’s consultant that assists with stormwater, ISG, to assist in completing the tasks as outlined in the scope of services.
- **Council Member Whittington moved, seconded by Council Member Rohrich, to accept the grant agreement with Minnesota Pollution Control Agency. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
- **Council Member White moved, seconded by Council Member Steinberg, to accept the proposal from ISG for consultant services. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

9. Site Agreement for 2024-2025 Climate Impact AmeriCorps Member

- Administrator Bromeland stated that Eagle Lake’s request for another Community Forestry Member has been approved for the 2024-2025 service team. If adopted, the start date will be August 26, 2024. Administrator Bromeland shared that there is no cost for the member but she does have to provide supervision and direction to the member. It was also noted that this will be the fifth service term of the city having a member.
- **Council Member Steinberg moved, seconded by Council Member White, to authorize City staff to sign the site agreement. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

CITY ADMINISTRATOR REPORT

1. Boulevard Trees

- There has been an increase in questions from residents about boulevard trees and who is responsible for maintenance and removal, the city or the property owner. Per city code, Chapter 5, Section 5.080, F; property owners may plant trees in the boulevard but they are responsible for the care of the trees.
2. YTD Revenue and Expenditure Report
 - This report is for the Council's review, and they were encouraged to contact Administrator Bromeland if they have any questions.
 3. Annual League of Minnesota Cities Conference
 - Administrator Bromeland, Mayor Norton, and Council Member Whittington will be attending the annual LMC conference June 26-28, 2024.
 4. Automatic Locking Doors and Surveillance Camera Project Update
 - The contractor, Freedom Security, has indicated they are working on this project and that the automatic locking doors and pavilion cameras should be installed and online by the end of this week.
 5. Fox Meadows Phase Two TIF Update
 - City staff has been in communication with the developer and TIF consultant about information needed to put together an agreement for Phase Two for TIF. An agreement will be forthcoming for the Council's review and approval. With interest rates remaining high and the cost of building materials, TIF is an important economic development tool that many cities are using to encourage continued development for housing.
 6. Tree Planting Initiative with the Eagle Lake Area Lions Club
 - The Eagle Lake Area Lions Club is undertaking an environmental project to encourage the planting of more trees in Eagle Lake, especially in newer subdivisions. The City of Eagle Lake will be partnering with the Eagle Lake Area Lions to distribute tree seedlings to residents at no cost. The City's community forestry member will be on hand to assist residents with any tree planting and maintenance questions. The seedlings are expected to arrive between June 10-13.
 7. Kids Concessions
 - A resident contacted the City to learn if their child could sell concessions at the park during games. The parent indicated that there would be no homemade items, no cooked/hot items, only candy, chips, water and pop. The council discussed this and felt that since the above criteria were met and that the child would only be selling in the park and not mobile throughout the community and would not be advertising, then this would be acceptable, and that no solicitor's license would be needed.

COUNCIL REPORTS

1. Council Member Rohrich gave a report on the Eagle Lake Aces program run by Community Education and Recreation.
2. Council Member White and Steinberg reported that shirts for Summer Sounds are being printed with a new look and new logo. Between the two they have received almost \$4,000 in sponsorships.
3. Council Member Whittington had no report since the EDA did not meet.

4. Mayor Norton reported that the legislature did not pass a bonding bill which means Eagle Lake’s funding request for the water treatment plant was not funded. She also stated that the upcoming November election may impact funding in the upcoming year(s). Federal funding for the water treatment plant is looking hopeful. Mayor Norton is looking to organize another townhall meeting and encourages residents to attend and ask their questions.

ADJOURNMENT

Council Member White moved, seconded by Council Member Rohrich, to adjourn the meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

Lisa Norton, Mayor

Kerry Rausch, Deputy Clerk