

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
JULY 8, 2024**

CALL TO ORDER

- Mayor Norton called the meeting to order at 6:00 p.m. and the pledge was said.

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White (arriving at 6:03 p.m.), John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Andrew Hartman, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- Brian Fowler, 404 Thomas Drive, thanked the Blue Earth County Sheriff’s Office, the Public Works Department, and the City Council for the good work they are doing.

APPROVAL OF THE AGENDA

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

APPROVAL OF MEETING MINUTES

- **Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the June 3 and June 26, 2024 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

CONSENT AGENDA

- Mayor Norton thanked those who made donations to Summer Sounds and the basketball hoops. She pointed out the resignations of Mandy Auringer, Olivia Adomabea, and Joe Anderson and thanked them for their service. She also mentioned the appointments of Aaron Stubbs and Tom Barna to the Planning Commission and Tony Bracken and Dylan Hardel to the police reserves.
- **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. 2024-30 Accept Donations for Summer Sounds

Res. 2024-31 Accept Donations for Basketball Hoops

Res. 2024-32 Accept Resignation of Mandy Auringer

Res. 2024-33 Accept Resignation of Olivia Adomabea

Res. 2024-34 Appoint Tony Bracken to Fire Dept. Reserves

Res. 2024-35 Appoint Dylan Hardel to Fire Dept. Reserves

Res. 2024-36 Accept Resignation of Joe Anderson

Tator Days Parade and Road Closure Permits

Res. 2024-37 Appoint Aaron Stubbs to Planning Commission

Res. 2024-38 Appoint Tom Barna to Planning Commission as Alternate

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

PRESENTATIONS

1. Annual SWPPP Meeting and MS4 Presentation: Kelly Herfendal with ISG

- Kelly Herfendal with ISG presented on the Municipal Separate Storm Sewer System (MS4) stating that Eagle Lake is included in this program being a city within an urbanized area as determined by the U.S. Census.
- Stormwater is the leading cause of water pollution according to the EPA and carries all that it picks up as it flows across surfaces and enters the surface water, such as ponds, lakes and streams.
- The six minimum control measures that are included in this program are public participation, public involvement, illicit discharge detection and elimination, construction site stormwater runoff control, post-construction stormwater management, and pollution prevention and good housekeeping for municipal operations. Each control measure was explained in more detail.
- Through an internal audit of the City's MS4 program it was determined that the City of Eagle Lake is in compliance with all requirements.
- Julie Blackburn with ISG explained that the City of Eagle Lake was awarded funds from the MPCA's Stormwater and Community Resilience program for June 2024 through June 2025. The projects primary purposes are to understand and mitigate flood impacts identified through future climate and buildout scenarios, implement a robust community wide climate vulnerability assessment to envision solutions for the community assets most at risk from extreme weather, and to evaluate compost site feasibility to increase resiliency for the community and stormwater infrastructure.
- As part of the grant, the stormwater drainage study will be updated, a community-wide climate vulnerability assessment and compost site feasibility will be conducted.

2. Engineering Scope and Fee for Design and Bidding of Water Treatment Project: John Graupman with Bolton and Menk

- John Graupman explained that to be ready for future grant funding it is important the water treatment project be shovel ready and that plans need to be submitted by May 2025. If a project is not initially awarded funding it will move up on the list. Mr. Graupman also explained that manganese was not initially included in the scoring process and because it is now included in the scoring process the City is now higher on the list.
- Council discussion included if the land survey results are needed prior to starting design work. Mr. Graupman stated that no design work would begin prior to receiving the survey results. He also explained the payment schedule would be in increments between the years 2024 and 2025.
- Administrator Bromeland explained that she has spoken with Shannon Sweeney with David Drown and Associates and he has recommended the City consider applying for another midi-loan.

NEW BUSINESS

1. Engineering Scope and Fee Proposal for Design and Bidding of Water Treatment Plant

- Administrator Bromeland presented that the next critical step is to become a certified project so that Eagle Lake's project will gain priority on upcoming funding lists, namely the Emerging Contaminant Grant for which the project is eligible based on elevated manganese in Eagle Lake's water. It appears that Eagle Lake may qualify for an Emerging Contaminant Grant in an amount up to \$10 million due to high manganese levels. A certified project is one that has plans submitted to the Minnesota Department of Health and is essentially shovel ready.

- **Council Member Whittington moved, seconded by Council Member Rohrich, to move forward with Bolton and Menk’s proposal for engineering scope and fee proposal for design and bidding of water treatment plant in the amount of \$1,095,000 as presented in the council packet.**
- Council discussion included if additional bids should be obtained for engineering services. City staff shared that Bolton and Menk has been serving the City for some time and has a lot of knowledge and history of Eagle Lake. It was explained that Bolton and Menk as the City’s engineers, have Eagle Lake’s GIS information and if another firm was selected that they may need to recreate this work and would charge for it.
- Administrator Bromeland stated that the City would be able to reimburse itself once financing is obtained.
- **The motion carried with Council Member Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
- **Council Member Whittington moved, seconded by Council Member Rohrich, to authorize Administrator Bromeland to submit an application for a midi-loan. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

2. Sale of 2018 Country Clipper Mower

- The 2018 Country Clipper Mower was recently advertised for sale on Minn Bid. The mower was listed with a minimum bid of \$2,000 and eventually sold for \$3,250. The amount due to the City of Eagle Lake is \$3,022.50, after deducting the 8.5% administrative portion owed to Minn Bid.
- **Council Member Steinberg moved, seconded by Council Member Whittington, to accept the sale proceeds and to put the funds back into capital outlay for streets. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

3. Review Draft Rural Service District Ordinance and Schedule Public Hearing

- Administrator Bromeland explained that the creation of a Rural Service District Ordinance is permitted by Minnesota Statute 272.67 which allows for a property that has been annexed into city limits that is rural in character and in need of fewer services to be taxed at a lower rate.
- Also explained was the idea of establishing a rural service district ordinance was spurred by a request from property owners of a parcel that was annexed into City limits within the past few years. The parcel is rural in character and does not receive any city services. Creating a rural service district could be a tool to utilize when seeking to annex into city limits property for future development or wanting to keep property that is rural in character within city limits for future development from being detached. A rural service district would only include land that has not yet been platted and has not yet been developed for commercial, industrial, or urban residential purposes and that is used for agricultural purposes.
- A change in use of property in a rural service district would trigger the need to transfer the property from a rural service district to an urban service district. The act of platting would also initiate the transfer of a property from a rural service district to an urban service district.
- Any property which is annexed to the City of Eagle Lake, after the adoption of a Rural Service District Ordinance, and which is included in the rural service district as part of the annexation order, would need to be reviewed by the City Council if not developed for a period of five (5) years after annexation to determine whether inclusion in the rural service district is still appropriate.
- No city services shall be provided to any property located in a rural service district.
- **Council Member Steinberg moved, seconded by Council Member White, to schedule a public hearing for a Rural Service District Ordinance for the August 5, 2024 City Council meeting. The**

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

4. Pricing for Eagle Heights Lift Station Pump Replacement

- Public Works Director Hartman explained that the pump at the Eagle Heights lift station which was installed in 2007 has failed and is at the end of its service life. The other pump at this location is the same age. The expected life of these pumps is 10- 15 years. Director Hartman requested Council's consideration to replace both pumps
- A bid from Minnesota Pump Works, the contractor that services Eagle Lake's lift stations, provided a quote of \$30,662.40 to replace the two pumps at the Eagle Heights Lift station. It was explained that Minnesota Pump Works has responded well in emergency situations.
- Council discussion included the desire to see multiple quotes for purchase requests and if one or both pumps should be replaced.
- **Council Member Rohrich moved, seconded by Mayor Norton, to authorize the purchase of two pumps for the Eagle Heights lift station from Minnesota Pump Works in the amount of \$30,662.40. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

5. Pricing for 2024 Street Repair Work

- Public Works Director Hartman explained that three bids have been received. Nielsen Blacktopping in the amount of \$42,074.25, WW Blacktopping in the amount of \$62,700.99 and a third one from Minnesota Paving and Materials in the amount of \$87,742.50. He also requested that Council consider accepting the bid from WW Blacktopping with the ability to spend up to an additional \$10,000 for any work deemed necessary related to street repair work such as manhole lowering and street patching around manholes.
- Director Hartman explained that while WW Blacktopping is not the lowest bid, their bid best represents the repairs needed, the City has utilized WW Blacktopping for street repairs previously and has been satisfied with the quality of their work.
- Council discussion included it the city has a street maintenance plan for future years. This is something the Public Works Director and Brian Sarff with Bolton and Menk review for needed reconstruction projects.
- **Council Member Steinberg moved to accept the bid from WW Blacktopping Inc. in the amount of \$62,700.99 and to authorize up to an additional \$10,000 additional street repair work that may be needed. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

6. Quote for Fire Truck Repair

- Administrator Bromeland explained that before Council is a quote from Custom Fire in the amount of \$17,689.06 to complete a needed repair to a fire truck that was recently damaged earlier in 2024.
- Council discussion included if other bids are needed.
- Insurance will cover the cost of the repair less the deductible.
- **Council Member Rohrich moved, seconded by Council Member Steinberg, to accept the bid from Custom Fire in the amount of \$17,689.06 to repair the fire truck. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

7. Public Works Summer Clothing Policy

- Administrator Bromeland explained that following a recent regional safety group training course in which heat illness was discussed, a request was received from the Public Works Department asking for permission to wear shorts during times when conditions are extreme, and the physical workload is demanding.
- Administrator Bromeland stated she contacted the City's regional safety group instructor and it was advised that when health risks are heightened outside due to environmental factors where there is heat illness exposure, additional precautions need to be implemented to ensure that as the employer we are not exposing our employees to higher risks of heat illness. Various precautions exist such as adjusting work hours around cooler times of the day, more frequent breaks, providing drinking water, use of fans, etc.
- Eagle Lake does not currently have a clothing policy. To be flexible, City staff recommend that the Public Works Director, and/or Public Works Supervisor in the Public Works Director's absence, have the discretion of determining when the environmental hazards are high enough to warrant the use of shorts.
- Proposed policy language was presented to the Council for approval.
- Council discussion included if and how this would affect the 2024 budget.
- **Council Member Steinberg moved, seconded by Council Member White, to approve the Public Works Summer Clothing Policy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

8. Return to Work Program

- Administrator Bromeland explained that City staff meets with a League of Minnesota Cities Loss Control Consultant to review loss control suggestions to help guide risk management efforts. One of the items listed as missing is a formal Return to Work Program. This program typically includes a written process for management and injured employees to follow when a work-related injury results in an employee being unable to perform normal duties. Return to work programs offer guidance to management, the employee, and the medical team treating the injured employee. The program includes a policy statement, necessary paperwork for documentation of process, a list of light duties available to the returning employee, and other necessary forms. Return to work programs are most often supported by employers and employees because they promote work as therapy and allow injured employees to return to full health and full wages in the shortest possible time.
- **Council Member White moved, seconded by Council Member Steinberg, to approve the Return to Work Policy as presented. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

9. Government Relations Agreement Between City of Eagle Lake and Capitol Hill Associates

- Administrator Bromeland explained that Jacobson and Magnuson is now Capitol Hill Associates who provided lobbying efforts for the City. Before Council is an agreement to obtain lobbying services to assist in securing state bond funding for the Eagle Lake Water Treatment Improvements Project.
- Since the 2024 legislative session did not pass a bonding bill the City did not receive funding. The City feels it was included in the draft bill due to the efforts of the City's lobbyists making sure that Eagle Lake's project stood out amongst the hundreds of similar requests from other cities.
- If there is not a bonding bill considered during the 2025 legislative session there is a provision in the agreement stating that the agreement can be rolled over to the 2026 legislative session.
- Mayor Norton stated she would like to see the City budget for future NLC in the budgeting process and to do so annually.

- **Council Member Rohrich moved, seconded by Council Member Steinberg, accepting the Government Relations Agreement with Capitol Hill Associates. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

CITY ADMINISTRATOR REPORT

1. Schedule Special City Council Meeting to Review/Approve Updated Job Descriptions for Administrative Clerk and Community Development Coordinator Positions.
 - Administrator Bromeland stated that the Minnesota Valley Council of Governments will help with staffing at no charge.
 - A special meeting was set for July 25, 2024 at 5:00 p.m.
2. Schedule Budget Work Session
 - A budget work session was scheduled for Wednesday, July 31, 2024 at 6:00 p.m.
3. Schedule Work Session for Street & Utility Reconstruction Projects
 - A special work session has been scheduled for July 25 at 5:00 to review a capital improvement program analysis put together by Shannon Sweeney with David Drown and Associates.
4. Schedule Work Session to Discuss Cannabis Ordinance
 - Per a letter from legal counsel, the Minnesota Office of Cannabis Management (OCM) has issued its guide for local governments. The guidance provided is preliminary and state regulations have yet to be published. When this occurs, the guidance provided may be modified. Legal counsel suggests that a work session be scheduled to review and discuss next steps on how to proceed. This will be included in the July 25 special work session agenda.
5. YTD Revenue and Expenditure Report
 - This report is for Council's review.
6. Annual Audit Presentation Update
 - The annual audit has been completed and the presentation is scheduled for the August 5 City Council meeting. The City's general fund balance continues to be strong. Budgeted to actual expenditures were less than what was budgeted and revenues exceeded what was budgeted for the general fund.
7. Small Cities Assistance Program
 - Cities with a population of less than 5,000 will receive revenue from a \$11.35 million, one-time appropriation for the Small Cities Assistance Program. This is intended to provide short-term relief while revenues in the permanent Transportation Advancement Account are collected. Eagle Lake's amount appears to be \$31,999 to be aid in equal installments around July 26 and December 26.
8. CDS Update for Water Treatment Improvements Project
 - City staff has received confirmation from the offices of Senator Klobuchar and Smith and Representative Finstad that Eagle Lake's funding request is advancing through the process. Funding is not guaranteed at this point but the good news is that we are advancing through the process and have not yet been eliminated.

9. Eagle Lake Population Update

- The City has received a notice from the State Demographer showing a decrease in population. City staff has sent over challenge data for consideration in the matter.

10. Highway 14 Corridor Study Update

- An open house has been scheduled for Monday, July 29th from 5-7 p.m. at City Hall. Information about the upcoming open house will be pushed out to the community.

11. Cybersecurity Training for Elected Officials and Staff

- City staff recently attended the annual LMC conference and sat through an informative cybersecurity session. A staff meeting was held to begin the online cybersecurity training as a group and raise awareness to the threats while trying to strengthen our cybersecurity defense.

12. Recap of Heavy Rain Event

- Administrator Bromeland stated she is really pleased with how City staff, elected officials, and the community came together during a difficult time. Public Works staff worked tirelessly to make sure that no backups occurred because of the heavy rain events and high flows at the lift station. Staff appreciate elected officials trusting staff to do their jobs during the emergency and giving the necessary space while also reaching out to see what they could do or needed to do. Residents were asked to conserve water and they did, and we also hear countless stories of neighbors helping neighbors who had water in their basements. City staff will be meeting to review what worked well, what can be improved, and any other feedback to help better prepare and respond to emergencies such as this that threaten our critical infrastructure and residents.

13. Fire Station Feasibility Study Update and Next Steps

- Brunton Architects and the committee have been meeting to discuss fire station feasibility. Various potential sites have been identified. A closed session will be held to discuss the consideration of purchasing real estate.

14. City Council Notebook Computers

- Per a recent meeting with CTS to complete our annual IT assessment, one of the recommendations was to repurpose city council notebook computers, if they are not needed, to replace aging devices as we prepare for Windows 10 end of life and make sure that all systems are running supported operating systems. Council Members were asked to consider if they need their laptops and if not to turn them into the City office.

COUNCIL MEMBER REPORTS

- Council Member Rohrich thanked city staff and BECSO for their work with rain events.
- Council Member White stated that the June Summer Sounds event was rescheduled for August 6 and stated t-shirts have arrived.
- Council Member Whittington thanked staff and stated Olivia Adomabea will be missed.
- Mayor Norton stated the Public Works department did an amazing job with the flood and thanked all staff. There was great communication during this time.

ADJOURNMENT

Council Member Steinberg moved, seconded by Council Member White, 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