

**CITY OF EAGLE LAKE**  
**July 12, 2021**  
**CITY COUNCIL MEETING AGENDA**  
**City Hall, 705 Parkway Avenue, 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 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**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**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 of June 7, 2021 Pg. 3

**CONSENT AGENDA**

1. Monthly Bills	Pg. 9	2. Treasurer’s Report	Pg. 46
3. Police Report	Pg. 47	4. Fire Report	Pg. 51
5. Public Works Report	Pg. 52	6. Building and Zoning Permits	Pg. 53
7. Gambling Report	Pg. 54	8. Change Order No. 1: CSAH 27 (Agency Street) Project	Pg. 55
9.	Pg.	10.	

**PUBLIC HEARING**

## PRESENTATIONS

1. Vien Nguyen, Community Forestry Member with AmeriCorps: Overview of Tree Inventory Work and EAB Plan Pg. 58
2. Patti Schuch Family: Ag Land Access Request Pg. 59
3. Bradley Van Deirse, Auditor with Eide Bailly: Annual Audit Report Presentation Pg. 64
4. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Reconstruction Project Pg. 65

## NEW BUSINESS

1. Memorial Bench Request Pg. 67
2. Eagle Lake Area Lions Club Signage at City Signs and Proposed Community Service Project Pg. 72
3. Resolution for Alley Vacation Pg. 75
4. Pricing for Kage Plow Pg. 81
5. Authorized Disbursement Signature Policy Pg. 85
6. Eagle Ridge Phase II Pg. 89
7. American Rescue Plan Resolution Pg. 100
8. Special Assessment Deferrals Pg. 114
9. Terminate Emergency Declaration Pg. 117
10. Utility Disconnections Pg. 121

## OTHER

1. Tator Days Parade – City Parade Entry Pg. 124
2. Mankato Motorsports Appeals Court Response – Informational Pg. 125
3. Mower Update Pg. 127

## CITY ADMINISTRATOR REPORT

Pg. 130

1. Guidance from LMC on Juneteenth (June 19<sup>th</sup>) Federal Holiday
2. Drought Conditions and Water Conservation
3. 2021-2022 Service Term for Community Forestry Member Position
4. SMIF Small Town Grant Program Application
5. DNR EAB Grant Program Application

## COUNCIL MEMBER'S REPORT

## ANNOUNCEMENTS

- Next Regular **City Council** Meeting – August 2, 2021 at 6:00 PM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **EDA** Meeting – July 22, 2021 at 6:45 AM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **Park Board** Meeting – July 15, 2021 at 6:45 AM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **Planning Commission** Meeting – July 19, 2021 at 6:00 PM, City Hall-Council Chambers, 705 Parkway Ave

## ADJOURNMENT

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
JUNE 7, 2021**

**CALL TO ORDER**

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

**OATH OF OFFICE**

- John Whittington was sworn in as a council member.

**ROLL CALL**

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Chief John Kopp, Public Works Director Brian Goettl, Fire Chief Dan Ruschmeyer, and Deputy Clerk Kerry Rausch.

**PUBLIC COMMENTS**

- None.

**APPROVAL OF THE AGENDA**

- Administrator Bromeland asked to add Tator Days Community Festival request to New Business.
- Council Member Rohrich moved, seconded by Council Member White, to approve the agenda. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

**APPROVAL OF MEETING MINUTES**

- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the May 3, 2021 and June 1, 2021 City Council meeting minutes. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

**CONSENT AGENDA**

- Mayor Auringer pointed out two resolutions, one a resignation of Ryan Wersal from the Park Board and the other appointing Jacob Fangmann to the fire department reserves.
- Council Member White moved, seconded by Council Member Rohrich, to approve the consent agenda.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Contiguous Area Permit-American Legion	
Resolution 2021-26 Appointing Jacob Fangmann to Fire Department Reserves		
Resolution 2021-24 Resignation of Ryan Wersal from Park Board.		
- Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

**PUBLIC HEARING**

1. Special Assessment Hearing for CSAH 27 (Agency Street) Project

- Administrator Bromeland explained that the City Council needs to consider whether to adopt the proposed special assessment roll as included in the council packet. Three property owners contacted the City with concerns about their proposed special assessment. The parcels in question include R12.10.257.002, R12.10.18.130.001, R12.10.18.181.007, R12.10.18.181.009 and R12.10.18.181.008. Council needs to hear all objections and can make amendments to the assessment roll. Once adopted liens will be placed against the properties. The proposed interest rate is 3 percent and a 15-year term. If a resident plans to file an appeal, they must raise an objection prior to Council adopting the assessment roll. Residents will have 30 days to pay their assessment in full, to the City. After the 30 days, the assessments will be filed with Blue Earth County. Once the assessments are filed with Blue Earth County residents can pay off their assessment without penalty if they so choose. After November 15, 2021 interest through the 15 year term will be accrued. Assessment payments for these 15 years will be equal amounts. Staff will mail final assessment notices to residents. Residents have 30 days to file a request for deferral with the City.
- Brian Sarff, with Bolton and Menk, stated the public hearing is not geared towards construction issues. He explained the project is limited to Agency Street from Thomas Drive to LeRay Avenue. It was initiated due to watermain breaks and then sanitary sewer deficiencies. An improvement hearing has been held. The current 8-inch sanitary sewer line is in poor condition as is the 4-8 inch watermain. The storm water line is

8-24 inches which lies on top of the sanitary sewer line. The street is currently 44 feet wide with curb and gutter. Some areas along the project have 4-foot-wide sidewalks.

- The proposed project includes 8-10 inch PVC water and sewer lines and the replacing of manholes and hydrants. Private services up to the property line will be installed. A 40-foot road will be constructed with curb and gutter along with an 8-foot shoulder for parking. A 6-foot sidewalk will be installed on the south side and a 5 foot sidewalk on the north side.
- Council discussion included if residents would be able to add to their assessment amount if they would like to run a new line from the property line to the house. This is typically not done due to trying to coordinate with the contractors.
- Bids were received and opened on March 31, 2021 with a total project cost of \$3.2 million. The City is partnering with Blue Earth County and the City's portion of project costs are \$1.8 million.
- The city's current assessment policy is not being followed for this project, instead a special benefit analysis was conducted by an third party which resulted in a much lower assessment amounts. In this analysis properties were identified as residential, commercial, non-residential, and agricultural. A written appeal must be submitted tonight to allow a resident to file a court appeal.
- Council discussion included asking if the various parcels with prior questions have been worked through, which they have.
- Remaining questions include the Hansen parcels R12.10.18.251.002 and R12.10.18.181.007 which function as one residential unit. The east portion of the parcel is agricultural and is ready for development. In a meeting with the property owners, it was discussed that the parcel does not front Agency Street and that the property owners have no intention of selling or dividing the parcel into a residential subdivision. The revised proposed assessment roll shows an assessment equal to a residential parcel.
- Winkler parcels R12.10.18.181.009 and R12.10.18.181.008 have been reviewed by the Dan Murphy, the City's building official, who provided documentation stating the north parcel is not buildable. It is recommended that Council consider combining these parcels for special assessment purposes.
- The Fromm parcel R12.10.18.130.001 has been analyzed and determined to be a common ownership in the initial report. It has since been determined it should not be lumped together with the other parcel due to pending sale. This change would result in a reduction of the special assessment from \$9625 down to \$4250.
- An email from Kathy Foley, dated June 7, 2021, who is viewing the meeting remotely, was read. The email pertains to the Donald P. Foley acreage and states the proposed assessment is based on the premise that this is residential land or at least prime development land. The land has been prime for development for over 25 years, however they have continued to use it as agricultural land. They have rented to the same farm family over that time. They derive no benefit from the improvements on the road. They do not have homes to use the system and to be assessed. She stated she believes they are being over assessed for their property and contests the amount and is asking for consideration.
- Council discussion included that Mr. Foley has mentioned that people are interested in this land and what would happen if this land were developed. Once the assessments are adopted, they cannot be changed.
- Council discussion included asking if the 1983 deferred assessment is still deferred or if it has been paid. Administrator Bromeland indicated she contacted Blue Earth County and they have no record of the previously deferred assessment. It was also stated that a deferment will not eliminate an assessment.
- The public hearing was opened with the following comments hearing heard.
- Bob Winkler, 313 S Agency Street, asked why the special assessment interest rate is at 3 percent when the bond interest rate is at 1.8%. Administrator Bromeland stated that the City's financial advisor recommended the 3% rate to manage prepayments which are likely to occur and to cover the City's costs.
- Kevin Rykhus, 524 S. Agency Street, stated his property was classified as a miscellaneous property in the special benefit analysis, but in reality, is a residential property and asked why the special assessment is so high. The analysis identified this parcel as being large enough to split into two lots. The assessment amount has been discounted down from \$16,000 to \$12,000.
- Council discussion included the house is located in the middle of the property and would be difficult to split. There is currently a sanitary sewer stub from Connie Lane to this parcel which is not being used at this time. The distance of this line is to far to make it feasible to connect, and would council consider extending this line.
- The public hearing was closed at 7:52 p.m. with no more comments being offered.
- Brian Sarff explained that the property located at 404 Linda Drive, R12.10.18.180.017 is an odd shaped parcel which received special consideration and this parcel would not receive a second assessment if there is a Linda Drive project.

- Brian Sarff explained that Kevin Rykhus's property, 524 S. Agency Street, has a sanitary sewer stub onto the parcel and that it is on a septic system. He asked if Council would consider extending the sewer line to this property. The potential assessment modification would range from \$8,000 to \$12,000.
- Council Member Steinberg moved, seconded by Council Member White to assess the Rykhus property as a single family parcel.
- The current proposed assessment for the Foley property is \$97,000.
- Council Member White stated he is in favor of the Foley email and stated there is some value to this parcel. There may be two access points for this parcel. The Foleys have requested that water and sewer be stubbed in for the properties. Mayor Auringer stated that by requesting the stub-ins with full size utilities, this shows the possibility of development. The cost of the stub-ins is not included in the proposed assessment amount and would need to be calculated. Council Member Rohrich stated she believes the \$97,000 assessment is too high and that the Foley's have expressed an interest to sell several times. She also stated that she does not want to see the Foley's receive a better deal than other residents. Mr. Whittington asked for other construction costs relating to this parcel. Mayor Auringer stated with the request for utilities to be stubbed in, it seems to indicate development is coming.
- Council asked Mr. Sarff to calculate the cost of water and sewer stubs to the Foley property.
- Mr. Sarff calculated the cost of water and sewer stub ins to range between \$6,200 to \$6,800. This would include the larger pipe extensions with curb cut access costing another \$1,000.
- Council discussion included how the lost assessments will be covered, these dollars will be absorbed by the city. Council consensus was to assess the Foley property \$8,000.
- If a property owner chooses to defer the assessment, the deferred amount must be paid within 30 years or to the life of assessment for an undeveloped property. The landowner would need to request a deferment. Age based deferments are also available to property owners and must be requested within 30 days.

#### **PRESENTATIONS**

1. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Reconstruction Project
  - This presentation was handled during the Public Hearing.
2. John Graupman, Engineer with Bolton and Menk: Water Treatment Improvements Project
  - Mr. Graupman stated the request to the MN Department of Health has been submitted for their project priority list, this is where they rank their water improvement projects. An application has been submitted to MN PFA which is the financing agency. City staff has contacted the City of Mankato to discuss the regionalization process with a written request for a response. A face-to-face meeting will take place in July or early August. Full Council consideration can be expected later this year. State lists their funded projects in September which will give the city more information as to funding and if funded whether it will be a grant or a loan.
  - Mayor Auringer updated new council members on this project explaining that the City is looking into options which include a full water treatment plant or regionalization with Mankato who has a water filtration system.
3. Julie Blackburn, Engineer with ISG: (1) Annual MS4 Presentation; and (2) Overview of Stormwater Ponds and Maintenance
  - Ms. Blackburn explained that the Municipal Separate Storm Sewer System (MS4) requires an annual meeting. The programs concern is water runoff, water that is not absorbed into the land. The program looks at six control measures which include: public participation, public involvement, illicit discharge detection and elimination, construction site stormwater runoff control on parcels greater than one acre, post construction storm water management, and pollution preventions and good housekeeping. A new requirement in public involvement includes picking up litter and use of rain gardens. Illicit discharge inspections are also a new requirement. New ordinances and internal check lists will be drafted. Ponds inlet and outlets need to be inspected every five years.
  - The annual report has been submitted, the MPCA will review permit request.
  - Complaints have been received about pond odor on Owl Lane. These ponds are designed to be retainers of pollution. Ms. Blackburn presented a proposal which would include a topographic survey, sediment, inlets and outlets, a volume analysis, stormwater pond inspections and recommendations. The cost of the proposal is \$4,500. Optional tasks include water quality sampling and continuous water level data logger. This work is expected to take 4-6 weeks, if approved. Monitoring events over the course of an entire season is ideal, with a timeframe of April through the end of summer.
  - Council discussion included how to avoid issues with other ponds. The best approach is to educate resident to the fact that these are working ponds and are a part of the city's infrastructure.

- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the professional services proposal from ISG for assessment of Owl Lane ponds. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
4. Jayne Overstreet, Community Philanthropy Consultant with Southern MN Initiative Foundation: Annual Presentation
    - Ms. Overstreet explained that SMIF serves a 20-county region in south central and southeast Minnesota. Their organization focuses on three areas: economic development, early childhood development, and community vitality. The EDA portion has start up grants and bridge loans available. Early Childhood Development has included grants, bridge lending and start up grants. Community Vitality has included funding for events such as Eagle Lake's Music on Parkway.
  5. Dan Ruschmeyer, Fire Chief: Fire Department
    - Chief Ruschmeyer explained the fire truck for sale is listed at \$50,000 and asked Council for permission to lower the asking price and to list it on the state bid site.
    - Council consensus was to set a minimum sale price of \$40,000.

#### **NEW BUSINESS**

1. Adoption of Special Assessment Roll for CSAH 27 (Agency Street) reconstruction Project
  - Council Member White moved, seconded by Council Member Steinberg, to adopt Resolution 2021-29: A Resolution Adopting Assessments as amended. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
2. Planning Commission Recommendation for Variance at 112 Parkway Avenue (former Uncle Albert's Café)
  - Administrator Bromeland explained that a public hearing was held on May 17, 2021 at the Planning Commission meeting to consider a variance application from Mark and Rolene Fromm, owners of the property located at 112 Parkway Avenue in the Eagle Lake "Parkway Avenue Business District, from 598<sup>th</sup> Avenue to Agency Street. The owners are seeking a variance to convert an existing commercial building into multi-family apartments.
  - The Parkway Avenue District will accommodate residential uses when located above or behind commercial development. The proposed use does not include a commercial use for the property. The owners are seeking a variance for a property use that otherwise is not allowed in a B-1 Community Business District. In order to grant a variance a property owner must demonstrate a practical difficulty. A variance will be tied to the property, not the property owner. City code detailing practical difficulty was reviewed which included that a practical difficulty must relate to a physical situation and cannot be an economic situation.
  - Notices have been mailed and no opposition was received. The Planning Commission, in a not unanimous vote, has recommended approval of the variance request.
  - Mayor Auringer voiced concern that he does not see a practical hardship and that the Planning Commission looked at the setback requirements and that is not the issue. He stated that Parkway Avenue is specifically designated as a business district and asked if there is any ability to create a business on the front side.
  - Mr. Fromm stated that the property used to be located on Center Street and that frontage was lost when Parkway Avenue was redevelopments. The hardship is finding a tenant.
  - Mr. Fromm's realtor stated that many people have looked at the building and that the economy is not good to operate a restaurant and that there is not enough income to support a small business.
  - Mayor Auringer stated his concern is that City Code states that the Parkway Avenue District is specifically for businesses and asked if there is anyway that a business could be created on the front side of the property.
  - Council discussion included that the Parkway Avenue District waives parking requirements for businesses, that residential properties along this corridor is a lost opportunity for future businesses and the potential for future variance requests.
  - Council Member Rohrich moved, seconded by Council Member Steinberg to approve the variance request for 112 Parkway Avenue. Motion carried with Council Members Steinberg, Rohrich, and White voting in favor. The motion was opposed by Council Member Whittington and Mayor Auringer.
3. Promotion of Part-Time Officer to Full-Time Officer
  - With the resignation of a full-time officer, an internal announcement was posted advertising the full-time officer opening. Police Chief Kopp and Administrator Bromeland interviewed one internal candidate for the position. The committee recommends that Ben Romig be promoted from a part-time police officer to a full-time officer.
  - A conditional offer of employment was made to Officer Romig to start at Step 1 on the wage scale for a full-time police officer. Officer Romig will have a performance evaluation following the completion of 6 months and 12 months, with a pay increases upon satisfactory evaluations.

- Council Member Rohrich moved, seconded by Council Member Steinberg, moved to approve Resolution 2021-25 to promote Ben Romig to a full-time police officer. Motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Auringer voting in favor.
4. Hiring of Part-Time Police Officer
- Five applications were received for the position of part-time police officer. The hiring committee, consisting of Chief Kopp, Administrator Bromeland, and the program director with MN Valley Council of Governments interviewed all five candidates. The hiring committee recommends that Evan Chirpich be hired as a part-time officer at Step 1. Mr. Chirpich recently received his Bachelor of Science degree in Law Enforcement.
  - Council Member White moved, seconded by Council Member Rohrich, to approve Resolution 2021-27 authorizing the hiring of Evan Chirpich. Motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Auringer voting in favor.
  - Council requested that new hires be asked to attend the Council meetings to be introduced.
5. Review Bids Received Street Repairs
- There was \$115,000 budgeted in 2021 for street repairs with an available balance of \$112,600 remaining. The unused street repair funds from 2020 were carried over to capital outlay for this purpose.
  - Three bid requests were requested with WW Blacktopping submitting the only bid in the amount of \$87,831.55 plus additional cost for unknown manhole adjustment rings and water valve irons that may be needed. The approximate cost for these items is \$3,500.
  - Public Works Director Brian Goettl stated work would be coordinated with traffic patterns relating to the Agency Street project and that crack sealing and gravel work are also being considered for 2021.
  - Council Member Steinberg moved, seconded by Council Member White, to approve WW Blacktopping's bid in the amount of \$87,831.55. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
6. Park Land Access Request from 1001 Timberidge Trail
- A request has been received from Pan and Dave Serdar, owners of 1001 Timberidge Trail, to access the rear of their property on limited occasions using City park land.
  - The Serdar's written request stated they would like to continue the access previous owners have occasionally used through their back gate in May and September to move their camper, occasionally for tree trimming access, and to dispose of leaves. They would ensure that they utilize their property through this access point when it is dry so as not to cause any damage to park land.
  - Discussion included the request that the Serdar's contact City staff prior to accessing the property and that the Serdars' are aware that the City may withdraw access approval in the future if the park expands.
7. Sewer Connection Variance Request from 804 Parkway Avenue
- Administrator Bromeland explained that Chad Ragan, owner of 804 Parkway Avenue, was notified some time ago by Blue Earth County of a septic system upgrade required for the property. Since that time, Mr. Ragan has been in contact with City staff to discuss connecting to City sewer. Recently, Mr. Ragan advised City staff that he is unable to obtain an easement from the owner of 800 Parkway Avenue for this purpose. After consulting with the City's engineer with Bolton and Menk, Brian Sarff, and the City's Public Works Director, Brian Goettl, it was suggested that perhaps Mr. Ragan be allowed to replace his septic system and granted a variance from connecting to City sewer until sewer is made available in front of his property along Parkway Avenue in the future.
  - If the City is agreeable to allowing Mr. Ragan to replace his septic system, the City will need to send a letter to MPCA informing them of an exception being granted for 804 Parkway Avenue. City staff has confirmed with Jesse Anderson with Blue Earth County that the county will be the entity performing the inspection and issuance of a permit for the septic system.
  - Mr. Chad Ragan explained he has 90 days to fix the issue. The existing line is approximately 500 feet from his property and he would need a grinder pump. The family is not interested in granting an easement due to potential future hardship of selling the commercial property.
  - Administrator Bromeland stated that the City has the ability to authorize the septic system and also require the property owner to connect to future city services once the new septic system reaches the end of its useful life.
  - Council Member White moved, seconded by Council Member Rohrich, to approve the variance request allowing a new septic system for 804 Parkway Avenue. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
  - Brian Sarff with Bolton and Menk stated that Mr. Rykhus, 524 Agency Street, has a similar situation and that Mr. Sarff will bring connection information to the Council at the July meeting.

8. Lease for Land to Stockpile Leaves Collected During Fall Pickup

- City staff have been notified by Blue Earth County wetland officials that the City is no longer allowed to stockpile leaves collected during the fall leaf pickup near the Public Works Building due to its proximity to a wetland. At the present time, there is no other City owned land available to stockpile leaves.
- City staff contacted Gary Hiniker about the possibility of leasing an acre of his land on parcel R43.09.24.200.003 to stockpile leaves year-round. Upon Council approval, staff will work with legal counsel to establish terms. The Public Works staff requests the ability to haul in gravel for the access to the site and to install a chain link fence perimeter. It was suggested that the annual lease amount be established at \$250.
- Council Member Rohrich moved, seconded by Council Member White, to authorize City staff to work with legal counsel to draft a lease with Gary Hiniker for 1 acre on parcel R43.09.24.200.003 for the purpose of stock piling leaves. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

9. Tator Days Request

- Administrator Bromeland explained that a request came in today asking that Tator Days be classified as a community festival and to waive the fees for liquor establishments' contiguous area permits. Administrator Bromeland stated she would like to research further the need to deem a community festival for liquor licensing purposes or whether the City could just waive the fees as requested.
- Council Member Rohrich moved, seconded by Council Member White, to waive the 2021 contiguous are permit fees associated with Tator Days 2021. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Auringer voting in favor.

**CITY ADMINISTRATOR REPORT**

1. Update on UWP Application Submitted for Pedestrian Connectivity Study along CSAH 27 from Thomas Drive to 211<sup>th</sup> Street

- City Administrator Bromeland updated the City Council that she is working with MAPO to obtain funding for a pedestrian connectivity study for the area along CSAH 27 between Thomas Drive and 211<sup>th</sup> Avenue.

2. Outdoor Movie Event will be held at the Eagle Lake Elementary School on Friday, June 11, 2021.

3. Comprehensive Plan Update and Possible Next Steps

- It was noted that MN Council of Governments can assist with an update at no additional charge but that City staff will research further whether an update is appropriate or if a more in depth update is required and the need to contract out for this work.

4. Update from Minnesota State Demographic Center

- Due to COVID 19 the census results are delayed.

5. Overview of 2022 Budget Timeline and Process

- Budget work sessions will begin in August. The preliminary tax levy must be set by the end of September.

6. MetroNet

- A pre-construction meeting was held today.

7. American Rescue Funds Resolution

- It is anticipated that the League of MN Cities will have a model resolution available for the July City Council meeting.

**COUNCIL MEMBER'S REPORT**

- Mayor Auringer stated the Region 9 Development Commission represents Blue Earth County cities with a population under 10,000. Tim will attend their meeting within the next couple of weeks.

**ADJOURNMENT**

- Council Member Rohrich moved, seconded by Council Member White, to adjourn the meeting at 9:28 p.m.

---

Tim Auringer, Mayor

---

Kerry Rausch, Deputy Clerk



CITY OF EAGLE LAKE

06/30/21 2:22 PM

Page 1

\*Check Summary Register©

June 2021

Name	Check Date	Check Amt	
<b>10100 Cash</b>			
1404e PSN	6/3/2021	\$447.99	MAY BILLING
1405e AFLAC	6/3/2021	\$134.88	APRIL PREMIUM
1406e AFLAC	6/3/2021	\$134.88	MAY PREMIUM
1408e PERA	6/7/2021	\$4,838.80	BW 06-10-21
1409e FURTHER	6/7/2021	\$323.10	BW 06-10-21
1410e MN DEPT OF REVENUE	6/8/2021	\$1,638.00	MAY SALES & USE TAX
1411e PITNEY BOWES GLOBAL FINAN	6/11/2021	\$604.50	POSTAGE
1412e PERA	6/21/2021	\$3,415.77	BW 06-24-21
1413e FURTHER	6/21/2021	\$323.10	BW 06-24-21
1414e PERA	6/21/2021	\$37.50	MO 06-21
1415e CORNERSTONE STATE BANK	6/22/2021	\$20.00	STOP PAYMENT ON PERA ACH
43609 TGK AUTOMOTIVE OF MANKAT	5/28/2021	(\$721.80)	
43616 ALPHA WIRELESS	6/4/2021	\$407.10	QUARTERLY MAINENANCE
43617 ARAMARK	6/4/2021	\$78.60	
43618 BADGER METER	6/4/2021	\$93.66	
43619 BENCO ELECTRIC	6/4/2021	\$537.44	STREET LIGHTING
43620 BIOVERSE INC	6/4/2021	\$252.52	
43621 CHRISTOPHER KENNEDY	6/4/2021	\$207.00	
43622 COMPUTER TECHNOLOGY SOL	6/4/2021	\$2,351.89	
43623 CONSOLIDATED COMMUNICATI	6/4/2021	\$563.74	ACCOUNT 507-150-0101/0
43624 DAVID DROWN ASSOCIATES, IN	6/4/2021	\$15,500.00	CSAH 27/AGENCY STREET
43625 GOPHER STATE ONE CALL	6/4/2021	\$109.35	MAY SERVICE
43626 MATHESON TRI GAS INC	6/4/2021	\$49.53	
43627 MYA PHOTOGRAPHY DESIGN	6/4/2021	\$87.50	MUSIC ON PARKWAY POST CARD DESIGN
43628 NICKLAY, MICHAEL	6/4/2021	\$35.10	PARK EQUIPMENT WASTE MATERIALS
43629 SOUTH CENTRAL COLLEGE	6/4/2021	\$800.00	EMS SKILLS-18 STUDENTS
43630 U.S. BANK	6/4/2021	\$850.00	ACCEPTANCE AND PAYING AGENT FEE
43631 CARRIAGE REPAIR INC	6/7/2021	\$74.39	
43632 VAN IWAARDEN	6/7/2021	\$2,200.00	FYE 2019/20 GASB 67/68
43633 Verizon Wireless	6/7/2021	\$279.05	
43634 BCBS OF MN	6/8/2021	\$13,755.05	
43635 EAGLE EXPRESS	6/8/2021	\$1,654.93	
43636 BACK, JOAN	6/21/2021	\$64.66	FLOWERS FOR LAKE EAGLE PARK
43637 NEON-LIVE	6/21/2021	\$1,500.00	MUSIC ON PARKWAY
43638 PITNEY BOWES GLOBAL FINAN	6/21/2021	\$124.44	QUARTERLY LEASE
43639 KERRY RAUSCH	6/21/2021	\$833.92	MCFOA CONFERENCE REIMBURSEMENT
43640 BENCO ELECTRIC	6/29/2021	\$546.96	STREET LIGHTING
43641 CASEYS GENERAL STORE EAGL	6/29/2021	\$1,262.40	
43642 CENTER POINT ENERGY	6/29/2021	\$11.86	
43643 DELTA DENTAL OF MN	6/29/2021	\$649.65	JULY PREMIUM
43644 HARTMAN, ANDREW	6/29/2021	\$11.80	
43645 UNITED STATES POSTAL SERVI	6/29/2021	\$56.00	BOX 287 RENTAL
43646 US BANK EQUIPMENT FINANCE	6/29/2021	\$114.00	
43647 XCEL	6/29/2021	\$3,682.30	
43648 ACTIVE 911 INC	6/30/2021	\$390.00	
43649 ADP, LLC	6/30/2021	\$445.85	
43650 AFFORDABLE TOWING OF MAN	6/30/2021	\$98.75	
43651 AMERICAN LEGION POST 617	6/30/2021	\$100.00	REFUND CONTIGUOUS AREA PERMIT FEE
43652 ARAMARK	6/30/2021	\$159.87	
43653 AXON ENTERPISE INC	6/30/2021	\$197.22	TECH ASSURANCE ANNUAL PAYMENT
43654 BADGER METER	6/30/2021	\$94.02	
43655 BAUERS SPECIALTY SALES	6/30/2021	\$1,702.30	PARK EQUIPMENT
43656 BIOVERSE INC	6/30/2021	\$417.83	POND TREATMENT
43657 BOLTON & MENK INC	6/30/2021	\$5,790.00	EAGLE RIDGE 2020 IMPROVEMENT

CITY OF EAGLE LAKE

06/30/21 2:22 PM

Page 2

\*Check Summary Register©

June 2021

Name	Check Date	Check Amt
43658	BROMELAND, JENNIFER	6/30/2021 \$19.75
43659	CITY BUILDING INSPECTION SR	6/30/2021 \$12,258.47
43660	CLARKE ENVIRONMENTAL MOS	6/30/2021 \$2,039.40
43661	CONSOLIDATED COMMUNICATI	6/30/2021 \$563.72
43662	EMERGENCY APPARATUS	6/30/2021 \$339.01 OLD 4311
43663	FEDEX	6/30/2021 \$14.17
43664	FRESH START CLEANING AND	6/30/2021 \$100.00 May Service
43665	HAWKINS	6/30/2021 \$2,565.64
43666	I & S GROUP INC	6/30/2021 \$841.50 MS4 PROGRAM MGMT - PHASE 2
43667	J.R. BRUENDER CONSTRUCTIO	6/30/2021 \$710.00
43668	JEREMY AMBROSE WINDOW CL	6/30/2021 \$150.00
43669	KSL.LLC	6/30/2021 \$600.00 MUSIC ON PARKWAY 6-17-21
43670	LJP ENTERPRISES	6/30/2021 \$12,177.90 64 GAL=934/96 GAL=115
43671	CITY OF MANKATO	6/30/2021 \$29,500.62
43672	MELCHIOR TREE SERVICE INC	6/30/2021 \$7,150.00
43673	MENARDS	6/30/2021 \$885.38
43674	MN DEPT OF HEALTH	6/30/2021 \$2,602.00 2ND QTR CONNECTION FEES
43675	MN POLLUTION CONTROL AGEN	6/30/2021 \$40.00 GOETTL-WASTEWATER CERFICATION
43676	MN RURAL WATER ASSOCIATIO	6/30/2021 \$500.00 MRWA TECH CONFERENCE=GOETTL
43677	MINNESOTA WASTE PROCESSI	6/30/2021 \$11,581.50
43678	NAPA AUTO PARTS	6/30/2021 \$56.49
43679	QUALITY 1 HR FOTO	6/30/2021 \$569.25 MUSIC ON PARKWAY BANNERS
43680	SCHWICKERTS	6/30/2021 \$410.00
43681	SPS COMPANIES INC	6/30/2021 \$43.03 TRAC
43682	ST. CROIX RECRETION FUN PLA	6/30/2021 \$25,027.20 ENGINEERED WOOD PARKS PROJECT
43683	STAPLES BUSINESS ADVANTA	6/30/2021 \$259.21
43684	SUN UP CONSTRUCTION INC	6/30/2021 \$1,126.00 FENCE REPAIRS
43685	TEAM LAB	6/30/2021 \$658.50
43686	TRACTOR SUPPLY CREDIT PLA	6/30/2021 \$199.96
43687	UTILITY LOGIC	6/30/2021 \$1,030.00 LOCATOR
<b>Total Checks</b>		<b>\$183,356.10</b>

FILTER: ((([Act Year]='2021' and [period] in (6)))) and ((([Check Nbr]>0 and not EFT and not [Source] like 'PAY?????????.??') or [EFT])) and [Cash Act]='10100'

CITY OF EAGLE LAKE

06/30/21 2:23 PM

Page 1

\*Check Summary Register©

June 2021

Name	Check Date	Check Amt
10110 Park- Assigned		
43688 J.R. BRUENDER CONSTRUCTIO	6/30/2021	\$11,182.00
	Total Checks	\$11,182.00
		EAGLE HEIGHTS PARK GRADING

FILTER: ((([Act Year]='2021' and [period] in (6))) and ((([Check Nbr]>0 and not EFT and not [Source] like 'PAY?????????.??') or [EFT])) and [Cash Act]='10110')

11

Pay Dates 06/10/2021, 06/24/2021

Payroll Name	Pay Date	Net Pay
AURINGER, MANDY L	06/10/2021	725.67
AURINGER, MANDY L	06/24/2021	725.66
Auringer, Timothy A	06/24/2021	350.81
Bromeland, Jennifer J	06/10/2021	2,605.84
Bromeland, Jennifer J	06/24/2021	2,605.83
Goettl, Brian K	06/10/2021	1,525.84
Goettl, Brian K	06/24/2021	1,649.30
Haber, Jerald L	06/10/2021	362.00
Haber, Jerald L	06/24/2021	362.02
Hartman, Andrew R	06/10/2021	1,119.27
Hartman, Andrew R	06/24/2021	1,129.70
Jensen, Dustin D	06/10/2021	1,697.36
Jensen, Dustin D	06/24/2021	1,501.42
Keeseey, Zachary D	06/10/2021	202.65
Keeseey, Zachary D	06/24/2021	451.71
Konz, Noah J	06/24/2021	73.88
Kopp, John A	06/10/2021	3,343.23
Kopp, John A	06/24/2021	1,716.13
Longoria, Lupe R	06/10/2021	255.77
Longoria, Lupe R	06/24/2021	641.05
Nicklay, Michael L	06/10/2021	1,068.46
Nicklay, Michael L	06/24/2021	1,068.46
Peterka, Logan T	06/10/2021	1,426.56
Rausch, Kerry L	06/10/2021	1,124.53
Rausch, Kerry L	06/24/2021	1,195.23
Rohrich, Elizabeth K	06/24/2021	253.96
Romig, Benjamin T	06/10/2021	540.65
Romig, Benjamin T	06/24/2021	0.00
Ruschmeyer, Daniel S.	06/24/2021	399.40
Shoemaker, Brian J	06/10/2021	466.87
Shoemaker, Brian J	06/24/2021	569.57
Steinberg, Garrett R	06/24/2021	207.79
White, Anthony D	06/24/2021	253.96
Whittington, Johnnie L	06/24/2021	207.79

12

**CITY OF EAGLE LAKE  
INVESTMENT PORTFOLIO  
May 31, 2021**

Cornerstone State Bank	GENERAL CHECKING (0.2%) os deposit	bank stmts \$ 236,490.68	20 cent correction by bank in J
		\$ 5,344.49	
		\$ (185,996.39)	
Community Bank	ACH CHECKING	\$ 500.00	
Pioneer Bank - ICS	Acct 5058105 - vaiable rate %	\$ 2,844,057.41	additional \$70591.12 will be w/
Pioneer Bank - Savings 4M	0.25% APY 0.26% RATE	\$ 241,057.05 \$ 141.91	
	<b>SUB TOTAL</b>	<b>\$ 3,141,595.15</b>	
Cornerstone State Bank	EDA Account	\$ 145,082.84	
Cornerstone State Bank	Loan Acct	\$ 42,621.98	
Cornerstone State Bank	SCDP Acct	\$ 18,291.37	

		Matures	Issued
Citizens Community Federal Portfolio # 111064 CD # 40032787 interest pd at maturity	Rate 1.70%	\$ 247,258.45	8/31/2021 5/25/2018
Community Bank	Rate 2.45% 50071	\$ 250,000.00	7/23/2021 5/23/2019

**SUB TOTAL** \$ 497,258.45

**BANK STMT TOTAL** \$ 3,638,853.60

GL(books) CASH BALANCE REPORT SHOWS: \$ 3,638,854.86 bal sheet cash accts

**DIFFERENCE** \$ 1.26 ( ) report is lower than check registers

I spoke with Mankato Ford this week and they said our new car should be delivered sometime in the first part of July.

We will have extra officers on for Tator days. We will also have an officer at the Eagle's Nest for the street dance assisting with checking ID's.

We will be participating in firearms training in July with the Blue Earth County Sheriff's department and the other municipalities in Blue Earth County.

We had an extra officer on for the 4<sup>th</sup> of July focusing on DWI enforcement through our Towards Zero Deaths grant.

We continue to monitor traffic on city streets where there is increased traffic because Agency Street is closed for construction. We continue to be visible trying to get people to obey traffic laws.

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	0							0
DAS/DAR/DAC	0	0	1	3	2	3							9
Equipment Violations	0	0	0	0	0	0							0
Expired Tabs	0	0	0	0	0	0							0
Other	0	0	3	4	1	2							10
Seatbelt	0	0	1	0	3	0							4
Speeding	1	0	26	4	24	7							62
Stop Sign	0	0	1	0	0	0							1
Traffic Stops	35	11	86	28	74	51							285
Warnings	34	11	53	19	44	42							203
													Total
<b>Calls for Service</b>													
Accidents	0	3	1	1	0	5							10
Administrative Citations	0	0	0	0	0	0							0
Alarms	0	2	2	1	1	2							8
Animal Comp.	6	4	10	4	7	4							35
Assaults	0	0	0	0	0	0							0
Assist	8	4	15	7	6	5							45
Assist Ambulance	6	5	13	9	8	8							49
Assist Fire Dept	1	3	2	0	3	3							12
Assists OA	24	14	10	18	17	20							103
Burglary	0	0	1	0	0	0							1
Call Outs	7	2	2	2	6	6							25
Civil	1	4	1	0	1	2							9
Directed Patrol	27	38	68	62	78	58							331
Disturbance	0	0	5	1	3	3							12
Domestic	0	3	4	1	3	4							15
Driving Comp.	4	4	5	6	13	8							40
DWI	0	2	0	1	1	0							4
Fraud	0	3	2	6	0	1							12
Harrassment	0	3	1	1	3	2							10
Miscellaneous	21	12	24	29	29	21							136
Narcotics	0	0	3	1	2	0							6
Noise Comp	0	1	0	0	0	1							2
Ordinance Viol.	5	5	5	4	10	3							32
Party Comp.	0	0	0	0	0	0							0
Property Damage	2	0	0	1	2	2							7
Runaway/Missing Person	0	0	2	0	1	1							4

Eagle Lake Police Department Accumulative Report

Suspicious Cir.	4	4	4	8	5	11	0					32
Suspicious Person	0	2	1	1	7	0	0					10
Suspicious Vehicle	1	3	4	4	9	12	6					35
Thefts	0	0	3	3	0	1	2					6
Threats	2	0	0	0	0	0	1					3
Warrants Serv.	2	1	2	2	0	0	2					7
Weapons	0	0	2	2	1	0	1					4
Welfare Check	2	7	4	4	4	10	4					31
Total ICRS	151	138	284	284	207	296	220					1296
Total Mileage												
2017 Explorer	110744	112561	115250	117868	120708	122523						
2020 Explorer	16,722	17,693	19,656	20,992	22892	24,310						
Monthly Mileage												
2017 Explorer	1,949	1,817	2,689	2,618	2,840	1,815						
2020 Explorer	1,453	971	1,963	1,336	1,900	1,418						



## Fire Chiefs Report June 2021

The preparation for Tater Days is underway. The Fire Department is again this year hosting the Kids Peddle Pulls on Friday evening and a Pancake/French Toast Breakfast on Saturday morning.

13 Calls for the month of June

Medicals 8

Gas Leak 2

Cancelled calls 2

Fire Alarm-no fire 1

Call Areas:

Eagle Lake 10

Le Ray Twsp 2

Mankato Twsp. 1

Dan Ruschmeyer  
Eagle Lake Fire Chief



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

July, 2021

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

From: Brian Goettl Public Works Director

Andrew and Mike have been coming in early for the last month and continue to do utility locates to stay ahead of the Metronet contractors, we receive 20 to 40 locates per day.

I am working with Mankato Landshapes on plans for plants, shrubs and decorative rock for the three Eagle Lake signs. I will want to wait until after County Road 27/ Agency St. project is complete due to the work being done around two of them.

**Water:** We had two water shut off valves that are leaking, one was repaired by the Dirt Merchants on LeSueur and 2<sup>nd</sup> St. the other on Linda and Diane will be repaired in the next few weeks. This will contribute to some discolored water.

**Sewer:** We are doing our regular maintenance and inspections on our 4 lift stations adding a degreaser for preventive maintenance.

**Streets:** WW Blacktopping will contact me prior to coming and doing street repairs. This should allow the City Office time to contact residents of repairs on their streets.

We will still be working on 211<sup>th</sup> adding gravel, trimming trees and chipping the brush with time permitting.

**Parks:** We will be moving the wood chips from the parking lot by the skating rink to Frazee Park playground during the summer and fall.

**Storm Sewer:** We will be hauling out compost from the City Shop to the new sight.

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 2021

<u>HOUSE #</u>	<u>STREET</u>	<u>VALUE</u>	<u>Project Description</u>
714	Linda Cir.	\$ 14,050.00	Reroofing
713	Linda Dr	\$ 11,327.00	Reroofing
301	Linda Dr	\$ 9,125.00	Reroofing
220	AnnDr	\$ 9,680.00	Reroofing
308	Brook Ct	\$ 10,346.00	Reroofing
205	Rockwell	\$ 20,317.00	Reroofing
245	Joan Ln	\$ 10,000.00	Reroofing
125	Linda Dr	\$ 1,500.00	Water heater/furnace
119	Connie Ln	\$ 13,000.00	Residing
115	Connie Ln	\$ 2,000.00	Water heater/furnace
202	Cranberry Ct	\$ 22,000.00	Reroofing
1005	Timberidge Trl	\$ 18,460.00	Reroofing
532	LeSueur Ave.	\$ 10,300.00	Reroofing
217	Blace Aye.	\$ 10,400.00	Reroofing
216	Second St S.	\$ 10,900.00	Reroofing
313	Agency S.	\$ 3,660.00	Windows-9
328	LeRay Ave	\$ 15,000.00	Residing
168	Creekside Ct.	\$ 274,000.00	New Construction

Zoning Permits 2021

<u>Zoning #</u>	<u>Address</u>	<u>Type</u>
21-21	104 Creeksdie Dr	Shed
21-22	148 Creekside Dr	Shed
21-23	505 Thomas Dr	Fence

Eagle Lake Fire Relief  
Gambling Fund Report April 2021

Balance	4/1/21		\$59,271.22
Income:			
Paper Pull Tabs		\$6,171.00	
Electronic		\$29,375.00	
Interest Income		\$5.03	
Total Income			<u>\$35,551.03</u>
Total Funds Available			\$94,822.25
Less Total Disbursements			<u>-\$37,842.11</u>
Balance	4/30/21		\$56,980.14

2021 Profit / Community Donations

Net Profit:			
	1/21	\$23,187.08	
	2/21	\$965.48	
	3/21	\$26,710.97	
	4/21	\$1,383.98	

Total Profit To Date: \$52,247.51

Community Donations To Date: \$5,000.00



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

July 12, 2021

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Change Order No. 1 for CSAH 27 (Agency Street) Project and Planned Water Main Crossing Beneath Canadian Pacific Railway Track

Enclosed you will find Change Order No. 1 from GEI Consultants for a 3<sup>rd</sup> party independent review for the planned water main crossing beneath Canadian Pacific Railway in Eagle Lake as part of the CSAH 27 (Agency Street) Project. The estimated cost of the independent review ranges from \$3,500 to \$4,050.

Brian Sarff with Bolton and Menk recommends that the change order be approved. With time being of the essence so not to delay the entire project, the change order was approved by City staff on July 6<sup>th</sup>. The change order is included on the agenda this evening for your retroactive approval.

A motion is necessary to retroactively approve Change Order No. 1.

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



Consulting July 2, 2021  
Engineers and Project 2101117  
Scientists

VIA EMAIL: [jbromeland@eaglelakemn.com](mailto:jbromeland@eaglelakemn.com)  
[brian.sarff@bolton-menk.com](mailto:brian.sarff@bolton-menk.com)

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

Mr. Brian Sarff, P.E.  
Project Engineer  
Bolton & Menk, Inc.  
1960 Premier Drive  
Mankato, Minnesota 56001

**Re: Change Order No. 1 for 3<sup>rd</sup> Party Independent Review for the Planned Agency Street Water Main Crossing Beneath Canadian Pacific Railway Track in City of Eagle Lake, Minnesota - CP Rail Tracy Subdivision, MP 122.30**

Dear Ms. Bromeland and Mr. Sarff:

At the request of Mr. Sarff, GEI Consultants, Inc. (GEI) is pleased to submit our Change Order No. 1 for the above-referenced project.

We understand the City of Eagle Lake, Minnesota, (City) has selected a contractor for the new watermain line along Agency Street beneath the existing Canadian Pacific Railway (CP Rail) railroad track. The Contractor has selected the jack-and-bore method to install the steel casing and watermain at the CP Rail Crossing, they also intend to use a different casing and pipe size and place them at a deeper depth below the existing track. We further understand that the Geotechnical Engineer of Record, American Engineering Testing, Inc. (AET) has reviewed the proposed changes made by the selected contractor and their findings are provided in their letter report, dated June 25, 2021.

Bolton & Menk, Inc. (B &M) requests that GEI provides the required 3<sup>rd</sup> party independent review of the modifications made by the selected contractor and the associated review report by AET in accordance with the CP Rail protocol. In addition, GEI has also been asked to review the memorandum, dated June 21, 2021, regarding the Contractor's remedial procedures for dewatering and corrective measures if excessive settlements are observed during construction and when obstructions are encountered. GEI has performed cursory review of the June 21, 2021, memorandum. We would require more detailed information regarding what steps would be taken to maintain the stability of the adjacent grounds and the railroad tracks, and the corresponding Contractor's shop drawings or submittals signed and sealed by a Professional Engineer licensed in the State of Minnesota.

GEI propose to provide the additional services as outlined above on a time-and-expense basis. We suggest that a total estimated cost of \$3,500 to \$4,050 be used for your budgeting purposes. A breakdown of our estimated cost is given below:

Task No	Description	Estimated Cost
1	Review Contractor's Modification and AET's Review Letter	\$750
2	Review Contractor's Submittals regarding Dewatering, Jacking and Receiving Pit, Means and Construction Procedures including Remedial Procedures for Obstruction Removal and Excessive Ground Settlement Observed During Construction (Allowance Only, say 10 to 12 hrs at \$275/hour)	\$2,750 to \$3,300
	<b>Total Estimated Cost</b>	<b>\$3,500 to \$4,050</b>

Our final fee will be determined by the actual work performed and expenses incurred. In the event that our initial review indicates that a change in the scope of services from that outlined herein will be necessary, we will discuss potential work scope changes with you and request your concurrence prior to performing the additional scope. Any changes in our total fees based upon approved work scope changes will be made in accordance with the rate schedule included in the signed proposal we received from the City. We could complete the work within 7 to 10 working days once we receive your formal authorization to proceed.

#### Terms and Conditions

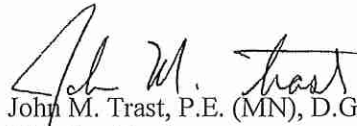
GEI will perform the additional services using Standard Professional Agreement of Services and Fee Schedule agreed upon in our signed proposal. If this change order is acceptable, please have an authorized representative execute in the signatory block below and return a signed copy for our record.

Sincerely,

GEI CONSULTANTS, INC.



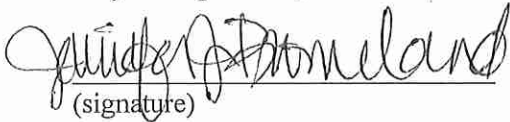
Chia K. Tan, P.E., D.GE, F. ASCE  
Senior Consultant



John M. Trast, P.E. (MN), D.GE  
Vice President

Accepted by:

City of Eagle Lake, Minnesota

  
(signature)

Jennifer J. Bromeland  
(printed name)

City Administrator  
(title)

7/6/21  
(date)

CKT/JXT:cah

K:\City of Eagle Lake\2101117\_Geotech Water Main Eagle Lake\02\_PM\Change Order\_07-01-2021\2101117\_Change Order No. 1\_City of Eagle Lake\_MN\_Utility Crossing\_CP Rail\_FINAL.docx



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

July 12, 2021

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Community Forestry Member Presentation

Eagle Lake was awarded a community forestry position for the 2020-21 service year. The Community Forestry Corps is a new program through the AmeriCorps. Vien Nguyen has been serving as Eagle Lake's community forestry member during the current service term in a part-time capacity. The service term began on September 28, 2020 and ends August 28, 2021. There is no financial cost to the City to participate in this program.

During the current service year, Vien has been conducting tree inventorying, working on an Emerald Ash Borer management and implementation plan, providing education about the importance of trees in our community, and assisting staff with developing a maintenance plan for trees at City parks.

Vien was invited to attend this evening's meeting and present to you a summary of her work this past service year. Eagle Lake has been awarded another community forestry position for the 2021-22 service year. A new change will be that the position will be shared with the City of Lake Crystal, with the community forestry member splitting their time between the two cities. Interviews are being held this week with two candidates.

Jennifer J. Bromeland  
City Administrator





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

July 12, 2021

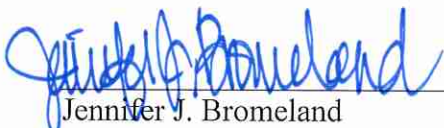
To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Access Request

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 just north of the railroad tracks along 598<sup>th</sup> Avenue or CSAH 56. Attached is a printout from BEACON showing the right of way parcel as "Lutter Avenue". The area is currently overgrown with brush and would need to be cleared. Also attached are pictures showing 50 feet from the tracks, which is the setback distance required by the railroad, and the property line.

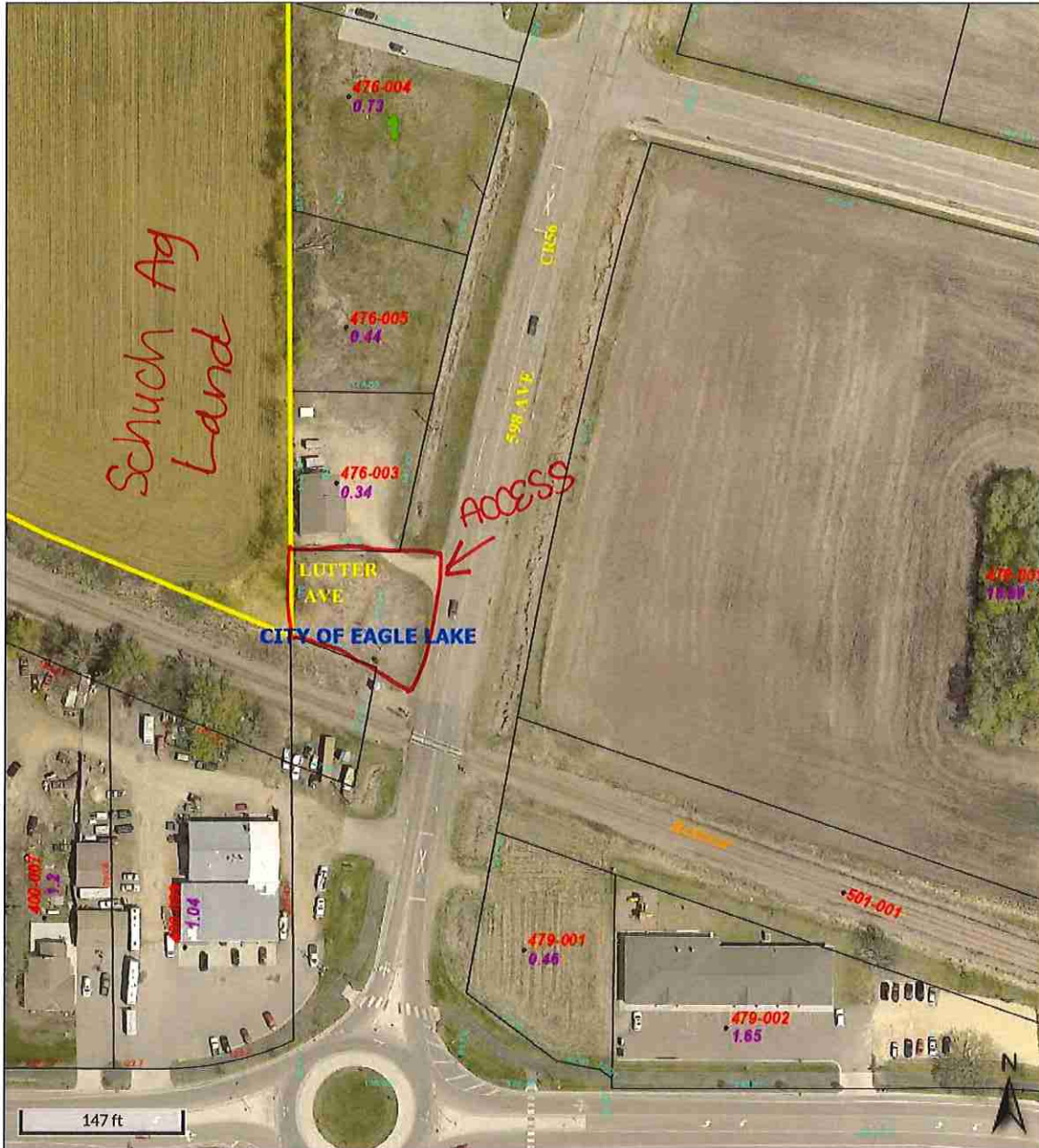
The Schuch family has expressed that they will be responsible for clearing the brush, establishing a driveway, installing a culvert in the driveway to let water through to not disrupt waterflow, and that they will ensure that their farm policy covers the right of way area for insurance purposes. If the City Council were interested in granting the Schuch's request, then an agreement should be set up addressing these details. City staff would consult with legal counsel on the terms for an agreement for this purpose.

If the agricultural land to the west should develop commercially in the future, it might be prudent to retain the parcel for access. No taxes are paid on this parcel.

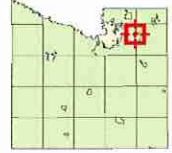
A motion is necessary to approve or reject the request.

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

59



Overview



Legend

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

Date created: 7/8/2021  
Last Data Uploaded: 7/8/2021 6:26:25 AM

Developed by  Schneider GEOSPATIAL

Railroad ROW & Setback: Maintain a distance of 50 feet from the tracks.

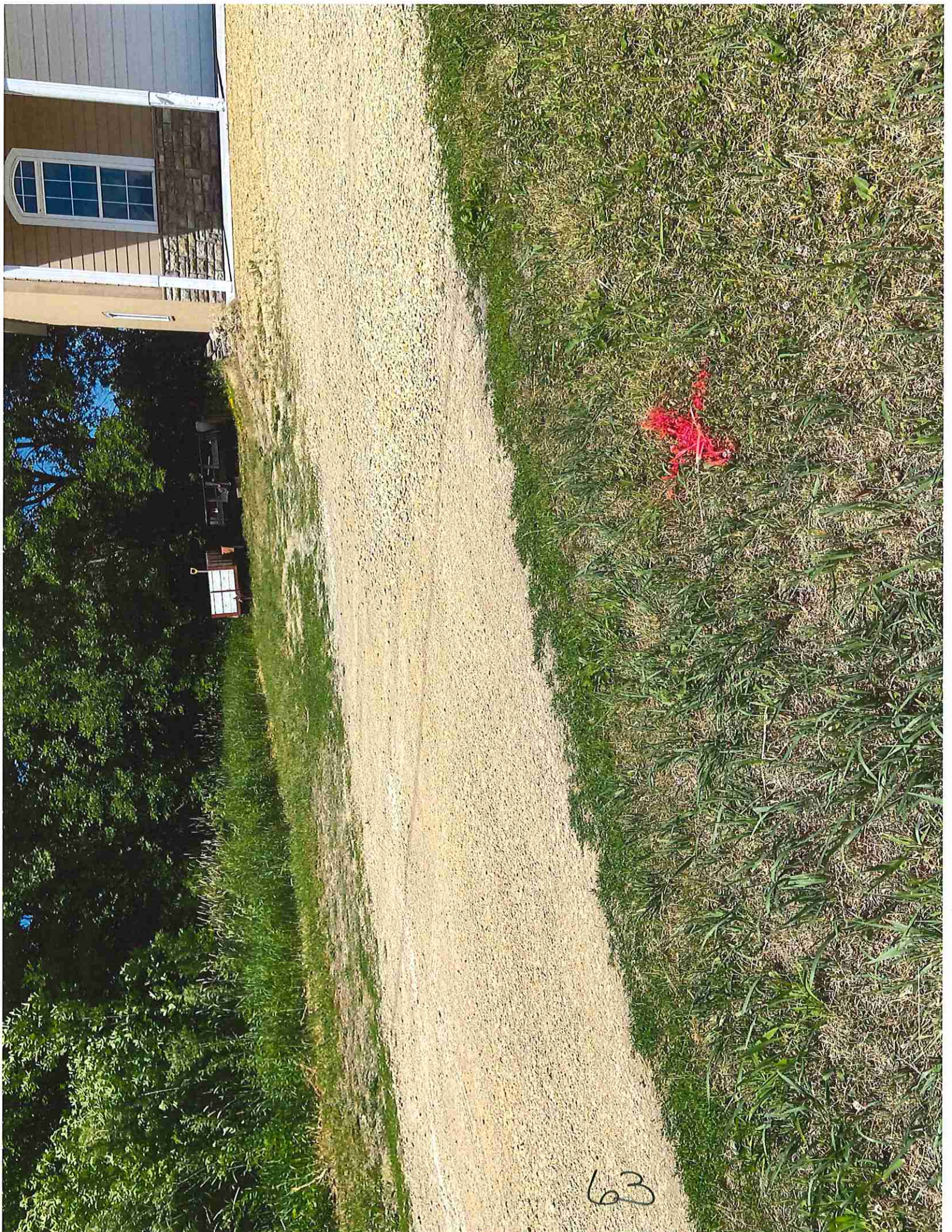
600



50 feet

61





63



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

July 12, 2021

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Audit Executive Summary Presentation

Bradley Van Deinse, auditor with Eide Bailly, will be presenting the Executive Summary of the audited financial statements for the City of Eagle Lake as of December 31, 2020.

The City received a “clean” audit opinion.

The audit report and state report were both filed with the Office of the State Auditor in advance of the June 30<sup>th</sup> reporting deadline.

Jennifer J. Bromeland  
City Administrator



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

July 12, 2021

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: CSAH 27 (Agency Street) Reconstruction Project - Updates

Brian Sarff, engineer with Bolton and Menk, will be at the meeting to provide a CSAH 27 (Agency Street) Reconstruction Project update. Attached is a construction newsletter update. The newsletter was mailed on July 9<sup>th</sup> to all affected properties along the project.

Mr. Sarff will also review the cost of a possible sewer extension on the south end of the project for the property at 524 S. Agency Street. The property is currently on septic.

According to Mr. Sarff, there was a service stubbed into the boulevard on Connie Ln, but its too shallow for the property to connect without pumping and crossing another private property.

Discussion should ensue about whether to pursue the extension.

A motion is necessary to approve or reject the proposal to extend sewer to 524 S. Agency Street.

  
Jennifer J. Bromeland  
City Administrator



# CSAH 27 (Agency Street) Reconstruction Project Newsletter

July 9, 2021

## Construction schedule:

Start: May 2021  
Finish: October 2021  
Final Paving: Summer 2022

## Contacts:

**Bolton & Menk, Inc.**  
1960 Premier Drive  
Mankato, MN 56001  
Phone: 507-625-4171  
Fax: 507-625-4177  
[www.bolton-menk.com](http://www.bolton-menk.com)

Brian J. Sarff, P.E.  
(Eagle Lake Consultant City Engineer)  
Cell Phone: 507-327-2825  
E-mail: [Brian.Sarff@bolton-menk.com](mailto:Brian.Sarff@bolton-menk.com)

Joe Smith  
(Construction Representative)  
Cell Phone: 507-676-3751  
E-mail: [Joe.Smith@bolton-menk.com](mailto:Joe.Smith@bolton-menk.com)

**City of Eagle Lake**  
705 Parkway Avenue  
Eagle Lake, MN 56024  
Jennifer Bromeland  
(City Administrator)  
Office: 507-257-3218  
[jbromeland@eaglelakemn.com](mailto:jbromeland@eaglelakemn.com)

**Blue Earth County Public Works**  
35 Map Drive  
PO Box 3083  
Mankato, MN 56001  
Stefan T. Gantert, P.E.  
(Assistant County Engineer)  
Office: 507-304-4025  
[Stefan.Gantert@blueearthcountymn.gov](mailto:Stefan.Gantert@blueearthcountymn.gov)

**Dirt Merchant, Inc.**  
Luke Stoffel  
(Project Manager)  
3301 3<sup>rd</sup> Avenue  
Mankato, MN 56001  
Office: 507-389-9129  
[luke@dirtmerchantinc.com](mailto:luke@dirtmerchantinc.com)



## Overview

As you know, the City of Eagle Lake is partnering with Blue Earth County to undertake the reconstruction of Agency Street (County State Aid Highway 27). The project includes complete street and utility reconstruction from Thomas Drive to Le Ray Avenue.



## Project Timeline



## Access

The City's and County's contractor, Dirt Merchant Inc. (DMI), has completed the installation of watermain and sanitary sewer main on Phase 1 of the project. DMI is currently constructing water and sanitary sewer services to the property line of each house. During the installation of water services, residents should expect to be without water for approximately 30 minutes. DMI will knock on your door to provide notice of the short water outage.

Upon completion of the sewer and water services the week of July 12th, DMI will start construction of the storm sewer system and sump pump drains on Phase 1 of the project. The sump pump drain will be located behind the proposed curb & gutter. Each resident will be provided a capped 4-inch PVC sump pump pipe, stubbed to their property to allow for an underground sump pump connection. If you have a specific location in mind for your sump pump pipe, please call the construction representative.

The Phase 1 gravel road base construction is anticipated in the latter part of July. At this time, the reclaimed aggregate will also be removed from Phase 2 (further notice to affected residents will be provided before removal).

Remember that weather conditions can also have a large impact on the progression of street and utility construction. Please be aware that all timelines and schedules are subject to change as weather conditions vary. The *tentative* construction schedule for the work is listed below:

- Phase 1 (Linda-Parkway): New gravel base installed in mid-late July.
- Phase 2 (Thomas-Linda): Beginning in mid-late July
- Phase 3 (Parkway-LeRay): Beginning in mid-August

As a reminder: ***please refrain from driving vehicles in the active construction zones.*** Avoiding the area will prevent your vehicle from getting stuck or damaged and will also help to keep connecting streets free of tracked dirt. Thank you for your cooperation!



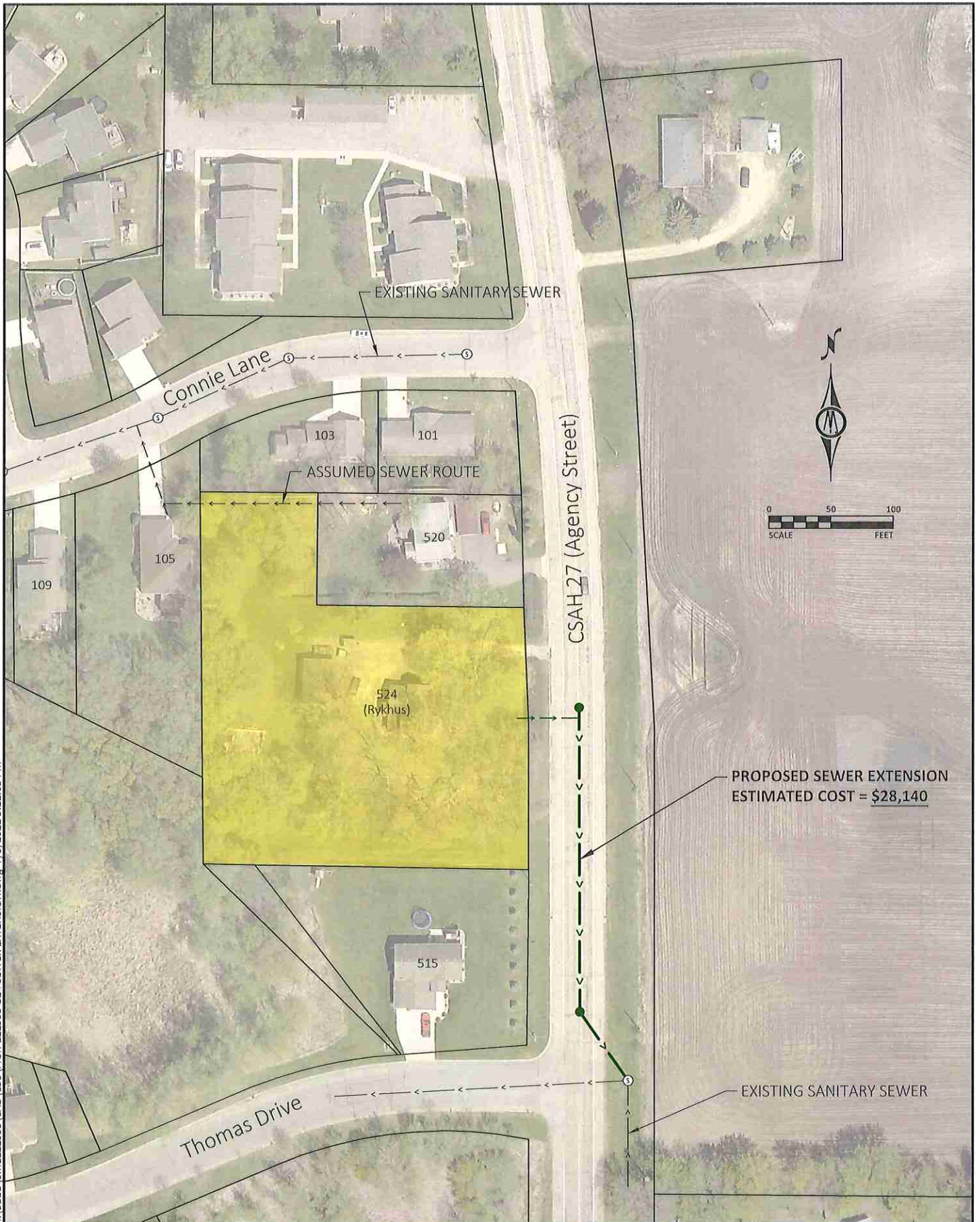
## Updates

Informational social media updates and newsletters will be sent periodically throughout the project. If you have questions or concerns at any time, please contact Joe Smith using the information listed. For more information and FAQs, please visit the following websites:

Blue Earth County Project website:  
<https://www.blueearthcountymn.gov/CSAH27>  
City of Eagle Lake Project website:  
<https://eaglelakemn.com/city/current-construction-projects>

666





H:\BECO\0M1122995\CAD\C3D\FGR-122995-524 SEWER EXTENSION.dwg 7/9/2021 5:21:05 PM

*66a*



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

July 12, 2021

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

A request was received by 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 Chuck, Robert, Jane, and Bryce and will include a name plate recognizing each 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 Olson served as a former Mayor of Eagle Lake. The families are requesting that the City of Eagle Lake order and install the bench on their behalf with the cost for the bench to be reimbursed by the families.

Enclosed you will find a drawing of the bench. The families are requesting that the bench be "blue". Also enclosed is a printout from the BEACON website showing possible locations for the bench in the vicinity of the desired area of which the City of Eagle Lake is the listed titleholder.

City staff recommends that the color and location of the bench be reviewed by the Public Works Department since they maintain the other benches located in the parks or along trails and to help ensure uniformity in appearance and installation.

If there is an interest in allowing the memorial bench to be placed in the right of way along the north side of Parkway Avenue near the intersection of Parkway Avenue and Linda Drive, then a motion to that effect is necessary, along with any stipulations about reimbursement, color, location of the bench, installation, and any other details.

  
Jennifer J. Bromeland  
City Administrator

## Jennifer Bromeland

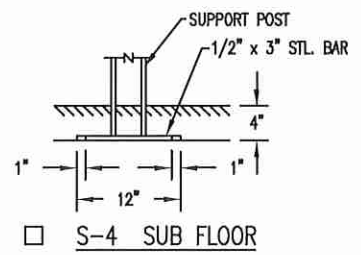
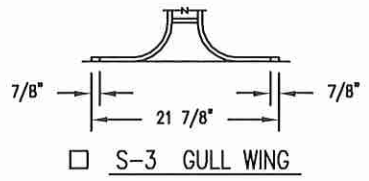
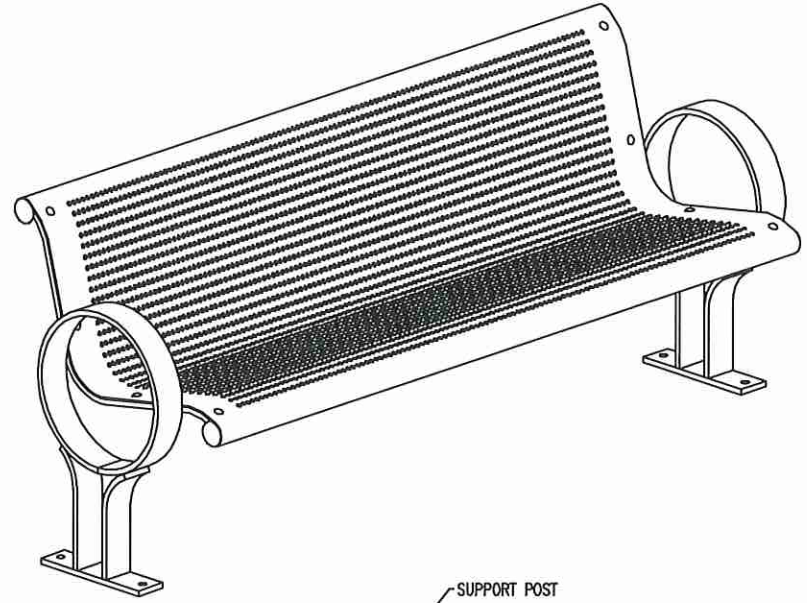
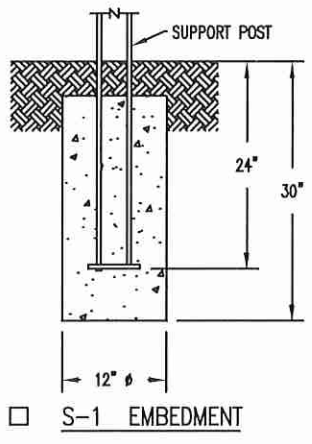
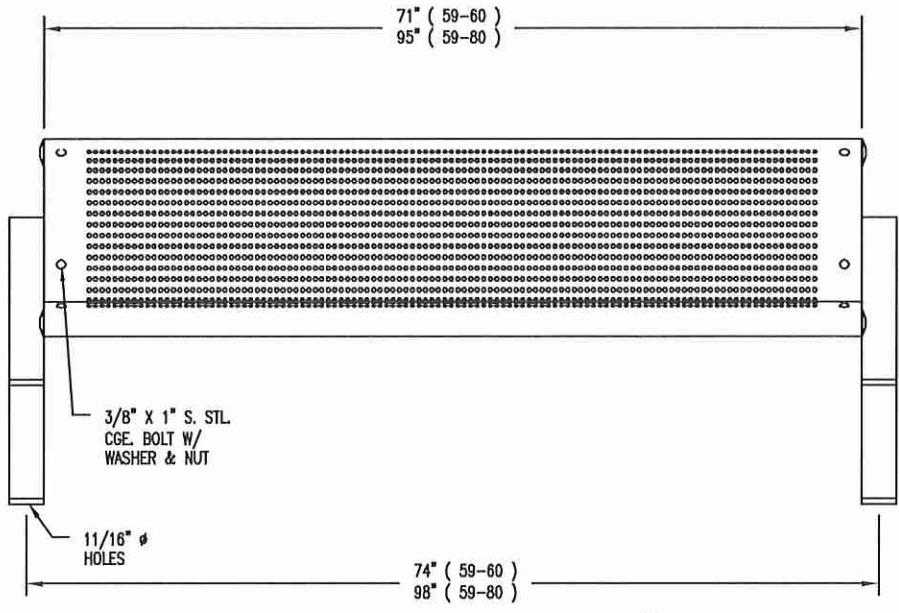
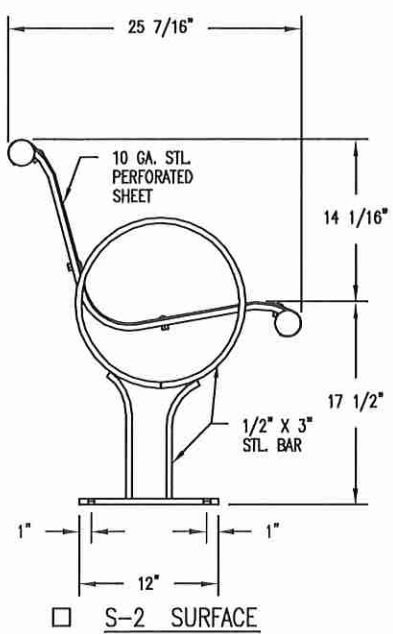
---

**From:** Judy Born <judekat@charter.net>  
**Sent:** Friday, July 2, 2021 5:22 PM  
**To:** Jennifer Bromeland  
**Subject:** Bench

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

The total is \$2520.11 we can get it to you soon but I would like to get it ordered soon and the bench will be blue.

Sent from my iPhone



NOTES

- 1.) ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED W/ POLYESTER POWDER COATING.
- 2.) 1/2" X 3 3/4" EXPANSION ANCHOR BOLTS PROVIDED FOR S-2, S-3 & S-4 OPTIONS.

LENGTH OPTIONS

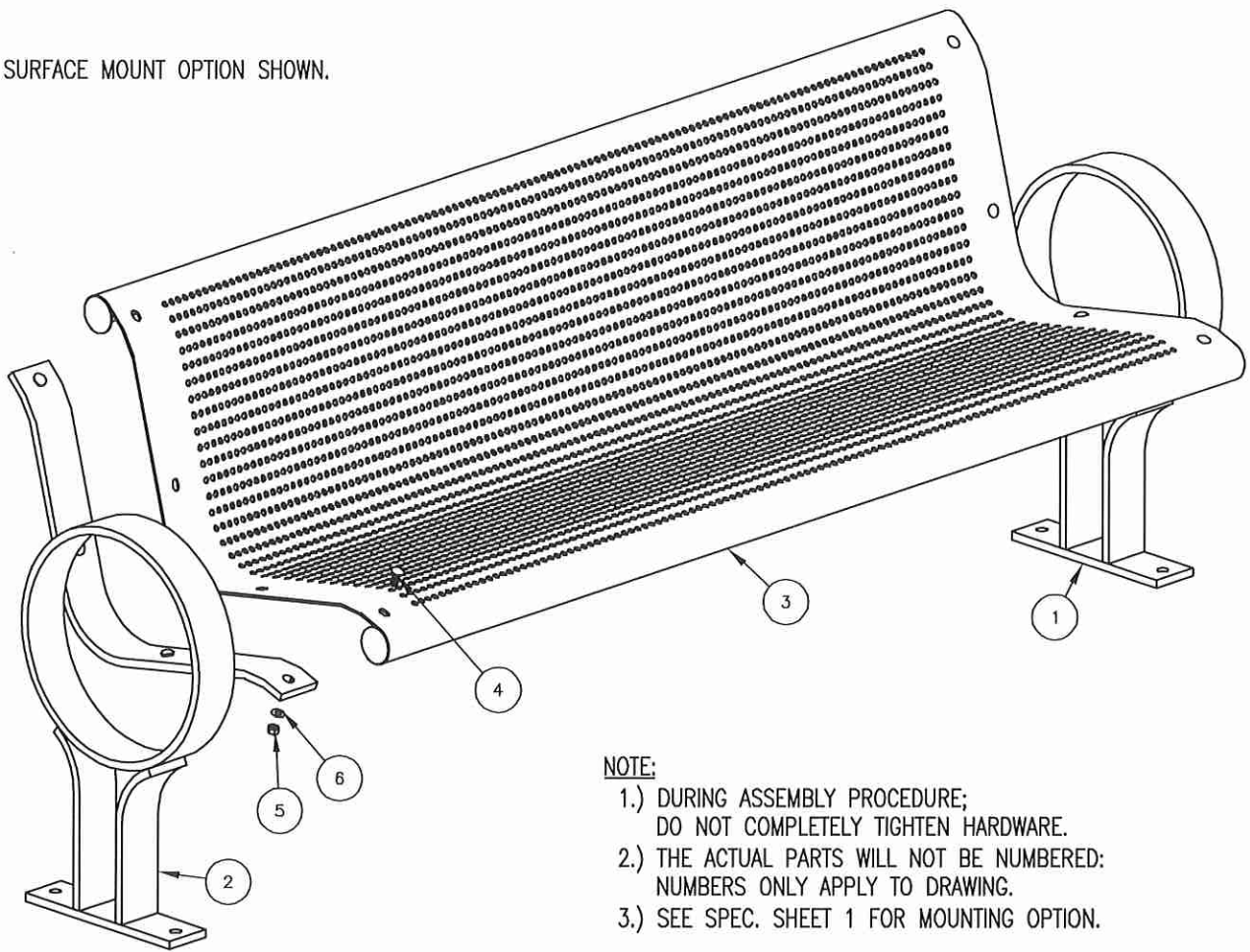
- 6' BENCH
- 8' BENCH

  
**DuMor, inc.**  
 P.O. Box 142 Mifflintown, PA 17059-0142

SCALE : NONE  
 DATE DRAWN : 5/18/94  
 DRAWN BY : AH  
 DATE REV. : 11/10/99  
 REV. BY : JSB

TITLE : BENCH  
 REV. C  
 DRAWING NUMBER 59 SERIES  
 SHEET 1 OF 2

SURFACE MOUNT OPTION SHOWN.



**NOTE:**

- 1.) DURING ASSEMBLY PROCEDURE;  
DO NOT COMPLETELY TIGHTEN HARDWARE.
- 2.) THE ACTUAL PARTS WILL NOT BE NUMBERED;  
NUMBERS ONLY APPLY TO DRAWING.
- 3.) SEE SPEC. SHEET 1 FOR MOUNTING OPTION.

**STEP 1:**

- USE 1 - PC. LEFT SUPPORT FOR SURFACE MOUNT ( 1 )
- 1 - PC. 6' STL. SEAT ASSEMBLY ( 3 )
- 4 - PCS. 3/8" X 1" SS. CGE. BOLT ( 4 )
- 4 - PCS. 3/8" SS. HEX NUT ( 5 )
- 4 - PCS. 3/8" SS. FLAT WASHER ( 6 )

ATTACH LEFT SUPPORT FOR SURFACE MOUNT ( 1 )  
TO 6' STL. SEAT ASSEMBLY ( 3 ) USING HARDWARE ( 4, 5, & 6 ).  
TIGHTEN TO SNUG FIT.

**STEP 2:**

- USE 1 - PC. RIGHT SUPPORT FOR SURFACE MOUNT ( 2 )
- 4 - PCS. 3/8" X 1" SS. CGE BOLT ( 4 )
- 4 - PCS. 3/8" SS. HEX NUT ( 5 )
- 4 - PCS. 3/8" SS. FLAT WASHER ( 6 )

ATTACH RIGHT SUPPORT FOR SURFACE MOUNT ( 2 )  
TO STEP 1 ASSEMBLY USING HARDWARE ( 4, 5, & 6 ).  
TIGHTEN TO SNUG FIT.

**STEP 3:**

UPON COMPLETION OF BENCH ASSEMBLY SQUARE ALL  
COMPONENTS THEN TIGHTEN ALL HARDWARE.

**STEP 4:**

ANCHOR ACCORDING TO SUPPORT OPTION USED.

ITEM	QTY	PART NO	DESCRIPTION
1	1	0-59-00L-02/S-2	LEFT BENCH SUPPORT FOR SURFACE MOUNT
2	1	0-59-00R-02/S-2	RIGHT BENCH SUPPORT FOR SURFACE MOUNT
3	1	0-59-60-01	6' PERF 10 GA STL SEAT
4	8	1-11-028	3/8" X 1" SS CGE BOLT
5	8	1-21-007	3/8" SS HEX NUT
6	8	1-22-024	3/8" SS FLAT WASHER



**DuMor, inc.**  
P.O. Box 142 Mifflintown, PA 17059-0142

SCALE : NONE  
DATE DRAWN : 5/18/94  
DRAWN BY : AH  
DATE REV. : 11/10/99  
REV. BY : JSB

TITLE : BENCH ASSEMBLY

REV. C	DRAWING NUMBER 59 SERIES	SHEET 2 OF 2
--------	--------------------------	--------------

WOOD ST.

103-010  
0.35  
Private

103-011  
0.29  
Private

103-004  
City

103-012  
0.78  
City

CSA# 17  
Parkway

OLC

City

OLB

City

CEK

CEK

CEK

CEK

104-061  
UNIT 139

104-057  
UNIT 147

104-058  
UNIT 145

104-059  
UNIT 143

104-060  
UNIT 141

104-033  
UNIT 136

104-034  
UNIT 137

104-035  
UNIT 135

104-036  
UNIT 133

32.86

86.5

86.5

86.5

86.5

86.5

86.5

86.5

86.5

Linda



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

July 12, 2021

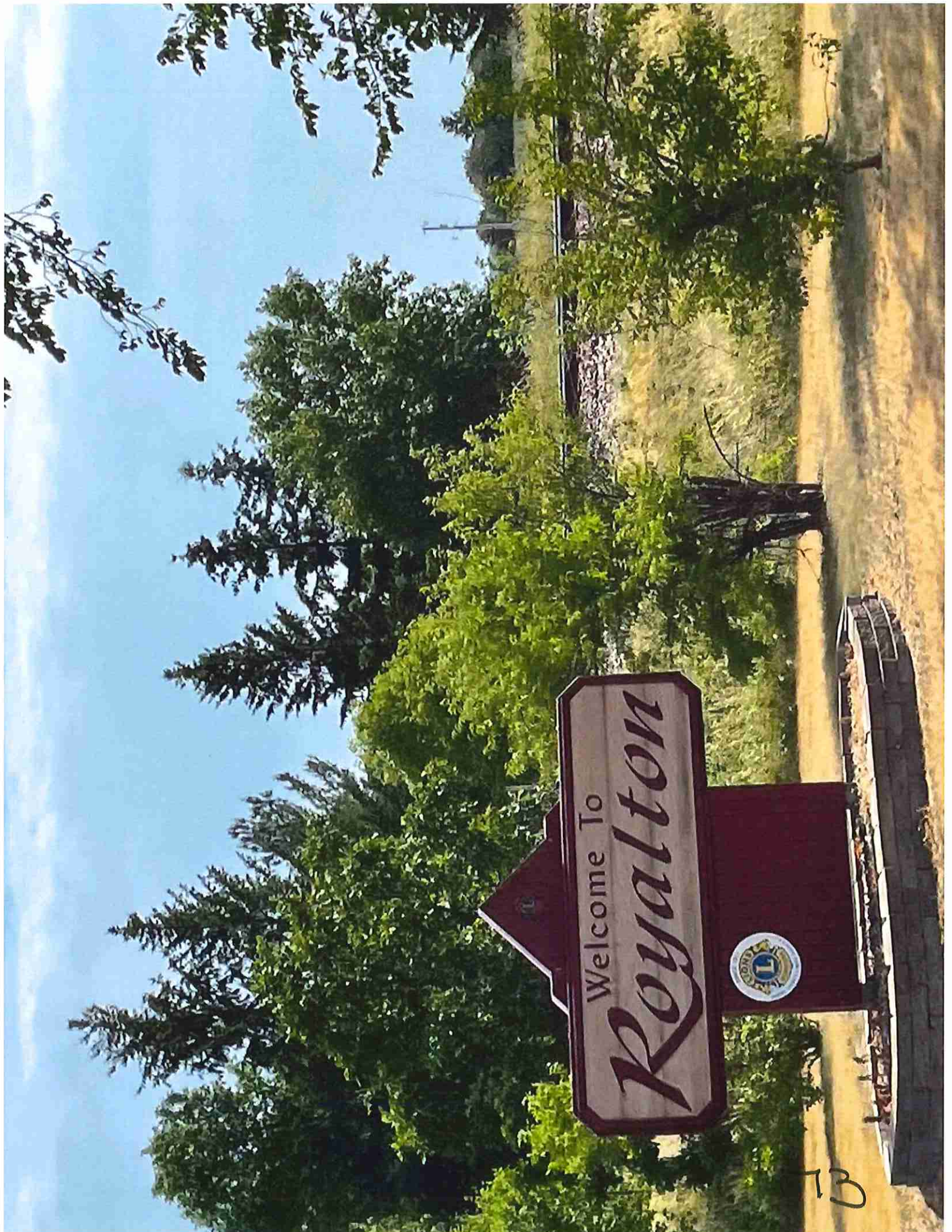
To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Eagle Lake Area Lions Club Signs at City Signs and Community Service Project

Terry Kvitek with the Eagle Lake Area Lion's Club recently contacted City Hall and requested the City's consideration to either affix to or place near the "Welcome to Eagle Lake" signs a Lions Club emblem. In addition, the Lions Club would also like to offer the possibility of assisting with landscaping at the city signs as part of a community service project.

Attached are some examples of Lions Club emblems affixed to city signs.

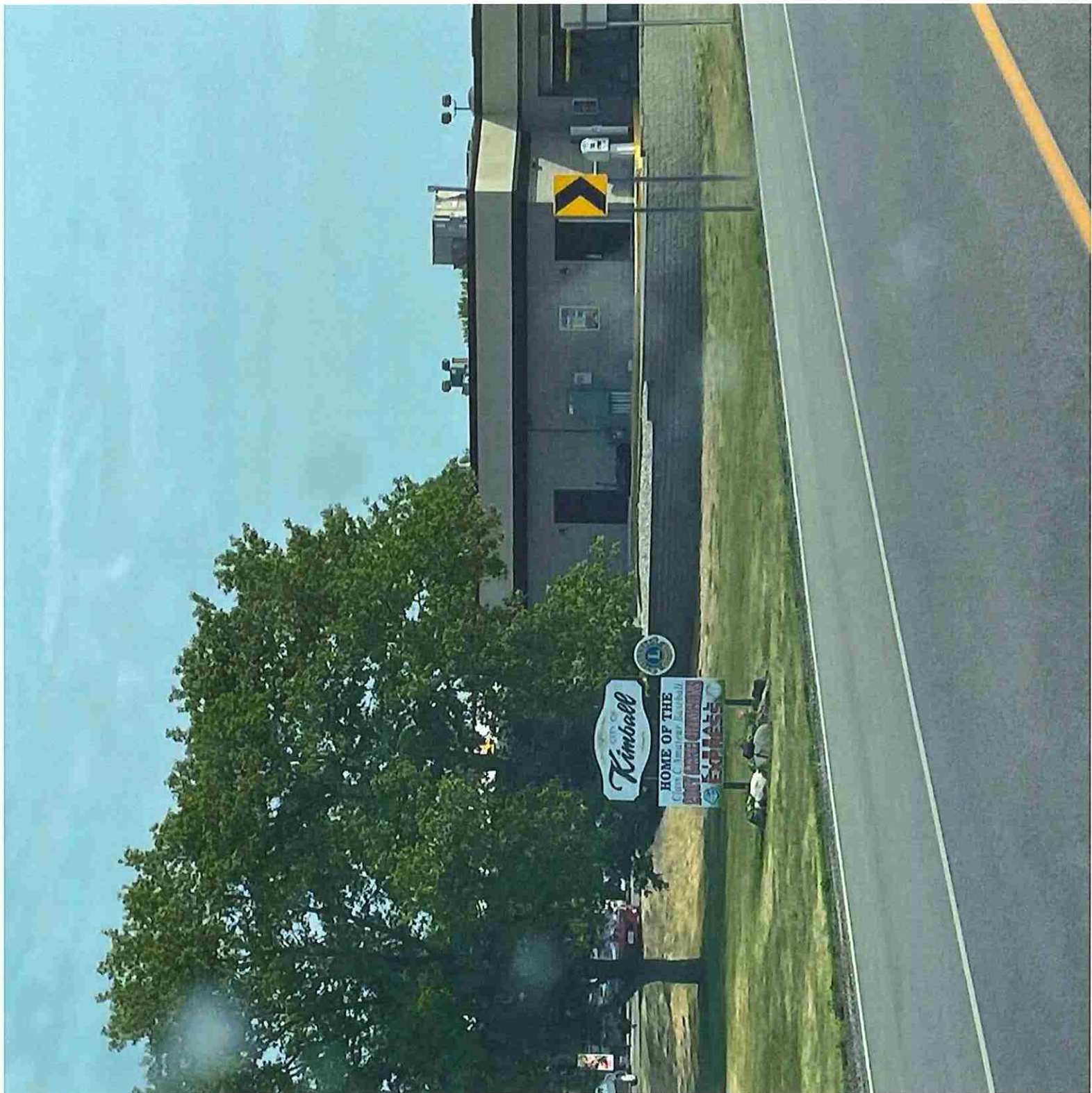
Discussion should ensue.

Jennifer J. Bromeland  
City Administrator



13







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

July 12, 2021

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


Hubert Erickson, 200 S Agency Street, recently contacted City Hall to notify that an alley vacation was approved in November of 2013 but not recorded with Blue Earth County.

For purposes of providing background, an alley vacation was approved at the November 4, 2013 City Council meeting (see attached minutes) but a signed resolution cannot be located at City Hall and was not recorded with Blue Earth County. Per Minnesota Statutes 412.851, following a resolution granting a vacation, notice of completion of the proceedings should be prepared and then recorded with the county recorder. Failure to file the notice does not invalidate the vacation.

As per the City's legal counsel, the next step in the process is for a new resolution to be adopted referencing the 2013 action taken. Following adoption of the new resolution, City staff will record the alley vacation with the county recorder.

Attached is Resolution No. 2021-30 for this purpose.

A motion is necessary to adopt the resolution.

  
Jennifer J. Bromeland  
City Administrator

## **C HEARING**

1. Lakeview Drive Final Assessments – Resolution 2013-60 Resolution Adopting Final Public Hearing
  - Mr. Potter explained this project is substantially completed with improvements needed to the bituminous. Council can adopt the assessment roll for 2014 property taxes which is a ten year assessment at 4.5 percent interest. Affected property owners have until noon on December 2, 2013 to prepay their assessments.
  - The public hearing was opened at 6:22 pm and closed with no comments being offered.
  - Mr. Frederick moved to approve Resolution 2013-60 A Resolution Adopting Special Assessment for the 2013 Lakeview Drive Watermain Replacement and Mr. Ries seconded. The motion carried with Mr. Ries, Mr. Terrell, Mr. Frederick, Mr. Short, and Mayor Auringer voting in favor.
2. LeSueur Avenue – Vacation of Adjacent Alley Resolution 2013-61 Vacating the Public Alley
  - Mr. Potter explained the alley requested to be vacated is the north/south alley running between LeSueur Avenue which connects to the east/west alley which runs from Agency St S to 2<sup>nd</sup> Street South. The police, fire, and public works departments have no concerns with the vacation. A utility easement will need to be maintained. If vacated, a ten foot width will be turned over to each adjacent property owner.
  - The Planning Commission heard request and has recommended approval.
  - The public hearing was opened at 6:30 pm with comments being taken from Hub Ericksen of 200 S Agency St stating the primary purpose of this request is for safety and to allow for a handicap ramp to be installed at 101 LeSueur. Mr. Luke Smith of 101 LeSueur stated the east/west alley should be sufficient and that he needs to put in a handicap ramp. The public hearing was closed at 6:46 pm.
  - Council discussion included the need for the gas company to be able to access their building which is located in this alley.
  - Mr. Ries moved to vacate alley while maintaining an access easement and a hard paved surface the entire length of alley to be maintained by property owners. Mr. Frederick seconded. The motion carried with Mr. Ries, Mr. Terrell, Mr. Frederick, Mr. Short, and Mayor Auringer voting in favor.
3. City Code Changes Chapter 15 Rental Ordinances – Ordinance 2013-04
  - Mr. Potter stated the city currently requires personal information on rental applications which is private and not necessary. The current ordinance does not provide a process of transferring rental licenses with the sale of property and with rental properties inspected every two years, staff is recommending a transferal process along with the transfer fee being one half of the new application fee. Recommended for deletion is the requirement to post rental license in the rental unit.
  - Council discussion included if there would be sufficient information provided for background checks, which there will be.
  - The public hearing was opened and closed with no comments being offered.
  - Mr. Ries moved to adopt Ordinance 2013-04 and Mr. Short seconded. A roll call vote was taken with Mr. Ries, Mr. Terrell, Mr. Frederick, Mr. Short, and Mayor Auringer voting in favor.

## **REGULAR ADENDA**

1. Snow Removal Policy – Parkway Avenue Sidewalks
  - Mr. Potter stated staff has updated street priorities and is recommending clearing the sidewalks on Parkway Avenue but not the trail.
  - Council discussion asking if clearing sidewalks should be a contracted service or if Public Works should be clearing sidewalks. Public Works Director Reinbold suggested city staff should do clear sidewalks this year and then evaluate this process at end of this season.
  - Also discussed was the city code requirement for snow to be removed from sidewalks within 12 hours of a snow event and if this time frame needs to be extended.
  - Mr. Ries moved to approve changes to the snow removal policy and Mr. Terrell seconded. The motion carried with Mr. Ries, Mr. Terrell, Mr. Frederick, Mr. Short, and Mayor Auringer voting in favor.

**CITY OF EAGLE LAKE, MINNESOTA  
CITY COUNCIL RESOLUTION 2013-61**

**A Resolution Approving the Vacation of an Alley located in the City**

**WHEREAS**, the adjacent property owners have demonstrated in interest in vacating the alley hereby described as the following :

The 20 foot alley between Lots 1, 2, 3, Block 10 (101 LeSueur Avenue) and Lots 10, 11, 12 Block of Lake Eagle Townsite (200 and 208 S Agency Street)

**WHEREAS**, the Planning Commission held a Public Hearing October 28, 2013 at 6:00 p.m. regarding the proposed vacation and unanimously moved to approve the request.

WHEREAS, utility companies were contacted regarding the alley and there are overhead and underground utilities located within the alley corridor, therefore a utility easement will be retained over the alley; and

WHEREAS, there is no public need to retain the alley for a public right of way.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council the City of Eagle Lake, Blue Earth County, Minnesota approved the vacation of the above described alley with the following condition:

1. An utility easement be retained for utilities currently located in the alley.

Adopted by the City Council of Eagle Lake, Minnesota this 4th day of November 2013.

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

ATTEST:

\_\_\_\_\_  
Brad Potter, City Administrator

(S E A L)

( Can't locate a signed resolution on our end. )

77

**412.851 VACATION OF STREETS.**

The council may by resolution vacate any street, alley, public grounds, public way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting on the street, alley, public grounds, public way, or part thereof to be vacated. When there has been no petition, the resolution may be adopted only by a vote of four-fifths of all members of the council. No vacation shall be made unless it appears in the interest of the public to do so after a hearing preceded by two weeks' published and posted notice. The council shall cause written notice of the hearing to be mailed to each property owner affected by the proposed vacation at least ten days before the hearing. The notice must contain, at minimum, a copy of the petition or proposed resolution as well as the time, place, and date of the hearing. In addition, if the street, alley, public grounds, public way, or any part thereof terminates at, abuts upon, or is adjacent to any public water, written notice of the petition or proposed resolution must be served by certified mail upon the commissioner of natural resources at least 60 days before the hearing on the matter. The notice to the commissioner of natural resources does not create a right of intervention by the commissioner. At least 15 days prior to convening the hearing required under this section, the council or its designee must consult with the commissioner of natural resources to review the proposed vacation. The commissioner must evaluate:

- (1) the proposed vacation and the public benefits to do so;
- (2) the present and potential use of the land for access to public waters; and
- (3) how the vacation would impact conservation of natural resources.

The commissioner must advise the city council or its designee accordingly upon the evaluation. After a resolution of vacation is adopted, the clerk shall prepare a notice of completion of the proceedings which shall contain the name of the city, an identification of the vacation, a statement of the time of completion thereof, and a description of the real estate and lands affected thereby. The notice shall be presented to the county auditor who shall enter the same in the transfer records and note upon the instrument, over official signature, the words "entered in the transfer record." The notice shall then be recorded with the county recorder. Any failure to file the notice shall not invalidate any vacation proceedings.

**History:** 1949 c 119 s 102; 1953 c 735 s 12; 1957 c 383 s 1; 1967 c 289 s 15; 1969 c 9 s 85; 1973 c 123 art 2 s 1 subd 2; 1973 c 494 s 11; 1976 c 181 s 2; 1986 c 444; 1989 c 183 s 4; 1990 c 433 s 2; 2005 c 4 s 105; 2005 c 117 s 2

**City of Eagle Lake, Minnesota  
City Council Resolution 2021-30**

**A Resolution Approving the Vacation of an Alley Located in the City**

WHEREAS, the adjacent property owners have demonstrated an interest in vacating the alley hereby described as follows:

The 20 foot alley between lots 1,2,3, Block 10 (101 LeSueur Avenue), and Lots 10, 11, 12, Block of Lake Eagle Townsite (200 and 208 S Agency Street)

WHEREAS, the Planning Commission held a public hearing on October 28, 2013 at 6:00 p.m. for the proposed alley vacation and unanimously moved to approve the request; and

WHEREAS, utility companies were contacted regarding the alley and with overhead and underground utilities located within the alley corridor, a utility easement will be retained over the alley; and

WHEREAS, there is no public need to retain the alley for a public right of way.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Eagle Lake, Blue Earth County, Minnesota approved the vacation of the above-described alley at its November 4, 2013 meeting with the following condition:

1. A utility easement will be retained for utilities currently located in said alley.

Adopted by the City Council this 12th day of July, 2021.

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

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

STATE OF MINNESOTA

ss.

Authenticating Certificate

COUNTY OF BLUE EARTH

I, the undersigned, being duly qualified on behalf of the City of Eagle Lake, certify that the attached resolution approving the vacation of a public alley, is a true copy of the original, of which is on file at the City of Eagle Lake.

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

Drafted this 13<sup>th</sup> day of July 2021.

\_\_\_\_\_  
Jennifer J. Bromeland  
City Administrator  
City of Eagle Lake

Seal Affixed






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

July 12, 2021

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

Attached you will find an equipment request from Public Works Director Brian Goettl for a Kage Plow totaling \$6,150. There is currently \$462,086.85 available in capital outlay for streets. This includes \$25,000 that was budgeted for 2021. To date, no expenditures have been made from the street department capital outlay line item 101-42100-550.

A motion is necessary to approve the purchase of a Kage Plow for the Street Department using capital outlay funds in line item 101-42100-550.

  
Jennifer J. Bromeland  
City Administrator



Streets			
Year	Budgeted-550	Expended-510	Balance
2013 Audited Balance			\$ 472,784.00
2014	\$ 35,604.00	\$ 191,182.81	\$ 317,205.19
2015	\$ 45,500.00	\$ 3,416.50	\$ 359,288.69
2016	\$ 48,000.00	\$ 1,403.80	\$ 405,884.89
2017	\$ 50,750.00	\$ -	\$ 456,634.89
2018	\$ 52,350.00	\$ 41,252.12	\$ 467,732.77
2019	\$ 25,000.00	\$ 160,543.43	\$ 332,189.34
2020	\$ 126,158.62	\$ 21,261.11	\$ 437,086.85
2021	\$ 25,000.00		\$ 462,086.85

82



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

---

July 1, 2021

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

From: Brian Goettl Public Works Director

I received a quote for a Kage plow (push blade/scoop bucket) for our skid loader and tool cat it would be used for removing snow from side walks and parking lots mostly, it is a very time saving piece of equipment. I did budget for street equipment in the capital outlay. The price of \$6,150.00 see attachment.

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

101-42100-550  
Set aside in 2021 budget: \$25,000  
To date, no funds have been  
expended out of this line item.

83

**GENERAL RETAIL PURCHASE ORDER AND SECURITY AGREEMENT  
SANCO EQUIPMENT**

Bobcat of Mankato 2333 7th Ave Mankato, MN 56001  
(507)625-4511

DATE:		PO #:	
BUYER:	City Of Eagle Lake	PHONE:	
ADDRESS:		CITY:	Eagle Lake
STATE:	MN	ZIP:	56024
CONTACT:	Brian	E-MAIL:	

Qty	N/U	MAKE	MODEL	DESCRIPTION	TAG NO.	SERIAL NO.	AMOUNT
1	New	Kage	SB-72	Kage plow	EQ218	400-52307	\$ 6,150.00

TRADE-IN'S BUYER CERTIFIES BELOW TRADE-IN'S TO BE FREE OF ENCUMBRANCES:

YEAR	MAKE	MODEL	DESCRIPTION	HOURS	SERIAL NO.	TRADE-IN ALLOWANCE

<b>1. FREIGHT &amp; HANDLING</b>				
<b>2. TOTAL CASH DELIVERED PRICE</b>	\$	6,150.00		
<b>3. TRADE-IN ALLOWANCE</b>	\$	-		
<b>4. SUB-TOTAL BEFORE TAX</b>	\$	6,150.00		
<b>5. SALES TAX</b>		-7.875%	\$	484.31
<b>6. DOCUMENTATION FEES</b>				
<b>7. DOWN PAYMENT</b>				6,150.00
<b>8. TOTAL DUE AT DELIVERY</b>	\$	-		6,634.31

**PAYMENTS COLLECTED**

TYPE: \_\_\_\_\_

CHECK NUMBER: \_\_\_\_\_

<b>CHECK ONE</b>	<b>X</b>	SOLD USED AS-IS. No warranty of any kind has been given by the dealer or his agent.
		SOLD NEW WITH MANUFACTURER'S WARRANTY

**SPECIAL AGREEMENTS:**

ALL WARRANTY REPAIRS MADE UNDER THIS AGREEMENT must be made in dealer's shop and buyer is responsible for hauling equipment for repair. No warranty is given by the dealer for tires, batteries, or accessories, and the buyer is fully responsible for repairs necessitated by accident, misuse or negligence. This warranty is not transferable. I hereby agree to the conditions of this order expressed in the foregoing, constituting a purchase order hereby grants to Dealer a security interest in all of the goods described herein, and all accessions and additional thereto and all proceeds thereof.

Notice to Buyer: Do not sign this contract before you read it or if it contains blank spaces. You are entitled to a copy of the contract before you sign. You have the right to pay in advance the unpaid balance of the contract and obtain a partial refund of the finance charge based on.

BUYER'S SIGNATURE: \_\_\_\_\_ TODAY'S DATE: 1/0/1900

SALESMAN: Chris Roemhildt

84



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

July 12, 2021

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

Included as an audit finding is the need to establish a check signing policy. Attached is a proposed check signing policy.

It should be noted that there are some disbursements which are set up to come out of the City's checking account automatically for PSN, Aflac payroll deductions, and Pitney Bower lease and postage. These expenses are noted on the monthly bills list included on the consent agenda.

A motion is necessary to adopt the above-referenced check signing policy.

Jennifer J. Bromeland  
City Administrator



**Check Signing Policy**

As per Minnesota Statute 412.271, all disbursements must be signed by the Mayor and City Administrator. The purpose of requiring multiple signatures on each check ensures a good system of internal accounting.

It is the policy of the City of Eagle Lake that all disbursements will include multiple signatures except for those payments which are auto deducted from the City's checking account for PSN monthly fees, Aflac payroll deductions, and Pitney Bowes lease and postage fees. All auto deducted expenses are approved via the monthly bills list included on the City's consent agenda.

Adopted by the Eagle Lake City Council this 12<sup>th</sup> day of July 2021

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

ATTEST:

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

86



of funds shall be so marked and paid in the order of its presentation with interest from the date of presentation at the rate of five percent or such lower rate as is fixed by the council prior to its issuance.

Subd. 4. **Immediate payment of claims.** When payment of a claim based on contract cannot be deferred until the next council meeting without loss to the city through forfeiture of discount privileges or otherwise, it may be made immediately if the itemized claim is endorsed for payment by at least a majority of all the members of the council. The claim shall be acted upon formally at the next council meeting in the same manner as if it had not been paid, and the earlier payment shall not affect the right of the city or any taxpayer to challenge the validity of the claim.

Subd. 5. **Imprest funds.** The council may establish one or more imprest funds for the payment in cash of any proper claim against the city which it is impractical to pay in any other manner, except that no claim for salary or personal expenses of an officer or employee shall be paid from such funds. The council shall appoint a custodian of each such fund who shall be responsible for its safekeeping and disbursement according to law. Money for the operation of such fund shall be secured by a transfer from the general fund. A claim itemizing all the various demands for which disbursements have been made from the fund shall be presented to the council at the next council meeting after the disbursements have been made. The council shall act upon it as in the case of other claims and an order shall be issued to the custodian for the amount allowed. The custodian shall use the proceeds of the order to replenish the fund; and if the council fails to approve the claim in full for any sufficient reason, the custodian shall be personally responsible for the difference.

Subd. 6. **Independent boards, powers.** Subdivisions 4 and 5 shall apply to any independent board or commission of the city having authority to disburse funds without approval of the council. In such case references in these subdivisions to the council shall be considered to be to the board or commission and the money for the fund may be secured from any undedicated fund under its jurisdiction.

Subd. 7. **Definition.** For purposes of this section, a "city administrative official" means a city manager, administrator, treasurer, senior fiscal officer, clerk, or clerk-treasurer.

Subd. 8. **Delegation of authority for paying certain claims.** A city council, at its discretion, may delegate its authority to pay certain claims made against the city to a city administrative official. City councils opting to delegate their authority to review claims before payment pursuant to this subdivision shall have internal accounting and administrative control procedures to ensure the proper disbursement of public funds. The procedures shall include regular and frequent review of the city administrative officials' actions by the council. A list of all claims paid under the procedures established by the city council shall be presented to the council for informational purposes only at the next regularly scheduled meeting after payment of the claim. A city council that delegates its authority to pay certain claims made against the city must adopt a resolution authorizing a specified city administrative official to pay the claims that meet the standards and procedures established by the council. A city council of a city that does not prepare annual audited financial statements which have been attested to by an independent certified public accountant, public accountant, or the state auditor, may not delegate its authority for paying certain claims against the city pursuant to this subdivision.

**History:** 1949 c 119 s 34; 1951 c 378 s 10; 1953 c 319 s 5; 1955 c 867 s 5; 1973 c 123 art 2 s 1 subd 2; 1986 c 444; 1993 c 315 s 11-13; 2004 c 165 s 1



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

July 12, 2021

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Eagle Ridge Development, Phase II


The developer of phase II of the Eagle Ridge development recently contacted the City of Eagle Lake asking when building permits can be issued for lots in the subdivision. For purposes of providing background, the City Council previously put a hold on issuing building permits in phase II of the subdivision until corrective action was taken and the necessary underground infrastructure repairs made. To date, the underground infrastructure issues have been completed and the first lift of bituminous applied. The outstanding item of concern currently is the stormwater pond. The pond needs to be constructed to the previously approved plans for stormwater construction. Requests for pond measurements and schedule, etc. have been made but the needed information has not yet been received. In addition to the stormwater pond matter, the developer has not yet supplied a cash deposit or irrevocable letter of credit.

City Hall has received a couple inquiries from individuals that have purchased lots and are wanting to pull building permits. This matter is being presented to the City Council this evening to discuss whether building permits should be allowed to be pulled prior to the stormwater pond construction being complete. Discussion should ensue.

If the City Council is interested in allowing building permits to be issued prior to the final lift of bituminous and completion of stormwater pond, City staff in consultation with legal counsel recommends that any party making application for a building permit be advised of the status of the public improvements and made aware that any issues related to grade or construction that affect their property are at their own risk.

(At the present time, Eagle Lake's available lot inventory for new single family home construction is low. With the addition of Eagle Ridge Phase II, there will be another 50 lots available for new single family home construction.)

For reference purposes, attached is a copy of a letter that was sent to the developer along with a copy of the developer's agreement.

  
Jennifer J. Bromeland  
City Administrator





June 15, 2021

Warren Israelson  
KJ Walk  
6001 Eagan Drive #100  
Savage, MN 55378

RE: Eagle Ridge Phase II

Dear Warren,

This letter is in response to your voicemail inquiring when building permits will be issued for lots in Eagle Ridge, Phase II. The City of Eagle Lake is eager to see your lots sold and developed as the lot inventory in Eagle Lake for new housing construction is low. The corrective action that was taken in 2020 related to the underground utilities in this area is appreciated.

What follows is a list of outstanding items known at this time: first course of asphalt needs to be completed, calculations for stormwater pond are needed, restoration work for boulevards and stormwater pond area and planting of vegetation is needed, plan to prevent new curb from moving around before paving occurs is needed, and the plan/timeline for sidewalks- installed before or after construction – is needed.

Building permits and certificate of occupancy may be issued once the above-listed outstanding items are completed and meet the satisfaction of the City's engineer with Bolton and Menk, Brian Sarff. Mr. Sarff is charged with reviewing work completed and recommending to the City acceptance or denial of the infrastructure.

Enclosed for reference purposes is a copy of the developer's agreement.

Please do not hesitate to contact Mr. Sarff directly at 507-625-4171 ext. 2812 or [Brian.Sarff@bolton-menk.com](mailto:Brian.Sarff@bolton-menk.com) with any questions or to provide updates related to the outstanding items. I can be reached at 507-257-3218 or [jbromeland@eaglelakemn.com](mailto:jbromeland@eaglelakemn.com).

Thank you.

Sincerely,

Jennifer J. Bromeland  
City Administrator

cc: Brian Sarff, Engineer  
Eagle Lake Mayor and City Council

do

---

DEVELOPER'S AGREEMENT BETWEEN THE CITY OF EAGLE LAKE, MINNESOTA AND KI WALK  
FOR LOTS CONTAINED EAGLE RIDGE PHASE II (FALCON RUN)

⌋

CITY OF EAGLE LAKE BLUE EARTH COUNTY, MINNESOTA  
DEVELOPER'S AGREEMENT FOR PRIVATELY FINANCED IMPROVEMENTS  
OF FALCON RUN (SOUTH OF OWL LANE)

THIS AGREEMENT made and entered into this <sup>7th</sup> day of ~~August~~ <sup>July</sup> 2017, by and between the City of Eagle Lake, a municipal corporation in the State of Minnesota, hereafter called "City", and KJ Walk, hereafter called the "Developer". The Developer has asked the City to approve a plat legally described in Exhibit "A" attached hereto.

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

A. Developer's Responsibilities

1. The City has been petitioned by the Developer for permission to privately construct the improvements itemized in Exhibit "B" attached hereto to be paid for by the Developer (hereinafter "Improvements").
2. The following plans shall be delivered to the City by the Developer on a time schedule set forth in this Agreement.
  - A. Site Plan
  - B. Public Utility Plan
  - C. Grading, Drainage, and Erosion Control Plan
  - D. Engineering Plans and Specifications for Public Improvements

If the plans vary from the written terms of this Agreement, the written terms of this Agreement shall control. All the foregoing plans will be prepared by, and will be delivered to, the City with the signature of a Minnesota registered engineer and/or surveyor.

4. The Developer shall privately finance all public improvements which includes the construction of public utilities and streets within Falcon Run.
5. 598<sup>th</sup> Avenue shall receive the final lift of asphalt that should be a minimum of 4.5 inches thickness from Falcon Run to Peregrine Avenue. This shall be finished by August 1, 2017.
6. The Developer shall install or ensure installation at its sole cost and expense and in

92

accordance with all state, federal, local, regulations, ordinances and laws, the following:

6.

- A. Site Grading Improvements
- B. Surveying and Staking
- C. Street Improvements
- D. Sanitary Sewer Improvements
- E. Watermain Improvements
- F. Storm Water Drainage and Storm Water Management Improvements
- G. Temporary and Permanent Erosion Control Improvements
- G. Gas, Telephone, Cable TV and Electrical Utilities (These will be privately installed)
- H. Street Lights (This is the responsibility of the City of Eagle Lake)

(hereinafter "Infrastructure").

It is the understanding of the City that the water, sanitary sewer services and storm where constructed previously, these utilities will be checked and videoed by the City or its designee prior to the commencement of construction.

Unless extended in writing by the City, the Developer shall complete, within two (2) years of the date of this Agreement. Developer agrees to complete the final course of asphalt within two years from the date of this Agreement.

Developer shall be responsible for maintenance, repair of roadways and including but not limited to cleaning of roadway, cleaning of storm sewer water catch basins and snow and ice removal until a certificate of occupancy is granted by the City for a completed structure on the portion of the street to be maintained or repaired. If the Developer fails to perform the required maintenance, the City will undertake or cause to be undertaken the required maintenance and will invoice the Developer for the costs of the maintenance so undertaken.

No certificate of occupancy permits will be issued to Developer if, any invoice for such services is more than ten (10) days in arrears in payment.

6. The Developer hereby grants the City, its agents, employees, officers and contractors under this Agreement a license to enter the platted property to perform all work and inspections deemed appropriate by the City during the

93

Installation of Improvements. The license shall expire after the Improvements have been installed and accepted by the City.

7. Upon completion of the Improvements and acceptance of the Infrastructure, the Infrastructure lying within public easements and right-of-ways shall become City property without further notice.
8. The Developer shall promptly clean dirt and debris from streets, curb, and gutter that occurs prior to the Infrastructure being accepted by the City.
9. All costs associated with the Improvements and Infrastructure in the Subdivision, including costs for the City Engineer, permit fees and any other city costs outlined in this Agreement shall be paid by the Developer within twenty-one (21) days of receiving an Invoice from the City.
10. The Developer will be required to furnish the City with a cash deposit, certified check or Letter of Credit equal to the City's liability exposure as provided in Exhibit C which is the cost of the public Improvements associated with the project.
11. In regards to that part of the Infrastructure comprised of the Improvement of Eagle Avenue, the Developer will be required to furnish the City with a cash deposit, certified check or Irrevocable Letter of Credit equal to the City's liability exposure, which is determined to be one hundred twenty five percent (125%) of the projected estimated costs listed in Exhibit "B".

a. Irrevocable Letter of Credit-The form of the letter of credit shall be subject to the approval of the City. The letter of credit shall be for a term ending when all Infrastructure completed and accepted. All outside consulting, legal and or engineering costs incurred by the City shall be billed directly to the Developer and paid within twenty-one (21) days. The City may draw down on the letter of credit, within fourteen (14) days written notice for any violation of the terms of this Agreement or upon receiving notice that the letter of credit will be allowed to lapse before all Improvements have been paid. Portions of the Letter of Credit may be released by the City once the a proportion of the work have been completed.

12. Sanitary sewer pressure tests and water pressure tests including a bacterial test in accordance with the City of Eagle Lake shall occur before the first home is occupied. With City approval, the letter of credit may be reduced from time to time as the Developer's financial obligations under this Agreement are paid.

- 
10. The Developer shall be responsible for all costs associated with construction inspections and engineering review as performed by the City of Eagle Lake.
  11. The Developer shall hold the City and its officers, agents and employees harmless from claims made by itself and third parties for damage sustained or costs incurred resulting from plat approval or supervision or any obligation that the City has undertaken pursuant to this Agreement except any claims which are a result of any gross negligence or willful action or inaction on the part of any of the City's officers, agents or employees. The Developer shall indemnify the City and its officers, agents and employees for the costs, damages or expenses which the City may pay or incur in consequence of such claims, including attorney's fees. The Developer shall reimburse the City for cost incurred in the enforcement of this Agreement, including engineering, attorney fees and cost of litigation.
  12. Third parties shall have no recourse against the City under this Agreement. Breach of the terms of the Agreement by the Developer shall be grounds for denial of further building permits or Certificate of Occupancy Permits. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Agreement.
  14. The Developer has placed iron monuments at all lot and block corners and at all other angle points on boundary lines. If iron monuments are disturbed as a result of construction of the remaining improvements by the Developer, said monuments shall be replaced at the Developer's expense before a certificate of occupancy is granted.
  15. The improvements must meet the Adopted Standard Construction Specifications and Details of the City of Eagle Lake.
  16. The Developer agrees to maintain, at all times before acceptance of the streets by the City, an access road suitable for use by emergency, police and fire department equipment. The adequacy of such road shall be solely determination by the City. Furthermore, such access road shall be located no more than 150 feet from any structure built within the subdivision.
  19. The Developer shall be responsible for obtaining the necessary permits including: MPCA Sanitary Extension Permit, MN Department of Health Plan Review Permit, NPDES Construction Stormsewer Permit and any other permits necessary for construction of the improvements and infrastructure.

**Area Charges**

The Developer will not be responsible to pay for area charges.

#### Park Dedication

The Developer will not be responsible to pay park dedication.

#### Building Permit

1. Certificates of Occupancy will not be issued until the first course of asphalt has been completed on the roadway serving the respective phase of the improvements. This may be reviewed if it is proven that inclement weather has led to the first course of asphalt not being completed.
2. The City agrees that Certificates of Occupancy will be granted when gas, electric, and telephone service are provided to the development and all other requirements have been met by the Developer.
3. If building permits are issued prior to the completion and acceptance of the infrastructure, the Developer assumes all liability and cost resulting in delays in completion of improvements, snow removal, liability of all State permits that are required, potential grades as it relates to public infrastructure and damage to infrastructure caused by the City, Developer, its contractors, subcontractors, material men, employees, agents or third parties. No construction of a building and/or structure may be initiated prior to obtaining a City building permit.
4. The footing foundation for each house located at 300 and/or 301 Falcon Run with proper building inspections. It is anticipated that the developer will construct the footing foundation without extending any utilities or improving the road at this time. The Developer would be responsible for all road maintenance including snow plowing to get to the site. A cash deposit, certified check or Irrevocable Letter of Credit will be required once improvements on Falcon Run commence.

#### Recording and Release

1. The Developer agrees that the terms of this Developer Agreement shall be a covenant on any and all property included in the subdivision. The Developer agrees that the City shall have the right to record a copy of this Developer Agreement with the Blue Earth County Recorder to give notice to future purchasers and Developers.

#### General Provisions

1. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. The City's failure to promptly take legal action to enforce this Contract shall constitute a waiver or release.

dlg

2. This Agreement shall run with the land and may be recorded against the title to the property. After the Developers have completed the work required of them under this Agreement, at the Developers request the City will execute and deliver to the Developers a release and the City will provide the release when the work is completed.
3. Each right, power or remedy herein conferred upon the City is cumulative and in addition to every other right, power or remedy, expressed or implied, now or hereafter arising available to the City, at law or in equity, or under any other agreement, and each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the City and shall not be a waiver of the right to exercise at any time thereafter any other rights, power or remedy.
4. The Developer shall require any subcontractor to maintain liability and personal injury insurance with limits of not less than \$1,000,000.00 per person and \$2,000,000.00 in the aggregate. The City must be named as additional insured under any such policy. Subcontractors must also maintain the adequate worker's compensation insurance and property insurance. The term of the insurance shall be renewable until the construction is complete.
5. All disputes associated with this Agreement, shall be submitted to District Court in Blue Earth County, Minnesota. Minnesota law shall apply to all disputes.
6. Required notice to the Developers shall be in writing and shall be either hand delivered to the Developer, its employees or agents or mailed to the Developers by registered mail at the following address:  
KJ Walk  
6001 Egan Drive #100  
Savage, MN 55378

Notices to the City shall be in writing and shall be either hand delivered to the City Administrator, or mailed to the City by registered mail in care of the City Administrator at the following address:

City Administrator  
705 Parkway Ave  
P.O. Box 159  
Eagle Lake, MN 56024



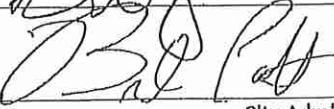
(SEAL)

By: \_\_\_\_\_



Mayor

By: \_\_\_\_\_



City Administrator

STATE OF MINNESOTA

COUNTY OF BLUE EARTH

The foregoing Instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Brianna Anderson, Mayor and by Brad Potter, City Administrator of Eagle Lake, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority of the City Council.

\_\_\_\_\_  
Notary Public

(SEAL)

By: *[Signature]*  
CEO KJ Walk, Inc

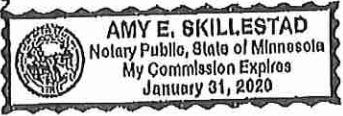
By: \_\_\_\_\_

STATE OF MINNESOTA

COUNTY OF BLUE EARTH

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of August, 2017, by Warren Isractor and by \_\_\_\_\_ of \_\_\_\_\_.

*[Signature]*  
Notary Public





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

July 12, 2021

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: American Rescue Plan Resolution

Attached is an American Rescue Plan resolution for the purpose of requesting funds from the Minnesota Management and Budget. The exact amount that Eagle Lake will be receiving will be finalized in the coming weeks, but it is estimated to be between \$330,000-\$350,000. The covered period to expend funds is March 3, 2021 through December 31, 2024. All uses of the funds will be subject to the review and approval of the City Council prior to any expenditures being made.

We will review eligible uses at the meeting.

A motion is necessary to approve Resolution No. 2021-31.

Jennifer J. Bromeland  
City Administrator

**CITY OF EAGLE LAKE  
RESOLUTION NO. 2021-31**

**A RESOLUTION TO ACCEPT THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT**

**WHEREAS**, since the first case of coronavirus disease 2019 (COVID-19) was discovered in the United States in January 2020, the disease has infected over 32 million and killed over 575,000 Americans (“Pandemic”). The disease has impacted every part of life: as social distancing became a necessity, businesses closed, schools transitioned to remote education, travel was sharply reduced, and millions of Americans lost their jobs;

**WHEREAS**, as a result of the Pandemic cities have been called on to respond to the needs of their communities through the prevention, treatment, and vaccination of COVID-19.

**WHEREAS**, city revenues, businesses and nonprofits in the city have faced economic impacts due to the Pandemic.

**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**, approximately \$350,000\* has been allocated to the City of Eagle Lake (“City”) pursuant to the ARPA (“Allocation”).

**WHEREAS**, the United States Department of Treasury has adopted guidance regarding the use of ARPA funds.

**WHEREAS**, the City, in response to the Pandemic, has had expenditures and anticipates future expenditures consistent with the Department of Treasury’s ARPA guidance.

**WHEREAS**, the State of Minnesota will distribute ARPA funds to the City because its population is less than 50,000.

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

1. The City intends to collect its share of ARPA funds from the State of Minnesota to use in a manner consistent with the Department of Treasury’s guidance.

2. City staff, together with the Mayor and the City Attorney are hereby authorized to take any actions necessary to receive the City's share of ARPA funds from the State of Minnesota for expenses incurred because of the Pandemic.
3. City staff, together with the Mayor and the City Attorney are hereby authorized to make recommendations to the City Council for future expenditures that may be reimbursed with ARPA funds.

\*Cities under 50,000 will have their allocations finalized by the MMB in the coming weeks. \$350,000 is an estimate.

Adopted by the City Council of Eagle Lake, Minnesota this 12th day of July, 2021.

---

Tim Auringer  
Mayor

Attested:

---

Jennifer J. Bromeland  
City Administrator

# American Rescue Plan Act of 2021: Information for Cities

Published: May 10, 2021

*(Updated June 28, 2021)*

## Get answers to these FAQs about the American Rescue Plan Act (ARPA) of 2021:

Q1. How does my city request the funds? (Updated June 28, 2021)

Q2: How much funding will our city receive? (Updated June 3, 2021)

Q3. When will our city receive the funds? (Updated May 19, 2021)

Q4. What is the time frame for using the funds?

Q5. What are eligible uses of these funds?

Q6. What are restrictions on the use of these funds?

Q7. Can we transfer funds to another entity to use?

Q8. Where can I find the full Treasury guidance?

Q9. What are some of the other benefits available in the ARPA?

Q10. Can recipients use funds for administrative purposes?

Q11. May recipients use funds for general economic development or workforce development?

Q12. How can cities use funds to assist the travel, tourism, and hospitality industries?

Q13. We plan to help local businesses with our funds. Do we need to document their need for aid?

Q14. How does the Treasury guidance help address the disparate impact of COVID-19 on certain populations and geographies?

Q15. Do cities need to demonstrate that reduction in revenue is due to the COVID-19 public health emergency?

Q16. Can cities put some of the funds in a savings account for future projects?

Q17. For broadband investments, may cities use funds for related programs such as cybersecurity or digital literacy training?

Q18. What is the definition of “budget” for the purpose of the 75% cap on non-entitlement cities payments, and who is responsible for enforcing this cap?

Q19. What records must be kept by governments receiving funds?

Q20. What reporting will be required, and when will the first report be due?

Q21. Will Federal Single Audit requirements apply to these funds?

Q22. The Coronavirus Relief Fund (CRF) included as an eligible use: "Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What has changed with the Coronavirus State and Local Fiscal Recovery Funds (CSFRF/CLFRF), and what type of documentation is required for these funds? (Added June 3, 2021)

## Q1. How does my city request the funds?

**A1.** Beginning May 10, 2021, cities eligible to receive American Rescue Plan Act funding directly from the U.S. Department of the Treasury, may submit the required information through the Treasury Submission Portal. This portal is for entitlement units of government, most commonly those more than 50,000 in population.

- [Learn more and request funds through the Treasury Submission Portal](#)
- [Read more about required information needed before your city can receive funding](#)

Cities under 50,000 in population (non-entitlement jurisdictions) can request funds from Minnesota Management and Budget (MMB). There is not a specific deadline to request funds but cities must be responsive to MMB and are encouraged to apply immediately or notify MMB of your intention to do so later.

[Learn more and request funds from MMB](#)

[Return to top of page](#)

## Q2: How much funding will our city receive?

**A2:** Cities under 50,000 in population will have their allocations finalized by MMB in the coming weeks. The allocations for cities over 50,000 in population are available on the U.S. Treasury website.

[See allocations for cities over 50,000 in population \(pdf\)](#)

[Return to top of page](#)

## Q3. When will our city receive the funds?

**A3.** Entitlement cities (population 50,000+) could receive the first half of their funds as early as May 10, 2021. Non-entitlement cities (population less than 50,000) will received their funds from the state of Minnesota. The state shall distribute payments no later than 30 days after a state received a payment (which will be about June 9, 2021). An extension may be granted to the state due to an extensive administrative burden and could further delay payments.

The second half of distributions will be available starting May 10, 2022.

Cities under 50,000 in population will have to make a certification to Minnesota Management and Budget prior to accepting their allocation of funds. The League is recommending that cities

pass a resolution as soon as their next meeting so staff is given the authority to take the steps (not yet outlined) as soon as available. The League has a model resolution cities can consider for this purpose. Please consult your city attorney for specific questions.

[View the League's model resolution \(doc\)](#)

[Return to top of page](#)

## Q4. What is the time frame for using the funds?

A4. The covered period begins March 3, 2021 and the deadline for spending is Dec. 31, 2024.

[Return to top of page](#)

## Q5. What are eligible uses of these funds?

A5. Eligible uses include:

- Responding to the public health emergency. Expenses may include vaccination programs; medical care; testing; contact tracing; support for isolation or quarantine; supports for vulnerable populations to access medical or public health services; public health surveillance (e.g., monitoring case trends, genomic sequencing for variants); enforcement of public health orders; public communication efforts; enhancement to health care capacity, including through alternative care facilities; purchases of personal protective equipment; support for prevention, mitigation, or other services in congregate living facilities (e.g., nursing homes, incarceration settings, homeless shelters, group living facilities) and other key settings like schools; ventilation improvements in congregate settings, health care settings, or other key locations; enhancement of public health data systems; and other public health responses. Capital investments in public facilities to meet pandemic operational needs are also eligible, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics.
- Responding to the negative economic impacts of the pandemic. Eligible uses in this category include assistance to households; small businesses and non-profits; and aid to impacted industries. Assistance to households includes, but is not limited to: food assistance; rent, mortgage, or utility assistance; counseling and legal aid to prevent eviction or homelessness; cash assistance; emergency assistance for burials, home repairs, weatherization, or other needs; internet access or digital literacy assistance; or job training to address negative economic or public health impacts experienced due to a worker's occupation or level of training. Assistance to small business and non-profits includes, but is not limited to:
  - Loans or grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure, for example by supporting payroll and benefits costs, costs to retain employees, mortgage, rent, or utilities costs, and other operating costs.
  - Loans, grants, or in-kind assistance to implement COVID-19 prevention or mitigation tactics, such as physical plant changes to enable social distancing, enhanced cleaning efforts, barriers or partitions, or COVID-19 vaccination, testing, or contact tracing programs; and
  - Technical assistance, counseling, or other services to assist with business planning needs
- Premium pay for essential workers.
  - An amount up to \$13 per hour that is paid to an eligible worker in addition to wages the worker otherwise received, for all work performed by the eligible worker during the



COVID-19 public health emergency. Such amount may not exceed \$25,000 per eligible worker.

- Essential workers are those in critical infrastructure sectors who regularly perform in-person work, interact with others at work, or physically handle items handled by others.
- Critical infrastructure sectors include healthcare, education and childcare, transportation, sanitation, grocery and food production, and public health and safety, among others, as provided in the Treasury guidance. Governments receiving Fiscal Recovery Funds have the discretion to add additional sectors to this list, so long as the sectors are considered critical to protect the health and well-being of residents.
- The Treasury guidance emphasizes the need for recipients to prioritize premium pay for lower income workers. Premium pay that would increase a worker's total pay above 150% of the greater of the state or county average annual wage requires specific justification for how it responds to the needs of these workers.
- Treasury encourages recipients to consider providing premium pay retroactively for work performed during the pandemic, recognizing that many essential workers have not yet received additional compensation for their service during the pandemic.
- Revenue replacement for the provision of government services to the extent the reduction in revenue is due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency (see additional questions below for definitions and calculations).
- General revenue includes revenue from taxes, current charges, and miscellaneous general revenue. It excludes refunds and other correcting transactions, proceeds from issuance of debt or the sale of investments, agency or private trust transactions, and revenue generated by utilities and insurance trusts. General revenue also includes intergovernmental transfers between state and local governments, but excludes intergovernmental transfers from the Federal government, including Federal transfers made via a state to a locality pursuant to the Coronavirus Relief Funds (CRF) or the Fiscal Recovery Funds.
- Cities should calculate revenue on an entity-wide basis. This approach minimizes the administrative burden for cities, provides for greater consistency across all recipients, and presents a more accurate representation of the net impact of the COVID-19 public health emergency on a city's revenue, rather than relying on financial reporting prepared by each city, which vary in methodology used and which generally aggregates revenue by purpose rather than by source.
- Cities are permitted to calculate the extent of reduction in revenue as of four points in time: Dec. 31, 2020; Dec. 31, 2021; Dec. 31, 2022; and Dec. 31, 2023. This approach recognizes that some recipients may experience lagged effects of the pandemic on revenues. Upon receiving Fiscal Recovery Fund payments, recipients may immediately calculate revenue loss for the period ending Dec. 31, 2020.
- The Treasury has released FAQs about Fiscal Recovery Funds, and they include a formula for calculating revenue loss. [Read the Coronavirus State and Local Fiscal Recovery Funds FAQs \(pdf\)](#).
- Please note: Treasury is disallowing the use of projections to ensure consistency and comparability across recipients and to streamline verification. However, in estimating the revenue shortfall using the formula above, recipients may incorporate their average

annual revenue growth rate in the three full fiscal years prior to the public health emergency. (Treasury FAQ 5/10/21)

- Investments in water, sewer, and broadband infrastructure.
  - Under the Drinking Water State Revolving Fund (DWSRF), categories of eligible projects include: treatment, transmission, and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development. See a list of eligible projects from the Environmental Protection Agency (EPA).
  - Under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF), categories of eligible projects include: construction of publicly owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, stormwater systems, water conservation, efficiency, and reuse measures, watershed pilot projects, energy efficiency measures for publicly-owned treatment works, water reuse projects, security measures at publicly-owned treatment works, and technical assistance to ensure compliance with the Clean Water Act. See a list of eligible projects from the EPA.
  - As mentioned in the Treasury guidance, eligible projects under the DWSRF and CWSRF support efforts to address climate change, as well as to meet cybersecurity needs to protect water and sewer infrastructure. Given the lifelong impacts of lead exposure for children, and the widespread nature of lead service lines, Treasury also encourages recipients to consider projects to replace lead service lines.
  - Costs for construction on eligible water, sewer, or broadband infrastructure projects must be obligated by Dec. 31, 2024. The period of performance will run until Dec. 31, 2026, which will provide recipients a reasonable amount of time to complete projects funded with Fiscal Recovery Funds.
  - Broadband improvements require eligible projects to reliably deliver minimum speeds of 100 Mbps download and 100 Mbps upload. In cases where it is impracticable due to geography, topography, or financial cost to meet those standards, projects must reliably deliver at least 100 Mbps download speed, at least 20 Mbps upload speed, and be scalable to a minimum of 100 Mbps download speed and 100 Mbps upload speed. Projects must also be designed to serve unserved or underserved households and businesses, defined as those that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed.

The items listed are not exclusive. Other expenses may be eligible.

[Return to top of page](#)

## Q6. What are restrictions on the use of these funds?

**A6.** Funds cannot be used to directly or indirectly offset tax reductions or delay a tax/tax increase, nor can funds be deposited into any pension fund.

Treasury interprets "deposit" in this context to refer to an extraordinary payment into a pension fund for the purpose of reducing an accrued, unfunded liability. More specifically, it does not permit this assistance to be used to make a payment into a pension fund if both: (1) the payment reduces a liability incurred prior to the start of the COVID-19 public health emergency, and (2) the payment occurs outside the city's regular timing for making such payments.

[Return to top of page](#)

## Q7. Can we transfer funds to another entity to use?

**A7.** Yes, transfers are allowed to nonprofit organizations, public benefit corporations involved in transporting passengers or cargo, special purpose unit of government, and states when used for the same allowable purposes as cities.

[Return to top of page](#)

## Q8. Where can I find the full Treasury guidance?

**A8.** [Read more about Coronavirus State and Local Fiscal Recovery Funds on the U.S. Department of the Treasury website.](#)

[Return to top of page](#)

## Q9. What are some of the other benefits available in the ARPA?

**A9.** [Read more in this League article about ARPA that covers details and provisions of interest to cities.](#)

[Return to top of page](#)

## Q10. Can recipients use funds for administrative purposes?

**A10.** Recipients may use funds to cover the portion of payroll and benefits of employees corresponding to time spent on administrative work necessary due to the COVID-19 public health emergency and its negative economic impacts. This includes, but is not limited to, costs related to disbursing payments of Fiscal Recovery Funds and managing new grant programs established using Fiscal Recovery Funds. (Treasury FAQ 5/10/21)

[Return to top of page](#)

## Q11. May recipients use funds for general economic development or workforce development?

**A11.** Generally not. Recipients must demonstrate that funding uses directly address a negative economic impact of the COVID-19 public health emergency, including funds used for economic or workforce development. For example, job training for unemployed workers may be used to address negative economic impacts of the public health emergency and be eligible. (Treasury FAQ 5/10/21)

[Return to top of page](#)

## Q12. How can cities use funds to assist the travel, tourism, and hospitality industries?

**A12.** Aid provided to tourism, travel, and hospitality industries should respond to the negative economic impacts of the pandemic. For example, a recipient may provide aid to support safe reopening of businesses in the tourism, travel and hospitality industries and to districts that were closed during the COVID-19 public health emergency, as well as aid a planned expansion

or upgrade of tourism, travel and hospitality facilities delayed due to the pandemic. (Treasury FAQ 5/10/21)

[Return to top of page](#)

### Q13. We plan to help local businesses with our funds. Do we need to document their need for aid?

**A13.** Yes. Cities should maintain records to support their assessment of how businesses or business districts receiving assistance were affected by the negative economic impacts of the pandemic and how the aid provided responds to these impacts. (Treasury FAQ 5/10/21)

[Return to top of page](#)

### Q14. How does the Treasury guidance help address the disparate impact of COVID-19 on certain populations and geographies?

**A14.** In recognition of the disproportionate impacts of the COVID-19 virus on health and economic outcomes in low-income and Native American communities, the Treasury guidance identifies a broader range of services and programs that are considered to be in response to the public health emergency when provided in these communities. Specifically, Treasury will presume that certain types of services are eligible uses when provided in a Qualified Census Tract (QCT), to families living in QCTs, or when these services are provided by Tribal governments.

Recipients may also provide these services to other populations, households, or geographic areas disproportionately impacted by the pandemic. In identifying these disproportionately impacted communities, recipients should be able to support their determination for how the pandemic disproportionately impacted the populations, households, or geographic areas to be served.

Eligible services include:

- Addressing health disparities and the social determinants of health, including community health workers, public benefits navigators, remediation of lead paint or other lead hazards, and community violence intervention programs.
- Building stronger neighborhoods and communities, including: supportive housing and other services for individuals experiencing homelessness, development of affordable housing, and housing vouchers and assistance relocating to neighborhoods with higher levels of economic opportunity.
- Addressing educational disparities exacerbated by COVID-19, including: early learning services, increasing resources for high-poverty school districts, educational services like tutoring or afterschool programs, and supports for students' social, emotional, and mental health needs.
- Promoting healthy childhood environments, including: child care, home visiting programs for families with young children, and enhanced services for child welfare-involved families and foster youth.

(Treasury FAQ 5/10/21)

[Return to top of page](#)

## Q15. Do cities need to demonstrate that reduction in revenue is due to the COVID-19 public health emergency?

**A15.** 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)

[Return to top of page](#)

## Q16. Can cities put some of the funds in a savings account for future projects?

**A16.** No. Funds made available to respond to the public health emergency and its negative economic impacts are intended to help meet pandemic response needs and provide immediate stabilization for households and businesses. Contributions to rainy day funds and similar reserves funds would not address these needs or respond to the COVID-19 public health emergency, but would rather be savings for future spending needs. (Treasury FAQ 5/10/21)

[Return to top of page](#)

## Q17. For broadband investments, may cities use funds for related programs such as cybersecurity or digital literacy training?

**A17.** Yes. Cities may use funds to provide assistance to households facing negative economic impacts due to COVID-19, including digital literacy training and other programs that promote access to the internet. Cities may also use funds for modernization of cybersecurity, including hardware, software, and protection of critical infrastructure, as part of provision of government services up to the amount of revenue lost due to the public health emergency. (Treasury FAQ 5/10/21)

[Return to top of page](#)

## Q18. What is the definition of “budget” for the purpose of the 75% cap on non-entitlement cities payments, and who is responsible for enforcing this cap?

**A18.** States are responsible for enforcing the “75% cap” on city payments, which is a statutory requirement that distributions to cities not exceed 75% of the city’s most recent budget. Treasury interprets the most recent budget as the city’s most recent annual total operating budget, including its general fund and other funds, as of Jan. 27, 2020. States may rely for this determination on a certified top-line budget total from the city. Funding amounts in excess of such cap must be returned to Treasury. (Treasury FAQ 5/10/21)

[Return to top of page](#)

## Q19. What records must be kept by governments receiving funds?

**A19.** Financial records and supporting documents related to the award must be retained for a period of five years after all funds have been expended or returned to Treasury, whichever is later. This includes those which demonstrate the award funds were used for eligible purposes in accordance with the ARPA, Treasury's regulations implementing those sections, and Treasury's guidance on eligible uses of funds. (Treasury FAQ 5/10/21)

[Return to top of page](#)

## Q20. What reporting will be required, and when will the first report be due?

**A20.** Recipients will be required to submit an interim report, quarterly project and expenditure reports, and annual recovery plan performance reports as specified below, regarding their utilization of Coronavirus State and Local Fiscal Recovery Funds.

- Interim reports: States (defined to include the District of Columbia), territories, metropolitan cities, counties, and Tribal governments will be required to submit one interim report. The interim report will include a recipient's expenditures by category at the summary level and for states, information related to distributions to non-entitlement units of local government must also be included in the interim report. The interim report will cover activity from the date of award to July 31, 2021 and must be submitted to Treasury by Aug. 31, 2021. Non-entitlement units of local government are not required to submit an interim report.
- Quarterly Project and Expenditure reports: State (defined to include the District of Columbia), territorial, metropolitan city, county, and Tribal governments will be required to submit quarterly project and expenditure reports. This report will include financial data, information on contracts and subawards over \$50,000, types of projects funded, and other information regarding a recipient's utilization of award funds. Reports will be required quarterly with the exception of non-entitlement units, which will report annually. An interim report is due on Aug. 31, 2021. The reports will include the same general data as those submitted by recipients of the Coronavirus Relief Fund, with some modifications to expenditure categories and the addition of data elements related to specific eligible uses. The initial quarterly Project and Expenditure report will cover two calendar quarters from the date of award to Sept. 30, 2021, and must be submitted to Treasury by Oct. 31, 2021. The subsequent quarterly reports will cover one calendar quarter and must be submitted to Treasury within 30 days after the end of each calendar quarter.
- Non-entitlement units of local government will be required to submit the project and expenditure report annually. The initial annual Project and Expenditure report for non-entitlement units of local government will cover activity from the date of award to Sept. 30, 2021, and must be submitted to Treasury by Oct. 31, 2021. The subsequent annual reports must be submitted to Treasury by Oct. 31 each year.
- Recovery Plan Performance reports: States (defined to include the District of Columbia), territories, metropolitan cities, and counties with a population that exceeds 250,000 residents will also be required to submit an annual recovery plan performance report to Treasury. This report will include descriptions of the projects funded and information on the performance indicators and objectives of each award, helping local residents understand how their governments are using the substantial resources provided by Coronavirus State and Local Fiscal Recovery Funds program. The initial recovery plan performance report will cover activity from date of award to July 31, 2021, and must be submitted to Treasury by Aug. 31, 2021. Thereafter, the recovery plan performance reports will cover a 12-month period and recipients will be required to submit the report to Treasury within 30 days after the end of the 12-month period. The second Recovery Plan Performance report will cover the period

from July 1, 2021 to June 30, 2022 and must be submitted to Treasury by July 31, 2022. Each annual recovery plan performance report must be posted on the public-facing website of the recipient. Local governments with fewer than 250,000 residents, Tribal governments, and non-entitlement units of local government are not required to develop a Recovery Plan Performance report.

Treasury will provide further guidance and instructions on the reporting requirements for programs at a later date. (Treasury FAQ 5/10/21)

[Return to top of page](#)

## Q21. Will Federal Single Audit requirements apply to these funds?

**A21.** Yes. A single audit is required by the federal government for any non-federal entity that spends \$750,000 or more in federal funds in one year. It is intended to show that the entity has adequate internal controls and is generally in compliance with program requirements.

The city is responsible for the cost of the single audit and can contract with an auditing firm or the Minnesota Office of the State Auditor to perform it.

[Return to top of page](#)

## Q22. The Coronavirus Relief Fund (CRF) included as an eligible use: “Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” What has changed with the Coronavirus State and Local Fiscal Recovery Funds (CSFRF/CLFRF), and what type of documentation is required for these funds?

**A22.** Many of the expenses authorized under the Coronavirus Relief Fund are also eligible uses under the CSFRF/CLFRF. However, in the case of payroll expenses for public safety, public health, health care, human services, and similar employees (hereafter, public health and safety staff), the CSFRF/CLFRF does differ from the CRF. This change reflects the differences between the ARPA and CARES Act and recognizes that the response to the COVID-19 public health emergency has changed and will continue to change over time. In particular, funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, including first responders, to the extent that the employee’s time that is dedicated to responding to the COVID-19 public health emergency.

For administrative convenience, the recipient may consider a public health and safety employee to be entirely devoted to mitigating or responding to the COVID-19 public health emergency, and therefore fully covered, if the employee, or his or her operating unit or division, is primarily dedicated (e.g., more than half of the employee’s time is dedicated) to responding to the COVID-19 public health emergency.

Recipients may use presumptions for assessing whether an employee, division, or operating unit is primarily dedicated to COVID-19 response. The recipient should maintain records to

support its assessment, such as payroll records, attestations from supervisors or staff, or regular work product or correspondence demonstrating work on the COVID-19 response. Recipients need not routinely track staff hours. Recipients should periodically reassess their determinations. ([Treasury Guidance May 27, 2021](#))

[Return to top of page](#)

## For more information

The League hosted a webinar with more details about the ARPA Coronavirus Local Fiscal Recovery Fund on May 18.

[Learn more and view the webinar recording](#)

[Access more COVID-19 News and Resources](#)

---

Your LMC Resource

Research & Information Service staff members are ready to help you apply their broad knowledge to the issues you're dealing with today.

[Access online form to submit a question](#), or call us: (651) 281-1200 or (800) 925-1122





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


July 12, 2021

To: Honorable Mayor Auringer and City Council  
From: Jennifer J. Bromeland, City Administrator  
Re: Special Assessment Deferrals for CSAH 27 (Agency Street) Project

Three property owners have applied for a special assessment deferral. The parcel IDs are as follows: R12.10.18.127.013, R12.12.18.128.011, and R12.10.18.128.003. City staff will include the deferrals with the special assessments to be certified to Blue Earth County.

For reference purposes, attached is an application of deferral for special assessment.

A motion is necessary to approve the special deferrals requested by the above-listed parcels.

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

**Instructions:** Applicants must fill out highlighted areas. I will complete the rest of the form before certifying to BE County. Completed forms must be received by July 7<sup>th</sup> at the close of business. I will present the City Council with deferral applications at their meeting on July 12<sup>th</sup>. Once approved, I will send over to BE County to be recorded.



## City of Eagle Lake Application for Deferral of Special Assessment

To the Mayor and City Council, City of Eagle Lake, State of Minnesota.

I/We, the undersigned, declare under penalties of perjury:

I am/We are the owner-occupant of the following described homestead property situated in the City of Eagle Lake:

Property Address: \_\_\_\_\_

Property Parcel ID #: \_\_\_\_\_

Full Legal Description: \_\_\_\_\_

\_\_\_\_\_

I am/We are 65 years or older

Property is homestead of the applicant.

Hardship would be created by making payments.

A special assessment in the amount of \$\_\_\_\_\_ has been assessed on the above-described property, commencing in the year \_\_\_\_\_ with an interest at the rate of \_\_\_\_\_%.

Such special assessment amount causes a hardship for me/us to make payment thereof.

I/We hereby request the above assessment in the amount of \$\_\_\_\_\_ be deferred as provided under Minnesota Statutes 435.193 to 435.195; and the City of Eagle Lake's Chapter 22.

*\*Be advised that interest will accumulate throughout the entire life of the deferral.*

I/We hereby declare that the foregoing statements are true and I/we make application for deferral of special assessment as outlined herein.

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

Applicant Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

---

**FOR OFFICE USE ONLY**

I, \_\_\_\_\_, City Administrator of the City of Eagle Lake, in Blue Earth County, State of Minnesota, do hereby certify that the application of \_\_\_\_\_ above-named has been duly reviewed and that in accordance with the minutes of the official record in said chambers was duly  APPROVED /  DENIED as of \_\_\_\_\_.

That in accordance with approval granted, that the special assessment for the (brief description of project)

\_\_\_\_\_ levied on the applicant's subject property for collection, in the amount of \$\_\_\_\_\_, deferral beginning in the year \_\_\_\_\_, should so be deferred with interest at the annual rate of \_\_\_\_\_% until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

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

\_\_\_\_\_  
City Administrator

\*\*\*\*\*

W6



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

July 12, 2021

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

Attached is a resolution terminating the local emergency and temporary measures that went into effect on March 27, 2020 to address a peacetime emergency due to the COVID-19 health pandemic.

A motion is necessary to adopt the resolution.

  
Jennifer J. Bromeland  
City Administrator

CITY OF EAGLE LAKE  
RESOLUTION NO. 2021-32

A RESOLUTION TERMINATING THE LOCAL EMERGENCY DECLARED IN MARCH  
OF 2020 DUE TO THE COVID-19 HEALTH PANDEMIC

WHEREAS, on March 27, 2020, a resolution declaring a local emergency and enacting temporary measures to address a peace time emergency due to the COVID-19 pandemic was adopted; and

WHEREAS, the City Council has since determined that a local emergency no longer exists and has since resumed in person meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eagle Lake, Blue Earth County, Minnesota, that the local emergency be terminated.

Adopted this 12<sup>th</sup> day of July 2021.

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

ATTEST:

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

CITY OF EAGLE LAKE  
RESOLUTION NO. 2020-16

A RESOLUTION DECLARING A LOCAL EMERGENCY AND ENACTING TEMPORARY MEASURES TO ADDRESS A PEACE TIME EMERGENCY DUE TO COVID-19 HEALTH PANDEMIC

WHEREAS, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

WHEREAS, on March 13, 2020, Minnesota Governor Tim Walz issued Executive Order 20-01 declaring a Peace Time Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19; and

WHEREAS, COVID-19 has been confirmed to exist and be spreading within the State of Minnesota; and

WHEREAS, Minn. Stat. 12.29 authorizes the Mayor of the City of Eagle Lake to declare a local emergency and activate the City's emergency organization structure, and further provides that the state of local emergency may not be continued for a period in excess of three days except by or with the consent of the City Council of the City of Eagle Lake. Any order or proclamation declaring, continuing, or terminating a local emergency must be given prompt and general publicity and filed promptly by Deputy City Clerk of the City of Eagle Lake; and

WHEREAS, on March 24, 2020, Mayor Tim Auringer signed an order declaring that the COVID-19 pandemic constituted a local emergency, within the City of Eagle Lake with all powers and responsibilities attending thereto as provided in Minnesota Statutes Chapter 12, and otherwise provided for in the City of Eagle Lake's City Code and Emergency Response Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eagle Lake, Blue Earth County, Minnesota, as follows:

- 1) The City Council, by adopting this Resolution, agrees with the Mayor's declaration of a local emergency within the City of Eagle Lake and hereby extends such state of local emergency until such time as this resolution is rescinded by the City Council.
- 2) The Mayor and City Council hereby declare, under Minnesota Statutes 13D.021, that a determination has been made that in-person meetings are not practical or prudent due to the health pandemic. All meetings of the City Council and its advisory boards and commissions, and Planning Commission, shall be conducted via telephone or other electronic means pursuant to Minnesota Statutes 13D.021. All votes will be taken by roll call, and every effort will be made to ensure that the public is notified and given the opportunity to monitor meetings remotely.
- 3) The City Administrator, the Emergency Management Director, and their designees, are authorized to take other appropriate emergency actions directed or recommended by federal and state government or health organizations, or deemed necessary by City

emergency management authorities, and to take those actions deemed necessary to protect the public health and safety.

- 4) The Mayor and City Council hereby order that this declaration be given prompt and general publicity and that it be filed promptly by the Deputy City Clerk.

Adopted this 27<sup>th</sup> day of March 2020.

---

Mayor Tim Auringer

ATTEST:

---

City Administrator  
Jennifer J. Bromeland



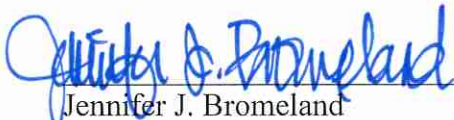
705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024  
(507) 257-3218 Phone (507) 257-3220 Fax

July 12, 2021

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

As per a recent communication from the League of Minnesota Cities (see attached), it is the informal/unwritten opinion of the Attorney General's office that it is allowable for utility providers to follow their normal shutoff procedures.

A motion is necessary to resume utility disconnections.

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



June 2021

You may have heard in the news over the past few days that the state is composing a plan to wind down the eviction moratorium over the next several months. We reached back out to the Minnesota Attorney General's Office to see how they were interpreting the language of the eviction moratorium wind down and how that would apply to cities as utility providers.

It is the (informal/unwritten) opinion of the Attorney General's office that it is allowable for utility providers to follow their normal shutoff procedures found in their ordinances. This usually includes providing notice and opportunity to be heard about discrepancies to the resident before shutting off utilities for non-payment. Cities may choose to begin this process immediately.

Cities may want to give residents that have applied for utility assistance the opportunity to show proof of application before shutting off service. There has been a backlog of applications at the state level.

For more information about the shutoff process, please see the League's memo on Securing Payments of Utility Charges: <https://www.lmc.org/resources/securing-payment-of-utility-charges/>

If you have additional questions, please let me know.

Kind regards,  
**Amber Eisenschenk, JD/MPA | Research Manager**

---

# League Continues to Recommend Avoiding Residential Water and Sewer Shut-Offs

July 20, 2020

## **The governor's emergency executive orders prohibiting evictions could be applied to shut-offs of essential services.**

There have been lots of questions coming to League staff related to a city's ability to shut off water/sewer during the peacetime emergency.

The League's position is still that cities should not be shutting off residential water services for nonpayment. Initially, [Executive Order 20-14](#) was issued by Gov. Walz, preventing most evictions. That has now been mostly replaced by [Executive Order 20-79](#), which continues that prohibition except in specific public health and safety situations or if the owner of the property intends to use the property as his or her primary residence.

## Shut-off may equal 'constructive eviction'

The Minnesota attorney general has said that shutting off residential water service could be considered a "constructive eviction" because homes are not considered habitable if there is not running water. Related, as a normal rule of practice, cities should not shut off utilities at the request of a landlord when they know the residential property is being occupied.

The League has been communicating regularly with the Minnesota Municipal Utilities Association (MMUA) to ensure that our advice and positions are consistent. While aspects of the Minnesota Cold Weather Rule can apply to water utilities being disconnected, residents do not necessarily have to enter into payment plans to keep their utilities on during the peacetime emergency.

We suggest that cities work with their city attorneys on appropriate responses but consider using alternate approaches for collection of past-due accounts, such as voluntary payment plan arrangements or transmittal to the county for collection of unpaid balances through property tax collection.

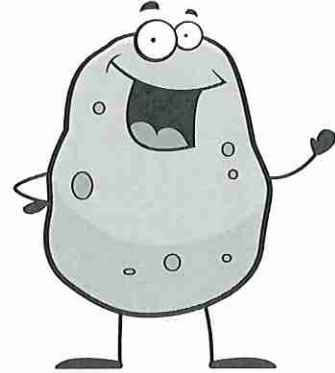
## New fund could address past-due utility costs

The governor recently announced the establishment of a \$100 million fund to help individuals experiencing housing insecurity due to COVID-19.

While details of how residents can access funds from the COVID-19 Housing Assistance Program (CHAP) are not yet available, past-due utility costs are one of the expenses that was mentioned in the press briefing as an expense eligible to be covered the by the fund. The

# EAGLE LAKE TATOR DAYS PARADE

Saturday, July 17, 2021--1:00 pm



**Back to "Normal" in 2021**

- Walkers will be allowed in 2021. Parade will be closer to the traditional route this year.
- Candy or promotional materials can be thrown/distributed from floats/vehicles during the parade.
- Road Construction in Eagle Lake: Agency Street/County Rd 27 under construction.

Lineup Check-In between Noon and 12:30 pm at 598th Avenue and Creekside Drive. From Hwy 14, please take the Eagle Lake exit by Casey's and proceed south through the roundabout to Creekside Drive where Committee members will provide you with your Line Up Number and location. Lineup Numbers will be provided on the day of the Parade at Check-In. All late entries will be at the end of the lineup.

**We look forward to seeing you at Tator Days!**

**Please email or call Perry Madden with questions:**  
[tatordays@hotmail.com](mailto:tatordays@hotmail.com) or 507-327-6583

**Please Mail or E-Mail form to:**  
**Tator Days Committee (Parade)**  
**PO Box 274**  
**Eagle Lake MN 56024**

**Donations:**

**Our Tator Days celebration is supported by generous donations from local organizations and businesses. Please consider including a minimum \$25 donation with your parade entry.**

**Entry Deadline**

**Please submit your registration by Friday, July 9th**

**"Like" Eagle Lake Tator Days on Facebook for Other Activities and Updates!**

Organization Name: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

*Entry submitted for city council & city Reps*

**Please check all that apply to your entry:**

Queen/Court       Float  
 Float w/Music       Band (Riding)  
 Large Truck(s)       Walkers  
 Color Guard

Approx. Entry Size (Length in Feet) \_\_\_\_\_

Other Notes \_\_\_\_\_



**BOLTON  
& MENK**

Real People. Real Solutions.

1960 Premier Drive  
Mankato, MN 56001-5900

Ph: (507) 625-4171  
Fax: (507) 625-4177  
Bolton-Menk.com

June 14, 2021

Jennifer Bromeland  
City Administrator  
City of Eagle Lake, MN

RE: Court of Appeals for Mankato Motorsports Park Environmental Assessment Worksheet  
Bradford Development

Dear Ms. Bromeland,

Based on a recent legal review of the City of Eagle Lake's Mankato Motorsports Park (MMS) Environmental Assessment Worksheet (EAW) and subsequent determination of no significant impact, additional data needs to be reviewed and assessed to facilitate completing the environmental review process.

The Minnesota State Court of Appeals has determined the EAW for Mankato Motorsports Park (MMS):

*"...did not rely on substantial evidence to determine whether the project would have the potential for significant effects on wildlife and failed to address agency and county concerns about the potential for cumulative effects from greenhouse gas emissions, we reverse and remand for a new determination on the need for an EIS."*

The MMS EAW needs to address concerns regarding the impact the project has on wildlife and the cumulative effects from greenhouse gas emissions.

#### Wildlife

To address concerns regarding the impact of the MMS on wildlife, we will identify species that may be inhabiting the proposed site that are not listed on the MN Department of Natural Resources (MnDNR) Natural Heritage Information System (NHIS) data set. Information will be gathered from MnDNR sources and local phenology records.

Other highway and aviation improvement projects will be reviewed to understand how impacts to wildlife are determined and addressed, specifically in regard to an existing noise producer to an established wildlife resource. Questions to guide our research include:

- What has MnDOT done for transportation improvement projects that having existing highway noise and wildlife resources?
- Has MnDOT mitigated noise to wildlife resources on a highway project that does not increase highway noise?
- How do airport improvement projects minimize or mitigate impacts to wildlife?
- Has the FAA mitigated noise to wildlife resources on aviation projects that do not increase airport noise?

Name: Jennifer Bromeland, City Administrator

Date: 6/14/21

Page: 2

Climate Change

We will determine the methods to calculate the carbon footprint of the MMS project. MnDOT uses the Minnesota Infrastructure Carbon Estimator (MICE) to estimate the construction and maintenance greenhouse gas emissions. The MICE tool will be reviewed to determine its applicability to the MMS, or determine the emissions that may be generated for the construction and increase in traffic to the proposed site. A review of the Environmental Protection Agency (EPA) resources may identify additional greenhouse gas analysis tools that may be more applicable for the MMS project.

Timeline and Scope

We anticipate this information collection and review will take approximately two to three weeks to complete, at which time we will submit our findings to city staff for their review and follow-up EIS determination. Should the city require any additional information, BMI staff will facilitate this with and through our client to ensure all information is received and approved by the city.

Sincerely,

**Bolton & Menk, Inc.**



**Jason Femrite, P.E.**

Principal Engineer

---

<sup>1</sup> State of Minnesota In Court of Appeals A20-0952, page 2.



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

July 12, 2021

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

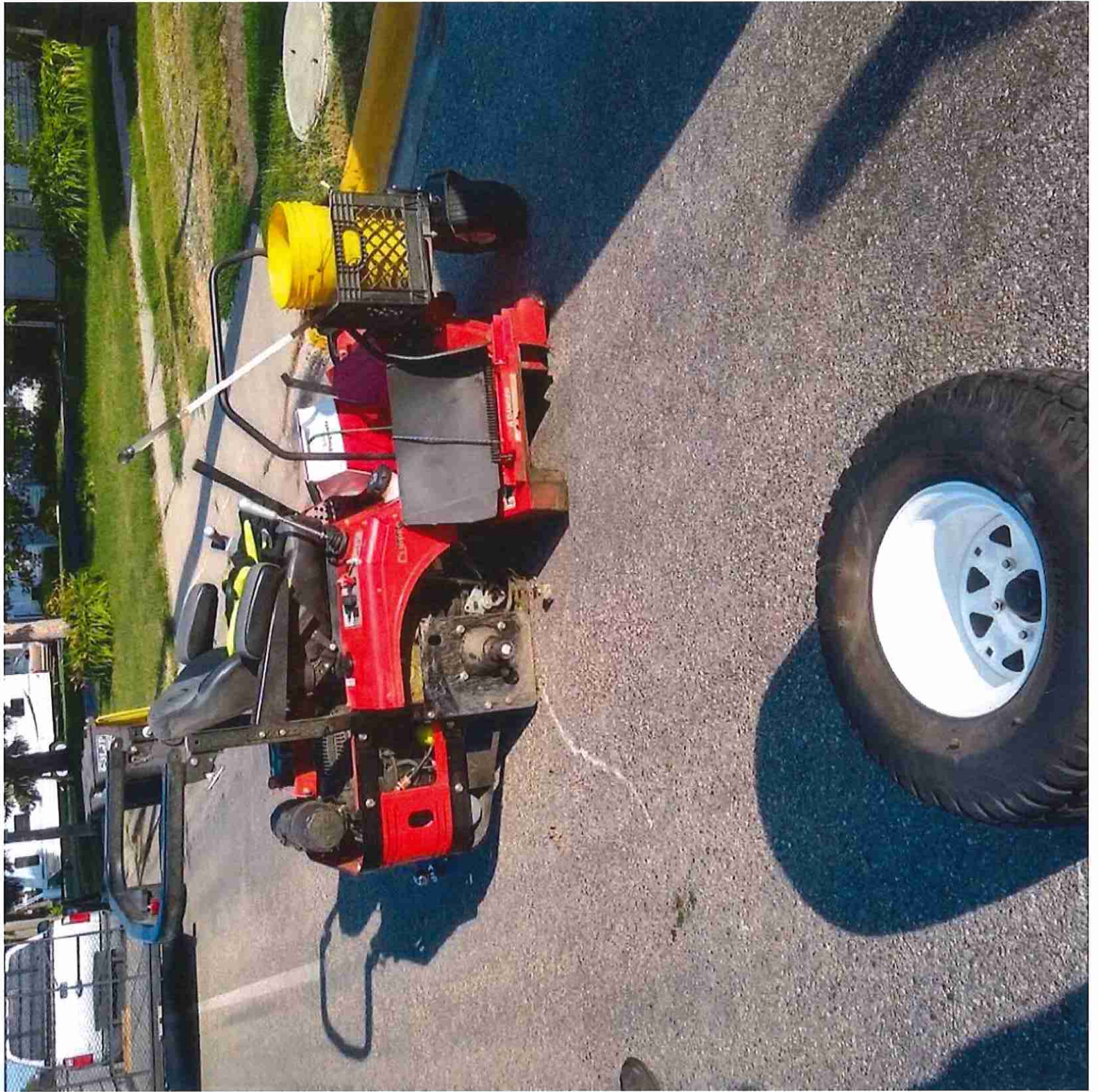
One of the City's seasonal public works employees was driving a mower across the street when it was stuck by a vehicle. Most importantly, the employee does not appear to have been injured. However, the mower did sustain damage and will need to be repaired. Attached is an estimate for the necessary repair. Since the City's deductible is \$2,500 for property, the City's insurance carrier (League of MN Cities Insurance Trust) will subrogate on the City's behalf to collect from the at-fault party's insurance carrier.

Also attached is a picture of the mower depicting the damage.

This is being included for informational purposes and to let you know of the expense being incurred that will hopefully be reimbursed shortly.

Jennifer J. Bromeland  
City Administrator





129






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

July 12, 2021

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

1. Attached is guidance from the League of MN Cities on Juneteenth (June 19<sup>th</sup>) Federal Holiday. Cities are not required at this time to observe the holiday and are able to conduct city business on the day of the new holiday.
2. Drought Conditions and Water Conservation. Attached is a notice that was received from the DNR about drought conditions and water conservation. The public works department monitors daily usage and capacity. Discussion should ensue about process if a mandatory watering ban were to be imposed on Eagle Lake in the future. At this time, no restrictions have been imposed.
3. 2021-2022 Service Term for Community Forestry Member Position. Two interviews are being held this week with candidates interested in the 2021-22 service term.
4. SMIF Small Town Grant Application. An updated proposal is being sought from RNDC to apply for grant funding to update the EDA handbook.
5. DNR EAB Grant Program. City staff will work on submitting an application for DNR EAB grant funds to help remove and replace ash trees on public property.

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

**Jennifer Bromeland**

---

**From:** Joyce Hottinger via LMC - MemberLink <Mail@ConnectedCommunity.org>  
**Sent:** Thursday, June 17, 2021 12:20 PM  
**To:** Jennifer Bromeland  
**Subject:** MCMA : Juneteenth (June 19) federal holiday



**MCMA**

Post New Message

Juneteenth (June 19) federal holiday

[Reply to Group](#)   [Reply to Sender](#)   [Reply to Sender via Email](#)



Jun 17, 2021 12:20 PM  
Joyce Hottinger

Good Afternoon Everyone,

We have had several cities inquire about President Biden's signing the bill establishing Juneteenth (June 19<sup>th</sup>) as a federal holiday and how it impacts cities.

The State of Minnesota has a list of state holidays outlined in state statute ([Minn Stat. 645.44](#)). Public business, including local government/city business, cannot be conducted on those dates. That list does not currently include Juneteenth; therefore, cities are not required to observe the holiday at this time and are able to conduct city business.

However, a city can elect to close for Juneteenth and/or can commemorate the day in other ways such as a proclamation. As an example, Governor Walz proclaimed Juneteenth as Freedom Day in Minnesota last year and issued a proclamation: [mn.gov/governor/news/?id=1055-437200](http://mn.gov/governor/news/?id=1055-437200)

Here is another helpful link from the City of St. Louis  
Park: [www.stlouispark.org/Home/Components/Calendar/Event/4718/...](http://www.stlouispark.org/Home/Components/Calendar/Event/4718/...)

Please contact us if you have any questions.

-----  
Joyce Hottinger  
Assistant HR Director  
League of Minnesota Cities  
Saint Paul MN  
(651) 281-1216  
-----