

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
AUGUST 5, 2024**

CALL TO ORDER

Mayor Norton called the meeting to order at 6:00 p.m. The Pledge of Allegiance was said.

ROLL CALL

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

PUBLIC COMMENTS

- Vern Simpson, 164 Creekside Court, stated that boulevard trees are hanging low over roads and that citizens are responsible for trimming, however the branches are hitting fire department vehicles. He stated he has concerns that some residents do not have the ability to trim branches and take them away. City Council responded by stating this is something they could consider at the September 2024 City Council meeting.

APPROVAL OF AGENDA

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

APPROVAL OF MEETING MINUTES

- **Council Member White moved, seconded by Council Member Whittington, to approve the July 2 and July 25, 2024 City Council minutes as presented. The motion carried with Council Member Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

CONSENT AGENDA

Monthly Bills	Treasurer's Report
Public Works Report	Fire Report
BECSO Report	Gambling Report
Building & Zoning Permits	Board & Commission Minutes
Planning Commission Resolution Appointing Regular Member - Barna	Planning Commission Appointing Regular Member - Hughes

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

PUBLIC HEARING

1. Amendment to Chapter 6 to Create a Rural Service District

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

PRESENTATION

1. Bradley Van Deise with Eide Bailly Annual Audit Presentation

- Mr. Van Deise presented the audit findings and stated the City has received a clean unmodified audit opinion and that the financial statements do not contain material misstatements and are fairly presented. They did note three findings which are common for smaller cities which are the preparation of financial statements, material journal entries and segregation of duties. A new finding included the Lack of Information Technology Controls which is a new auditable area. A fifth finding relates to recoding of expenses related to the water tower rehab project.
- The cash investment balance has steadily increased since 2020, the general fund saw a increase in revenue over the budgeted amount and less expenditures. The City has a fund balance policy that unassigned fund balance is at least 50% of the annual budget and the City complies with this policy.
- Other funds include debt service: revenues from property tax levies and special assessments have been sufficient to meet the required debt service payments. The water and sewer funds have a positive operating balance.

2. Alissa Oeltjenbruns, VP of Community Vitality with Southern Minnesota Initiative Foundation
 - Ms. Oeltjenbruns thanked the City Council for their past support and presented areas which Southern Minnesota Initiative Foundation (SMIF) focuses on. These focus areas include early childhood, entrepreneurship, and community vitality which all include grant opportunities. Eagle Lake has been on the receiving end of some of these grants.
 - Ms. Oeltjenbruns stated that Eagle Lake does have a community development foundation which has been inactive in recent years. Administrator Bromeland stated the foundation is something that would be beneficial to the community to re-activate.
 - **Council Member Whittington moved, seconded by Council Member Rohrich, to allocate \$1,000 in 2025 to SMIF. The motion carried with Council Members Rohrich, White, Whittington, and Mayor Norton voted in favor. Council Member Steinberg voted in opposition.**

NEW BUSINESS

1. Stray Dogs Contract for Service Agreement with Bella's House of Doodles
 - Administrator Bromeland explained that the Blue Earth County Sheriff's Office (BEC SO) drafted a contract for services for stray dogs between Bella's House of Doodles and the City of Eagle Lake. The City's legal counsel has reviewed the contract. The purpose of the contract is to obtain boarding services for lost and stray dogs found within the boundaries or in close proximity to the City through the Sheriff's Office liaison or designee until the owner can be identified.
 - In 2024 the City was notified by All Pets that they would no longer be accepting animals for impound as of March 31, 2024. Since that time, BEC SO has worked to secure an alternative option for impounding with Bella's House of Doodles in Eagle Lake.
 - The base impound fee is \$75 with a daily boarding fee of \$35 per day for any dog taken to Bella's House of Doodles. The dog owner shall pay Bella's House of Doodles directly for the services provided upon retaking possession of their dog. If disputed or the owner refuses to pay for the services, Bella's House of Doodles shall notify the Sheriff's Office liaison and invoice the City. The City will pursue remedies available to get reimbursed for costs incurred.
 - The agreement can be terminated by either party on 60 days written notice.
 - Lieutenant Gahler stated the owner of Bella's House of Doodles, Angela DeMartini, would work on adoption process for dogs not claimed within 5 days. Upon Councils approval Lieutenant Gahler would bring the contract to Bella's House of Doodles to obtain signatures.
 - Council discussion included if there was any liability for the city. Administrator Bromeland stated there would be mutual indemnification.
 - **Council Member Steinberg moved, seconded by Council Member Rohrich, to approve entering into a contract with Bella's House of Doodles for the purposes of impounding dogs. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voted in favor.**
2. Recommendations for Additional Speed Limit and Children at Play Signage and Proposal to Update Street Map
 - Administrator Bromeland explained that the City has received calls and emails with concerns that cars are driving faster than the speed limit. Lt. Gahler and Public Works Director Hartman have reviewed the street sign map which is from 2005. It would be beneficial to have this map updated.

- Lt. Gahler stated he has received complaints on Linda Drive, 598th, Agency St, LeSueur and LeRay Avenue. He reviewed where current speed limit signs are located and presented where he feels additional signs would be beneficial.
 - Council discussion included if it would be possible on S. Agency Street to lower the speed limit at the mobile home park so that it is reduced only one time in that area. Brian Sarff, an engineer with Bolton and Menk, stated that when speed studies are conducted there is the possibility that the study will show that speeds could be increased.
 - **Council Member Steinberg moved, seconded by Council Member Rohrich, to approve Lt. Gahler's recommendations of where to install additional speed limit signs. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
 - **Council Member Rohrich moved, seconded by Council Member Steinberg, authorizing Bolton and Menk to update the 2025 stop sign inventory map. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
3. Street and Utility Reconstruction Feasibility Proposal and Resolution Ordering Preparation of Report
- Brian Sarff with Bolton and Menk explained that the feasibility study would focus on reconstruction areas and would layout preliminary improvements needed, it would list priorities block by block. Potential areas at risk would be identified. The study would also include preliminary assessment amounts, and an implementation schedule. This study could be used to initiate the 429 process and could be completed for the September City Council meeting.
 - **Council Member Steinberg moved, seconded by Council Member White, authorizing the feasibility study by Bolton and Menk at an estimated cost of \$17,000. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
4. Pavement Management Plan Proposal
- Administrator Bromeland explained that a pavement management plan would assist the Public Works Department in identifying and prioritizing street and trail improvements and maintenance. The goal of the payment management plan is to objectively catalog payment conditions so that resources are efficiently delegated towards pavement preservation, resurfacing, and reconstruction. A comprehensive payment management plan is an effective tool that informs both the City's short-term maintenance program and longer-term capital improvement planning and budgeting.
 - Brian Sarff with Bolton and Menk explained the scope of services will include a project initiation with City staff to discuss data collection and evaluation process, current maintenance practices, budget amounts, and project priorities. It will also include data collection and processing using RoadBotics data collection on city streets, analysis, a final report, and deliverables such as a digital draft copy of the Pavement Management Plan and final report and presentation to the City Council. All applicable data will be incorporated into the current Bolton and Menk hosted GIS application. Mr. Sarff stated that county roads within city limits would not be included in this proposal. Trails can be added and would be done through manual inspections.
 - Mr. Sarff recommended that pavement inspections be completed every three to five years, which is the same timeline that seal coating is recommended.
 - **Council Member Rohrich moved, seconded by Council Member Steinberg, to accept the proposal from Bolton and Menk for a Pavement Management Plan at an estimated cost of**

\$15,000. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

5. Amendment to Chapter 6 to Create a Rural Service District

- Administrator Bromeland stated that this ordinance if approved would go into effect upon publication.
- **Council Member Steinberg moved, seconded by Council Member White, to adopt Ordinance 2024-02 A Rural Service District. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

6. Schrom – Fox Meadows Draw

- Administrator Bromeland asked if this item could be added to the agenda.
- **Council Member White moved, seconded by Council Member Rohrich, approving to add Schrom-Fox Meadows Draw to New Business. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
- Administrator Bromeland stated that Troy Schrom, Mike Nicklay with Public Works, Brian Sarff, and herself met and walked through the draw request.
- Mr. Sarff stated that there are some boulevard improvements still needed at the corner of Agency Street and Thomas Drive East as well as some stormwater cleanup. He also explained that at this stage one percent of escrow funds are typically retained which is approximately \$30,000.
- There are some sidewalks needing to be installed but developer is waiting until the certificates of occupancy are issued to avoid broken sidewalks.
- Administrator Bromeland mentioned that last year the sidewalk was moved to the south side of Blace and that the City would cover the cost of the pedestrian ramps. The City has not received information as to this cost.
- **Council Member Whittington moved, seconded by Rohrich, to release the remaining escrow funds for the Fox Meadow development, less a 1% retainage. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

CITY ADMINISTATOR REPORT

1. Fall Clean Up – scheduled for Saturday, October 19 from 8:00 am to noon at Lake Eagle Park
2. YTD Expenditure and revenue report is attached for Council review.
3. Rural Child Care Innovation Program Update. The Core Group continues to meet and work on the RCCIP process. She thanked Council Members Rohrich and Whittington for their time and efforts on this team.
4. Minnesota Climate Impact AmeriCorps Member for 2024-2025 will begin August 26 2024. Lake Crystal and Eagle Lake will be sharing this person.
5. A budget work session was scheduled for August 14th at 6:00 p.m. which will include department heads.
6. The filing period for Mayor and City Council seats opened on July 30th and closes at 5:00 p.m. on August 13th.
7. National Night Out and Summer Sounds took place on August 6th at Lake Eagle Park. Several organizations came together to make this a fun night for the community.

8. Applications are coming in for the Administrative Clerk and Community Development Coordinator positions. A first review of applications received for the Administrative Clerk position will take place on August 9th. Review of applications for the Community Development Coordinator will take place on August 23rd. Interview will be conducted by the Personnel Committee and representative with MVCOG.

COUNCIL REPORTS

1. Council Member White reported that the first Summer Sounds event was fun and that only 100 shirts remain.
2. Council Member Steinberg reported that Tuesday will be the second Summer Sounds event and will be held at Lake Eagle Park.
3. Mayor Norton stated that the September City Council meeting will be her last as she is moving to Sioux Falls.

Administrator Bromeland explained that a motion is needed to move into closed session as permitted by section 13D.05, subdivision 3 (c), to consider offers related to the City's potential purchase of land for a possible new fire station.

Council Member Steinberg moved, seconded by Council Member White, to move into closed session. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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

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

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

ADJOURNMENT

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

Lisa Norton, Mayor

Kerry Rausch, Deputy Clerk

