

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
SEPTEMBER 9, 2024**

CALL TO ORDER

Mayor Norton called the meeting to order at 6:02 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

- None.

APPROVAL OF AGENDA

- Mayor Norton asked that the approval of the August 26, 2024 minutes be added to the agenda.
- **Council Member White moved, seconded by Council Member Steinberg, to approve the agenda as amended. 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 Rohrich, to approve the August 5, August 14, and August 26, 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
Public Works Report
BECSO Report
Building & Zoning Permits
Res. 2024-41 Not Waive Statutory Tort Limits

Treasurer's Report
Fire Report
Gambling Report
Board & Commission Minutes
Res. 2024-42 Appoint Adisyn Mankato Park Board Youth

- Council Member Rohrich inquired to status of CTS work to set up the SCADA system and security cameras. Access to all cameras has been completed and work for the SCADA system is progressing.
- **Council Member Whittington moved, seconded by Council Member Steinberg, to approve the consent agenda as presented. The motion was carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

PUBLIC HEARING

- None.

PRESENTATION

1. Reid LeBeau with Capital Hill Associates: Government Relations

- Reid LeBeau with Capital Hill Associates thanked Mayor Norton, Council Member Whittington, and City Administrator Bromeland for all their time and work on lobbying the for City of Eagle Lake at the state capital. He also stated the last session was a challenge and that no bonding bill was passed. This means there is a lot of pent-up need going into the next session. There will also be a new legislature with the November elections.
- Mayor Norton thanked Capital Hill Associates for all their work on behalf of the City.

2. Brian Sarff with Bolton and Menk: 2025 Street & Utility Improvements Feasibility Study

- Mr. Sarff reviewed the completed 2025 Street and Utility Improvements Feasibility Study. The study included segments of LeSueur Avenue, Maywood Avenue, Diane Drive, Plainview Street, Third Street and Second Street to be reconstructed. The existing conditions of the street surface, storm sewer, sanitary sewer, and water system were presented as well as the proposed improvements for each.
- Existing sidewalks in some areas would be replaced; no new sidewalks are being recommended.
- Mr. Sarff stated the City Council could prioritize need and that generally it is more financially efficient to administer a larger project rather than several smaller projects due do the Chapter 249 process, bonding, engineering, etc. Larger projects can be very expensive, and the City Council must select an affordable path. The cost to do all segments would be \$6,100,600. Mr. Sarff recommended that at a minimum the Council should consider segments 1 and 2 as top priorities.
- The estimated assessed value to properties was presented based on the City's assessment policy. The City may also choose to have a cost benefit analysis completed to determine assessment amounts for each affected parcel. Mr. Sarff stated the Council may want to consider reviewing the current assessment policy to determine if they would like to update it.
- The proposed schedule would be to schedule an improvement hearing required for the 429 process and to open bids in early April, the project would then be awarded in May. It would be possible to open the bid into year 2026 which may help reduce project cost. Calling for a hearing does not commit the City.
- Mr. Sarff stated that none of the proposed projects are emergencies but stated that the City is having water main breaks.
- **Council Member Whittington moved, seconded by Council Member Steinberg, to call for an improvement hearing for November 4, 2024. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

NEW BUSINESS

1. Recommendation to Hire New Administrative Clerk

- Administrator Bromeland stated that approximately 80 applications were received for the position of Administrative Clerk and of those, 8 finalists were selected for an interview. The interview committee was comprised of Council Members Beth Rohrich and John Whittington, Victoria Potts

with the Minnesota Valley Council of Governments, and Administrator Bromeland. The committee unanimously recommends that Jodie Barta be hired as Administrative Clerk.

- A conditional offer of employment was extended to Ms. Barta for the Administrative Clerk position to start at Grade 5, Step 3.
- **Council Member White moved, seconded by Council Member Steinberg, hire Jodie Barta for the Administrative Clerk position starting at Grade 5, Step 3. The motion was carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

2. Planning Commission Recommendation Related to Variance Request at 401 LeRay Avenue

- Administrator Bromeland explained a public hearing was held at the August 19th Planning Commission meeting to consider a variance request from the property owners at 401 LeRay Ave to encroach 5 feet into the required 8-foot side yard setback for the purpose of constructing a hard surface to address drainage issues and provide for additional parking.
- No one was in attendance for the public hearing, however, a letter in support of the variance request was received from the property owner at 409 LeRay Avenue.
- After applying the legal standard of practical difficulties to the facts presented by the applicant, the Planning Commission made a motion to deny the variance request based on legal standards of practical difficulty. Administrator Bromeland also explained that the Planning Commission felt that the property owner could connection to the underdrain to help with drainage issues and that a hard surface for parking is not allowed per code.
- According to Eagle Lake City Code, the Planning Commission shall, within a reasonable time, pass upon the variance application as originally submitted or modified. If approved or denied, the Planning Commission shall state the conditions for their decision. Such approval or disapproval shall be transmitted to the Council and the Council shall approve or disapprove the variance request.
- Council Member White stated he struggles with this in that the request would improve the property and because the neighbor supports the request. Council Member Steinberg expressed his agreement.
- Troy Janssen, 401 LeRay Ave., stated he has lived at this property for 2.5 years and is trying to improve the property. He stated he needs to fix the drainage issue and to do so will need to remove the sidewalk to improve the slope towards the road.
- Mayor Norton expressed that it is hard to define “uniqueness, character and reasonableness” in code.
- Council Member Rohrich stated she respects City Code and that it should be used as a guide, but one size does not fit all.
- **Council Member White moved, seconded by Council Member Steinberg, to approve the variance request as presented. The motion was carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

3. Pavilion Rental Reimbursement Request

- Administrator Bromeland explained that City staff received a communication from a resident expressing frustration that the new restroom at the park pavilion was not available for use when rented in mid-July. The resident explained they specifically rented the pavilion because they were under the impression that the new restroom was ADA compliant and ready for use and had guests

who required such facilities. There was a handicapped porta toilet available but apparently was in need of service and very dirty. Due to a miscommunication in staff not fully communicating that the new ADA complaint restroom was not yet available at the time the pavilion was rented, City staff recommends that the resident be issued a refund.

- **Council Member Steinberg moved, seconded by Council Member White, to reimburse Beth Corbin the \$25 rental fee for the pavilion. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

4. Draw Request No. 6 for Fox Meadows Housing Development

- Administrator Bromeland explained a final draw request has been received from Troy Schrom for distribution of the escrow funds for the Fox Meadows Housing Development.
- Staff will review with engineer Brian Sarff to make sure all punch list items have been completed.
- Council discussion included the need to release the final escrow funds after engineer Brian Sarff has verified all punch list items have been completed.
- **Council Member White moved, seconded by Council Member Steinberg, authorizing staff to release the funds relating to request #6 once the completion of punch list items have been verified by Brian Sarff. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

5. 2025 Street and Utility Improvements Feasibility Study and Resolution

- See presentations

6. Skid Loader Trailer Request from Public Works

- Public Works Director Hartman explained they are currently using the dump trailer and that is neither efficient nor safe. Three quotes have been received with the lowest being from Toppers and Trailers Plus in the amount of \$12,736. If approved funds would come out of capital outlay.
- Administrator Bromeland stated she has verified that funds are available in capital outlay.
- **Council Member Steinberg moved, seconded by White, authorized the purchase of a skid loader trailer from Toppers and Trailers Plus in the amount of \$12,736. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

7. Wheel Loader Request from Public Works

- Public Works Director Hartman explained that the past couple of years he has been looking at pay loaders for efficiency purposes. Director Hartman explained that he was looking at smaller equipment and that the dealers recommended the wheel loader to be able to accommodate future city growth. A quote for a wheel loader has been received from Sanco in the amount of \$162,000 which includes a three-year warranty. An additional extended warranty could also be purchased.
- Council Member White stated this equipment could be utilized in snow removal, but the price is high.
- Council Member Rohrich asked where the additional \$52,000 would come from. Administrator Bromeland stated that this is a new capital outlay item requested by Public Works and that if the City Council would like to go ahead and approve the request that Public Works would need to rework their capital outlay schedule for equipment purchase and replacement and delay the

purchase of other equipment to allow for the purchase of this piece of equipment. It was explained that departments need to plan and budget for new equipment as the City can't absorb large unplanned expenditures like this without rearranging the capital outlay schedule and working within what is available to expend. It was explained that this expenditure would come out of the streets capital outlay of which there is approximately \$700,000 available.

- Discussion took place about the possibility of finding a used piece of equipment.
- **Council Member Steinberg moved, seconded by White, authorizing the purchase of a wheel loader from Sanco in the amount of \$162,000. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**
- Administrator Bromeland stated that capital outlay purchases need to be planned and budgeted for and that unexpected large requests like this cannot become routine.

8. Resolution Adopting Proposed Preliminary 2025 Budget and Levy

- Administrator Bromeland explained that cities must prepare and adopt a proposed budget and proposed property tax levy each year. By law in Minnesota, the fiscal year of a city and all its funds must be calendar year. A budget is one year of estimated money coming in or revenue, and expenditures or money going out. Cities over 500 in population that propose a property tax increase are required to provide notice of the proposed budget adoption and to allow public input on the proposed budget adoption and to allow public input on the proposed budget and property tax levy. The "truth-in-taxation" process (TNT) requires cities to certify proposed property tax levies to the county auditor on or before September 30th. The preliminary levy can be reduced once adopted but cannot be increased prior to the final levy being adopted. The levy is comprised of the general fund, EDA, and debt service. A TNT public comment hearing must occur sometime after November 24th and before December 27th. The final levy must be certified to the county auditor by or before December 27th. Cities must also file a certificate of compliance with the Department of Revenue by December 27th.
- Last year's final tax levy was set at approximately 16% or an increase of \$155,722 and property taxes should have remained relatively flat unless a property's valuation increase.
- The budget before Council reflects a 14% increase from 2024 or \$158,058. The General Fund levy is proposed at \$1,130,646, EDA levy \$20,000, and the Debt Service levy \$136,396. The 2025 expenditures are \$2,510,692 and the revenues \$2,395,036. The budget would be balanced except for planned deficit spending which is the intentional drawing down of capital outlay funds previously set aside in the general fund reserves.
- Eagle Lake's net tax capacity is lower for 2025. According to Blue Earth County, there are many reasons tax capacity can change. For Eagle Lake this year, the primary reasons are the decrease in residential market valuations of approximately 4% and an increase in the residential homestead market valuation exclusion, which reduced taxable market valuations or residential homestead property.
- Truth in Taxation notices are sent to all property owners each November before local units of government finalize their budgets for the coming year. The notice is meant to help property owners understand how property taxes are determined and how they can get invoiced with local budgeting and taxation. Property owners cannot appeal their property's market value or classification at the TNT meeting. The TNT meeting is tentatively scheduled for Monday, December 2nd at 6:00 p.m. at City Hall.

- The City consistently maintains a minimum unassigned general fund balance of 50% of the annual budget. A positive fund balance contributes to a favorable bond rating, provides a source of working capital to meet cash flow needs, and offers a cushion for unexpected expenditures or revenue short falls.
- All requests from the Fire Department and Public Works Department are reflected in the draft budget.
- **Council Member Steinberg moved, seconded by White, to set the preliminary budget and tax levy as presented. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.**

CITY ADMINISTRATOR REPORT

1. Community Development Coordinator Hiring Update
 - To date, 15 applications have been received for the Community Development Coordinator position. Victoria Potts with the Minnesota Valley Council of Governments (MVCOG) has scored the applications and identified 4 applicants to be interviewed based on meeting minimum qualifications and preferred qualifications. Interviews will be held the week of September 16 and it is anticipated that a recommendation to hire will be included on the October 7th agenda.
2. Discuss Holding a Possible City Council Candidate Forum
 - Two years ago, the Eagle Lake Community Development Foundation (ELCDF) hosted and moderated a candidate forum for the election. City staff has reached out to both the ELCDF and Greater Mankato Growth to ask if there might be interest in holding a forum for the Eagle Lake Mayor and City Council election but has not yet heard back. Mayor Norton offered to be the moderator.
3. Status Update on Surveillance Cameras at City Hall and Park
 - City staff now have access to video camera surveillance footage at City Hall and Lake Eagle Park. Blue Earth County Sheriff's Office personnel are working with their IT to get access to surveillance footage. A brief demonstration of the surveillance footage was presented.
4. Year to Date Expenditures and Revenues
 - A year-to-date report is in council packet for review.
5. Stormwater and Climate Resiliency Project Update
 - A meeting was recently held with ISG to talk about the next step in the Stormwater and Climate Resiliency Project regarding community engagement. Information will be sent to residents shortly informing them of ways to be engaged and provide feedback and attend upcoming events.
6. Rural Child Care Innovation Program Project Update
 - Core team members are working to host a provider appreciation event in October at the WOWZone in addition to a Town Hall event to be held in November at the American Legion. Community feedback will be sought about childcare issues affecting Eagle Lake.
7. Emergency Management Public Officials Leadership Training
 - There will be a training for leadership officials coming up on September 25th on the roles and responsibilities as it relates to emergency management.
8. Warning Siren Update

- There was some confusion earlier this month when the warning sirens sounded for inclement weather. Per an inquiry to Blue Earth County Emergency Management, there is no longer the ability to sound the sirens based on the National Weather Service polygons. This means that sirens are sounded when there is a threat of severe weather anywhere in Blue Earth County versus just a true threat area.
9. Status of Generator Installation at Well Site and City Hall
 - The generator for the well site has been delivered. We are expecting gas installation shortly. CenterPoint Energy has advised that they are out 6 weeks for the installation of service at City Hall.
 10. Employee Time Off Tracking Sheet
 - Included in the packet for informational purposes only was an employee time off tracking sheet.
 11. Administrator Bromeland thanked Mayor Norton for her bold leadership and efforts to improve Eagle Lake. She stated that Mayor Norton will be missed.

COUNCIL REPORTS

1. Council Member White reported that he has enjoyed serving on the Summer Sounds committee and he looks forward to helping grow this event in the coming years.
2. Council Member Steinberg reported that Summer Sounds has evolved, and he has enjoyed his work with this. He also stated he would be contributing to the holiday open house.
3. John Whittington thanked Mayor Lisa Norton for her leadership as Mayor.
4. Mayor Norton reminded the Council to think of Mankato as a suburb to Eagle Lake.

ADJOURNMENT

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

Garrett Steinberg, Mayor Pro Tem

Kerry Rausch, Deputy Clerk