

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
OCTOBER 2, 2023**

CALL TO ORDER

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

ROLL CALL

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

PUBLIC COMMENTS

- None

APPROVAL OF THE AGENDA

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

APPROVAL OF MEETING MINUTES

- Council Member Steinberg moved, seconded by Council Member White, to approve the September 11, September 18, and September 25, 2023 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

CONSENT AGENDA

- Mayor Norton brought to the Council's attention the resolution appointing Ben Metcalfe to the Fire Department Reserve Roster.
- Council Member Steinberg moved, seconded by Council Member White, to approve the consent agenda.

Monthly Bills

Treasurer's Report

Police Report

Fire Report

Public Works Report

Building & Zoning Permits

Gambling Report

Res. 2023-40 Appoint Ben Metcalfe as Fire Reservist

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

PUBLIC HEARING

- None

PRESENTATIONS

- None

OLD BUSINESS

- None

NEW BUSINESS

1. Planning Commission Recommendation for 301/305 Parkway Avenue Lot Consolidation and Wangen Subdivision Preliminary and Final Plat

- Community Development Coordinator Olivia Adomabea explained that Mike Bales purchased 301 and 305 Parkway Avenue from the Eagle Lake EDA. Mr. Bales has submitted a request for a minor subdivision to combine his two lots into one. Staff has reviewed the lot consolidation application and it meets all requirements under Chapter 5 of City Code.
- The Planning Commission held a public hearing for this request on September 18, 2023 and is recommending approval of this request.
- Administrator Bromeland stated staff anticipate that if this request is approved that a building permit application will be submitted soon so that construction can begin this year.
- Council Member White moved, seconded by Council Member Steinberg, to approve Mr. Bales request for a minor subdivision lot combination of 301 and 305 Parkway Avenue. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Community Development Coordinator Olivia Adomabea explained that Mr. Scott Wangen has submitted a request to subdivide one lot into three parcels and one outlot for the property located at 100 Valley Lane. Ms. Adomabea stated that it is important to note that the application did not meet all the requirements of the City Code for the requested subdivision. Lot three of the three lots does not meet the setback requirements of the City Code as it encroaches into the side yard and easement required of the code. Staff believes that an approval of this will create nonconformity and future unhealthy variances. Stormwater management plans have not been submitted as required by Chapter 5 of City Code.
- Ms. Adomabea also explained that in the case of lot 3 where the lot does not meet the side yard requirements, the applicant has requested approval for an existing legal nonconformity for the lot. The applicant in the future will bring lot 3 to conformity when he has improvement plans for the lot. The applicant has noted that all other requirements of the code which have not been met now is because the owner does not have any development or improvement plans for the lot. All required materials will be submitted when the applicant is ready to develop the lots.
- The Planning Commission held a public hearing on this application was held on September 18, 2023. The Planning Commission instructed staff to draft a developer's agreement to bind the approval of the Wangen Subdivision.
- Lot 3 would eventually have the building removed or relocated due to being non-conforming.
- Nate Myhra with Bolton and Menk explained this was brought to the Planning Commission with the intention to divide this parcel into three lots along with the outlot which is an odd shape and may potentially be sold. This will create three lots to up to city standards. They asked the Planning Commission if the building which would be nonconforming could remain as nonconforming until the time when pull a building permit is pulled. At that time the lot would be brought into conformity. All proposed parcels have water service and sanitary service available and will connect at some time. The developer is asking to leave lot three as nonconforming until plans are developed and permits are issued to develop that parcel.
- Council Members White and Steinberg stated they have no concerns with allowing lot 3 to be nonconforming until plans are developed and permit applications are pulled.
- Council Member Whittington confirmed what zoning of these parcels would be, which is R-3 as currently zoned. He also asked why they are requesting the lot split if there are currently no construction/design plans. Mr. Myhra stated this has been requested to save a step the process, and that hook ups will be made.
- Council Member White stated that platting needs to happen to create an outlot.

- Mayor Norton asked if sidewalk access would be available through this area. Mr. Myhra stated this has not been considered at this time.
 - Council Member Steinberg moved, seconded by Council Member White, to approve subdividing 100 Valley Lane into three parcels and an outlot. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
2. Developer's Agreement for Wangen Subdivision
- Scott Wangen stated he would like to have his attorney review the developer's agreement prior to Council action.
 - Administrator Bromeland stated that prior to signing the plat the developer's agreement must be signed and in place. This will be moved to the November City Council meeting.
3. Contract with Blue Earth County Sheriff's Office for Law Enforcement Coverage
- Administrator Bromeland explained that a motion was made at the special City Council meeting on September 25th directing staff and the Personnel Committee to continue contract discussions with the Blue Earth County Sheriff's Office for law enforcement coverage. Since that time, a contract for law enforcement services by and between the County of Blue Earth through its Sheriff's Office and the City of Eagle Lake has been received. The contract has been reviewed by legal counsel with changes and comments made and sent back to Blue Earth County for their review.
 - If the City Council approves the draft contract, it will then be sent to the Blue Earth County Board of Commissioners for their consideration and approval. The Blue Earth County Commissioners meet next on October 10th and 24th. The deadline to be included on the County agenda is October 4th and 18th respectively. Administrator Bromeland and Mayor Norton will be attending the Blue Earth County Board of Commissioner's meeting.
 - Administrator Bromeland directed Council to the updated contract and highlighted updates to the contract. The proposed contract has a term of four years and will automatically renew for a two-year period and two-year intervals after that. 180 days' notice is required for either party to determinate the contract.
 - The contract allows for 20 hours of coverage each weekday, Monday through Friday and 12 hours of coverage for both Saturday and Sunday. The Blue Earth County Deputies and Lieutenant will have access to the existing police office space.
 - Chief Deputy Brennan explained that the City may have assets they will want to sell. It would be best if the City sells the assets and if the Sheriff's Offices would like to purchase them they could. Chief Deputy Brennan also stated that Blue Earth County could assist with the sale of assets so that it does not fall onto City staff.
 - Council discussion included they have not made this decision lightly but need to keep residents safety as the primary focus and that their preference would be to have a fully staffed police department.
 - Administrator Bromeland stated both the City's attorney and the League of Minnesota Cities risk management attorneys have reviewed the contract.
 - Council Member Whittington stated that he would like to see a clause that would allow for termination of the contract if mutually agreed upon by both parties.
 - Council Member Whittington moved, seconded by Council Member Steinberg, to include a clause in the contract to allow the contract to be terminated by mutual agreement of both parties. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
 - Council Member Rohrich moved, seconded by Council Member White, to approve the draft contract and to send it to Blue Earth County Board of Commissioners for approval. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

4. Schedule Public Hearing for Ordinance Repealing and Replacing Chapter 3, Section 3.010 Subpart 4, Chapter 4 Section 4.200, and Chapter 10, Section 10.020
 - Administrator Bromeland explained that legal counsel has provided a draft ordinance repealing and replacing Chapter 3, Section 3.010 Subpart 4, Chapter 4, Section 4.200, and Chapter 10, Section 10.020 of Eagle Lake City Code related to police protection, duties of city officers, and law enforcement duties. If the City Council wishes to move forward with a contract for law enforcement coverage with the Blue Earth County Sheriff's Office, then a public hearing should be scheduled to make the above-described changes. If the City Council would authorize a summary publication a four-fifths vote would be needed.
 - Council Member White moved, seconded by Council Member Steinberg, to schedule a public hearing at the November 6th City Council meeting and to allow for a summary publication notice. A roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington and Mayor Norton voting in favor.
5. American Legion Post 617 Revolving Loan Fund Request
 - Administrator Bromeland explained that the Eagle Lake American Legion Post 617 recently submitted a Revolving Loan Fund (RLF) request to the Eagle Lake Economic Development Authority (EDA) to help offset construction costs associated with a needed ceiling repair project. The total cost of the project is estimated to be \$65,500. The American Legion is seeking \$15,000 in RLF monies.
 - At the September 28th EDA meeting Orin Johnson, 1st Vice Commander of the American Legion Post 617, attended to present the RLF request and answer questions. The EDA recommends that the RLF request be approved in the amount of \$15,000 with a 5-year repayment term at 6% interest.
 - If the City Council approves this request, legal counsel will be asked to draft a promissory note and any other necessary legal documents prior to loan funds being disbursed.
 - Administrator Bromeland also stated that in addition to available RLF monies, the American Legion Post 617 will also be applying for available Small Cities Development Program (SCDP) income funds for another \$15,000. The program income funds would be issued in the form of a deferred loan at 0% interest and forgiven after 10 years if the building is still owned by the American Legion and the business is in operation. City staff request that Judd Schulz with Minnesota Valley Action Council (MVAC) be retained to administer the revolving SCDP funds for the City of Eagle Lake. MVAC will bill for their work at \$50 per hour, not to exceed \$1,200 for the entire project. Revolved funds can be used to pay for administration costs.
 - The EDA recommends that the SCDP request be approved and that all remaining funds, less the \$1,200 needed to administer the grant, be applied toward this project.
 - Council Member Steinberg moved, seconded by Council Member White, to approve the EDA's recommendation to approve the RLF request from the American Legion Post 617 in the amount of \$15,000 with a repayment term of 5 years and 6% interest. 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 approve the EDA's recommendation to retain MVAC to administer issuance of the remaining SCDP revolved funds for the American Legion Post 617 project, pending the project meets all SCDP eligibility requirements. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
6. Fire Department Rescue Rope Equipment Purchase
 - Trent Talle with the Fire Department explained that the fire department applied for and received a \$7,500 grant from Alliance Pipeline for the purchase of rescue rope equipment. The fire department is asking the City Council for approval of this purchase utilizing these funds.
 - Council Member Steinberg moved, seconded by Council Member White, authorizing the purchase of rescue rope equipment utilizing grant funding received from Alliance Pipeline. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Norton voting in favor.

7. Sale of Country Clipper Mower

- Public Works Director Andrew Hartman asked if the sale proceeds for the 2020 Country Clipper could go back into capital outlay funds for the future purchase of a new mower.
- Administrator Bromeland explained that typically when there is a sale of equipment, the proceeds are recorded as revenue in the general fund to help offset general fund operating costs. If City Council would like to allocate the proceeds to capital outlay for streets, then a motion to that effect is needed.
- Council Member Steinberg moved, seconded by Council Member White, to accept the bid of \$6,525 for the 2020 Country Clipper mowing through MinnBid.
- Council Member Steinberg amended his motion to include that the sale proceeds would be recorded to the capital outlay fund for streets. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

OTHER

1. Recognize Senator Nick Frentz for LMC 2023 Legislator of Distinction Award

- Mayor Norton read an excerpt from a letter received from the League of MN Cities which read:
“League staff and member city officials appreciate your accessibility and your consultation with us on legislation impacting cities. Specifically, the League appreciates you authoring legislation to address public safety duty disability trends related to posttraumatic stress disorder (PTSD), which was one of the League’s 2023 legislative priorities. As vice chair of the Legislative Commission on Pensions and Retirement, you successfully led efforts to pass a robust omnibus pensions bill. As chair of the Senate Energy, Utilities, Environment, and Climate Committee, you stressed local government needs for financial and technical assistance in identifying and mitigating infrastructure vulnerabilities to climate change impacts and supporting local energy efficiency, greenhouse gas emission reduction, conservation, and renewable energy efforts. You also championed policy and resources that will directly assist cities in addressing infrastructure and climate resiliency needs including the creation of state competitiveness fund for energy-related grant programs at the federal level. The League appreciates your awareness of city needs and looks forward to working with you in the future on issues impacting local units of government.”

2. League of MN Cities Mayor for a Day Essay Contest

- Administrator Bromeland explained that the League of Minnesota Cities is holding another Mayor for a Day essay contest. To enter 4th, 5th, and 6th graders can answer the prompt, “What would you do if you were mayor for a day?” for a chance to win \$100 and recognition in the Minnesota Cities magazine. The deadline for submission is Monday, December 12th. Essays can be submitted online or through the mail. Winners will be notified in early January.
- In addition to the LMC contest, Eagle Lake can provide additional recognition for local participants. Mayor Norton would like to send out a letter and is willing to talk to students about local government.

CITY ADMINISTRATOR REPORT

1. Climate Impact Corps Community Forestry Member Update

- An application has been received for a person interested in working in Eagle Lake. An interview has been scheduled for October 3rd. There is no cost to Eagle Lake to participate in the Climate Impacts Corps Community Forestry Initiative. The Community Forestry Member will work 25 hours per week in Eagle Lake.

2. ReLeaf Community Forestry Grant Application Submitted
 - A ReLeaf Community Forestry Grant application has been submitted to the Minnesota Department of Natural Resources in the amount of \$15,000. The purpose of the grant application is to obtain funds to help remove and replace ash trees on public property.
3. Small Communities Planning Grants for Stormwater, Wastewater, and Community Resilience.
 - A Small Communities Planning Grant has been submitted to the Minnesota Pollution Control Agency for the purpose of increasing stormwater and community resilience in Eagle Lake. The grant request totals \$48,680.
4. Park Pavilion Project Update
 - The park pavilion project will be getting underway later this week. The playground will remain open during the construction unless otherwise posted, however, the bathrooms may need to close early this fall related to the project.
5. Sorm Drain Stenciling Activity
 - As part of the MS4 program, the City will be holding another storm drain stenciling activity on October 10th at 4:30 p.m. at City Hall. To date, 4 community members have stepped up to volunteer and help with this activity.
6. Upcoming Blue Earth County Clerks and Mayors Meeting
 - The October 26th Blue Earth County Clerks and Mayors Meeting will be held at Eagle Lake City Hall with the meal being catered. Blue Earth County Deputy Administrator Josh Milow will be presenting on the opioid settlement and how those funds will be used. Also presenting will be representatives from the Greater Mankato Area United Way to speak about the Youth Mental Health Navigator Program.
7. House Capital Investment Bonding Tour Visit and Water Treatment Plant Project Presentation
 - In response to a 2024 Capital Budget Request submitted to Minnesota Management and Budget (MMB) for Eagle Lake's proposed Water Treatment Project, City staff will have an opportunity to present our initiative during the House Capital Investment Bonding visit that will be hosted at Minnesota State Mankato on October 11th.
8. Regency Update
 - According to Kim Stumne, manager of Regency, the teardowns have commenced. As of an email from Ms. Stumne on September 14th, one unit had been demolished and a second was being prepared for demolition. It is anticipated that 3-4 units in total will be removed in 2023. Ms. Stumne cited difficulty with renting dumpsters and having them emptied in a timely manner as the reason for the teardowns taking place slower than anticipated.
9. Temporary Tower by Water Tower for Verizon Equipment and Timeline for Removal
 - Verizon plans to return the equipment to the water tower with no changes or upgrades currently. The City is coordinating a review of the plans by the City's engineer. Verizon is responsible for all 3rd party consultant fees.
10. Timeline to Apply for SCDP Grant
 - City staff reached out to Judd Schulz with MVAC to inquire about applying for a SCDP grant for commercial and residential as we receive inquiries from residents and businesses occasionally asking if there are any funds available for rehab projects. Per an email from Ms. Schulz, he recommends that we look at doing an application next year, with funding taking place in 2025. There would be a cost to retain MVAC to write the application and administer the grant if awarded funding. For planning purposes, MVAC recommends connecting in March 2024 to talk about the process and put together a timeline to apply.
11. Expenditure and Revenue Report
 - Included in the Council packet is a year-to-date expenditure and revenue report as of September 30th. This is included for informational purposes.

COUNCIL REPORTS

1. Mayor Norton mentioned 8th grade students at some schools go to the state capital to participate in a hands free bill program in which the students argue for and against a bill. She expressed interested in doing something similar on the local level to encourage students to become more knowledgeable in the local government process. She also mentioned that it would be worth checking to see if this is something the MN Historical Society could run.
2. Mayor Norton pointed out that the Fire Department will be holding their annual open house on October 8th from 1-3 p.m.
3. Mayor Norton reminded Council and residents that fall clean up will be held October 21st from 8:00 a.m. to noon at Lake Eagle Park.

ADJOURNMENT

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 7:03 p.m. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

Lisa Norton, Mayor

Kerry Rausch, Deputy Clerk