

CITY OF EAGLE LAKE
NOVEMBER 7, 2022
CITY COUNCIL MEETING AGENDA
705 Parkway Avenue at 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 or jbromeland@eaglelakemn.com. Written comments or questions for the City Council can be submitted via USPS, email, or dropped off at City Hall. 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

ROLL CALL

_____ **Auringer** _____ **Steinberg** _____ **Rohrich** _____ **White** _____ **Whittington**

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 from October 3, 2022 Pg. 3

CONSENT AGENDA

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| 3. Police Report | Pg. 64 | 4. Fire Report | Pg. 68 |
| 5. Public Works Report | Pg. 70 | 6. Building and Zoning Permits | Pg. 71 |
| 7. Gambling Report | Pg. 72 | 8. Approve Liquor Licenses for 2023 | Pg. 73 |
| 9. Resolution to Designate
2023 Polling Place | Pg. 74 | 10. Resolution Accepting Donation from
Girl Scouts | Pg. 75 |
| 11. Authorization to Renew
Dental Insurance Contract-
Delta Dental | Pg. 78 | 12. Resignation of Ron Rose | Pg. 81 |
| 13. Resolution for Fire Relief
Pension Actuarial Service | Pg. 82 | 14. | Pg. |

PRESENTATIONS

1. Bradford Development: Mankato Motorsports Park Pg. 88
2. John Graupman, Engineer with Bolton and Menk: Presentation of Quotations Obtained for SCADA System, and Overview of Water Tower Rehab Bidding Timeline and Project Schedule Pg. 149
3. Christopher Talamantez with MAPO: Pedestrian Connectivity Study Pg. 155
4. Lisa Graphenteen, Development Services Inc.: Affordable Housing Action Plan for Mankato Area Pg. 172

OLD BUSINESS

1. Regency Mobile Home Park Pg.177

NEW BUSINESS

1. Detachment Request from LeRay Township for Parcels Annexed for Proposed Motorsports Park Pg. 179
2. Pricing for Water and Sewer SCADA System Pg. 198
3. Proposal to Replace Main Lift Station Pump Pg. 201
4. Proposal for Maintenance of Well #3 Pg. 208
5. Pay Estimate No. 1 and Final for 2022 Sanitary Sewer and Watermain Extension Project Pg. 216
6. Certification of Special Assessments Pg. 220
7. Request from 100 Valley Ln to Defer Connection to Public Sewer until 2023 Pg. 221
8. Request from Utility Customer to Waive NSF Fee Pg. 229
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1. Recap of Recent All Seasons Arena Board Meeting Pg. 249
2. Minimum Maintenance Road and Speed Limit Inquiry Pg. 252

CITY ADMINISTRATOR REPORT

1. Recap of Meeting with MnDOT Regarding Trail Responsibility Pg. 256
2. Timeline for New Copier
3. Truth In Taxation Hearing: December 5th City Council Meeting
4. Consider RFP for IT Services
5. Builders Workshop with MPCA and City Staff: Rescheduled to 11/29 at 1 p.m.
6. Letter of Intent Submitted for Transportation Alternatives (TA) Funding for Shared Use Path
7. Siren Coverage
8. Public Hearing Notice from Mankato Township Planning Commission

COUNCIL MEMBER'S REPORT

ANNOUNCEMENTS

- Next Regular **City Council** Meeting -December 5, 2022 at 6:00 p.m., City Hall – Council Chambers, 705 Parkway Avenue
- Next Regular **EDA** Meeting – November 17, 2022 at 6:45 AM, City Hall-Council Chambers, 705 Parkway Ave
- Next Regular **Park Board** Meeting – November 10, 2022 at 6:45 AM, City Hall-Council Chambers, 705 Parkway Ave
- **Canvassing Board** Meeting – November 18, 2022 at 7:30 a.m., City Hall-Council Chambers, 705 Parkway Ave.
- Next Regular **Planning Commission** Meeting – November 21, 2022 at 6:00 PM, City Hall-Council Chambers, 705 Parkway Ave

ADJOURNMENT

If you have any questions, please feel free to contact City Hall at 507.257.3218 or email at jbromeland@eaglelakemn.com.

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
OCTOBER 3, 2022**

CALL TO ORDER

- Mayor Auringer 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 Tim Auringer.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, Public Works Director Brian Goettl, Andrew Hartman, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- Troy Michels, 302 Concetta Trail, stated that prior developers presented a concept plan when asking for rezoning and then after rezoning was approved the actual project was not what was originally presented. He asked that if the final draft of the project is different than what is presented that there be a penalty.

APPROVAL OF THE AGENDA

- New Business item #10 will be moved up on the agenda to be heard after the Fox Meadow's development agreement and item 14 will be added to New Business for a quote for fire department extrication equipment.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the amended agenda. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member White moved, seconded by Council Member Rohrich, to approve the September 12 and September 26, 2022 City Council meeting minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Auringer voting in favor.

CONSENT AGENDA

- Added to the consent agenda were additional payables and the Fire Chief's report.
- Council Member Steinberg moved, seconded by Council Member Whittington, to approve the consent agenda as amended.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Electronic Fund Transfer Designated Authority	
- Clarification was provided that the Electronic Fund Transfer Designated Authority would be approved at the beginning of each year.
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

PRESENTATIONS

- None

PUBLIC HEARING

- None

OLD BUSINESS

1. Mayor and Council Compensation

- Administrator Bromeland explained a public hearing was held at the September 12th meeting to consider amending Section 2.020 of City Code for wages of the Mayor and City Council members. She explained that according to the League of Minnesota Cities, generally, no change in salary shall take effect until after the next succeeding regular city election. An ordinance changing council salaries should specify the date when the changes will take effect. For budgeting purposes, an increase to the Mayor's wage to \$400 per month and an increase to City Council members wages to \$300 per month, was factored in. If no action is taken to increase the compensation before the election in November, these amounts can be removed before the final budget and tax levy is approved in December.
- Administrator Bromeland also explained that discussion took place at the September 12th meeting about the possibility of holding two regularly scheduled meetings a month versus one.
- Discussion included that there have been nine (9) special meetings so far this year, that most special meetings are unique to building and zoning concerns, concerns that both meetings will turn into long meetings, and the desire to monitor the number of special meetings in 2023. Administrator Bromeland stated that if Council moves to two meetings a month that a date would need to be determined and the Planning Commission currently meets the third Monday of the month.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to remain at 1 meeting per month and monitor need for special meetings in 2023. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Council Member White moved, seconded by Council Member Steinberg, to increase the Mayor pay to \$400 per month and City Council pay to \$300 per month beginning in January 2023. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

NEW BUSINESS

1. Variance Request from Planning Commission for 104 Creekside Drive

- Administrator Bromeland explained that a public hearing was held at the September 19th Planning Commission meeting for the purpose of considering an application received for a variance from 104 Creekside Drive. The applicant for the variance is seeking to encroach two feet into the required eight-foot side yard setback. No public comments were received in advance of the public hearing, at the hearing, or following the hearing. Notice of the public hearing was published in the newspaper and mailed to all property owners within 350 feet of the subject property.
- Administrator Bromeland also explained that when contemplating whether to grant a variance, the legal standard of practical difficulties must be applied to the facts presented by the applicant. "Practical Difficulties" is a three-factor test including reasonableness, uniqueness, and essential character. Discussion took place at the Planning Commission regarding whether the practical difficulties test could be met for all three factors. Ultimately, the Planning Commission recommends that the variance be approved.
- Mayor Auringer asked if the Planning Commission was aware that the variance is for the encroaching on the side yard setback requirement as well as asking for a variance to park in the side yard setback which is not allowed in City code.
- Mayor Auringer stated that he does not feel the variance meets the three areas of practical difficulty and that if approved it could be a slippery slope and that more requests and more questions could be received. The pad could be constructed at 10 feet 9 inches and still meet the City's code.

- Council Member Rohrich stated she attended the Planning Commission meeting and that their discussion included that by granting the variance, it would keep the truck off the street, and that campers and vehicles park in the side yards. She also asked that if we allow this for one, do we need to allow for all.
- City Attorney, Chris Kennedy, stated that the variance is allowing for the construction, but it does not allow for the parking in the side yard setback, which could be in violation of City Code and that a variance allowing the owner to park on it could not be granted and City code would need to be changed to allow this. He also stated that if the City receives a complaint about parking in the side yard setback the police will investigate this.
- Council Member Steinberg moved, seconded by Council Member White, to grant the variance request for 104 Creekside Drive.
- Council Member Whittington stated it is unwise to approve the pouring of the pad when they would not be allowed to park on it, stating that they would need to park right up next to the house.
- Council Member Steinberg stated that if the vehicle would be parked right next to the house, the owner would be fine and not in violation of the parking in the side yard setback requirement in City code.
- Motion carried with Council Members Steinberg, Rohrich and White voting in favor. Council Member Whittington and Mayor Auringer voted in opposition.

2. Rezoning Recommendation from Planning Commission for Parcel ID # R.12.10.18.400.013

- Administrator Bromeland stated an application for re-zoning was received from Troy Schrom to rezone land that he owns (R12.10.18.400.013) for the Fox Meadows Housing Development that is currently located in City limits. When this parcel was annexed into City limits, it was placed in the A-1, Agricultural District, until placed in another district by action of the City Council after recommendation by the Planning Commission. Annexed land may be zoned other than A-1, Agricultural Land, if another use is applied for by the property owner. The area to be re-zoned R-4 is for 8-plex structures, the area to be re-zoned R-2 is for twin homes and the area to be re-zoned R-1 is for single family homes. The area noted "PUD" will follow rezoning and the preliminary and final plat process. Notice of the public hearing describing the area to be re-zoned was published in the newspaper and notices sent to property owners within 350 feet from the parcel. Mr. Schrom and his team were provided zoning code regulations for each of the zoning districts to ensure that proposed construction conforms with each zoning district's respective regulations for setbacks, lot coverage, etc.
- Administrator Bromeland explained that included in Mr. Schrom's original application for re-zoning for the area for the 8-plex structures was an R-3 zoning designation. It was communicated to the developer and his team that to rezone R-3, the preliminary plat would need to be modified so that each structure had its own lot versus being platted as one lot which is permitted in an R-4 district. The density will not change as the same number of 8-plex structures proposed will remain the same.
- Administrator Bromeland stated that two residents provided feedback at the public hearing that took place at the September 19th Planning Commission meeting. One resident expressed concern with multiple family housing along Agency Street and expressed a preference that single family housing be in this area citing that the 8-plex structures don't fit the neighborhood. Discussion took place about the possibility of adding screening such as trees or shrubs as a buffer along Agency Street in this area. The other resident that spoke expressed similar concerns with density, increased traffic, increased demands on the City's water and sewer system, and water runoff.
- The Planning Commission recommends approval of the rezoning but with a change of the portion with 8-plex structures from R-3 to R-4.
- Administrator Bromeland explained that there will be 13 8-plex units in phase 1 and 8 8-plex units in phase 2.

- When the topic of TIF and Section 8 house was broached, the City's attorney stated this is a slippery topic which is not for Council to consider. Administrator Bromeland explained that 20% of the units need to be at 50% of the median income standard. This translated to 13 of the 64 units must meet the above-mentioned standard.
- Council Member Whittington moved, seconded by Council Member Rohrich, to approve the rezoning as recommended by the Planning Commission which includes the area to be re-zoned R-4 is for 8-plex structures, the area to be re-zoned R-2 is for twin homes, and the area to be re-zoned R-1 is for signal family homes. The motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor. Council Member Steinberg voted in opposition.

3. Recommendation from Planning Commission for Parcel ID #R12.10.18.400.013

- Administrator Bromeland stated an application for a preliminary plat was received from Troy Schrom to plat land that he owns (R12.10.18.400.13) for the Fox Meadows Housing Development that is currently located in City limits. Notices of the public hearing was published in the newspaper and mailed to residents within 350 feet of the parcel. A public hearing was held at the September 10th Planning Commission meeting.
- One resident provided feedback at the public hearing with respect to safety concerns about children crossing Agency Street in this area and the speed of vehicles. Since public hearing, a letter has been received from Eugene and Joyce Bruender, who live at 425 S. Agency Street. In their letter, they identify some items of concern as it relates to placement of sidewalk on Blace, the driveway on the south side of their property to Blace Avenue, trees on the south side of their property that may be impacted by the right of way, and a filed tile on the east side of their property.
- The City's engineer with Bolton and Menk has been involved with the review of the concept plan and preliminary plat. Mr. Sarff was asked to review the preliminary plat and provide his feedback as it relates to street and utility infrastructure requirements and city standards. The Planning Commission recommends that the Preliminary Plat be approved with the recommendations from the City's engineer for street and utility infrastructure requirements.
- Mr. Sarff explained there was no firm resolution at the Planning Commission meeting regarding sidewalks and safety but there had been talk of a Thomas Drive crossing with the Agency Street project, however, Blace may now be a better location for the crossing.
- Discussion included the need to look at providing safe access to children to get to school and play areas. There is a need to look at the speed of traffic on Agency Street, consider stop signs and general traffic flow and bud stop locations. It was asked if the pedestrian connectivity study could look at this. The pedestrian connectivity study is planned to go before Council at the November meeting. Discussion included the possibility of flashing signs along Agency Street.
- John Schulte, a representative for Troy Schrom, stated within the development there will be sidewalks on every street as required by City Code.
- Mayor Auringer stated before Council is the preliminary plat and that modifications can be made with the final plat.
- Administrative Bromeland stated in a phone call today with Mr. Schrom discussion included the need to ensure that easements are not encroached upon, and parkland and parkland dedication fees need to be determined.
- Mr. Michels previously expressed concern with potential project changes and Council's density concerns were discussed and the desire to address these in the developer's agreement.

- Mr. Sarff answered questions regarding infrastructure needs with this project and explained that he has looked at existing infrastructure and stated it was sized with future growth in mind. Storm water run off has been taken into consideration and a controlled discharge and been included with this project.
 - The current plans include .38 acres for parkland in the area currently in city limits. The City will follow the park land dedication calculation in code.
 - County Commissioner Kip Bruender addressed speed concerns on Agency Street and explained that if a speed study is requested, it could result in speeds being lowered or increased and this is a risk of such a study. Mr. Bruender recommended that the City work with Ryan Thielges at Blue Earth County and stated that the County may be able to assist the City with cost sharing options.
 - Council Member Whittington moved, seconded by Council Member Rohrich, to approve the preliminary plat. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
4. Developer's Agreement for Fox Meadows
- Chris Kennedy stated he has meet with Mr. Schrom and his attorney to work on the developer's agreement and that good progress has been made and that there are existing items to still be worked out.
 - Administrator Bromeland explained that the developer's agreement can be approved concurrently with the final plat.
 - Troy Schrom explained it is his intention to begin phase 1 this fall with completion in 2023, phase 2 would include the 8-plex units to the east.
5. Recommendation to Hire Andrew Hartman of the New Public Works Director
- Administrator Bromeland explained that a hiring committee, comprised of Mayor Auringer, Council Member Steinberg, Public Works Director Brian Goettl, Jess Steinke with the MN Valley Council of Governments and herself recently interviewed two finalists for the position of Public Works Director. The hiring committee recommends that Andrew Hartman be hired a Public Works Director. Mr. Hartman's current title with the City is Public Works Supervisor.
 - She went on to explain that with the current Public Works Director retiring on February 10, 2023, the hiring committee recommends that Mr. Hartman be given the title of Public Works Director in training, effective immediately, and that he be placed at Grade 11, Step 1 on the pay schedule as he trains alongside Mr. Goettl and that Mr. Hartman will have opportunities to advance up the pay scale with satisfactory performance evaluations.
 - Council Member Steinberg moved, seconded by Council Member White, to hire Andrew Hartman as Public Works Director. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
 - Discussion included the budget effects on paying two Directors wages until Mr. Goettl retires. Administrator Bromeland said that it is a concern but that the City Council wanted to advertise and fill the position quickly to promote a smooth transition and to minimize service impacts of being short staffed and that was what was done and that is a drawback. It was noted that the department has had a vacant part-time position and it is hoped that wages will be at or below what is budgeted by year end but that it is a budget and this wasn't something that was planned for when the budget was set last December.
6. Commence Hiring Process for Full-Time Public Works Worker
- Administrator Bromeland stated that with the promotion of Andrew Hartman to Public Works Director and the upcoming retirement of Public Works Director Brian Goettl, another full-time public works worker is needed. Given the current hiring environment and labor shortage concerns, City staff recommend to commencing the hiring process now. If approved, and advertisement can be posted as "open until filled" so

that the City retains flexibility about when it feels ready to schedule interviews based on the applications received. The goal is to hire a full-time employee yet this fall so that they can be trained and ready to assist with snow removal and help ensure a smooth transition. Ideally, interviews would be scheduled for late October, and if possible, have a recommendation to hire for the November 7th City Council meeting.

- Council Member White moved, seconded by Council Member Whittington, to authorize the hiring process for a full-time Public Works Worker. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

7. Police Department Staffing

- Police Chief John Kopp presented the pros of hiring a fourth full-time police officer, some of which include the additional police coverage and a quicker response times compared to having an officer on-call. He also stated he has concerns with retention due to higher wages in surrounding communities but feels positions with the City of Eagle Lake can be positively promoted. He also stated he would still like to keep in mind the need for a third squad in the future as the City continues to grow.
- Council discussion included that a 4th full-time position has been included in the budget but that the City can not pay the same wage of larger cities. Weekend coverage was discussed stating this is when the most people are in Eagle Lake and moving around. Additional squad needs can be discussed at a future time.
- Administrator Bromeland stated she has been surveying other cities and feels Eagle Lake needs to keep in mind the entire compensation package, including benefits. She stated that Eagle Lake has implemented a practice of offering the opportunity for new employees to quickly move through the first three steps of the pay scale with satisfactory performance reviews during the first year of employment.

8. Community Development Coordinator Position

- Administrator Bromeland stated funding for this position is included in the 2023 preliminary budget which was adopted on September 26th. Given the current hiring environment and labor shortages, it may be worthwhile to begin advertising soon to gauge interest in the position.
- Administrator Bromeland explained that staffing levels need to keep up with the demands and growth pressures that we will continue to encounter as a growing community. It was her recommendation to hire someone dedicated to planning and zoning and economic development. Each of these functions deserves sufficient time and attention for thorough study and review. The current workload is becoming unmanageable with the many other day to day demands and expectation. The current set up is not sustainable as the community continues to grow and expectations for services and amenities increase. Even if Eagle Lake were not a community poised for continued growth, it would be forward thinking to hire someone dedicated to these functions to have the ability to be proactive in planning and economic development. Given Eagle Lake's proximity to Mankato and North Mankato and continued growth, hiring a position for planning and economic development is long overdue.
- Due to labor conditions, a formal inquiry was submitted to the South Central Service Cooperative (SCSC) asking for an intern to complete a project involving a zoning code update, something that is needed. SCSC replied that they will begin looking for a student intern. There is no cost to the City of Eagle Lake to participate in the intern project unless the city wishes to pay above the \$12 per hour that SCSC will reimburse. There is no guarantee that an intern will be available for this project, but SCSC is currently working to find an intern for this purpose.
- If the City is unable to fill a Community Development Coordinator position, Administrator Bromeland suggested we may want to consider utilizing a consultant on an as needed basis for more complex and time-consuming work and projects. City staff will work to obtain updated proposals from consultants that provide economic development and planning services as another option to consider.
- A hiring timeline was presented with an the hiring process commencing in October or November.

- Council Rohrich moved, seconded by Council Member Whittington, to begin advertising for this position. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

9. 4M Investment Fund for EDA Funds

- Administrator Bromeland explained that as the EDA fund continues to grow, the EDA was asked to consider investing funds in a certificate of deposit or money market until the money is needed for an economic development related project. Discussion took place at the recent EDA meeting about investing \$200,000 of its funds with the League of Minnesota Cities 4M Funds. The 4M fund is fluid and there are no penalties for withdrawing funds as needed. The EDA recommends that \$200,000 of their \$246,540.94 be invested in the LMC 4M Fund.
- Council Member Steinberg moved, seconded by Council Member White, authorizing the invest of \$200,000 of the EDA's funds in the 4M Fund. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

10. KJ Walk Supplemental Agreement

- Brian Sarff with Bolton and Menk provided an update on the KJ Walk Supplemental Agreement stating there has been onsite digging with the pond to build the pond to full capacity, grading has been done, but it has not been seeded. On the To Do list is the final lift of bituminous and restoration work. A schedule for the remaining items has been requested several times and responses have been vague. Per the agreement, work was to be completed by September 30, 2022. Mr. Sarff also stated the agreement is clear that restoration work must include 6 inches of clean top soil and Bolton and Menk is watching this.
- Discussion included to make sure the City does not formally accept the project until all work has been completed. City road snow removal services were discussed since the project has not yet been accepted. Discussion included the need to charge for this service, in an amount greater than last year since the roads will not need to be plowed curb to curb in a timely manner since people are living in the development.

11. Amend Check Signing Policy

- Administrator Bromeland explained that Mayor Auringer asked to review the City's check signing policy as it relates to processing and signing checks mid-month in between meetings. The City's Deputy City Clerk recommends that we designate one day a week (e.g. Wednesday) to sign checks for invoices that arrive after a council meeting with a due date that occurs before the next meeting. City staff recommends that the check signing policy be amended to include the ability to process and sign checks mid-month that come in after a council meeting and that are due before the next meeting to avoid incurring late fees. Paying invoices electronically is another option. All checks and electronic payments processed mid-month are included in the council packet bills list for retroactive approval as has been the practice for many years.
- Deputy Clerk Kerry Rausch explained that she ran a listing of all vendors paid between council meetings this year and contacted the most frequently paid, asking if due dates could be changed. All responded by saying their dates are set and cannot be changed. Ms. Rausch stated she contacted the City's auditors to see if they had any recommendation. The auditors addressed MN Statute 471.4725, subd. 4 which stated that any late payments must include a 1.5% interest rate. She also explained that she is now going online to print invoices that are cut between meetings to get them electronically where possible.
- Council Member Rohrich stated they have this same issue with their business and that vendors are set in their due dates.
- Mayor Auringer asked if checks could be cut twice a month, once for the council meeting approval and a second between council meetings. Deputy Clerk Rausch indicated this should work but mentioned issues could arise such as when Council meetings are delayed due to holidays.
- Council Member Rohrich moved, seconded by Whittington, to include in the check signing policy the authorization to issue checks twice a month. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

12. Set Election Canvassing Board for November 17th or 18th

- Administrator Bromeland explained that after each general election local jurisdictions needs to certify the local election results through a Canvassing Board and that Eagle Lake has historically utilized the current City Council to serve as the Canvassing Board. The City must certify their local election results between November 11-18th; however, Blue Earth County must first certify their results which will take place on November 16th.
- City Council set Friday, November 18th at 7:30 a.m. for the canvassing board to meet to certify the local 2023 election results.

13. Towards Zero Death Resolution

- Chief Kopp stated the TZD grant was received for 2022-2023. A resolution stating Eagle Lake will be participate in this grant program is needed. Officers need specialized training to participate in this program and Officer Guillemette is participating in this training. The goal is to make the most impact with these shifts and create high visibility.
- Administrator Bromeland explained that TZD shifts can take place both in town and on Highway 14.
- Council Member Rohrich moved, seconded by Council Member White to adopt Resolution 2022-39. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

14. Extrication Equipment Quotes from Fire Department

- Fire Chief Vern Simpson and Trent Talle provided an updated quote for battery operated extrication equipment from Clarey's Safety Equipment in the amount of \$26,337. Of the \$59,370 included in the 2022 fire budget for capital outlay expenditures, there is a balance of \$25,837.89 remaining. The Fire Department proposes to utilize gambling funds to close the gap between what's available in capital outlay and the quote. Mr. Simpson explained that the ram and equipment will be removed from items requested to be purchased. It was explained that the current equipment works well but newer vehicles have reimbursement zones which make the current equipment difficult to use and new equipment would allow for fast rescue. This equipment would be stored on the rescue vehicle.
- Council Member Steinberg moved, seconded by Council Member White to authorize the purchase of the battery-operated extrication equipment. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

OTHER

1. Council Goals

- Council members who have not submitted their goals were encouraged to do so, so that they could be brought to the November City Council meeting.

CITY ADMINISTRATOR REPORT

1. The upcoming builders workshop will be held October 12th at City Hall from 1-2:30 p.m. with local builders. A representative from MPCA will be on hand to help present information about construction stormwater (CSW) requirements.
2. The storm drain stenciling event took place on September 14th in the Eagle Heights subdivision. Over twenty volunteers were on hand comprised of the Eagle Lake Area Lions Club, Girl Scout Troop 34497, and other community volunteers.
3. A second proposal for a copier has been received from River Bend Business and was reviewed at the meeting. Loffler's proposal came in lower.

4. A meeting has been scheduled with Bolton and Menk engineers John Graupman and Brian Sarff to review the findings of a recent well report relating to the Water Treatment Plant Project. The report will indicate whether there is a potential to drill 1-2 wells at the proposed site.
5. The Fire Department will hold an open house at the Fire Hall on October 9th from 1-3 p.m.. This year's theme for fire prevention week is "Fire Won't Wait. Plan Your Escape".
6. Fall Cleanup is scheduled for Saturday October 15th from 8:00 p.m. to noon at Lake Eagle Park.
7. Leaf collection will begin on October 17th. The town will be divided into two zones with Zone 1 being Mondays and Wednesdays and Zone 2 being Tuesdays and Thursdays.
8. The consultants working on the pedestrian connectivity study will be at the November 7th City Council meeting to present the final report.

COUNCIL REPORTS

1. Mayor Auringer asked about the status of the Ragan sewer project. Administrator Bromeland explained that an easement was not obtained so the scope of the project was reduced. A bill from Bromeling will be presented for payment at the November City Council meeting. It will be up to the Ragans' to determine a method to connect. Administrator Bromeland will reach out to other property owners with a letter.
2. Mayor Auringer asked about the property at Parkway and Third Street. Administrator Bromeland explained that Mr. Bales has one year left to pull a building permit.
3. Mayor Auringer asked if there would be any benefit to the City purchasing a street sweeper due to MS4 requirements. Public Works Director Brian Goetl stated that sweepers are high maintenance equipment and that the new leaf vac equipment is able to clean catch basins and gutters. Mr. Goetl also explained that in the past the city has contracted for street sweeping twice a year and could consider this again to remove sand and gravel from roadways. The City has the Toolcat which can be used to remove small amounts of sand. Discussion included the desire to consider sweeping roadways earlier to prevent winter sand from flowing into the storm drains as the snow melts.
4. Council Member White asked that Council consider bringing Randy King, a building inspector, before Council to learn what services he may be able to provide the City. Discussion included that it is always good to bring in comparisons, but that it is also good to work with someone who knows the City. Council asked that Mr. King be invited to attend a City Council meeting.

ADJOURNMENT

- Council Member White moved, seconded by Council Member Steinberg, to adjourn the meeting at 9:15 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
PARK BOARD MEETING
Thursday October 13, 2022**

Call to Order

The meeting was called to order by Chair Horkey at 6:48 a.m.

Members Present: Beth Rohrich, Don Wesley, Jeremey Horkey, Tim Auringer, and Joan Back

Staff Present: Jennifer Bromeland, Brian Goettl, and Kerry Rausch

Treasurer's Report

The treasurer's report was presented.

Business

1. Park Survey Results and Next Steps

- The results of the park survey were included the packet.
 - a. Pavilion
 - Discussion included the desire to gather design ideas and costs.
 - A concept plan from J.R. Murilla Construction was received about one and a half years ago with the cost being approximately \$28,000
 - The following items were discussed as options to include with the pavilion project: an ADA compliant family restroom, possible wind protection, electrical needs, a serving counter, connecting the restrooms to the pavilion, additional storage space, and seating outside of the pavilion structure. If garage doors are included the preference was the roll-up door style. The existing slab would need to be replaced.
 - The green space off LeSueur was to be parking at one time. If a parking lot is ever added in this location a pavilion may want to be added at that area as well.
 - Other area parks and their amenities was discussed, some of which cost between \$300,000-\$500,000 to construct.
 - If a parking lot is developed off of LeSueur there would not be a need to install parking in center of park. connect restroom to pavilion. Could then have a storage area as well.
 - Public Works staff can work with Bolton and Menk to get a preliminary layout for a parking lot and to determine if the existing restrooms will need to be updated with this project if we add a new restroom onto the existing structure. Staff may want to issue an RFP for the pavilion and restroom project.

2. Fox Meadows Housing Development

- Park Dedication Discussion
 - a. Fox Meadows Housing Development
 - City staff reviewed park land dedication requirements for new subdivisions and asked for the Park Board's input about whether there is an interest for a park in the portion currently in city limits. It was noted that the concept plan includes a small area designated as a potential park for parkland. It was explained there is a formula requiring a certain percentage of land or money in lieu of land to be dedicated.
 - Discussion included possible uses of this parkland and the fact that it is difficult for the City of find and purchase additional land for parks once the developments are constructed. Once parkland is dedicated to the City it cannot be sold.
 - Chair Horkey made a recommendation that the proposed parcel designated as parkland totaling .38 acres be dedicated to the City. Mayor Auringer seconded the recommendation. No Park Board members objected to this recommendation.

- Future parkland needs were discussed, and it was mentioned that the City is looking at a location for a water tower and water filtration plant. Consideration has included looking to purchase enough land for future recreational areas.

3. Dog Park

a. Girl Scouts Project and Funds for Future Improvements

- The Girl Scouts have finished their project which included a platform with ramps on both sides for dogs to go up, mulch has been laid, the hydrant painted, as well as a smaller culvert, in small area if the dog park, with steps for dogs to go across.
- The Girl Scouts will be donating the unused donated funds from this project, approximately \$1,300, to the City which will be restricted for dog park improvements, repairs, and signage.
- The project turned out really nice.

4. Miscellaneous Parks Updates (Public Works)

a. Eagle Heights

- Trees - Two trees for Eagle Heights Park will be installed today and a third tree will be planted by the Waible memorial bench along Parkway Avenue.

b. Lake Eagle

- MAYBA is working on the baseball field. They have removed the lime and will be laying grass. The new shed has been delivered and the old shed will be removed. Jeremy Horkey asked if he could receive a key to the shed to store t-ball equipment.

c. Fraze

- Playground Edging – Public Works staff have the edging and will install next spring. It will be trenched in about 6 inches.
- Slide - This park needs a big slide installed and the wood playground structure needs maintenance. The Public Works staff was asked to obtain pricing and estimated delivery time so that a decision can be made this winter to allow for the slide to be installed in the spring.
- Park Board members were asked to visit the City's parks and determine park needs before the next meeting to help determine what needs to be planned for next spring.

d. 3 on 3

- Don Wesely explained the success of this project and stated that girls did not participate much. Discussion included the desire to continue this programming in 2023 and that age groups and times of activities may need to be reviewed and adjusted, possibly taking into consideration working parents' schedules. The desire to include this and other recreational opportunities in the Community Education booklet was discussed.

e. Fitness Opportunities

- Jeremy Horkey stated he has been talking to a Yoga and Zumba instructor who is willing to hold Zumba classes in Eagle Lake once a location can be found. The desire to hold this and other community activities at the school was discussed.

f. Holiday Lights

- The Park Board would like judging to occur later in the holiday season, possibly the second week in December, and to have community members vote on their favorite.

g. Hockey Rink

- The hockey rink was pressure washed and now waiting to be painted.

h. Sports Complex – Discussion occurred about the desire to attract a sports complex to Eagle Lake, but due to costs of such a project investor would need to be secured.

i. Recreation Sub-committee - Don Wesely asked if a Park Board sub-committee could be formed to brainstorm recreational ideas for the City.

CITY OF EAGLE LAKE

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*Check Summary Register©

October 2022

Name	Check Date	Check Amt	
10100 Cash			
1587e MN DEPT OF LABOR & INDUSTR	10/3/2022	\$672.58	3RD QTR BLDG PERMIT SURCHARGE
1588e MN DEPT OF REVENUE	10/3/2022	\$1,762.00	SEPTEMBER SALES AND USE TAX
1589e AFLAC	10/3/2022	\$146.76	SEPTEMBER PREMIUM
1590e PSN	10/3/2022	\$607.55	SEPTEMBER FEES
1591e PERA	10/12/2022	\$4,788.34	BW 10-13-22
1592e WEX HEALTH INC.	10/12/2022	\$248.64	BW 10-12-22
1594e PERA	10/21/2022	\$32.50	MO 10-22
1595e PERA	10/24/2022	\$4,971.72	BW 10-27-22
1596e WEX HEALTH INC.	10/24/2022	\$248.64	BW 10-27-22
1597e AFLAC	10/26/2022	\$146.76	October Premium
44748 SUPERIOR CAR WASH	9/8/2022	(\$135.00)	SQUAD CAR WASH COUPONS
44817 ARAMARK	10/3/2022	\$36.79	
44818 CARRIAGE REPAIR INC	10/3/2022	\$279.79	2021 EXPLORER OIL CHANGE & OIL LEAK
44819 CHRISTOPHER KENNEDY	10/3/2022	\$1,017.00	
44820 CONSOLIDATED COMMUNICATI	10/3/2022	\$579.11	ACCT 507-052-1848
44821 EAGLE EXPRESS	10/3/2022	\$1,795.30	SEPTEMBER FUEL
44822 HARRISON TRUCK CENTER	10/3/2022	\$10.34	REPAIR
44823 MATHESON TRI GAS INC	10/3/2022	\$70.78	
44824 NATIONAL FIRE PROTECTION A	10/3/2022	\$486.95	OPEN HOUSE SUPPLIES
44825 SAFETY & SECURITY CONSULA	10/3/2022	\$770.00	BRITTON-BASIC FIREFIGHTER COURSE
44826 SOUTH CENTRAL COLLEGE	10/3/2022	\$520.06	HIETNER-1sr RESPONDER INITIAL
44827 TEAM LAB	10/3/2022	\$476.25	
44828 UC LABORATORY	10/3/2022	\$272.49	
44829 UNITED STATES POSTAL SERVI	10/3/2022	\$289.00	FAL NEWSLETTER POSTAGE
44830 ADP, LLC	10/19/2022	\$387.15	
44831 BCBS OF MN	10/19/2022	\$13,553.62	NOVEMBER PREMIUM
44832 BHE COMMUNITY SOLAR LLC	10/19/2022	\$3,755.06	SOLAR GARDEN
44833 CASEYS BUSINESS MASTERCARD	10/19/2022	\$1,058.39	
44834 DELTA DENTAL OF MN	10/19/2022	\$313.65	NOVEMBER PREMIUM
44835 PRINCIPAL LIFE INSURANCE CO	10/19/2022	\$146.84	OCT/NOV PREMIUM
44836 US BANK EQUIPMENT FINANCE	10/19/2022	\$114.00	
44837 Verizon Wireless	10/19/2022	\$277.27	
44838 WEX HEALTH INC.	10/19/2022	\$22.00	SEPT SERVICE FEE
44839 AFFORDABLE TOWING OF MAN	10/31/2022	\$340.00	POLICE IMPOUND
44840 ARAMARK	10/31/2022	\$263.66	
44841 BADGER METER	10/31/2022	\$815.34	Hosting Service
44842 MN BCA	10/31/2022	\$600.00	CJDN Access Fee
44843 BENCO ELECTRIC	10/31/2022	\$511.91	STREET LIGHTING
44844 BLUE EARTH COUNTY FINANCE	10/31/2022	\$1,005.50	3rd Quarter Fees
44845 B. E. COUNTY SHERIFFS DEPT	10/31/2022	\$1,120.00	3rd Quarter Records
44846 BOLTON & MENK INC	10/31/2022	\$13,224.00	Well Assessment Report/Water Treatment Pla
44847 BOUND TREE MEDICAL LLC	10/31/2022	\$351.40	
44848 BROMELING EXCAVATING INC	10/31/2022	\$28,811.50	Hydrant Installation
44849 C & S SUPPLY CO INC	10/31/2022	\$267.93	
44850 CENTER POINT ENERGY	10/31/2022	\$152.73	
44851 CITY BUILDING INSPECTION SR	10/31/2022	\$5,441.01	
44852 COMPUTER TECHNOLOGY SOL	10/31/2022	\$22.00	
44853 CONSOLIDATED COMMUNICATI	10/31/2022	\$577.38	ACCT 507-052-1848/0
44854 CORNERSTONE STATE BANK	10/31/2022	\$30.00	Safe Deposit Box Rent
44855 DRUMMERS GARDEN CENTER	10/31/2022	\$251.98	Trees for Eagle Heights Park
44856 EAGLE LAKE FIRE RELIEF ASSO	10/31/2022	\$1,307.00	City Contribution
44857 FREE PRESS	10/31/2022	\$42.34	Chapter 2 Ordinance Change-Mayor Council W
44858 FRESH START CLEANING AND	10/31/2022	\$100.00	September Service
44859 GOPHER STATE ONE CALL	10/31/2022	\$110.70	September Charges

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CITY OF EAGLE LAKE

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*Check Summary Register©

October 2022

Name	Check Date	Check Amt	
44860	GUILLETTE, CONNOR	10/31/2022	\$357.04 Clothing Reimbursement
44861	HARRISON FORD	10/31/2022	\$10.34
44862	HAWKINS	10/31/2022	\$4,098.51
44863	J.R. BRUENDER CONSTRUCTIO	10/31/2022	\$245.00 Skating Rink Location
44864	JENSEN, DUSTIN	10/31/2022	\$57.02 Clothing Allowance
44865	JOHN KOPP	10/31/2022	\$482.13 Reimburse Lodging for Guillemette Training
44866	LJP ENTERPRISES	10/31/2022	\$10,951.30 Small=942 Large=120
44867	MADDEN GALANTER HANSEN	10/31/2022	\$40.00 September Services
44868	MANKATO CLINIC	10/31/2022	\$208.59 Wallert Pre-employment screening
44869	CITY OF MANKATO	10/31/2022	\$25,372.77 Sanitary Sewer Fee
44870	MATHESON TRI GAS INC	10/31/2022	\$169.72
44871	MENARDS	10/31/2022	\$1,451.05
44872	METRO SALES INC	10/31/2022	\$1,528.16 3rd Quarter Charges
44873	MN PUMP WORKS	10/31/2022	\$2,908.45 Install Temporary Controller
44874	MINNESOTA WASTE PROCESSI	10/31/2022	\$8,774.07 September Collection
44875	PLUNKETTS PEST CONTROL	10/31/2022	\$100.21
44876	RUSTMAN, JODY	10/31/2022	\$100.00 Refund of Chamber Rental
44877	SANDEY, STEVE	10/31/2022	\$356.74 Confernece Reimbursement
44878	SCHWICKERTS	10/31/2022	\$1,717.00 Pump #3 Compressor
44879	SIMPSON, VERN	10/31/2022	\$1,293.12 Confernece Expenses
44880	SOUTH CENTRAL SERVICE COO	10/31/2022	\$616.25 Planning & Zoning Assistance-Fox Meadows
44881	ST. CROIX RECRETION FUN PLA	10/31/2022	\$3,994.28 PICNIC TABLES, BENCHES, GARBAGE REC
44882	STAPLES BUSINESS ADVANTA	10/31/2022	\$212.31
44883	STREICHERS	10/31/2022	\$265.00 Wallert-Clothing
44884	TALLE, TRENT	10/31/2022	\$1,266.80 Conference Reimbursement
44885	VAN ASTEN, JESSIE	10/31/2022	\$200.00 Fall Newsletter Design Work
44886	XCEL	10/31/2022	\$3,755.04
Total Checks			\$165,599.61

FILTER: ((([Act Year]='2022' and [period] in (10))) and ((([Check Nbr]>0 and not EFT and not [Source] like 'PAY?????????.??') or [EFT])) and [Cash Act]='10100')

CITY OF EAGLE LAKE

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*Check Summary Register©

October 2022

Name	Check Date	Check Amt	
10101 EDA Cash			
18e 4M PLUS	11/1/2022	\$200,000.00	Transfer out to 4M Investment
473 GREATER MANKATO GROWTH-I	10/31/2022	\$30.00	Annual REDA Meeting
	Total Checks	\$200,030.00	

FILTER: ((([Act Year]='2022' and [period] in (10))) and ((([Check Nbr]>0 and not EFT and not [Source] like 'PAY?????????.??') or [EFT])) and [Cash Act]='10101')

Pay Dates 10/13/2022, 10/27/2022

Payroll Name	Pay Date	Net Pay
Auringer, Mandy L	10/13/2022	777.12
Auringer, Mandy L	10/27/2022	777.13
Auringer, Timothy A	10/27/2022	304.04
Bromeland, Jennifer J	10/13/2022	2,792.61
Bromeland, Jennifer J	10/27/2022	2,792.61
Goettl, Brian K	10/13/2022	1,908.39
Goettl, Brian K	10/27/2022	1,765.37
Guillemette, Connor M	10/13/2022	1,329.73
Guillemette, Connor M	10/27/2022	1,668.76
Haber, Jerald L	10/13/2022	185.31
Hartman, Andrew R	10/13/2022	1,718.68
Hartman, Andrew R	10/27/2022	1,737.03
Jensen, Dustin D	10/13/2022	1,582.69
Jensen, Dustin D	10/27/2022	1,731.02
Konz, Noah J	10/27/2022	36.94
Kopp, John A	10/13/2022	2,254.48
Kopp, John A	10/27/2022	2,251.92
Nicklay, Michael L	10/13/2022	1,172.37
Nicklay, Michael L	10/27/2022	1,215.80
Rausch, Kerry L	10/13/2022	1,286.58
Rausch, Kerry L	10/27/2022	1,158.18
Rohrich, Elizabeth K	10/27/2022	207.79
Simpson, Vern L	10/27/2022	199.40
Steinberg, Garrett R	10/27/2022	207.79
Wallert, Tyler E	10/13/2022	1,046.08
Wallert, Tyler E	10/27/2022	1,102.10
White, Anthony D	10/27/2022	207.79
Whittington, Johnnie L	10/27/2022	207.79

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Wire Transfers Made in 2022

Date	<u>Description</u>	<u>Initiated by</u>
10/12/2022	Initiated \$200,000 from EDA account with Cornerstone to 4M EDA account. Transaction will be completed on 10-14-22. Council approved investment at Oct 7th meeting.	Kerry

Officer Wallert training is progressing nicely. He will be starting to drive his own car in November with another officer out with him in a separate car to finish up his training. I am hopeful Officer Wallert will be able to done with training sometime in the middle of December.

We didn't have any major issues over Halloween. It was a quiet Halloween. We had an officer up at the Legion helping with the Halloween party.

We will be participating in the Towards Zero Deaths (TZD) DWI enforcement wave. The wave starts on November 23rd and runs thru the end of the year.

If the Council has any questions or concerns, please feel free to contact me at 507-257-3110 or at elpd@eaglelakemn.com.



Chief John Kopp
Eagle Lake Police Department

Eagle Lake Police Department Accumulative Report

Suspicious Cir.	5	0	3	1	2	3	1	5	2	5	27
Suspicious Person	1	1	2	2	1	1	4	5	1	5	23
Suspicious Vehicle	3	2	2	4	6	4	5	4	0	7	37
Thefts	0	0	0	1	1	0	2	0	1	1	6
Threats	0	0	0	0	1	0	0	1	1	0	3
Warrants Serv.	0	1	1	0	0	1	0	2	1	2	8
Weapons	0	0	0	0	0	0	1	0	1	0	2
Welfare Check	1	3	6	2	5	1	6	3	4	10	41
Total ICRS	177	186	225	255	276	195	185	220	196	187	2102
Total Mileage											
2021 Explorer	6449	8152	10102	11952	13811	15900	18070	20682	23449	25371	
2020 Explorer	36,841	37,651	38,695	39,532	40,741	42,300	44,126	46,955	48,447	50,363	
Monthly Mileage											
2021 Explorer	1,741	1,703	1,950	1,850	1,859	2,089	2,170	2,612	2,767	1,922	
2020 Explorer	1,271	810	1,044	837	1,209	1,559	1,826	2,829	1,492	1,916	

ELFD FIRE CHIEF'S REPORT

Monthly safety message: Follow these holiday fire safety tips

Hazards in homes increase during holidays

From Halloween through the new year, we enjoy many holiday traditions with family and friends. Festive celebrations, Jack-o-lanterns, flickering lights, holiday candles, a glowing fireplace and baking are some of the customs that are associated with the end-of-year seasons.

While your home may look and feel more magical, holiday additions can increase home fire hazards. Below are tips to help safely enjoy these holiday embellishments without the worry of an incident:

Candles and Fireplaces:

- Keep curtains and holiday decorations at least three feet away from candles.
- Blow out candles before leaving the house.
- Keep decorations, rugs and clothing at least three feet away from the fireplace.
- Use a fire screen to create a protective barrier and keep embers from escaping.
- Make sure the fire is fully extinguished before going to bed or leaving the house.
- Use battery-operated candles when possible.

When cooking and baking, remember to:

- Keep children and flammable items, such as dish towels and grocery bags, away from the stove and oven.
- Set timers to alert you when food has finished cooking.
- Ensure your turkey is fully thawed if you are using a turkey fryer. Follow the manufacturer's instructions for your fryer and keep the fryer away from structures and trees.



Decorations:

- Follow the "rule of three" when using a power strip – no more than three items/electronics should be plugged in at one time.
- Discard broken or worn light strings.
- Always unplug indoor and outdoor lights before going to sleep or leaving the house.
- Use clips, not nails, to hang lights to prevent damage to the cords.
- Do not run light strings through windows or doors.
- Use caution and have someone with you when using a ladder to install decorations. Place the ladder on stable ground, and wear shoes with traction.

Don't let your joyous festivities turn into accidents. Make fire safety a priority as we enter into the holiday season.

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EAGLE LAKE FIRE DEPARTMENT 2022 CALL REPORT

TYPE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	% OF TOTAL
Assist Law Enforcement	-	-	-	1	-	-	1	-	-	-	-	-	4	2.6%
Explosion (No Fire)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fire (Commercial)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fire (Residential)	-	-	-	-	1	-	-	-	-	-	-	-	1	0.6%
Fire (Standby)	-	-	-	-	-	1	-	-	-	-	-	-	1	0.6%
Fire (Vehicle)	-	-	-	-	-	1	-	-	-	1	-	-	2	1.3%
Fire (Wildland)	-	-	-	-	-	-	-	-	1	-	-	-	2	1.3%
Fire Alarm	1	2	2	-	-	1	-	-	-	-	-	-	6	3.9%
Fire Assist	-	1	3	-	-	-	-	-	-	-	-	-	4	2.6%
Fire CO	-	-	3	-	-	1	-	-	-	-	-	-	4	2.6%
Fire False Alarm	-	-	1	1	1	-	-	-	-	-	-	-	3	1.9%
Fire Mutual Aid	-	2	-	-	-	3	-	-	-	-	-	-	5	3.2%
Gas Leak	-	-	-	-	1	-	-	-	-	-	-	-	1	0.6%
Hazardous (No Fire)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Medical (Cancelled)	-	-	-	2	-	-	-	-	-	1	-	-	3	1.9%
Medical (Response)	11	6	11	6	6	9	7	8	9	12	-	-	85	54.8%
Medical Lift Assist	-	-	-	-	-	1	2	1	2	1	-	-	7	4.5%
Missing Person Search	-	-	-	-	3	-	-	-	-	-	-	-	3	1.9%
Motor Vehicle Accident w/Injury	1	-	-	-	2	-	2	2	1	-	-	-	8	5.2%
Motor Vehicle Accident w/o Injury	-	-	-	-	-	1	-	-	-	-	-	-	1	0.6%
Motor Vehicle Accident (Fatality)	-	-	-	-	1	-	-	-	1	-	-	-	2	1.3%
Odor Investigation	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Power Lines	-	-	-	-	-	-	-	-	2	-	-	-	2	1.3%
Rescue (Entrapment/Machinery)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rescue (Grain Bin)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rescue (Water)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Smoke Investigation	-	-	-	-	-	-	-	-	1	1	-	-	2	1.3%
Smoke/CO Detector Malfunction	-	-	-	-	-	-	2	-	-	1	-	-	3	1.9%
Special Incident	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Weather	-	-	-	1	5	-	-	-	-	-	-	-	6	3.9%
Total	13	11	20	12	20	18	14	12	17	18	-	-	155	100%
RESPONSE AREA														
Eagle Lake	11	9	19	9	7	13	11	11	15	15	-	-	120	77.4%
St. Clair	-	-	-	-	-	1	-	-	-	-	-	-	1	0.6%
Good Thunder	-	-	-	-	-	1	-	-	-	-	-	-	1	0.6%
Kasota (Lime Twp)	-	1	-	-	-	-	-	-	-	-	-	-	1	0.6%
Le Ray TWP	-	-	-	-	-	1	1	-	3	3	-	-	8	5.2%
Madison Lake (Le Ray Twp)	2	1	1	-	8	-	-	-	-	-	-	-	12	7.7%
Mapleton	-	-	-	-	-	1	-	-	-	-	-	-	1	0.6%
Mankato	-	-	-	-	-	-	1	-	-	-	-	-	1	0.6%
Mankato Twp	-	-	-	3	4	1	1	1	-	-	-	-	10	6.5%
Total	13	11	20	12	19	18	14	12	18	18	-	-	155	100%

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Andrew Hartman
Public Works Director
90 LeRay Avenue
Eagle Lake, MN, 56024
(507)257-3218
elpw@eaglelakemn.com

November, 2022

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

From: Andrew Hartman Public Works Director

It has been recommended by Thein Well, who does our annual well services for the city, that we do a rehab of well #3 in 2023. Well 3 has had a decline in a few areas that are a concern to Thein well, the specific capacity of the well and the pump rate have been declining since 2014, more noticeably in the last three years, and is now getting to be a concern. The city has some funding to help offset the cost of this project that we should consider.

The city should also look at replacement of pump #3 at the main lift station with the funding available. Pump # 3 is roughly 14 years old and has about 8,000 pumping hours on it. MN pump has also suggested replacement of pump 3 in the near future, and we thought with funding, it is a perfect time to replace.

Water: We have completed our fall watermain flushing. Jennifer and I have been meeting with John from Bolton and Menk about the SCADA system and water tower rehab.

Sewer: We had the controls fail at the main lift station earlier this month, we worked with MN Pump Works to get a temporary control panel installed. The SCADA system is the solution for the faulty control panel.

Streets: We will be getting the snow equipment put together and installed. We are working on a list of street repairs for the 2023 season.

Parks: We have planted two trees at Eagle Heights park and have been keeping them watered. We had to take the metal slide down at Frazee park and will be bringing some ideas to the park board for replacement.

Storm Sewer: Leaf pick up is in full swing. We will be having a contractor MS4 workshop for local contractors November 29th.

If you have any questions or concerns, please feel free to contact me at elpw@eaglelakemn.com

Andrew Hartman

<u>HOUSE #</u>	<u>STREET</u>	<u>VALUE</u>	<u>Project Description</u>
50	Country Manor	\$ 10,000.00	Mobile Home
99	Country Manor	\$ 10,000.00	Mobile Home
307	Falcon Run	\$ 400,000.00	New Home
109	Parkway	\$ 10,000.00	Reside/reroof-commercial
205	Quail Ct.	\$ 15,000.00	Reroof
108	N Second St	\$ 20,579.00	Reside
107	Plainview St	\$ 10,000.00	Heating
62	Country Manor	\$ -	Mobile Home demo
106	Falcon Ct	\$ 13,518.00	Reroof

<u>Zoning #</u>	<u>Address</u>	<u>Type</u>
22-34	313 Blace Ave	Shed
22-35	208 Thomas (park)	Shed- Permit fees waived
22-36	111 Connie	Retaining wall

Eagle Lake Fire Relief
Gambling Fund Report September 2022

Balance	9/1/22		\$37,848.44
Income:			
Paper Pull Tabs		\$7,240.00	
Electronic		\$24,984.00	
Interest Income		\$9.11	
Total Income			<u>\$32,233.11</u>
Total Funds Available			\$70,081.55
Less Total Disbursements			<u>(\$18,418.51)</u>
Balance	9/30/22		\$51,663.04

2022 Profit / Community Donations

Net Profit:			
	1/22		(\$5,877.13)
	2/22		\$247.53
	3/22		\$19,562.14
	4/22		(\$18,336.69)
	5/22		\$2,590.75
	6/22		\$11,110.62
	7/22		\$4,036.35
	8/22		\$11,881.79
	9/22		\$11,572.76
Total Profit To Date:			\$36,788.12
Community Donations To Date:			\$2,800.00



November 7, 2022

To: Mayor Auringer and City Council
 From: Jennifer J. Bromeland, City Administrator
 Re: 2023 Liquor Licenses

The Eagle's Nest, American Legion, and Casey's General Store have applied for liquor licenses for 2023. All businesses are applying for the same licenses as were issued in 2022. Each applicant has submitted a complete application along with a certificate of insurance for 2023 and payment for the licenses. Deputy City Clerk Kerry Rausch manages the liquor license processing while Police Chief John Kopp performs the necessary background checks on applicants. Upon Council approval, the licenses which require state approval will be forwarded on to the MN Department of Public Safety, Alcohol & Gambling Enforcement.

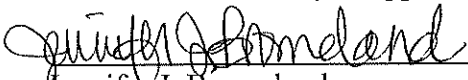
The American Legion Post 617 has applied for the following licenses: Club On-Sale Liquor License, Dance License, and On-Sale Sunday Liquor License.

Casey's General Store has applied for the following license: Off-Sale Non-Intoxicating Malt Liquor License.

The Eagle's Nest has applied for the following licenses: On-Sale Liquor License, On-Sale Sunday Liquor License, Dance License, and Off-Sale Liquor License.

BUSINESS LICENSES	
On-Sale Liquor License	\$ 1,500.00
Off-Sale Liquor License	\$ 100.00
On-Sale Sunday Liquor License	\$ 200.00
On-Sale Club Liquor License	\$ 250.00
On-Sale Non-Intoxicating Malt Liquor License	\$ 50.00
Off-Sale Non-Intoxicating Malt Liquor License	\$ 25.00
Duplicate of any Liquor License	\$ 10.00
License of Sale of Liquor on a Contiguous Area	\$ 100.00
Investigation Fee for a New On-Sale Liquor License	\$ 500.00
Investigation Fee for a New Off-Sale Liquor License	\$ 500.00
Investigation Fee for a New On-Sale Non-Intoxicating Malt Liquor License	\$ 100.00
Investigation Fee for a New Off-Sale Non-Intoxicating Malt Liquor License	\$ 500.00
Investigation Fee for a New Temporary Non-Intoxicating Malt Liquor License	\$ 25.00
Public Dance Permit (Annual)	\$ 150.00
Public Dance Permit (Single Event)	\$ 15.00
Liquor Establishment Dance Permit	\$ 150.00
Annual Patio Liquor Fee	\$ 200.00

A motion is necessary to approve the above-listed 2023 liquor license applications.



 Jennifer J. Bromeland
 City Administrator

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RESOLUTION 2022-41

Resolution Designating Polling Place

WHEREAS, Minnesota Statute section 204B.16, Subdivision 1 requires the governing body of each municipality to designate a polling place for each election precinct;

WHEREAS, this designation must be made by December 31 of each year, and said designation is effective for the following calendar year, unless a change is made pursuant to Minnesota Statute 204B.175 or because the polling place becomes unavailable;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Eagle Lake, County of Blue Earth, State of Minnesota hereby establishes the boundaries of the voting precinct and polling place as follows:

Precinct Name –	Polling Place Location
Precinct 0040 Eagle Lake	Eagle Lake City Hall 705 Parkway Avenue Eagle Lake MN 56024

Adopted by the Eagle Lake City Council this 7th day of November 2022.

Tim Auringer, Mayor

ATTEST:

Jennifer Bromeland, City Administrator

(S E A L)



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


November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Resolution Accepting Dog Park Donation

Attached is a resolution accepting a donation from the Eagle Lake Girl Scout Troop #34497 in the amount of \$1,298.85. The funds will be restricted for the purpose of enhancing the dog park with signage, maintenance, and equipment for the dog park.

Also attached is a letter from Lexi and Olive with the Eagle Lake Girl Scout Troop #34497 sharing an update on the completion of their Silver Award project involving the dog park.

A motion is necessary to approve Resolution No. 2022-33.


Jennifer J. Bromeland
City Administrator

**RESOLUTION NO. 2022-33:
A RESOLUTION ACCEPTING A DONATION TO THE CITY.**

WHEREAS the City of Eagle Lake is generally authorized to accept donations pursuant to Minnesota Statutes for the benefit of its public recreational services.

WHEREAS the following entity has offered to contribute the cash amounts set forth below to the city:

<u>Name of Donor</u>	<u>Amount</u>
Eagle Lake Girl Scout Troop #34497	\$1,298.85

WHEREAS, the terms or conditions of the donations, if any, are as follows:

To be applied towards the Eagle Lake dog park.

WHEREAS, all such donations have been contributed to the city for the benefit of its citizens, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donation offered.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF Eagle Lake, MINNESOTA AS FOLLOWS:

1. The donation described above is accepted and shall be used to establish and/or operate services either alone or in cooperation with others, as allowed by law.
2. The city clerk is hereby directed to issue a receipt to each donor acknowledging the city's receipt of the donor's donation.

Passed by the City Council of Eagle Lake, Minnesota this 7th day of November 2022.

Tim Auringer
Mayor

Attested:

Jennifer J. Bromeland
Administrator

Hello,

We wanted to update you about our completion on our Silver Award project. We helped with the maintenance of the dog park (woodchips, painting the fire hydrant), and with the money we raised, we were able to build two play structures. We have additional money we would like to donate to the City of Eagle Lake Parks Department for signs, maintenance, and extra equipment for the dog park.

Recently, we were notified that our project was accepted to receive the Silver Award. This project was made possible by generous donations and volunteers of our community. We thank you so much for allowing us this opportunity! It was a great experience for us, and we learned many new skills along the way.



Lexi Guentzel and Olive Purrier
Eagle Lake Girl Scout Troop #34497



DELTA DENTAL OF MINNESOTA
A Minnesota Nonprofit Health Service Plan Corporation
GROUP DENTAL PLAN CONTRACT SIGNATURE PAGE

CLIENT: City of Eagle Lake
CONTRACT NO: T06835, T06836
CONTRACT START DATE: January 1, 2023
CONTRACT END DATE: December 31, 2023

Delta Dental of Minnesota (hereinafter Delta Dental), a Minnesota nonprofit health service plan corporation, and the above named Client, in consideration of the mutual agreements and undertakings set forth in this Contract (as defined in the Contract Body), hereby agree as follows:

1. That this Contract shall be effective as the Contract Date set forth above; and
2. That the following documents, attached hereto and incorporated herein by reference, are included as part of the Contract:

Exhibit A: Declaration Page
Exhibit B: Dental Plan Description for City of Eagle Lake
Exhibit C: Business Contract Body

In witness whereof, Delta Dental and the Client have caused this Contract to be signed by their authorized representatives on the dates set forth below (hereinafter "Signature page").

AUTHORIZED SIGNATURES

CLIENT

DELTA DENTAL OF MINNESOTA

BY: _____
TITLE: _____
DATE: _____

BY: Rodney A. Young
TITLE: President
DATE: September 15, 2022

DELTA DENTAL OF MINNESOTA

BY: Stephanie A. Albst
TITLE: Assistant Secretary
DATE: September 15, 2022



Delta Dental of Minnesota
 Attn: Delta Dental Connect
 500 Washington Ave. South, Ste. 2060
 Minneapolis, MN 55415

<https://www.deltadentalmn.org>

Delta Dental of Minnesota

September 15, 2022

Kerry Rausch
 Deputy Clerk
 City of Eagle Lake
 PO Box 159
 Eagle Lake, MN 56024-0159

RE: Dental Plan Contract Renewal including contract documents
 Renewal Period: January 1, 2023 - December 31, 2023, Client Number: T06835, T06836

Dear Kerry Rausch,

Thank you for choosing Delta Dental of Minnesota. We are pleased to be your partner in your employee's wellness. As the nation's leading dental benefits provider, we know that good oral health is crucial to overall health.

City of Eagle Lake's contract is scheduled to renew on January 1, 2023. We have completed a comprehensive review of your dental plan and for your budgeting purposes, your updated contract documents are enclosed.

Rates per subscriber per month	Renewal Rate(s)
	January 1, 2023 through December 31, 2023
Subscriber only	\$51.04
Subscriber and spouse	\$102.09
Subscriber and child(ren)	\$112.55
Subscriber, spouse and child(ren)	\$146.50

***Please note:** As part of the annual review of our dental policies, and in response to the impact of inflation on overall dental costs, Delta Dental of Minnesota will implement new rates for plans renewing on or after December 1, 2022.

After review of the enclosed contract documents, please have your group's authorized representative sign the contract and return it to our Group Administration Team at:

Delta Dental of Minnesota
 Attn: Group Administration
 P.O. Box 30416
 Lansing, MI 48909-7916
 GroupAdministration@MyDeltaDental.com

If we do not receive the signed contract by the effective date, we will consider remittance of payment as acceptance of the contract and will begin administering your dental benefits accordingly. By permitting us to do so, you accept the terms of this contract in full and agree that this contract is binding, even if a signed copy of the contract is not returned to Delta Dental of Minnesota.

Please contact us if you would like to make any changes to your plan designs and we can provide a comprehensive analysis of how any changes would affect your premiums.

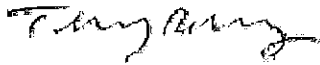
Delta Dental of Minnesota
 500 Washington South Avenue
 Suite 2060
 Minneapolis, MN 55415-1163

Telephone: 612-224-3300
 Toll Free: 1-877-268-3384
 DeltaDentalMN.org

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Delta Dental appreciates your ongoing business and we look forward to continuing our commitment to excellent service and quality dental benefits for you and your employees. If you have any questions please contact Todd Zimmermann or the Delta Dental Connect Team at 1-800-906-5250, DeltaDentalConnect@DeltaDentalMN.org.

Sincerely,



Tom Bellamy
Senior Vice President, Chief Sales and Retention Officer
Delta Dental of Minnesota



Stephanie A. Albert
Assistant Secretary

Copy: Todd Zimmermann, Zimmermann Financial Inc.
Delta Dental Connect

**CITY OF EAGLE LAKE, MINNESOTA
CITY COUNCIL RESOLUTION 2022-42**

**A Resolution Accepting the Resignation of Ron Rose from the Planning Commission of the City
of Eagle Lake, Minnesota**

WHEREAS, Planning Commission Member Ron Rose has resigned from the City of Eagle Lake's Planning Commission; and

WHEREAS, the City Council recognizes and appreciates the service from Ron Rose in the role of a Planning Commission Member.

NOW THEREFORE, BE IT RESOLVED, the City accepts the resignation of Ron Rose from the City of Eagle Lake's Planning Commission effective October 14, 2022.

Adopted by the City Council of Eagle Lake, Minnesota this 7th day of November 2022.

Tim Auringer, Mayor

ATTEST:

Jennifer Bromeland, City Administrator

(S E A L)



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

November 7, 2022

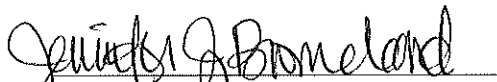
To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Engagement Letter for Actuarial Services

According to the City's auditing firm, Eide Bailly, a valuation report is needed to ensure compliance with GASB. According to MN State Statutes, the City is ultimately responsible for any shortfalls in the Fire Relief Association's pension assets. This means that the related pension liability or pension assets need to be recorded on the City's financial statements. To determine the dollar amount, there needs to be an actuarial valuation done so that the auditors can use that report to complete the audit and financial reporting.

Proposals were obtained in 2021 with Van Iwaarden coming in the lowest. Attached is an engagement letter for the FYE2021-2022 GASB 67/68 actuarial report (\$2,200) and the FYE2022-2023 GASB 67/68 "off year" report (\$900).

The cost for this work will be paid for out of line item 101-41600-300.

A motion is necessary to retroactively approve the engagement letter for pension actuarial services for the Eagle Lake Fire Relief Association.


Jennifer J. Bromeland
City Administrator

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August 3, 2022

Jennifer Bromeland
City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024

Re: Engagement Letter for Actuarial Services

Dear Jennifer:

Thank you for this opportunity to provide GASB 67/68 pension actuarial services to the City of Eagle Lake and the Eagle Lake Fire Relief Association. This letter and attachments (collectively, the "Agreement") document the Scope of Services ("Services") that Northern Consulting Actuaries, Inc. d/b/a Van Iwaarden Associates (hereafter, "VIA" or "we" or "our") will provide to the City of Eagle Lake (hereafter "District" or "you" or "yours" or "Client") and the Eagle Lake Fire Relief Association pension plan (hereafter "Plan"). It also describes our fees, expenses, and the Terms and Conditions for those services.

After reviewing the enclosed Scope of Services and Terms and Conditions, please sign and date the Acknowledgement and Consent form. Future actuarial services will be provided under this same engagement letter for a fee agreed to by both parties, or we can provide an updated engagement letter if you prefer.

Please feel free to contact us if you have any questions about the proposed actuarial engagement. We will commence work under this engagement upon receipt of a signed copy of this Agreement.

Thank you again for choosing Van Iwaarden Associates to as your trusted actuarial consultant.

Sincerely,



Emily M. Knutson, FSA, EA, MAAA
Consulting Actuary

L/D/C/R: 3/dmk/emk

Scope of Services

The GASB 67/68 accounting rules require a “full” actuarial valuation every two years, while a simplified roll-forward report is required in the “off years”. Our proposed scope and fees outlined below include both the “full” and roll-forward valuation reports.

GASB 67 & 68 Reporting	Fee
FYE2021-2022 GASB 67/68 actuarial report	\$2,200
FYE2022-2023 GASB 67/68 “off year” report (if no significant changes)	\$900

Each year also includes up to one hour of free consulting to review the reports with you over the phone.

Out-of-scope projects will be billed separately based on the time and expense needed to complete these projects. For calendar year 2022, our hourly rates are \$95 to \$210 for actuarial analysts and managers and \$325 to \$375 for consulting actuaries. We are glad to estimate fees for additional projects as requested. Out-of-scope projects may include time spent on:

- meetings and preparation,
- significant changes in your plan, accounting, or funding arrangements,
- cleanup of inaccurate data or data not provided in the form requested, and
- accounting updates when the District’s financials differ from the figures in our previous reports.

The annual fees and hourly rates stated in this engagement letter are subject to annual inflationary updates beginning in 2024 and each year thereafter. VIA will propose inflationary adjustments to the District no later than 30 days prior to the plan year in which the new fees are effective. The hourly rate schedule is updated automatically each calendar year.

The proposed fees assume no substantial changes to the plan census, assumptions, plan provisions, or funding arrangement. If any of these factors change significantly then we will provide a separate proposed fee.

Out-of-pocket expenses will be passed on to you without markup. Bills are sent as often as monthly, and your payment is due within 30 days of the invoice date. Interest will accrue on the unpaid balance at the rate of ½% per month. If we receive your payment within 30 days, the interest will be waived.

Terms and Conditions

COOPERATION AND WARRANTY REGARDING DOCUMENTS AND INFORMATION.

You understand that in order for us to provide the Services to you we will require your assistance and cooperation. You agree to provide us with all documents and information reasonably requested by us in order for us to perform the Services and you warrant that such documents and information are true and accurate to the best of your knowledge after due inquiry. We will not be liable for any inaccurate results of our Services due to our reliance upon incorrect or incomplete documents or information.

CONFIDENTIALITY. All data, records, and information concerning the Plan and the participants of the Plan provided by you or on your behalf to VIA in connection with this Agreement, other than information that is either in the public domain, obtained from third parties, or which is otherwise developed by VIA shall be considered "Confidential Client Information." VIA agrees to use reasonable efforts to protect all Confidential Client Information and has reasonable safeguards to protect against the disclosure or misuse of Confidential Client Information that is in VIA's care or custody. VIA will protect the Confidential Client Information with the same degree of care that it uses to protect and safeguard VIA's own like information, but not less than the degree of care that would be exercised by a prudent person given the sensitivity of the Confidential Client Information. In preserving the confidentiality of Client communications and information, it is important that we have your agreement on the methods we will use in communicating with you. Unless you tell us otherwise, you agree that it is appropriate to use mail and emails in the course of our providing the Services to you without encryption or other special measures. The exception is transmission of participant census data which must be transmitted using our secure data transfer site or similar method. Please let us know if you have special requests or requirements for the methods of communication or persons to be included in such communications.

RETENTION OF RECORDS. We will retain final copies of actuarial work products for seven years after completion of each project. Although we keep copies of the work we perform for you for seven years, these copies are solely for our files. The plan sponsor is responsible for keeping copies of all documents needed for the Plan's permanent records, including copies of the work we perform for you and the information we send to you.

INDEMNIFICATION. You agree as part of this engagement to indemnify and hold harmless VIA from and against any and all claims, losses, damages, liabilities, costs, and other expenses of any kind whatsoever (including, without limitation, all reasonable attorneys' fees and collection or court costs) arising from or in connection with the operation of the Plan or the rendering of plan-related services by the Client, the Plan Administrator, or any third party. This indemnification does not include claims, losses, damages, liabilities, costs, and expenses attributable solely to any gross negligence or willful misconduct by VIA in the performance of our responsibilities under this engagement.

We agree as part of this Agreement to indemnify and hold harmless the Client and the Plan from and against any and all claims, losses, damages, liabilities, costs, and other expenses of any kind whatsoever (including, without limitation, all reasonable attorneys' fees and collection or court costs) (collectively "Claims") arising from or in connection with the operation of the Plan or the rendering of plan-related services by VIA, to the extent that such Claims are attributable solely to

Terms and Conditions (continued)

gross negligence or willful misconduct by VIA in the performance of our responsibilities under this engagement.

REPRESENTATIONS AND WARRANTIES. We represent and warranty that we (a) have the right, power and authority to enter into this Agreement and to fully perform all of our obligations hereunder; and (b) will use commercially reasonable efforts to provide all services required of us under the Agreement in accordance with prevailing industry standards. You represent and warranty that you have the right, power, and authority to enter into this Agreement and to fully perform all of your obligations hereunder.

NO ASSIGNMENT OR DELEGATION. Neither VIA nor you may assign this Agreement in whole or in part, nor delegate any part or all of its duties, without the other's prior written consent.

SEVERABILITY. If any provision of this Agreement is held to be or is invalid or unenforceable, the validity and/or enforceability of the remaining portions shall not be impaired or affected in any way. A waiver of any provision of this Agreement does not likewise waive any other provision of this Agreement.

MODIFYING THIS ENGAGEMENT. The terms of this engagement between you and us represented by this Agreement shall not be subject to modification (except with regard to fees, as outlined above), except as agreed upon in writing by both you and us.

TERM AND TERMINATION. This engagement letter is effective beginning August 1, 2022 and shall automatically renew on an annual basis unless terminated earlier by either party as described below. Future actuarial services will be provided under this same engagement letter for a fee agreed to by both parties and described in a new Scope of Services, or we can provide an updated engagement letter if you prefer.

You have the right to terminate our services with 60 days prior written notice. Termination of our services will not relieve you of the obligation to pay for all accrued charges and expenses for work through the end of our engagement. We will have the same right of termination, subject to our obligation to give you 60 days prior written notice. If our billing statements are not timely paid, however, we will have the right to terminate our Services upon 5 days prior written notice following a default in the payment of our fees and expenses, upon the expiration of which notice period we will have the right to not provide any Services or advance any expenses until all amounts due are paid in full. Furthermore, if we are required to take action to collect our fees and expenses, you agree to pay all professional fees (including reasonable attorneys' fees) and expenses incurred by us in such collection action.

Terms and Conditions (continued)

ENTIRE AGREEMENT. Our performance of the Services is subject to the terms of this letter, including our Terms and Conditions (“Terms and Conditions”). This letter, together with the Scope of Services and these Terms and Conditions, constitute the entire Agreement between Van Iwaarden Associates and you and supersede all previous agreements between us whether written or oral. Should the scope of our Services change, you agree that we will either amend the Scope of Services or we will execute a new engagement letter incorporating such changes. We will not be required to provide Services not included in the Scope of Services agreed to in this letter.

Minnesota Actuarial Disclosure

Van Iwaarden Associates is the actuarial advisor to the Minnesota Legislative Commission on Pensions and Retirement (LCPR). In this role, we assist the LCPR in reviewing actuarial valuations, assumptions, and cost estimates for the three statewide retirement systems: TRA, PERA, and MSRS.

Our professional standards require that we disclose any actual or potential conflict of interest to our clients, and that our clients expressly agree to these services. Although the work we prepare for the LCPR does not directly relate to your GASB 67 & 68 reporting, we believe it’s prudent to disclose our assignment to all of our Minnesota public sector clients since you probably have members in at least one of the statewide pension plans that we’ll be reviewing. Your approval of this engagement letter is an affirmative response that you agree to our work with the City along with our LCPR assignment.

Acknowledgement and Consent

The undersigned represents and warrants that they are legally authorized to execute agreements on behalf of City of Eagle Lake (the “City”) , has read this Agreement from Van Iwaarden Associates, understands its contents, and agrees on behalf of the District to the Scope of Services; fees and expenses; and Terms and Conditions set forth in the Agreement. I also understand and expressly agree to Van Iwaarden Associates’ ongoing work for us as well as their LCPR assignment.

Date: October 13, 2022

By [Signature]

Title City Administrator



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

November 7, 2022

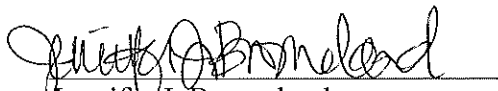
To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Mankato Motorsports Park Project

The public comment period for the Supplemental Environmental Assessment Worksheet (EAW) for the Mankato Motorsports Park Project began on September 20th and ended on October 20th. Attached is a compilation of the public comments received.

Following the public comment period, the decision on the need for an EIS shall be made within 30 days of the close of the comment period. Attached is a copy of Minnesota Statutes 4410.1700 explaining the process in more detail. Included is a flow chart depicting the process and steps involved. Discussion should ensue as to whether there is sufficient information to make the EIS need decision and prepare a record of decision including findings of fact and responses to all substantive comments.

For reference purposes, attached is a copy of the memo that was included in the September 12th City Council packet.

The project proposer, Bradford Development, or a representative will be at the meeting to answer questions.


Jennifer J. Bromeland
City Administrator

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Public comment period ended Oct. 20th

Authenticate PDF

Minnesota Administrative Rules

4410.1700 DECISION ON NEED FOR EIS.

Subpart 1. Standard for decision on need for EIS. An EIS shall be ordered for projects that have the potential for significant environmental effects.

Subp. 2. Decision-making process. The decision on the need for an EIS shall be made in compliance with one of the following time schedules:

A. if the decision is to be made by a board, council, or other body which meets only on a periodic basis, the decision shall be made between three and 30 days after the close of the review period; or

B. for all other RGU's the decision shall be made no later than 15 days after the close of the 30-day review period. This 15-day period shall be extended by the EQB chair by no more than 15 additional days upon request of the RGU.

Subp. 2a. Insufficient information. If the RGU determines that information necessary to a reasoned decision about the potential for, or significance of, one or more possible environmental impacts is lacking, but could be reasonably obtained, the RGU shall either:

A. make a positive declaration and include within the scope of the EIS appropriate studies to obtain the lacking information; or

B. postpone the decision on the need for an EIS, for not more than 30 days or such other period of time as agreed upon by the RGU and proposer, in order to obtain the lacking information. If the RGU postpones the decision, it shall provide written notice of its action, including a brief description of the lacking information, within five days to the project proposer, the EQB staff, and any person who submitted substantive comments on the EAW.

Subp. 3. Form and basis for decision. The RGU's decision shall be either a negative declaration or a positive declaration. The RGU shall base its decision regarding the need for an EIS on the information gathered during the EAW process and the comments received on the EAW.

Subp. 4. Record of findings supporting decision. The RGU shall maintain a record, including specific findings of fact, supporting its decision. The record must include specific responses to all substantive and timely comments on the EAW. This record shall either be a separately prepared document or contained within the records of the governmental unit.

Subp. 5. Distributing decision. The RGU's decision shall be provided, within five days, to all persons on the EAW distribution list pursuant to part 4410.1500, to all persons that commented in writing during the 30-day review period, and to any person upon written request. All persons who submitted timely and substantive comments on the EAW shall be sent a copy of the RGU's response to those comments prepared under subpart 4. Upon notification, the EQB staff shall publish the RGU's decision in the EQB Monitor.

Subp. 6. Standard. In deciding whether a project has the potential for significant environmental effects the RGU shall compare the impacts that may be reasonably expected to occur from the project with the criteria in this part.

Subp. 7. Criteria. In deciding whether a project has the potential for significant environmental effects, the following factors shall be considered:

A. type, extent, and reversibility of environmental effects;

B. cumulative potential effects. The RGU shall consider the following factors: whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project;

C. the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project; and

D. the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

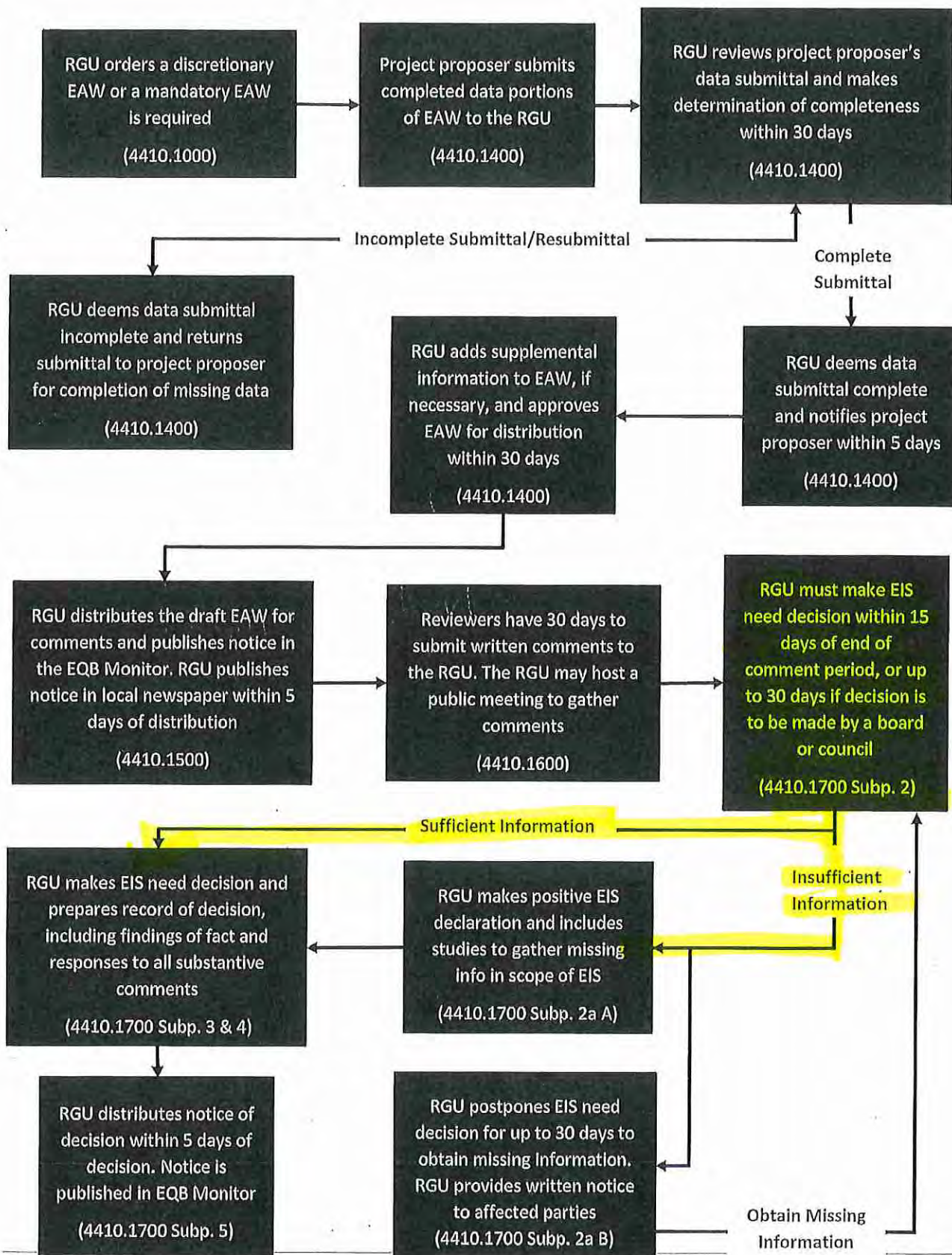
Subp. 8. [Repealed, 13 SR 1437]

Subp. 9. Connected actions and phased actions. Connected actions and phased actions shall be considered a single project for purposes of the determination of need for an EIS.

Statutory Authority: MS s 116D.04; 116D.045

History: 13 SR 1437; 21 SR 1458; 31 SR 539; 34 SR 721

Published Electronically: August 20, 2018



Beginning of Public Comments Received



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

09/27/2022

Regulatory File No. MVP-2019-01386-RLG

THIS IS NOT A PERMIT

Jennifer Bromeland
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024

To: Jennifer Bromeland:

We have received your submittal described below. You may contact the Project Manager with questions regarding the evaluation process. The Project Manager may request additional information necessary to evaluate your submittal.

File Number: MVP-2019-01386-RLG

Applicant: Brad Bass

Project Name: Mankato Motorsports Park

Project Location: Section 18 of Township 108 N, Range 25 W, Blue Earth County, Minnesota (Latitude: 44.1726596558789; Longitude: -93.8741109256717)

Received Date: 09/21/2022

Project Manager: Rachel Gralnek
(651) 290-5276
Rachel.Gralnek@usace.army.mil

Additional information about the St. Paul District Regulatory Program can be found on our web site at <http://www.mvp.usace.army.mil/missions/regulatory>.

Please note that initiating work in waters of the United States prior to receiving Department of the Army authorization could constitute a violation of Federal law. If you have any questions, please contact the Project Manager.

Thank you.

U.S. Army Corps of Engineers
St. Paul District
Regulatory Branch

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DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

Regulatory File No. MVP-2019-01386-RLG

Bradford Development
Brad Bass
501 North Riverfront Drive
Mankato, MN 56001

Dear Brad Bass:

This letter is in response to correspondence we received from Eva Douma at Bolton & Menk Inc regarding the Mankato Motorsports Park Project. This letter contains our initial comments on this project for your consideration. The purpose of this letter is to inform you that based on the Supplemental Environmental Assessment Worksheet (EAW) Mankato Motorsports Park for the project referenced above a Department of the Army (DA) permit would be required for your proposed activity. In lieu of a specific response, please consider the following general information concerning our regulatory program that may apply to the proposed project.

If the proposal involves activity in navigable waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 10 prohibits the construction, excavation, or deposition of materials in, over, or under navigable waters of the United States, or any work that would affect the course, location, condition, or capacity of those waters, unless the work has been authorized by a Department of the Army permit.

If the proposal involves discharge of dredged or fill material into waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). CWA Section 301(a) prohibits discharges of dredged or fill material into waters of the United States, unless the work has been authorized by a Department of the Army permit under Section 404. Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.

The Corps evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

If the proposal requires a Section 404 permit application, the Guidelines specifically require that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences" (40 CFR § 230.10(a)). Time and money spent on the proposal prior to applying

Regulatory Division (File No. MVP-2019-01386-RLG)

for a Section 404 permit cannot be factored into the Corps' decision whether there is a less damaging practicable alternative to the proposal.

If an application for a Corps permit has not yet been submitted, the project proposer may request a pre-application consultation meeting with the Corps to obtain information regarding the data, studies or other information that will be necessary for the permit evaluation process. A pre-application consultation meeting is strongly recommended if the proposal has substantial impacts to waters of the United States, or if it is a large or controversial project.

If you have any questions, please contact me in our St. Paul office at (651) 290-5276 or Rachel.Gralnek@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,



Rachel Gralnek
Regulatory Specialist

cc:
Eva Douma (Bolton & Menk Inc)
Dane Lynch (LGU)
Alyssa Core (BWSR)



Division of Ecological & Water Resources
Region 4 (Southern Region)
21371 Highway 15 South
New Ulm, MN 56073

October 20, 2022

Jennifer Bromeland, City Administrator
City of Eagle Lake
jbromeland@eaglelakemn.com

Subject: DNR comments on Mankato Motorsports Supplemental EAW

Dear Jennifer,

Thank you for the opportunity to comment on the Mankato Motorsports Park Supplemental EAW. The primary content areas of the supplemental EAW are potential impacts to wildlife on South Eagle Lake (a designated wildlife lake) and greenhouse gas emissions. As documented in the appendix of the supplemental EAW, we offered feedback on the document as it was being developed in the context of the court decision that necessitated this supplemental EAW. We appreciate that the supplemental EAW addressed several of our questions and comments. However, we continue to have concerns about the potential impacts of this proposed project as identified in this letter.

The proposed project location is along the Eastern side of South Eagle Lake, a Designated Wildlife Lake and Natural Environmental Lake. We encouraged the project to consider alternate locations that would not impact natural resources. The supplemental EAW indicates that two locations were considered, and the proposed location was the more feasible of the two. We again encourage the project to identify alternate locations. There is no reason that the motorsports facility must be placed next to this resource. If this location is pursued, we will continue to express concerns about this project location through additional permitting processes.

Our primary concern in citing the proposed facility adjacent South Eagle Lake is that wildlife, particularly waterfowl and other avian species, will be impacted by this project. We recommended that an in-depth wildlife use and risk analysis study be undertaken. However, the EAW notes that such a study was deemed unnecessary because the noise modeling indicates that the track would produce equivalent noise to Highway 14. We are concerned about the validity of the noise modeling and again suggest that a wildlife use study be conducted. Furthermore, while noise could be the primary wildlife disruptor, noise is not the only potential impact to wildlife. We anticipate that the presence of the motorsports park would effectively drive away sensitive species, while tolerant species may be able to adapt.

We are concerned about the validity of the noise modeling. The modeling report within the appendix of the Supplemental EAW estimates the existing noise from Highway 14 at three locations on the lake. The report then estimates the potential noise from the proposed project, and shows that noise from the proposed project would be similar or even less than the current noise from Highway 14. This analysis is used for justification that wildlife

use and impact studies are not necessary. We believe that more details need to be provided and potentially, additional modeling should be provided in order to justify the results. Our specific concerns about the modeling include:

- The modeling report does not appear to cumulate the effect of noise. Instead, the report shows the existing noise from Highway 14 and the proposed project noise separately. The proposed condition should model the combined noise of Highway 14 and the proposed project simultaneously. As currently reported, the effect of the project could be misleading as the cumulated noise would be louder than each noise individually.
- More details on the noise modeling should be provided to provide confidence in the modeling results, and the modeling details need to be understandable to an audience who does not have expertise in such modeling. For instance, how does the modeling represent high performance vehicles? We understand that high performance vehicles often have modified exhaust systems which make them louder. What are the peak speeds expected by such vehicles and the associated noise from an individual vehicle? How does quick acceleration affect the noise from performance vehicles? From a commonsense standpoint and from personal observations of high performance vehicles, it seems likely that such vehicles accelerating to speeds in excess of 100 miles per hour would generate substantially more noise than a truck traveling 65 miles per hour.
- Even if the noise at any one point may not be substantially different than the pre-project condition, the change to the ambient noise conditions throughout the season could be substantial. Modeling should be provided which includes analysis and visual representation (charts) of the noise throughout the year and the noise through key wildlife use periods, comparing the pre-project and post-project conditions.
- The effect of the noise mitigation/abatement should be modeled. Three scenarios should be reviewed, the pre-project, post-project, and post-project with berms and noise walls.

The noise compliance plan and resolution process should be more specific, and the project should offer more commitments regarding vehicles that are deemed excessively noisy. The plan should be fully enacted prior to track use. Information in the documentation thus far is not specific and does not identify how the Eagle Lake Sound Committee will function, how sound detecting equipment will identify sounds that could impact wildlife, how quickly corrections will be made, and other critical details.

The supplemental EAW includes a greenhouse gas analysis. The analysis does not include one potentially large source, however. The EAW notes that this project is a destination location for those traveling in from the local airport. Greenhouse gases from airplane travel are a significant source of greenhouse gas emissions and should be included in the analysis.

The supplemental EAW summarizes wildlife and vegetation shallow lake surveys previously sent by DNR staff. These reports illustrate a one-day visit and are not intended to provide a full picture of wildlife use from day to day or throughout the year. We again recommend that the project undergo an in-depth wildlife use study (focusing on avian use) for the lake including nesting, migration, and other activities. Such study would be conducted by the project and include sufficient scientific rigor and standard techniques at biologically relevant times. DNR would like to review the study plans before the studies are conducted.

Aside from the primary content areas of wildlife impacts and greenhouse gas estimates, we encourage the following:

- Mitigate wetland impacts within the Eagle Lake basin.

- Provide a vegetation management plan for comment, including a landscaping plan and seed mix(es). The use of native prairie plants is good, but the success is dependent on the selecting the correct mix for the conditions, and there may be opportunities to integrate native trees and shrubs to help screen visual, noise, and fume impacts. If haying or mowing is used as a prairie management tool, restrict to after July 15.
- Ensure proposed activities, including those for for vegetation management (herbicides and burns), are consistent with rusty patch bumble bee management. This is in a low potential zone for the rusty patch bumble bee.
- Include stormwater ponds to prevent runoff and water quality degradation to Eagle Lake.
- Use lighting that reduces ecological impacts, which may include lighting directionality, type, lumens, wavelengths, shielding, duration, frequency, seasonality, or energy source.

Please let me know if you have questions on these comments.

Sincerely,

Joanne Boettcher, PE
Regional Environmental Assessment Ecologist

cc:

Stein Innvaer, DNR Area Wildlife Manager
Dan Girolamo, DNR Area Hydrologist
Lisa Gelvin-Innvaer, DNR Regional Non-game Wildlife Specialist
Megan Benage, DNR Regional Ecologist
Joseph Stangel, DNR Wildlife Assistant Regional Manager
Dave Trauba, DNR Wildlife Regional Manager
Tim Gieseke, DNR EWR Assistant Regional Manager
Korey Woodley, DNR EWR Regional Manager
Scott Roemhildt, DNR Regional Director

Lucas Bulger

From: Piltaver, Angela (DOT) <angela.piltaver@state.mn.us>
Sent: Wednesday, October 5, 2022 4:00 PM
To: Jennifer Bromeland
Cc: Gina Aulwes; Jason Femrite
Subject: RE: Question regarding review scope for the Supplemental EAW (Mankato Motorsports Park)

Jennifer,

I was asked a question today about the car condos and would like to get some clarification on these. Are they intended to be regularly inhabited in some way (i.e. owners would stay there overnight on occasions they might be visiting the track) or are these intended to be used only during daytime/track hours?

Angela Piltaver, AICP, LEED AP (*she/her/hers*)
Senior Planner | District 7 - Planning

Minnesota Department of Transportation
2151 Bassett Drive
Mankato, MN 56001
C: 507-508-3409
Email: angela.piltaver@state.mn.us
Website: mndot.gov/



From: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Sent: Tuesday, October 4, 2022 4:29 PM
To: Piltaver, Angela (DOT) <angela.piltaver@state.mn.us>
Cc: Gina Aulwes <Gina.Aulwes@bolton-menk.com>; Jason Femrite <Jason.Femrite@bolton-menk.com>
Subject: RE: Question regarding review scope for the Supplemental EAW (Mankato Motorsports Park)

Internet Mail
This message may be from an external email source.
Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good Afternoon,

It's my understanding that the review process is intended to focus on the topics remanded back for further environmental review – not the entire EAW.

Sincerely,

Jennifer J. Bromeland

City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218
C: (507) 399-1030



From: Piltaver, Angela (DOT) <angela.piltaver@state.mn.us>
Sent: Monday, October 3, 2022 5:13 PM
To: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Subject: Question regarding review scope for the Supplemental EAW (Mankato Motorsports Park)

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Jennifer,

Looking at the supplemental EAW for the Mankato Motorsports Park, it appears that the supplement addresses the major subject areas/topics that the court indicated would need additional information and analysis – namely the GHG emissions/climate change topic and the wildlife topic. I also note that there are sections where the Supplemental EAW refers back to the original 2020 submittal. Should MnDOT review the entire EAW again (as if with “fresh eyes”), or is this review process intended to focus on just the new information? I would like to know so I can better direct what approach our staff should take in their review.

Hopefully my question makes sense. Thank you for your time and assistance.

Best regards,

Angela Piltaver, AICP, LEED AP (*she/her/hers*)
Senior Planner | District 7 - Planning

Minnesota Department of Transportation
2151 Bassett Drive
Mankato, MN 56001
C: 507-508-3409
Email: angela.piltaver@state.mn.us
Website: mndot.gov/



From: Lind, Katherine (DOT) <Katherine.Lind@state.mn.us>
Sent: Wednesday, September 21, 2022 11:50 AM
To: Gina Aulwes <Gina.Aulwes@bolton-menk.com>
Cc: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Subject: RE: Supplemental EAW for Review, Blue Earth County, City of Eagle Lake, Mankato Motorsports Park

Hi there Gina,
Where can one access the 2020 EAW that is referenced throughout the Supplemental EAW?

Katherine Lind
Environmental Review Specialist
Office: 651-366-4296
Katherine.Lind@state.mn.us

Minnesota Department of Transportation
Central Office | Office of Environmental Stewardship (OES)
395 John Ireland Blvd, Mail Stop 620
St Paul, MN 55155

From: Darwin Niss <darbniss@gmail.com>
Sent: Wednesday, September 21, 2022 7:45 AM
To: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Subject: Motorsports park

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

Good morning, Here is my comment regarding the subject.

We already have enough noise from the trucks on the highway and the trains. We do not want more noise from the Motorsports Park.

Darwin Niss

Gary Borchardt
Voicemail to Steve Platisha
September 28, 2022

How many cars were used at one time on the track for the modeling?

Why was data only used for one county road, CR 27 and 14? Why was there no other bases on that?

Receptors 1 and 2 were on the lake. Why couldn't you get any modeling from those?

Jennifer Bromeland, City Administrator

705 Parkway Avenue

PO Box 159

Eagle Lake, MN 56024

October 10, 2022

Please accept this response to the Supplemental Environmental Assessment Worksheet (regarding the proposed Mankato Motorsports Park project).

As a human being and a lifelong Minnesota resident I am concerned about our state's and community's contributions to climate change and the loss of natural areas. I believe the proposed Mankato Motorsports Park does more harm than good for our community.

- A. **Fumes:** The proposed motorpark would add 35,407.15 metric tons of carbon dioxide annually to our air. (This includes construction figures annualized). This is **35,221.87 metric tons MORE ANNUALLY than current existing conditions.**
- Page 17 (of supplemental EAW): "Vehicle emissions are known to contribute to global climate change impacts"
 - Page 17: "the state of Minnesota has implemented a climate action plan to address GHG emissions". Current goals are to reduce GHG emissions by 25% (of 2005 levels) by 2025 and further reduce by 80% by 2050.
 - Page 20: "This project will contribute to climate change"
- B. **Noise:** A noise study was completed in February 2022 and I feel an explanation of the effects of snow cover on the measurement of noise should be included. Also, I don't believe our community needs to bear the burden of extra, compounded noise sources (motor park PLUS highway noise) disrupting our rural lifestyles.
- Page 12: "...effects on wildlife are possible from noise generated by regular use of the site and maintenance of the facility"
 - Page 13: "There is the potential for noise impacts to wildlife during operations."
 - Page 13: "...there is little published on calculating and analyzing noise effects on wildlife from non-highway focused projects"
- C. **Lighting:** While acknowledging the proposed *track* would not be lighted and would have operating hours of 9am to 6pm, it is stated that the track would have lights in its parking areas, pedestrian walkways, and around buildings within the motorpark after 6pm for "nighttime safety, security and utility". This presents a **change to the natural environment for wildlife/waterfowl April to October each year.**
- Page 11-12 (of supplemental EAW): The Bald Eagle breeding season is from December through August"

I would like the City Council of Eagle Lake to vote in need of a full Environmental Impact Statement for the proposed Mankato Motorpark. The current EAW itself implies that there will be lasting effects on wildlife and climate from the proposed Motorpark. I believe the quality of our rural life should be preserved, including maintaining our natural areas and air quality for future generations. The City of Eagle Lake should do its share in mitigating climate change rather than contributing to it. Our natural resources are not infinite. Wildlife that flees will not return, bald eagles will find better grounds, the air quality will not return to prior levels. I ask you to consider these issues and vote for an EIS to be performed. Thank you for your consideration.

Sincerely,

Mary Jane Petersen

60701 Millie Lane

Eagle Lake, MN 56024

Jennifer Bromeland, City Administrator

705 Parkway Avenue

PO Box 159

Eagle Lake, MN 56024

October 12, 2022

Please accept this response to the Supplemental Environmental Assessment Worksheet (regarding the proposed Mankato Motorsports Park project).

In my opinion, the need for an EIS is absolutely necessary.

First: On Page 16 (of the EAW) it says "considering the above, the existing conditions of bio diversity, habitat and wildlife species present within the area are not expected to change substantially as a result of this project". What I take from this statement is that there will be changes in habitat and wildlife. Let's find out how much.

Second: This proposed facility is going to produce 35,407.15 metric tons of CO2 annually. In addition, it is expected to also produce 21,787.2 metric tons of CO2 annually from vendors, employees and patrons going to and from the proposed facility.

Third: On page 12 it states "...effects on wildlife are possible from noise generated by regular use of the site and maintenance of the facility.

Lastly: On page 2 of the EAW it says (in paragraph 2) in reference to the first location considered, "...noise from the road course could have a discernable effect on BOTH wildlife and residential habitants in the area". In paragraph 3 it states "with wetland impacts limited to wetlands that have been impacted by agriculture and the already high noise levels in the area, the preferred location of the road course is a better fit than the original location". I'm wondering where our common sense is. Noise at the first considered location doesn't work, but noise at the proposed location (which has more noise at baseline) is OK??? That doesn't make sense to me.

I also feel compelled to say I'm having a hard time understanding why the City of Eagle Lake wants this motorsports park. Eagle Lake is a small, rural community and, as such, I'm sure that's why its citizens live here...for the slower pace, less travel, quiet and friendly neighborhoods. What is the benefit of the motorsports park? Is it just money? Tax revenue? Is this the direction you want to take the City of Eagle Lake? Personally, I choose the preservation of the environment and reduction of anything that promotes climate change. I feel this decision would be best for my grandchildren and all future generations.

I would like the City Council of Eagle Lake to vote YES for the need of a full EIS. Because of the effects on wildlife, the noise that will be generated and the addition of greenhouse gases produced, the need for an EIS is imperative.

Thank you for your consideration.

Randy Petersen

60701 Millie Lane, Eagle Lake, MN 56024

507-995-0307

10-17-72

Eagle Lake City Council

An advocate for the Markato Motorplex stated in a meeting that combine noise was about equal to a speeding car.

My question is:

How many hrs of Ag noise there
(combine + tractor) is there during
the year

vs.

How many hrs of open track
time there is?

Especially during nesting season!!

Please consider.

Dennis A. Wendland

Dennis A. Wendland

Greetings,

I went on the Eagle Lake website and the first paragraph states "Eagle Lake is a small city with a family friendly atmosphere-a safe and quiet community." I totally agree! People want quiet enjoyable days and evenings in Eagle Lake. A noisy Race Track doe not fit.

There are many issues that so many of us have against the proposed Motorsports race track :

The proposal couldn't totally pass the initial environmental study.

WHY?

So many concerns for the damage that will be caused to good farm land land being blacktopped for a race track which is only to benefit some wealthy car owners hobby!! I understand the track is not open to the public entertainment.

WHY?

Damage to wildlife! "They" say NO! How can it not!? Having farmed part of the proposed property for years, I can attest to the many beautiful deer, rabbits, geese, fox, etc. so where do they go? From farm land to asphalt and concrete.

WHY?

There are many promises by the developer on many issues. How many times will they come back to the counsel and ask for more help. More lee-ways to make the project work.

WHY?

How will all of the extra traffic on Highway 14 be managed? We all know this is a Very dangerous intersection.?

WHY?

There are rumors more building will be built besides those that are in the current proposal.

WHY?

In summary, I truly feel it is not in the best interest for the majority of Eagle Lake and surrounding area citizens to deal with the negative impacts of this project.

If this goes thru, it comes down to some wealthy car owners, gaining a nice Race track for them to play at, while us average citizens are not invited!

The rest of us get:

- All of the noise.

- Loss of wildlife.

- Extra dangerous traffic.

- Any tax payer bail outs if project fails??

- Not to mention what an ugly eye sore.

- Unknown negatives.

Thanks for your time and considerations.

Cindy Guentzel 507-317-2096

22083 604th Ave.

Eagle Lake, MN. 56024

There are many concerns over the proposed Motorsports race track.

We continue to voice our concerns with few answers.

I understand the permissible noise Limit is to be 110 decibels.? As I've pointed out earlier, I googled a comparison noise level and that 110 decibel is equal to a loud train horn!

The promoters of this track claim there will be NO drag strip racing. A dragster noise level is even much higher. It comes in at 150-160 decibels. This is deafening! What course of action is in place if the promoters later come back requesting drag racing or other added noisey events?

Our son Mike Guentzel has spoken numerous times with the owners of a similar track in Hastings MN. And Nebraska track. Both of these experts say this Mankato Sports track is not viable without a Drag strip, and opening up to large paying events. The larger the events the larger problems it brings with it.

We all love the quiet, tranquil, summer evenings being outdoors. That is being taken away on both sides of highway 14. Just so the wealthy car boys and girls can enjoy their fun. This proposal takes away the quality of life from too many people.

I can't express all of our concerns in one e-mail .

I strongly believe this proposal is negatively impacting so many residents lives. It is too large for only a handful of the counsel members to decide. Why not let us residents vote on this huge issue? This is a huge decision that will bring huge problems for many.

Thank you!

Daryl Guentzel 507-381-1509

22083 604th Ave. Eagle Lake, MN

In this new version of the supplemented EAW, an addition explaining the choice of location only serves to confirm the detachment and carelessness that keeps showing up throughout this process. The feigned concern about the “discernable effect on both wildlife and residential habitants in the area” is apparently meant to garner support for their decision to move the project, when in reality it wasn’t well received as it also faced opposition with legitimate concerns. This supplemented EAW states that this “ideal” piece had several constraints such as wetlands (present in the currently preferred location), noise from the train and airport (both present in the currently preferred location), and the “noise levels at this site which is set in a rural setting with limited noise disturbance”. So, it’s admitted that there would be concerns for the noise levels in a rural setting between an airport, railroad tracks and a city of 30,000+, but what is the area next to small town near a designated wildlife lake? RURAL. Longtime homesteads, a small cemetery, and agricultural land already affected by the ever-increasing noise from a 4-lane highway and being under the regular flight paths of the aforementioned airport. This section finishes with “With wetland impacts limited to wetlands that have been impacted by agriculture* and the already high noise levels in the area, the preferred location of the road course is a better fit than the original location.” It simply takes looking at a map to see that a project such as this is NOT a good fit in either spot if they want to avoid the hassles of noise complaints.

*These wetlands “impacted” by agriculture have been so for decades. Wildlife such as sandhill cranes, deer, geese, etc. still utilize the area for grazing and other resources. A road course, accompanying buildings and regular activity are not a comparable replacement.

6. Project Description

a. EQB Monitor Description If the developer doesn’t plan to build a hotel or entertainment center, they should NOT be included in this EAW. This back-and-forth of “hotel, no hotel, hotel, no hotel” and subsequent conversations about whether or not it should be included is irresponsible, especially since the initial traffic study was based on traffic from the hotel and the entertainment center – NOT the track use.

e. Future Development In the initial EAW it was shown that no future development was planned. Neither box is checked in this version. Why are these key points missed?

7. Cover Types

These attempts to “blend in” with tall prairie grasses, native pollinator grasses will draw wildlife and insects that may not be welcome to this facility. Geese, sandhill cranes, bees, butterflies, etc. fly so the “noise barriers” and berms will be pointless to wildlife looking for food. The presence of geese is heavy in the Eagle Lake area during the spring-summer months. At what point will measures – and what kind? - be taken to discourage these visitors when they cause disturbance to track users? With the lake being a permanent part of the landscape, these visitors will either be regularly present or they will be forced away from their habitat.

9. Land Use

a. Existing Land Use

Zoning

At the meeting on July 6, 2020 it was pointed out that the "Land Use" table was incorrectly edited to make the following changes for a Natural Environment:

Public, semipublic was changed from (C) Conditional Use to (P) Permitted Uses

Industrial was changed from (N) Not permitted to (C) Conditional Use

This is a fixed table. The correction showed up in the signed document dated July 6, 2020 but the unsigned and incorrect version was included with the supplemented EAW. Errors such as this contribute to the concerns of cut corners and other red flags that have flown with this proposed project.

11. Water Resources

b. Project Effects & Mitigations

Surface Waters

"Discuss direct and indirect environmental effects from physical modification of wetlands...."

In this version of the supplemented EAW, the wetlands are now all "Type 1" when initially 2 others were "Type 2" and a 3rd one was "Type 3". At no time has there been a discussion included in a version of the EAW that addresses the impacts of the disturbed wetlands on the *wildlife*, only about how those wetlands affected the track layout. Wildlife has been present in the proposed project area, most often where wetlands are located. With these wetlands disturbed or removed altogether, where are the wetland credits going to benefit the local wildlife being displaced? **This section is incomplete and needs further study.**

13. Fish, Wildlife, Plant Communities, & Sensitive Ecological Resources (Rare Features)

a. Resources/Habitats/Vegetation

Included in the supplemented EAW is correspondence from the MnDNR. Where is the updated Natural Heritage Information System (NHIS) review? Why is this information not available for residents to view if there are no rare features to be concerned about? In 2018 there were archaeological sites nearby and now it's being covered up.

In this correspondence DNR notes the obvious result of this project: the substantial change to the area around the lake. They stress the need for additional studies as those included are simply snapshots and do not reflect a full picture of day-to-day wildlife use. Additionally, they note the inconsistencies in provided information and asked for greater detail on the plans to limit disturbance. It's clear that while Eagle Lake is a Designated

Wildlife Lake a more recent in-depth study to fully understand the present wildlife, vegetation, etc. is needed and it is our hope that one will happen sooner rather than later. The information included in the table and included studies is 11 years old! Since that time the water levels have dropped significantly, exposing more vegetation that could encourage nesting. While the Bald Eagle's "probability of presence" is from January to April, local residents can tell you that they are regularly sighted year-round. The breeding season goes through August and currently a quiet agricultural field provides mostly peace. While it's claimed that the MnDNR NHIS review found no Bald Eagle nests, the last we saw of this NHIS review was for the *former location and rubber stamped to apply approval for this entirely different landscape. This section is incomplete and needs further study.*

c. Project Effects

Dismissing an agricultural field (with wetlands) as a needed resource for wildlife is simply ignorant. Geese, sandhill cranes, deer, etc. can often be seen on this land throughout most of the year (spring-early winter), depending on the crop and current stage of production. "Native pollinator grasses" in this proposed project seem meant to entice a species only to put it in danger with windshields. Being as this proposed project is being built for human entertainment, the disturbance of intrusion wouldn't be temporary.

"Very few studies....", "There is little published....", "Additional impacts.....", "Is expected....", "Based on.....", "Provide a good representation.....", "Do not indicate....", "Due to modeling constraints...", "There are no studies....". The majority of this section admits that yes, this proposed project will have a negative effect on wildlife and it can't be proven otherwise. While it claims that some wildlife species are already tolerant of some measure of human activity, some are inherently intolerant to human intrusion. Stress, displacement, etc. from noise, fumes, human traffic, etc. Admissions also include the fact that there ***simply aren't enough studies to support their initial claims of little to no harm.*** Lack of information or outdated resources are not an excuse to accept what it is and move forward. In choosing this site the developer should have done his homework to fully understand what sort of unexpected responsibilities might arise *before* he made premature announcements of groundbreaking.

An entire paragraph focuses on the idea that Mankato is growing and contributing to the increase of GHG emissions and while not quite sure of the impact because there ***aren't any studies***, let's join them! Out of control growth is not an excuse to ignore the lack of information to prevent making a global situation *worse*.

This section finishes with a short bit on how "these studies found that the proposed motor sports facility will not increase any of these known wildlife disturbances to a level that will effect wildlife of Eagle Lake or surrounding residences". I'm ***guessing this sentence wasn't edited out as it completely contradicts the admissions above it.***

d. Control Measures

Wildlife not being able to see the track isn't the issue because even if they could, geese don't care. The more their territory is encroached upon, the braver they get. Regular users of the Sakatah Singing Hills trail that bisects the body of water Eagle Lake know that the presence of wildlife is often present ON the trail and many types of waterfowl have no problem hissing (protecting their babies) at trail users simply going about their

111

own way down the trail. At what point will the developer have to take further measures to prevent disturbances to track users? While it states that there won't be any paths to the lake, that doesn't mean track users won't keep their distance because of having a few drinks and/or being curious about catching a breathtaking view of a sun setting on a quiet lake. Do it enough times and people start asking for amenities so their trespassing on nature can be more comfortable! Will there be onsite security to discourage human disturbance of habitats and possible nesting birds?

Once again, it's stated that "any noise violation will not be known until the vehicle is driven on the track". It is unacceptable and irresponsible to build a facility with activities KNOWN for noise and then decide if the vehicles will be too loud for this project to proceed. If it is so difficult to provide comparable measurements for such a big issue in regard to this proposed project, take a look at why. Is it because an actual vehicle would produce unacceptable results vs. the computerized "model"? Is it because finding a comparable scenario proves to be difficult because road courses aren't built by noted wildlife lakes for a reason?? With the "Sound Committee" is the City Council prepared to take on the additional responsibility when current meetings already run late and there is talk of adding more to handle the workload?

Speaking of the surrounding vegetation and the earthen berms, I can't tell if they are trying to discourage wildlife from coming close or actually encourage habitat creation in the berms (quite possible as coyote are also present in the lake area). **This section is incomplete and needs further study.**

16. Air

a. Stationary Source Emissions

This section essentially states that they can not calculate the effects this proposed project would have on climate change regionally or globally.

Lompoc Valley Motorsports Park in Lompac, CA was chosen for a comparison with discussing the impact on construction and occupation emissions. The motorsports park in Lompoc, CA was first introduced in 2012 and was never even built, receiving its final blow in 2017 when the city decided not to apply for another grant and terminated their "Memorandum of Understanding" with the motorsports park, citing missing deadlines and cooperation concerns. The city also faced threats of lawsuits from citizens and a community organization concerned about property values, noise, etc. An *Environmental Impact Review* by Meridian Consultants note that the proposed project in this case created a significant and unavoidable impact to air quality, the lone serious concern initially cited by the study (discussion included). The Lompoc Valley Motorsports Park was to be a 35-acre site between the Santa Ynez River and the Lompoc Airport with two primary parks: one for off-road vehicle motocross tracks and then an 1/8 mile long drag strip. 35 acres vs. 230 acres. Drag strip vs. road course with condos. Airport vs. a designated wildlife lake. California vs. Minnesota. **This is not a comparable example to the proposed project.**

Additionally, a traffic study consisting of 1 day in the middle of the week 3 years ago not only was a poor representation of actual traffic at that intersection, but at that time they had zero intentions of tracking emissions. So, guesstimates are given and calculated to make a determination as though this is a 5th grade science fair project. Similarly, a fair judge would ask the student why they didn't consider emissions from

Supplemented EAW comments Sept 20-Oct20, 2022 ERIN GUENTZEL

surrounding factors such as the Canadian Pacific Railroad, Highway 14, or the Mankato Airport. If these factors already contribute to the noise where the proposed project's noise contribution would be "negligible", wouldn't the levels of GHG emissions output act similarly?

The calculations claim to have similar output of a current agriculture field that sees brief traffic for planting, spraying, and harvesting. Mere days vs. 7 months of traffic in that same spot. Again, it is NOT the same.

BMPs such as reducing vehicle idling times, plans to reduce electric and natural gas use, and ensuring regulated emissions-control measures are established for vehicles using the track and its resources – who will be responsible for seeing these things through? Is it going to be taking the developer's word or will this also fall to the Eagle Lake City Council to manage?

This section finishes with the admission that the GHG output would be almost DOUBLE the current conditions and that is estimates based on 1 day of traffic observation, speculation of facility use and ignoring 3 possibly major contributors near the proposed project. Additionally, because the tools and regulatory guidance don't exist yet, they can't answer to the cumulative effects this proposed project could have on climate change. Not an excuse to move forward and hope for the best. **This section is incomplete and needs further study.**

b. Vehicle Emissions

Calculations to determine the output of emissions are simply expectations and cannot be considered true examples of possible impact. As has been admitted throughout the supplemented EAW the actual scenarios are not available to provide more accurate information. 1,000 vehicles? Is this over 214 days? A week? A day? With amenities such as a hotel and entertainment center that seem to come-and-go from the proposal these numbers seem to again just be guesstimates. **This section is incomplete and needs further study.**

17. Noise

The developer has proposed 10-foot berms topped with 10-foot walls as a way to mitigate noise concerns. Will that be enough? Specifically, with the topography of the proposed project area the track itself may be as high as the opposing wall meant to provide protection to the lake and residents across Hwy 14. The condos most certainly will not be high enough to meet the suggested height for sound protection. If additional wall is needed, how will that affect existing Hwy14 traffic disturbing the townhouse to the south? While it has been claimed that this area is flat, it is not. What kind of additional dirt work and disturbance would be needed to aid in this mitigation? How high is the developer willing or allowed to go? How high is Eagle Lake going to find as an acceptable view for their landscape? Huge walls resembling a prison doesn't scream "Join our community!". But yet, these walls would be a necessity and 20 feet may not be enough.

What about birds nesting the trees around the lake? Why is disturbing their habitat ignored?

"Any noise violations will not be known until the vehicle is driving on the track" has been the one constant throughout this process and STILL, "Build it and figure it out later" is not a responsible plan for a proposed project of this size with activities known to create noise. Cars identified as outliers and not in compliance will be asked to add a noise muffler and if they refuse? Is the developer prepared to turn away business? While it may not be technologically sophisticated as computer modeling, getting some neighbors together on the

Supplemented EAW comments Sept 20-Oct20, 2022 ERIN GUENTZEL

proposed property to rev their engines while being monitored from marked observation sites would be a more accurate representation of the possible noise effects. It would be no different than standing next to a running combine, observing the noise it produces and then understanding how the noise obviously decreases as one walks away. To be fair, when that combine revs it's engine and squeals the tires taking a corner through the corn – only then would that be a fraction of a fair comparison to 20 cars on a track.

Right now that area is a quiet piece of agriculture that sees a few days of intermittent welcome noise as farmers go about their life's work. No walls needed.

19. Cumulative Potential Effects

This entire section is answered with, "Discussions under this section was provided in the 2020 EAW. Previous comments on the 2020 EAW will remain part of the record." That's the problem.

The first section of the 2020 EAW, **a. Geographic Scales & Timeframes** gives a brief summary of the proposed project plans and admits that changes to city boundaries and zoned uses could have unforeseen future environmental effects. It claims to have thoroughly discussed cumulative potential effects in preceding sections but with now being on the 3rd round of gathering information that is still incomplete, this claim simply isn't true.

The third section of the 2020 EAW, **c. Discussion/Summary of Cumulative Potential Effects** just flat out states that "There are no additional cumulative potential effects for the proposed project beyond those stated in 19a. Significant cumulative potential environmental effects are not anticipated." To say that this is incorrect is an understatement. Clearly a project of this type in the proposed location would contribute – as a whole – to environmental damage.

The supplemented EAW in 2022 uses the standard answer of "Discussions under this section was provided in the 2020 EAW. Previous comments on the 2020 EAW will remain part of the record." to avoid further discussion that would reveal why this project shouldn't go in the proposed area. The lack of discussion only serves to prove that the developer cannot adequately complete this EAW with the full truth and yet continue to claim that little to no harm would come to wildlife, humans or the environment. **This section is incomplete and needs further study.**

Final comments

This isn't your neighbor building a garden shed in their backyard. Enough is enough - pass it on to the qualified agencies who can make sure this proposed project doesn't cause irreversible harm not only to the rural landscape and environment, but the reputation of the Eagle Lake community.

Thank you,

Erin J. Guentzel

By Janene Scully, Noozhawk North County Editor | [@JaneneScully](#) |

November 1, 2016

11:23 p.m.

A technical flaw pointed out by a speaker Tuesday night forced the Lompoc City Council to postpone certifying the environmental document for a proposed motorsports park

After hearing from multiple speakers for and against the project proposed for Lompoc Airport land, the council voted 5-0 to recirculate the environmental document.

An eleventh-hour discovery of a potential significant impact not analyzed in the EIR means a section of the document needs to be recirculated for public comments, officials said more than three hours into Tuesday's meeting.

"As your legal counsel, I would highly recommend you not certify the EIR," City Attorney Joe Pannone told the council.

Released in late June, the draft EIR prepared by Meridian Consultants of Westlake Village identifies the environmental impacts of the planned activities at the proposed motorsports park and cites ways to minimize or mitigate significant adverse impacts.

The park proposed by a subcommittee of the Lompoc Valley Park, Recreation & Pool Foundation, calls for the phased development of off-highway vehicle tracks, pit areas, motocross arenas, grandstands, a 1/8-mile drag strip, and a vehicle storage structure.

The draft EIR generated 75 comment letters, a Meridian representative said.

Dozens of comments — both in support and opposition of the EIR and project overall — also were made during Tuesday night's meeting.

"This EIR is inadequate and incomplete," said Jenelle Osborne, a member of the Lompoc Economic Development Committee and a candidate for City Council.

She contended the EIR misinterpreted the Lompoc General Plan Noise Element, leading to a document that does not accurately reflect noise impacts from the proposed park or potential mitigation measures.

After public comment, Meridian representatives said Osborne's comment highlighted a potential lack of compliance with the General Plan that would require the draft EIR to be recirculated under the California Environmental Quality Act rules.

"Our analysis demonstrated, as it is, that the noise leaving the site is greater than 60 (decibels) which would exceed the city's noise ordinance," said Joe Gibson, Meridian partner and practice group leader. "In doing so, we should have called that a significant impact. We did not call that a significant impact."

Instead the EIR labeled noise a less-than-significant impact because of measurements taken at the "sensitive receptor site," Gibson said.

The project on the 38-acre site near the Santa Ynez River would create a significant and unavoidable impact to air quality, the EIR noted as the lone serious concern initially cited by the study.

Specifically, the document contends the project would exceed Santa Barbara County Air Pollution Control District thresholds for volatile organic compounds and nitrogen oxides.

Several significant impacts also were identified as being mitigated to less than significant levels, the report noted. Those include biological resources, greenhouse gas emission, hazards and hazardous waste, public services, traffic and circulation.

In addition to the proposed project, the EIR analyzed alternatives including creating an off-highway vehicle facility only or a drag strip facility only.

Staff and the consultant also noted the council's certification of the environmental report does not obligate the city to approve the project.

Earlier in the meeting, the City Council postponed action on a request for another \$20,000 for Meridian Consultants for additional costs related to the preparing the environmental document.

A representative of Meridian said the original estimate did not account for controversy sparked by the project. While originally expecting a smaller document, the final project report exceeds 500 pages.

It's not known whether the recirculation of the EIR will increase consultant's costs above the \$20,000.

Pannone said it's doubtful if the document can be recirculated and certified before the end-of-the-year deadline tied to a state grant that is providing reimbursement for the city's costs.

"If we can't, we need to have a discussion with the state to see whether or not they will extend the deadline for the phase one portion which is the CEQA review," Pannone said.

Certification of the EIR is one small step in the approval process since the project needs to go through a National Environmental Policy Act review plus the city must work with the Federal Aviation Administration to update its Airport Layout Plan.

— Noozhawk North County editor Janene Scully can be reached at jscully@noozhawk.com. Follow Noozhawk on Twitter: [@noozhawk](https://twitter.com/noozhawk), [@NoozhawkNews](https://twitter.com/NoozhawkNews) and [@NoozhawkBiz](https://twitter.com/NoozhawkBiz). Connect with Noozhawk on [Facebook](https://www.facebook.com/noozhawk).

Motorsports park a bad idea for Lompoc

Written by NationBuilder Support

August 02, 2016

This op-ed by Ken Hough ran in the Lompoc Record and in the Santa Maria Times on Aug. 2, 2016:

http://santamariatimes.com/news/opinion/editorial/commentary/guest_commentary/motorsports-park-a-bad-idea-for-lompoc/article_a28cd126-08f8-5500-8db8-f78f362daf44.html

Supporters of the proposed motorsports park and drag strip tell us the noise and air pollution will be no big deal.

Did you go to the Lompoc Flower Festival parade? I did. Did you see and hear who brought up the rear? It was members of the Lompoc Valley Motorsports Park Project.

If they were trying to demonstrate how little noise impact the park will have, they failed. If they were trying to demonstrate how little air pollution the park will produce, they failed.

It seemed they intended to show how much noise, smoking tires and excitement the park would generate.

If you go to a parade, you expect to hear some noise and endure odors. But if you happen to live in a town, you likely expect to not have too much noise and to be able to breathe reasonably good air.

The draft environmental impact report for the project raises serious questions about these expectations. It also fails to adequately answer questions people have about the project's impact.

Consider the noise. There are nearly 3,000 residents in homes within one mile of the proposed project. The city's 2030 General Plan, recognizing airplanes generate a fair amount of noise, requires that additional noise sources in excess of 60dB should not be allowed in areas affected by airplane noise.

The draft EIR says the proposed park would add a noise source level of 88dB to the area outside of the project property line — several times louder than what the General Plan allows. The city should deny the project on the basis of this inconsistency alone. Incredibly, the draft EIR finds noise is not a significant impact.

The document also is quite clear on the issue of air pollution. This is the one topic where the draft EIR acknowledges significant and unavoidable impacts. These are for emissions of toxic air pollutants, including particulates. This is a compelling cause for project denial. And the draft EIR does not account for the practice of racers warming up their tires by spinning them on the pavement, creating strong odors and particulates breathed by participants, observers and neighbors.

Supporters argue drivers who currently street race illegally will use the Motorsports Park instead. It is just as likely the drag strip will encourage more illegal racing. Illegal street racers should be caught and punished, as required by law, not rewarded with a special place to race.

The draft EIR says the Santa Ynez River will not be harmed by the project. Runoff from the operation — which will include copious amounts of petroleum products, including the remnants of smoking tires — will be directed into "infiltration ponds." So, the polluted runoff will apparently work its way into the Valley's groundwater rather than being dumped directly into the riverbed.

We need to take care of our environment. This is why California's environmental laws require that an "environmentally superior alternative" be identified for any significant proposed project. In this case, for reasons made clear in the draft EIR, the "environmentally superior alternative" is the "No Project/No Development Alternative."

The draft EIR has many inadequacies and should not be certified, but there is ample information in it for the City Council to adopt the "environmentally superior alternative" and deny the project.

If you are alarmed by the impacts of this project, you need to comment on the draft EIR by Aug. 15. Copies of the document are available on the city website at www.cityoflompop.com. Send comments to L_breese@ci.lompoc.ca.us and tell your city council members how you feel.

Ken Hough is executive director of Santa Barbara County Action Network (SBCAN).

From: Gary Borchardt gary.borchardt@icloud.com
Subject: Supplemental EIS Comments
Date: Oct 20, 2022 at 3:38:53 PM
To: Jennifer Bromeland
jhbromeland@eaglelakemn.com

10-20-2022

Ms. Bromeland,

1. The Eagle lake website has posted the EAW which is not signed and has a (draft) in red. Posting unofficial documents will have a detrimental effect on comments and hard data used for comments and yesterday I notified you the EIS was unsigned also.

2. The EIS is incomplete. Page 3, number 6, e. :

e. Future Development

Are future stages of this development including development on any other property planned or likely to happen?

Yes No

August 2022

Page 3

3. Noise compliance plan is flawed. Not included was a brake down on committee on what compensation package. Paid, volunteer etc.

A minimum of two hour meeting when complaints are issued.

What weight each person has in the discussions.

No upfront documented plan for offense 1-2-3 etc. Only left to oh whatever we decide.

4. Page 215 D. Setting emissions limits and noise monitoring:

Stated: To the extent the final site includes more hard surfaces between the track and receptors, the predicted impact could be some what higher than model results.

This shows inconsistent accuracy in models provided which sound levels effect wildlife and humans.

5. No documentation of sound testing as per state of Minnesota:

Subp. 4. Measurement procedures

The following procedures must be used to obtain representative sound level measurements:

A. Measurements must be made at least three feet off the ground or surface and away from natural or

artificial structures which would prevent an accurate measurement.

A Guide to Noise Control in Minnesota •

October 2008

Minnesota Pollution Control Agency

18

B. Measurements must be made using the A-weighting and fast response characteristics of the sound measuring device as specified in American National Standards Institute S1.4-1983.

C. Measurements must not be made in sustained winds or in precipitation which results in a difference of less than 10 decibels between the background noise level and the noise source being measured.

D. Measurements must be made using a microphone which is protected from ambient conditions which would prevent an accurate measurement.

Subp. 5. Data documentation

A summary sheet for all sound level measurements shall be completed and

signed by the person making the measurements.

At a minimum, the summary sheet shall include:

A. date

B. time

C. location

D. noise source

E. wind speed and direction

F. temperature

G. humidity

H. make, model, and serial number of measuring equipment

I. field calibration results

J. monitored levels

K. site sketch indicating noise source, measurement location, directions, distances, and obstructions.

6. Noise receptors R1 and R2 have no data . Both receptors are critical to the wildlife on the lake area. Why couldn't you have live data of these receptors? Omitted why? Speculation on

sound values, no hard data.

7. Sup EIS. Pg 12, b. Project use storage hazardous materials.

Only states gasoline and diesel. Doesn't provide locations on property.

No provided input on type of containers. Above ground or below ground.

No data on chemicals used on site, lawn chemicals, cleaning supplies, paint etc.

No measures in place to minimize or mitigate adverse effects.

No spill prevention plan presented. No accident plan if a vehicle crashes flips and spills gas and oil that leaches into ground water tables.

8. Green house gases: pulling data from California farm study, doesn't match

with the climate of southern Minnesota the data is flawed. Not detailed enough to make decisions.

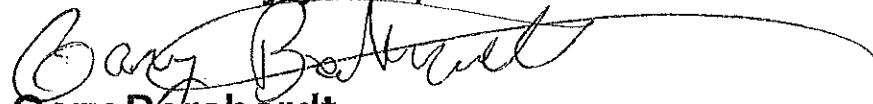
9. Page 10, number 13 fish, wildlife, plant communities, & sensitive ecological resources.

Table provided has no vegetation listed July 2003

and June 2010. Also the Natural Heritage
letter from the Minnesota DNR is void as of
1-2-2022.

So with no in-depth data this has not been
addressed.

Successfully yours,



Gary Borchardt

From: Heidi Thompson <heidist56@gmail.com>
Date: October 20, 2022 at 3:14:25 PM CDT
To: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Subject: Motorsport track

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

As proposed, the development will become my front yard. This is not a prospect that I, nor my neighbors, welcome. I see nothing in the final reports here that change my mind.

I cannot imagine the disruption to the wildlife that makes use of the area, as best it can, surrounded as it is by agriculture and Highway 14. The pressure is already immense and constant. The noise levels here fluctuate between mildly annoying to downright uncomfortable through out the course of the day, due to highway 14, a necessary transportation route. To pretend that berms will absorb and diffuse the unnecessary noise caused by a playground for a few people is insulting to those of us living near by. Comparative noise level measurements have no practical application in this instance. Adding to this environmental noise load with vehicles that are driven for the pleasure of a few seems to have no intrinsic value for the rest of the people and creatures that call this area home., including a large number of people across the highway, who live in town. The traffic on the roads that feed the surrounding areas is already congested and dangerous, as much so to wildlife as to humans. We live in an age where the quality of environment we leave behind for future generations is in serious jeopardy, harmed largely by the selfish mismanagement of our natural resources. There is nothing I see about this track that helps us reach our goals for sustainability and climate preservation. There is nothing that I can see in these documents that will ensure that the rules of play as laid out here will hold as the realities of paying for the track become challenging. What are the plans for conversion away from fossil fuels and into electric vehicles, to comply with the measures we will have to adapt to as we continue into the future? The light pollution, the noise pollution, the air and land and water quality degradation inherently associated with unrestricted development like this hardly seems worth the cost. Developing this acreage into housing would seem a much better fit for the town of Eagle Lake and its citizens, as well as the land owners involved in the sale of the land, as it would provide for the needs of many people and provide tax revenue for years to come.

Heidi Thompson

Sent from my iPad

Questions and comments by Mike Guentzel.

The wetlands mentioned on page 2, paragraph 2 to make it seem the developer is conscientious of the environment does not exist. The area in question was CRP that is tilled and going back into production in 2023. I believe this speaks to the character and the thoroughness of this EAW.

The sound study is flawed because it only places monitors at the edge of the lake behind the natural tree line which is habitat for wildlife. They also do not take into account the wildlife in the treetops. Eagles are in the area as admitted in section 13 A and verified in by the residents are breeding during the tracks open season.

In this EAW they admit this facility will affect air quality with fumes and may affect wildlife. This needs deeper study to determine.

The short native grasses and turf grasses are going to inviting and problematic with Canadian Geese leading to extreme measures such as sound cannons or even permits to shoot the geese to keep them from being a nuisance.

In calculating the greenhouse gas emissions, they include the surrounding roads (approximately 606 extra acres) but when they do the motorsports park it is only the motorsports park. The gases are cumulative and need to be included to give a true result. If anything, the carbon offset should be given to the agricultural ground as it captures carbon and releases oxygen.

The cars and trucks used to quantify the amount of greenhouse gases on the highway are assumed to have full factory exhaust systems which they probably do. When cars are altered for performance as track cars generally are, the exhaust system is the generally the first place to start. Removing restrictions such as catalytic converters help the engine breath better but increases the emissions. Many of these cars could be pre-emissions "Muscle Cars." The newer cars can have the computers that can be tuned to increase fueling or change the timing to gain performance, both of which cause increased greenhouse gas emissions.

Questions and comments by Mike Guentzel.

The track data that was used to calculate the greenhouse gas emissions verses the agricultural emissions was from California. The agricultural practices of California being likely fruits or vegetables very greatly from Minnesota where it is primarily corn and soybean rotation. Additionally, the Lompac Motorsports Project was only a 35 acre project and never built making all their data speculative. There are other road course race tracks that could be used for a more definitive study but were not. Why?

The topography of this site is not flat and as I demonstrate in the illustrations provided (I don't have a way do it on computer but I'm sure the developers team could provide a clearer copy if needed) is useless to the community of Eagle Lake, parts of the track are conservatively 20-30 feet higher than the base of the wall or berm. Additionally, the surrounding homes are not considered being two or three stories tall and having no protection to floors above the first floor.

The noise reduction wall also has gaps allowing noise to escape without mitigation on the north where the driveway is and the south towards the City of Eagle Lake and the cemetery between the buildings.

In talks with DNR Area Wildlife Manager, Stein Innvaer, contrary to Section 13 A. the DNR does have control of the outlet to Eagle Lake and are currently working on a plan to update the dam and stepping up their presence at the lake.

The Steffensmeier project is not included in the project a is request by the Mayor, which changes the carbon output and the amount of impervious surface impacting storm water and carbon output of the entire project.

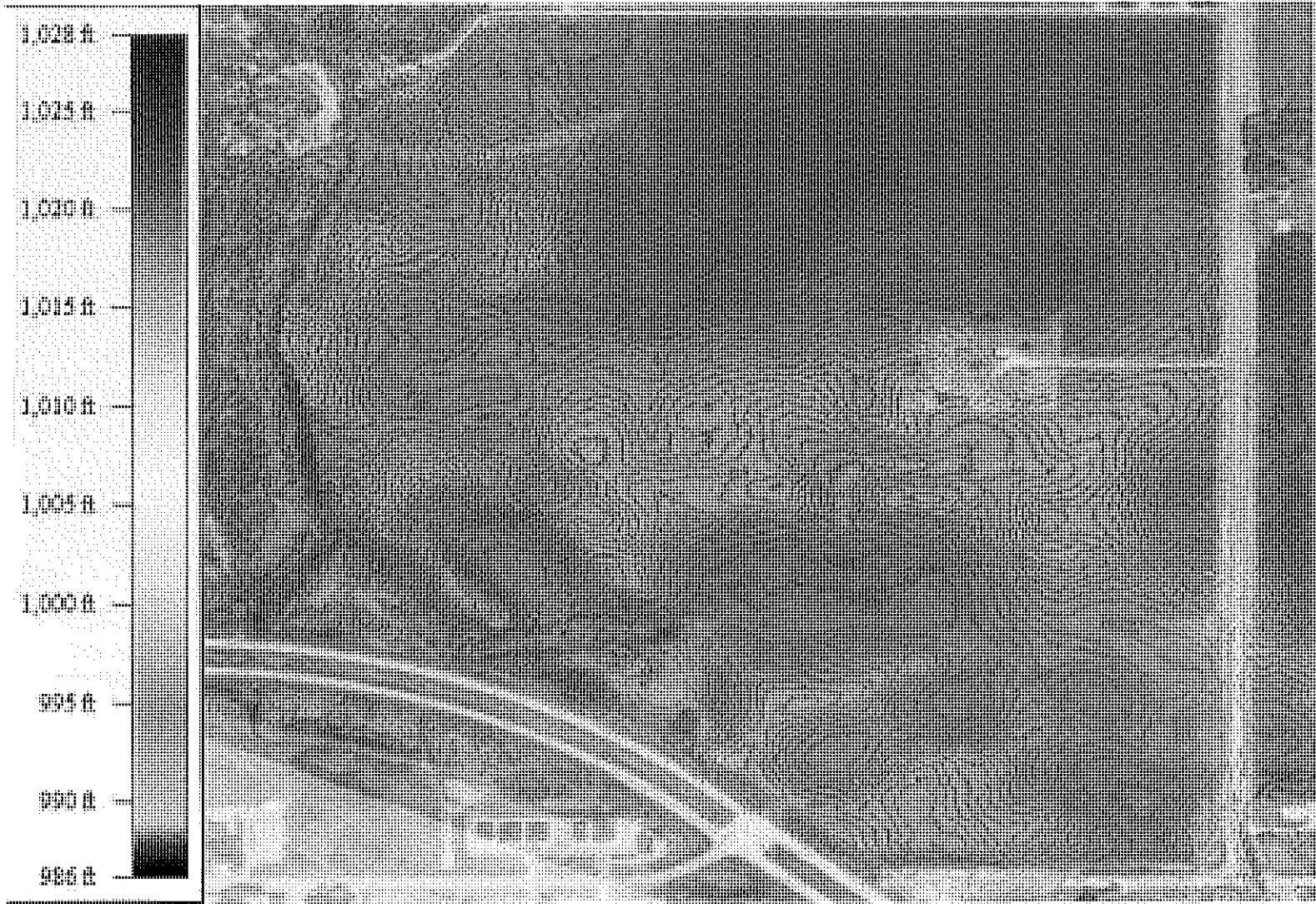
The traffic study for this project is obviously flawed as the main intersection to and from the proposed facility has been changed twice and still there was a fatal accident involving a sixteen-year-old female losing her life. If this facility is successful it will increase the traffic causing another change to the intersection. The cost of this may fall to the city as discussed in previous city council meetings with MnDOT.

Questions and comments by Mike Guentzel.

This is not a Supplemental EAW it is a Supplemented EAW meaning any vote for the need of an EIS needs to include the previous EAW.

The future development is not checked making the entire EAW incomplete again showing the developers lack of preparation.





1,035 ft
1,030 ft
1,020 ft
1,015 ft
1,010 ft
1,005 ft
1,000 ft
995 ft
990 ft
985 ft



Nancy Reasor
305 Maywood Ave
PO Box 64
Eagle Lake, MN 56024

October 20, 2022

Jennifer Bromeland, City Administrator
City of Eagle Lake
705 Parkway Ave
PO Box 169
Eagle Lake, MN 56024

Re: Supplemental Environmental Assessment Worksheet for proposed Mankato Motorsports Park

Dear Jennifer,

I have many concerns regarding the Supplemental Environmental Assessment Worksheet and other related information that I will refer to in this letter. In order to be as concise as possible, and because the City Council is already familiar with and has access to this information, I will not quote the references that I make, nor will I take the time to ensure that the references are according to any standards for citing said information. I will, however, make references that are understandable and point directly to the information I am commenting on.

In the council meeting minutes for March 7, 2022, the city attorney stated that city must accept the lowest responsible bid for the third party review of the EAW. I interpret the word responsible to indicate that other factors should be considered. Please refer to Minnesota Statutes 471.354 Subdivision 5 and 166.28 Subdivision 1, paragraph (a) clause (2) paragraph (c). I realize that the review has not yet been scheduled and has no bearing on the report itself but would ask the council to keep that in mind, looking back and moving forward.

Please refer to the 5th page, third bullet of the March 7, 2022, council minutes. If I understand it correctly, it seems to imply that a third-party review will take place before the EAW is submitted to the RGU. Again, I realize that the contents of the Supplemental EAW still stand as they are, even though a third-party review was not completed. But at that time, it appears there was agreement that a third-party review would be needed.

In the April 4, 2002, meeting minutes the council voted "to table discussion on a third-party review until such time Council is confident the project would move forward." Forgive me if I have got this wrong, but shouldn't the review be completed before the project moves forward? The purpose of the third-party review is to determine if the EAW is complete before the RGU approves it, not after the fact.

In the May 2, 2022, minutes:

"Council discussion included what the layout of the project, including the Steffensmeier project will look like, if there is a current site plan, if this changes the EAW and if there are changes would those changes set the project back to the starting over point. Mr. Bass explained that nothing in the layout has changed and that the buildings Mr. Steffensmeier is proposing would act as a better noise buffer than the berm in the original design. He will work with his draftsman and can show this on his plans. • Chris Kennedy

stated these changes would not set the project back to square one, but the Council does need to see the plans and that updates should include traffic and noise levels. • Mr. Bass stated he will contact the sound engineer and have them submit information before the 3rd party review. He also stated that Mr. Steffensmeier's plans for commercial buildings would just be on a different corner of the parcel from the original plans." Were those plans and updates included in the Supplemental EAW? And again, the third-party review, I believe, should have happened before the RGU made a determination that the Supplemental EAW was complete.

At the June 28, 2022, special meeting, council votes for additional studies and to declare the EAW incomplete. At the September 12, 2022, council meeting, there was some discussion about the effects of the Motorsports Park on climate change. I was unable to discern if this information was the product of additional studies that the council agreed were needed, or a clarification and/or explanation of information already contained in the study. I understand that there are some questions you are required to respond to and others that are not required, but either way, I would appreciate an answer to this question. Also, and I have not checked, but does the Supplemental EAW include the "Steffensmeier's plans?"

I will be referring to the publication: EAW Guidelines, Preparing Environmental Assessment Worksheets, by the Minnesota Environmental Quality Board October 2013. I think the council would be familiar with this publication, but in the event, they are not, it can be easily found and accessed online. I will refer to it simply as "the guidelines."

Please refer to the bottom paragraph on the left-hand column of page 5 of the guidelines... It is the second paragraph under Preparing the EAW and begins with "Even if the proposer's data..." Also refer to the second paragraph in the right-hand column of page 5 that begins "Presenting more information..." I realize this is general guidance but given the potential environmental impact and the expertise of the Environmental Quality Board, it seems prudent and necessary that the council, as the RGU, would follow that guidance. It would not only help to clear up many questions and concerns that the citizens of Eagle Lake have shared but would give the council the information needed to make a better informed, more thoughtful decision.

Please refer to page 33 of the guidelines, 13. a. Fish, wildlife, habitat and vegetation. Please refer to all three paragraphs, paying special attention to the last three sentences that read, "Keep in mind, however, that it is the responsibility of the RGU to determine the nature and significance of any project-related impacts. It often is necessary to hire a specialist to conduct a filed survey of the site. This is especially true if unusually valuable or extensive habitat may be impacted."

Please refer to the top of page 34 of the guidelines. It reads, "Determining the presence of key habitats should be done by direct observation and/or by using existing GIS data. Key habitats have not been mapped, but there are other GIS data sources that can assist in identifying potential key habits..."

In Appendix C of the original EAW, one of the communications states, "As such, the National Heritage letter dated November 1, 2018, is valid until January 2, 2021. I think the project would need to get a current National Heritage Review.

In the Supplemental EAW I believe the Eagle Lake survey data, Table 1, beginning page 10, is out of date. The most recent information is based on June of 2011, if I am not mistaken. In light of the RGU's responsibility to determine the nature and significance of any project-related impacts, and the

recommendation and ability to obtain GIS data and utilize other sources, I believe a current, relevant survey of Eagle Lake needs to be completed before the Supplemental EAW can be approved or be part of an EIS.

I also had concerns about the recommendations in Joanne Boettcher's letter and whether and to what extent the city considered or followed those recommendations. I spoke to Joanne on the phone this morning and she informed me that she would be submitting her comments to you regarding the Supplemental EAW so I will leave that to her.

Thank you for your consideration,

A handwritten signature in black ink that reads "Nancy Reasor". The signature is written in a cursive style with a long horizontal flourish at the end.

Nancy Reasor

October 20, 2022

City of Eagle Lake
Attn: Jennifer Bromeland, City Administrator
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024

RE: Supplemental Environmental Assessment Worksheet (EAW)
File name in hyperlink on city's website: Supplemental EAW – Signed – September 2022
File name/type once downloaded: MMS_Supplemental_EAW_September_2-22_-_Signed.pdf

Dear Jennifer,

With regard to the supplemental EAW for the proposed Mankato Motorsports Park (MMP), I am submitting this letter of written comments. Although I am submitting these comments as a resident of this city, I will note that I hold an undergraduate degree and two graduate degrees in ecology and conservation biology, with my graduate research focus being in the subjects of avian ecology and wildlife management. For this reason, I acknowledge that I see this issue through a very different lens because of my educational background and long-held passion for outdoor recreation and natural resource issues.

My substantive comments and concerns to the supplemental EAW are highlighted below in a summarized, bulleted format beginning on page 3. However, I want to first reiterate some personal reflections I made back in 2020 during the first EAW review period and add some additional commentary. My husband and I have been renting a townhome in Eagle Lake for 10 years now. We've lived in several other cities in two other states in the Upper Midwest, and this has by far been our favorite place to call home. To be clear, I am not anti-development. We've witnessed a lot of development in this city during our time here, and I've never felt drawn to be active participants in the process because I understand that some development is necessary and beneficial to the city, its operating budget (tax base), and its citizens.

But I also firmly believe we need to be wise in the type of development we bring to Eagle Lake. The city's main webpage describes us as *"a small city with a family friendly atmosphere – a safe, quiet community located just a few minutes from the large regional center of Mankato. Although many residents work outside of the city, they enjoy the friendly neighborhoods they come home to."* When I picture a friendly neighborhood to come home to and the type of commercial growth that fits with our family friendly atmosphere, I envision: family-friendly businesses (e.g., "Ma & Pa" restaurants, coffee shops, day care centers, senior living facilities, gyms); parks, sidewalks, and streets that allow us – particularly our youngest residents – to enjoy the outdoors and recreate and travel safely around town; and a bit of residual green space and other habitat that makes room for wildlife who are already being pushed out of their home ranges from continued development and the resultant habitat fragmentation and degradation that comes with such development. Minnesotans very much value their wildlife, even if

they don't realize it in their everyday lives. Consider the family of foxes that has twice drawn the residents of this city together in wonderment and awe at their antics! I also envision having businesses that our average citizens can afford to frequent on a regular basis. ***In short, I envision development that helps us maintain our sense of place while still growing as a community and growing our economy.***

I do **NOT** picture any of this in my mind when I picture the MMP. I strongly feel that locating a noisy, commercial business frequented most often by people who do not call Eagle Lake home will not contribute to our small city, family-friendly atmosphere. I disagree with the belief that the members of the MMP will be spending a significant amount of their time in Eagle Lake. They'll either have what they need at the MMP, or they'll head to Mankato which has more amenities.

Additionally, if not properly mitigated, monitored, and brought into compliance, the noise from the proposed location will more significantly impact those of us who reside closer to the MMP (e.g., those of us residing between Highway 14 and Parkway Ave vs. residents on the south end of town). For my family in particular, I will be able to both **SEE and HEAR** this track from my living room window. I fear the increased noise will not allow us to open our windows on beautiful summer days. Unlike other tracks developed in other cities and states, there are no trees or other obstructions to block the noise coming across the open landscape (in this case, a wetland and a large, open field) towards us. Yes – there is currently some highway noise. But it's a constant, low-level "hum" that becomes just part of the background noise. Adding a car track with loud, speeding sports cars braking hard to make their corners and turns is not the same as the ambient background noise of a highway.

I also fear that adding pavement in this area will increase the risk of flooding for the creek that passes through my part of the neighborhood since the water flows in our direction. Even without this development, this creek rises quickly and overflows its bank with heavier rain events. Heavier, more extreme precipitation events are predicted to occur more frequently with climate change with every month except July expected to be wetter (see summary of a recent University of Minnesota study here: <https://www.house.leg.state.mn.us/SessionDaily/Story/17399>). Adding pavement reduces the ability of the landscape (even in tiled row crop fields) to absorb some of that rainfall and may worsen the flooding in the creek near me. Additionally, any greenhouse gas emissions from cars on this track will add to overall climate change concerns. Some proponents of the track are suggesting that electric sports cars will be used on this track; however, I'm left wondering how quickly most/all sports car enthusiasts will really make that switch.

Finally, I have serious concerns about the impact of this development to a specially designated wildlife shallow lake (see <https://www.dnr.state.mn.us/wildlife/shallowlakes/designation.html>). Eagle Lake is one of only ~60 lakes in our state with this designation. Duck hunters in the area regularly hunt it during waterfowl season. (In fact, I ran into a duck hunter on the trail who was scoping out the lake just before this year's opener, and he indicated that he opposes the MMP development but fears speaking up about it.) But they are not the only outdoor recreationists enjoying this underrated natural resource gem in our area. The added value of this special lake is that the Sakatah Singing Hills State Trail runs through it. During most seasons of the year, a variety of other outdoor recreationists – including runners, walkers, anglers, bicyclists, and birdwatchers – enjoy this lake and trail.

Ultimately, I feel very strongly that there has to be a better location for the MMP in the area than directly across from the primary residential portion of our city and directly adjacent to a specially designated wildlife lake with heavy use by outdoor recreationists. If the developer were truly interested in being a part of this community, they would listen to the concerns of the citizens and find a more suitable location – further away from our homes and with less impact for the lake, the trail, and its existing users. It seems apparent from social media posts that future MMP members and other potential users of the car track are excited for this opportunity and have the money to spend enjoying it; thus, I firmly believe they'd be willing to drive a few more miles to get to it while still being within easy distance to the regional airport.

With that said, my major specific concerns and comments regarding the *supplemental EAW only* are detailed below. I am not including concerns or comments provided in my previous written comments associated with the original EAW here, as I assume that my previous comments remain a part of the official record.

5 - Project Location

- Text on page 2 describes that the first location considered (off of CSAH 12) was dropped due to constraints around the requirements for buffers for the noise barriers and concerns for noise from the road course which “could have a discernable effect on both wildlife and residential habitants in the area.”
 - Why are these same concerns not applicable to the new location? The project developers seem to admit here that noise is a concern despite the barriers at this first location but are not willing to admit that noise is a concern for residents and wildlife in Eagle Lake. The noise from the track will add to existing highway noise, not be somehow hidden or muted by it.

6 – Project Description

Part a – EQB Monitor Description

- Is a hotel and entertainment center still being considered? We’ve been given conflicting information on this aspect of the development and I believe it was suggested by the developer at some point that, due to the economic impacts of COVID, the hotel and entertainment center were no longer being considered. It is this conflicting presentation of plans (current and future) that have led to concerns about trust, transparency, and whether the full impacts of this development are being considered.

Part e – Future Development

- No box is checked.
 - In order for the City Council to weigh the full impacts of this potential development, it should be made clear if future stages/phases of development are “likely to happen.” Given that a lot has happened between 2020 and now (particularly the pandemic and its economic impacts), the developer should be asked to revise this section accordingly to reflect their most up-to-date intentions.

7 – Cover Types

- It is important to note that tallgrass and shortgrass prairie needs to be regularly managed in the ways suggested (e.g., prescribed burns, haying, mowing, targeted herbicide application) to prevent woody encroachment and maintain its value to prairie-associated wildlife and insects, including pollinators. Given the proximity of trees to this development, woody encroachment may take over within just a few years (2-4) if not properly managed on a regular basis.

11 – Water Resources

Part a – Surface Water & Groundwater Features

- This supplemental EAW relies on referencing the 2020 EAW as remaining part of the official record. However, the 2020 EAW fails to mention in this section that Eagle Lake holds special importance as a formally designated wildlife shallow lake (see <https://www.dnr.state.mn.us/wildlife/shallowlakes/designation.html> and associated links found there). This is an important oversight on the part of the original EAW.
 - Although the special designation is not mentioned in this supplemental EAW in this particular section but is mentioned later on, including in Section 13a on page 10.

13 – Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources (Rare Features)

Part a – Resources/Habitats/Vegetation

- Text in this section suggests that DNR has no interest in actively managing this lake since they have not done any drawdowns since the designation in the late 1970s or early 1980s. However, an email from DNR wildlife manager Stein Innvaer dated June 25, 2020 (which starts on page 68 of the supplemental EAW) states the following:
 - *“We are currently developing a management strategy that will at times require drawdown of water level in the north basin, primarily for fish management, but will also provide for separate water level manipulation of the south basis as needed to maintain vegetation and water quality. Finally, I want to clarify our near term plans for Eagle Lake. Specifically, we currently have a preliminary design and feasibility study in hand that was completed in cooperation with Ducks Unlimited, Inc., to replace the existing dilapidated and leaking water level control structure. It is my hope that this project will move to final design and eventual construction in the near future. This new structure will allow for more efficient and effective water level management on Eagle Lake, in accordance with the goals established when the lake was designated... While this (MMP) project diminishes the relatively remote and secluded nature of this lake, it remains an important and vital remnant of shallow lake habitat that has mostly disappeared from southern Minnesota.”*
 - Thus, the DNR has clearly indicated that they have intentions to more actively manage this lake via draw downs once they can update their water control structure.
 - Additionally, the DNR wildlife manager indicates that the MMP diminishes the value of the lake.
- The text and table provided in this section also summarize bird observations anecdotally noted during lake surveys, stating *“While methodology was not always consistent... these surveys da*

provide a species snapshot. The surveys do not provide an exhaustive list of all species that may use Eagle Lake.”

- The developer’s and EAW report authors’ use of anecdotal, inconsistently collected data using different methodologies to try to document the wildlife species richness of this lake seems lazy and is just bad science. The authors of this EAW should have basic scientific training to recognize the issues with using these DNR reports – which were likely compiled with other main objectives in mind (and anecdotal observations seemingly being ancillary) – for the purposes of this EAW.
- In a later paragraph, the authors refer to a USFWS data source that generated only two migratory birds for the project area. Anyone with a bare minimum of wildlife identification skills who is paying attention to this lake at all, particularly those trained in EAW report preparation, should be able to document themselves that more than two migratory bird species use the lake. Thus, in my opinion, the suggestion that there is a paucity of data to go on and include in this supplemental EAW is just misleading at best and reflects a minimum amount of effort put into detailing the wildlife associated with this lake for the purposes of this environmental assessment.
 - Many other data sources exist that could have been relied upon to come up with a more complete list of species observed in this area, including Breeding Bird Survey data, eBird data, and iNaturalist data. All of these options are open sources and freely available to the public, but also have staff behind the scenes who can assist with retrieving data if needed. Additionally, the Minnesota Ornithologists’ Union (<http://allbirds.org/>) could be used as an additional data source.
 - If anecdotal observations are going to be used to document wildlife species occurrences in/around Eagle Lake, then I’m again offering up my personal (and incomplete) list of observations:
 - Mammals: white-tailed deer, red squirrels, fox squirrels, gray squirrels, muskrats, various small mammals (e.g., mice, shrews, voles), least weasels.
 - Birds: trumpeter swans, Canada geese, American coot, grebe sp., mallard, various other species of dabbling ducks, various species of diving ducks (e.g., mergansers, bufflehead), sora, killdeer, wild turkey (broods also observed), ring-necked pheasant, **common nighthawks**, belted kingfisher, tree swallows, barn swallows, cliff swallows, red-winged blackbirds, **blackbird sp. (appeared to be a rusty blackbird during migration but was not confident enough to report)**; common grackles, baltimore orioles, great-crested flycatchers, yellow warblers, kinglet sp., white-throated sparrows, American goldfinch, various other species of sparrows. (Species shown in bold are generally considered species of concern.)

Part c – Project Effects

- I’m glad to see that a more thorough description of the negative impacts of noise on the surrounding wildlife has been addressed here. However, considering that there has been a poor attempt to document the entire suite of species that exist in this project area, it is premature to

say that “most of the wildlife species in the study area already tolerate some measure of human activity.”

- I encourage further studies of the noise impacts to be conducted that evaluate noise levels in multiple locations and multiple heights in the vegetation canopy, including: the outer edge of the trees (outside buffer of the lake) at ground, mid-canopy, and upper canopy levels; the inner edge of the trees at all three heights; the wetland vegetation at mid-canopy and top of it's canopy, the center of the lake itself, and at multiple points along the state trail including the fishing dock. This more complete assessment would cover more of the microhabitats and nesting areas that wildlife species, particularly birds, are using.

Thank you for taking the time to review my input. Concerns about trust, transparency, open communication, and conflicts of interest have muddled this conversation throughout these past few years. Given how ugly it has gotten at times, some citizens have been afraid to speak up in opposition of this development. I sincerely hope that the City of Eagle Lake will take the time to fairly weigh all comments and concerns regarding this project from those of us willing to speak up.

Sincerely,

Nicole Davros
101 Valley Lane
Eagle Lake, MN 56024
ndavros@state.mn.us
515-231-5615

End of Public Comments Received



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

September 12, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Supplemental EAW for Motorsports Park Project and Next Steps

Attached is an updated Environmental Assessment Worksheet (EAW) from Bradford Development for the Mankato Motorsports Park Project. The updated EAW includes additional information as requested by the City Council as it relates to greenhouse gas of the existing agricultural field and the anticipated greenhouse gas output for the proposed buildings.

For purposes of providing background, a Special City Council meeting was held on June 28, 2022, and a presentation given of a Supplemental EAW for the Mankato Motorsports Park Project by Bradford Development. Following the presentation, discussion ensued with the City Council ultimately declaring the EAW incomplete and requesting additional study on the cumulative effects on climate change. Attached for reference purposes are the minutes from the June 28th meeting.

Additional Background: The City of Eagle Lake is the Responsible Government Unit (RGU) charged with determining what environmental review is required for the project. Because the project would convert 230 acres of land from agricultural to industrial use, it required an Environmental Assessment Worksheet (EAW). An EAW is required for projects that may convert 80 or more acres of agricultural land to a different use. An EAW is a brief document which is designed to set out the basic facts necessary to determine whether an Environmental Impact Statement (EIS) is required for a proposed project. When a project has potential for significant environmental effects, an EIS is required.

At its May 28, 2020 City Council meeting, the City decided that the project did not have potential for significant environmental effects and issued a negative EIS declaration. Shortly thereafter, Citizens Against Motorsports Park (CAMP) and Michael and Erin Guentzel filed an appeal.

The Court of Appeals remanded the matter back to the City for further review on two issues: the project's potential effects on wildlife and climate change. The Court did not order an EIS, it directed that these two issues be addressed in more detail. The Court held:

To conclude, substantial evidence supports the city's determination that an EIS need not address noise impacts on humans, waste storage and disposal, land alterations, and wetlands. The city, however, failed to rely on substantial evidence to determine the project's potential effects on wildlife and failed to consider the project's cumulative effects on climate change. We conclude

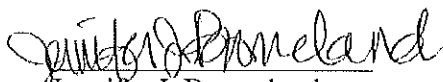
that the city's negative EIS declaration was arbitrary and capricious. Thus, we reverse and remand for a new EIS determination. In doing so, we express no opinion about whether an EIS is required.

The process does not need to start over. The Court confirmed:

We are aware of no authority providing that an RGU must prepare a new EAW or supplemental EAW in the event of project changes. The rules provide, however, for a supplemental EIS when "substantial changes" are made to a proposed project "that affect the potential significant adverse environmental effects of the project." Minn. R. 4410.3000, subp. 3(A)(1). In that case, the rules also provide for another public-comment period on the EIS. Id., subp. 5; cf. id., subp. 2 (allowing "minor revisions" through addendum not subject to public-comment period).

The City will need to make a determination on the final two issues based on the information presented.

Action Needed: The City Council as the RGU will need to review the data submitted and make a determination of completeness. If deemed complete, the EAW can be approved for distribution and publication in the EQB monitor. Reviewers have 30 days to submit written comments to the RGU. The RGU may host a public meeting to gather comments during the public comment period. Following the public comment period, the RGU must make the EIS need decision and prepare a record of decision, including findings of fact and responses to all substantive comments. Attached is a flow chart depicting the timeline and process.



Jennifer J. Bromeland
City Administrator

**CITY OF EAGLE LAKE
CITY COUNCIL SPECIAL MEETING
JUNE 28, 2022**

CALL TO ORDER

- Mayor Auringer 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 Tim Auringer.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, and Deputy Clerk Kerry Rausch.

NEW BUSINESS

1. Presentation of Supplemental EAW for Mankato Motorsports Park Project by Bradford Development
 - Mayor Auringer explained the purpose of this meeting is to review the supplemental EAW that was received from Bradford Development for the Mankato Motorsports Park project. Mr. Brad Bass is presented to answer questions. He also stated that this meeting is not a public hearing and that if members of the audience have questions, they should limit them to those relating directly to the supplemental EAW. It will be the Council's job to make a determination of the next step.
 - Brad Bass, 4336 Linder Bay Lane, Madison Lake, stated that Bolton and Menk have compiled a response to the appeal and put together a report. The Kopachek property has been included as a component of the project.
 - Jason Femrite with Bolton and Menk presented finding for the supplemental EAW. He stated the area around the buildings and track will be turf grass, with the remainder of land within road course will be short grass, native grasses and forbs, the area between the noise barriers and tree line along Eagle Lake will be tall prairie grass. He also stated that Eagle Lake is a MN DNR wildlife lake with no control of the outlet structure. The lake drawdown is not utilized as an active management tool at Lake Eagle. The 2022 Noise Analysis included five additional receptors concentrating on the shores of Eagle Lake and in the middle of the lake. Greenhouse Gas (GHG) levels for Highway 14 for one mile is 9.51 tons of CO2 per day, the road course will increase CO2 by 0.03 tons per day. There are no Minnesota or National Ambient Air Quality Standards for GHGs. The use of native grasses and plants within the site will facilitate carbon uptake.
 - Mr. Femrite also presented information relating to the filing with the Court of Appeals on the following topics:
 - A. The City lacks substantial evident to support its determination that the project has no potential to significantly affect wildlife as a whole, the record contains no evidence about the project's effect on wildlife because there was no attempt to identify, survey, or catalog the wildlife in the project area. The response addressed in the supplemental EAW can be found on pages 12-18. A summary of these responses include the MN DNR Eagle Lake Survey data from 1953-2011 have been provided and are discussed with the 2022 noise analysis. USFWS Information for Planning and Consultation (IPac) has been included. The Bald Eagle is present January through mid-April and Lesser Yellowlegs present mid-March and October. The park is open seasonally, April – October.
 - B. DNR commented that Eagle Lake's value as a "designated wildlife lake" in fact "would be damaged by the proposed project, which would generate noise, heavy vehicular traffic, automobile exhaust fumes, and the creation ...of turf lawn." The city did not address the potential harm to wildlife or the lake's recreational value from the project's vehicular and human traffic or automobile exhaust fumes, even

though the DNR and the county identified these harms. The response addresses this on pages 12-18 of the supplemental EAW. A summary of these responses include that some impacts are anticipated due to fumes, vehicle and human traffic, and turf lawn, the proposed course conditions: 20 cars operating for 50-minutes per hour at two minutes per lap during daylight hours, MPCA and FHWA provided little published data on calculating and analyzing noise effects on wildlife from non-highway focused projects, additional noise analysis was completed in 2022, the increase in GHG emissions is negligible and should not have negative effects on wildlife or surrounding residences, the driving track will not be lighted at night, no lights will be located along the course of the track. Lighting is not anticipated to affect wildlife, and turf lawn around buildings and track, short prairie grasses within course area, long prairie grasses between noise walls/barriers and trees along lake.

- C. "The city lacks substantial evidence for its determination that noise from the project has no potential to significantly affect wildlife." and "The record should consider data on "noise on the shore of and on the water of the lake to determine noise impacts," as well as consider use restraints on the track during important seasonal activities. Additional noise analysis was completed in 2022. The 2022 noise analysis compared current Highway 14 to proposed conditions and found modeled noise levels along the shore of Eagle Lake (areas of nesting and gathering) are negligible. Therefore, an in-depth wildlife study would not be warranted to this project due to noise.
- D. 2022 Noise Analysis: Five receptors were modeled, three along the lake shore by the track, one in the center of the lake, and one on the south side of the lake by Highway 14. Combining the proposed track noise with existing (2019) traffic volumes. Results showed existing maximum modeled noise levels from Highway 14 traffic at the Eagle Lake receptors are similar to (within 1 dBA) the maximum noise level impacts from the track predicted at these same locations during a daytime track event. The berm with proposed wall will meet the criteria of the noise study. The one change to track layout is the addition of two storage buildings by the berm to the proposed track. This area will have taller grasses and short pollinator grasses as well.
- Dan Donayre with Bolton and Menk provided more details as to how the noise study was conducted, stating three receptors were added along the lake shore in the location of nesting birds, one receptor was placed for Highway 14 noise, and the final receptor was placed in the middle of the lake to determine how noise travels over the lake. The sound study did not utilize the sound barriers which will be in place. The maximum noise level observed with receptor 3 was 63.1 decibels and the modeled noise for adding the track increased the noise level by 0.5 decibels. The existing decibels for receptor 4 was 58.4. With the track it would increase by 0.4 decibels. Receptor 5's existing decibel level is 67.5 and would increase by .4 with the track. No noise makers were set in place. The receptors were utilized to provide background noise and modeling was used to determine the increase in decibels at each location. Anticipated car noise was calculated at 105 decibels. Council asked if there is modeling that could be done with actual noise maker to determine track noise, which could be done. The model that was used is the same as the model that MN DOT and counties use for their noise studies.
 - Mr. Donayre explained they utilized the 2019 track study for the road by the cemetery and Highway 14 and determined the types of vehicles on Highway 14, they also took into consideration the future use of Highway 14. From there they used federal highway data on each vehicle. They also assumed there would be 20 cars on the track. The current CO2 ton is 9.51 and the track will generate .031 tons. There are not numbers available to how this would affect wildlife.
 - Brad Bass stated they are taking into consideration the use of electric vehicles on the track, that there are currently electric vehicles which would utilize the track, and that electric vehicles are the future. Mr. Bass also stated that his plans have not changed. There will be space for a hotel and restaurant for other developers to build to bring in their products. The component of the strip mall would be relevant to those that use the track and would not be intended for public use. If a developer would like to purchase one or

two parcels from this project, they would need to come to the City for approval. There will be 92 condos included in this project. The land owned by Mr. Tony Steffensmeier and the buildings he is proposing to construct would be outside of the track and berm.

- Discussion included asking what the carbon output is for agricultural use of the land; this was not looked at, stating the court of appeals asked that the cumulative affect be determined.
- Mayor Auringer restated that there is not a public bearing tonight so any questions from the public need to address the following two questions relating to the supplemental EAW: noise/wildlife and climate change impact.
- Mike Guentzel, 60374 224th Lane, Madison Lake, stated his concern for vehicle decibels used for calculations was only 62. It was clarified that the study used a decibel level of 105. He asked for clarification of what track hours would be. Mr. Bass stated normal track hours would be from 9 a.m. to 5 p.m., unless there is a rented event, which could extend the hours. The track will not have lighting. Mr. Guentzel also stated he does not understand why this is not being sent to a third party for review and also stated that Bolton and Menk was hired by the developer and that he feels Bolton and Menk will make the findings fit the needs. The staff from Bolton and Menk stated they are professionals within the industry and have ethical standards to adhere to and that their work is their reputation. He expressed concern on the traffic study stating that the design of the highway design has changed. Mr. Guentzel asked about a public hearing because he has four pages of information he would like to read. Mayor Auringer stated a public hearing is not required and Attorney Kennedy stated he does not know a city who would allow someone to read four pages at a public hearing. Mr. Guentzel asked about a picture of the new layout and stated it has changed from the original. Mayor Auringer explained that when doing EAW projects, they don't normally get to this level of scrutiny and that the EAW does allow for minor changes to data. Attorney Kennedy explained that plans can be modified throughout the process and that the question is, do the changes affect what is being look at.
- Nicole Davros, 101 Valley Lane, stated that as a citizen she likes to recreate on the state trail (which is heavily used) and that she is a birder. The wildlife on the list is anecdotal. She stated that early on it was stated that the reason the developer was interested in this land is because it is flat farm ground. She stated that nature calms blood pressure. She stated that by changing ag land to prairie planting will result in butterflies being smacked by windshields. She stated noise data and studies to compute impact on wildlife can be found through google searches. She asked if the noise study is cumulative or synergistic. Ms. Davros asked for clarification asked about cumulative impacted and if HAVA has been included, which it was not. She also asked where the receptors were placed, in the wetlands or in the buffer. Receptors were placed in gathering, nesting areas.
- Erin Guentzel, 60374 224th Lane, Madison Lake, asked for clarification: Will there be a drag strip? Mr. Bass stated a drag strip has never been considered and that he is willing to put that in writing. She also stated that the lake does have a controlled outlet. It was explained that the DNR does not have control of this, that it is on private property.
- Nikki Hanson, 23721 583rd Ave., Mankato, stated she feels the City Council has already made up their minds and that they need to represent the community. She has three colleagues that live in Eagle Lake and that none of them know about this development and that it would be beneficial to ask for residents input. It was explained that information about this project has been on the City's website for three years and that agendas for council meetings are also on the website and are emailed to residents. City Attorney Chris Kennedy stated the agendas are published and the City does not have the resources to send out notices to residents. Mayor Auringer stated that community members need to take interest to find out what is happening in the community and that information

about this project has been in city newsletters. Council Member Rohrich asked if a public hearing is truly needed for this. She stated residents in her neighborhood have had general discussions on this topic. Ms. Hanson stated it is disappointing that no council members are taking notes on what is being said. Council Member Rohrich stated that she and Council Member White have been taking notes so that comment is not valid. Council Member Rohrich also asked what do people know about, how should the City get information out to the residents, other than going door to door. Council Member Whittington stated there have been plenty of opportunities for people to attend meetings and ask questions. He also stated the City does publish the agenda. Administrator Bromeland clarified that the City has added the extra step of sending out the agenda by email as well as post and extra reminder on Facebook.

- Cindy Guentzel, 22083 604th Ave, Eagle Lake, stated they used to farm out by the airport when this project was first proposed and that it is hard to understand Bolton and Menk findings when there is a house in the middle of the property and adjoining acreage. She stated that combines only run for 2-3 hours in a year, and not every day for six months. She offered to stuff envelopes to mail residents a survey relating to this development.
- Daryl Guentzel, 22083 604th Ave, Eagle Lake, stated the supplemental EAW has inaccuracies, what is termed as wetland is not wetland. Mr. Guentzel handed council a picture of a lot parcel, it was determined that Mr. Guentzel was referring to the parcel in Lime Valley Township and that it was not relevant to tonight's meeting. Mr. Guentzel stated he has talked to residents who were walking in Eagle Lake about this development and encouraged them to attend tonight's city council meeting. He invited about 20 people and none of them are present at the meeting.
- Dennis Terrell, 60604 211th Street, Eagle Lake, stated he did a decibel test inside of a combine which registered between 98-100 decibels and when come down by bank could hear it, once moving away from bank could not hear it.
- Jason with Bolton and Menk explained that sound travels through open areas and that berms and walls will dampen noise.
- Gary Borchardt, 21402 598th Street, asked if property and layout has changed since other parcel was bought. It has not. He also stated that the wildlife data is 11 years old. Bolton and Menk explained they used the DNR wildlife data and this gives a snapshot only. Greenhouse and CO2 effects are negligible. These results will be reviewed by the DNR and other agencies. He also stated that it is not their belief that Eagles will be affected. When Mr. Borchardt asked why they did not get base data from other tracks, it was expensed that every track has geographic area differences. Mayor Auringer stated that when he drove to Hastings, NB to visit their track, when vehicles were driving away from him, he could not hear them. When cars came near him, he was 85 decibels. Jason with Bolton and Menk stated the original noise study showed the impact in town.
- Lyle Groskreutz, 22298 604 Ave., Eagle Lake, stated the only reason he knows about this project is through a mutual friend. He receives the city's newsletter, and the track has only been mentioned one time and has not seen an update to the public. He also stated that he does not use a computer. He asked about the building on the site and if this would need to follow county or city code. Since this has been annexed into the City, the City is responsible for the building code. His concern is to protect the neighborhood and asked if a row of trees could be considered. It was explained that the buildings on the adjacent property would be for storage.
- Brad Bass stated that at the beginning of this process he sent fliers to every home and held an open where he and other professionals met with Mike Guentzel and others about the proposed development. He stated that the Guentzel's have known that there is no drag strip planned and that

nothing about the project has changed. The development has been downsized due to Mike Guentzel and others from the public's input.

- Mayor Auringer stated the City Council needs to determine if the information presented tonight meets the court's request and that the original EAW passed except for the two items: climate change and noise impact to wildlife.
- Dennis Wendland, 112 N. 3rd St, Eagle Lake, asked if the noise study was done for the south side of the highway and how much extra noise would be generated above Highway 14. Jason with Bolton Menk stated the noise levels were within the MN Department of Health's guidelines.
- Jim Sohler, 101 Creekside Drive, Eagle Lake, asked for clarification that all vehicles on the track would be street legal, which they would be. He also stated that when he served on Mankato Township's board, they looked at the highest and best use tax wise and service wise when making decisions.
- Mayor Auringer and Council Member Steinberg stated his biggest concern tonight is the cumulative effect of the entire project on climate change and asked if there is a way to calculating the climate change impact of buildings and what the current use of the land generates. Dan with Bolton and Menk stated this may be possible and that there are good studies. Jason with Bolton and Menk explained vehicles were the focus since they are the major use.
- Attorney Chris Kennedy stated the court remanded substantiation of cumulative effects and that if Council does not feel the study meets requirements, they should ask for more findings.
- Mayor Auringer explained two options before council; one would be to determine that the EAW is complete and to distribute the decision to the EQB. The other would be to request additional study for the two items and declare the EAW is incomplete.
- Council Member Whittington moved, seconded by Mayor Auringer, to request additional study and declare the EAW incomplete. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor. Council Member Steinberg voted in opposition.
- City Council requested that more study on cumulative effects on climate change be studied and to include all aspects of the project.
- Don with Bolton and Menk stated they are employed by Bradford Development, and it is their job to look at all angles. Once complete, this study will go to the DNR and other agencies for review.

UPDATE

- Administrator Bromeland asked to update the Council on Police Department staffing and stated that since the last Council meeting a full-time police officer has turned in his resignation. Staff is following past practice and has posted this opening internally. If there is not internal interest it will be posted externally.

ADJOURN

- Council Member Steinberg moved, seconded by Council Member Rohrich, to adjourn the meeting at 7:58 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk



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

November 7, 2022

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

John Graupman, engineer with Bolton and Menk, will be at this evening's meeting to present bids obtained by direct negotiation for a SCADA system. For reference purposes, attached is an excerpt from the League of MN Cities Information Memo: Competitive Bidding Requirements in Cities related to contracts exceeding \$25,000 but not \$175,000.

Attached is a bid evaluation for the Supervisory Control and Data Acquisition (SCADA) System Project. The system is designed to allow for remote control monitoring and the generation of alerts if abnormal operating conditions arise. One bid was from Minnesota Pump Works in the amount of \$162,635. The other bid was from Automatic Systems Company with a base of \$148,678 and add items of \$31,160 and \$3,225 for a total with add items of \$183,073. The engineer's estimate was \$170,000. According to Mr. Graupman, the lowest responsible bid for this project was received from Minnesota Pump Works.

Mr. Graupman recommends that the bid from Minnesota Pump Works in the amount of \$162,635 be accepted.

In total, the City of Eagle Lake received \$337,354 in ARPA funds that will need to be expended by December 31, 2024. Per an inquiry to the City's auditor, if an expenditure would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), then the expenditure is eligible under ARPA. An inquiry was submitted to Minnesota Public Facilities Authority (PFA) asking if this expenditure would be eligible under CWSRF or DWSRF. Attached is a response from PFA indicating that the expenditure would be eligible. Also attached is correspondence with the City's auditor and an excerpt from the Interim Final Rule regarding eligible uses for water and sewer projects.

A motion is needed to accept the bid from Minnesota Pump Works in the amount of \$162,635 to be paid for using ARPA funds paid out of line item 250-00000-210.


Jennifer J. Bromeland
City Administrator

Bid Date: 10/20/22 12:00PM
Ref: Eagle Lake, MN – Proposal for Main Lift Station SCADA Improvements
Engineer: Bolton & Menk – Mankato
To: City of Eagle Lake, MN Attn: Jennifer Bromeland

ITEM A - LIFT STATION CONTROLS

One - Triplex NEMA 1 wall mount control panel for operation on a 480 volt 3 phase 4 wire service. Controls to operate three 30 HP motors on a pump down mode and include the following:

- ANSI 61 gray paint finish
- Main lugs
- Lightning arrestor
- Phase monitor with line fuses
- (3) Pump circuit breakers
- (3) Mitsubishi F800 series variable frequency drives (field installed)
- Control transformer with primary & secondary protection
- Control circuit breaker
- Serialized UL 698A label relating to hazardous locations with intrinsically safe circuit extensions
- USEMCO "SENTRY" variable speed pump controller with 10" color touch screen operator interface
- USEMCO WebStation cellular remote access and monitoring with IP dialer
- Blue Ribbon Birdcage submersible level sensor with 40 feet of cord
- Intrinsically safe barrier protection for level sensor
- Intrinsically safe back-up float circuit
- (4) Float switches with 50' cord
- Low level light - Integral to the operator interface
- High level light - Integral to the operator interface
- Wetwell level and set points - Integral to the operator interface
- Pump delay timers - Integral to the operator interface
- (3) Hand-Off-Auto selector switches
- (3) Run lights
- (3) Run Time Meters - Integral to the operator interface
- (3) Fail lights - Integral to the operator interface
- (3) Fail reset push buttons - Integral to the operator interface
- Overtemp shutdown
- (3) Overtemp alarm lights - Integral to the operator interface
- (3) Seal fail alarm lights - Integral to the operator interface
- (3) Overtemp/seal fail reset push buttons - Integral to the operator interface
- External alarm light contacts
- Analog input for future flowmeter
- Unauthorized entry alarm
- Room temperature monitoring
- Generator High, low and rupture alarm monitoring
- UPS
- Terminal strip
- Factory wired & tested
- One year factory warranty

NOTES:

1. Seal fail relays are supplied by MPW.
2. VFD's to be wall mounted external to the control panel.
3. Shipped Loose – 3 – Cellular Dialers (Sensaphone Sentinel with 1 Year Cellular Service Included)

149A



ITEM B – WELL HOUSE CONTROLS

One - NEMA 12 (#304 stainless steel) wall mount well house control panel for operation on a 120 volt 1 phase service to include the following:

- Main lugs
- Erico 120 VAC DT115010R surge protector
- UPS
- Allen Bradley CompactLogix PLC
- Mitsubishi 10" Operator Interface
- Fiber Optic Patch Panel
- Fiber Pigtails
- Fiber Splice connectors
- NTRON 309FX-SC Ethernet switch
- USEMCO WebStation with Ethernet dialer (Local ISP communication with cellular back up)
- One year cellular service
- Control circuit breaker
- (2) CL2 Booster pump Hand-Off-Auto selector switches
- (3) Well Hand-Off-Auto selector switches
- (3) Chem Feed Hand-Off-Auto selector switches
- Room temperature sensor
- CL2 alarm input
- (2) Analog inputs for flowmeters
- (2) Digital inputs for flowmeters (totalizer)
- Door intrusion switch
- Input for future chemical scales
- Terminal strip
- Factory wired & tested
- One year factory warranty

ITEM C – WATER TOWER CONTROLS

One - NEMA 12 (#304 stainless steel) wall mount tower control panel for operation on a 240 volt 1 phase 3 wire service. Controls to operate one 1/2 HP circulation pump and include the following:

- Main lugs
- Erico 120 VAC DT115010R surge protector
- UPS
- Allen Bradley MicroLogix1400 PLC
- Mitsubishi 7" Operator Interface
- Fiber Optic Patch Panel
- Fiber Pigtails
- Fiber Splice connectors
- NTRON 309FX-SC Ethernet switch
- Analog input for tower pressure sensor
- Circulation pump circuit breaker
- Circulation pump FVNR starter overload & reset
- Control circuit breaker
- 200 watt panel heater with integral thermostat
- Well #1 Hand-Off-Auto selector switches
- Recirculation pump On-Off switch
- Well and recirculation pump Run lights
- Gauge room temperature sensor
- Door intrusion switch
- Recirculation pump pit flood switch

149B



- Foxboro pressure transmitter
- Terminal strip
- Factory wired & tested
- One year factory warranty

NOTES:

1. Includes Cutler Hammer S811+R10P3S reduced voltage soft starter to replace existing XL starter for well #3, this is the same soft starter that is currently installed for well #2.
2. Fiber optic pigtails to be spliced together by others.

Start-Up Services

Qty 1: Lot of Start-Up services including: On-Site Time, Travel, Mileage, and Lodging.

Anything not quoted above will be by others. This includes but is not limited to the following:

- *Electrical Strain Reliefs*
- *Piping, Eccentric Reducers, Valves, Couplings, Flanges, Gaskets & Fasteners*
- *Vents*
- *Gauges*
- *Offloading, Storage, Installation & Wiring of any kind*

NOTE: Due to all manufacturers having supply chain and delivery issues. Above lead times are estimated at time of proposal and may change at time of release to production. Iowa Pump Works, Inc. will not be responsible for any liquidated damages due to manufacturer submittals or equipment shipment delays that effect the completion dates for the project.

Total Equipment Price; Freight & Start Up included: \$ 162,635.00

Total Equipment Price; Freight & Start Up included: \$ 122,635.00

Electrician Allowance: \$ 40,000.00

Sales Tax: Not Included

Lead Time (After Submittal Approval): TBD

Quote Valid: 30 Days

Thank you for your consideration.

Respectfully,

Dillon Braith
 Inside Sales/Projects
 dillonb@minnesotapumpworks.com
 P: 507.645.8004
 F: 507.645.7533

Jason Draeger
 Territory Account Manager
 jasond@minnesotapumpworks.com
 C: 952.215.8988

149C

CITY OF EAGLE LAKE, MINNESOTA
PROPOSAL FOR MAIN LIFT STATION SCADA IMPROVEMENTS
Project No. OM2.128431

I. DESCRIPTION OF PROJECT

1. The City of Eagle Lake is requesting proposals from licensed contractors for the following SCADA improvements at its main lift station:
 - a. One Triplex NEMA 1 wall mount control panel for operation on a 480 volt, 3 phase, 4 wire service. Controls to operate three 30 HP motors on a pump down mode and include the following:
 1. ANSI 61 gray paint finish
 2. Main lugs
 3. Lightning arrestor
 4. Phase monitor with line fuses
 5. Three (3) pump circuit breakers
 6. Three (3) variable frequency drives for 28 HP submersible motors (field installed)
 7. Control transformer with primary and secondary protection
 8. Control circuit breaker
 9. Serialized UL 698A label relating to hazardous locations with intrinsically safe circuit extensions
 10. Variable speed pump controller with 10" color touch screen operator interface
 11. WebStation cellular remote access and monitoring with IP dialer
 12. Submersible level sensor with 40 feet of cord
 13. Intrinsically safe barrier protection for level sensor
 14. Intrinsically safe backup float circuit
 15. Four (4) float switches with 50' cord
 16. Low level light – integral to the operator interface
 17. High level light – integral to the operator interface
 18. Wetwell level and setpoints – integral to the operator interface
 19. Pump delay timers – integral to the operator interface
 20. Three (3) Hand-Off-Auto selector switches
 21. Three (3) run lights
 22. Three (3) run time meters – integral to the operator interface
 23. Three (3) fail lights – integral to the operator interface

24. Three (3) fail reset push buttons – integral to the operator interface
25. Over temp shutdown
26. Three (3) Over temp alarm lights – integral to the operator interface
27. Three (3) Seal fail alarm lights – integral to the operator interface
28. Three (3) Over temp/seal fail reset push buttons – integral to the operator interface
29. External alarm light contacts
30. Analog input for future flow meter
31. Unauthorized entry alarm
32. Room temperature monitoring
33. Generator high, low, and rupture alarm monitoring
34. UPS
35. Terminal strip
36. Three (3) cellular dialers installed at remote lift stations to monitor alarms
37. Factory wired and tested
38. One year factory warranty
39. NOTES:
 - a. Seal fail relays are supplied by MPW.
 - b. VFDs to be wall mounted, external to the control panel.
- b. One NEMA 12 (#304 stainless steel) wall mount well house control panel for operation on a 120 volt, 1 phase. Service to include the following:
 1. Main lugs
 2. 120 VAC surge protector
 3. UPS
 4. Allen Bradley CompactLogix PLC
 5. Mitsubishi 10" operator interface
 6. Fiber optic patch panel
 7. Fiber pigtailed
 8. Fiber splice connectors
 9. Ethernet switch
 10. WebStation with Ethernet dialer (local ISP communication with cellular backup)
 11. One year cellular service
 12. Control circuit breaker

13. Two (2) CL2 booster pump Hand-Off-Auto selector switches
 14. Three (3) well Hand-Off-Auto selector switches
 15. Three (3) chemical feed Hand-Off-Auto selector switches
 16. Room temperature sensor
 17. CL2 alarm input
 18. Two (2) analog inputs for flow meters
 19. Two (2) digital inputs for flow meters (totalizer)
 20. Door intrusion switch
 21. Input for future chemical scales
 22. Terminal strip
 23. Cutler Hammer S811+R10P3S reduced voltage soft starter to replace existing XL starter for well #3. This is the same soft starter that is currently installed for well #2.
 24. Factory wired and tested
 25. One year factory warranty.
- a. One NEMA 12 (#304 stainless steel) wall mount tower control panel for operation on a 240 volt, 1 phase, 3 wire service. Controls to operate one 1/2 HP circulation pump and include the following:
1. Main lugs
 2. 120 VAC surge protector
 3. UPS
 4. Allen Bradley MicroLogix 1400 PLC
 5. Mitsubishi 7" operator interface
 6. Fiber optic patch panel
 7. Fiber pigtailed
 8. Fiber splice connectors
 9. Ethernet switch
 10. Analog input for tower pressure sensor
 11. Circulation pump circuit breaker
 12. Circulation pump FVNR starter overload and reset
 13. Control circuit breaker
 14. 200 watt panel heater with integral thermostat
 15. Well #1 Hand-Off-Auto selector switches
 16. Recirculation pump On-Off switch

17. Well and recirculation pump run lights
18. Gauge room temperature sensor
19. Door intrusion switch
20. Recirculation pump pit flood switch
21. Foxboro pressure transmitter
22. Terminal strip
23. Factory wired and tested
24. One year factory warranty.
25. NOTE:
 - a. Cutler Hammer S811+R10P3S reduced voltage soft starter to replace existing XL starter for well #3. This is the same soft starter that is currently installed for well #2.

- | | | |
|----|---------------------------|--|
| 2. | PROPOSAL SUBMISSION DATE: | E-mail Proposals to City of Eagle Lake by <u>12:00 Noon on October 20, 2022.</u> |
| 3. | PROPOSAL EMAIL: | Jennifer Bromeland, City Administrator
City of Eagle Lake
jbromeland@eaglelakemn.com |
| 4. | PROJECT QUESTIONS: | Address Inquiries to:
John Graupman, P.E.
John.Graupman@bolton-menk.com
507-380-0433 |

II. COMPLETION DATE:

Work to be completed by **April 30, 2023.**

III. BACKGROUND INFORMATION

The existing main lift station controller has failed and is operating with a temporary unit. The control building has limited wall space and ceiling height, so bidders shall confirm the panel dimensions fit the existing building. There are three smaller stations with alarm lights but no dialer capability.

The tower has a level sensor and recirculation pump. The level controller communicates with the well house via fiber optic to control Wells 2 and 3, along with the chemical feed equipment.

1496

IV. INSURANCE

1. Contractor's Liability Insurance

- a. CONTRACTOR shall purchase and maintain such comprehensive general liability and other insurance as is appropriate for the Work being performed and furnished and as will provide protection from claims set forth below which may arise out of or result from CONTRACTOR's performance and furnishing of the Work and CONTRACTOR's other obligations under the Contract Documents, whether it is to be performed or furnished by CONTRACTOR, by a Subcontractor, by anyone directly or indirectly employed by any of them to perform or furnish any of the Work, or by anyone for whose acts any of them may be liable:
 - i. Claims under workers or workmen's compensation, disability benefits, and other similar employee benefit acts;
 - ii. Claims for damages because of bodily injury, occupational sickness or disease, or death of CONTRACTOR's employees;
 - iii. Claims for damages because of bodily injury, sickness or disease, or death of any person other than CONTRACTOR's employees;
 - iv. Claims for damages insured by personal injury liability coverage which are sustained (a) by any person as a result of an offense directly or indirectly related to the employment of such person by CONTRACTOR, or (b) by any other person for any other reason;
 - v. Claims for damages, other than to the Work itself, because of injury to or destruction of tangible property wherever located, including loss of use resulting therefrom;
 - vi. Claims arising out of the operation of Laws or Regulations for damages because of bodily injury or death of any person or for damage to property; and
 - vii. Claims for damages because of bodily injury or death of any person or property damage arising out of the ownership, maintenance, or use of any motor vehicle.
- b. The CONTRACTOR shall purchase and maintain workers compensation insurance providing limits of \$100,000/500,000/100,000 or the limits required by Statute, whichever are greater.
- c. The CONTRACTOR shall purchase and maintain general liability insurance including completed operations and contractual liability coverages, with limits of at least six hundred thousand dollars (\$600,000) per occurrence. All insurance shall remain in effect until final payment.

2. Insurance Certificates

Before commencement of any work, the CONTRACTOR shall submit written evidence to the City that all required insurance policies have been obtained. The certificates shall contain a provision that the coverages will not be canceled, materially changed, or renewal refused until at least thirty (30) days prior written notice has been provided to the City.

3. Additional Insureds

All liability and property insurances shall name the City of Eagle Lake as an Additional Insured, which shall automatically include the City's agents.

4. Errors and Omissions Coverage

Any insurance agent who signs the certificate of insurance shall furnish with it a certificate that the agent has Errors and Omissions coverage with limits of at least \$600,000 per occurrence.

V. BONDS

1. Performance Bond - None required.
2. Payment Bond - None required.

VI. WORK PROVIDED BY CITY

In developing the proposal, it should be assumed by the CONTRACTOR that the CITY will provide the following:

1. Legal and physical access to the tower site, wellhouse site, and lift stations.
2. Payment will be made upon issuance of an invoice each month, and the recommendations of the Engineer.

VII. WORK BY THE CONTRACTOR

1. See attached work summary.

VIII. WORK BY THE PROPERTY OWNER

1. None.

IX. BID PROPOSAL

Total Project Bid Price (including electrician allowance): \$ 162,635.00


Communications concerning this Proposal shall be addressed to:

CONTRACTOR: Minnesota Pump Works

ADDRESS: 1 Cannon Street West.

CITY & STATE: Dundas, MN 55019

TELEPHONE: 507-645-8004

SIGNATURE:  (JASON DRAEGER)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/19/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Holmes Murphy & Associates - WDM PO Box 9207 Des Moines, IA 50306-9207	1-800-247-7756	CONTACT NAME: Sarah Tritz PHONE (A/C, No, Ext): E-MAIL ADDRESS: stritz@holmesmurphy.com	FAX (A/C, No):
INSURED Iowa Pump Works, Inc. 825 SW Ordnance Road PO Box 945 Ankeny, IA 50023		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A: CHARTER OAK FIRE INS CO	25615
		INSURER B: TRAVELERS PROP CAS CO OF AMER	25674
		INSURER C: MIDWEST BUILDERS CAS MUT CO	13126
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES CERTIFICATE NUMBER: 66927373 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:			Y6302S183451COF22	05/24/22	05/24/23	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			8102S1899902214G	05/24/22	05/24/23	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUP2S2012882214	05/24/22	05/24/23	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC10000052722022A	05/24/22	05/24/23	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER City of Eagle Lake Minnesota PO Box 159 Eagle Lake, MN 56024 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---



AUTOMATIC SYSTEMS CO.

Thursday, October 20, 2022

Ms. Jennifer Bromeland, City Administrator
705 Parkway Avenue
P.O. Box 159
City of Eagle Lake, MN.
jbromeland@eaglelakemn.com

Reference: Elevated Tank and
Wellhouse 2/3, Main Lift and Three Lift Stations Control Panel Upgrades

Dear Ms. Bromeland:

In accordance with your bid request, we are pleased to offer our proposal to upgrade the existing obsolete and non-supported Programmable Logic Controllers (PLCs) at the Elevated Tank/Well 1, Well 2/3 Remote Telemetry Unit, Main lift station and three lift stations currently not monitored. In addition, the telephone modems at each location are also obsolete and non-supported. We recommend our options proposed in which will allow a non-subscription cost model replacement of the phone lines and phone modems with the addition of spread spectrum radios for continuous communications between the two locations. Other solutions that are monthly fee monitoring services may be in the amount of \$40 per site and over the cost of several years will end up costing you more. Our solution has a return on investment (ROI) in under 3 years. You should also expect that the equipment longevity of this proposal to last 20+ years before it is considered obsolete. Your current water system was installed by ASC in 1994 and most components are still in service.

You will be able to cancel/eliminate your phone lines between the two sites after this modification in which is money saved.

As promised and outlined above, we are pleased to offer the following:

A One (1) **Elevated Tank/Well 1 Master Control Panel (ASC Unit "A")**, includes field modifications to existing ASC control panel. Replacement of obsolete Programmable Logic Controllers (PLC) with new Rockwell PLCs to communication with to the entire system. This control panel will serve as the master control panel and remote access into the system for operations. New panel will include the following components:

- New subpanel
- Uninterruptible Power Supply (UPS)
- PLC with all required Input/Output (I/O) modules and real-time clock
- 7" OIT
- Ethernet switch

MANUFACTURERS REPRESENTATIVES

CONTROLS

MECHANICAL EQUIPMENT

MAIN OFFICE: P.O. BOX 120359

ST. PAUL, MINNESOTA 55112

PHONE 651-631-9005

(FAX) 651-631-0027

BRANCH OFFICE: P.O. BOX 787

AMES, IOWA 50010

PHONE 515-232-4770

(FAX) 515-232-0795

BRANCH OFFICE:

CHICAGO, ILLINOIS

PHONE 815-927-3386

(FAX) 651-631-0027

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- re-use existing alarm dialer (Wire, program and re-configure)
- fiber patch panel and all connectors
- surge protection
- pilot devices and switches
- motor contactor for recirculation pump
- Firewall and VOIP modem for remote access
- misc. shop supplies.

Instrumentation for this site include the following:

- Ambient temperature transmitter
- Intrusion switch for man door
- Recirculation pump pit flood switch.

A firewall and VOIP modem will be provided at this site enabling the operators to remotely connect and allow control, monitoring and alarm dialing capabilities for the entire city wide system over city supplied tablets/smart phones.

City will be responsible for providing an Internet Service Provider (ISP) furnished modem with Internet access to this control panel in which will allow remote access and alarm capabilities.

B One (1) **Upgrade Tower Hydraulic panel (ASC Unit "B")**, Installation of a new pressure transmitter scaled and configured to match existing configuration. 4-20mA copper signal will remain and be feed into an analog input in the master control panel above.

C One (1) **Upgrade Well 2/3 RTU**, includes removal of existing obsolete PLCs and replaced with new current model Rockwell PLCs, I/O modules and communications. New PLCs will have Ethernet and fiber communications back to the tower master control panel. The following equipment will be provided for field installation to include:

- UPS
- PLC with all required I/O modules and real-time clock
- 7" OIT mounted on the existing door
- Ethernet switch
- fiber patch panel and all connectors
- surge protection
- pilot devices and switches
- misc. shop supplies.

Instrumentation for this site to include:

- Intrusion switch for man door
- Wall mounted ambient temperature transmitter with setpoint control and alarming from the OIT.

Please note, the existing signals will be communicated back to the master PLC via the city supplied buried fiber optic cable. ASC will provide the connectors and terminations. Controls, Monitoring and Alarming will be handled from master PLC. In the event of a communications failure, the operators will be notified of communications loss.

D One (1) **New Well 3 Soft Start**, furnish new 30hp SSRV, installed, wired, and programmed in the existing MCC bucket. This motor starter is controlled from locally from the MCC bucket and remotely from the Well 2/3 RTU panel (Item C above).

E One (1) **New Main Lift Station Control Panel**, includes removal of existing control panel and replaced with new wall mounted control panel factory wired, assembled and tested. New PLCs will have Ethernet and fiber communications back to the tower master control panel. New panel will include the following components:

- Nema 12 wall mounted steel enclosure
- lightning arrestor
- surge protector
- UPS
- PLC with all required I/O modules and real-time clock
- 10" OIT
- Ethernet switch
- fiber patch panel and all connectors
- surge protection
- pilot devices and switches for control
- main power distribution lugs for 480V, 3 phase, 4 wire incoming power
- thermal magnetic circuit breakers for main and branch circuit protection
- control power transformer
- relays
- intrinsic safety barriers for field instrumentation
- UL listed 698 labeled for Use in Hazardous (Classified) Locations
- misc. shop supplies as required.

Instrumentation for this site include:

- (4) float switches with 50 feet cable
- (1) submersible level transmitter with 50 feet cable
- intrusion switch for man door
- wall mounted ambient temperature transmitter with setpoint control and alarming from the OIT.

Please note, the existing signals will be communicated back to the master PLC via the city supplied buried fiber optic cable. ASC will provide the connectors and terminations. Controls, Monitoring and Alarming will be handled from master PLC. In the event of a communications failure, the operators will be notified of communications loss.

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- F Three (3) **New Main Lift Station Variable Frequency Drives**, furnish new 28hp VFD's, installed on the interior wall, wired and programmed in the existing MCC bucket. This motor starter is controlled from locally from the MCC bucket and remotely from the Well 2/3 RTU panel (Item E above).
- G Three (3) **New Cellular Alarm dialers added to existing lift stations for monitoring**, install and configure new eight-channel alarm dialers inside existing enclosures. These new dialers use cellular communications to the cloud, the hardware appliance will include the initial (12 months) monitoring fee SaaS. The back panel will need to be modified and the required electrical components are included such as;
- power supply
 - relays
 - terminal blocks
 - branch circuit protection
 - fuses
 - misc. shop supplies for a complete and functional system.
- H One (1) **Professional Services** to install, wire and program PLCs, OITs, for complete operation.
- I One (1) **Lot of startup, checkout and owuer training services as required.**
- J Three (3) **Set of Updated ASC drawiugs** for insertion in your existing O&Ms.
- K One (1) **\$40,000 Allowance** for an electrical contractor allowance to be used for field installation of controls, instrumentation, radio equipment mounting, field terminations and on-site duties to install the equipment above. This allowance is included in our base bid price.

Your net price for Items A through K, FOB factory with freight allowed to jobsite including one (1) year warranty from date of startup....\$148,678.00.

Option pricing as follows:

- L Three (3) **OPTION #1 – Radio system at three lift stations**, included in our base bid proposal to meet the specification is a cellular alarm dialer installed and configured at each lift station. The base bid proposal will incur monthly service fees for each station for monitoring the stations data. We are proposing a more robust system very typical of lift station monitoring in the municipal market. That solution is the

use of industrial radios that communicate on a peer-to-peer closed network much like a closed loop security system.

The prerequisite for this option is to upgrade your PLC's and program the stations for remote control and monitoring. We have a standard lift station program that has all the bells and whistles in which would allow you to have all your lift stations with an identical look and feel.

If you are thinking of ever upgrading your lift stations this is the vehicle to take that next step and eliminate your monthly subscription service fees for monitoring and control. Included in this item we are crediting you the alarm dialers and accessories in Item E above and installing new PLC's and radios to communicate back to the master PLC (Item M - below).

- **One (1) PLC with I/O modules** installed, mounted and wired inside the existing enclosures.
- **One (1) Yagi directional antennas** installed on 2" GRC mast 10' high mounted to side of control panel.
- **LMR-400 coaxial cable with four (4) sets of connectors** to facilitate connection of antennas to control panels.
- **Spread Spectrum Radio, radio power supplies, radio surge protection & heliax jumpers, cables and weatherproofing** installed and wired in place within the following control panel.
- **Lot of relays, branch circuit protection, terminal blocks, fuses and shop supplies** to facilitate connection of antennas, radio and existing panels devices to PLC for a complete and functional system.
- **Professional Services** to install, wire and program PLCs, OIM, Radios, for complete control and monitoring.

M One (1) **OPTION #1 – Radio system at Water Tower**

- **One (1) Omni directional antenna** installed on the top of the Elevated Tank and cable ran to the master control panel.
- **LDF-4A coaxial cable with four (4) sets of connectors** to facilitate connection of antennas to master control panel.
- **Spread Spectrum Radio, radio power supplies, radio surge protection & heliax jumpers, cables and weatherproofing** installed and wired in place within the following control panel.
- **Professional Services** to install, wire and program PLCs, OIM, Radios, for complete control and monitoring.

<p>OPTION 1 (Items L & M) - Add a Radio/PLC RTU at the Lift Station located next to Well 3 for Radio Communications to the master control panel and master dialer please add.....\$31,160.00.</p>
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N One (1) **OPTION #2** -- Remote access on tablets and smart phones. via City supplied internet service provider, phones and/or Tablets. Firewall furnished by ASC and installed into to the elevated tank master control panel. Also includes VNC software, setup of City supplied phones and tablets for Remote Access to the control system.

OPTION 2 (Item N) – Add Remote Access on Tablets and Smart Phones, via City supplied internet service to the elevated tank master control panel and City supplied phones and/or Tablets, includes VNC software, setup of City supplied phones and tablets for Remote Access to the control system. Your net price adder is.....\$3,235.00 plus tax.

Please note, prices do not include any:

- Sales or use tax.
- Cell phone or tablets (by City).
- ISP modem and/or monthly service fees (We can include this out of the allowance monies if desired)

Thank you very much for the opportunity of providing you with the above proposal, should you wish to proceed with an order please sign on the space provided below and return a copy to this office. Upon receipt, we will immediately proceed with equipment release and scheduling.

Should you have any questions please don't hesitate to give me a call.

Sincerely,



Bruce Wirth
Automatic Systems Company

cc: Mr. John Graupman, P.E., Bolton & Menk, Inc.

Item A through K

Accepted by: _____ Date: _____

OPTION 1 (Items L & M):

Accepted by: _____ Date: _____

OPTION 2 (Item N):

Accepted by: _____ Date: _____

CITY OF EAGLE LAKE, MINNESOTA
PROPOSAL FOR MAIN LIFT STATION SCADA IMPROVEMENTS
Project No. 0M2.128431

I. DESCRIPTION OF PROJECT

1. The City of Eagle Lake is requesting proposals from licensed contractors for the following SCADA improvements at its main lift station:
 - a. One Triplex NEMA 1 wall mount control panel for operation on a 480 volt, 3 phase, 4 wire service. Controls to operate three 30 HP motors on a pump down mode and include the following:
 1. ANSI 61 gray paint finish
 2. Main lugs
 3. Lightning arrestor
 4. Phase monitor with line fuses
 5. Three (3) pump circuit breakers
 6. Three (3) variable frequency drives for 28 HP submersible motors (field installed)
 7. Control transformer with primary and secondary protection
 8. Control circuit breaker
 9. Serialized UL 698A label relating to hazardous locations with intrinsically safe circuit extensions
 10. Variable speed pump controller with 10" color touch screen operator interface
 11. WebStation cellular remote access and monitoring with IP dialer
 12. Submersible level sensor with 40 feet of cord
 13. Intrinsically safe barrier protection for level sensor
 14. Intrinsically safe backup float circuit
 15. Four (4) float switches with 50' cord
 16. Low level light – integral to the operator interface
 17. High level light – integral to the operator interface
 18. Wetwell level and setpoints – integral to the operator interface
 19. Pump delay timers – integral to the operator interface
 20. Three (3) Hand-Off-Auto selector switches
 21. Three (3) run lights
 22. Three (3) run time meters – integral to the operator interface
 23. Three (3) fail lights – integral to the operator interface

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24. Three (3) fail reset push buttons – integral to the operator interface
25. Over temp shutdown
26. Three (3) Over temp alarm lights – integral to the operator interface
27. Three (3) Seal fail alarm lights – integral to the operator interface
28. Three (3) Over temp/seal fail reset push buttons – integral to the operator interface
29. External alarm light contacts
30. Analog input for future flow meter
31. Unauthorized entry alarm
32. Room temperature monitoring
33. Generator high, low, and rupture alarm monitoring
34. UPS
35. Terminal strip
36. Three (3) cellular dialers installed at remote lift stations to monitor alarms
37. Factory wired and tested
38. One year factory warranty
39. NOTES:
 - a. Seal fail relays are supplied by MPW.
 - b. VFDs to be wall mounted, external to the control panel.
- b. One NEMA 12 (#304 stainless steel) wall mount well house control panel for operation on a 120 volt, 1 phase. Service to include the following:
 1. Main lugs
 2. 120 VAC surge protector
 3. UPS
 4. Allen Bradley CompactLogix PLC
 5. Mitsubishi 10" operator interface
 6. Fiber optic patch panel
 7. Fiber pigtails
 8. Fiber splice connectors
 9. Ethernet switch
 10. WebStation with Ethernet dialer (local ISP communication with cellular backup)
 11. One year cellular service
 12. Control circuit breaker

13. Two (2) CL2 booster pump Hand-Off-Auto selector switches
 14. Three (3) well Hand-Off-Auto selector switches
 15. Three (3) chemical feed Hand-Off-Auto selector switches
 16. Room temperature sensor
 17. CL2 alarm input
 18. Two (2) analog inputs for flow meters
 19. Two (2) digital inputs for flow meters (totalizer)
 20. Door intrusion switch
 21. Input for future chemical scales
 22. Terminal strip
 23. Cutler Hammer S811+R10P3S reduced voltage soft starter to replace existing XL starter for well #3. This is the same soft starter that is currently installed for well #2.
 24. Factory wired and tested
 25. One year factory warranty.
- a. One NEMA 12 (#304 stainless steel) wall mount tower control panel for operation on a 240 volt, 1 phase, 3 wire service. Controls to operate one 1/2 HP circulation pump and include the following:
1. Main lugs
 2. 120 VAC surge protector
 3. UPS
 4. Allen Bradley MicroLogix 1400 PLC
 5. Mitsubishi 7" operator interface
 6. Fiber optic patch panel
 7. Fiber pigtailed
 8. Fiber splice connectors
 9. Ethernet switch
 10. Analog input for tower pressure sensor
 11. Circulation pump circuit breaker
 12. Circulation pump FVNR starter overload and reset
 13. Control circuit breaker
 14. 200 watt panel heater with integral thermostat
 15. Well #1 Hand-Off-Auto selector switches
 16. Recirculation pump On-Off switch

17. Well and recirculation pump run lights
18. Gauge room temperature sensor
19. Door intrusion switch
20. Recirculation pump pit flood switch
21. Foxboro pressure transmitter
22. Terminal strip
23. Factory wired and tested
24. One year factory warranty.
25. NOTE:
 - a. Cutler Hammer S811+R10P3S reduced voltage soft starter to replace existing XL starter for well #3. This is the same soft starter that is currently installed for well #2.

2. PROPOSAL SUBMISSION DATE: E-mail Proposals to City of Eagle Lake by **12:00 Noon on October 20, 2022.**
3. PROPOSAL EMAIL: Jennifer Bromeland, City Administrator
City of Eagle Lake
jbromeland@eaglelakemn.com
4. PROJECT QUESTIONS: Address Inquiries to:
John Graupman, P.E.
John.Graupman@bolton-menk.com
507-380-0433

II. COMPLETION DATE:

Work to be completed by **April 30, 2023.**

III. BACKGROUND INFORMATION

The existing main lift station controller has failed and is operating with a temporary unit. The control building has limited wall space and ceiling height, so bidders shall confirm the panel dimensions fit the existing building. There are three smaller stations with alarm lights but no dialer capability.

The tower has a level sensor and recirculation pump. The level controller communicates with the well house via fiber optic to control Wells 2 and 3, along with the chemical feed equipment.

IV. INSURANCE

1. Contractor's Liability Insurance

- a. CONTRACTOR shall purchase and maintain such comprehensive general liability and other insurance as is appropriate for the Work being performed and furnished and as will provide protection from claims set forth below which may arise out of or result from CONTRACTOR's performance and furnishing of the Work and CONTRACTOR's other obligations under the Contract Documents, whether it is to be performed or furnished by CONTRACTOR, by a Subcontractor, by anyone directly or indirectly employed by any of them to perform or furnish any of the Work, or by anyone for whose acts any of them may be liable:
 - i. Claims under workers or workmen's compensation, disability benefits, and other similar employee benefit acts;
 - ii. Claims for damages because of bodily injury, occupational sickness or disease, or death of CONTRACTOR's employees;
 - iii. Claims for damages because of bodily injury, sickness or disease, or death of any person other than CONTRACTOR's employees;
 - iv. Claims for damages insured by personal injury liability coverage which are sustained (a) by any person as a result of an offense directly or indirectly related to the employment of such person by CONTRACTOR, or (b) by any other person for any other reason;
 - v. Claims for damages, other than to the Work itself, because of injury to or destruction of tangible property wherever located, including loss of use resulting therefrom;
 - vi. Claims arising out of the operation of Laws or Regulations for damages because of bodily injury or death of any person or for damage to property; and
 - vii. Claims for damages because of bodily injury or death of any person or property damage arising out of the ownership, maintenance, or use of any motor vehicle.
- b. The CONTRACTOR shall purchase and maintain workers compensation insurance providing limits of \$100,000/500,000/100,000 or the limits required by Statute, whichever are greater.
- c. The CONTRACTOR shall purchase and maintain general liability insurance including completed operations and contractual liability coverages, with limits of at least six hundred thousand dollars (\$600,000) per occurrence. All insurance shall remain in effect until final payment.

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2. Insurance Certificates

Before commencement of any work, the CONTRACTOR shall submit written evidence to the City that all required insurance policies have been obtained. The certificates shall contain a provision that the coverages will not be canceled, materially changed, or renewal refused until at least thirty (30) days prior written notice has been provided to the City.

3. Additional Insureds

All liability and property insurances shall name the City of Eagle Lake as an Additional Insured, which shall automatically include the City's agents.

4. Errors and Omissions Coverage

Any insurance agent who signs the certificate of insurance shall furnish with it a certificate that the agent has Errors and Omissions coverage with limits of at least \$600,000 per occurrence.

V. BONDS

1. Performance Bond - None required.
2. Payment Bond - None required.

VI. WORK PROVIDED BY CITY

In developing the proposal, it should be assumed by the CONTRACTOR that the CITY will provide the following:

1. Legal and physical access to the tower site, wellhouse site, and lift stations.
2. Payment will be made upon issuance of an invoice each month, and the recommendations of the Engineer.

VII. WORK BY THE CONTRACTOR

1. See attached work summary.

VIII. WORK BY THE PROPERTY OWNER

1. None.

IX. BID PROPOSAL

Total Project Bid Price (including electrician allowance): \$148,678.00

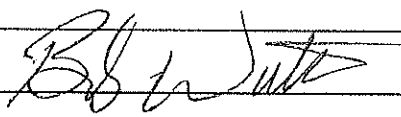
Communications concerning this Proposal shall be addressed to:

CONTRACTOR: AUTOAMTIC SYSTEMS CO.

ADDRESS: 2400 County Road D W

CITY & STATE: St. Paul, MN. 55112

TELEPHONE: 651-631-9005

SIGNATURE: Bruce Wirth, CEO 

149Y



**BOLTON
& MENK**

Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

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

November 2, 2022

**BID EVALUATION FOR THE
MAIN LIFT STATION SCADA IMPROVEMENTS
EAGLE LAKE, MINNESOTA**

Two (2) bids were received via solicitation. One bid was from Minnesota Pump Works for \$162,635. The other bid was from Automatic Systems Company with a base of \$148,678 and add items of \$31,160 and \$3,225 for a total with add items of \$183,073. The engineer estimate was \$170,000.


The specifications and bid documents did not contain any wording or ambiguities so as to force the Contractor to build in additional contingencies. We reviewed the proposals with staff to determine compliance with the bidding documents. The bid from Minnesota Pump Works most closely matches the intent of the specifications. The Automatic Systems bid was in general compliance with the alternates.

The project is critical as it includes work to the Main Lift Station controls that have recently failed and are operating with temporary components. This emergency work was also completed by Minnesota Pump Works. The lowest responsive bid for this project was received from Minnesota Pump Works. They have successfully constructed numerous similar projects in the region, and we have a recent history of working with the City. The bid is within the total estimate of \$170,000.

Minnesota Pump Works is experienced in the type of work required for this project and has fulfilled the bidding and contract requirements. Therefore, we recommend that the bid from Minnesota Pump Works be accepted.

Respectfully Submitted,

Bolton & Menk, Inc.


John Graupman, P.E.
Principal Environmental Engineer

RELEVANT LINKS:

Minn. Stat. § 471.345, subd.
2.

Minn. Stat. § 471.345, subd.
3.
See Section II. *Procedure*.

Minn. Stat. § 471.345, subd.
4

Griswold v. Ramsey County,
242 Minn. 529, 65 N.W.2d
647 (1954).

Minn. Stat. § 471.345, subd.
5.

There are two elements that determine if the competitive bidding law applies to a particular contract: the type of contract and its estimated price.

1. Types of contracts

The competitive bidding law applies to:

- Contracts for the sale, purchase, or rental of supplies, materials, or equipment.
- Contracts for the construction, alteration, repair, or maintenance of real or personal property.

2. Estimated price

The estimated price of the contract also determines if the competitive bidding process is required.

a. Contracts over \$175,000

City contracts exceeding the estimated price of \$175,000 must use the competitive bidding process.

b. Contracts exceeding \$25,000 but not \$175,000

Competitive bidding is not required on contracts that exceed \$25,000 but do not exceed \$175,000. However, competitive bidding on contracts in this price range is allowed. So, the city has the option of either using the competitive bidding process or making the contract by direct negotiation. If the city chooses to use the competitive bidding process, it must likely comply with the requirements of this process even though it was not originally required. If direct negotiation is used, the city must get at least two quotations when possible and keep them on file for at least one year.

c. Contracts \$25,000 or less

If the price of the contract is estimated to be \$25,000 or less, the city has discretion to make the contract by obtaining quotations or it may simply buy or sell the item on the “open market.” If the city chooses to use quotations for the contract, it shall be based, as far as practicable, on at least two quotations which shall be kept on file for at least one year.

d. Calculating estimated contract price

Because the competitive bidding law applies to the estimated contract price, it can sometimes be difficult to determine whether a specific contract is subject to the law.



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


November 7, 2022

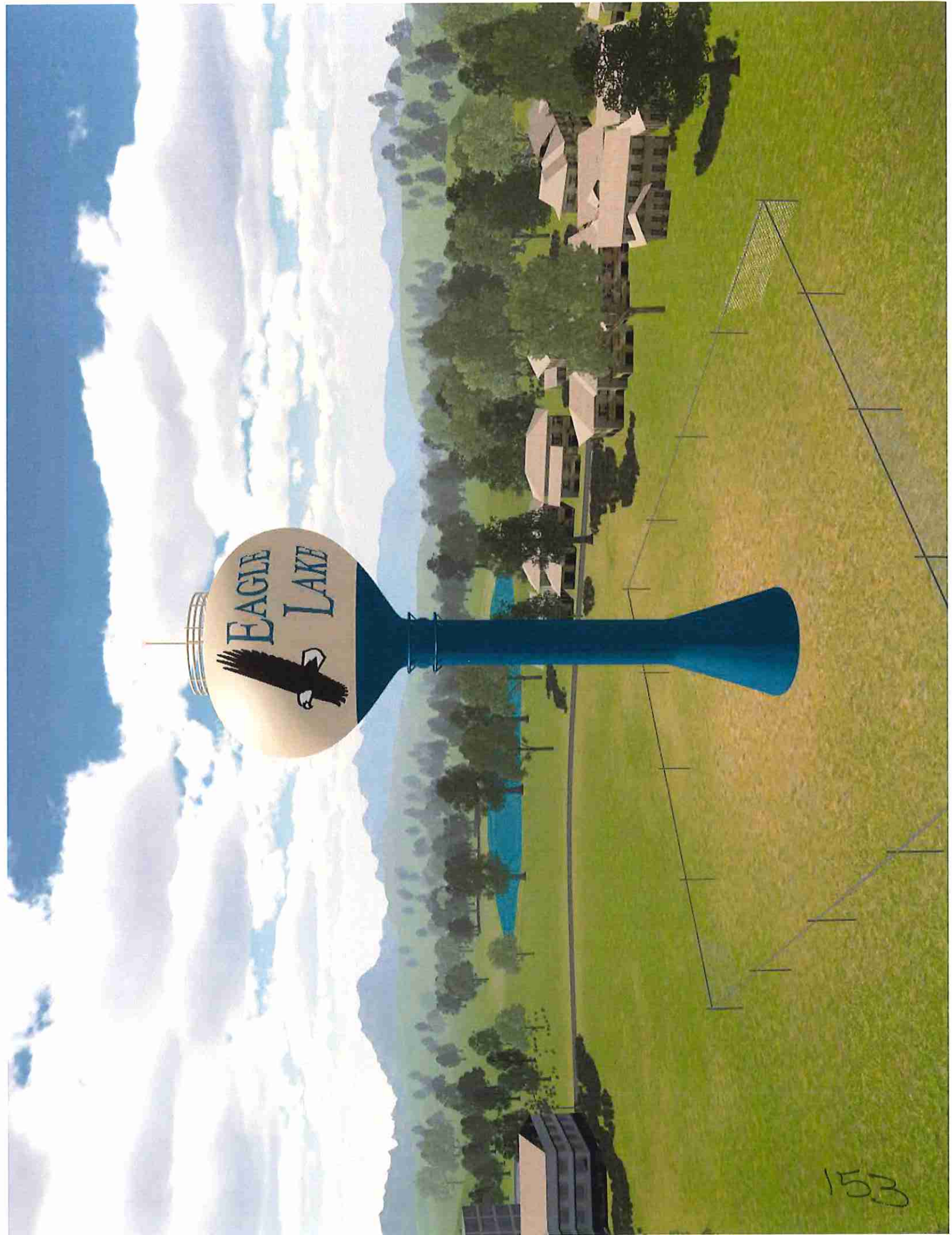
To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Water Tower Rehab Project

John Graupman, engineer with Bolton and Menk, will be at this evening's meeting to discuss the bidding process and project timeline for the upcoming Water Tower Rehab Project that is scheduled for 2023.

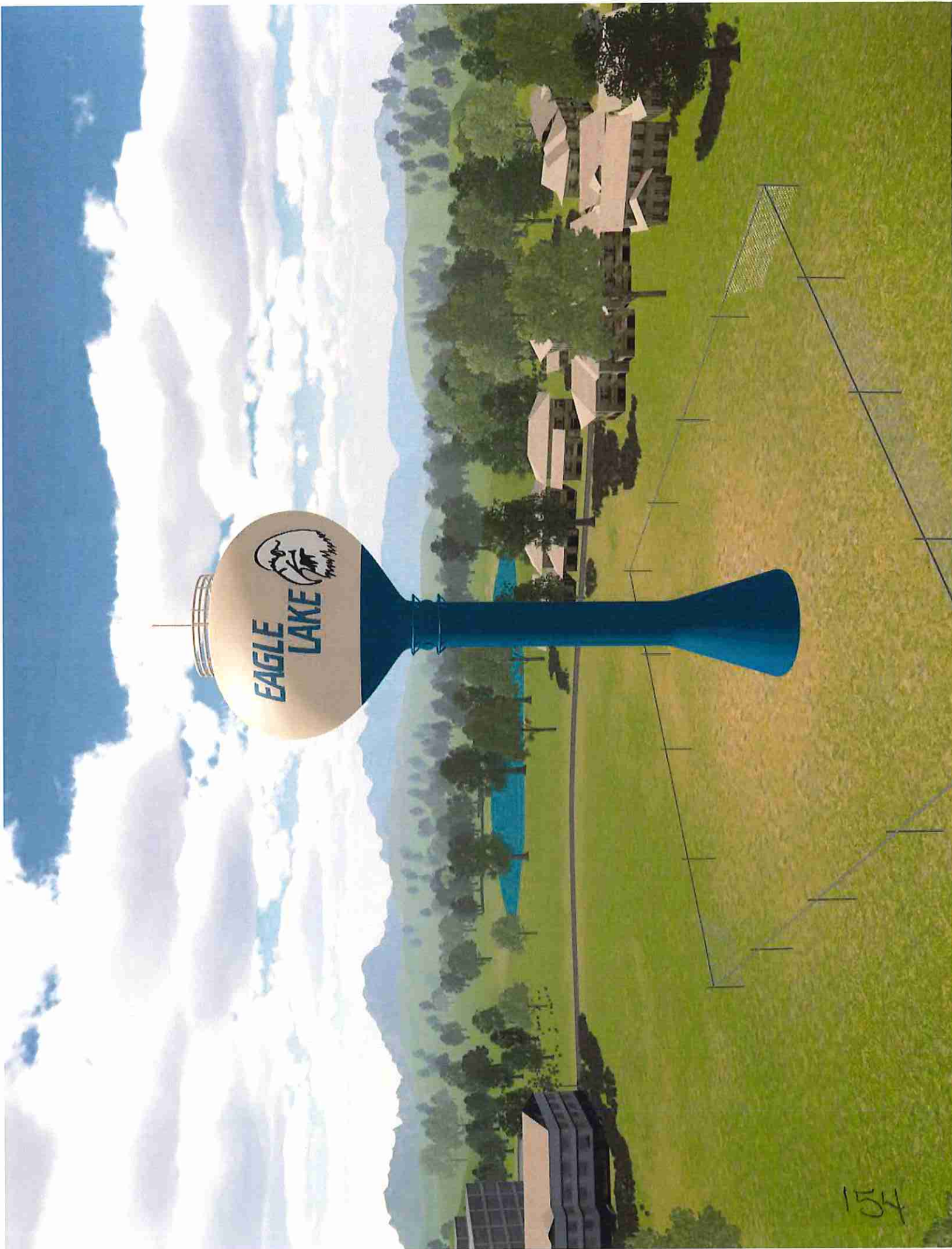
Attached are two possible concepts for the water tower. An idea of the color scheme (i.e., how many colors will be used) is needed for inclusion with the bid specs.

Depending on how the bids come in and overall project cost, the project may be financed using a combination of sources including water fund reserves, bank financing, and any unused remaining ARPA funds.


Jennifer J. Bromeland
City Administrator



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November 7, 2022

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

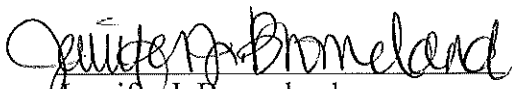
Christopher Talamantez with Mankato/North Mankato Area Planning Organization (MAPO) will be at the meeting to present the Eagle Lake (CSAH 27) Pedestrian Connectivity Study (Bolton and Menk). Attached is a copy of the presentation for the study that was presented to both the MAPO TAC and Policy Board.

For purposes of providing background, a 2022 Unified Planning Work Program (UPWP) Project Application was submitted to MAPO in May 2021 to obtain funding to construct a sidewalk or trail along CSAH 27 from Thomas Drive to 211th Street. It was determined that at that time that a study was needed to make the project eligible for transportation grant funding in the future. Between then and now a pedestrian connectivity study has been completed.

In summary, the project goals are pedestrian and bicycle access, safety for all users, environmental compatibility, and financial responsibility. An open house was held on July 26th at City Hall where alternative layouts were available for review and discussion. A presentation of the feedback gathered from the open house was presented to the City Council at its August 1st meeting. The primary issues are lack of bicycle and pedestrian connectivity and lack of comfortable crossings. Other concerns include vehicle speeds, flooding issues, and connections to future development. Four alternatives were presented and will be reviewed this evening. Of the four alternatives presented, Alternative #3 (East Side Shared Use Path with Boulevard) is the recommendation of the project management team.

If there is an interest in moving ahead with construction of pedestrian improvements, the next step in the process would be to pursue grant funding. City staff has submitted a Letter of Intent (LOI) for Greater Minnesota Transportation Alternatives (TA) funding due to the deadline being November 4th. Submitting a LOI does not commit the City of Eagle Lake to this project if it is decided to do nothing or pursue another avenue for connectivity. The Transportation Alternatives Solicitation is a competitive grant opportunity for local communities and regional agencies to fund projects for things such as pedestrian and bicycle facilities. As noted in the attached MAPO TAC minutes, each jurisdiction is responsible for their own grant application preparation and submittal. If awarded funding, there would be a 20% local match required. Funding would not be available for construction until fiscal year 2027.

Discussion should ensue.


Jennifer J. Bromeland
City Administrator

VI. Other Business, Discussion & Updates

6.1 Presentation: Lookout Drive (CSAH 13) Corridor Study (Bolton & Menk)

Ross Tillman, Bolton and Menk, provided an overview of the Corridor Study.

There were no comments from the TAC.

6.2. Presentation: South Bend Safe Routes to Multimodal Study (Bolton & Menk)

Cody Christianson, Bolton and Menk, provided an overview of the study progress and recommendations.

There were no comments from the TAC.

6.3. Presentation: MSU,M Stadium Road Pedestrian Crossing Study (SRF Consulting)

Chris Brown, SRF Consulting, provided an overview or the study and the recommendations.

Karl Friedrichs requested that with the all cross options at Warren Street if the signals could be timed to let traffic flow after the peak pedestrian crossings. Chris responded that would be possible.

Matt Lassonde asked if there would be safety and security considerations for a tunnel, including possible closing the tunnel during certain times, such as night hours. Chris indicated that would be possible consideration.

David Cowan commented that a free right turn at Warren Street for certain directions may be problematic.

Matt Lassonde commented that rapid flashing beacons confuse drivers because they are not sure they need to stop. Matt stated the signals the City of Mankato have installed at several locations seem to be more effective because they act as traffic signals. Michael McCarty stated that those were spare traffic signals and if new would be costly. In addition, they still require the pedestrian to trigger the signal.

There were no additional comments from the TAC.

6.4. Presentation: Eagle Lake (CSAH 27) Pedestrian Connectivity Study (Bolton & Menk)

Cody Christianson, Bolton and Menk, provided an overview of the study progress and recommendations.

Jennifer Bromeland asked about timing for applying for grant funding for pedestrian improvements, including a rapid flashing beacon. The TAC advised that the study could serve as justification for funding in a future application, but each jurisdiction is responsible for their own application preparation.

There were no additional comments from the TAC.



MAPO
MANKATO/NORTH MANKATO
AREA PLANNING ORGANIZATION

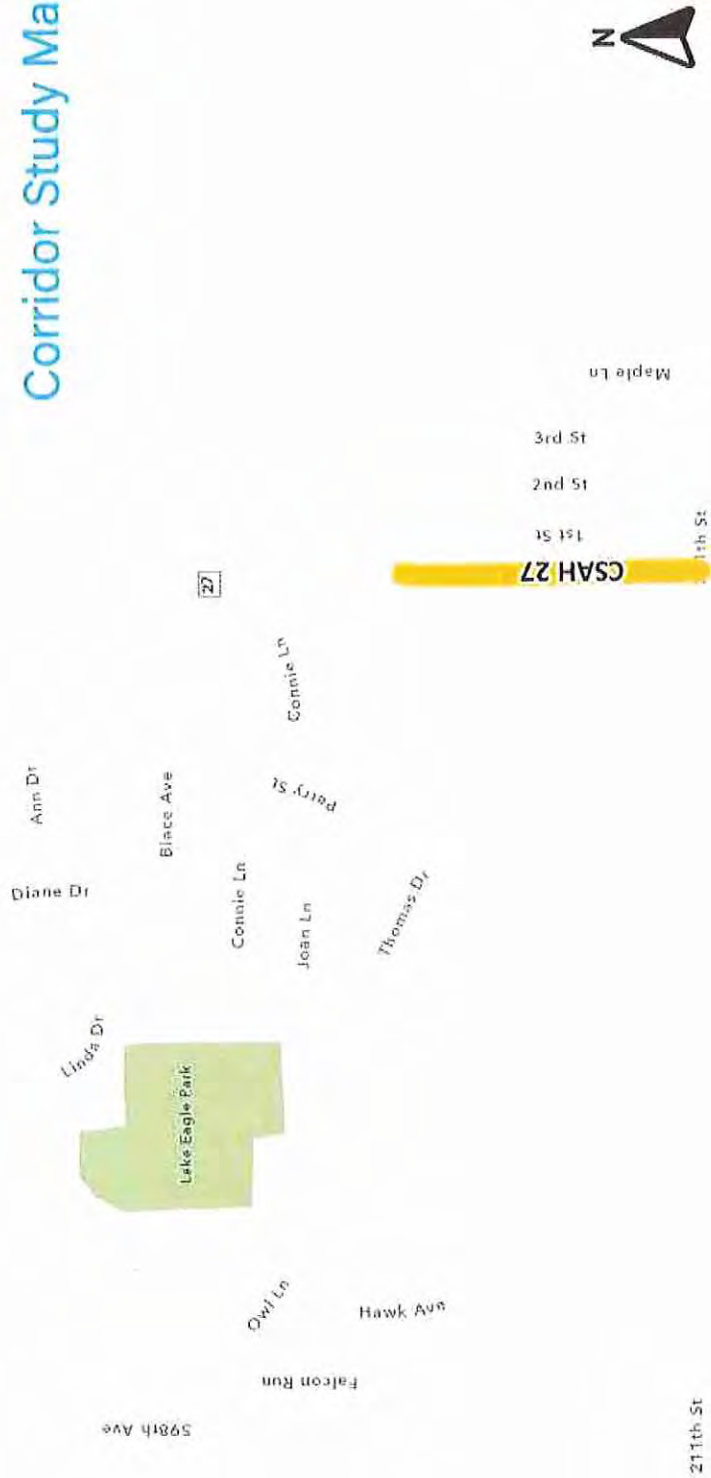
Eagle Lake – CSAH 27 (Agency St) Pedestrian Connectivity Study

MAPO Policy Board Presentation

November 3rd, 2022

Study Area

Corridor Study Map



Project Goals



Pedestrian
and bicycle
access



Safety for all
users



Environmental
compatibility



Financial
responsibility

Summary of Engagement

- **Open House 7/26/22 @ Eagle Lake City Hall**
 - Alternative layouts available for conversation
 - Seven people signed in including members of the Eagle Lake City Council
 - Oral feedback was collected along with comment forms and map notes
- **Digital Correspondence**
 - Following the open house, additional feedback was received via email to the City Administrator
- **Eagle Lake City Council Presentation 8/1/22**
 - Alternative layouts were presented to the council
 - Feedback gathered from the open house was presented

Corridor Issues

Primary issues

- Lack of Bicycle and Pedestrian Connectivity
- Lack of Comfortable Crossings

Secondary issues

- Vehicle speeds
- Existing flooding issues
- Connections to future development

Results of the technical analysis and engagement input identified issues the study and concepts will focus on.

Alternative 1 – West Side Sidewalk with Boulevard



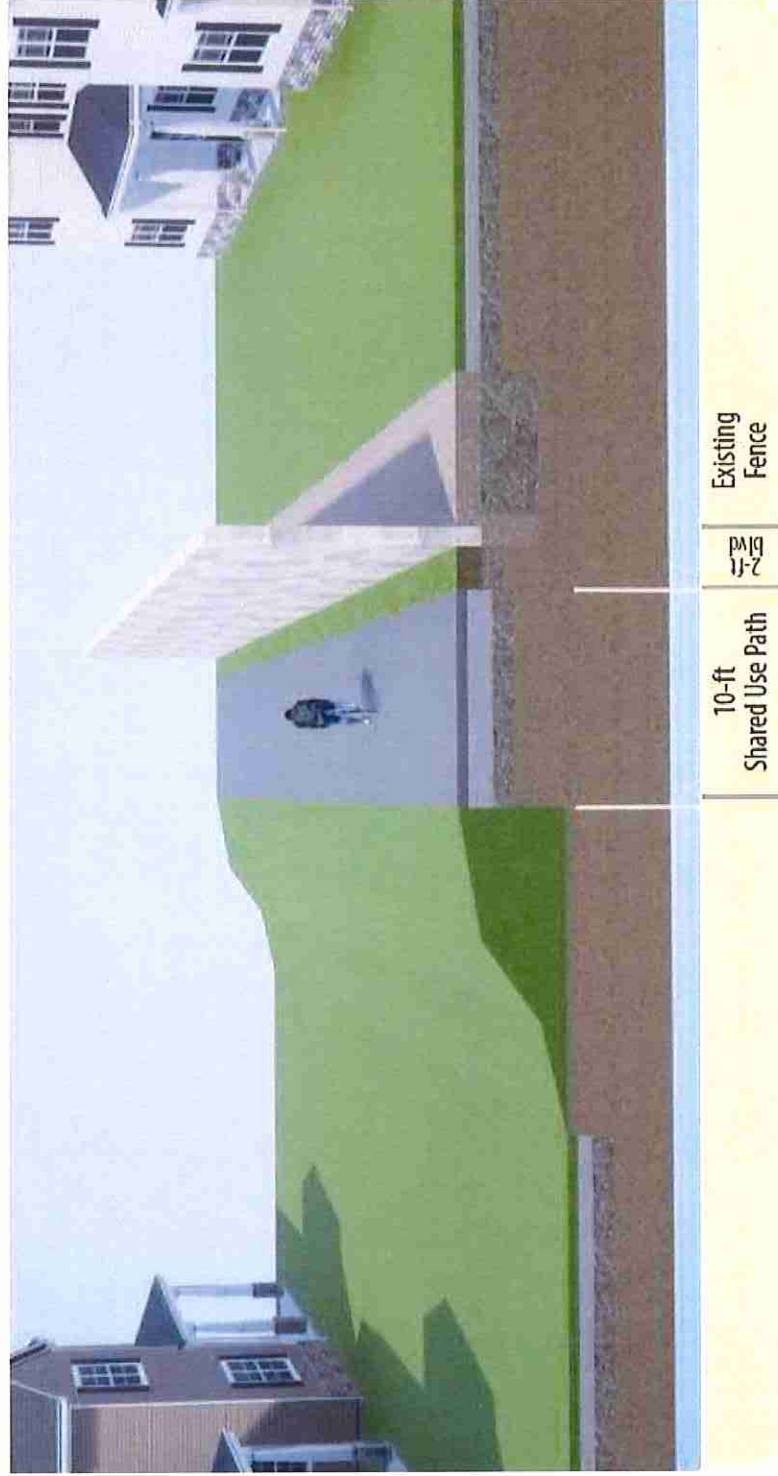
Alternative 2 – East Side Sidewalk with Boulevard



Alternative 3 – East Side Shared Use Path with Boulevard



Alternative 4 – Off Road Shared Use Path



Open House Feedback

West Sidewalk



Comments in Favor

- Would connect to future development west of Agency St

Comments Against

- Concerns about a pedestrian crossing at Agency St and 211th St
- Impacts to Wetlands

East Sidewalk



Comments in Favor

- Pedestrian crossing at Thomas Dr is ideal

- Connection to manufactured homes & Fox Meadows development

Comments Against

- Impacts to culverts and ditch
- Bikes would remain in street

East Path



Comments in Favor

- Pedestrian crossing at Thomas Dr is ideal

- Connection to manufactured homes & Fox Meadows development

- Off street option for bikes

Comments Against

- Impacts to the ditch

Off Road Path



Comments in Favor

- Provides access outside of county ROW

- Connects manufactured homes, Fox Meadows and future developments

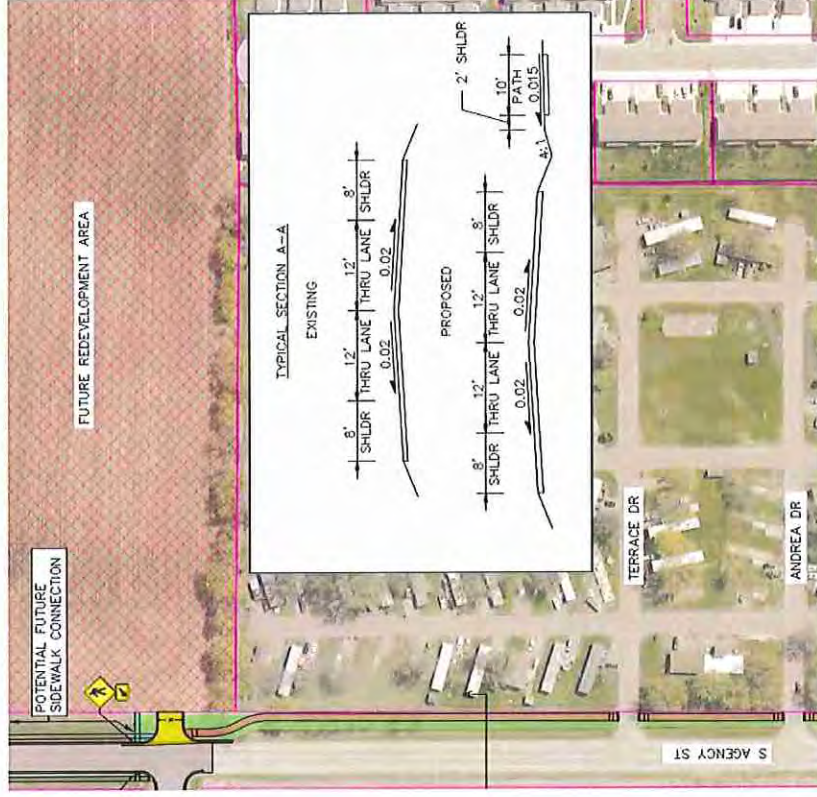
Comments Against

- Potential issues getting ROW for trail
- Needs for lighting

PMT Recommendation: Alternative 3

Key Decision Factors:

- Technical analysis
- Connections to existing and planned development
- Public feedback (desire for bicycle accommodations)
- Benefit to cost



Eagle Lake – CSAH 27 (Agency St) Pedestrian Connectivity Study

Questions?

May 2021



MANKATO/NORTH MANKATO AREA PLANNING ORGANIZATION (MAPO)

2022 Unified Planning Work Program (UPWP) Project Application

Purpose	
<ul style="list-style-type: none"> Form intent is to provide MAPO suggested plans, studies, and projects for inclusion in the Unified Planning Work Program (UPWP). All project submission information will be considered public. Projects must advance the goals of the MAPO Long Range Transportation Plan. Review the LRTP at www.mnmapo.org. Applications must be submitted by chief administrative staff of jurisdiction or include a resolution of support from the highest governing body (i.e. City Council or County Board). The UPWP is fiscally constrained and funds are limited. Application does not guarantee selection. Selected applicants will be expected to work with MAPO staff through development including providing staff time, staff expertise, and planning-related data as available. Submit completed applications by May 14, 2021 to Charles Androsky via email at candrosky@mankatomn.gov or in person/U.S. mail at 10 Civic Center Plaza in Mankato. 	
Applicant Information	
Name: Jennifer J. Bromeland	Title/Position: City Administrator
Agency: City of Eagle Lake	
Phone: 5072573218	Email: jbromeland@eaglelakemn.com
Project Information	
Project title: Sidewalk Connectivity to SE Portion of Eagle Lake along CSAH 27	
Project location/boundaries/termini (as detailed as possible): CSAH 27 from Thomas Drive to 211th Street in Eagle Lake	
Estimated length of time to complete: One construction season	
Estimated project budget: • Construction \$200k-\$250k • Engineering \$80k-\$100k	
Description of project: <i>(brief description of work to be undertaken, major project elements, and deliverables):</i> <p>The purpose of the project is to connect the southeastern part of Eagle Lake to the rest of the community with the addition of a sidewalk or trail along CSAH 27 from Thomas Drive to 211th Street. The project would promote walk ability and connectivity while eliminating accessibility barriers and ensuring ADA compliance. Currently, there is a safety concern with pedestrians crossing CSAH 27 and traveling along the shoulder of the road between Thomas Drive and 211th Street. There is a large youth population (manufactured home park, town homes, and new subdivision) that are disconnected from the rest of Eagle Lake because of the fear of crossing CSAH 27 without a safe crossing and sidewalk system in place.</p>	

169

Project Scoring

100 points possible. Scores will be considered when UPWP is developed. High scores do not guarantee inclusion in the UPWP.

- | | |
|-------------------------|-----------|
| • LRTP Goal Advancement | 20 points |
| • Plan Identification | 20 points |
| • Project Need: | 40 points |
| • Application Clarity: | 20 points |

LRTP Goal Advancement (20 points)

Per the LRTP, MAPO work products must address the Federal Highway Administration's Metropolitan Planning Factors. From the list below: **1)** identify applicable Metropolitan Planning Factors addressed by the project and **2)** provide a brief description linking the project to identified goals. Higher-ranking projects will address multiple goals. If a project does not advance a factor, leave blank.

Economic Vitality. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productive, and efficiency.

Safety. Increase the safety of the transportation system for motorized and non-motorized users.

People are discouraged from walking and biking in this area due to no sidewalk or trail and safety cor

Security. Increase the security of the transportation system for motorized and non-motorized users. +

Accessibility. Increase the accessibility and mobility of people and for freight.

Adding a sidewalk or trail would increase accessibility for non motorists.

Environment. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns.

A large population in this area is discouraged from traveling by foot or bike due to safety concerns. A +

Connectivity. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.

The project would promote connectivity to the SE portion of Eagle Lake.

System Management. Promote efficient system management and operation.

Preservation. Emphasize the preservation of the existing transportation system.

Resiliency. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.

Tourism. Enhance travel and tourism.

Plan Coordination (20 points): *Is the project identified in, or does it contribute toward, other existing plans? If so, describe:*

Project Need (40 points): *Describe why this project is necessary. What issues will the project help to address? What are the consequences of inaction?*

The purpose of the project is to connect the southeastern part of Eagle Lake to the rest of the community with the addition of a sidewalk or trail along CSAH 27 from Thomas Drive to 211th Street. The project would promote walk ability and connectivity while eliminating accessibility barriers and ensuring ADA compliance. Currently, there is a safety concern with pedestrians crossing CSAH 27 and traveling along the shoulder of the road between Thomas Drive and 211th Street. There is a large youth population (living in the Regency Manufactured Home Park, Autumn Wind Town Homes, and new subdivision - Eagle Heights) that are disconnected from the rest of Eagle Lake because of the fear of crossing CSAH 27 without a safe crossing and sidewalk system in place.

Contact MAPO Transportation Planner Charles Androsky with questions or comments (507) 387-8389 or candrosky@mankatomn.gov.



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

November 7, 2022

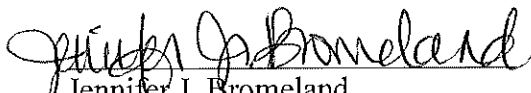
To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Housing Study Presentation

Lisa Graphenteen, Director of Housing and Economic Development with Development Services Inc., is working with the City of Mankato to spearhead an Affordable Housing Action Plan for Mankato and Blue Earth County. As part of the process, she would like to ensure that the cities of Blue Earth County can participate in the process.

To view the housing study report, visit: <https://www.mankatomn.gov/residents/housing/housing-study>. Due to the proximity of Eagle Lake to Mankato, the recommendations and market area include Eagle Lake versus a separate report for Eagle Lake.

Ms. Graphenteen will be at the meeting to discuss housing issues and opportunities. She will begin by providing a brief overview of the housing study. After that, she will review Mankato and Blue Earth County Housing Resources and then end with any questions. In total, Ms. Graphenteen estimates 15-20 minutes for the housing study presentation and discussion.

Attached you will find some information about housing resources and a copy of the Mankato and Blue Earth County Affordable Housing Action Plan.


Jennifer J. Bromeland
City Administrator

Housing Choice Voucher Rental Assistance:

Eligible households select their own privately owned rental units and pay approximately 30-40% of their monthly income toward the rent and utility costs. Housing payments of 30% have been a national standard for all households. The HRA pays the remaining balance of the rent.

A Household may be eligible for a Voucher if their income is below the limits shown here. The income limits are set by HUD on an annual basis. They are set at 50% of the median family income for the geographical area

Those with a disability or having language barriers may request accommodation to apply to the wait list.

To apply on-line go to:

<https://mankatos819.hdswaitinglist.com>

Blue Earth County/Mankato EDA
10 Civic Center Plaza
PO Box 3368
Mankato, MN 56002-3368
Phone (507) 387-8600
Fax (507) 387-8491

Minnesota Cities Participation Program:

The Start Up program is for first-time homebuyers, defined as those who "have not had an ownership interest in a principal residence in the last three years." If you've never owned a home, or it's been more than three years since you've been a homeowner, you may be considered a first-time homebuyer.

To learn more, meet with a participating lender to discuss Start Up program guidelines and options, including:

- Income limits
- Downpayment and Closing Cost Loan options – up to \$17,000 available!
- Minimum credit score
- Owner-occupancy requirement
- Purchase price limits
- Completion of homebuyer education

If you are a first-time homebuyer but exceed the income or purchase price limits for Start Up, you may be able to qualify under the Step Up program. Get started on your path to homeownership! A list of local lenders can be located at <https://www.mnhousing.gov/sites/np/empowermn>. You can contact local lenders with questions about your eligibility and learn more about which Minnesota Housing program may be right for you.

When you qualify for a loan and are eligible for the Minnesota Housing Start Up or Step Up programs, you also have the option to access one of downpayment and closing cost loans. These loans, which can range in amounts from \$12,500-\$17,000, are not grants, must all be repaid in full, have eligibility requirements of their own, and can only be used with a Minnesota Housing first mortgage.

This chart describes the main features of our three downpayment and closing cost loan options.

Terms	Monthly Payment Loan	Deferred Payment Loan	Deferred Payment Loan Plus
Availability	Start Up or Step Up	Start Up only	Start Up only
Loan Amount	Up to \$17,000	Up to \$12,500	Up to \$15,000
Interest Rate and Repayment Terms	10 year repayment term Equal to your first mortgage rate	No interest, no monthly payments. Balloon payment due in full at the end of the mortgage term.*	No interest, no monthly payments. Balloon payment due in full at the end of the mortgage

Affordable Homebuyer Gap Financing – MN Housing Impact Fund:

The goal for the Blue Earth Affordability Gap Program is to provide more affordable homeownership opportunities within Blue Earth County. Prices of existing housing continue to rise making home purchase difficult for low income households. The gap assistance will provide up to \$20,000 in affordability gap assistance to households with incomes under 80% Statewide Median Income. The affordability gap assistance will prioritize BIPOC households.

Applicants must purchase a home in Blue Earth County with incomes less than 80% Statewide Median Income. Homes purchased must have a home inspection with health and safety concerns addressed. Acquisition costs will follow the maximum loan amount of Minnesota Housing's First Time Homebuyer Loan Program. Homebuyers must pay prepaid closing costs. Homebuyers with cash assets in excess of \$5000 must contribute the excess to the home purchase. Homebuyers will attend home buyer education. Affordability Gap loans will be combined with affordable first mortgage products, which includes fixed rate loan with a minimum amortization of 30 years and minimum term of 15 years, a below market or market rate which cannot exceed market rate plus 1%, down payment cannot exceed 5% of the sales price and closing costs cannot exceed 3.5% of the sales price except for Rural Development and Minnesota Housing Finance Agency loans. The homebuyer expense and debt to income ratios 28/36 allowed by the loan product with a maximum of 29/41. Roll over loans are unacceptable.

Applicants that will be utilizing the gap financing will be required to attend homebuyer education and meet with a prepurchase counselor for a one hour meeting to discuss their mortgage options. At this meeting, the homebuyer will receive information on downpayment assistance programs that are available for the homebuyer.

Contact:

Southwest Minnesota Housing Partnership

140 Homestead Road

Mankato, MN 56001

Phone: 507-836-1608

Fax: 507-836-8866

Email: swmhp@swmhp.org

HomeStretch - Homebuyer Education – Southwest MN Housing Partnership

The Home Stretch homebuyer education workshop is offered via an in-person classroom environment or an interactive virtual experience. Content is the same either way. Both formats are taught by certified homebuyer education professionals, with presentations from lenders, real estate agents, home inspectors and others.

Our network of nonprofit Homeownership Advisors can determine your eligibility for down payment assistance, special loan programs and more, and will be by your side through the entire home buying process.

Contact:

Southwest Minnesota Housing Partnership

140 Homestead Road

Mankato, MN 56001

Phone: 507-836-1608

Fax: 507-836-8866

Email: swmhp@swmhp.org

Community Land Trust Program:

Blue Earth County and the City of Mankato are coordinating with the Southwest MN Housing Partnership to expand their community land trust in Blue Earth County. They have applied to MN Housing and hope to be funding in January 2023 to offer the program in Blue Earth County. More information to come!

MANKATO AND BLUE EARTH COUNTY AFFORDABLE HOUSING ACTION PLAN

City Council and County Board Engagement

The City of Mankato is spearheading an Affordable Housing Action Plan for Mankato and Blue Earth County. In 2021, a housing study was completed by Community Partners which identified the housing needs throughout the County. We acknowledge that some communities have reviewed this information and others have not. We want to provide the opportunity to share the Housing Study information with your community and to engage in conversation around the housing priorities in your community in a method that works for you during the month of September and early October. As a result, we have created five options for how you can engage in the process including:

Option 1

Communities interested in presentation on results of housing study at a Council Meeting or Work Session.

Estimated time 30-45 minutes

1. Summary of housing study provided to Council
2. Housing resource information provided to Council
3. Questions on housing study and discussion on local priorities.

Option 2

For communities that have already reviewed the housing study and want to engage in a conversation around local housing priorities at either a Council Meeting or Work Session.

Estimated time 15-20 minutes

Option 3

Community is not interested in any presentations but is willing to provide survey questions to the Council and responses will be returned.

Option 4

Community is not interested in participating in the process.

Option 5

Give us feedback on other options you would like to pursue.

City Council and County Board Questions

1. Does your community have any housing challenges? Or what are the top three affordable housing challenges in your community?
2. How does housing rate as a priority for your community compared to other needs? Is it a high, medium or low priority?
3. What barriers are preventing you from addressing your housing needs in your community?
4. What additional information can we help to provide that would assist you in addressing your housing needs?



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

November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Regency Mobile Home Park

Attached is an update received via email from Kim Stumne, Regional Manager of Regency of Minnesota, Inc. Per Ms. Stumne, they are working to demolish 4-5 units yet in 2022.

Jennifer J. Bromeland
City Administrator

Jennifer Bromeland

From: kim stumne <kimstumne@hotmail.com>
Sent: Wednesday, November 2, 2022 2:30 PM
To: Jennifer Bromeland
Subject: RE: Mobile Home Demolition Update

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

The information I have at this time is they will be started in December. We will have to hire someone to do it as dumpsters is an issue. I think 4-5 will be done this year. We will have the others down next year. We may try and see if we can do those ones in house as dumpsters may not be as big of an issue then.

Kim Stumne
Regency of Minnesota, Inc.
Regional Manager
763-245-1190



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

November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Letter from LeRay Township and Detachment Request

Attached is a letter received from LeRay Township requesting that the detachment process be started for the parcels annexed into City limits for the Mankato Motorsports Park project.

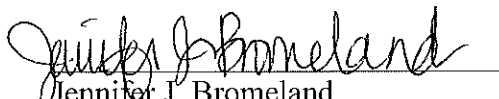
Also attached is a copy of the Joint Resolution between the City of Eagle Lake and LeRay Township for the Orderly Annexation of those parcels. Included in the resolution is a reversion clause stating that should the property not be developed and retain its rural character, thirty-six months after the execution of this agreement, the property shall revert back to the township with the parties agreeing to follow the detachment process as outlined in Minnesota Statutes Section 414.06. The agreement was signed by LeRay Township on October 8, 2019.

If the city and township do a joint resolution to detach the property AND a petition/request is received from ALL of the property owners, then no mediation/hearing is required.

If the city and township do a joint resolution to detach the property and NO petition/request is received from ALL of the property owners, then a hearing will be scheduled and mediation is required. While it is not possible to know the exact cost at this time associated with mediation and a hearing, City staff has been advised to expect the process could cost around \$10,000.

Discussion should ensue.

If the City Council wishes to detach the property, then a motion is necessary to adopt a resolution for detachment of the land that was annexed into Eagle Lake city limits for the Mankato Motorsports Park project pursuant to Minnesota Statutes 414.06.


Jennifer J. Bromeland
City Administrator

LeRay Township

Ann Arndt, Clerk
20598 631st Ave.
Janesville, MN 56048
(507)420-7955
le raytownship@gmail.com

September 27, 2022

City of Eagle Lake
Jennifer Bromeland
705 Parkway Ave.
Eagle Lake, MN 56024

Dear Jennifer,

The board of LeRay Township would like to start the detachment process as outlined in Minnesota Statute Section 414.06 regarding Joint Resolution, LeRay Township 2019-1 and City of Eagle Lake Resolution 2019-25, as shown in Number 9 of Resolution.

The property has not been developed in the thirty-six months outlined in Number 9 of the resolution and the Township would like to take back the property shown in the legal description attached to the Resolution

Sincerely,



LeRay Township Clerk
Ann Arndt

Supervisors: Kurt Anderson (507)381-9537 / Phyllis Daschner (507)382-3967/Craig Carstensen (810) 449-6405

LeRay Township Resolution 2019- /
City of Eagle Lake Resolution 2019-25

JOINT RESOLUTION FOR DESIGNATION OF AN AREA IN NEED OF
ORDERLY ANNEXATION FROM LERAY TOWNSHIP TO THE CITY OF
EAGLE LAKE AND FOR A DESIGNATION OF AN AREA FOR
IMMEDIATE ANNEXATION PURSUANT TO MINNESOTA STATUTES
SECTION 414.0325

WHEREAS, the City of Eagle Lake (hereinafter the "City") and LeRay Township (hereinafter "Township") deem it necessary and appropriate that they work together to develop and implement a process for the orderly and controlled growth of the City and Township; and

WHEREAS, the City and Township agree that municipal governments must efficiently provide governmental services in areas that are developed for residential, commercial, industrial and governmental purposes; and

WHEREAS, a joint notice of intent to designate the area for annexation was published on July 20, 2019;

WHEREAS, the Board of Supervisors of LeRay Township passed this resolution on October 8, 2019;

WHEREAS, the City of Eagle Lake passed this resolution on September 9 2019;

WHEREAS, the Township and City are in agreement as to approving the designation for orderly annexation and request immediate annexation to the City of Eagle Lake, certain land legally described in the attached Exhibit A and graphically described on Exhibit B (hereinafter the "Orderly Annexation Area" or "OAA") in accordance with the same terms set forth herein; and

WHEREAS, Minnesota Statute Section 414.0325 provides a procedure whereby the City of Eagle Lake and LeRay Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the parties agree that should the developer determine that it will not improve the property, or pay for the full costs of the improvement, and the property has not changed its current character, then the parties agree that they will cooperate with a detachment of the property from the City of Eagle Lake pursuant to Minnesota Statute Section 414.06; and

WHEREAS, the City of Eagle Lake and LeRay Township have agreed to all terms and conditions for the annexation of the Property and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) day, order the annexation in accordance with the terms of the resolution.

NOW THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Eagle Lake and the Township Board of LeRay Township as follows:

1. **Designation of Orderly Annexation Areas.** The City and Township here designate the following areas as in need of orderly annexation pursuant to Minnesota Statutes, Section 414.0325: See Exhibit A and Exhibit B attached and incorporated herein. The parties agree that this property shall be immediately annexed.

2. **Acreage/Population/Zoning.** The immediate annexation property consists of approximately 220 acres, the population is 2, upon annexation the Property shall be zoned as follows:

Any land annexed to the City of Eagle Lake in the future shall be placed in the A-1, Agricultural District, until placed in another district by action of the City Council after recommendation of the Planning Commission. Once developed, the land will be zoned for mixed use development.

3. **Jurisdiction.** The Township and the City, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge as to accomplish annexation of the Immediate Annexation Property in accordance with the terms of this resolution.

4. **Municipal Reimbursement.** The City and the Township agree pursuant to Minnesota Statute Section 414.036, reimbursement from the City to the Township shall occur for the taxes collected on land annexed into the City, according to the following schedules and thereafter all tax revenues will be the property of the City. All percentages are to be multiplied by the Township's share of property taxes from such annexed property in the year in which such property is annexed:

Property Tax payments to Township:

2019 \$3,655.89

2020 \$3,655.89

2021	\$3,655.89
2022	\$3,655.89
2023	\$3,655.89
2024	\$3,655.89
2025	\$3,655.89
2026	\$3,655.89
2027	\$3,655.89
2028	\$3,655.89
2029	\$3,290.30
2030	\$2,924.71
2031	\$2,559.12
2032	\$2,193.53
2033	\$1,827.95
2034	\$1,462.36
2035	\$1,096.77
2036	\$731.18
2037	\$365.59
2038 and onward	\$0.00

That the City shall make three annual payments for the amounts due in 2019, 2020 and 2021. In 2022 the remaining payments will be paid to the Township.

The first three payments once they have been paid shall be the property of the Township.

5. **Township Road.** The proposed property is accessed through a road owned by the Township and described in Exhibit C. The City agrees to maintain the Township road described in Exhibit C as long as the property described in Exhibits A and B remain in the City. Should the property revert back to the Township the road will be the responsibility of the Township. The City will return the road in the same condition that it is currently in.

6. **Review and Comment.** The City and the Township agree that upon the receipt of this resolution passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the immediate annexation of the immediate annexation area in accordance with the terms of this resolution.

7. **Provision of Utilities to Annexed Properties.** In the event that the City provides municipal sewer service to any rural residential zoned properties annexed under the terms of this agreement, the City shall not require any such property to connect to the municipal sewer system for a period of seven years from the date of the most recent septic certification provided that the system does not fail in that seven year time period.

8. **Building Inspection.** Upon annexation of the orderly annexation property described in Exhibit A and B, all new building permits shall be issued and

administered by the City. All building permits already issued by the effective date of this agreement shall continue to be administered by the Township, until a certificate of occupancy is issued. The Township shall provide building permits and site plans for annexed properties to the City.

9. Reversion. Should the property not be developed and retains its rural character, thirty-six months after the execution of this agreement the property shall revert to back to the Township. The parties agree to follow the detachment process as outlined in Minnesota Statute Section 414.06.

Adopted by affirmative vote of all of the members of the LeRay Township Board of Supervisors this 8 day of October, 2019

LERAY TOWNSHIP

By: Paul Baer
Chairperson
Board of Supervisors

By: Ken M. Mandt
Township Clerk

CITY OF EAGLE LAKE

Adopted by affirmation vote of all of the member of the City Council of Eagle Lake this 9 day of September, 2019.

By: [Signature]
Tim Auvenger, Mayor

By: Jennifer Bromeland
Jennifer Bromeland, City Administrator

Exhibit A
to
LeRay Township Resolution 2019-1
City of Eagle Lake Resolution 2019-25

Legal Descriptions

Parcel No. R12.10.07.326.003 (C L Dauk Family LLP – 23.70 acres) and Parcel No. R39.10.07.400.010 (C L Dauk Family LLP – 134.39 acres):

E 1/2 SE 1/4 and SW 1/4 SE 1/4 and Government Lot Number 3 and the E 1/2 of Government Lot Number 4, all in Sec. 7-108-25.

Except the following tracts:

1. That part of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Seven (7), Township One Hundred Eight (108) North, Range Twenty-five (25) West, Blue Earth County, Minnesota, described as follows, to-wit: Commencing at the Southwest corner of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4), thence East along the South line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 707.63 feet to the intersection of Blue Earth County Road No. 17 and the centerline of the driveway, bearing North, which provides access to the parcel or real estate herein described, thence North along the centerline of said driveway a distance of 355 feet to the true point of beginning; thence East along a line parallel with the South line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 169 feet, thence North along a line parallel with the West line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 280 feet, thence West along a line parallel with the South line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 260 feet, thence South along a line parallel with the West line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 280 feet, thence East along a line parallel with the South line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 91 feet, more or less, to the point of beginning, and including an easement to the grantees across the existing driveway for ingress to and egress from the above described tract of land.
2. A tract of land located in the Southeast Quarter of Section 7-108-25, described as follows: Commencing at the Northeast corner of the Southeast Quarter of Section 7-108-25, thence Westerly along the Northerly line of said Southeast Quarter 580 feet, thence Southerly and parallel with the Easterly line of said Southeast Quarter 65 feet to the point of beginning of the parcel to be described; thence continuing South, parallel with the East line of said Southeast Quarter 446 feet, thence West 487 feet, thence North 446 feet, thence East 487 feet to the point of beginning, containing 5 acres of land more or less. Together with a permanent access easement for driveway purposes from County Road No. 27, running thence Westerly to the parcel of land described herein.
3. Part of the East Half of Government Lot 4 and part of the Southwest Quarter of the Southeast Quarter all in Section 7, Township 108 North, Range 25 West, Blue Earth

County, Minnesota, described as: Beginning at the Southeast corner of Government Lot 4; thence South 89 degrees 59 minutes 32 seconds West (assumed bearing) on the South line of Government Lot 4, a distance of 656.45 feet to the Southwest corner of the East Half of Government Lot 4; thence North 00 degrees 04 minutes 14 seconds West on the West line of the East Half of Government Lot 4, a distance of 602.99 feet to the centerline of a 15 foot wide waterway; thence North 55 degrees 44 minutes 19 seconds East on the centerline of said 15 foot waterway, 94.00 feet to the centerline of a 25 foot wide waterway; thence South 80 degrees 01 minutes 41 seconds East, on said centerline, 175.00 feet; thence South 74 degrees 23 minutes 16 seconds East, on said centerline, 217.00 feet; thence South 71 degrees 32 minutes 55 seconds East, on said centerline, 96.00 feet; thence South 62 degrees 42 minutes 36 seconds East, on said centerline, 76.00 feet; thence South 41 degrees 44 minutes 00 seconds East, on said centerline, 64.00 feet; thence South 21 degrees 02 minutes 50 seconds East, on said centerline, 60.00 feet; thence South 02 degrees 54 minutes 11 seconds East, on said centerline, 99.00 feet; thence South 00 degrees 14 minutes 08 seconds West, on said centerline, 120.00 feet; thence South 03 degrees 00 minutes 05 seconds East, on said centerline, 179.52 feet to a point on the South line of the Southeast Quarter of Section 7; thence North 89 degrees 58 minutes 17 seconds West, on said South line, 38.52 feet to the point of beginning. Contains 9.21 acres of land being subject to right-of-way for LeRay Avenue across the southerly boundary and is also subject to and together with any and all easements of record.

4. That part of the Southwest Quarter of the Southeast quarter, Section 7, Township 108 North, Range 25 West described as follows;

Commencing at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence South 89 degrees 58 minutes 17 seconds East, assumed bearing, along the south line of said Southwest Quarter of the Southeast Quarter, 62.56 feet to the point of beginning; thence continuing South 89 degrees 58 minutes 17 seconds East, 502.08 feet to a southerly right of way line of Trunk Highway Number 14; thence North 00 degrees 03 minutes 04 seconds East, along said right of way, 61.58 feet to a point on a 511.37 foot radius curve to the left, having a central angle of 24 degrees 21 minutes 23 seconds and a 215.75 foot chord which bears North 77 degrees 52 minutes 20 seconds East; thence on said curve, also being along said right of way, 217.39 feet; thence North 06 degrees 01 minutes 12 seconds East, along said right of way, 117.38 feet; thence North 48 degrees 02 minutes 38 seconds West, along said right of way, 31.60 feet to the point of curvature of a 2446.48 foot radius curve to the left, having a central angle of 19 degrees, 42 minutes, 18 seconds; thence on the curve, along said right of way, a distance of 841.36 feet; thence South 00 degrees 14 minutes 08 seconds West, 509.61 feet; thence South 03 degrees 00 minutes 05 seconds East, 180.11 feet to the point of beginning. Said parcel's southerly boundary is subject to and together with a roadway easement for County State Aid Highway Number 17 and is subject to and together with any and all other easements of record. Said parcel contains 7.8 acres of land more or less.

5. U.S. Trunk Highway #14.

180

Exhibit A (Continued)
to
LeRay Township Resolution 2019-1
City of Eagle Lake Resolution 2019-25

Legal Descriptions

Parcel No. R39.10.07.400.005 (James and Darlene Dauk – 0.11 acres):

That part of the Southeast Quarter (SE1/4) of Section Seven (7), Township One Hundred Eight (108) North, Range Twenty-five (25) West, described as:

Commencing at the Southwest corner of the Southeast Quarter (SE1/4) of Section Seven (7);

thence North 90 degrees 00 minutes 00 seconds East, assumed bearing, along the South line of Section Seven (7), a distance of 707.63 feet;

thence North 0 degrees 00 minutes 00 seconds East 354.55 feet to the point of beginning;

thence North 00 degrees 00 minutes 00 seconds East 169.03 feet;

thence North 90 degrees 00 minutes 00 seconds East 280 feet;

thence South 00 degrees 00 minutes 00 seconds West 260.03 feet;

thence South 90 degrees 00 minutes 00 seconds West 280 feet;

thence North 00 degrees 00 minutes 00 seconds East 91 feet, to the point of beginning

EXCEPTING THEREFROM, 1.56 acres pursuant to Minnesota Department of Transportation Right of Way Plat No. 07-46, according to the plat thereof on file and of record with the Blue Earth County Recorder.

Exhibit A (Continued)
to
LeRay Township Resolution 2019-1
City of Eagle Lake Resolution 2019-25

Legal Descriptions

Parcel No. R39.10.07.400.006 (James and Darlene Dauk - 5 acres):

A tract of land located in the Southeast Quarter of Section 7-108-25, described as follows: Commencing at the Northeast corner of the Southeast Quarter of Section 7-108-25, thence Westerly along the Northerly line of said Southeast Quarter 580 feet, thence Southerly and parallel with the Easterly line of said Southeast Quarter 65 feet to the point of beginning of the parcel to be described; thence continuing South, parallel with the East line of said Southeast Quarter 446 feet, thence West 487 feet, thence North 446 feet, thence East 487 feet to the point of beginning, containing 5 acres of land more or less. Together with a permanent access easement for driveway purposes from County Road No. 27, running thence Westerly to the parcel of land described herein.

Exhibit A (Continued)
to
LeRay Township Resolution 2019-1
City of Eagle Lake Resolution 2019-25

Legal Descriptions

Parcel No. R39.10.07.200.003 (Kopacheck - 92.25 acres less 12 acres):

The Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) and Government Lot 2, all in Section Seven (7), Township One Hundred Eight (108), Range Twenty-five (25), containing 92.25 acres, Blue Earth County, Minnesota.

LESS:

That part of Government Lot 2, Section 7, Township 108 North Range 25 West, Blue Earth County, Minnesota, described as:

Commencing at the East Quarter corner of said Section 7; thence North 00 degrees 40 minutes 01 seconds West, (Minnesota County Coordinate System – Blue Earth County Zone – HARN NAD83 – 1996), along the east line of the Northeast Quarter of said Section 7, a distance of 1316.22 feet to the northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 7; thence South 89 degrees 48 minutes 59 seconds West, along the north line of the Southeast Quarter of the Northeast Quarter of said Section 7 and along the north line of said Government Lot 2, a distance of 2154.83 feet to the southeasterly corner of Schneider Second Subdivision, according to the plat thereof on file and of record with the Blue Earth County Recorder; thence continuing South 89 degrees 48 minutes 59 seconds West, along the south line of said Schneider Second Subdivision, a distance of 25.69 feet to the point of beginning; thence South 35 degrees 19 minutes 33 seconds West, a distance of 1615.37 feet to a point on the south line of said Government Lot 2; thence South 89 degrees 50 minutes 20 seconds West, along said south line, a distance of 90 feet, more or less, to the point of intersection with the easterly water's edge of Eagle Lake; thence northerly, along said water's edge, 1600 feet, more or less, to the point of intersection with the south line of said Schneider Second Subdivision; thence North 89 degrees 48 minutes 59 seconds East, a distance of 810 feet, more or less, to the point of beginning. Containing 12 acres, more or less.

RELEVANT LINKS:

None of these characteristics exist in cities that have been separated from the town for governmental purposes.

There are two methods of separating cities from towns for election and assessment purposes. One is by action of the city, with or without notice to the town. The other is by petition of town or city voters, or both, to the town board for a vote on the proposal at the next annual town meeting. Either of these methods may be used, but they may not be used concurrently.

Minn. Stat. § 412.081 subd.2.

Cities may separate from their respective towns for election and assessment purposes by getting the approval of their voters with a ballot question at a general or special election. The question of separation can be brought to the voters either by the council's own motion, or by a petition signed by a number of voters equal to 25 percent of those voting in the last preceding city election. If the voters favor separation, the city clerk must notify the county auditor and the secretary of state. The separation then takes effect 30 days after the date of the election.

Minn. Stat. § 365.44.

Some towns may take the initiative in separating from the city. At least 50 voters of the town must sign a petition requesting an election on the question and file it with the town clerk. The clerk must insert a statement in the notice calling the next annual town meeting indicating the separation proposal will be before the voters at the meeting.

If a majority of the votes cast at that meeting favor separation, the town is separated from the city for all purposes. Although both town and city residents may sign the original petition, only town voters may participate in the election. The town clerk should notify the county auditor, secretary of state, and state auditor of the change in status of the city.

This procedure is the only method a town may use to separate itself from a city. The county board has no power to separate governmental units.

VI. Detachment

Minn. Stat. § 414.06.

The only way to detach land that is already part of a city (remove it from the city boundaries) is with the approval of the Municipal Boundary Adjustment Unit. To qualify, the land must be adjacent to the city's boundaries, rural in character, and not developed for urban-residential, commercial or industrial purposes.

The following procedures govern the process of detaching land:

Minn. Stat. § 414.06, subd. 1.

The Municipal Boundary Adjustments Unit must receive a petition requesting the detachment. The petition may be initiated by council resolution or by the owners of the land to be detached.

RELEVANT LINKS:

Minn. Stat. § 414.06, subd. 1.

If the land constitutes less than 40 acres, all property owners must sign the petition. If the land is more than 40 acres, the signatures of 75 percent of the owners are sufficient. The petition must describe the boundaries of the land, the resident population, the number and character of any buildings on the land, and any city improvements to the land. The petition must include a statement of the reasons for seeking detachment and a summary of what, if any, efforts were undertaken before filing the resolution or petition to resolve the issues forming the basis for the resolution or petition.

If a petition is submitted without a resolution from the city, the petitioners shall also provide a copy of the petition to the city from which the land may be detached, and if the petition includes land for which a property owner has not signed the petition, to each property owner subject to the petition who has not signed it. A copy of the petition must also be mailed or otherwise delivered to: (1) the clerk of the town to which the property would be attached if the detachment is granted; (2) the clerk of any other abutting town or city; and (3) the county recorder in the county where the land is located.

Minn. Stat. § 414.06, subd. 1a.

After receiving a detachment notice, the town board for the town to which the land is proposed to be attached may submit a resolution stating that the town board supports, opposes, or is neutral to the petition. The failure to submit a resolution before any required hearing must be deemed a position of neutrality.

If the town submits a resolution of support for a petition opposed by the city from which the land is proposed to be detached, or a resolution in opposition to a petition supported by a resolution of the municipality, the town becomes a party to the required hearing.

Minn. Stat. § 414.06, subd. 2.

If both a resolution of support from the city and a petition by all the property owners are submitted, and no resolution of opposition has been received from a town, no hearing is necessary, and the chief administrative law judge shall grant the petition. If both the city and town submit a resolution opposing the petition, a hearing must not be held, and the chief administrative law judge shall deny the petition. In any other case, a hearing shall be held. The chief administrative law judge shall order the parties to participate in a mediation session.

Minn. Stat. § 414.06, subd. 7.

The chief administrative law judge shall divide the costs of the mediation and hearing in an equitable manner, but unless the chief administrative law judge makes specific findings as to why a party shall be responsible for a greater share, the petitioning landowners are responsible for at least 50 percent of the total costs.

RELEVANT LINKS:

Minn. Stat. § 414.06 subd. 3.

After the hearing, the administrative law judge must issue its order. No popular vote is necessary in any detachment proceedings. The Administrative law judge may grant the petition if it finds:

- The conditions set forth in the petition exist.
- The detachment would not affect the symmetry of the detaching city.
- The land is not needed for reasonably anticipated future development of the detaching city.

The Administrative law judge may decrease the size of the detachment area. It may also relieve the detached area of any city from indebtedness and require the assumption of town indebtedness in such proportions as it deems equitable. The detached land then becomes a part of the town in which it is located.

The Administrative law judge may deny the detachment if it finds the remainder of the city cannot continue to carry on the functions of government without undue hardship.

VII. Concurrent detachment and annexation

Property in one city that is contiguous or bordering upon another city may be concurrently detached and annexed by the adjoining city. There are three ways to initiate the procedure:

- By the concurrent resolutions of the cities.
- By the initiative of the Administrative law judge (if a neighboring city completely surrounds the area).
- By a petition of all property owners in the affected area and the resolution of at least one city.

The Administrative law judge must conduct a hearing and issue an order either approving the concurrent action with or without modifications or denying the detachment and annexation of the property. The alternative-dispute-resolution process authorized by law may also be applied. The order of the Administrative law judge is final, and no subsequent elections are necessary.

VIII. Annexation

Annexation questions pose some of the most difficult and technical policy problems facing municipal officials. Annexations present difficulties because sound, realistic facts and estimates regarding the financial and service implications of a proposed annexation are necessary. Annexation involves important policy questions relating to the welfare of the entire urban community, including both the city and surrounding land.

Minn. Stat. § 414.061, subds. 1, 3.

Minn. Stat. § 414.12, subd. 1.

Minn. Stat. § 414.061, subds. 4, 5.

RESOLUTION OF THE CITY OF EAGLE LAKE
FOR DETACHMENT OF CERTAIN LAND
PURSUANT TO MINNESOTA STATUTES § 414.06

TO: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
P. O. Box 64620
St. Paul, MN 55164-0620

Pursuant to the 2012 amendment to Minn. Stat. § 414.06, the petitioner(s) shall also provide a copy of this petition to:

- 1) the city from which the land may be detached;*
- 2) all property owners who have not signed this petition;*
- 3) the clerk of the town to which the property may be attached if granted;*
- 4) the clerk of any other abutting town or city; and*
- 5) the county recorder in the county in which the land is located.*

The City of Eagle Lake hereby requests by resolution the Office of Administrative Hearings-Municipal Boundary Adjustment Unit to detach certain properties described herein from the City of Eagle Lake and make a part of the Township of LeRay.

1. The property is situated within the City of Eagle Lake, abuts the municipal boundary, and is located in the County of Blue Earth.
The petitioned area abuts on the city's N S E W (circle one) boundary(ies).
2. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
3. The reason detachment is requested is _____

4. Summarize what efforts were taken prior to filing this petition to resolve the issues: _____

5. The number of acres in the property proposed for detachment is _____
and is described as follows:

***INSERT THE COMPLETE AND ACCURATE PROPERTY DESCRIPTION.
DO NOT USE DESCRIPTIONS FROM PROPERTY TAX STATEMENTS.***

6. The number and character of buildings on said property is _____

7. The number of residents in the area proposed for detachment is _____
(The number of residents is not necessarily the same as number of owners.)

8. Public improvements on said property are _____

Date: _____

Mayor

City Administrator



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

November 7, 2022

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

John Graupman, engineer with Bolton and Menk, will be at this evening’s meeting to present bids obtained by direct negotiation for a SCADA system. For reference purposes, attached is an excerpt from the League of MN Cities Information Memo: Competitive Bidding Requirements in Cities related to contracts exceeding \$25,000 but not \$175,000.

Attached is a bid evaluation for the Supervisory Control and Data Acquisition (SCADA) System Project. The system is designed to allow for remote control monitoring and the generation of alerts if abnormal operating conditions arise. One bid was from Minnesota Pump Works in the amount of \$162,635. The other bid was from Automatic Systems Company with a base of \$148,678 and add items of \$31,160 and \$3,225 for a total with add items of \$183,073. The engineer’s estimate was \$170,000. According to Mr. Graupman, the lowest responsible bid for this project was received from Minnesota Pump Works.

Mr. Graupman recommends that the bid from Minnesota Pump Works in the amount of \$162,635 be accepted.

In total, the City of Eagle Lake received \$337,354 in ARPA funds that will need to be expended by December 31, 2024. Per an inquiry to the City’s auditor, if an expenditure would be eligible to receive financial assistance through the Environmental Protection Agency’s Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), then the expenditure is eligible under ARPA. An inquiry was submitted to Minnesota Public Facilities Authority (PFA) asking if this expenditure would be eligible under CWSRF or DWSRF. Attached is a response from PFA indicating that the expenditure would be eligible. Also attached is correspondence with the City’s auditor and an excerpt from the Interim Final Rule regarding eligible uses for water and sewer projects.

A motion is needed to accept the bid from Minnesota Pump Works in the amount of \$162,635 to be paid for using ARPA funds paid out of line item 250-00000-210.


Jennifer J. Bromeland
City Administrator



**BOLTON
& MENK**

Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

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

November 2, 2022

**BID EVALUATION FOR THE
MAIN LIFT STATION SCADA IMPROVEMENTS
EAGLE LAKE, MINNESOTA**

Two (2) bids were received via solicitation. One bid was from Minnesota Pump Works for \$162,635. The other bid was from Automatic Systems Company with a base of \$148,678 and add items of \$31,160 and \$3,225 for a total with add items of \$183,073. The engineer estimate was \$170,000.

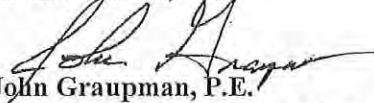
The specifications and bid documents did not contain any wording or ambiguities so as to force the Contractor to build in additional contingencies. We reviewed the proposals with staff to determine compliance with the bidding documents. The bid from Minnesota Pump Works most closely matches the intent of the specifications. The Automatic Systems bid was in general compliance with the alternates.

The project is critical as it includes work to the Main Lift Station controls that have recently failed and are operating with temporary components. This emergency work was also completed by Minnesota Pump Works. The lowest responsive bid for this project was received from Minnesota Pump Works. They have successfully constructed numerous similar projects in the region, and we have a recent history of working with the City. The bid is within the total estimate of \$170,000.

Minnesota Pump Works is experienced in the type of work required for this project and has fulfilled the bidding and contract requirements. Therefore, we recommend that the bid from Minnesota Pump Works be accepted.

Respectfully Submitted,

Bolton & Menk, Inc.



John Graupman, P.E.

Principal Environmental Engineer

RELEVANT LINKS:

Minn. Stat. § 471.345, subd. 2.

Minn. Stat. § 471.345, subd. 3.
See Section II. *Procedure*.

Minn. Stat. § 471.345, subd. 4

Griswold v. Ramsey County,
242 Minn. 529, 65 N.W.2d
647 (1954).

Minn. Stat. § 471.345, subd. 5.

There are two elements that determine if the competitive bidding law applies to a particular contract: the type of contract and its estimated price.

1. Types of contracts

The competitive bidding law applies to:

- Contracts for the sale, purchase, or rental of supplies, materials, or equipment.
- Contracts for the construction, alteration, repair, or maintenance of real or personal property.

2. Estimated price

The estimated price of the contract also determines if the competitive bidding process is required.

a. Contracts over \$175,000

City contracts exceeding the estimated price of \$175,000 must use the competitive bidding process.

b. Contracts exceeding \$25,000 but not \$175,000

Competitive bidding is not required on contracts that exceed \$25,000 but do not exceed \$175,000. However, competitive bidding on contracts in this price range is allowed. So, the city has the option of either using the competitive bidding process or making the contract by direct negotiation. If the city chooses to use the competitive bidding process, it must likely comply with the requirements of this process even though it was not originally required. If direct negotiation is used, the city must get at least two quotations when possible and keep them on file for at least one year.

c. Contracts \$25,000 or less

If the price of the contract is estimated to be \$25,000 or less, the city has discretion to make the contract by obtaining quotations or it may simply buy or sell the item on the "open market." If the city chooses to use quotations for the contract, it shall be based, as far as practicable, on at least two quotations which shall be kept on file for at least one year.

d. Calculating estimated contract price

Because the competitive bidding law applies to the estimated contract price, it can sometimes be difficult to determine whether a specific contract is subject to the law.



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

November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Main Lift Station Pump

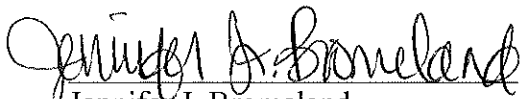
Public Works Director Andrew Hartman is requesting that the City consider utilizing American Rescue Plan Act (ARPA) funding to replace pump #3 at the main lift station. Per Mr. Hartman, pump #3 is approximately 14 years old and has about 8,000 pumping hours on it and should be replaced soon.

Attached is a quote from Minnesota Pump Works for a new pump and installation in the amount of \$21,370.69.

Minnesota Pump Works has performed lift station maintenance for the City of Eagle Lake for many years.

The City of Eagle Lake received a total of \$337,354 in ARPA funds that will need to be expended by December 31, 2024. Per an inquiry to the City's auditor, if an expenditure would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), then the expenditure is eligible under ARPA. An inquiry was submitted to Minnesota Public Facilities Authority (PFA) asking if this expenditure would be eligible under CWSRF or DWSRF. Attached is a response from PFA indicating that the expenditure would be eligible. Also attached is correspondence with the City's auditor and an excerpt from the Interim Final Rule regarding eligible uses for water and sewer projects.

A motion is needed to approve the purchase of a new pump (with installation included) for the main lift station from Minnesota Pump Works in the amount of \$21,370.69 using ARPA funds in line item 250-00000-210.


Jennifer J. Bromeland
City Administrator



Quote
 #QTE002620
 10/13/2022

Minnesota Pump Works
 1 Cannon St W
 Dundas, MN 55019

Bill To
 Andrew
 Eagle Lake MN, City of
 PO Box 159
 Eagle Lake MN 56024-0159
 United States
 Phone:

Ship To
 Eagle Lake MN, City of
 PO Box 159
 Eagle Lake MN 56024-0159
 United States

Details

Quote for the Sale and Installation of 1 - ABS/Sulzer pump for your Main Lift Station, replacing pump #3. Note: Freight is NOT Included.

Prepared By
 Dillon Braith

Phone
 877-645-8004

Email
info@minnesotapumpworks.com

Sales Rep
 Jason Draeger

Expires
 10/23/2022

Terms
 Net 30

Item	Comment	QTY	Rate	Amount
11962 ABS XFP150G CB1.4 PE210/4 28HP/460V/3PH 49' CABLE XP 6" D/C		1	\$20,285.00	\$20,285.00
23427 QUOTE ITEM	Lot of Installation; to include: Service Drive Time, On-Site Service, and Mileage.	1	\$1,085.69	\$1,085.69
			Subtotal	\$21,370.69
			Total	\$21,370.69

Pricing is valid for 10 days and does not include freight charges or applicable taxes.

Items quoted for repair and leftover 30 days, without a decision to repair, will be discarded.

Signature: _____ Date: _____

Thank you for your business.
 Toll Free: 877-645-8004 | Email: info@minnesotapumpworks.com | Website: <http://www.minnesotapumpworks.com>

202



QTE002620

The Interim Final Rule 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.

5.2. What criteria should recipients use in identifying third-party employers to receive grants for the purpose of providing premium pay to essential workers?

Any third-party employers of essential workers are eligible. Third-party contractors who employ essential workers in eligible sectors are also eligible for grants to provide premium pay. Selection of third-party employers and contractors who receive grants is at the discretion of recipients.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.

5.3. May recipients provide premium pay retroactively for work already performed?

Yes. 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.

6. Eligible Uses – Water, Sewer, and Broadband Infrastructure

6.1. What types of water and sewer projects are eligible uses of funds?

The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

Under the 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.

Under the 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.

Jennifer Bromeland

From: Kanuit, Katelyn (PFA) <katelyn.kanuit@state.mn.us>
Sent: Thursday, October 27, 2022 12:03 PM
To: Jennifer Bromeland
Subject: RE: CWSRF and DWSRF Funding

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

Jennifer,

The below mentioned items would be eligible for DWRF/CWRF. If there was a WIF grant involved for any reason, the pumps may not be eligible as they don't have a 20-30 year useful life.

Please let me know if you have any other questions!

Katelyn Kanuit / Loan Officer
Minnesota Public Facilities Authority
1st National Bank Building
332 Minnesota St., Suite W820
St. Paul MN 55101
Voice Mail: 651-259-7471
katelyn.kanuit@state.mn.us
mn.gov/pfa



From: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Sent: Thursday, October 27, 2022 10:22 AM
To: Kanuit, Katelyn (PFA) <katelyn.kanuit@state.mn.us>
Subject: CWSRF and DWSRF Funding

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good Morning,

I am looking at the City's ARPA allocation and our needs and it infers that if something is eligible for CWSRF or DWSRF, that it is likely eligible for ARPA funds. Two items that we need to address include: 1) replacing a pump for our main lift station and 2) Pull a pump, measure the well, and clean the well out by air lifting the well. **My question:** Would either of these projects be eligible for CWSRF or DWSRF funding?

Thank you.

Jennifer Bromeland

From: Jamie Fay <jfay@eidebailly.com>
Sent: Friday, October 28, 2022 8:38 AM
To: Jennifer Bromeland
Subject: RE: ARPA Funding Eligibility Review

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

Hi Jennifer!

As auditors, we would look for PFA's approval of expenditures so as long as they gave you the green light that's all we'd look for!

Thanks!

Jamie Fay, CPA
(she/her/hers) - what is this?
Partner
Mankato, MN

T 507.304.6944

Connect with me on LinkedIn
Access your files and connect with us on My Eide Bailly

Visit our COVID-19 Resource Page for ongoing insights and updates.

-----Original Message-----

From: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Sent: Thursday, October 27, 2022 2:34 PM
To: Jamie Fay <jfay@eidebailly.com>
Subject: ARPA Funding Eligibility Review

External Sender: Please take care when clicking links, opening attachments or responding to unsolicited messages.

Hi Jamie,

Included with the upcoming council packet will be requests for some large water and sewer expenditures using ARPA funding. We have obtained direct quotes for a SCADA system for water and sewer totaling approximately \$160k, a quote for a replacement pump for the city's main lift station totaling approximately \$21,371, and a quote to pull a pump, measure the well, and clean the well totaling approximately \$23,750. I checked with PFA to see if these three items would be eligible for DWRF/CWRF and it sounds like they are. Wanted to get another official review on eligibility from you before I recommend to the city council that these expenditures be made using ARPA funds.

We also elected the standard allowance.

Thank you.

Jennifer J. Bromeland
City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218

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Jennifer Bromeland

From: Jamie Fay <jfay@eidebailly.com>
Sent: Wednesday, June 22, 2022 8:11 AM
To: Jennifer Bromeland
Subject: RE: [EXTERNAL] ARPA Funding and Opinion on Eligible Use of Funding

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

I got a quick response to this because it's an easy answer! If it's eligible under CWRLF or DWRLF then it's eligible under ARPA!

Thanks Jennifer!

Jamie Fay, CPA

(she/her/hers) – [what is this?](#)

Partner
Mankato, MN

T 507.304.6944

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Visit our [COVID-19 Resource Page](#) for ongoing insights and updates.

From: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Sent: Tuesday, June 21, 2022 11:47 AM
To: Jamie Fay <jfay@eidebailly.com>
Subject: [EXTERNAL] ARPA Funding and Opinion on Eligible Use of Funding

External Sender: Please take care when clicking links, opening attachments or responding to unsolicited messages.

Hi Jamie,

The City of Eagle Lake has not yet expended its American Rescue Plan Funds. Is this something that could be used towards a SCADA system for our water tower and/or a water tower rehab project? I assume they would both be eligible under the CWRLF and DWRLF programs. Not sure if guidance has changed. Looking for an opinion on whether either or both of these would be eligible uses of funding.

Thank you.



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

November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Well #3 Maintenance

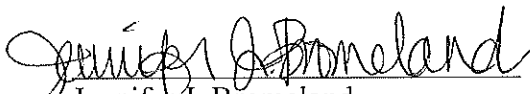
Public Works Director Andrew Hartman is requesting that the City consider utilizing American Rescue Plan Act (ARPA) funding to perform maintenance needed on Well #3. Per Mr. Hartman, the capacity of the well and pump rate have been declining since 2014 and maintenance is needed.

Attached is an estimate from Their Well to set a drill rig up over the well, drill, and lift debris out of the well. The estimated cost to clean and develop the well is \$23,750. Per the estimate, the invoice will reflect actual time and materials.

Their Well has provided well maintenance on the City's wells for many years.

In total, the City of Eagle Lake received \$337,354 in ARPA funds that will need to be expended by December 31, 2024. Per an inquiry to the City's auditor, if an expenditure would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), then the expenditure is eligible under ARPA. An inquiry was submitted to Minnesota Public Facilities Authority (PFA) asking if this expenditure would be eligible under CWSRF or DWSRF. Attached is a response from PFA indicating that the expenditure would be eligible. Also attached is correspondence with the City's auditor and an excerpt from the Interim Final Rule regarding eligible uses for water and sewer projects.

A motion is needed to approve the estimate from Their Well for maintenance on Well #3 totaling approximately \$23,750 and using ARPA funds in line item 250-00000-210 to do so. (It should be noted that the total cost could be more or less than \$23,750 due to actual time and materials.)


Jennifer J. Bromeland
City Administrator



THEIN WELL

PO BOX 778 • 11355 HWY 71 NE • SPICER, MN 56288
102 DUNDAS RD • MONTICELLO, MN 55362
CLARA CITY, MN 56222 • VERMILLION, SD 57069
www.theinwell.com • E-mail: theinwell@tds.net
1-800-450-8000

WELLS ~ PUMPS
SALES ~ SERVICE

Since 1893

October 24, 2022

Andrew Hartman
City of Eagle Lake
PO Box 159
Eagle Lake MN 56024
elpw@eaglelakemn.com
507-779-9584

Dear Andrew,

The specific capacity of well # 3 has been declining since about 2014 and has really been dropping the last 3 years. It is recommended to pull the pump, measure the well, and if sluff or debris has filled the well in, clean the well out by drilling and air lifting the well.

The scope of work would include setting a drill rig up over the well, drilling and lifting the debris out of the well.

ITEM	UNIT	QTY	UNIT PRICE	TOTAL
Mobilization Set - Up	HR	10	475.00	4750.00
Remove pumping system from well- measure well	HR	10	375.00	3750.00
Drill and clean out debris from well	HR	20	500	10000.00
Televise Equipment	LS	1	1500.00	1500.00
Re-install pumping system	HR	10	375.00	3750.00
**Estimate total to clean and develop well				\$23750.00

** invoice will reflect actual time and materials

To schedule, or if you have any questions, please feel free to contact me at (320) 796-2111 or via email aaron@theinwell.com.

Best Regards

Aaron Butler
Thein Well Company

AB/ bn

Licensed, Bonded and Insured

CERTIFIED MASTER WATER WELL CONTRACTOR
Equal Opportunity Employer

MEMBER
NGWA

209
MEMBER
AWWA

THEIN Well Company Spicer, Clara City

Customer	City of Eagle Lake	City Hall Phone	507-257-3218
Address	P.O. Box 159	City Hall Fax	507-257-3220
City / State / Zip	Eagle Lake MN 56024	City Mgr / Clerk	Chad Shryrock
Water Supt	Brian Goettl	Cell Phone	507-420-3510
Maint Phone	Andrew 507-779-9584	Date Last Inspected	8-9-2022
PMI Contract	y Due Date	E-Mail	bkgoettl@eaglelakemn.com

Well # Location	#3 On top of hill in park	Pump Type TS	S
Unique No	751856	Head	Wolf - 8MM5V-3
Year Constructed	2007	Motor	50 hp
Stat WL	59	Pump Level	272
GPM	1000	Wire	4/3
		Starter	Mag
Casing Data	12" to 140ft	Check Valve	6" D.I.
Screen Data	open hole from 140-272	Drop Pipe	6" X 105'
Well Depth	272	Discharge Head	Monitor
Last Rehabbed		Date Last Repaired	8-28-2018
		Date for Rehab	2020

Hardness Iron 0 MN 0 PH 0

Comments

TUBE UNDER VENT FOR DRAWDOWN
2018- new pump, check valve

HISTORY

Insp. Date	G.P.M.	S.W.L.	P.W.L.	Draw Down	Spec. Cap.	Disc. Pres.
8-9-2022	538	57.33	64.08	6.75	79.70	59
8-12-2021	548	56	62.08	6.08	90.13	68
8-17-2020	546	58	63.6	5.60	97.50	70
8-12-2019	560	56.33	60.92	4.59	122.00	72
8-17-2017	620	56.4	61.2	4.80	129.17	72
10-5-2016	600	55.1	60.2	5.10	117.65	72
9-1-2015	650	57.42	62.08	4.66	139.48	70
5-20-2014	645	52.5	57.08	4.58	140.83	72
5-1-2013	650	58.25	63.92	5.67	114.64	74
5-15-2012	650	56.67	61.75	5.08	127.95	73

Insp. Date	V 1-2	V 2-3	V 1-3	A 1	A 2	A 3	Winding Resistance	Insulation Resistance
8-9-2022	486	489	484	71	67	69	0-0-0	00-00-00
8-12-2021	482	488	483	71	69	66	0-0-0	00-00-00
8-17-2020	487	488	485	66	66	64	4.7-4.7-5.0	00-00-00

Insp. Date	Vibration Top Bearing	Vibration Bottom Bearing	Base
8-9-2022			
8-12-2021			
8-17-2020			

The Interim Final Rule 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.

5.2. What criteria should recipients use in identifying third-party employers to receive grants for the purpose of providing premium pay to essential workers?

Any third-party employers of essential workers are eligible. Third-party contractors who employ essential workers in eligible sectors are also eligible for grants to provide premium pay. Selection of third-party employers and contractors who receive grants is at the discretion of recipients.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.

5.3. May recipients provide premium pay retroactively for work already performed?

Yes. 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.

6. Eligible Uses – Water, Sewer, and Broadband Infrastructure

6.1. What types of water and sewer projects are eligible uses of funds?

The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

Under the 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.

Under the 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.

Jennifer Bromeland

From: Kanuit, Katelyn (PFA) <katelyn.kanuit@state.mn.us>
Sent: Thursday, October 27, 2022 12:03 PM
To: Jennifer Bromeland
Subject: RE: CWSRF and DWSRF Funding

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Jennifer,

The below mentioned items would be eligible for DWRF/CWRF. If there was a WIF grant involved for any reason, the pumps may not be eligible as they don't have a 20-30 year useful life.

Please let me know if you have any other questions!

Katelyn Kanuit / Loan Officer
Minnesota Public Facilities Authority
1st National Bank Building
332 Minnesota St., Suite W820
St. Paul MN 55101
Voice Mail: 651-259-7471
katelyn.kanuit@state.mn.us
mn.gov/pfa



From: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Sent: Thursday, October 27, 2022 10:22 AM
To: Kanuit, Katelyn (PFA) <katelyn.kanuit@state.mn.us>
Subject: CWSRF and DWSRF Funding

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Good Morning,

I am looking at the City's ARPA allocation and our needs and it infers that if something is eligible for CWSRF or DWSRF, that it is likely eligible for ARPA funds. Two items that we need to address include: 1) replacing a pump for our main lift station and 2) Pull a pump, measure the well, and clean the well out by air lifting the well. **My question:** Would either of these projects be eligible for CWSRF or DWSRF funding?

Thank you.

Jennifer Bromeland

From: Jamie Fay <jfay@eidebailly.com>
Sent: Friday, October 28, 2022 8:38 AM
To: Jennifer Bromeland
Subject: RE: ARPA Funding Eligibility Review

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Hi Jennifer!

As auditors, we would look for PFA's approval of expenditures so as long as they gave you the green light that's all we'd look for!

Thanks!

Jamie Fay, CPA
(she/her/hers) - what is this?
Partner
Mankato, MN

T 507.304.6944

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Access your files and connect with us on My Eide Bailly

Visit our COVID-19 Resource Page for ongoing insights and updates.

-----Original Message-----

From: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Sent: Thursday, October 27, 2022 2:34 PM
To: Jamie Fay <jfay@eidebailly.com>
Subject: ARPA Funding Eligibility Review

External Sender: Please take care when clicking links, opening attachments or responding to unsolicited messages.

Hi Jamie,

Included with the upcoming council packet will be requests for some large water and sewer expenditures using ARPA funding. We have obtained direct quotes for a SCADA system for water and sewer totaling approximately \$160k, a quote for a replacement pump for the city's main lift station totaling approximately \$21,371, and a quote to pull a pump, measure the well, and clean the well totaling approximately \$23,750. I checked with PFA to see if these three items would be eligible for DWRP/CWRP and it sounds like they are. Wanted to get another official review on eligibility from you before I recommend to the city council that these expenditures be made using ARPA funds.

We also elected the standard allowance.

Thank you.

Jennifer J. Bromeland
City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218

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Jennifer Bromeland

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Thank you.



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

November 7, 2022


To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Contractor's Pay Request No. 1 and Final – 2022 Sanitary Sewer and Watermain Extension Project

Attached you will find Contractor's Pay Request No. 1 and Final for the 2022 Sanitary Sewer and Watermain Extension Project. The pay request totals \$28,811.50.

For purposes of providing background, the City was unable to obtain the necessary easements from the Ragan family to move ahead with the full project. Instead, the project scope was reduced to the installation of a new hydrant.

Brian Sarff with Bolton and Menk recommends payment be made to the contractor.

A motion is necessary to approve payment of \$28,811.50 to Bromeling Excavating, Inc. for work on the 2022 Sanitary Sewer and Watermain Extension Project out of the 601 fund.



Jennifer J. Bromeland
City Administrator



Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

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

September 29, 2022

VIA DOCUSIGN

Bromeling Excavating, Inc.
Marc Bromeling
19474 589th Avenue
Mankato, MN 56001

RE: 2022 Sanitary Sewer & Watermain Extension
City of Eagle Lake, MN
Project No.: 0M1.126205

Dear Mr. Bromeling:

Enclosed is Contractor's Estimate No. 1 and Final in the amount of \$28,811.50.

Please review the quantities and amounts shown to be assured of complete satisfaction. If everything is in order, please process the Contractor's Estimate through DocuSign.

Payment will be recommended upon my receipt and approval of all the described paperwork.

- *Consent of Surety for Final Payment (AIA Form G707)*, in lieu of a surety signature.
- Copies of Form *IC-134*, certifying withholding of income tax, for you and all of your subcontractors. These forms may be obtained from the Minnesota Department of Revenue.
- Completed Warranty Bond (00 61 13.19) located in the Project Manual.
- A plan set showing the required as-built information.

If you have any questions, please feel free to call.

Sincerely,

Bolton & Menk, Inc.

Brian J. Sarff, P.E.
Consultant City Engineer

Enclosures

Contractor's Application for Final Payment

Owner: <u>City of Eagle Lake</u>	Owner's Project No.: _____
Engineer: <u>Bolton & Menk, Inc.</u>	Engineer's Project No.: <u>OM1.126205</u>
Contractor: <u>Bromeling Excavating, Inc.</u>	Agency's Project No.: _____
Project: <u>2022 Sanitary Sewer & Watermain Extension</u>	
Contract: _____	
Application No.: <u>1 (Final)</u>	Application Date: <u>9/27/2022</u>
Application Period: From <u>8/24/2022</u> to <u>9/27/2022</u>	

1. Original Contract Price	\$	106,435.00
2. Net change by Change Orders	\$	-
3. Current Contract Price (Line 1 + Line 2)	\$	106,435.00
4. Total Work completed and materials stored to date (Sum of Column H Unit Price Total and Column M Stored Materials)	\$	28,811.50
5. Retainage		
a. _____ X \$ 28,811.50 Work Completed	\$	-
b. _____ X \$ _____ Stored Materials	\$	-
c. Total Retainage (Line 5.a + Line 5.b)	\$	-
6. Amount eligible to date (Line 4 - Line 5.c)	\$	28,811.50
7. Less previous payments		
8. Amount due this application	\$	28,811.50
9. Balance to finish, including retainage (Line 3 - Line 4)		-

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

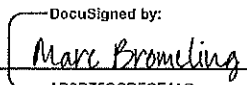
(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

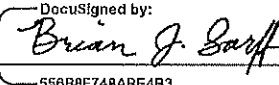
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective; and

(4) The provisions of M. S. 290.92 have been complied with and that all claims against me by reason of the Contract have been paid or satisfactorily secured.

Contractor: Bromeling Excavating, Inc., 19474 589th Avenue, Mankato, MN 56001

Signature:  **Date:** October 1, 2022

Name: Marc Bromeling **Title:** President

Recommended by Engineer	Approved by Owner
By: <u></u>	By: _____
Name: <u>Brian J. Saff, P.E.</u>	Name: <u>Jennifer Bromeland</u>
Title: <u>City Engineer</u>	Title: <u>City Administrator</u>
Date: <u>October 3, 2022</u>	Date: _____



Final Estimate - Unit Price Work

Contractor's Application for Final Payment

Owner:	City of Eagle Lake	Owner's Project No.:	
Engineer:	Bolton & Menk, Inc.	Engineer's Project No.:	OM1.126205
Contractor:	Bromeling Excavating, Inc.	Agency's Project No.:	
Project:	2022 Sanitary Sewer & Watermain Extension		
Contract:			

Application No.: 1 (Final) Application Period: From 08/24/22 to 09/27/22 Application Date: 9/27/2022

A Bld Item No.	B Description	C Item Quantity	D Units	E Unit Price (\$)	F Value of Bid Item (C X E) (\$)	Previous Estimate		Work Completed		I % of Value of Item (H / F) (%)	
						F1 Quantity Previous Estimate	F2 Value Previous Estimate	G Estimated Quantity Incorporated in the Work	H Value of Work Completed to Date (E X G) (\$)		
Original Contract											
1	MOBILIZATION & TRAFFIC CONTROL	1.00	LUMP SUM	6,500.00	6,500.00	-	-	1.00	6,500.00	100%	
2	CLEAR & GRUB TREES	10.00	EACH	650.00	6,500.00	-	-	-	-	-	
3	SEDIMENT CONTROL LOGS	600.00	LIN FT	3.00	1,800.00	-	-	160.00	480.00	27%	
4	STORM DRAIN INLET PROTECTION	2.00	EACH	150.00	300.00	-	-	1.00	150.00	50%	
5	GRAVEL SURFACE RESTORATION	1.00	LUMP SUM	3,000.00	3,000.00	-	-	0.50	1,500.00	50%	
6	TURF RESTORATION	1.00	LUMP SUM	5,000.00	5,000.00	-	-	0.20	1,000.00	20%	
7	EXPLORATORY EXCAVATION	5.00	HOUR	150.00	750.00	-	-	-	-	-	
8	CONNECT INTO EXISTING MANHOLE	1.00	EACH	1,500.00	1,500.00	-	-	-	-	-	
9	4" PVC SANITARY SEWER SERVICE PIPE (SDR 26)	40.00	LIN FT	40.00	1,600.00	-	-	-	-	-	
10	8" PVC PIPE SEWER (SDR 35)	275.00	LIN FT	56.00	15,400.00	-	-	-	-	-	
11	8"x4" WYE BRANCH (SDR 26)	2.00	EACH	400.00	800.00	-	-	-	-	-	
12	CONSTRUCT DRAINAGE STRUCTURE DESIGN 4007	7.30	LIN FT	500.00	3,650.00	-	-	-	-	-	
13	CASTING ASSEMBLY	1.00	EACH	500.00	500.00	-	-	-	-	-	
14	CONNECT TO EXISTING WATERMAIN	2.00	EACH	1,750.00	3,500.00	-	-	1.00	1,750.00	50%	
15	HYDRANT (8.5' BURY)	2.00	EACH	7,500.00	15,000.00	-	-	1.00	7,500.00	50%	
16	6" GATE VALVE & BOX	2.00	EACH	2,500.00	5,000.00	-	-	1.00	2,500.00	50%	
17	8" GATE VALVE & BOX	1.00	EACH	3,000.00	3,000.00	-	-	-	-	-	
18	6" PVC WATERMAIN (DR 18)	47.00	LIN FT	95.00	4,465.00	-	-	38.50	3,657.50	82%	
19	8" PVC WATERMAIN (DR 18)	291.00	LIN FT	56.00	16,296.00	-	-	-	-	-	
20	10" PVC WATERMAIN (DR 18)	10.00	LIN FT	150.00	1,500.00	-	-	5.00	750.00	50%	
21	1" CORPORATION STOP & TAPPING SADDLE	2.00	EACH	500.00	1,000.00	-	-	-	-	-	
22	1" CURB STOP & BOX	2.00	EACH	500.00	1,000.00	-	-	-	-	-	
23	1" PE WATER SERVICE PIPE (SDR 9)	20.00	LIN FT	40.00	800.00	-	-	-	-	-	
24	WATERMAIN FITTINGS	541.00	POUND	14.00	7,574.00	-	-	216.00	3,024.00	40%	
Original Contract Totals					\$	106,435.00	\$		\$	28,811.50	27%

219



November 7, 2022

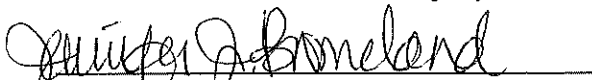
To: Mayor Auringer and City Council
 From: Jennifer J. Bromeland, City Administrator
 Re: Special Assessments

Cities must certify special assessments to the County Auditor no later than November 30th each year per Minnesota Statute 429.061, Subdivision 3.

City staff has compiled a listing of properties (shown below) which will be assessed if payment is not received prior to November 30, 2022. Past practice has been that assessed balances are charged interest at 4%. City staff has sent notice to the properties listed below advising that if payment is not made, the unpaid charges will be assessed for collection with property taxes. Included in the notice was the process to contest any unpaid charges.

Utility Bills to be Assessed				
Parcel ID	Account	Serv Addr	Balance	Total Overdue
R12.10.18.180.022	01-00000062-00-1	404 S Agency St	\$13.36	\$13.36
R12.10.07.353.005	01-00001607-00-9	324 LeRay Ave.	\$787.96	\$748.92
R12.10.07.377.004	01-00001913-009	213 Lakeview Dr.	358.55	\$242.41
R12.10.18.132.018	01-00001513-00-1	308 LeSueur Ave.	\$354.09	\$312.45
R12.10.18.128.003	01-00000633-00-5	145 N Agency St.	\$164.04	\$113.30
R12.10.18.184.002	01-00002179-00-6	121 Linda Dr.	\$180.85	\$95.03
R12.10.18.154.003	01-00002080-00-3	117 Peggy Ln.	\$334.66	\$229.03
R12.10.18.378.006	01-00001897-00-0	611 Colodoro Ln.	\$346.99	\$177.26
R12.10.18.182.020	01-00000408-00-7	212 Linda Dr.	\$387.81	\$262.45
R12.10.19.201.007	01-00001945-00-0	224 Oak Dr.	\$350.04	\$226.75
R12.09.13.276.018	01-00001837-00-2	301 Brook Ct.	\$443.79	\$307.07
R12.10.18.153.016	01-00000498-00-4	308 Maywood Ave.	\$251.26	\$170.93
R12.10.18.132.015	01-00000571-00-8	121 Plainview St.	\$298.16	\$209.30
R12.10.18.177.006	01-00000054-00-0	208 S Agency St.	\$319.07	\$208.63
R12.10.18.176.004	01-00000856-00-8	200 S Second St.	\$224.06	\$155.28
R12.10.18.226.008	01-00001628-00-6	145 Cedar Path	\$309.66	\$201.30
R12.10.18.328.007	01-00000802-00-9	113 Blace Ave.	\$61.81	\$44.54
R12.10.18.226.008	01-00002208-00-1	132 Cedar Path	\$96.67	\$46.39
R12.10.18.226.008	01-00002148-00-6	151 Cedar Path	\$358.08	\$244.43
R12.10.18.226.008	01-00002162-01-9	104 Cedar Path	\$188.29	\$109.97
R12.10.18.226.008	01-00002171-01-1	142 Cedar Path	\$130.63	\$76.98

Accounts Receivable to be Assessed				
R12.10.18.128.007	129 N. Agency St	\$	125.00	Snow Removal
R12.10.18.127.001	133 N Second St	\$	125.00	Snow Removal
R12.10.18.177.012	200 S Agency St	\$	125.00	Snow Removal


 Jennifer J. Bromeland, City Administrator



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

November 7, 2022


To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Request from Property Owner to Defer Sewer Connection Until 2023

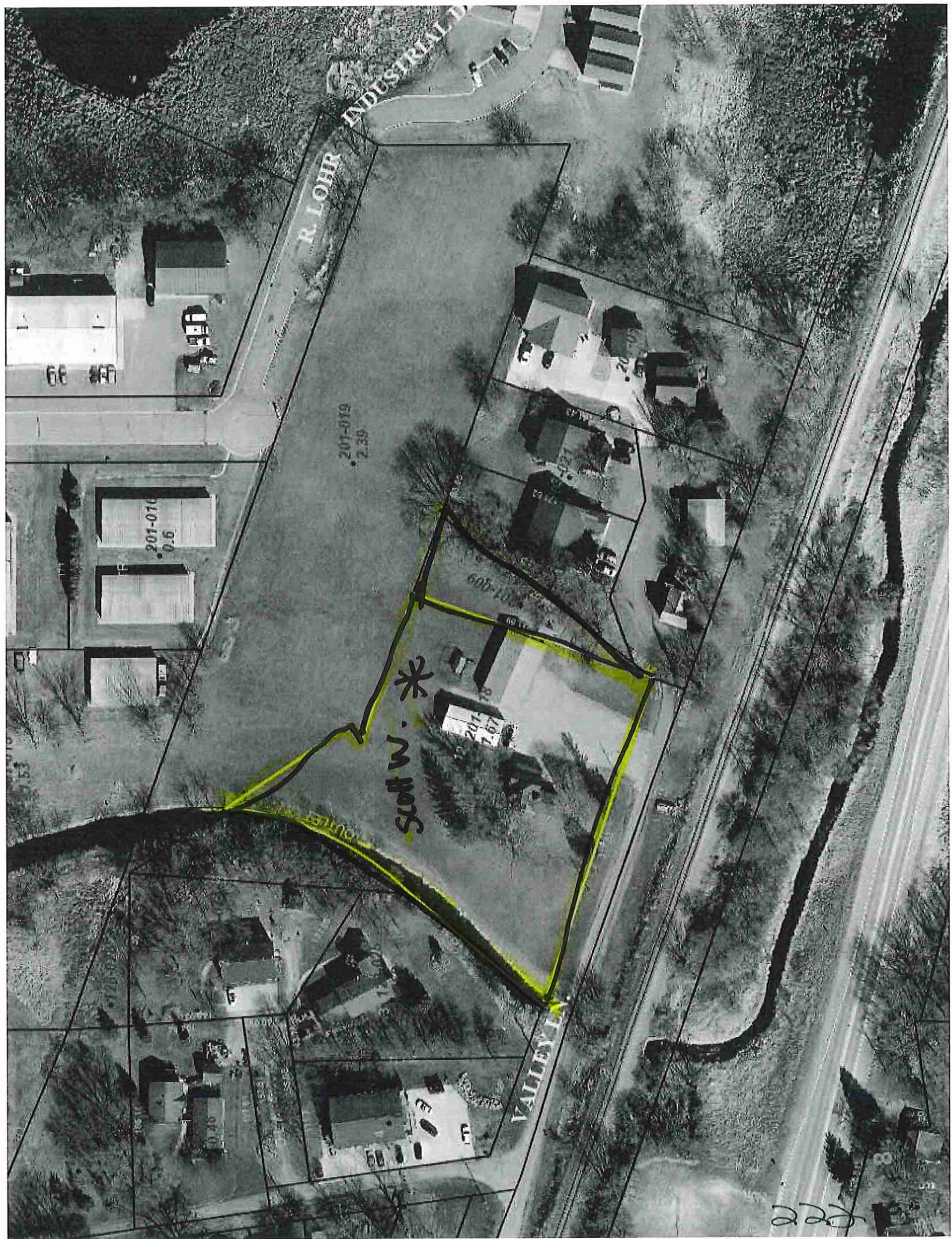
100 Valley Lane was recently purchased by Scott Wangen. The property is zoned R-3 and has a single family dwelling on it with a septic system. The property owner is aware that City sewer is available and that connection is required, however, the property owner has expressed that he plans to redevelop the property in 2023 and is requesting the ability to defer connection to public sewer until that time.

Attached is a request from Mr. Wangen, seeking to delay connection to public sewer until 2023. In the meantime, Mr. Wangen has indicated that he tentatively plans to occupy the existing dwelling while he improves it.

Also attached is an email from Blue Earth County in response to my question about whether there is any record of the existing septic system on the property. According to Blue Earth County, there is no record of a septic system on this property. In Blue Earth County, a property owner has 10 months to upgrade or abandon the septic system.

Discussion should ensue and the request approved or denied. Discussion should also ensue about whether the property is eligible for a rental license at the present time since it is not connected to public sewer.


Jennifer J. Bromeland
City Administrator



R. LOHR INDUSTRIAL DR

201-019
2.30

201-070
0.6

Scott W. *

201-070

VALLEY L.

see

Jennifer Bromeland

From: Scott Wangen <scott.wangen@blkelectric.com>
Sent: Saturday, October 29, 2022 10:36 AM
To: Jennifer Bromeland
Subject: Re: Follow-up to Questions for 100 Valley Lane

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

We are in the process of trying to replot some property lines at 100 valley lane. At the same time we are trying to figure out the layout of the new buildings. So I am asking if we can post pone tying into the city sewer until spring. The reason for this request is so we don't install a new pipe that would have to be moved again once we figure out all of our future plans

Sent from my iPhone

> On Oct 28, 2022, at 11:07 AM, Jennifer Bromeland <jbromeland@eaglelakemn.com> wrote:

>

> As a follow-up to our phone call, if you plan to submit a request to the city council for their review and consideration at their meeting on November 7th, please email me or drop something off no later than next Tuesday.

>

> You are welcome to attend an upcoming Planning Commission meeting to review your plans. Please keep in mind that neither staff nor the Planning Commission can give any preliminary approvals but a discussion is fine. Ultimately, the property owner/applicant is responsible for ensuring compliance with code requirements when submitting zoning and building permit applications.

>

> Have a good weekend.

>

>

> -----Original Message-----

> From: Jennifer Bromeland

> Sent: Thursday, October 27, 2022 4:13 PM

> To: Scott Wangen <scott.wangen@blkelectric.com>

> Subject: Follow-up to Questions for 100 Valley Lane

>

> Hi Scott,

>

> The two parcels that are zoned R-3 are located in different subdivisions. My understanding is that platting would need to occur to combine the parcels. You also asked about splitting the parcel once the two lots are combined. See the code excerpt below as it relates to simple lot divisions. Each lot would generally need to be at least 10,000 square feet - see Section 6.140, Subdivision 4(F), in the attached pdf for specific lot area regulations in R-3.

>

> SECTION 5.800 SIMPLE LOT DIVISIONS

> The City Administrator and Mayor may administratively approve the division of platted property, provided all requirements of Chapter 6 and Section 5.070 (Design Standards) are satisfied and the division is accomplished by a maximum of two straight lines. Such Simple Lot Divisions shall be completed once on said lot and shall include a certified survey drawing to ensure that all setbacks, width, square footage and all other requirements of Chapter 6 are being met. (07-07-2014)

>

> You may want to contact a surveyor or engineering firm about the platting process and what is required.
>
> Per your request, please see the attached map with water and sewer. Sewer is readily available to connect for the existing house on the property. You'd have to present the City Council with a request to obtain an extension from connecting if you are wanting to use the property as a rental with a septic when sewer is available. If you want to talk with the council, they meet on November 7th and December 5th. In order for a rental license to be issued, this matter should be resolved first. It was communicated to Scott Borgmeier, realtor, that the property needs to connect to city utilities.
>
> You asked about building materials. In an R-3 district, corrugated metal is a prohibited roofing and siding material.
>
> My initial interpretation of the code excerpt below is that you can have up to 8 units in one building or on one lot (e.g., 2 four plex structures).
>
> Subd. 2. Permitted Uses. Except as specifically limited herein, the following uses are permitted in the R-3, Multiple-Family Residential District:
>
> A. Dwellings, multiple-family, not to exceed eight (8) units in one (1) building or on one (1) lot.
>
> As far as setbacks, refer to R-3 zoning code regulations. If you are asking about separation between structures on the same lot, I would need to do more research and find out what state building code requires for separation between buildings.
>
> Hope this answers your questions. If not, just let me know.
>
> Thanks, and have a good afternoon.
>
> Sincerely,
>
> Jennifer J. Bromeland
> City Administrator
> City of Eagle Lake
> PO Box 159
> 705 Parkway Avenue
> Eagle Lake, MN 56024
> P: 507-257-3218
> C: 507-399-1030
>
>
>
>
> -----Original Message-----
> From: Jennifer Bromeland
> Sent: Monday, August 22, 2022 10:07 AM
> To: 'scott.wangen@blkelectric.com' <scott.wangen@blkelectric.com>
> Subject: Zoning
>
> Hi Scott,
>
> Attached is a pdf excerpt of code with R-3 and L-1 zoning information.
>

> You are correct - the house at 100 Valley Ln is not connected to sewer even though there is sewer available. The property will need to connect to sewer since it is available and would not be able to replace the septic system.

>

>

> Jennifer J. Bromeland

> City Administrator

> City of Eagle Lake

> 705 Parkway Avenue

> PO Box 159

> Eagle Lake, MN 56024

> P: (507) 257-3218

> C: (507) 399-1030

>

>

>

Jennifer Bromeland

From: Jesse Anderson <Jesse.Anderson@blueearthcountymn.gov>
Sent: Monday, October 31, 2022 10:47 AM
To: Jennifer Bromeland
Subject: RE: [External]Septic System - 100 Valley Ln, Eagle Lake
Attachments: Blue Earth County - Septic Disclosure.pdf

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

Good Morning Jennifer, we do not have any record of the existing septic system on the property. The buyer/seller should have signed the septic disclosure form (attached) or completed a septic compliance inspection by a licensed contractor at time of transfer. The property owner has 10 months to upgrade or abandon the septic system in Blue Earth County.

Thank you,

Jesse Lee Anderson | Septic and Well

Blue Earth County

Property & Environmental Resources

PHONE: 507-304-4251

410 South Fifth Street | PO Box 3566 | Mankato, MN

www.blueearthcountymn.gov



 Please consider the environment before printing.



BLUE EARTH COUNTY
SEPTIC SYSTEM DISCLOSURE FORM FOR PROPERTY TRANSFER

Environmental Services Department
410 S. 5th Street – P.O. Box 3566
Mankato, MN 56002-3566
Phone: (507) 304-4381
Fax: (507) 304-4431

Please Print and Complete All Information:

Seller's Printed Name: _____

Buyer's Printed Name: _____

Property Address: _____ City: _____ Zip: _____

Property ID#: _____ Township: _____

This completed form and the supporting documentation are required to be presented to the Buyer and Blue Earth County at or prior to the closing date pursuant to Minnesota State Statutes 115.55 and Blue Earth County Code of Ordinances Chapter 6 Article V.

My property is serviced by a municipal wastewater treatment system or sanitary sewer district.

OR

Determine which **one** of the following six statements applies to the septic system and check the appropriate box. Follow specific instructions for that statement. Statement 1 requires that the exemption, if any, be listed where indicated. Statements 2-6 require supporting documentation, which **MUST** be attached to this form.

Please check the appropriate box: (Choose only one numbered response)

1. The MPCA Compliance Inspection Form need not be completed due to one of the following exemptions:
- The tract of land is without buildings or contains no dwelling or other building with any plumbing fixtures.
 - The sale or transfer completes a contract for deed entered into prior to February 27, 1998. This applies only to the original vendor and vendee on such a contract.
2. The septic system was installed within the last five years and a Certificate of Compliance was issued by the Blue Earth County Environmental Services Department. **Attach Copy of Certificate.**
3. The MPCA Compliance Inspection Form indicates that the septic system is **COMPLIANT**. A licensed inspector has issued a Certificate of Compliance. **Attach Copy of Inspection form.**

4. The MPCA Compliance Inspection Form indicates that the septic system is NONCOMPLIANT and must be replaced or upgraded. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the replacement or upgrade of the septic system within the specified timeframe. **Attach Copy of Agreement and Inspection Form.** (Check the outcome of the inspection below)
- Classified as FAILING TO PROTECT GROUNDWATER and shall be replaced or upgraded to MN Rules Ch. 7080 standards within two (2) years of the date of inspection.
- Classified as IMMINENT THREAT TO PUBLIC HEALTH OR SAFETY and shall be replaced or upgraded to MN Rules Ch. 7080 standards within ten (10) months of the date of inspection.
5. The MPCA Compliance Inspection Form cannot be completed due to ground conditions occurring between November 1 and April 30. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the Compliance Inspection, which must be completed and submitted to the County by June 1st of the following year, and who is responsible for the replacement or upgrade of the septic system if noncompliant. **Attach Copy of Agreement.**
6. The Seller discloses (without inspection) that the septic system does not meet MN Rules Ch. 7080 requirements, and must be replaced or upgraded within ten (10) months of the date of sale. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the replacement or upgrade of the septic system with the ten (10) month time period clearly stated in the agreement. **Attach Copy of Agreement.**

PLEASE NOTE: THIS FORM WILL BE RETURNED UNLESS FULLY COMPLETED WITH ALL REQUIRED DOCUMENTATION ATTACHED.

SIGNATURES: (Required by both parties in all cases)

We have read and acknowledge the contents of all sections above that are applicable to the septic system on the property. We understand the compliance requirements that are necessary for the replacement or upgrade of the septic system, present or future; we also understand that no real property in Blue Earth County shall be transferred unless the parties to the transaction have complied with the requirements of the Blue Earth County Subsurface Sewage Treatment Ordinance.

Seller's Signature: _____ **Date:** _____

Buyer's Signature: _____ **Date:** _____

If completed by a Third Party (i.e., realtor, attorney, auction company, financial institution), please complete the following:

Printed Name of Third Party: _____

Address of Third Party: _____

City/State: _____ Zip: _____ Phone: _____

Signature: _____ **Date:** _____

Septic System Information is available at <http://www.pca.state.mn.us> or at <http://www.co.blue-earth.mn.us> or by calling our office.



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

November 7, 2022

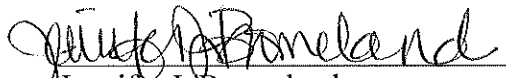
To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Request from Utility Customer to Waive NSF Fee

Attached is a request received from a utility customer to waive the City's fee when there are insufficient funds or a dishonored check. The utility account does not have a history of past insufficient funds or dishonored check fees.

This matter is being presented to the City Council for consideration as City staff does not have authority to waive utility fees.

Discussion should ensue.

A motion is necessary to grant or deny the request.


Jennifer J. Bromeland
City Administrator

Oct. 7th, 2022

Dear City Council of Eagle Lake,

I am requesting the waiver of fees assessed to the Michael B. Wehner home, 540 LeSueur Avenue, Michell, my husband, died in September and unfortunately the bank (Wells Fargo) froze the account assets without notification.

Please waive the fees on the account for 540 LeSueur Avenue as we work to re-establish banking connections. This account has been transferred to my personal checking account instead at this time.

Your assistance is greatly appreciated in this matter.

Sincerely,
Jodie L. Wehner



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

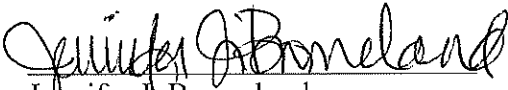
November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Request from Utility Customer to Waive Outside Water Charge

Attached is a request from a utility customer to waive an outside water charge. The resident indicated that someone turned on his outside water while he was out of town and water entered his basement and flooded his furnace room. The utility customer has not paid his bill and now there is an \$8 late fee applied.

Due to the charges being for outdoor water, no sewer charges were applied.

Discussion should ensue and a determination made to grant or deny the request along with the late fee.


Jennifer J. Bromeland
City Administrator

City OF Eagle Lake

Dear Council Members. We were on vacation ^{Sept 11} and got home Sept 18 to find the back yard Water turned on. Neighbor Pam was supposed to check my doors & Back yard. Water entered basement & Flooded Furnace room. Could you please consider reducing my bill by \$160.00

Thank you,

Thomas Wellner
205 Thomas Dr.

507-625-3577

CITY OF EAGLE LAKE
P.O. BOX 159
EAGLE LAKE, MN 56024

SERV AT 205 THOMAS DR DATE 10/3/2022
867

For Service From 9/1/2022 to 9/30/2022

CHARGES/CREDITS	PREVIOUS METER READING	METER READING PRESENT	USAGE	AMOUNT
PREV BAL RECEIPT				\$51.89
WATER	562749	564968	2219	-\$52.00
WATER MTR	14585	33913	19328	\$17.40
STATE WTR				\$160.42
SEWER			2219	\$0.81
STORM WTR				\$23.11
REFUSE				\$3.16
SM RECYCLE				\$15.44
STATE TAX R				\$4.82
CUR CHRGS				\$1.51
TOTAL DUE				\$226.67
				\$226.56

AFTER	PAY	AMOUNT DUE NOW
10/25/2022	\$237.89	\$226.56

01-00000988-00-6 ACCT. NO.





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

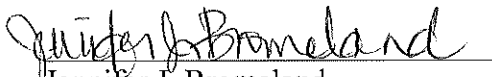
November 7, 2022

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

Per the development agreement with KJ Walk for Phase II of the Eagle Ridge subdivision, the City of Eagle Lake is responsible for street light installation. Attached is an agreement with Xcel Energy for the installation of five (5) street lights in Phase II. The total cost is anticipated to be \$2,186.68. If the lights can be installed before the ground freezes, the total cost will be \$951.68.

City staff has reviewed other development agreements for Eagle Lake and it appears that street light installation has typically been the responsibility of the developer. Depending on the size of a development and potential cost to extend electric utilities, City staff recommends that future development agreements be written so that street light installation is the responsibility of the developer and not the city.

A motion is needed to approve the above-described agreement with Xcel Energy, with the expense for street light installation coded out of line item 101-42100-300.


Jennifer J. Bromeland
City Administrator

Account No. XX-0014259418-X
Job No. 13408986
Job Address FALCON RUN
EAGLE LAKE, MN 56024



Northern States Power Company - Minnesota
210 LIME STREET
MANKATO, MN 56001

Dear CITY OF EAGLE LAKE

Thank you for choosing Xcel Energy to be your energy provider. We appreciate your business, and our goal is to deliver you reliable service at an affordable price.

This letter contains important information about your requested service. Please read all details below as well as any accompanying information and respond accordingly to ensure your project is completed accurately and timely.

This letter relates to your request for:

- * Extension of Gas and/or Electric Facilities

Your portion of the cost of this project is \$2,186.68. A hard copy invoice will be sent to you via U.S. Mail Postal Service in the coming days. Please see the attached payment options document for more instructions. Upon receipt of payment and other required documentation as noted below, your project will be scheduled and you will be notified of the scheduled date. If paying by check, please note the account number identified at the top of this letter on your check to ensure accurate and timely payment processing.

Below is a list of additional documentation that you will need to review, sign, and return to the Xcel Energy Designer by email or U.S. Postal Service to their address listed at the bottom of the letter. Please retain a copy of all documentation for your records.

- **Documents to be returned to Xcel Energy:**
 - * Statement of Work Request 17-7012

- **Additional enclosures:**
 - * Customer Payment Options

If you have any questions about the enclosures or about your specific job, please contact the design representative below and reference your account number and/or job number above.

We look forward to being your energy provider.

Sincerely,
Steven Sandey
DESIGNER II DISTRIBUTION
210 LIME STREET
MANKATO, MN 56001
Xcel Energy
Steven.S.Sandey@xcelenergy.com
507-387-9671

Updated 05/19/2022

234



Customer Payment Options

Xcel Energy offers seven payment options to pay for your construction project. Please select the payment options that work best for you.

Payment options listed in order of quickest processing

MyAccount/eBill™

Register at xcelenergy.com to make a payment from your checking account. You can also enroll in eBill and an email will let you know your bill is ready to view at the MyAccount site in place of receiving a mailed paper bill statement. MyAccount also provides a convenient list of your bill statement and payment history and retains your banking information for future use. Each additional account number will have to be added to your list of managed accounts within MyAccount.

Pay by Phone

Make payment from your checking or savings account at no charge by using our automated phone system. Please call us at 800.895.4999.

Credit/Debit Card Payment

All Xcel Energy residential and business customers are now eligible for payment via credit or debit card. Most major credit and debit cards accepted. Apple Pay or Google Pay is available to customers with a mobile device.

To pay by phone, call our payment processing partner, Kubra EZ Pay, at **833.660.1365**

To pay online, visit www.xcelenergy.com/billing_and_payment and click on the **Pay with credit/debit card** link to make an online credit/debit card payment through Kubra EZ Pay.

Please note the current fees along with payment information:

- *Residential Customer Accounts*
 - *Payments accepted for up to \$1,000 in a single transaction*
 - *There is a \$1.50 fee per transaction*
 - *No fee for Wisconsin residential customer accounts*
- *Non-Residential Customer Accounts*
 - *Payments accepted for up to \$100,000 in a single transaction*
 - *There is a 2.2% fee per transaction.*

All credit/debit card types allow a maximum 25 credit/debit card payments in a 28-rolling-day period, per Xcel Energy account, per credit/debit card.

*If you receive this message: "The information provided does not match our records please try again," while trying to make a payment, please try again the following day after 8am CST.

Overnight Payment Delivery Options

Send your payment and remittance stub including **account number (written on the memo line of your check)** via FedEx, UPS or USPS overnight delivery to:

Xcel Energy Attn: Remittance Processing
414 Nicollet Mall, 3rd Floor
Minneapolis, MN 55401-1993
Overnight delivery contact phone number: 612.330.5593

The following alternate zip-codes are also valid:

Minneapolis, MN 55401-1927
Minneapolis, MN 55401-4993

In-Person Pay Stations

Pay in-person at a location near you by visiting xcelenergy.com for pay station locations. **Please include the account number on the memo line of your check.**

Please note: A \$1.50 transaction fee applies. (\$1.45 for Western Union only in Colorado)

Pay by U.S Postal Service

When sending payment by U.S. mail, **please include the account number on the memo line of your check.** Do not combine this payment with any other Xcel Energy bill payments. Mail check payments to:

Xcel Energy
P.O. Box 9477
Minneapolis, MN 55484-9477

Electronic Funds Transfer (EFT) (Only available to business)

The Electronic Funds Transfer (EFT) payment process allows business customers to pay via Corporate Trade Exchange (CTX) formatted Automated Clearing House (ACH) (also referred to as EDI-820), the ability to electronically remit payment. The payments to Xcel Energy's bank accounts are initiated by the customer through a series of steps linked to the billing system. The CTX addenda records included with the funds transfer allow the posting of the payments to occur electronically to the account numbers provided by the customer. To obtain Xcel Energy's EFT bank account numbers and to provide transfer confirmation, please email CustReceive@xcelenergy.com.

Helpful hints to ensure accurate and timely processing of your payment:

- For all payment options, please have your account number available and note on any payment documentation.
- The hard copy invoice will be sent to you via U.S mail in the coming days. If you would like an electronic copy of our invoice prior to receiving the hard copy, please contact your Designer who is identified in the attached letter.
- In order to apply payment to the correct account and avoid unnecessary delays, please make separate payments for each individual project or invoice.
- Please note that depending on payment selection, it may take up to a few days to process your payment.



STATEMENT OF WORK REQUESTED

DATE: October 25th, 2022
 WORK REQUESTED BY: CITY OF EAGLE LAKE
 WORK LOCATION: FALCON RUN, EAGLE LAKE, MN 56024
 ADDRESS: 705 PARKWAY AVE
EAGLE LAKE, MN 56024

CONSISTING OF:

Installation of 5 underground Traditional St. Lights in various locations through out Eagle Ridge 2nd Sub Division. Please sign and return agreement with payment arrangements made so work can be scheduled. Winter charges have been added to the job. If it is determined by our crews no such conditions were found then Winter charges will be refunded.

The facilities installed or removed by Northern States Power Company, a Minnesota corporation ("Xcel Energy" or the "Company") shall be the property of the Company and any payment by customer shall not entitle customer to any ownership interest or right therein. Customer's and Company's rights and obligations with respect to the facilities and services provided through the facilities are subject to additional terms and conditions as provided in the General Rules and Regulations and/or in the Rate Schedules of Xcel Energy's Electric Rate Book for Customer's specific service, as they now exist or may hereafter be changed, on file with the state regulatory commission in the state where service is provided.

The undersigned hereby requests and authorizes Northern States Power Company, a Minnesota corporation ("Xcel Energy") to do the work described above, and in consideration thereof, agrees to pay

(\$ 2,186.68)

in accordance with the following terms:

 Receipt of the above amount hereby acknowledged on behalf of the Company by Steven Sandey



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

November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Hiring of Full-Time Public Works Worker

Approval was granted at the October 3rd meeting to commence the hiring process for a Full-Time Public Works Worker. With the promotion of Public Works Supervisor Andrew Hartman to the position of Public Works Director in training (in advance of current Public Works Director Brian Goettl's retirement in February), the Public Works Department expressed a concern with waiting too long to hire and train another full-time employee in anticipation of upcoming snow events to ensure sufficient coverage. Discussion took place at that time about the advantages and disadvantages of hiring another employee before the end of the budget year since it was not anticipated when the 2022 budget was set that such staffing changes would occur.

Since the October 3rd meeting, the position was advertised and interviews held. The hiring committee (consisting of Public Works Director in training Andrew Hartman, Jess Steinke with Minnesota Valley Council of Governments, and me) interviewed three finalists for the position. The hiring committee unanimously recommends that Nathan Ruel be hired as a Full-Time Public Works Worker with a start date of December 5th. A conditional offer of employment has been extended to Mr. Ruel (and he has accepted) that is contingent upon the successful completion of a background check, physical examination, and drug and alcohol testing. Other conditions of employment include the ability to possess a valid MN Class D Water Supply System Operator certification and a valid MN Class S/C Wastewater Operator certification within two years from the date of hire. Mr. Ruel must also possess a valid driver's license and be able to drive in the State of MN. Within 90 days of employment, Mr. Ruel must acquire a valid MN Class B driver's license. The City of Eagle Lake will pay for training costs and licenses required for the position.

Mr. Ruel will be hired at \$19.46 per hour with the opportunity for a step increase following the completion of six months of service and a satisfactory performance evaluation. Another step increase will be possible following the completion of one year of service and a satisfactory performance evaluation. After the first year of service, step increases will occur annually so long as the employee receives a satisfactory performance evaluation.

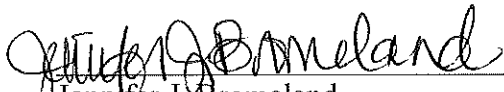
City staff was asked to compile year to date information and projections for the remainder of the year. The analysis includes two director's wages, and an additional full-time public works worker for the month of December. The final amount at year end for wages will vary based on actual hours worked and overtime. Overtime estimates are factored into the projected wages. Overall, streets and parks are projected to be slightly over budget while storm, water, and sewer

are anticipated to be underbudget. Wages are cost allocated by varying percentages to the streets, parks, storm, water, and sewer budgets.

	Budgeted - Wages for 2022		Actual -YTD wages as of 10/27/22		Projected - Wages with N. Ruel and PW Director In Training for 2022
Streets	\$34,569.00	Streets	\$27,990.90	Streets	\$34,804.82
Parks	\$36,561.00	Parks	\$30,231.31	Parks	\$37,441.28
Storm	\$9,622.00	Storm	\$7,086.32	Storm	\$8,670.55
Water	\$120,000.00	Water	\$80,433.02	Water	\$101,993.06
Sewer	\$120,000.00	Sewer	\$80,388.15	Sewer	\$101,948.19
Total	\$320,752.00		\$226,129.70		\$284,857.90

For reference purposes, attached is a copy of the job posting and job description for the position of Full-Time Public Works Worker.

A motion is necessary to accept the hiring committee's recommendation to appoint Nathan Ruel as a Full-Time Public Works Worker with a start date of December 5th, subject to Mr. Ruel satisfactorily meeting all required conditions of employment as outlined in this memo and the conditional offer of employment.


 Jennifer J. Bromeland
 City Administrator

**City of Eagle Lake
Public Works Worker**

The City of Eagle Lake, MN (population 3,278) is currently accepting applications for a Full-Time Public Works Worker. Eagle Lake is part of the Mankato-North Mankato Metropolitan Statistical Area and classified as a Municipal Separate Storm Sewer System (MS4) city.

The Public Works Worker performs semi-skilled manual maintenance work in the Public Works Department, including water, wastewater, and stormwater infrastructure, streets and parks/recreation, and other functions as may be apparent or assigned.

Minimum qualifications: High school diploma or equivalent.

Desirable qualifications: Experience in the operation and maintenance of equipment and experience in the maintenance and/or operation of municipal infrastructure, parks, streets/road maintenance, or other related experience.

The hourly rate for the position is \$19.46 - \$23.95 and includes a competitive benefits package.

For a complete job description and application, call 507-257-3218 or visit:
<http://www.eaglelakemn.com/city/employment-opportunities>.

Applications accepted until the position is filled, with initial review on October 21st.

The City of Eagle Lake is an EO, AA Employer.

**JOB DESCRIPTION
CITY OF EAGLE LAKE**

Position	Supervisor	Department
Public Works Worker	Public Works Director	Public Works
FLSA Classification	Supervises	
Non-Exempt	None	

POSITION SUMMARY

Under the direct supervision of the Public Works Director, the Public Works Worker is responsible to perform semi-skilled manual maintenance work in the Public Works Department, including water, wastewater, and stormwater infrastructure, streets and parks/recreation consistent with city policy, objectives developed and/or approved by the City Council, and federal and state regulations; and other functions as may be apparent or assigned.

RELATIONSHIPS

EMPLOYEE CONTACTS

Considerable contact with most employees.

OUTSIDE CONTACTS

Contact with the public. May also be in contact with contractors and consultants.

ESSENTIAL FUNCTIONS

- Proficiently operates all vehicles, and light, heavy, and complex equipment utilized by the Public Works Department to ensure proper maintenance of streets and other municipal properties.
- Performs all assigned tasks according to established safety rules, regulations, and practices, and promptly reports work related injuries, unsafe conditions and near miss incidents to immediate supervisor.
- Provides daily maintenance as required to equipment assigned.
- Plows snow and performs other related snow removal activities with light and heavy equipment.
- Performs parks and open space maintenance, including planting, transplanting, trimming, felling, removal, design, and technical care of trees, shrubs, flowers, and turf.
- Participates in the construction and general maintenance of buildings, playground equipment, landscaping, and other related work.
- Participates in the construction and maintenance of skating rinks.
- Participates in the construction and installation of signs, benches, partitions, and shelves.
- Performs all tasks of operations, including, but not limited to: mowing, blowing, leaf and debris removal, hedging, raking, and mulch installation.

- Performs routine maintenance for athletic fields, courts, and tracks.
- Performs manual labor such as digging ditches, mixing cement and concrete.
- Performs work related to the operation of water distribution, wastewater, storm water collection facilities, and flood control systems.
- Perform MS4 program requirements.
- Digs and works in trenches and repairs or installs water and sewer pipes.
- Installs, maintains, and repairs manholes and related equipment.
- Paints, repairs, and services equipment and facilities.
- Cleans water mains and sewer lines.
- Perform OSHA required inspections, monthly, quarterly, and annually such as, but not limited to, exit lighting, fire extinguishers, and eye wash stations.
- Assist in utility customer meter reading.
- Must be available to work overtime or be on call at various hours beyond the regular work shift in order to facilitate meeting desired conditions of public works and respond to varied work assignments.
- Attend continuing education classes in water and wastewater to satisfy state certification requirement for required licenses.
- Performs physical and mental demands and work environment requirements for this position.
- Attendance during regularly scheduled work hours and outside regular hours as necessary.
- Effective and respectful communication and interactions with other employees, supervisors, individuals from other organizations, and citizen customers.

ADDITIONAL FUNCTIONS

- Performs other related functions as assigned or apparent.

EMPLOYMENT STANDARDS

EDUCATION AND EXPERIENCE

Minimum: High school diploma or equivalent.

Desired: Experience in the operation and maintenance of equipment. Experience in the maintenance and/or operation of municipal infrastructure, parks, streets/road maintenance, or other related experience. Experience as a plumber. Possession of a Minnesota Pesticide Applicator's License.

CONDITIONS OF EMPLOYMENT

- Must possess a valid Minnesota Class D Water Supply System Operator certification and a valid Minnesota Class S/C Wastewater Operator certification, or have the ability to acquire within two

(2) years from the date of hire.

- Must possess a valid driver's license and be able to drive within the State of Minnesota. Must possess, or have the ability to acquire within ninety (90) days of employment, a valid Minnesota Class B driver's license and be able to drive in the State of Minnesota.
- Ability to work evening and extended hours.
- Must satisfactorily complete a background examination physical examination and drug testing.
- Must comply with organizational and departmental policies.
- Must comply with data practices policies and standards relative to not public data. Any access to not public data should be strictly limited to accessing the data that are necessary to fulfill the employment responsibility. While data are being accessed, incumbent should take reasonable measures to ensure the not public data are not accessed by individuals without a work reason. Once the work reason to access the data is reasonably finished the not public data must be properly stored according to city policy and the Minnesota Statutes.

NECESSARY KNOWLEDGE, SKILLS, AND EXPERIENCE

- Knowledge of the principles and practices of the operation, maintenance, and management of water, storm water, wastewater utilities, and solid waste handling.
- Knowledge of occupational hazards and safety precautions of water, wastewater, streets, and parks, recreational facilities and equipment operation and maintenance.
- Knowledge in the repair and maintenance of water, wastewater and storm sewer lines, equipment and facilities.
- Knowledge of computers and computer applications.
- Knowledge of the practices of operating and servicing of heavy equipment, including the adaptations and specialized uses to which equipment can be put in meeting emergency or other unusual conditions.
- Knowledge of occupational hazards and safety precautions of water, wastewater, street, and parks and recreational facilities.
- Ability to perform a variety of assigned maintenance duties.
- Ability to safely and effectively operate light and heavy equipment, including the operation of all types of vehicles and other maintenance equipment.
- Ability to keep track of frequently changing requirements and regulations, to interpret their applicability to city operations and propose and implement changes as appropriate to ensure compliance.
- Ability to remain calm in stressful situations.
- Ability to assess situations, find core problems and find solutions to problems.
- Ability to read and interpret technical manuals and to determine solutions to a variety of operational and maintenance problems.

- Ability to perform mathematical calculations and analyze information.
 - Ability to accurately compile and report data and maintain records.
 - Ability to accept responsibility, take initiative, and work independently to accomplish the goals assigned and apparent.
 - Ability to maintain effective working relationships with officials, direct supervisor, subordinate employees, and the general public.
 - Ability to repair and maintain water, wastewater, and storm sewer lines, equipment and facilities.
 - Skill in the use and care of tools, vehicles, and equipment used in work.
 - Excellent customer service skills and the ability to use tact and courtesy when communicating with the public.
-

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee will encounter while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Requires incumbent to work inside, outside, in confined spaces, on uneven ground, on slippery surfaces, alone, with others, around others, and have contact with the public.
 - Incumbent may be exposed to noise, high elevation, moving objects, heat, extreme heat, cold, extreme cold, wetness, humidity, fumes, and marked changes in temperature.
 - Activities that occur extensively (more than 6 hours): Standing, walking, talking, hearing, using near / far vision, depth perception, visual accommodation, color vision, and peripheral vision.
 - Activities that occur frequently (from 4 to 6 hours): Using both feet individually or at the same time
 - Activities that occur occasionally (from 1 to 3 hours) are sitting, standing, climbing staircases, handling, smelling, pushing, pulling, twisting and turning
 - Activities that occur infrequently (up to 60 minutes) are bending, stooping, crouching, kneeling, twisting, climbing heights, reaching straight, above, and below shoulder level with both shoulders individually or at the same time, fine manipulating, using sense of touch, carrying and lifting up to 50 pounds.
 - Work outside in all types of weather.
 - The noise level in the work environment is usually moderate.
 - The employee must be able to think, reason, and analyze multiple issues for extended periods of time. The employee must be able to function in stressful situations.
-

JOB LOCATION/EQUIPMENT UTILIZED

The Public Works Worker works on various job sites which include in a shop, on the roadway, in traffic, on the median, in the right of way, on trails, on the shoulder of the roadway and in work zones. Operates pull behind air compressor, hydraulic post pounder, hydraulic post puller, chainsaw, mastic sealing equipment, motor graders, large front-end loaders, loader, skid loader, sweeper, tractors, large Sno-Go equipment, paver, sealer, roller, blower, grader, milling machine, hydraulic backhoe, paving rollers, oil distributor, crack sealing equipment, large tow behind leaf vacs, bulldozer, wood chipper, lawnmower, weed whip, all vehicles, and other equipment as may be necessary. The position works outside in all weather conditions, and will work in difficult terrain and severe/dangerous weather. This position does require the operation of an automobile.

HOURS OF WORK

General working hours are Monday-Friday, 7:30 a.m. to 4:00 p.m., and outside of regular work hours as necessary to address the needs of the 24/7 operations of various City functions. Flexibility in work hours is expected.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



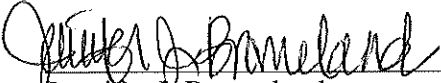
705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Hiring of 4th Full-Time Police Officer

Discussion took place at the October 3rd meeting about the possibility of hiring a 4th full-time officer. Past practice has been to post internally and if no interest, then post externally. Upon receipt of a letter of interest from an internal candidate, an interview could be held. The internal candidate is deemed suitable and meets required qualifications, then a recommendation to promote could be made at the December 5th meeting with a January 4th start date. If there is no viable internal candidate, then the position would need to be posted externally.

Discussion should ensue and a determination made about whether the appropriate time is now to commence the hiring process for a 4th full-time officer.


Jennifer J. Bromeland
City Administrator



**INTERNAL POSTING
FULL-TIME POLICE OFFICER**

Minimum Qualifications: Associates of Arts or Associates of Science Degree in Law Enforcement. Licensed or eligible to be licensed by the MN POST Board. Must possess and maintain, or be able to obtain by time of hire, a valid Class D MN driver's license, certification in First Aid or as a First Responder and ability to meet the department's physical and psychological standards.

Conditions of Employment: Must comply with organizational and departmental policies.

Starting Hourly Rate: \$23.28.

Application Process: Interested candidates should submit a letter of interest. Interviews will be scheduled upon receipt of a letter of interest.

Contact: A complete copy of the job description is available at City Hall. Please contact City Administrator Jennifer J. Bromeland with any questions. Letters of interest should be delivered to the City Administrator's Office.

Posted:



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(507) 257-3218 Phone (507) 257-3220 Fax

November 7, 2022

To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Status of JPA with All Seasons Arena

A board meeting of the All Seasons Arena (ASA) was held on October 14th. Topics discussed at the meeting included debt service scenarios and a draft Joint Powers Agreement (JPA) for the ASA. A question was asked if the City of Eagle Lake could still be an “operator” without being part of the JPA. The board indicated that the City of Eagle Lake could not be an operator without being a member of the JPA.

If a member of the JPA, the City of Eagle Lake’s share for debt service would be approximately \$24,495 annually for 15 years, with the first payment beginning in 2024. The operating share would be approximately \$1,949 annually.

For purposes of providing background, a motion was made and passed at the August 1st City Council meeting to deny paying the City of Eagle Lake’s proportionate share of the upgrades to the ASA but to continue with operational costs if it is financially feasible. Attached to this memo is an excerpt of the minutes from that meeting.

No action is needed as this is being included for informational purposes.


Jennifer J. Bromeland
City Administrator

- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the Advance Resignation Notice Program as presented. The motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

3. Compensation of Mayor and Council

- Administrator Bromeland explained that the last increase to mayor and city council compensation was in 2013 to \$325 per month for mayor and \$225 per month for city council. If there is interest in increasing the compensation for mayor and city council, a public hearing could be set for the September 12th City Council meeting to amend Section 2.020 of City Code. No salary change shall take effect until after the next regular city election. An ordinance changing council salaries should specify the date when the changes will take effect.
- Discussion included Mayor Auringer stating the current salaries seem to be in line with other communities, Council Member Rohrich stating she has no strong opinion on this, Council Member White stating he is fine with the current salaries and Council Member Steinberg stating that with inflation he feels staff and council members should receive a cost-of-living adjustment.
- Council Member White moved, seconded by Council Member Steinberg, to set a public hearing for September 12th to consider mayor and council member salaries. The motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

4. Sidewalk and Concrete Curb Street Repair

- Public Works Director Brian Goettl stated he requested three bids for sidewalk and curb repairs and only received one. There are capital outlay funds for sidewalk repairs and the curb repairs would be paid out of general street repairs.
- Discussion included that some of the sidewalk repair will include installation of ADA pads.
- Council asked if in the future such bids could be received earlier.
- Council Member Rohrich moved, seconded by Council Member White, to approve the bid from Clint Adams in the amount of \$30,174 for sidewalk and curb repairs. The motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

5. All Seasons Arena (ASA)

- Administrator Bromeland explained that a letter has been received from the city's attorney who reviewed documents regarding the management of All Seasons Arena (ASA) and responded with the following. The working arrangement has been in place in some fashion since 1979. The current All Season Arena Board by-laws as amended are dated July 31, 2015 and the City of Eagle Lake was not a party to the by-laws. The operating service agreement is dated July 21, 2021 (Mankato) to January 10, 2022 (Skyline, North Mankato) was signed on July 21, 2021. The agreement now lists Eagle Lake as an owner but there is no signed joint powers agreement. The agreement provides that the City of Mankato will operate the facility utilizing the payment of \$40,000 by all of the owners. Eagle Lake agreed to pay 4.524% of this amount for the years of 2021, 2022, 2023. It is not clear that there is any working agreement that is currently in effect for any party, but there certainly is no agreement in place for Eagle Lake. If Eagle Lake is to continue in this entity a new joint powers agreement is required. If the City determines this is no longer in the best interest of the City to participate in this agreement, then the City will need to give notice as there is no joint powers agreement that the city is part of. Eagle Lake is responsible for the payments on the Operating Service Agreement but that ends in 2023.
- Council Member White stated the ASA Board has now determined there are more improvements needed and no clear understanding of the costs. He expressed his desire to continue on with the ASA operations portion but does not agree with paying for the upgrades. The current cost for improvements is between \$5-\$6 million and Eagle Lake's portion would be 4.524% of this.

- Both Administrator Bromeland and Council Member White expressed that it would be difficult to justify this expense to taxpayers when other communities don't pay and can use the facilities. There are also questions that need to be answered, such as who owns the building.
- Council Member White moved, seconded by Council Member Steinberg, to deny paying 4.52% of upgrade to All Season Arena, but to continue with operational costs.
- Council Member White amended his original motion, seconded by Council Member Steinberg to read, to deny paying 4.52% of upgrades to All Season Arena, but to continue with operational costs if it is financially feasible. The motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

OTHER

- None

CITY ADMINISTRATOR REPORT

1. Budget Work Session
 - The work session is scheduled for August 22nd at 6:00 pm. Department heads are gathering information.
2. Recap of CGMC Summer Conference and Highlights
 - CGMC is advocating for LGA, PFA funding, environmental issues and childcare. The Coalition is requesting Governor Waltz to call for a special session and cities were asked for letters of support. Topics covered included PTSD liability claims, childcare, and employment issues.
3. National Night Out
 - National Night Out will be held at 2nd from 5-7 p.m. at Epiphany Lutheran Church.
4. Music on Parkway
 - The final event will be held August 18th from 6:00 – 9:00 p.m.
5. Storm Drain Stenciling Project
 - As part of MS\$ public outreach, the City will coordinate public education and stenciling storm drains in a portion of the community. The City will cover costs of paint and stencils. The Lions Club and Girl Scouts have been contacted as a possible community service project.
6. Congressionally Directed Spending
 - An email was received informing the City our request for congressionally directed spending was not approved and that the process is extremely competitive. Consideration with the State is still a possibility.

COUNCIL REPORTS

1. Upon request from Mayor Auringer, Chief Kopp provided an update on 317 LeRay Avenue. The Blue Earth County attorney has indicated this would be a civil matter, not a criminal matter. Council could consider abatement or civil proceedings. Formal complaints against this property have been received. Mayor Auringer stated action needs to be taken. Chief Kopp will prepare reports for the city attorney for his review.

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member Steinberg, to adjourn the meeting at 7:36 p.m. The motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk



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

November 7, 2022

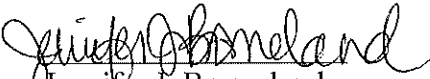
To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: Minimum Maintenance Road and Speed Limit Inquiry

City staff was notified by a resident of a recent incident in which they were walking along the minimum maintenance road when a vehicle drove by at what appeared to be an excessive speed. The resident asked if speed limit signs should be posted and cited a concern for pedestrian safety in this area. (I, too, personally experienced a recent incident in which I was running along the edge of the minimum maintenance road and a vehicle drove by at what felt like a fast speed and was just a couple feet away from me. The vehicle did not slow down or move over as it went by me and there was a cloud of dust.)

Both the police and public works departments were notified of the question raised about whether speed limit signage is appropriate and asked for their input.

With the recent maintenance performed on the minimum maintenance road during the Agency Street Project and again this summer, there may be an uptick in drivers utilizing the road more frequently and speed patterns increasing due to the improved condition of the road.

If the land on either side of the road were to be developed in the future, a city street would most likely be constructed. Discussion should ensue as to what, if any, action needs to be taken now and if an engineering study should be considered and when.


Jennifer J. Bromeland
City Administrator

160.095 DESIGNATION OF MINIMUM-MAINTENANCE ROADS.

Subdivision 1. **Resolution.** A road authority, other than the commissioner, may by resolution designate a road under its jurisdiction as a minimum-maintenance road if it determines that the road or road segment is used only occasionally or intermittently for passenger and commercial travel. The resolution must identify the beginning and end points of the road being designated. After adopting the resolution, the road authority must post signs on the road to notify the motoring public that it is a minimum-maintenance road and that the public travels on the road at its own risk. A road authority must notify the road authorities of adjoining jurisdictions of designations under this section.

If an affected road or road segment runs along a county or town line, the designation applies only to that part of the road that is under the jurisdiction of the road authority adopting the resolution.

Subd. 2. **Signs.** Designation of a minimum-maintenance road is effective on the erection of the signs required under this section. The signs shall be posted at entry points to and at regular intervals along a minimum-maintenance road. Signs posted must conform to the commissioner's Manual on Uniform Traffic Control Devices. Properly posted signs are prima facie evidence that adequate notice of a minimum-maintenance road has been given to the motoring public.

Subd. 3. **Limitations.** A trunk highway may not be designated as a minimum-maintenance road. A road may not be designated a minimum-maintenance road if federal-state aid to Minnesota will be reduced as a result. A road authority may not acquire additional right-of-way or easement by eminent domain or otherwise without the consent of the landowner, for the purpose of constructing or designating a minimum-maintenance road, except where necessary for drainage or public safety.

Subd. 4. **Liability.** A minimum-maintenance road may be maintained at a level less than the minimum-maintenance standards required for state-aid highways, roads, and streets, but must be maintained at the level required to serve the occasional or intermittent traffic. Where a road has been designated by resolution as a minimum-maintenance road and signs have been posted under subdivision 2, the road authority with jurisdiction over the road, and its officers and employees, are exempt from liability for any tort claim for injury to person or property arising from travel on the minimum-maintenance road and related to its maintenance or condition. Nothing in this section shall exempt a road authority from its duty to maintain bridges under chapter 165 or other applicable law.

History: 1985 c 215 s 3

Basic Speed Limits and Requirements

Statutory speed limits. State statute sets Minnesota speed limits based on the type of roadway (which can be modified in some cases, as discussed below). The statutory speed limits are: 65 m.p.h. or 70 m.p.h. for Interstate highways (depending on whether the road is, respectively, within or outside of an urbanized area of at least 50,000); 65 m.p.h. on divided highways with controlled access; 30 m.p.h. in an “urban district,” which is any segment of a city street or town road with structures spaced less than 100 feet apart for a minimum distance of a quarter-mile; 10 m.p.h. for alleys, manufactured home parks, and campgrounds; and a general default of 55 m.p.h. on other roads. Minn. Stat. §§ 169.011; 169.14; 327.27.

Other limits. The speed limit is increased by 10 m.p.h. when passing on two-lane highways if posted at 55 m.p.h. or higher. Some limits apply for specific vehicles (e.g., 30 m.p.h. for implements of husbandry). Minn. Stat. §§ 169.14, subd. 2a; 169.801. There is a 40-m.p.h. minimum speed on Interstate highways.

Due care. State law also prohibits a person from driving “at a speed greater than is reasonable and prudent under the conditions” and directs drivers to “use due care.” Minn. Stat. § 169.14, subd. 1. The provision can obligate a motorist to reduce traveling speed to below the limit in dangerous conditions. Similarly, a requirement to “drive at an appropriate reduced speed” applies in specified circumstances, such as when passing emergency vehicles or at a rail crossing. Minn. Stat. § 169.14, subd. 3.

Adjusted Speed Limit Zones

MnDOT has the authority to establish speed zones that adjust the speed limit higher or lower than what is set in statute. MnDOT can establish a zone on trunk highways as well as on local roads in response to a local request (discussed below). Minn. Stat. § 169.14, subds. 4 and 5. To determine the appropriate limit, MnDOT conducts an engineering and traffic investigation, which analyzes a variety of factors including: roadway design and characteristics; traffic volume; crash history; and observed speeds, with a particular focus on the 85th percentile of vehicle speeds (that is, the speed at or below which 85 percent of vehicles are measured as traveling).

Restricted Local Authority

Cities, counties, and towns have some limited power to set or to seek adjustments to speed limits on roads that are under their respective jurisdictions. Several provisions govern adjustments to the statutory speed limits under different circumstances.

- A local road authority can request MnDOT to perform an engineering and traffic investigation of a road. However, MnDOT—not the local authority—determines whether to establish a speed zone as well as the resulting speed limit. Minn. Stat. § 169.14, subd. 5.
- Cities can set speed limits on city streets without a MnDOT traffic study but following various other process requirements. Minn. Stat. § 169.14, subd. 5h.
- A local road authority may reduce the speed limit to 25 m.p.h. on a “residential roadway,” which is a city street or town road that (1) has a total length of up to a half-mile, or (2) is not a collector or arterial road and is in an area zoned exclusively for housing. Minn. Stat. §§ 169.011, subd. 64; 169.14, subd. 2.
- If MnDOT sets a speed zone for a city street or town road in an “urban district” (as defined above) that is at least a quarter-mile long, the city or town can lower the limit to 30 m.p.h.

All other speed limits are set by the Commissioner of Transportation based upon an engineering and traffic investigation. These factors are considered:

- Road type and condition
- Location and type of access points (intersections, entrances, pedestrian access, etc.)
- Sufficient length of roadway (1/4 mile minimum)
- Existing traffic control devices (signs, signals, etc.)
- Crash history, traffic volume, sight distances (curve, hill, etc.)
- Travel speed samples
- Test drive results speed study

Types of speed limits

Regulatory

A black and white sign shows the maximum speed that a motorist may travel under ideal conditions. It can be a statutory value or else it must be authorized by the Commissioner of Transportation.

Advisory

A black and yellow speed sign is used with a hazard warning sign to advise motorists of a comfortable speed to navigate certain situations. For instance, when traveling on a winding road, the curve warning sign would be used with an advisory speed sign.

School zone

Ensuring the safety of children who cross public streets near schools is the responsibility of drivers, parents, school officials and road authorities. When combined with proven safety strategies, school zone speed limits can be effective.

[A Guide to Establishing Speed Limits in School Zones – 2012 Edition \(PDF\)](#)

[MnDOT's Safe Routes to School program](#) has more information on school zone safety.

Work zone

MnDOT outlines the guidelines, proper layouts and procedures for implementing various speed limit types to be used in work zones. [Get more information about work zone safety.](#)

Speed and safety

Lower speed limits don't reduce speeds

Studies show that there is little change in speed patterns after posting a lower speed limit. Drivers are much more influenced by changes to the roadway, its environment and conditions.

Lower speed limits don't reduce crash frequency

Lower speed limits are often viewed as a quick fix to traffic safety, but this is not the case. Crashes are most often the result of other factors. In many cases, posting a lower speed limit creates a greater speed variance between the slowest and fastest-moving vehicles. This speed variance, also called "speed differential," can contribute to crashes and make the roadway less safe.



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

November 7, 2022

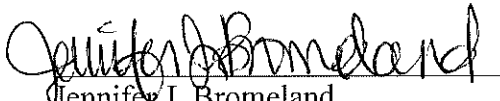
To: Honorable Mayor Auringer and City Council
From: Jennifer J. Bromeland, City Administrator
Re: City Administrator Report

1. Recap of Meeting with MnDOT and Trail Responsibility. Mathew Thibert with MnDOT requested a meeting with City staff (me and Public Works Director Andrew Hartman) to talk about an upcoming highway 14 preservation project (could occur anywhere between 2026-2028 depending on funding) and ADA upgrades to the trail by Casey's and the railroad tracks. The question was posed during our meeting asking if the City would like to take over maintenance of the trail along highway 14. It was noted that the City declined to take responsibility for the trail back in 2016 and that the matter would have to be reviewed by the City Council. Several questions were posed and scenarios contemplated. Mr. Thibert indicated that he would investigate our questions and schedule a follow up meeting in the future and eventually appear before the City Council. There is a recreational opportunity for the City to consider as it relates to the trail and access to the pond and possible walking path around the pond. More information to follow in the coming months.
2. Timeline for New Copier. Approval was granted at the September 12th meeting to accept a copier proposal from Loeffler. Since that time, River Bend and Metro Sales have requested the ability to submit proposals. Both proposals came in higher than what Loeffler presented. The copier lease agreement and terms and conditions were both reviewed by the City's legal counsel and an attorney from the League of Minnesota Cities that performs contract reviews at no charge. It is anticipated that the new copier from Loeffler will arrive in the next month or so. In the meantime, the City will continue to utilize the existing copier from Metro Sales. As was included in the proposal from Loeffler, they will buy out the remaining lease. The City will realize a significant cost savings once the new copier arrives and service agreement begins.
3. RFP for IT Services. The City has contracted with CTS since 2014 for IT services. City staff reached out to CTS with concerns about increasing costs and inquired about ways to reduce costs. No options have been presented to help the City reduce costs. City staff would like to consider putting together an RFP for IT services to reduce costs.
4. Builders Workshop with MPCA and City Public Works Staff. The builders workshop that was scheduled for October 12th has been rescheduled to November 29th.
5. Letter of Intent Submitted for Transportation Alternatives (TA) Funding for Shared Use Path. A letter of intent has been submitted for a shared use path between Thomas Drive and 211th Street, Agency to Maple Ln, and Thomas to Blace. There is no obligation to the city if it is decided not to pursue a shared use path. The overall estimated cost is

256

\$120,000 for 211th to Thomas, \$76,000 from Agency to Maple Ln, and \$74,000 from Thomas to Blace. Of this amount, the City's share would be 20%.

6. Siren Coverage. Frontline Warning Systems reprogrammed outdoor warning sirens in Eagle Lake this past August as part of the siren upgrading process in Blue Earth County. They needed to change the encoding format and radio frequency to allow the County's new automated siren activation software to activate all the sirens throughout the County. Frontline Plus was asked at that time to review siren coverage so that funding could be set aside if additional sirens were needed or if siren replacement is coming up. There are 3 sirens in Eagle Lake. 2 of the sirens were converted this past August. The siren at the fire hall will need a new radio/controller because it is too old to be programmed. The siren still works but eventually will need to be replaced. City staff is awaiting pricing to replace this siren. It will likely be around \$20,000 to replace a siren.
7. Public Hearing Notice from Mankato Township Planning Commission. Attached is a public hearing notice from Mankato Township. Because Eagle Lake is within 2 miles, notice is generated.
8. Truth In Taxation Hearing. The Truth In Taxation hearing is scheduled for Monday, December 5th. Health insurance rates are now available and will be adjusted accordingly.


Jennifer J. Bromeland
City Administrator

Mr. Theuninck is looking to start construction on the northern end of the parcel and move south from there. Mr. Theuninck would dedicate the road to the city and property taxes would be used to offset the cost of the road construction.

- Staff provided Council with a proposed agreement for the property owners addressing assessments for road construction.
- Council directed staff to include the following language “the initial construction” or “as long as current owners own the property” and the condition that the current/adjacent property owners cannot change the access point to their property once the new road is construction.
- Council Member Ries moved to approve the agreement with the above listed amendments and Council Member Frederick seconded. Motion carried with Council Members Ries, Frederick, and Mayor Auringer voting in favor. Council Member Terrell abstained from voting.

4. MNDOT Trail

- The existing trail from Casey’s westward has approximately a 3-5 year life span. This trail belongs to MNDOT and they are willing to repave the trail if the City then takes over responsibility. Estimated cost to reconstruct the trail is between \$30,000 and \$70,000 depending on type of reconstruction.
- Council discussion included the possibility of redirecting a portion of the trail to move pedestrian and bicycle traffic away from the highway intersection.
- Council discussed the option of a mowed path which would run from County Road 17 around the west side of the DNR pond. A proposed resolution was presented which would allow the City to mow a trail. If approved, the City would not be required to follow through with mowing a trail.
- Mayor Auringer moved to approve Resolution 2015-33. Motion died for the lack of a second.
- Council Member Frederick asked that this item be brought back to the September Council meeting.

5. Gambling License

- Epiphany Church is requesting a gambling license for bingo which will be held at the American Legion on September 26th in conjunction with their fall festival.
- Council Member Terrell moved to approve the gambling license request and Council Member Frederick seconded. Motion carried with Council Members Ries, Terrell, Frederick, and Mayor Auringer voting in favor.

ADJOURNMENT

Council Member Ries moved to adjourn the meeting at 6:43 p.m. and Council Member Terrell seconded. Motion carried with Council Members Ries, Terrell, Frederick, and Mayor Auringer voting in favor.

WORK SESSION

- Council followed the meeting with a Budget Work Session.

Tim Auringer, Mayor



CANON FINANCIAL SERVICES, INC. ("CFS")
Remittance address: 14904 Collections Center Drive
Chicago, Illinois 60693 Phone: (800) 220-0200

LEASE AGREEMENT

One-Page Agreement for Transactions Under \$150,000 CFS-1122 (06/16)

CFS' AGREEMENT NUMBER: 1895576

COMPANY LEGAL NAME: Eagle Lake, City of
BILLING ADDRESS: PO Box 159
EQUIPMENT ADDRESS: 705 Parkway Ave
CITY: Eagle Lake
COUNTY: Blue Earth
STATE: MN
ZIP: 56024

Table with columns: Quantity, Serial Number, Make/Model/Description, Number of Payments, Payment Amount. Row 1: 1, [blank], Canon imageRUNNER ADVANCE DX C3830i, 60, \$217.00

Term in months: 60
Number of Payments in Advance: 0
Total Amount Due At Signing: \$0.00
Payment Frequency: Monthly
End of Term Purchase Option: Fair Market Value

THIS AGREEMENT IS NON-CANCELABLE BY CUSTOMER. CUSTOMER REPRESENTS THAT ALL ACTION REQUIRED TO AUTHORIZE EXECUTION OF THIS AGREEMENT ON BEHALF OF CUSTOMER BY THE FOLLOWING SIGNATORIES HAS BEEN TAKEN.

ACCEPTED BY CANON FINANCIAL SERVICES, INC.
AUTHORIZED CUSTOMER SIGNATURE: Jennifer Bromeland, City Administrator, Date: 10/19/2022

ACCEPTANCE CERTIFICATE
Customer certifies that (a) the Equipment referred to in this Agreement has been received, (b) installation has been completed, (c) the Equipment has been examined by Customer and is in good operating order and condition and is, in all respects, satisfactory to Customer, and (d) the Equipment is irrevocably accepted by Customer for all purposes under this Agreement.

TERMS AND CONDITIONS

1. AGREEMENT: CFS leases to Customer, a [blank] organized under the laws of the State of [blank] with its chief executive office at [blank] and Customer leases from CFS with its place of business at 158 Galther Drive, Suite 200, Mt Laurel, New Jersey 08054, all the equipment described above ("Equipment").
2. PAYMENTS: Customer shall pay CFS the payments specified under "Number and Amount of Payments" above and such other amounts permitted hereunder as invoiced by CFS ("Payments").
3. NAME; OFFICES: Customer's legal name (as set forth in its constituent documents), chief executive office address and jurisdiction of organization are as set forth herein.
4. WARRANTIES: CUSTOMER ACKNOWLEDGES THAT CFS IS NOT A MANUFACTURER, DEALER, OR SUPPLIER OF THE EQUIPMENT, AND AGREES THAT THE EQUIPMENT IS LEASED "AS IS" AND IS OF A SIZE, DESIGN, AND CAPACITY SELECTED BY CUSTOMER.
5. LIENS; MAINTENANCE; ALTERATIONS; LOSS: Customer shall keep the Equipment free and clear of all claims and liens other than those in favor of CFS.
6. DEFAULT: If Customer fails to pay any amount due to CFS, CFS will have the right to exercise any one or all of the following remedies in any order: (a) require Customer to immediately pay all unpaid Payments hereunder (whether or not then due), the Purchase Option amount and any other Costs (collectively, "Remaining Lease Balance").

PERSONAL GUARANTY

The undersigned absolutely, irrevocably and unconditionally, jointly and severally, guarantee to CFS all payments and other obligations under this Agreement. This is an absolute and continuing guaranty. SECTION 12 ABOVE SHALL APPLY TO THIS PERSONAL GUARANTY. The undersigned waive any right to require any action against Customer or any other party before enforcing this Personal Guaranty.

Printed Name: [blank] Signature: [blank] (no title) Date: [blank] Address: [blank] Phone: [blank]

Handwritten number 259

ADDENDUM TO LEASE AGREEMENT

Effective Date: October 17, 2022

The Parties. This Addendum hereby becomes part of the Lease Agreement between City of Eagle Lake ("Buyer") and Loffler Companies ("Seller") authorized on October 17, 2022 ("Agreement") for the equipment listed as: Canon ImageRunner Advance C3830i ("Equipment").

Amendment(s). Buyer and Seller agree that the Agreement shall be amended as follows:

1. Your contract is locked for 60 months. There are no increases during that period.
2. Toner is included in the service contract, as well as parts and labor.
3. Your current contracted price of \$383 includes a \$5.00 per month supply fee. There are no other fees.
4. EZ Rate includes unlimited printing of both BW and Color up to the MFG recommended volume of 30,000 pages per month. If you exceed that we may charge to cover additional usage.
5. We will provide up to \$1,482 to satisfy remaining contract payments.
6. Once the lease with Metro Sales is fulfilled, we will ship the copier back to Metro Sales per their return instructions at no charge.

All other terms and conditions of the Agreement shall remain the same. This Addendum shall go into effect on the date of the undersigned parties.

Buyer's Signature DocuSigned by:
Jennifer Bromeland Date 10/19/2022
 Print Name Jennifer Bromeland

Seller's Signature _____ Date _____
 Print Name _____



AGREEMENT NO.
1895576

STATE AND LOCAL GOVERNMENT ADDENDUM

Addendum to Agreement # 1895576, between **EAGLE LAKE, CITY OF**, as Client and **Loffler Companies, Inc.**, as Lessor.

The parties wish to amend the above-referenced Agreement by adding the following language:

REPRESENTATIONS AND WARRANTIES OF CLIENT: You hereby represent and warrant to us that: (a) you have been duly authorized by the Constitution and laws of the applicable jurisdiction and by a resolution of your governing body to execute and deliver the Agreement and to carry out its obligations hereunder; (b) all legal requirements have been met, and procedures have been followed, including public bidding, in order to ensure the enforceability of the Agreement; (c) this Agreement is in compliance with all laws applicable to you, including any debt limitations or limitations on interest rates or finance charges; (d) the Equipment will be used by you only for essential governmental or proprietary functions of you consistent with the scope of your authority, will not be used in a trade or business of any person or entity, by the federal government or for any personal, family or household use; and your need for the Equipment is not expected to diminish during the term of the Agreement; (e) you have funds available to pay contracted Payments until the end of your current appropriation period, and you intend to request funds to make contracted Payments in each appropriation period, from now until the end of the term of this Agreement; and (f) your exact legal name is as set forth on page one of the Agreement.

NON-APPROPRIATION OR RENEWAL: If either sufficient funds are not appropriated to make contracted Payments or any other amounts due under this Agreement or (to the extent required by applicable law) this Agreement is not renewed, this Agreement shall terminate and you shall not be obligated to make contracted Payments under the Agreement beyond the then-current fiscal year for which funds have been appropriated. Upon such an event, you shall, no later than the end of the fiscal year for which contracted Payments have been appropriated, deliver possession of the Equipment to us, in accordance with the provisions of this Agreement. If you fail to deliver possession of the Equipment to us, the termination shall nevertheless be effective but you shall be responsible, to the extent permitted by law and legally available funds, for the payment of damages in an amount equal to the portion of contracted Payments thereafter coming due that is attributable to the number of days after the termination during which you fail to deliver possession and for any other loss suffered by us as a result of your failure to deliver possession as required. You shall notify us in writing within seven days after your failure to appropriate funds sufficient for the payment of the contracted Payments or (to the extent required by applicable law) this Agreement is not renewed, but failure to provide such notice shall not operate to extend the Agreement term or result in any liability to you.

TITLE TO THE EQUIPMENT: If the selected purchase option for this Agreement is \$1.00 or \$101.00, unless otherwise required by law, upon your acceptance of the Equipment, title to the Equipment shall be in your name, subject to our interest under this Agreement.

The parties wish to amend the above-referenced Agreement by restating the following language:

Any provision in the Agreement stating that the Agreement shall automatically renew unless the Equipment is purchased, returned or a notice requirement is satisfied is hereby amended and restated as follows: "This Agreement will renew for month-to-month terms unless you purchase or return the Equipment (according to the conditions herein) or send us written notice at least 30 days (before the end of any term) that you do not want it renewed."

Any provision in the Agreement stating that we may assign this Agreement is hereby amended and restated as follows: "We may sell, assign, or transfer this Agreement without notice to or consent from you, and you waive any right you may have to such notice or consent."

Any provision in the Agreement stating that you grant us a security interest in the Equipment to secure all amounts owed to us under any agreement is hereby amended and restated as follows: "To the extent permitted by law, you grant us a security interest

NOTE: A FACSIMILE OF THIS DOCUMENT WITH SIGNATURE SHALL BE CONSIDERED TO BE AN ORIGINAL. CAPITALIZED TERMS IN THIS DOCUMENT ARE DEFINED AS IN THE AGREEMENT, UNLESS SPECIFICALLY STATED OTHERWISE.

in the Equipment to secure all amounts you owe us under this Agreement, and you authorize us to file a UCC-1 financing statement."

Any provision in the Agreement stating that you shall indemnify and hold us harmless is hereby amended and restated as follows: "You shall not be required to indemnify or hold us harmless against liabilities arising from the Agreement. However, as between you and us, and to the extent permitted by law and legally available funds, you shall bear the risk of loss for, shall pay directly, and shall defend against any and all claims, liabilities, proceedings, actions, expenses, damages or losses arising under or related to the Equipment, including, but not limited to, the possession, ownership, lease, use or operation thereof, except that you shall not bear the risk of loss of, nor pay for, any claims, liabilities, proceedings, actions, expenses, damages or losses that arise directly from events occurring after you have surrendered possession of the Equipment in accordance with the terms of the Agreement to us or that arise directly from our gross negligence or willful misconduct."

Any provision in the Agreement stating that a default by you under any agreement with our affiliates or other lenders shall be an event of default under the Agreement is hereby amended and restated as follows: "You will be in default if: (a) you do not pay any Payment or other sum due to us under the Agreement when due or if you fail to perform in accordance with the covenants, terms and conditions of this Agreement, (b) you make or have made any false statement or misrepresentation to us, (c) you dissolve, terminate your existence or file bankruptcy, or (d) there has been a material adverse change in your financial, business or operating condition."

Any provision in the Agreement stating that you shall pay our attorneys' fees is hereby amended and restated as follows: "In the event of any dispute or enforcement of rights under this Agreement or any related agreement, you agree to pay, to the extent permitted by law and to extent of legally available funds, our reasonable attorneys' fees (including any incurred before or at trial, on appeal or in any other proceeding), actual court costs and any other collection costs, including any collection agency fee."

Any provision in the Agreement requiring you to pay amounts due under the Agreement upon the occurrence of a default, failure to appropriate funds or failure to renew the Agreement is hereby amended to limit such requirement to the extent permitted by law and legally available funds.

Any provision in the Agreement stating that the Agreement is governed by a particular state's laws and you consent to such jurisdiction and venue is hereby amended and restated as follows: "This Agreement will be governed by and construed in accordance with the laws of the state where you are located. You consent to jurisdiction and venue of any state or federal court in such state and waive the defense of inconvenient forum."

By signing this Addendum, Client acknowledges the above changes to the Agreement and authorizes Lessor to make such changes. In all other respects, the terms and conditions of the Agreement remain in full force and effect and remain binding on Client.

Loffler Companies, Inc.

 Lessor

 Signature

 Title

 Date

EAGLE LAKE, CITY OF

 Client

DocuSigned by:
 X *Jennifer Bromeland*

 Signature
58933F834D3543D...

 City Administrator

 Date

10/19/2022

NOTE: A FACSIMILE OF THIS DOCUMENT WITH SIGNATURE SHALL BE CONSIDERED TO BE AN ORIGINAL. CAPITALIZED TERMS IN THIS DOCUMENT ARE DEFINED AS IN THE AGREEMENT, UNLESS SPECIFICALLY STATED OTHERWISE.

LOFFLER

MAINTENANCE AGREEMENT

1101 E 78th Street, Bloomington, MN 55420
 952-925-6800 *Fax 952-925-6801

B I L L T O	Company Eagle Lake, City of		Customer # CB-108174-001		S H I P T O	Company Eagle Lake, City Of		Customer # CB-108174					
	Address PO Box 159					Address 705 Parkway Ave							
	City Eagle Lake		State MN	Zip 56024-0159		City Eagle Lake		State MN	Zip 56024-9759				
	Contact			Phone 507-257-3218			Contact Jennifer Bromeland			Phone 507-257-3218			
	Email address			Mobile Phone			Email address jlbromeland@eaglelakemn.com			Mobile Phone 507-257-3218			

Multi-Functional Copier / Printer
 Managed Print Services
 Mail Machine

CONTRACT TERM: 5 years Other _____

EFFECTIVE DATE: Note that the effective date is the same as the Install Date, unless otherwise noted: _____
 New
 Renewal
 Add to Existing Contract

MAKE/MODEL	DESCRIPTION	SERIAL NUMBER	ID	BEGIN METER
CANON - DX C3830i	4913C002AA: imageRUNNER ADVANCE DX C3830i			

Please list additional equipment on attached Schedule A

Base Frequency	Monthly	Overage Frequency	Monthly	Base Charge	\$166.00
B/W Covered Impressions	Unlimited	B/W Overage Charge	\$ 0.000000	Meter Collection Method Imageware	
Color Covered Impressions	Unlimited	Color Overage Charge	\$ 0.000000		
Xerox Production	Mono	Color	Large Color	Banner	All Four Rates Are Required

Additional Charge \$ _____ For _____

Supplies Included Yes Black Toner Yes Color Toner Yes Staples Included No

Meter Contact Jennifer Bromeland **Phone (Required)** 507-257-3218 **E-mail Address (Required)** jlbromeland@eaglelakemn.com **Fax**

Enable Canon Cloud Backup Service Qty _____ \$4.95 per device monthly for Canon generation three or newer devices

Special Instructions: 5-year lock
(Reviewed by legal counsel)
 Please carefully review the Terms and Conditions on our website, <https://info.loffler.com/loffler-terms-and-conditions>, and provide a customer signature on the following page. Version 030422.

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LOFFLER

Leased Equipment Return Addendum

The following is an agreement between Loffler Companies Inc. (Owner), and

City of Eagle Lake (Lessee).

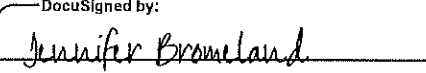
Loffler hereby agrees to pay a sum total not to exceed \$ 1,482.00 payable to the Lessee with the intent of the Lessee fulfilling all remaining obligations on their current Lease Agreement on the

Ricoh MP C3004EX / C718M310963 (Make, Model/Serial Number).

The obligations may include, but are not limited to: submitting a letter of intent per the terms and conditions of the agreement, obtaining equipment return instructions and forwarding them to Loffler in order for Loffler to ship back the equipment by the specified deadline, and paying any outstanding charges on the agreement.

Owner: Loffler Companies, Inc.

Lessee: City of Eagle Lake

Signature: 
DocuSigned by:
58933F834D3543D...

Title: city Administrator

Dated: 10/19/2022

Received
11/2/22

**MANKATO TOWNSHIP
PLANNING AND ZONING**
10 Civic Center
PO Box 3368
Mankato MN 56002-3368
Phone: (507) 387-8600
Fax: (507) 387-6845

October, 26 2022

The Mankato Township Planning Commission will hold a public hearing on Wednesday, November 16, 2022 at 6:00 p.m., and the Mankato Township Board will hold a public hearing on Wednesday, November 16, 2022 at 7:00 p.m. at Mankato Township Hall, 788 South Victory Drive, Mankato, MN. The purpose of these hearings is to consider the following:

** Request of Michael Leiding, with permission of the property owner, for a conditional use permit to transfer the residential development right from parcel R430922400006, the southwest quarter of the southeast quarter in Section 22, Township 108N, Range 26W, to the contiguous quarter-quarter section, the northeast quarter of the northwest quarter of Section 27, Township 108N, Range 26W. The subject parcel to receive the development right, Blue Earth County PID R430927100010, is described as the north approximately 435 feet of Lot 3, Block 1, Dittberner Subdivision, according to the plat thereof on file and of record in the office of the County Recorder in and for Blue Earth County, Minnesota. The subject parcel sending the development right is described as the southwest quarter of the southeast quarter except the west 457.38' of the south 27.5', Section 22, Township 108N, Range 26W, Blue Earth County. (Blue Earth County PID R430927100010 and R430922400006).

You are receiving notice of this hearing because according to County Assessment Records you own property within the required notification area that is stipulated by State Law and/or Mankato Township Code. Please share this notice with your neighbors if they did not receive a copy.

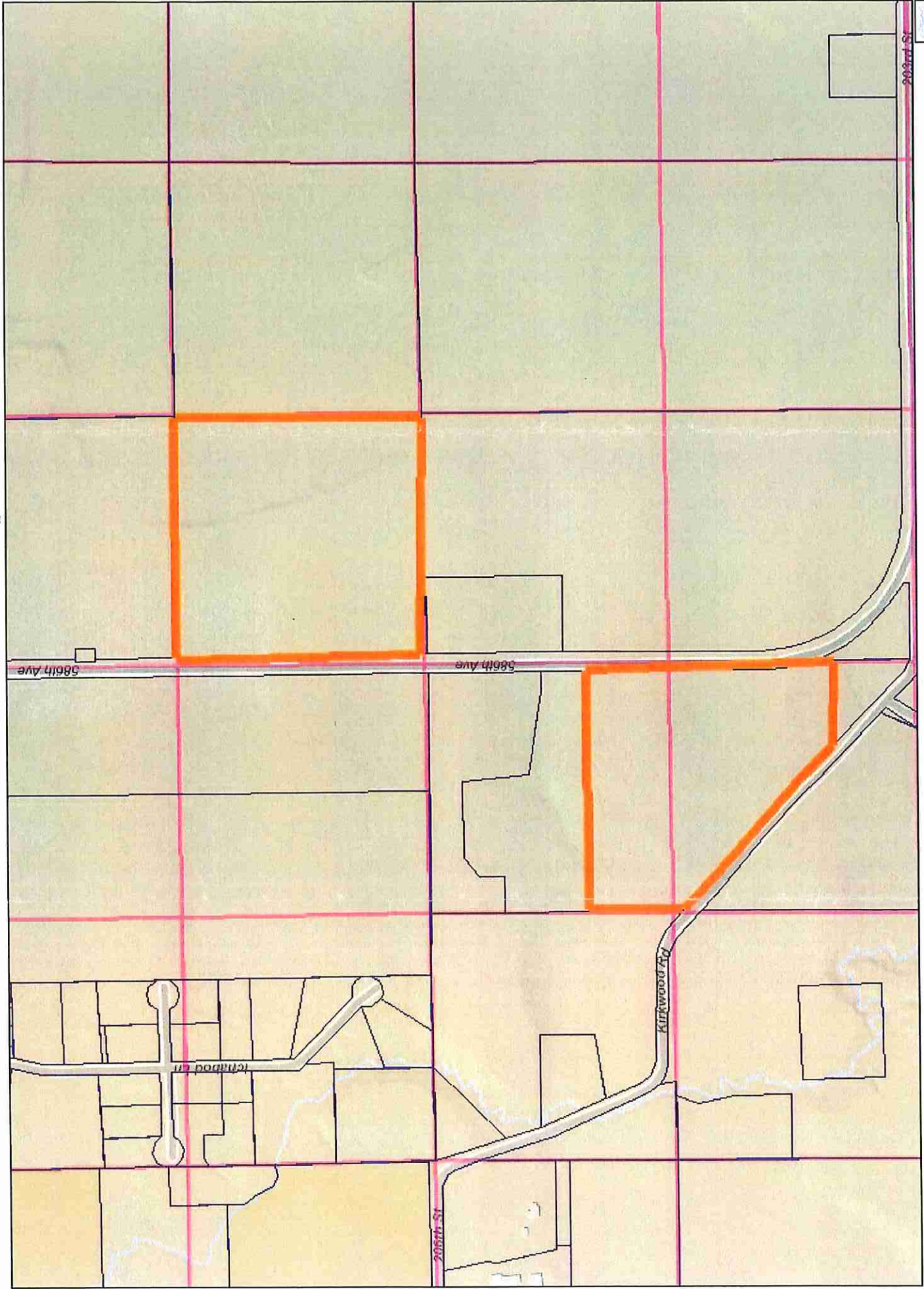
If you have any questions or concerns regarding the request prior to the meeting, feel free to call me at (507) 387-8571.

Sincerely,

Molly Westman
Planning Coordinator

2666

General Location Map



Date: October 2022

Author:

This information is to be used for reference purposes only. The City of Mayfield does not guarantee accuracy of the water established herein and is not responsible for misuse or misinterpretation.

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