

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
November 4, 2024**

CALL TO ORDER

Mayor Pro Tem Garrett Steinberg called the meeting to order at 6:00 p.m. The Pledge of Allegiance was said.

ROLL CALL

Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, and John Whittington.

Staff Present: City Administrator Jennifer Bromeland, Deputy Clerk Kerry Rausch, Fire Chief Vern Simpson, and Public Works Director Andrew Hartman. Blue Earth County Sheriff's Office Liaison: Lieutenant Mitch Gahler.

PUBLIC COMMENTS

- None.

APPROVAL OF AGENDA

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

APPROVAL OF MEETING MINUTES

- **Council Member White moved, seconded by Council Member Rohrich, to approve the October 7, 2024 City Council minutes as presented. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**

CONSENT AGENDA

Monthly Bills	Treasurer's Report
Public Works Report	Fire Report
BECSO Report	Gambling Report
Building & Zoning Permits	Board & Commission Minutes
Res. 2024-46 Resignation -Ryan Short from Park Board	Res. 2024-47 2025 Polling Place
Res. 2024-48 Donation to Fire Dept.	Res. 2024-49 Donation Park Lighting
Renew 2025 Liquor Licenses for Caseys, Eagle's Nest and American Legion	
Res. 2024-50 Donation Active Adults	Res. 2024-51 Appoint Hardel to Fire Dept Roster
Res. 2024-52 Appoint Backen to Fire Dept Roster	

- Mayor Pro Tem Steinberg thanked the American Legion for their donation.
- **Council Member Rohrich moved, seconded by Council Member White, to approve the consent agenda as presented. The motion was carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**

PUBLIC HEARING

1. Improvement Hearing for 2025-2026 Street and Utility Improvements

- Mr. Brian Sarff with Bolton and Menk explained the purpose of the improvement hearing and the scope of the potential project which is approximately 15 blocks which includes LeSueur Avenue between Linda Drive and Agency Street, Maywood Avenue between Diane Drive and Agency Street, Diane Drive between Maywood Avenue and LeSueur Avenue, Plainview Street between LeSeuer Avenue and Parkway Avenue, Third Street between Maywood Avenue and Parkway Avenue, and Second Street between Maywood Avenue and Parkway Avenue.
- The project area is included in the City's Capital Improvement Plan (CIP) due to aged infrastructure.
- The existing condition of the sanitary sewer collection system has 8-to-10-inch clay pipe which is in poor condition. The proposed improvements would include 8-to-10-inch PVC pipe, new precast concrete manholes with gasketed joints and sanitary sewer services reconstructed from the main to the property line.
- The existing water distribution system has 4-to-8-inch cast iron water main and most infrastructure was most likely installed in the 1950s. Corroding pipes have resulted in watermain breaks. Proposed improvements would include new 8-to-12-inch PVC watermain (per 2006 Comprehensive Plan), new fire hydrants and isolation valves. The water service lines would be reconstructed from the main to the property line.
- The existing storm sewer system has 12-to-21-inch pipe, mostly concrete which was constructed in the early to mid-1990s. Some intersections are void of adequate storm sewer. The proposed improvements would include 12-to-24-inch reinforced concrete pipe, increased inlet capacity sized to meet current city standards and combination subsurface and sump pump lines.
- The city will work with private utility service providers on necessary relocations or replacements as design progresses. Private utility owners will be responsible for this work.
- Existing road and street surface is typically 36-foot urban roadway; however, Plainview Street is 29 feet and Third Street is 22 feet. There are 5-foot-wide sidewalks on the west side of LeSueur Avenue, the west side of Second Street, the west side of Diane Drive and Plainview Street. Most sidewalks are in good condition. The proposed improvements would include a 36-foot urban roadway, with Plainview Street and Third Street to be narrower to fit within the available space. Pedestrian accommodations will include ADA complaint pedestrian ramps. Boulevard restoration will include reconstruction of concrete driveway aprons through sidewalk and turf reestablishment.
- The cost of each segment of the project was discussed with the estimated project costs of all segments of the project is \$6,100,600.
- Special assessments for the project were discussed. Discussion included current city code relating to assessments, City Council's approach with recent assessments, and that more discussion by Council will need to occur. The City will follow the requirements of Minnesota Statute 429 and actual assessment amount for each property will be provided in mailed notice approximately two weeks before the assessment hearing. Final assessment amounts will be certified to the County Auditor and added to property tax statements starting in 2025. Assessments can be pre-paid with no interest. Remaining principal and accrued interest can be prepaid in future years with no penalty.
- The anticipated project schedule was presented.
- The Public Hearing was opened with the following discussion.

- Brett Anderson, 91 Valley Lane, stated that the properties he owns along Parkway Avenue do not have access to storm sewer and asked it would be able to connect with this project. Mr. Sarff stated if it is within the project area it would be connected.
- Jan Hughes, 110 Plainview St, asked how people could be assessed before final bids are approved and also asked about the existing storm water retention pond and the maintenance of that and if the storm water would be routed to that pond. Mr. Sarff explained that bids will be received prior to determining the assessment amount. Mrs. Hughes also asked about sidewalk width. Mr. Sarff explained that 6 foot width is recommended when a sidewalk is located next to a road and that he is not able to give an exact width on the spot.
- Al Rykhus, 409 LeSueur Ave, asked where the project ends on LeSueur and how assessments will work in that area. Mr. Sarff explained that the scope of the project in that area will be determined by the need to reconstruct the underground utilities. Properties not fronted by the project will not be assessed.
- The resident at 105 S 2nd Street asked how assessments on corner lots will be handled. Mr. Sarff explained that there are provisions on how assessment will be handled for corner lots and what can and cannot be done.
- Deb Bertek, 105 Diane Drive, expressed her concern with assessments for corner properties. Mr. Sarff stated the ordinance does not double assess corner lots. Mrs. Bertek also stated that Diane Drive is heavily used due to proximity to the school.
- Ken Reichel, 101 Maywood Ave, stated he currently is not able to hook up to storm sewer in front of is property. Mr. Sarff stated that connections are typically installed 10 feet from the curb.
- Mr. Sarff also stated that a property could not be assessment an amount more than the property benefits from the improvements and that the terms of the assessment have not yet been discussed but 15-year assessments are common.
- **Council Member Rohrich moved, seconded by Council Member White, to close the public hearing. The motion carried with Council Members Steinberg, Rohrich, White and Whittington voting in favor.**

PRESENTATION

1. Water Treatment Facility Site Drawings: Brian Sarff with Bolton and Menk

- Mr. Sarff presented two options for the water treatment facility on the potential site along with the pros and cons of each option. Option 1 would abut up to Breckenridge Townhomes and Option 2's access would be located west of Peregrine Ave. Option 2 would allow for develop to the north of the plant.
- The proposed parcel has an exclusive easement that cannot be built upon.
- Council discussion included if the city needs to purchase the portion of the land which is unbuildable. Discussion with the property owner would need to take place to address this question.
- The possibility of using this land for a leaf collection site would need to be looked into.
- **Council Member Rohrich moved, seconded by Council Member Whittington, to establish a subcommittee comprised of Council Members Steinberg and White and City Administrator Bromeland to negotiate land with property owners. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**

2. Minnesota Solar on Public Buildings Grant Program

- Sabri Fair with Region 9 Development Commission was present and explained that state and federal grants are available in the Xcel service area for solar on public buildings. Peter Lindstrom with Region 9 Development Commission's clean energy resource team and Jennifer Lindahl, Regional Coordinator in SE Minnesota were present online.
- It was explained that the grant allows for a up to 40kW system or up to 120% of the average annual electricity consumption. The system must be installed on or adjacent to the public building that consumes the electricity generated by the system and on property within the service territory of the utility currently providing electric service to the public building. The size of a 40kW system would be the approximate size of a tennis court and would generate electricity about equal to the consumption of 5-6 homes. It would not be a money generator but would instead reduce the cost of electricity consumption.
- Eagle Lake would qualify for the highest grant level which would be 70% of the system cost and 30% direct pay incentives from the IRS after the project has been implemented. The City would be responsible for the up front costs and then be reimbursed through the grant.
- The next steps would be to request a project ID number by sending an email to the State, engage with Xcel to determine if they can host this program at the City's location, and submit the readiness assessment by December 2nd. The state would have 30 days to respond to let the City know if they would be eligible to participate. The City would then need to select an installer and begin the procurement process. In the spring the installer would submit the full grant application on the City's behalf. The project would need to be completed within 18 months of approval.
- Council discussion included if the system would generate the full 40kW or something less than that, how roof repairs would be handled with a rooftop solar system, if such a system would require engineering costs, and the desire to get references.
- Council expressed interest in exploring this option more but also concern with end-of-life costs when the panels fail.
- **Council Member Steinberg moved, seconded by Council Member White, to authorize staff to submit a readiness assessment. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**

NEW BUSINESS

1. Resolution Ordering Improvement and Preparation of Plans for 2025-2026 Street and Utility Improvements Project

- Mr. Sarff explained that the resolution includes all 15 blocks for the scope of the project and would need a 4/5th vote to be approved.
- Council discussion included the need to be clear on the end point of construction on LeSueur Ave, the storm sewer on Plainview, not going smaller on sidewalks and the need to work with residents.
- **Council Member White moved, seconded by Council Member Whittington, to approve Resolution 2024-53 Ordering Improvement and Preparation of Plans. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**
- **Council Member Steinberg moved, seconded by Council Member White, to take a short break. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**

- **Council Member White moved, seconded by Council Member Rohrich to resume the council meeting. The motion carried with Council Members Steinberg, Rohrich, White and Whittington voting in favor.**
2. Tri-County Mutual Aid Agreement
- Administrator Bromeland explained that before the Council is a proposed Blue Earth, Nicollet, and LeSueur County Mutual Aid Agreement. This agreement is made pursuant to Minnesota Statutes 471.59 which authorizes the joint and cooperative exercise of powers common to contracting parties. The intent of the agreement is to make equipment, personnel, and other resources available to political subdivisions from other political subdivisions. Types of assistance might include public works personnel and equipment, fire and/or emergency medical services personnel and equipment, law enforcement personnel and equipment, utility personnel and equipment, and public health.
 - The current Memorandum of Understanding expires December 31, 2024, while the new agreement will continue in force until January 1, 2030.
 - Fire Chief Vern Simpson and Public Works Director Andrew Hartman have recommended approval of the above-described agreement.
 - **Council Member White moved, seconded by Council Member Rohrich, to approve the Tri-County Mutual Aid Agreement as presented. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**
3. Pricing for Panic Button System at City Hall
- Administrator Bromeland explained the purpose of installing a panic button system is to be able to discreetly contact authorities in an emergency. The desire for a panic button system at City Hall has been prompted by a couple incidents in recent months in which City staff felt it was necessary to contact law enforcement for assistance. A panic button system in City Hall is justified because it provides a readily accessible way for staff to immediately alert law enforcement or emergency services of an emergency, and it serves as a crucial safety measure for employees and visitors alike, especially in public-facing areas.
 - Quotes were received, one from Freedom Security in the amount of \$1,531.40 for three panic buttons plus \$32 per month for monitoring services, and the second from Heartland Security in the amount of \$825 for four panic buttons plus \$32.95 per month for monitoring services.
 - Discussion included the location of where the buttons would be installed as well as the benefit of having one vendor provide all security services for the City.
 - **Council Member White moved, seconded by Council Member Whittington, to install as many panic buttons as necessary at City Hall with Freedom Security. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**
4. Fire Department Request to Increase Per Call Pay and Increase Officer Salaries
- Administrator Bromeland stated she and the personnel committee met with the fire department. The proposed pay schedule is a result of this meeting and is an attempt to retain and recruit members.
 - The current pay per call is \$10. The Fire Department is proposing a pay per call to incentivize better response from members. Under the proposal, the minimum response percentage to qualify for pay per call is 10%. If a firefighter responds to 20%-29% of calls, payment per call is \$15. If a firefighter responds to 30%-39% of calls, payment per call is \$20. If a firefighter responds to 40% or more of calls, payment per call is \$25.

- The department is also proposing that for a fire or rescue call lasting longer than 60 minutes, all personnel at those calls earn \$25 per hour. At the same time, the Fire Department recommended the fire/rescue charge be increased from \$500 per call to \$500 per hour to absorb the proposed pay structure difference. If the City Council wishes to implement the fire call charge increase, this should be reflected in the annual fee schedule in which the fire call charge is included.
- The fire department is paid once annually for fire calls with the payment made in December of each year. This means that if approved, the increase in how calls are paid would be reflected in the December payroll for the fire department. The 2024 budget reflects a \$5,000 increase in calls and training wages to account for a possible increase.
- In addition, the fire department is requesting that the salary of the Fire Chief be increased to \$6,000 per year. The Assistant Chiefs and the Fire Department President do not currently earn a salary. The fire department is requesting that the two Assistant Chiefs be compensated at \$2,000 per year and the Fire Department President at \$1,000 per year.
- Council discussion included being in favor of increasing the fee for fire calls, the desire to survey other cities to learn their fees, and liking the tiered pay approach.
- A special City Council meeting to further discuss fire department pay was scheduled for Monday, November 18th at 8:00 a.m.

5. Fire Department Request to Increase Annual Pension Amount

- Trent Talle with the fire department explained that the last pension increase was in 2017 where it increased from \$1,900 to \$2,000. Pension amounts for surrounding departments averages \$2,700. He also stated that the maximum benefit Eagle Lake Fire Department is eligible for is \$2,700.
- **Council Member White moved, seconded by Council Member Rohrich, to approve Resolution 2024-54 to increase the fire department pension benefit from \$2,000 to \$2,700 for the Paid On-Call Volunteer Fire Department. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**

6. Schedule Special City Council Canvassing Board Meeting

- Administrator Bromeland explained that between the third and 10th day after the city general election, the council must meet as a canvassing board and declare the results of the local election. The Open Meeting Law applies to this meeting, meaning that the meeting should be properly noticed and open to the public. Once the Council has announced the results of the election and notified candidates of their election, any challenge needs to go through the county's district court under the contested elections procedure. The candidate receiving the highest number of votes is elected.
- The canvassing board can meet either on the 13, 14, or 15 of November.
- **Council Member White moved, seconded by Council Member Rohrich, to schedule a Special City Council Canvassing Board for Thursday, November 14th at 8:00 a.m. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**

7. Certification of Special Assessments

- Administrator Bromeland explained that 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, which is before Council, that will be assessed if payment is not received prior to November 30, 2024. Past practice has been that assessed balances are charged

interest at 4%. City staff have sent notice to the properties listed advising that if payment is not made, the unpaid charges will be assessed for collection with property taxes. Included in the notice is the process to contest any unpaid charges.

- **Council Member Whittington moved, seconded by Council Member Rohrich, authorizing staff to certify the special assessments to the County Auditor for unpaid charges. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor.**

CITY ADMINISTATOR REPORT

1. Year to Date Expenditures and Revenues

- Report is included in packet for Council review.

2. LMC Cybersecurity Training for City Staff

- Christian Torkelson with the League of Minnesota Cities will be conducting a training at City Hall with staff during the month of November at no charge.

3. Climate Resiliency Advisory Committee and Survey

- Council and residents were urged to complete the climate resiliency project survey if they have not already done so. A City Council member will need to serve on the advisory committee.

4. Rural Child Care Innovation Program – Survey and Town Hall Event

- Council Members were urged to register for the upcoming Town Hall event on November 20th at 5:30 p.m. at the American Legion.

5. Recap of Provider Appreciation Event.

- The childcare provider appreciation event was held two weeks ago was attended by 18 providers in Eagle Lake. Childcare is an economic driver for communities like Eagle Lake and childcare shortages have significant impacts on families and the local economy.

6. Holiday Lights Contest and Open House

- Each year, the City of Eagle Lake encourages residents and businesses to light up the town. In addition, City Hall hosts a holiday open house to encourage supporting local during the holiday season while also encouraging community during the holiday season. More details will follow.

7. Public Nuisance Property Update

- The City's attorney has been contacted and the City is limited in vacant properties and what they can do. Issues must be a public nuisance.

COUNCIL REPORTS

- None

ADJOURNMENT

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

Garrett Steinberg, Mayor Pro Tem

Kerry Rausch, Deputy City Clerk