

CITY OF EAGLE LAKE
January 4, 2021
CITY COUNCIL MEETING – GoTo Meeting

CALL TO ORDER

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

ROLL CALL

- Council Members present: Dennis Terrell, Garrett Steinberg, Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Brian Goettl, Police Chief John Kopp, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

OATH OF OFFICE

- Council Members Rohrich and White and Mayor Auringer were sworn in individually prior to the City Council meeting.

APPROVAL OF THE AGENDA

- Administrator Bromeland asked to add the American Engineering proposal and ice rink lighting under New Business.
- Council Member Steinberg moved, seconded by Council Member Terrell, to approve the agenda as amended. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Terrell moved, seconded by Council Member Rohrich, to approve the December 7, 2020 City Council meeting minutes. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member Rohrich moved, seconded by Council Member Terrell, to approve the consent agenda.
 - Monthly Bills
 - Fire Report
 - Gambling Report
 - Resolution 2021- 01 Designating Official Depositories
 - Resolution 2021-02 Designating Official Newspaper
 - Resolution 2021-04 Approving Donation to Park Project
 - Treasurer’s Report
 - Public Works Report
 - Appointing Garrett Steinberg as Mayor Pro Tem
 - Police Report
 - Building & Zoning Permits
- A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

PRESENTATIONS

1. Christian Wilson: Manufactured Home Request
 - Administrator Bromeland explained that Mr. Wilson brought a 1990 mobile home into Regency Mobile Home Park without a permit and that there is an agreement between the City and the mobile home park stating that homes brought in must be 1995 or newer. City code states that mobile homes must be a 1972 model or newer. Building Official Mr. Murphy has indicated that the agreement supersedes what is in city code. Mr. Murphy has inspected the mobile home.
 - Mr. Murphy stated he has inspected the mobile home and it is in good shape and that the work done on the home to date is good. If permitted to remain, a building permit will be needed. The manager of the park made an agreement with Mr. Wilson that the garage would be included with the lot.

- Council discussion included the desire for improvements to be made to the garage as well as the mobile home and requested Mr. Wilson to work with the management of Regency on garage improvements.
 - Mr. Wilson stated it is his goal that this home be his selling factor and to add a privacy fence and patio. He has a new roof and siding purchased for the home. He plans to have the exterior completed this winter. He would then like to bring in an additional 30 homes from North Dakota.
 - Administrator Bromeland will check if Southern MN Initiative Foundation (SMIF) has grants available for this type of project.
 - City staff will work with the City Attorney to draft an agreement between Mr. Wilson and the City of Eagle Lake setting expectations for new siding, new roofing, and other state building code compliance items as well as the need to improve the exterior appearance of the garage that is owned by Regency that will be made available for use by the tenant of 30 Country Manor Court.
 - Council Member Rohrich moved, seconded by Council Member Terrell, to allow the 1990 home Mr. Wilson moved in to remain. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
 - Council directed staff to have the Planning Commission review code language relating to the year requirement to move a mobile home into the park.
 - Mr. Murphy stated that he will work with Mr. Wilson on inspections for future homes he will move into the park.
2. Brian Sarff, Bolton and Menk: Presentation on Preliminary Engineering Report for CSAH 27 (Agency St)
- Mr. Sarff stated the full report will be presented at the assessment hearing and recapped the project scope for the new council members and provided a brief overview of Minnesota Statute 429 which allows for special assessments to benefiting properties.
 - Blue Earth County and the City of Eagle Lake will be holding a virtual informational meeting on January 19, 2020 to inform the public of this project. Property owners who are most impacted by this project will be contacted.
 - Blue Earth County may want to accept bids sooner than one month after bids are opened. Mr. Sarff will work with staff and legal counsel on this.
 - Council discussion included the requirements for the deferral of special assessments. The requirements will be reviewed.
 - Council Member Steinberg moved, seconded by Council Member Terrell to accept the preliminary engineering report and to schedule an improvement hearing for February 1, 2020 at 6:00 p.m. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

PUBLIC HEARINGS

- None

OLD BUSINESS

- None

NEW BUSINESS

1. Resolution Adopting Preliminary Engineering Report and Scheduling of Improvement Hearing
 - See Presentations number 2.
2. Resume Special Benefit Analysis Discussion for CSAH 27 (Agency Street) Reconstruction Project
 - Administrator Bromeland stated she has contacted three cities and heard back from two. Both highly recommended utilizing the special benefit analysis and felt it was very helpful. Neither have had a special assessments appealed to comment on if it holds up. The city attorney feels this is a step the city should take to show the city has done its due diligence. The cost of this analysis is between \$10,000 - \$12,000.
 - Council Member Terrell moved, seconded by Council Member Rohrich, to proceed with the special benefit analysis. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
3. New Police Squad Car Request
 - Chief Kopp stated he has obtained state bid pricing for a new squad car to replace the 2017 squad which has 107,000 miles. If approved, it will take approximately 6 months to get the new vehicle into service. Bids are for the Explorer EcoBoost and Explorer Hybrid.
 - Capital outlay information will be provided to Council at next meeting.
 - Council directed Chief Kopp to compile a list of pros and cons for each vehicle to present to Council.

4. Part-Time Police Officer Hiring Request
 - Administrator Bromeland asked Council to consider hiring a part-time police officer. An application has been received and staff is asking Council to approve interviewing the applicant.
 - Chief Kopp explained that part-time police officers are difficult to find and by hiring an additional officer it would help run the department more efficiently and overtime would be reduced.
 - Council Member White moved, seconded by Council Member Steinberg, to authorize hiring a part-time police officer. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
5. Resolution Adopting Proposed 2021 Fee Schedule
 - Administrator Bromeland stated the only changes to the fee schedule are the water rates, which Council approved at the December meeting, and refuse and recycling rates which are proposed to increase to cover the increased cost to the city.
 - Council asked what the format for spring cleanup in 2021 will be. This will be determined by LJP based on Covid-19 guidelines. The possibility of reducing liquor license fee for 2021 due to Covid-19 mandated closures was discussed. Council directed staff to determine the time frame bars were closed in 2020 due to Covid-19 mandates.
 - Council Member Rohrich moved, seconded by Council Member Terrell, to approve the 2021 Fee Schedule as presented. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
6. Planning Commission Recommendation Approving Zoning Code Amendments
 - The property owners of 325 LeRay Avenue have submitted a variance request for the shed installed on their property that is one and a half feet outside the required five (5) foot setback. The property owner has indicated the shed would be very difficult to move.
 - The Planning Commission held a public hearing on December 21, 2020 with only one comment in favor of granting the variance request being received. The Planning Commission is recommending approval of the variance request.
 - Council Member Rohrich moved, seconded by Council Member Terrell, to approve the variance request. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
7. Planning Commission Recommendation Approving Zoning Code Amendments
 - City Administrator Bromeland stated that the City's building official recently notified City Hall of state building code changes that impact zoning permit requirements. An excerpt of code and proposed changes was attached to the agenda and referenced. Staff noted that the City needs to amend code to reflect the required legal standard of "practical difficulties" which prior to 2011 were called "undue hardship" which is still reflected in Eagle Lake code. Staff went on to state that there are other areas in the zoning code that also likely need to be reviewed and amended in the not-too-distant future, but for the present time, a public hearing was held for the aforementioned changes.
 - A public hearing was held at the December 21, 2020 Planning Commission meeting with notice published in the City's legal newspaper, the Mankato Free Press. No comments, oral or in writing, were received in opposition. One inquiry was received from the public as to whether the zoning code amendments were in relation to the proposed motorsports park. Staff clarified that the proposed zoning code amendments are not related to the proposed motorsports park. State building code has changed "undue hardship" to "practical difficulties".
 - Council Member White moved, seconded by Council Member Rohrich, to amend Chapter 6 of city code as presented. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
8. Re-Evaluate Resuming In-Person Meetings
 - City Administrator Bromeland stated that at the request of the City Council, discussion should ensue related to whether to resume in-person meetings during the COVID-19 health pandemic. As per Executive Order 20-74, limits on indoor gatherings do not apply to government meetings. Remote meetings are strongly encouraged whenever possible as permitted by state or local authority. Masks are required for in-person council meetings, with an exception being when someone is testifying or speaking at a meeting. Social distancing must still be maintained at in-person meetings. Staff went on to state that for purposes of providing background, Resolution No. 2020-16, a copy of which was attached to the agenda, was adopted on March 27, 2020. Included in the resolution is a provision determining that in-person meetings are not practical or prudent due to the health pandemic. Since the resolution was

adopted, all meetings of the City Council and its advisory boards and commissions have been held remotely.

- Staff advised that if the City Council wishes to resume in-person meetings, then a resolution to that effect is necessary amending provision #2 as it relates to allowing in-person meetings during the COVID-19 health pandemic. The remainder of the resolution should remain intact. Since July 25, 2020, per the Governor's Executive Order 20-81, people in Minnesota are required to wear a face covering in all indoor businesses and public indoor spaces, unless alone. This means that everyone attending an in-person meeting must wear a face covering as per the Governor's above-referenced order. In addition, social distancing should occur, and limitations placed on the number of persons that the meeting room can hold while complying with social distance measures in place. The option for remote participation must remain available to the public.
 - Staff shared that the new audio and video equipment that was purchased this fall using funding from the CARES Act arrived within the last two weeks and has been installed. Once the system is ready to go live and staff has been sufficiently trained, a postcard will be sent to all 56024 postal patrons with information about how to view live streamed City Council meetings. In the meantime, the City can provide audio using GoToMeeting in the meeting room until the new set up is rolled out. Currently, both audio and video are available using GoToMeeting remotely. The purpose of the audio and video system is to encourage better public participation in City Council meetings for those that may wish to participate but are unable to do so in person due to health and safety concerns during the COVID-19 health pandemic.
 - Mayor Auringer stated the city has new streaming services which staff is learning to operate. In order to resume in-person meetings Resolution 2020-16 would need to be rescinded. Resolution 2021-06 is proposed to replace the rescinded motion. The proposed resolution would still allow for GoTo Meetings if needed.
 - Council discussion included how it would be handled if more people want to attend the meeting than what Covid-19 mandates allow. Nine people from the public will be allowed in the council chambers at a given time. If more attend they will be asked to remain in the hall.
 - Council Member Steinberg explained that live streaming can be a disaster and that he would recommend looking for a person to do this for the city who has experience. He also recommended that a mock meeting be held with five people in the room to ensure the system works correctly.
 - Residents will be sent a notice via mail when the city is ready to begin streaming service.
 - Discussion included how to include the public in discussion. It was determined that one central streamer would be needed. Residents could contact the city in advance if they want to attend the meeting to get an idea of how many will be present.
 - Council Member Rohrich moved to rescind Resolution 2020-16 and to approve Resolution 21-06., Council Member Steinberg asked to amend the motion to include researching live streaming. Council Member Steinberg seconded the motion. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
9. Re-Evaluation: Resuming Water Disconnections for Non-Payment
- Administrator Bromeland stated that in 2019 there were approximately thirty (30) disconnect notices sent out each month and only nine (9) water disconnections that year.
 - Council discussion included if there are any restrictions with Covid-19 prohibiting the disconnection of water services. This is something staff will look into and be mindful of.
 - Council Member Terrell moved, seconded by Council Member Rohrich, to reinstate water disconnections. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
10. 2021 Committees/ Commissions/ Assignment
- The following committee assignments were presented: personnel committee - Mayor Auringer and Garrett Steinberg, EDA – Anthony White and Dennis Terrell, ASA Board – Anthony White, Park Board – Beth Rohrich and Tim Auringer.
 - Council Member Terrell moved, seconded by Council Member Rohrich, to approve committee assignments as presented. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
11. American Engineering Proposal
- A proposal from American Engineering has been received to assist with boring of utilities under the railroad tracks with the Agency Street project. Total price estimate is \$8,575.00.

- Council Member Terrell moved, seconded by Council Member White, to accept American Engineering's proposal. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

12. Ice Rink Lights

- Administrator Bromeland explained that the lights at the ice rink are not working properly and Public Works Director Goettl stated the lights are 17 years old and that a timer is set to run the lights for two hours.
- Council discussion included the desire to have the timer removed and to have the lights come on automatically at 4:00 p.m. and to turn off at 10:00 p.m. Council asked staff to obtain pricing to replace the current lights with LED lighting.
- Council Member White mentioned that he has access to a Zamboni, for this year only, but the city would need to be able to store it inside and be able to trailer it to Eagle Lake. He also stated the person that drives the Zamboni would be compensated \$50 per use and that it is anticipated it would be used one to two times a week.
- Public Works Director Goettl stated that the Public Works shop has space to store this.
- Council voiced no concerns with utilizing the Zamboni.

OTHER

1. Whistle Free Zone inquiry from Resident

- Mayor Auringer stated that the City Council had looked into this previously with DM&E Railroad and that this could be a lot of work and that crossings would need to be modified. He asked Administrator Bromeland to check into what Mankato is doing and provide Council a to do list.

2. Notice of Upcoming CSAH 27 (Agency Street)/Thomas Drive to LeRay Avenue Reconstruction Project Virtual Open House Meeting

- Blue Earth County will hold a virtual open house meeting on January 19, 2021 from 4:00 p.m. to 6:00 p.m. for this project. A separate meeting will be held for special assessments.

3. Schedule Work Session to Review City Goals

- A work session will be scheduled for setting city goals for 2021.

CITY ADMINISTRATOR REPORT

1. Water Study

- Administrator Bromeland and Public Works Director Goettl have meet with Bolton and Menk on this study and Bolton and Menk will be at the February 1, 2021 council meeting to present findings.

2. Winter Newsletter

- The winter newsletter will be mailed this week.

3. Community Forestry Member

- The community forestry member is working with public works staff on removing Buckthorn.

COUNCIL MEMBER'S REPORT

1. Council Member Steinberg mentioned the desire to start working the on the Music on Parkway program.
2. Council Member Rohrich asked if there was an update on the damage to the baseball field. It appears the person entered the park from the sledding hill. Mr. Terrell stated that a camera could be installed with internet sending pictures to a computer when there is activity.

ADJOURNMENT

- Council Member Terrell moved, seconded by Council Member Rohrich, to adjourn the meeting at 9:07 p.m. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

CITY OF EAGLE LAKE
January 19, 2021
CITY COUNCIL WORK SESSION

CALL TO ORDER

- Mayor Auringer called the meeting to order at 6:30 p.m.

ROLL CALL

- Council Members present: Dennis Terrell (left at 7:30), Garrett Steinberg (arrived at 6:42 p.m.), Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Brian Goettl, Police Chief John Kopp, and Deputy Clerk Kerry Rausch.

AGENDA

1. Hiring of Part-Time Police Officer

- Administrator Bromeland and Police Chief Kopp interviewed Zachary Keesey for a part-time police officer position with a starting wage at Grade 5, Step 1. It is anticipated that the hiring of an additional part-time officer will relieve scheduling concerns.
- Council Member Terrell moved, seconded by council Member White, to approve the hiring of part-time police officer Zachary Keesey at a starting wage of Grade 5, Step 1. Motion carried with Council Members Terrell, Rohrich, White, and Mayor Auringer voting in favor.

2. Work Session – Council Goals

- Mayor Auringer presented his list of potential goals for the City for 2021. City Council reviewed list.
- Items discussed included the areas of parks, streets, sidewalks, utilities, storm water, Regency Mobile Home Park, city owned properties, growth, events, taxes/budget, police, and miscellaneous items.
- Council Member Terrell stated he would like LED lights installed at the ice rink. Council directed staff to compile pricing for the next meeting.
- Administrator Bromeland stated she is a strong believer that in order to successfully accomplish goals that the city must first have a strong foundation and be able to proficiently deliver basic expected City services and then expand from there onto more loftier goals. The following were presented.
 - Continue working with staff to attain proficiency of core departmental responsibilities in each of the City's departments to ensure that departmental functions and services are being delivered proficiently, effectively, and efficiently.
 - Communications with the Public: Execute live streaming of City Council meetings to better inform and engage the public. Continue with quarterly newsletters and ongoing communications with the public to promote transparency and sharing of information. Encourage the public to communicate concerns directly with City staff versus online where negative comments about City services can escalate when others join in.
 - Work with the city's public works department, engineer, and bond consultant on updating capital improvement project list. This includes projects such as reconstructing existing streets and utilities and studying solutions to water treatment needs.
 - Complete Phase I and II of the Parks Projects.
 - Continue working with Mankato Community Education and Recreation to find ways to partner together to offer quality of life amenities such as Rec on the Go, open gym, winter park event, etc.
- Goals presented by the Public Works Director Brian Goettl included the following:
 - Review capital outlay balances to ensure funds for purchasing a self-contained.
 - Install more holiday lights by utilizing City owned facilities to mount existing lights and to possibly purchase more lights.
 - Install more lighting along the Lake Eagle Park paths and behind the ballfield fence and from the LeSueur Drive entrance into the park to the playground equipment.
- Goals presented by Police Chief John Kopp included the following:
 - Keep roads safe by traffic enforcement, education and high visibility.
 - Continue community policing and community outreach.
 - Attend City sponsored events to be able to interact with residents.

- Purchase a new squad car to replace one with over 100,000 miles and to replace police radios due to the county and state switching their radios to meet higher encryption needs.
- Mayor Auringer asked that Council members circle the items they would like to see as 2021 goals and turn into Administrator Bromeland or Deputy Clerk Rausch to compile. From there further discussion should occur.

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member Steinberg, to adjourn the work session at 8:18 p.m. Motion carried with Council Members Steinberg, Rohrich, White and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

CITY OF EAGLE LAKE
February 1, 2021
CITY COUNCIL MEETING

CALL TO ORDER

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

ROLL CALL

- Council Members present: Dennis Terrell, Garrett Steinberg, Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Brian Goettl, Police Chief John Kopp, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

APPROVAL OF THE AGENDA

- Council Member Terrell moved, seconded by Council Member Rohrich, to approve the agenda as amended. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member White moved, seconded by Council Member Rohrich, to approve the January 4 and January 19, 2021 City Council meeting minutes. A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member Terrell moved, seconded by Council Member White, to approve the consent agenda.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report		

 - Resolution 2021- 06 Appoint Hartman to Day Time Rescue
 - Resolution 2021-07 Approve Zachary Keesey for Police PERA
 - Pay Estimate #5 and Final: Watermain Looping Project
- A roll call vote was taken with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

PUBLIC HEARING

1. Improvement Hearing for CSAH 27 (Agency Street) Project

- Brian Sarff with Bolton and Menk explained that the Agency Street project would run from Thomas Drive to LeRay Avenue and that the project was initiated due to infrastructure issues with the water and sewer lines. The City has entered into a corporate agreement with Blue Earth County and held an open house information meeting about this project. A preliminary engineering report was authorized by the City Council on December 7, 2020 and information was sent to property owners about tonight's improvement hearing.
- Sanitary Sewer Collection System: The existing 8-inch clay pipe will be replaced with an 8-inch PVC pipe. New precast concrete manholes with gasketed joints will be installed and sanitary sewer services will be reconstructed from the main to the property line. These repairs will replace the cracked and broken pipes and eliminate root intrusions and inflow and infiltration.
- Water Distribution System: The existing water main is 4- to 8-inch cast iron and will be replaced with an 8- to 10-inch PVC line. Most of the original pipe was constructed prior to the 1980s and have corroded which has resulted in numerous watermain breaks. The fire hydrants and isolation valves will be installed, and the water service lines will be reconstructed from the main to the property line.

- Storm Sewer System: The existing 8- to 24-inch concrete pipe will be replaced with 12- to 30-inch reinforced concrete pipe which will increase inlet capacity and be sized to meet state standards. The current system is on top of the existing sanitary sewer line. Road subsurface drains and sump pump drains will be installed.
- Private Utilities: The City and County are working with private utility service providers on necessary relocations and replacements.
- Street and Surface: The existing roadway is a 44-foot urban road with curb and gutter, 12-foot through lanes, and 10-foot parking lanes. Pavement conditions vary throughout the project. There is currently a 4-foot sidewalk on the west side from north of Linda Drive to the railroad tracks. There are sidewalks on both sides from the railroad tracks to LeRay Avenue which have steep slopes. There is no sidewalk between Linda Drive and the southeast part of Eagle Lake. The proposed improvements include a 40-foot urban road with 12-foot lands and 8-foot parking/shoulder with curb and gutter. This design is consistent with other Blue Earth County highways. Pedestrian accommodations are to include a 5- to 6-foot sidewalk on the west side from Thomas Drive to the railroad tracks and a 5-foot sidewalk on both sides from the railroad track to LeRay Avenue. Pedestrian ramps would be installed in accordance to the City's ADA Transition Plan. Boulevard restoration will include the reconstruction of concrete driveway aprons through the sidewalk and turf reestablishment.
- The estimated cost of the project is \$3,620,915 which includes allowances for contingencies, administrative, engineering, and financing costs.
- The City's assessment policy was reviewed with it being noted that the City has the ability to deviate from the policy. The estimated assessment for a 50-foot parcel is \$21,500. The actual assessment amount for each property will be provide in a mailed notice approximately two weeks before the assessment hearing with final assessment amounts being certified to the County Auditor and added to property tax statements starting in 2022. Assessments can be prepaid with no interest. The prepayment date will be determined by the Council and provided in the assessment hearing. The remaining principal and accrued interest can be prepaid in future years with no penalty.
- Project Schedule: March 1, 2021-approve plans and specifications and order advertisement for bids; March 31, 2021 – open bids; April 5, 2021-declare cost to be assessed and call for assessment hearing; May 3, 2021-assessment hearing, adopt assessments, and accept bids; June – November 2021-construction; Summer 2022 – complete final paving.
- The public hearing was opened with the following comments taken.
- Roger Bechel, 308 S. Agency Street, asked who would be responsible for the private utilities. The work will be done by the private utility companies. The private utility company will determine how the cost of the work will be handled. Mr. Bechel asked if there would be a cap to the amount a property can be assessed. State law states that an assessment to a property may not exceed the value of the improvement to the property. Mr. Bechel also inquired about the possibility to defer assessments for the elderly. Staff indicated they would provide Mr. Bechel with requirements as written in city code.
- Administrator Bromeland read a letter submitted by Jeremy Horkey, 520 S. Agency Street. Mr. Horkey wrote that at the January 11, 2021 meeting with Blue Earth County a couple of items were brought to his attention. The first attachment shows a signature page which shows the property owners along Agency Street granting the easement to the county in the mid-1950s. The properties located at 520 and 524 S. Agency Street were not part of this document. The second item references the attached map which shows that the above-mentioned properties were never plotted and thus easements never granted to the city nor the county and stated that in looking at the abstracts for these properties, that both properties actually extend to the to "the middle of the road", with no easement ever granted. He wrote that the city/county would need to purchase the easements necessary from the property owners at fair market value. Mr. Horkey's emailed letter and attachments are attached at the end of the minutes.
- Administrator Bromeland read a letter submitted by Mike Foley, relating to 513 S. Agency Street. Mr. Foley wrote that as per an article in the Lake Region Times of Thursday, April 7, 1983 regarding the upgrading of County Road 27 (Agency Street), a Special Council Meeting held on March 30, 1983 was held to determine an equitable solution to access the agriculture property of Mr. Foley. As per the article (see attachment), Mr. and Mrs. Foley will be assessed for the project in two sections. Section one – The agriculture property would be assessed the same amount per foot as other city lots, with the assessment to be deferred without interest being charged until such time as any part of the land is sold, developed or changes hands. At that time the assessment is payable and due. Section two-the residential area where the house is located will be assessed the same amount as the other city lots. This is as it was then and should be now. Mr. Foley also wrote that given prior precedent by the City, the land remaining agricultural, and new road overlay and utilities have no immediate value for agricultural production, the trustees respectfully

request the agricultural land be assessed at the same amount per foot as other city lots, with the assessment to be deferred without interest being charged until such time as any part of the agricultural land is sold, developed or changes hands. At that time, the assessment would be payable and due. Mr. Foley went on to write that to provide benefit to the City in terms of future disruption to their portion of CSAH 27/Agency Street, the trustees notified the city's engineer that they require water and sewer stubbed in on their side of Blace Avenue and water stubbed in on their side of Connie Lane. As for Thomas Drive, the city's engineer said the trust would need to do nothing as there was sewer and water at the southwest corner between their agricultural land and the trailer court. The current estimated expense to the Donald P. Foley Trust is \$6,900. In addition, they must reimburse the lessee for disruption to agricultural production as a result of the work. Mr. Foley's letter and attachments are at the end of the minutes.

- Administrator Bromeland read a letter from Earl Jensen, 420 S. Agency Street. Mr. Jensen wrote to express his concerns about the proposed construction and stated this is the fourth time a sidewalk has been proposed for Agency Street. He disagrees with installing them for many reasons, which included the street was widened about thirty years ago to allow for walking and or bike path and that a sidewalk would take more property from homeowners, and the burden to remove snow. Mr. Jensen's letter is attached at the end of these minutes.
- Nathan Bechel, 312 S. Agency and 137 N. Agency, stated that a family member has special medical needs and asked if special consideration could be given so that access to the property when medical needs arise is available. Mr. Sarff stated the goal is to have drivable access for most of the time and that they are aware of this need, but at some point there will not be drivable access. Project updates will be communicated during the construction of this project.
- A resident attending the meeting remotely via GoTo Meeting asked if the sidewalk portion of this project would be eligible for Safe Routes to School grant. It was determined that a grant would not be feasible for this portion of the project due to increased project cost and time constraints.
- The public hearing was closed.
- Council discussion included that Blue Earth County and Bolton and Menk are aware of the of the lack of easements for properties located at 420 and 524 S. Agency Street as well as irregularities in the property lines which abut Agency Street and that the parcels have not been platted.
- City Attorney Chris Kennedy stated that City Council may want to review the current assessment policy in light of the fact that they have altered the amounts assessed with the past projects and stated the policy should be followed for the majority of City projects. Mr. Kennedy also explained that a past deferred assessment on the Foley agricultural property does not have much input with the current assessment. Mayor Auringer stated that he feels it would be appropriate to handle assessments to agricultural property differently than residential property.
- Mr. Sarff stated the Special Benefit Analysis will take 8-10 weeks and is expected to be completed by mid-March.
- Council Member Terrell moved, seconded by Council Member White, to approve Resolution 2021-08 Resolution Ordering Improvement and Preparation of Plans. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
- Council Member Rohrich stated she would like the City to work with property owners to lessen the assessment burden to the extent it can be done.

PRESENTATIONS

1. Brian Sarff with Bolton and Menk: CSAH 27 (Agency Street) Project

- Council discussion included that Blue Earth County and Bolton and Menk are aware of the of the lack of easements for located at 420 and 524 S. Agency Street as well as irregularities in the property lines which abut Agency Street and that the parcels have not been platted.
- City Attorney Chris Kennedy stated that City Council may want to review the current assessment policy in light of the fact that they have altered the amounts assessed with the past projects and stated the policy should be followed for the majority of City projects. Mr. Kennedy also explained that a past deferred assessment on the Foley agricultural property does not have much input with the current assessment. Mayor Auringer stated that he feels that it would be appropriate to handle assessments to agricultural property differently than residential property.
- Mr. Sarff stated the Special Benefit Analysis will take 8-10 weeks and is expected to be completed by mid-March.

- Council Member Terrell moved, seconded by Council Member White to approve Resolution 2021-08 Resolution Ordering Improvement and Preparation of Plans. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
- Council Member Rohrich stated she would like the City to work with property owners to lessen the assessment burden to the extent it can be done.

2. John Graupman with Bolton and Menk: Water Treatment Study Presentation

- Mr. Graupman presented the findings of the water treatment study for information purposes.
- Supply: Currently the city has two primary wells with firm well capacity of 400 gallons per minute or 58,000 gallons per day. The typical life cycle of a well is 40-60 years with well number two being 47 years old and well number three is 13 years old. Well number one is an emergency back up well and is seven years old. All are in the Prairie du Chien aquifer.
- Storage: The existing water tower storage is 300,000 gallons. The goal is to have the capacity of one day water storage which the city has above that capacity. The typical life of a tower is 65-75 life with the existing tower at 27 years.
- Treatment facilities: The City has a chemical treatment facility located near wells two and three.
- Water Quality: The primary concerns are iron and manganese. Iron turns water orange and manganese creates black or dark staining. The water system supports nuisance bacteria, but none are health issues.
- There are a lot of similarities of complaints relating to water odor, primarily in the older parts of town and where there is older water. Water complaints received consisted of mostly discolored water north of the railroad tracks and mostly odor complaints south of the railroad tracks and only light discoloration. In the south east corner of town, the majority of houses had odor complaints which is from water sitting longer.
- Looking forward: Eagle Lake is growing steadily which is expected to continue and estimated to reach a population of 5,000 in next 20 years which would exceed current well capacity and the city could look at drilling a replacement well for well number 2 within 10-15 years if growth continues.
- Water treatment alternatives:
 - Option 1: Regionalization from Mankato Water Treatment System. Administrator Bromeland has reached out to the City of Mankato but has not heard back from them yet. They do have capacity for Eagle Lake. The City would need to construct a water main into Mankato. Eagle Lake's water tower is lower than Mankato's so corrections to Eagle Lake's tower would be needed. Mankato's water will be older but is lime treated water with less risk of water odor. It was recommended council and staff tour Mankato's water treatment facility. An agreement with the City of Mankato would be needed. Eagle Lake would benefit by working out details and lead this discussion, if interested in pursuing this option. Grants would most like not be available due to no public health risks in current water supply. If the current wells are be used for emergency standby purposes, no new well would need to be drilled. The cost for this option is approximately \$2 million without any cost share from Mankato. This would provide softened water to residents. There could be a delay in implementation and the city would lose sole control.
 - Option 2: Construct a new water treatment facility with concrete gravity filters. This is a typical system in Minnesota and would be designed for a population of 5,000. Water quality would be better but would not be softened water. With this option a new well would be needed in about 10 years. The City would need to locate a parcel of land to build this facility and it was recommended to look west of town. The cost of the plant would \$8.5 million. Would need a licensed operator.
 - Option 3: Construct a new water treatment facility with steel gravity filters which would be constructed in two phases. Property would be needed to construct the facility but could be sized smaller than option 2. About every 20-25 years the steel would need to be painted. The cost of a well would be approximately \$250,000. Total project cost \$5.3 million and a licensed operator would be required.
 - Option 4: Do nothing. Find property for a future well.
- Estimated User Rates:
 - Current average water rate is \$24 a month; Option 1 would increase to \$31 plus Mankato's fees for water, Option 2 would increase to \$77 and Option 3 would increase to \$61.

3. Jesse Samuelson with LJP Waste Solutions: Garbage and Recycling Contract

- Jesse Samuelson stated the current contract expires at the end of February and based on the terms of the contract has automatically renewed for another year. Mr. Samuelson asked the City Council to consider extending the contract for five (5) years, to February 28, 2026. If extended, the collection fee increase for 2021 would be waived.
- Council discussion included issues with clean up days in 2020 due to the COVID-19 pandemic. LJP will provide some kind of curb side pick in 2021.

- Administrator Bromeland stated there have not been many complaints and that LJP is responsive when there are issues and asked if there could be an agreement to spring cleanup charges.
 - Council Member Terrell moved, seconded by Council Member Rohrich. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
4. Scott McConkey with Office of Traffic Safety Southern MN Lay Enforcement Liaison: Speed and Aggressive Driving Grant
- Mr. McConkey spoke about the Towards Zero Death (TZD) program which brings together enforcement, engineering, education, and emergency medical and trauma services to respond to traffic safety in a coordinated effort. Eagle Lake is a part of this initiative.
 - In the past year the miles driven went down drastically but fatalities increased. Peak speeds are a serious component in this issue. There is an emphasis on speed from now until the fall season so that awareness can be increased and education can be provided. A coalition of Mankato, Blue Earth County and Eagle Lake has been formed to have impact in this region/area. Extra funds will be available to focus time on speed issues.
 - This program is geared for speed and aggressive driving and Deputy Wellner will be submitting paperwork for the grant. If approved, it will be brought back to the City Council for approval. There is a 20% match requested of the city and cities who are willing to match more than 20% will be given priority in the application process.
 - Chief Kopp stated the goal is to fill the shifts for this program.
 - Discussion the City would need to approve a resolution to enter into this agreement. Officers will be able to focus both on the highway and roadways within the city limits. This is not a highway program; it is a program for all roadways.
 - A Resolution authorizing the execution of the agreement will need to be approved and submitted.
 - Council Member White moved, seconded by Council Member Rohrich, to approve a resolution authorizing the execution of the agreement. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

OLD BUSINESS

- None

NEW BUSINESS

1. Resolution Ordering Improvement
 - Handled under number one in Presentations.
2. Review CSAH 27 (Agency Street) Project Schedule
 - Presented in the Public Hearing
3. Pricing for New Police Squad Car
 - Administrator Bromeland stated that Chief Kopp has obtained pricing from Mankato Ford for a new squad car to replace the 2017 squad car. Squad cars are typically replaced every four years. The first quote is for a 2021 Ford Police Interceptor Utility EcoBoost in the amount of \$38,058 and the second quote is for a 2021 Ford Police Interceptor Utility Hybrid in the amount of \$37,353. Chief Kopp recommends the quote for the 2021 Ford Police Interceptor EcoBoost in the amount of \$38,058. Included in the 2021 budget was \$40,000 set aside specifically for police capital outlay. The current balance in the capital outlay for police is \$129,654.73.
 - Chief Kopp presented the pros and cons for each of the quoted vehicles. It would take approximately three months to build the vehicle and another couple of weeks to have equipment installed. Existing equipment will be reused where possible.
 - Council Member Terrell moved, seconded by Council Member Steinberg, to approve the purchase of the 2021 Ford Police Interceptor Utility EcoBoost in the amount of \$38,058. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
4. Pricing for New Police Radios
 - Chief Kopp explained the current radios are 10-12 years old and that residents are able to listen to the scanner. He requested to move to radios with encrypted channels which provides for officer safety. Blue Earth County will be changing their radios as well. Currently five of the city's portable radios are not repairable if they have issues. The new radios will be able to communicate with the current style radios used by other agencies.
 - Alpha Wireless's bid for squad and portable radios is \$31,137.15 which is equivalent to the state bid price.

- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the purchase of squad and portable radios.
 - Discussion included the desire to verify the state bid prices.
 - Council Member Rohrich amended the original motion to approve the purchase of the radios upon confirmation that Alpha Wireless's bid is equivalent to the state bid price. Council Member Steinberg seconded the amended motion. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
5. Pricing for LED Lights at Ice Rink
- Per City Council's direction pricing was obtained for replacing the lights at the ice rink with LED lights and to add one to two lights to the existing streetlight near the sledding hill. Two proposals for the lights at the rink were obtained with BLK's in the amount of \$5,000 and Ploog Electric's in the amount of \$5,400. Both electrical contractors indicated they could install the lights within 2-3 weeks of their proposal being accepted.
 - Xcel Energy was contacted to add 1-2 fixtures to the street light pole at the sledding hill. There is currently a 400-watt light at this location. According to Xcel, there are 3 different wattages for LED, ranging from 30W to 75W, each costing the same amount at \$8 per month. The lights would be on year-round from dusk to dawn. The recurring monthly cost would be paid for out of the electric utilities line item of the Park and Recreation budget.
 - Since replacing the lights was not previously discussed or planned for until the special meeting in January, the purchase of the lights is not an expenditure that was accounted for in the 2021 budget. Staff recommends that the City Council authorize transferring funds from General Government capital outlay (101-41000-550) to line item 101-42500-550 for this purpose and to make that capital outlay line whole.
 - Director Goettl stated the price difference on the lights is Ploog's Electric is 4,000 lumina more than the bid from BLK Electric. The new lights for the ice rink are similar in wattage as the current lights and will shine down more than the current lights.
 - Council Member White moved, seconded by Council Member Rohrich, to accept the bid from BLK for LED lights at the ice rink in the amount of \$5,000. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
 - Currently there is a 400-watt light now and Xcel is recommending going with 30-75-watt range LED lights. Council discussion included wanting to install two additional lights.
 - Council Member White moved, seconded by Council Member Steinberg, to authorize Xcel Energy to install two LED lights on the existing pole. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, authorizing the transfer of funds from General Government capital outlay to line item 101-42500-550 to cover the cost of adding LED list at the ice rink. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
6. Utility Disconnection Follow-Up
- Administrator Bromeland stated that the League of MN Cities (LMC) advises against cities disconnecting utilities due to the current executive orders prohibiting most evictions. The Minnesota attorney general has said that shutting off residential water service could be considered a "constructive eviction" because homes are not considered habitable if there is not running water. Instead, cities are encouraged to approach collection of past-due accounts with voluntary payment plan arrangements or transmittal to the county for collection of unpaid balances through property tax collection.
 - City staff will continue to place a hold on any utility disconnections during the peacetime emergency and work with utility customers to make payment plan arrangements or if necessary, certify unpaid amounts next November for collection with property taxes.
7. Sale of City Council Issued iPad to Former Elected Official
- Former elected official John Ries has offered to purchase the 5th generation iPad for \$100 that he was assigned to use from 2017-2020. It is not uncommon for cities to have a policy allowing outgoing elected officials the opportunity to buy their assigned devices at fair market value. City staff has researched the fair market value which ranges between \$77 - \$124. If the City were to trade directly with Apple for a newer device, the trade in value would be higher than selling direct to a buyer, however in 2020 the City purchases new notebooks for City Council's use.
 - Council Member Terrell moved, seconded by Council Member White, authorizing the sale of the used 5th generation iPad for \$100 to John Ries. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

OTHER

1. Email of Commendation Received for Chief of Police John Kopp
 - Administrator Bromeland stated she received an email of commendation for Chief Kopp in his assistance to the Mankato Department of Public Safety in which Chief Kopp responded quickly and effectively to their call for assistance with an Eagle Lake resident that has a good rapport with Chief Kopp.
2. Upcoming February 6th Park and Recreation Event at Lake Eagle Park
 - Due to the bitter cold forecast for the February 6th Winter Park Event organizers are considering rescheduling the event. An announcement will be made on February 2nd as to when this event will be rescheduled to.
3. Follow-Up to Whistle Free Zone Inquiry from Resident
 - Administrator Bromeland reported at the January 4th meeting that a resident recently contacted the City asking if Eagle Lake will be working towards a Whistle Free Zone at railroad crossings. The inquiry was prompted by a newspaper article about the City of Mankato undertaking a railroad quiet zone study. City staff was directed at the January 4th meeting to report back findings of the process involved, etc. Administrator Bromeland stated that included with the packet is a link to the City of Mankato's website with more information about achieving a railroad quiet zone: <https://www.mplshdrshared.com/mankatoquietzone/>. She encouraged council members to visit the City of Mankato's website which has a lot of great information on this subject and to be able to gauge timeframe involved, cost, and the need for a consultant.

CITY ADMINISTRATOR REPORT

1. Update on Prospect of Refinancing of Bonds
 - Administrator Bromeland reported that discussion took place recently about the possibility of refinancing bonds. The City's bond consultant indicated that it may be possible to achieve interest savings on the 2013A Bonds through refinance. It is recommended that this be evaluated at the same time as financing is put in place for the Agency Street Project to reduce issuance costs through a lower credit rating fee.
2. Upcoming Mosquito Control Treatment Presentation
 - A resident reached out recently with concerns about the effectiveness of mosquito control treatments. An invitation was extended to Rob Olson with Clarke to attend the March 1st meeting to discuss the mosquito control treatments used in Eagle Lake and answer any questions that you might have about effectiveness.

COUNCIL MEMBER'S REPORT

1. CER Advisory Council Report (Rohrich)
 - Nothing to report currently.
2. City Council Meetings
 - Mayor Auringer asked residents to contact City Hall if they would like to attend the March 1st City Council meeting in person and stated he wants to make sure residents know that the City is now live streaming City Council meetings. Resident feedback on the livestreaming would be appreciated.

ADJOURNMENT

- Council Member Terrell moved, seconded by Council Member Rohrich, to adjourn the meeting at 9:31 p.m.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

medical needs. Roger Bechel is checking into the possible need and cost of residing elsewhere during project construction.

2. Brian Sarff with Bolton and Menk: CSAH 27 (Agency Street) Project

- Mr. Sarff provided an update stating project plans have been completed, reviewed by the County and submitted to the state for review. Once the state signs off, the project will go out for bid. Once final approval is received, the 429-process requires a three-week time frame for notice. If final approval is delayed past this week, a special meeting may be needed to make the timelines work. The resolution in front of Council tonight states March 31st, this is at the mercy of the state's review.
- Council discussion included that there will be many components of sidewalks listed in the bid. Mayor Auringer stated that whenever a street reconstruction project is bid out, sidewalks are included.
- Additional lighting is not included due to the city's request early in the project. Current light levels would need to be reviewed and an analysis done to evaluate lighting levels. Safe Routes to School funding for sidewalks has been rejected in the past and requires prevailing wages be paid which would increase costs. Doing sidewalks as a separate project would lose the economies of scale and increase costs. Blue Earth County will be paying for 50 percent of the sidewalk costs, if sidewalks are done as a separate city project, the city will be responsible for 100 percent of the cost. Mr. Bechel's property on South Agency has been included in the bid documents for the special need relating to parking and access. Once a contractor's bid is accepted and a contract is entered into, preconstruction meetings will begin, and more information will be available. The exact project phasing is not called out in the project, however there are items that control things like the amount of roadway which can be torn up at a given time.
- Bidding documents ask that sidewalks be left in place as long as possible during the construction phase.
- Sanitary and sewer lines will be constructed with PVC pipe and the storm sewer will be reinforced concrete pipe with life cycle of approximately 100 years.
- Robert Winker, 313 S. Agency Street, stated Agency is not a typical city street and that he has concerns for bike and pedestrian safety with the street being narrowed by four feet. The 40-foot roadway is the county's standard. Assessments will be determined once bids are received. The city has a policy on how assessments are handled, but the application of this policy has been varied in the past. Mr. Winkler stated he feels this project will not improve his property value. A water filtration facility is not part of this project. The city is following the Chapter 429-assessment process for notice requirements.
- Administrator Bromeland stated the special benefits analysis will help determine the assessment amounts for each property and that a property cannot be assessed an amount greater than the value the project adds to the property. Public Works Director, Brian Goettl, stated the city has not flushed the water line along Agency Street this past year due to concerns that doing so would cause additional breaks in the water line.
- A public hearing will be held for special assessment amounts to properties once input of from the third-party is received and bids are opened and accepted.
- Administrator Bromeland read emails from five residents in support of the sidewalk portion of this project.
- Tonight's resolution is to approve the plans and specification and authorizing the project be sent out for bid.
- Council Member Terrell moved, seconded by Council Member Rohrich, to approve the adoption of Resolution 2021-10. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

3. Rob Olson with Clarke Mosquito Control Company: Review of Eagle Lake Mosquito Control Plan

- Mr. Olson with Clarke Mosquito Control Company presented an overview stating they are a global company with their own products which have been approved by the EPA and Pollution Control.
- Their mission is to make communities livable, safe and comfortable.
- They integrate GPS, flow and dosage rate technology and have real time tracking to monitor where the drivers are and how fast they drive and how much chemicals have been applied. All vehicles are equipped with variable flow to control the amount of chemical applied. Their drivers drive a speed range of 2 – 22 miles per hour while applying spray. All drivers are licensed with the state of Minnesota. GPS technology allows them to apply more effectively with more accurate treatments.
- The city has access to a portal which shows the detail of each treatment.
- The product used is Biomist 4+4 which is applied at a rate of 1.5 ounces per acre and is EPA approved. Treatments are safe for humans and pets. Residents are offered the ability to be given advance notice of sprayings through an automated service and will be contacted the day before an application if they choose to participate. It is safe to eat produce after a spray and residents should treat their garden produce the same as produce purchased from a grocery store, which should be rinsed. Impacts to caterpillars, butterflies and lightening bugs is minimized due to the fact that the spray is very specific to mosquitos, to the time that the

spray is applied and the fact that the chemical loses potency quickly once it reaches the ground. It will not harm the bee population. Mosquitos are most active right before and after a rain so if it rains after an application the application is still effective.

- Mosquitos are targeted when they are most active and in the air, which is between dusk until dawn. They spray between 10:00 pm to 2:00 a.m. and the spray reaches 300 feet. The park area is sprayed as well.
- Administrator Bromeland read a letter from Nicole Davros, 101 Valley Lane, and her questions were addressed. Responses included quality control analysis which controls the amount and velocity of droplets as she does the calibration of equipment. There is no hazard to residents/pets exposed to the Biomist 4+4 when applied correctly. Technicians are trained to turn off equipment when they see people outside. Pyrethroid, while toxic to aquatic life, is sprayed in very low dosages which is safe, and is not spray directly into the water. There is not many non-targeted insects affected by this spray, which has been tested extensively.
- The EPA has determined Biomist 4+4 does not have a cumulative effect on animals.
- When in the park they spray along the paths, to spray by the playground equipment the city would need to request this.

4. Julie Blackburn with ISG: MS4 Permit and Professional Services for Program Development

- Ms. Blackburn presented an overview of the MS4 program and stated the MS4 permit authorizes the City to discharge stormwater to public water. Program management includes administration, public education, regulatory requirements and mapping and inventory.
- Fees for ISG's work for the re-permitting, program management and annual administration total \$22,500.
- The permit application needs to be submitted by April 15, 2021, the 2020 annual report by June 30, 2021 and the 2021 annual report must be submitted by June 30, 2022.
- Ms. Blackburn has experience with algae management and is excited about the opportunity to provide educational information for residents.
- Council Member White moved, seconded by Council Member Rohrich, to approve ISG's proposal for the three phases of the MS4 program. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

5. Cullen Kobayashi with US Solar Corporation: Proposed Solar Garden and Possible Annexation of Parcel in Mankato Township

- Mr. Cullen Kobayashi, Project Manager with US Solar Corporation, discussed a proposed 10-acre 1 megawatt solar garden to be constructed on parcel R.43.09.13.100.012 in Mankato Township. He has contacted Mankato planning and zoning staff who provide planning and zoning services for Mankato Township. They referred him to the City of Eagle Lake to determine if the city has interest in annexing this parcel into city limits. No city services would be sought for the development of the site as a proposed solar garden. Community gardens are typically a conditional use in agricultural zone land.
- The City's Land Use Plan has this parcel listed as an intended light industrial location. There is the potential that single-family homes could be developed east of this parcel sometime in the future. The parcel is approximately 20 acres and would cover about 8 acres. The project has a 25-year life span. After 25 years the panels are expected to produce 80% of day one's production. After 25 years, U.S. Solar will need to reapply with Xcel Energy to continue the project. If the project is abandoned U.S. Solar will be responsible for cleaning up the project site. Many townships include a requirement in the agreement that funds will be set aside for cleanup purposes.
- If the city would like to proceed with annexing this property an orderly annexation agreement with Mankato Township would be needed. There is no orderly annexation agreement recorded with the state. The Planning Commission has reviewed this and it was their thought to look at annexation.
- Council discussion included that future plans include to annex this parcel into city limits, but at this time there is no need to do so.
- Council Member White moved, seconded by Mayor Auringer, to provide U.S. Solar with formal written confirmation allowing them to submit a conditional use permit application to Mankato Township. The motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

6. Forrest Hasty, Project Manager with MnDOT: Overview of MnDOT Projects Near Eagle Lake

- Mr. Hasty stated for 2021 there will be a Highway 60 Lake Connection project which will be north of the Highway 14/Highway 60 intersection of Eagle Lake to just west of the Highway 13/Highway 60 intersection near Waterville. This will include a full reconstruction through Madison Lake including utilities, curb and gutter, added lighting, and pedestrian upgrade. Traffic will be detoured in phases during the construction which will begin in April.

- In 2023 MnDOT is planning a Highway 169/Highway 22/ Highway 99 St. Peter Project. A dual left turn lane at the intersection of Highway 169/Highway 22 will be constructed as will a restricted crossing U-Turn (J-turn) at the intersection of Highway 169/Highway 99.
 - In 2024 there are plans for a roundabout to be installed at the intersection of Highway 22 and Augusta Drive in Mankato. There are also plans to improve Highway 22 from Mankato to St. Peter to reduce crashes. This will become a three-lane segment road with added passing lanes as well as turn lanes at major access point. Modifications will be made at every intersection along Highway 22.
7. John Jensen with MetroNet Inc.: Letter Agreement for Fiber to Premises Network for Voice, Video, and Internet Services
- Mr. Jensen stated he has spoken with Administrator Bromeland about their services. They are a 100% fiberoptic internet and phone company with the same upload and download speeds for each of their services. Fiberoptic is future proof with virtually unlimited capacity. MetroNet does not ask for any contracts. They will clean up their construction messes and restore right of ways. Construction communications would be provided to residents and their website will have construction information as well as via phone. They would hold weekly meetings with city staff during construction. It is anticipated the build out will take 6-8 weeks with a goal of completing Eagle Lake construction in 2021.
 - Council Member Terrell moved, seconded by Council Member Rohrich, to authorize MetroNet to deliver services to Eagle Lake. Motion carried with Council Members Terrell, Steinberg, Rohrich, and Mayor Auringer voting in favor.
8. Jeremy Horkey: T-Ball
- Mr. Horkey stated he is interested in organizing the T-ball teams this year with COVID-19 guidelines and is looking for Council approval.
 - Council Member Rohrich moved, seconded by Council Member Terrell, to approve the organizing of Eagle Lake T-ball. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

OLD BUSINESS

- None

NEW BUSINESS

1. Proposal for MS4 General Permit Park II Application for Reauthorization and Professional Services for Program Development and Implementation of the 2020 MS4 General Permit
- Handled under Presentations.
2. Resolution No. 2021-10: Resolution Approving Plans and Specs and Ordering Advertisement for Bids
- Handled under Presentations.
3. Pricing for New Regency Flow Meter (Public Works)
- Public Works Director Goettl stated the city has a flow meter for the wastewater at the mobile home park which the city maintains and calibrates. The flow meter failed and is obsolete. Quotes from Tech Sales in the amount of \$5,821.35 and First Systems in the amount of \$6,150.00 have been received. Pricing from Tech Sales includes installation.
 - Council Member Terrell explained the purpose of this meter is due to the inflow and infiltration issues at the mobile home park.
 - Council Member Terrell moved, seconded by Council Member Steinberg, to authorize the purchase of the Tech Sales meter. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
 - Council asked that staff check into speeding up installation and to keep them updated on progress.
4. Sale of Old Plow Truck (Public Works)
- Public Works Director Goettl asked Council for authorization to sell the 1985 Ford L-800 plow truck with plow, wing, and sander. The truck has 39,000 miles and is in very good shape. This vehicle has not been used since the purchase of International plow.
 - Council authorized the sale of the 1985 Ford L-800 plow truck, plow, wing and sander.
5. Equipment and Installation for New Police Squad (Police)
- Police Chief Kopp presented pricing from Emergency Automotive Technologies, Inc. for equipment and installation needed for the new squad car, in the amount of \$12,861.23.
 - Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the purchase of equipment from Emergency Automotive Technologies in the amount of \$12,861.23. Motion carried with Council Members Terrell, Steinberg, Rohrich, and Mayor Auringer voting in favor.

6. COVID-19 and Liquor License Fees

- Administrator Bromeland stated that staff contacted area cities to learn how they handled liquor license fees for bars due to COVID-19 mandated closures.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to reimburse the Eagle's Nest and American Legion 50% of their on-sale liquor license fees, excluding the off-sales license fee. Motion carried with Council Members Terrell, Steinberg, Rohrich, and Mayor Auringer voting in favor.

7. High School Internship Opportunity to Assist with Operation of Live Streaming City Council Meetings

- Administrator Bromeland explained that with the purchase of new audio and video equipment to live stream City Council meetings, we need someone to operate the equipment. City staff recently inquired with Mankato Area Public Schools (MAPS) about the possibility of hiring a student intern to operate the new audio and video equipment. Per a conversation with MAPS teacher, Mary Berg, there is a student that is interested in this opportunity who is currently interning with Bethany Lutheran College in video production. An interview will be held later this week.
- City staff propose that a student intern with MAPS be hired and paid a per meeting stipend of \$40. The cost to hire a student intern would be paid for using miscellaneous funds set aside for unforeseen expenditures such as this with a dedicated line item being established for this purpose in the 2022 budget. It is hoped that the City can establish a long-term partnership with MAPS and utilize a student intern to operate this equipment.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to authorize staff to work with MAPS to hire an intern to work with video production. Motion carried with Council Members Terrell, Steinberg, Rohrich, and Mayor Auringer voting in favor.

OTHER

1. Buckthorn Removal Plans for Park (Public Works)

- Public Works Director Goettl explained that with the Eagle Scout project buckthorn, which is an invasive species, was identified in the park. While this is an invasive species, there are no laws requiring its removal. Vien Nguyen, with AmeriCorps, is a Community Forestry person working with the City. She has taken on the buckthorn issue which is a very large project. Public Works Supervisor Andrew Hartman has contacted Eric Olson, with the Blue Earth County's Sentenced to Serve Program. They have worked with other communities on buckthorn in their parks. Staff have also been in contact with the City of Mankato to learn how they handle buckthorn. The sentence to serve program would work on one area at a time if they are available.
- Sentence to Serve would start working on this in the spring when the land dries.
- Administrator Bromeland asked that Vien Nguyen be utilized in the meantime to get started on this and that she is a good resource.

2. Communication from Region Nine Development Commission

- Region Nine Development Commission is looking to fill a vacancy on their governing body. Mayor Auringer has expressed interest in this position. If any other Council Members are interested they should contact Region Nine.

3. Water Study Update from Consultant

- More information will be provided when received.

CITY ADMINISTRATOR REPORT

1. Open Book Meeting Notice

- The open book meeting for the City of Eagle Lake will meet at Blue Earth County Property and Environmental Resources office at 9:00 a.m. Monday through Friday the 12th – 16th of April 2021.

COUNCIL MEMBER'S REPORT

1. Council Member Terrell stated that sometime in April, he would like to see the track get approved first, he will be resigning due to moving to the farm. Discussion included that since Mr. Terrell has served more than half of his term the Mayor is able to appoint a person to fill the vacancy. Information will be released to the public after the April City Council meeting.

ADJOURNMENT

- Council Member Steinberg moved, seconded by Council Member Rohrich, to adjourn the meeting at 9:41 p.m.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
APRIL 5, 2021**

CALL TO ORDER

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

ROLL CALL

- Council Members present: Dennis Terrell, Garrett Steinberg, Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Brian Goettl, Police Chief John Kopp, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

APPROVAL OF THE AGENDA

- Administrator Bromeland asked to add an application for liquor license from Casey’s General Store to New Business.
- Council Member White moved, seconded by Council Member Rohrich, to approve the agenda as amended. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Steinberg moved, seconded by Council Member Terrell, to approve the March 1, 2021 City Council meeting minutes. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member White moved, seconded by Council Member Rohrich, to approve the consent agenda.

Monthly Bills	Treasurer’s Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Resolution 2021-11 Tarkey Resignation from Fire Dept	
- Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

PUBLIC HEARING

- None

PRESENTATIONS

1. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Bid Recommendation and Other Project Updates
 - Mr. Sarff reported that three bids were received and all were below the engineering estimate. The lowest bid was submitted by Dirt Merchants in the amount of \$2.4 million of which the city would be responsible for \$1.4 million. The city needs to accept this bid on the city’s behalf and Blue Earth County will be the agency to award the bid at their April 13, 2021 meeting.
 - The special benefit analysis is expected to be completed for the May city council meeting which will result in the special assessment hearing being delayed by one month. City Council may need to hold a work session to determine assessment amounts. The special assessment hearing will most likely be held in June.
 - Center Point Energy, as a private utility, is looking to begin utility relocations in the next couple of weeks.
 - Xcel Energy has been contacted and additional lights can be installed on poles at a cost of \$10 per month. An additional pole may be added for lighting. Council requested that current foot candle levels be calculated along with the foot candle levels with the proposed lighting changes.

- Timing of construction will be determined after the bid is awarded and a pre-construction meeting is scheduled.
2. Shannon Sweeney with David Drown Associates, Inc (Public Finance Advisors)
 - Mr. Sweeney explained the total amount to be financed is \$1.896 million, which includes financing costs. It was recommended that the city pay \$600,000 cash from the sanitary sewer fund. This would result in a \$1.295 million general obligation bond with annual payments of \$100,000 for fifteen (15) years. Annual payments from the water fund in the amount of \$40,000 and an additional \$10,000 from sanitary sewer fund will be needed.
 - It is anticipated that the special assessments will be certified in the fall of 2021 for first collection in 2022.
 - Mr. Sweeney made the following recommendations: 15-year term on project financing consistent with the term on special assessments, bonds callable any time after February 1, 2028, sale of bonds utilizing a competitive sales process, purchasing a Standard & Poors rating, and the use of \$600,000 of cash to reduce borrowing for the project.
 - Administrator Bromeland explained that it is unknown at this time how America Rescue Funds monies will be able to be used.

OLD BUSINESS

- None

NEW BUSINESS

1. Resolution Accepting Bids and Awarding Contract for CSAH 27 Project
 - By approving this resolution, it will be the city's support to go to Blue Earth County.
 - Council Member Terrell moved, seconded by Council Member Rohrich, to approve Resolution 2012-12 Resolution Approving Bid. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
2. CSAH 27 (Agency Street) Cooperative Construction Agreement
 - The proposed agreement was prepared by Blue Earth County and Eagle Lake's attorney reviewed document and suggested change was made.
 - Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the cooperative construction agreement. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
3. Resolution Providing for the Competitive Negotiated Sale of \$1,295,000 General Obligation Improvement Bonds, Series 2021A
 - If approved, the city's first payment will be due February 1, 2023 and will be assessed to properties in 2021 to be collected in 2022. Assessments must be finalized this fall. Bonds will be callable in 2028.
 - Council Member Terrell moved to approve Resolution 2021-13 Providing for the Competitive Negotiated Sale of \$1,295,000 General Obligation Improvement Bonds, Series 2021A. Council Member Steinberg seconded the motion. The motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
 - Mr. Sarff stated that notices of the assessment hearing will be sent to residents prior to the assessment hearing.
 - Administrator Bromeland received communication from the special benefit consultant and stated a special city council meeting will be needed the week of April 26, 2021.
4. Resolution Accepting Resignation of Council Member Terrell and Declaring a Vacancy
 - Council Member Terrell has submitted his resignation. Mr. Terrell has served on City Council for a total of 19 years and is resigning due to moving out of Eagle Lake.
 - Council Member White moved, seconded by Council Member Rohrich, to accept Resolution 2021-14 Accepting Resignation and Declaring a Vacancy. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.
5. Brindlee Mountain Fire Apparatus Listing and Marketing Commission Agreement
 - In August of 2020 the Fire Department retired the 1995 Spartan Fire Truck and was directed to advertise the sale of the truck. The truck has been listed with Brindlee Mountain. A motion is needed to retroactively approve authorizing the City of Eagle Lake to enter into a listing and marketing commission agreement with Brindlee Mountain for the sale of the 1985 Spartan Fire Truck.
 - Council Member Steinberg moved, seconded by Council Member White, authorizing the City to enter into a listing and marketing commission agreement with Brindlee Mountain for the sale of the 1995 Spartan Fire

Truck. Motion carried with Council Members Terrell, Steinberg, Rohrich, White and Mayor Auringer voting in favor.

6. Planning Commission Recommendation for Conditional Use Permit

- Administrator Bromeland explained that a Conditional Use Permit (CUP) application was received for R12.09.12.476.005 (107 598th Avenue) for the purpose of constructing a facility to offer designer doodles, puppy training classes, grooming services, doggie daycare with boarding facilities, show room filled with dog products, and an on-staff vet or vet technician.
- The parcel is currently zoned B-1 Community Business District. Since the proposed use is not specifically classified and permitted for a B-1 district, the CUP is being sought due to the proposed use being of the same general character as permitted and conditional uses and not detrimental to existing uses and to the general public, health, safety, and welfare.
- Notices were mailed to all properties within 350 feet of this parcel. Two property owners participated in the public hearing. One property owner asked about whether there should be a fence on the proposed location, if there would be turf and proposed drainage plans. Another property owner expressed concern with ag land being adjacent to the facility and concern for the dogs when spraying occurs and at harvest time with dust. It was discussed with the parcel owner that the parties would be in contact when spraying is scheduled to occur and at harvest time.
- Following the public hearing the Planning Commission made a recommendation to allow the CUP with the following provisions: sound proofing of walls, weekly pickup of fecal waste from site, odor proof containers for fecal waste storage, ongoing fence repair and maintenance, rodent proof food containers, ventilation system installed, surprise inspections, the sleeping quarter are not allowed to be used as a residence or for a period of time in excess of seven (7) consecutive days, and that the entire business must be enclosed with the exception of limited use to walk or train the dogs in an outdoor fenced in area.
- Council Terrell moved, seconded by Council Member Steinberg, to allow a Conditional Use Permit with the conditions listed above. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

7. Rental License Agreement with Property Owner at 404 S. Agency Street

- The City received a complaint regarding the exterior condition of 404 S. Agency Street, which is a licensed rental property. An inspection was completed by the City's building inspector, Dan Murphy, and a list of items were noted as needing corrective action. The property owner was issued a letter stating that the items needed to be corrected by June 13, 2021 or the rental license would be revoked. The property owner contacted City staff and explained that he has given his tenants notice that they must be out of the property by December 1, 2021 as he intends to demolish the structure and eventually replace it with new, single family housing. The owner has provided the City a copy of an agreement between himself and Bruender Construction to demonstrate the intent to demolish the building in December.
- According to an inspection report completed by the building inspector, the home appears safe to occupy. The outside conditions appear to be cosmetic and have impacts on the long-term stability of the structure if not addressed in a timely fashion.
- Legal Counsel advises that the property owner (1) agree to an inspection of the interior of the home if deemed appropriate; (2) agree that any repairs that are necessary to protect the health and safety of tenants be made immediately; (3) agree that the property either needs to be brought up to code or demolished by March 1, 2022; (4) agree that if the property is not brought up to code that the tenants shall be required to exit the property at the end of their lease, and under no circumstances no later than December 31, 2021; and (5) agree that if the property is not brought up to code or demolished by March 1, 2022, that the property owner consents to the City making the repairs or having the repairs made to the property with the property owner being billed for the cost of the repairs.
- Council Member Rohrich moved, seconded by Council Member White, to authorize entering into an agreement with the property owner of 404 S. Agency Street requiring the above listed conditions. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer Voting in favor.

8. Pricing for Playground Base Materials and Installation

- Administrator Bromeland stated that Council Member and Park Board Member Beth Rohrich has spearheaded this project and has obtained pricing for equipment, base material and grading work. The League of MN Cities has stated that pea rock is a non-compliant base material, and it needs to be replaced. The remaining costs of \$72,000 will be paid for by the park's capital outlay funds.
- Council Member Rohrich explained that the equipment was ordered and received last fall. There will be four new pieces installed in Lake Eagle Park. The installer cannot put compliant equipment in non-compliant base material. To remove the pea rock from Lake Eagle Park, the park will need to be closed for

7-10 days. At that time engineered wood fibers will be installed. Council Member Rohrich recommended that the City has the installer lay the base material.

- Public Works Director, Brian Goettl, stated the public works department can remove the existing pea rock and will utilize a sentence to serve crew to assist with this project either the week of April 26th or May 3rd. Pea rock will be taken to Bruender Construction. Grading work for Eagle Heights Park will be done once road restrictions are lifted.
- Council Member Terrell moved, seconded by Council Member White, authorizing the purchase and installation of engineered wood fibers for the base material at Lake Eagle and Eagle Heights Parks. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

9. Pricing for Street Sweeping

- Public Works Director Goettl stated he has received a bid from Loken's for street sweeping services at a cost of \$95 per hour with an estimated total of \$3,705. Mr. Goettl recommended the bid be approved and staff be authorized to schedule street sweeping services.
- Council Member White moved, seconded by Council Member Terrell, to accept the street sweeping bid from Loken's and authorize staff to schedule street sweeping services. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

10. Proposal for Environmental Mosquito Management (EMM) Program

- Administrator Bromeland stated that in the past the city has sprayed for mosquitos biweekly. Options for 2021 include nine (9) biweekly treatments at a cost of \$648.90 per treatment or 15 weekly treatments at a cost of \$590 per treatment. This service would be paid out of park's professional service.
- Council discussion included if the city would like to continue mosquito spraying services and if not, would residents use chemicals that are harmful. Council Member Rohrich stated she has spoken with approximately 35 residents and 21 stated they would like the city to continue with mosquito spraying treatments.
- Council Member Terrell moved, seconded by Council Member Rohrich, to contract with EMM for biweekly mosquito spraying services and to ask them to spray along park trails and other trails. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

11. Southern Minnesota Initiative Foundation (SMIF) Grant Commitment

- Administrator Bromeland stated that SMIF has granted the city an additional \$5,000 for the Music on Parkway project, bringing the total grant amount to \$10,000. The city must contribute \$5,000. Events are being planned for May, June, July, and August and will be held between the Eagle Lake American Legion and the Eagle's Nest on North Third Street.
- Council Member Rohrich moved, seconded by Council Member White, to accept the additional funding through a SMIF grant. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer.

12. Renting Out Council Chambers

- Administrator Bromeland explained that due to COVID-19 renting of the Council Chambers was suspended. The front office has received inquiries from residents asking if the space is available for rent. If Council wishes to resume renting of this space, staff recommend adding an attachment to the rental agreement stating something to the effect that due to COVID-19, the party that is renting the space is responsible for ensuring compliance with recommended safety measures and social distancing as recommended by the MN Department of Health (MDH) or Centers for Disease Control (CDC). Additionally, the party renting the room would be responsible for ensuring that his/her guests comply with the Governor's Executive Order as it relates to face coverings while indoors at a public space. Staff have contacted three nearby communities that are similar in size to find out if they are renting community spaces to the public. All communities reported that they are renting community spaces to the public but that they have capacity limitations due to COVID-19.
- Council discussion included the need to make sure video streaming equipment is safely stored when space is being rented.
- Council Member Steinberg moved, seconded by Council Member White, to resume renting of the Council Chambers to the public. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

13. Community Forestry Member Request for 2021-2022

- If the City wishes to have another community forestry member for the 2021-2022 service year, a request must be submitted by April 16, 2021. It is uncertain if Vien Nguyen will continue.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to apply for a part-time community forestry member for 2021-2022 service year.

14. Liquor License-Casey's General Store

- Administrator Bromeland explained that Casey's General Store discontinued their liquor license a couple of years ago and is now requesting a 3:2 liquor license. An application and fees have been received and a background check is in process. Staff is asking for approval, contingent on the results of the background check.
- Council Member Terrell moved, seconded by Council Member White, approving the 3:2 liquor license for Casey's General Store contingent upon positive background check. Motion carried with Council Members Terrell, Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

OTHER

1. Notice of Pay Equity Compliance

- The City has been found in compliance with pay equity requirements for gender-based disparities. This reporting is required every three years.

2. Council Member Terrell Presentation

- Council Member Dennis Terrell was thanked and presented with a plaque in recognition of 19 years of service on the City Council.

3. Upcoming Special City Council Work Session

- A special City Council work session will be scheduled the week of April 26, 2021.

CITY ADMINISTRATOR REPORT

1. Private utility work along Agency Street will be taking place.

COUNCIL MEMBER'S REPORT

1. Council Vacancy

- The vacancy on the City Council can be filled by mayoral appointment. Residents will be notified of the vacancy and how to apply if interested. Applications can be reviewed at the special City Council meeting at the end of April and the appointment being made at the May 3, 2021 City Council meeting.

2. Community Education and Recreation

- Council Member Rohrich reported that she attended the March Community Education meeting and that the Spirit of Youth Award will be presented at their May banquet.

3. Fire Hall

- Council Member White reported that at the March EDA meeting there was discussion of fire hall location needs.

4. MAPO Meeting

- Mayor Auringer reported that the Mankato Area Planning Organization (MAPO) deals with regional transportation and that they are compiling future projects which can include bike trails. Mayor Auringer sees Eagle Lake project needs such as 211th Street, sidewalk connection to Casey's and a connection to the Sakatah Trail. Council Members were asked to share any ideas they may have.

Staff Update

- Public Works Director, Brian Goettl, stated the new meter for Regency's waste water has arrived and that the representative will program and calibrate it on Friday.

ADJOURNMENT

- Council Member Terrell moved, seconded by Council Member White, to adjourn the meeting at 7:52 p.m.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL SPECIAL MEETING
APRIL 26, 2021**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

- The Pledge was said.

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland and Deputy Clerk Kerry Rausch.

AGENDA

1. Review of Special Benefit Analysis Report for CSAH 27 (Agency Street) Reconstruction Project
 - Administrator Bromeland stated the report was received today and that it will be available for public inspection after the meeting and if Council wishes, it can be posted online at well.
 - Brian Sarff, with Bolton and Menk, explained that the consultant looked at several types of properties: single family residential, multi-family units, non-residential/commercial, agricultural, and miscellaneous.
 - Through a detailed analysis of residential properties, it has been determined that a benefit gain of \$7,500-\$8,000 would be received from the project. Multi-family units were calculated on a per unit basis, with a decreased rate for parcels with more units. Non-residential properties were looked at on an individual basis. Agricultural parcels were evaluated with development potential being taken into consideration. Miscellaneous parcels include vacant parcels and city owned parcels.
 - Parcels with common ownership which function as single parcels would receive one assessment. Parcels with common ownership that function as separate parcels would receive two assessments.
 - Council will need to determine how to assess corner lots, lots with multiple fronts, and undevelopable lots.
 - The approximate amount of assessments calculated in this report are between \$617,000 - \$665,000, which is between 21%-23% of total project cost, including Blue Earth County's portions. Agricultural and commercial parcels are driving up this percentage.
 - Mr. Sarff stated he believes this report was well done.
 - Council discussion included the desire to verify with the consultant how the Hansen property's agricultural land was handled.
 - Bob Winkler, resident on Agency Street, stated he does not feel this project adds any value to the parcels he owns and feels the city needs to construct a water filtration plant to address discolored water. He also stated he has a parcel which he feels is unbuildable.
 - Administrator Bromeland explained that the next steps include a May 3rd City Council meeting in which a public hearing will be called and scheduled. June 7th's City Council meeting will include the public hearing. Notices will be mailed to property owners two weeks in advance of the public hearing. The Special Benefit Analysis report will become a final report when the City indicates to the consultant that no changes are needed. Legal counsel has indicated putting the draft report on the city's website is acceptable upon Council's approval.
 - Council directed staff to place the report on the City's website and to make residents aware of this and to allow them time to review and bring comments to the city.
 - Mayor Auringer stated this may be an appropriate time for Council to review the city's assessment policy.
2. Street Lighting Study
 - Brian Sarff, Bolton and Menk, presented finding from a street lighting study along Agency Street. The benchmark used for lighting levels is from MNDot which recommends sidewalks at 0.3 footcandles and 0.6 for street footcandles. The current lighting level for the sidewalk is 0.2 footcandles with lighting on approximately every third pole. If lights were added to every pole plus adding two additional poles between Maywood and LeSueur the footcandles would be increased to 0.6. This study does not take into consideration light and dark locations.

- Council discussion included the current darkness of Agency Street and the desire to illuminate intersections for pedestrian crossing safety. It was mentioned that North Agency Street does not really have ample lighting and that there are lights on every pole in that area currently.
 - The cost for this additional lighting will be \$10 per month for each additional light added.
 - Council directed Brian Sarff and Administrator Bromeland to schedule a meeting with Xcel regarding scheduling this work.
3. Review Applications Received for Vacant City Council Seat and Discuss Next Steps to Fill Vacancy
- Administrator Bromeland explained that eight applications have been received. There is no prescribed method for filling the vacancy other than the vacancy can be filled by appointment.
 - Council discussion included the desire to appoint an individual who has experience on city boards or commissions or who regularly attends City Council meetings.
 - Council decided to interview the top three applicants and that each Council member will individually score all applicants and submit their top three choices to Administrator Bromeland who will compile the final list of applicants to be interviewed from each Council Member's recommendations.
 - Applicants will be interviewed Monday, May 3, 2021 in a work session prior to the City Council meeting.

ADJOURNMENT

- Council Member White moved, seconded by Council Member Rohrich, to adjourn the meeting at 6:59 p.m.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING SPECIAL MEETING
MAY 3, 2021**

CALL TO ORDER

- Mayor Auringer called the meeting to order at 5:00 p.m.

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland and Deputy Clerk Kerry Rausch.

AGENDA

1. Interviews for City Council Vacancy

- The City Council interviewed Michael McCarty, Joel Radel, and John Whittington to fill the vacancy on the City Council.

ADJOURNMENT

- Council Member White moved, seconded by Council Member Rohrich, to adjourn the meeting at 5:36 p.m.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
APRIL 5, 2021**

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

PUBLIC COMMENTS

- Mike Guentzel, 60374 224th Lane, Madison Lake, stated he feels they won the appeal in that the EAW was not sufficient in the area of wildlife and global warming. He is hoping for more open mindedness from the Council and that an EIS would be more thorough, and that the City should rely on specialists in this area. He also stated the EIS would require a final design for the motorsports project and would look at traffic and artifacts. He also stated that the project scope has changed and not all items were included in the EAW. Mr. Guentzel also mentioned changes to the proposed events and hours for the motorsports park. Blue Earth County Road 27 is being redone and this was not taken into consideration in the EAW. He also stated that he believes the location for the proposed motorsports park is not good due to prevailing winds and noise. He stated the developers are talking about winter events and with no grass and tree foliage, noise will carry further. He also stated he believes Eagle Lake has construction hours and asked that the City hold the developer to these hours. He stated they are not done fighting and will pursue all options.
- Darrell Guentzel, 22083 604th Ave, Eagle Lake, stated the proposed location was not the developer's prime site and that Lime Township rejected this project due to noise. He also stated former Eagle Lake Council Member Terrell stated the cars at the Brainerd International Raceway made a "woosh" noise and Mr. Guentzel stated that 110 decibels are not a "woosh" and will be annoying. He stated he knows this location will eventually be developed and that a housing project would be less obtrusive. He stated he is not in favor of giving up peace and tranquility for a wealthy man's playground.

APPROVAL OF THE AGENDA

- Administrator Bromeland stated Council may want to pull the two resolutions in the consent agenda regarding fire department staffing for discussion.
- Council Member Rohrich moved, seconded by Council Member White, to approve the agenda. Motion carried with Council Members Steinberg, Rohrich, White and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member White moved, seconded by Council Member Rohrich, to approve the April 5 and 26, 2021 City Council meeting minutes. Motion carried with Council Members Steinberg, Rohrich, White and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member White moved, seconded by Council Member Rohrich, to approve the consent agenda.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Resolution 2021-16 Britton to Day Time Rescue	
Resolution 2021-17 Trainor to Day Time Rescue		
- Chief Ruschmeyer explained that Chelsea Britton is currently on the reserve roster for the fire department and will not be eligible for the pension until all fire fighter training is complete. Adding her to the Day Time Rescue until said training is complete would be an added benefit to the community. Mr. Trainor will be a valuable asset to the Day Time Rescue with his training and experience. Currently there are six Day Time Rescue persons with one expected to leave soon.

- Motion carried with Council Members Steinberg, Rohrich, White and Mayor Auringer voting in favor.

PRESENTATIONS

1. Shannon Sweeney with David Drown Associates, Inc (Public Finance Advisors): General Obligation Improvement Bonds – Series 2021A
 - Mr. Sweeney explained that the city’s bond rating came in at AA- which is very good for a city the size of Eagle Lake. Three bids were received with the lowest from Northland Securities. Interest rates came in lower than anticipated at 1.4406% net interest rate for a 15-year term, which will result in approximately a \$33,000 savings.
2. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Reconstruction Project
 - Mr. Sarff stated that before Council are two resolutions regarding the 429-process relating to the CSAH 27 reconstruction project. In the council packet is information showing the initial assessment roll which will be sent to property owners; however, some parcels are still open ended.
 - Mr. Bob Winkler, 313 S. Agency St, stated that he spoke with the individual who conducted the special benefit analysis who explained that it is the city’s decision if they will combine parcels into one residential unit if a parcel is deemed unbuildable. This item has not been finalized and is not reflected in the assessment roll.
3. Roger Bechel, 312 S Agency Street: Concerns about Existing Sidewalk
 - Mr. Bechel stated that when the current sidewalks were installed the right of way was less that it is now. He also stated that other property owners thought the right of way was 33 feet and not the current 40 feet from the center line.
 - Mr. Sarff clarified that the right of way is different on east side of the road and that the right of way line is very definite on the west line of the plat. With this project the right of ways will be recorded. The new sidewalk will be moved closer to the road than the existing sidewalk. Mr. Sarff stated all issues have been resolved.
 - Bob Winkler stated there are three different setbacks along South Agency.
 - There will be a neighborhood meeting for this project at the City’s Public Works building on Thursday, May 6 at 6:30 p.m.
4. Dan Ruschmeyer, Eagle Lake Fire Chief, Review of Fire Department Roster
 - This was discussed under the Consent Agenda.

NEW BUSINESS

1. Resolution Providing for the Issuance and Awarding the Sale of \$1,295,000 General Obligation Improvement Bonds, Series 2021A, Pledging for the Security Thereof Special Assessments and Levying for a Tax for the payment Thereof
 - Council Member Steinberg moved, seconded by Council Member White, to approve the resolution authorizing the issuance and awarding the sale of \$1,295,000 General Obligation Bonds, Series 2021A. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
2. Resolution Providing for the Issuance and Sale of \$1,398,000 General Obligation Refunding Bond, Series 2021 B and Levying a Tax for Payment Thereof
 - Mr. Sweeney recommended the City Council consider refinancing the 2013A General Obligation Bond. The current rate is 2.25 percent and Cornerstone State Bank is offering bonds at 1.1 percent which will result in a savings of \$36,719 over the life of the bond. This would result in annual payments being reduced by approximately \$4,800. There are nine years left on the current bond and it is recommended that if refinanced that the nine-year bond life remain.
 - Council Member White moved, seconded by Council Member Rohrich, to approve the resolution authorizing the issuance and sale of \$1,398,000 General Obligation Refunding Bond. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
 - It was noted that the closing for both bonds will be on June 1, 2021.
3. Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment
 - The preliminary assessment roll can be found in the council packet and is proposing a 4 percent interest rate. It was stated that a 3-4 percent interest rate will cover costs and that a 3 percent rate would be reasonable.
 - Council Member Steinberg moved, seconded by Council Member White, to approve Resolution 2021-20 with amending the interest rate to 3 percent. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

4. Resolution for Hearing on Proposed Assessment

- Bolton and Menk will prepare the assessment roll which will be provided to property owners. The public hearing will be held on June 7, 2021 in which residents will see the final assessment amounts proposed.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve Resolution 2021-21 a Resolution for Hearing on Proposed Assessment. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

5. Appointment to Fill City Council Vacancy

- Council Member Rohrich moved, seconded by Mayor Auringer, to appoint John Whittington to the City Council to fill vacancy. A roll call vote was taken with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.
- Mr. Whittington will be sworn into office at the June 7, 2021 City Council meeting.

6. Relief Association Pension Valuation

- Administrator Bromeland explained that according to the City's auditing firm Eide Bailly, a valuation report is needed this year to ensure compliance with GASB 84. 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 an actuarial valuation must be done so that the auditors can use that report to complete the audit and financial reporting for year ending 2020.
- Three actuarial service proposals were received with the lowest from VanIwaarden in the amount of \$2,200 for year ending 2020 GASB 67/68 actuarial report and \$900 for year ending 2021 for GASB 67/68.
- Since the need for the report was not known until recently, it was not budgeted. It was proposed that this be paid for by the fire relief association although it will likely be reallocated into the City's annual pension fund contribution.
- Mayor Auringer moved, seconded by Council Member Steinberg, to accept the proposal from VanIwaarden for actuarial services. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

7. Capital Outlay

- City staff requested that an assigned fund balance be included on the balance sheet for the annual audit ensuring capital outlay funds that have been set aside for capital outlay expenditures. Currently, capital outlay funds are reflected in the unassigned fund balance.
- The proposed amount for assigned funds is \$1,414,442.93, which is a pre-audit adjustment amount.
- Administrator Bromeland explained that City Council has the authority to determine how to spend these funds.
- Council Member White moved, seconded by Council Member Rohrich, to authorize the assigned fund balance on the balance sheet in the amount of \$1,414,422.93 and allowing for changes from audit adjustments. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

8. Park Board Recommendation to Review Parking Along Thomas Drive by Ballfield Area

- Administrator Bromeland explained that the Park Board discussed the traffic congestion on Thomas Drive and safety for pedestrians in this area and is asking City Council to consider making this section of Thomas Drive a no parking area. Administrator Bromeland spoke with Al Keifer of MAYBA who voiced concerns with eliminating 15-20 parking spaces.
- Council Member Rohrich stated with Agency Street being closed for road construction there is concern with the amount of traffic which will be routed onto Thomas Drive and that the additional traffic will increase pedestrian safety concerns.
- Council discussion included the concern that eliminating parking along Thomas will cause more congestion on other roads and the desire to find alternatives to slow traffic, including signage, in the area of Lake Eagle Park. It was suggested that Council Members watch the traffic in this area in the evenings around 5:30-6:00 p.m.
- Mayor Auringer asked that this issue be addressed at the June City Council meeting.

9. Court Data Service Subscriber Amendment to CJDN Subscriber Agreement

- Chief Kopp explained the department uses this system to gain access to the BCA to run driver's license reports and gain other BCA information. He also stated that he does not believe there is a fee for this access.
- Council Member Rohrich moved, seconded by Council Member White, to approve Resolution 2021-21. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

10. Commence Hiring Process for Additional Part-Time Police Officer

- Chief Kopp explained the department currently has two part-time officers, one of whom most likely will be offered a full-time position with another department but would like to stay part-time with Eagle Lake. The other officer has another two other jobs. The hiring of an additional part-time officer will help alleviate overtime.
- Council discussion included the consistent turnover in part-time officers and that the starting wage for a part-time officer is low.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to authorize the hiring of a part-time police officer. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

11. Music on Parkway

- The first music event will be May 20, 2021 and will be held the third Thursday each month through August. North Third Street between the Legion and the Eagle's Nest will be blocked off. Council was asked to consider waiving the peddler's license fee for these events. Police will have extra coverage during these events.
- Council Member White moved, seconded by Council Member Rohrich, to waive peddler's license fees for vendors participating in the Music on Parkway events. Motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

CITY ADMINISTRATOR REPORT

1. CSAH 27 (Agency St) Project Newsletter #2 – Neighborhood Meeting

- Residents have received information.

2. Upcoming Mosquito Treatment Dates

- Weather permitting treatment dates are scheduled for May 24, June 7, 14, and 21, July 6, 12, and 19, and August 2 and 16th.

3. Upcoming Spring Curbside Cleanup

- Spring Clean up will be held Saturday, May 15, 2021. Appliances put curbside will need a sticker which can be purchased at city hall.

4. Review Status of Settlement Agreement with property Owner for Damage at Lake Eagle Park

- Discussion took place at the December 7, 2020 City Council meeting about entering into a settlement agreement with a resident that allowed a guest of his to ride and AVT on City park property. At the time, it was thought that the ATV damaged park property. The City Council approved entering into an agreement with the resident that required the resident to pay \$500 in damages within three months of signing the agreement. To date, no payment has been received from the resident. City staff inspected the park land and found no permanent damage.
- Council Member Rohrich moved, seconded by Council Member White, to waive and the void the agreement and waive the fee with property owner. Motion carried with Council Members Steinberg, Rohrich, White and Mayor Auringer voting in favor.

5. Recap of Meeting with Blue Earth County Wetland Officials

- Administrator Bromeland met with Blue Earth County Wetland Officials Dane Lynch and Tim Grant to review several wetland parcels in Eagle Lake and to keep an eye on as development occurs. One of the parcels identified is located near the area that the public works department is stockpiling leaves. City staff was informed that this practice must be discontinued at this location because of its proximity to a wetland. A work session may be indicated to discuss the leaf collection process and potential alternate locations, if any, to stockpile leaves and to review equipment needs.

6. 2021-2022 Forestry Corps Site Award

- Eagle Lake will share a full-time forestry corps member with Lake Crystal.

COUNCIL MEMBER'S REPORT

- None

CLOSED SESSION

1. Recess Regular Meeting and Adjourn into Closed Session as Permitted by MN Statutes

- a. The meeting will be closed as permitted by the attorney-client privilege (section 13D.05, subdivision 3(b)) to discuss pending litigation involving Citizens Against Motorsports Park, et al. vs. City of Eagle Lake.

- b. The meeting will be closed as permitted by section 13D.05, subdivision 3(c), to consider offers relating to the sale of 301 and 305 Parkway Avenue.
2. Resume Regular Meeting

ADJOURNMENT

- Council Member Steinberg moved, seconded by Council Member Rohrich, to adjourn the meeting at 8:55 p.m.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING SPECIAL MEETING
JUNE 1, 2021**

CALL TO ORDER

- Mayor Auringer called the meeting to order at 12:00 p.m.

ROLL CALL

- Council Members present: Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, Public Works Director Brian Goettl, and Deputy Clerk Kerry Rausch.

AGENDA

- Council Member Rohrich moved, seconded by Council Member White to approve the agenda. Motion carried with Council Members Rohrich, White and Mayor Auringer voting in favor.

BUSINESS

1. Accept Notice of Resignation from Full-Time Police Officer Logan Peterka
 - Council Member White moved, seconded by Council Member Rohrich, to approve Resolution 2021-23 A Resolution Accepting the Resignation of Logan Peterka. Motion carried with Council Members Rohrich, White, and Mayor Auringer voting in favor.
 - Mayor Auringer stated Officer Peterka will be missed and that he wishes him well.
2. Authorize Commencement of Hiring Process for Full-Time Police Officer
 - Administrator Bromeland explained that authorization is being sought to post the vacancy for the full-time police officer position internally. The city typically posts for openings but in this situation, there appears to be strong qualified candidates within the organization that may wish to apply for the vacancy. The purpose of posting internally allows for the opportunity to promote a great employee from within the organization. If approved, it is anticipated that interviews will be held this week with a recommendation being brought to the June 7, 2021 City Council meeting.
 - Interviews for the part-time police officer position will be held later this week.
 - Council Member Rohrich moved, seconded by Council Member White, to authorize the commencement of hiring process for a full-time police officer. Motion carried with Council Members Rohrich, White, and Mayor Auringer voting in favor.
3. Recommendation to Hire Luke Longoria as a Seasonal Public Works Worker
 - Administrator Bromeland stated that Mr. Longoria has been interviewed and will be a good fit for the city. The position will entail mowing and weed trimming. Staff is looking for authorization to hire Mr. Longoria at Grade 2, Step 1.
 - Council discussion included that the wage seems low.
 - Council Member Rohrich moved, seconded by Council Member White to hire Luke Longoria as a Seasonal Public Works Worker.
 - Administrator Bromeland stated a wage analysis is being conducted and discussion can be included in the 2022 budget workshop.

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member White, to adjourn the meeting at 12:20 p.m. Motion carried with Council Members Rohrich, White, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
JUNE 7, 2021**

CALL TO ORDER

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

OATH OF OFFICE

- John Whittington was sworn in as a council member.

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Chief John Kopp, Public Works Director Brian Goettl, Fire Chief Dan Ruschmeyer, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None.

APPROVAL OF THE AGENDA

- Administrator Bromeland asked to add Tator Days Community Festival request to New Business.
- Council Member Rohrich moved, seconded by Council Member White, to approve the agenda. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the May 3, 2021 and June 1, 2021 City Council meeting minutes. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

CONSENT AGENDA

- Mayor Auringer pointed out two resolutions, one a resignation of Ryan Wersal from the Park Board and the other appointing Jacob Fangmann to the fire department reserves.
- Council Member White moved, seconded by Council Member Rohrich, to approve the consent agenda.
 - Monthly Bills
 - Treasurer's Report
 - Police Report
 - Fire Report
 - Public Works Report
 - Building & Zoning Permits
 - Gambling Report
 - Contiguous Area Permit-American Legion
 - Resolution 2021-26 Appointing Jacob Fangmann to Fire Department Reserves
 - Resolution 2021-24 Resignation of Ryan Wersal from Park Board.
- Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

PUBLIC HEARING

1. Special Assessment Hearing for CSAH 27 (Agency Street) Project

- Administrator Bromeland explained that the City Council needs to consider whether to adopt the proposed special assessment roll as included in the council packet. Three property owners contacted the City with concerns about their proposed special assessment. The parcels in question include R12.10.257.002, R12.10.18.130.001, R12.10.18.181.007, R12.10.18.181.009 and R12.10.18.181.008. Council needs to hear all objections and can make amendments to the assessment roll. Once adopted liens will be placed against the properties. The proposed interest rate is 3 percent and a 15-year term. If a resident plans to file an appeal, they must raise an objection prior to Council adopting the assessment roll. Residents will have 30 days to pay their assessment in full, to the City. After the 30 days, the assessments will be filed with Blue Earth County. Once the assessments are filed with Blue Earth County residents can pay off their assessment without penalty if they so choose. After November 15, 2021 interest through the 15 year term will be accrued. Assessment payments for these 15 years will be equal amounts. Staff will mail final assessment notices to residents. Residents have 30 days to file a request for deferral with the City.
- Brian Sarff, with Bolton and Menk, stated the public hearing is not geared towards construction issues. He explained the project is limited to Agency Street from Thomas Drive to LeRay Avenue. It was initiated due to watermain breaks and then sanitary sewer deficiencies. An improvement hearing has been held. The current 8-inch sanitary sewer line is in poor condition as is the 4-8 inch watermain. The storm water line is

8-24 inches which lies on top of the sanitary sewer line. The street is currently 44 feet wide with curb and gutter. Some areas along the project have 4-foot-wide sidewalks.

- The proposed project includes 8-10 inch PVC water and sewer lines and the replacing of manholes and hydrants. Private services up to the property line will be installed. A 40-foot road will be constructed with curb and gutter along with an 8-foot shoulder for parking. A 6-foot sidewalk will be installed on the south side and a 5 foot sidewalk on the north side.
- Council discussion included if residents would be able to add to their assessment amount if they would like to run a new line from the property line to the house. This is typically not done due to trying to coordinate with the contractors.
- Bids were received and opened on March 31, 2021 with a total project cost of \$3.2 million. The City is partnering with Blue Earth County and the City's portion of project costs are \$1.8 million.
- The city's current assessment policy is not being followed for this project, instead a special benefit analysis was conducted by an third party which resulted in a much lower assessment amounts. In this analysis properties were identified as residential, commercial, non-residential, and agricultural. A written appeal must be submitted tonight to allow a resident to file a court appeal.
- Council discussion included asking if the various parcels with prior questions have been worked through, which they have.
- Remaining questions include the Hansen parcels R12.10.18.251.002 and R12.10.18.181.007 which function as one residential unit. The east portion of the parcel is agricultural and is ready for development. In a meeting with the property owners, it was discussed that the parcel does not front Agency Street and that the property owners have no intention of selling or dividing the parcel into a residential subdivision. The revised proposed assessment roll shows an assessment equal to a residential parcel.
- Winkler parcels R12.10.18.181.009 and R12.10.18.181.008 have been reviewed by the Dan Murphy, the City's building official, who provided documentation stating the north parcel is not buildable. It is recommended that Council consider combining these parcels for special assessment purposes.
- The Fromm parcel R12.10.18.130.001 has been analyzed and determined to be a common ownership in the initial report. It has since been determined it should not be lumped together with the other parcel due to pending sale. This change would result in a reduction of the special assessment from \$9625 down to \$4250.
- An email from Kathy Foley, dated June 7, 2021, who is viewing the meeting remotely, was read. The email pertains to the Donald P. Foley acreage and states the proposed assessment is based on the premise that this is residential land or at least prime development land. The land has been prime for development for over 25 years, however they have continued to use it as agricultural land. They have rented to the same farm family over that time. They derive no benefit from the improvements on the road. They do not have homes to use the system and to be assessed. She stated she believes they are being over assessed for their property and contests the amount and is asking for consideration.
- Council discussion included that Mr. Foley has mentioned that people are interested in this land and what would happen if this land were developed. Once the assessments are adopted, they cannot be changed.
- Council discussion included asking if the 1983 deferred assessment is still deferred or if it has been paid. Administrator Bromeland indicated she contacted Blue Earth County and they have no record of the previously deferred assessment. It was also stated that a deferment will not eliminate an assessment.
- The public hearing was opened with the following comments hearing heard.
- Bob Winkler, 313 S Agency Street, asked why the special assessment interest rate is at 3 percent when the bond interest rate is at 1.8%. Administrator Bromeland stated that the City's financial advisor recommended the 3% rate to manage prepayments which are likely to occur and to cover the City's costs.
- Kevin Rykhus, 524 S. Agency Street, stated his property was classified as a miscellaneous property in the special benefit analysis, but in reality, is a residential property and asked why the special assessment is so high. The analysis identified this parcel as being large enough to split into two lots. The assessment amount has been discounted down from \$16,000 to \$12,000.
- Council discussion included the house is located in the middle of the property and would be difficult to split. There is currently a sanitary sewer stub from Connie Lane to this parcel which is not being used at this time. The distance of this line is to far to make it feasible to connect, and would council consider extending this line.
- The public hearing was closed at 7:52 p.m. with no more comments being offered.
- Brian Sarff explained that the property located at 404 Linda Drive, R12.10.18.180.017 is an odd shaped parcel which received special consideration and this parcel would not receive a second assessment if there is a Linda Drive project.

- Brian Sarff explained that Kevin Rykhus’s property, 524 S. Agency Street, has a sanitary sewer stub onto the parcel and that it is on a septic system. He asked if Council would consider extending the sewer line to this property. The potential assessment modification would range from \$8,000 to \$12,000.
- Council Member Steinberg moved, seconded by Council Member White to assess the Rykhus property as a single family parcel.
- The current proposed assessment for the Foley property is \$97,000.
- Council Member White stated he is in favor of the Foley email and stated there is some value to this parcel. There may be two access points for this parcel. The Foleys have requested that water and sewer be stubbed in for the properties. Mayor Auringer stated that by requesting the stub-ins with full size utilities, this shows the possibility of development. The cost of the stub-ins is not included in the proposed assessment amount and would need to be calculated. Council Member Rohrich stated she believes the \$97,000 assessment is too high and that the Foley’s have expressed an interest to sell several times. She also stated that she does not want to see the Foley’s receive a better deal than other residents. Mr. Whittington asked for other construction costs relating to this parcel. Mayor Auringer stated with the request for utilities to be stubbed in, it seems to indicate development is coming.
- Council asked Mr. Sarff to calculate the cost of water and sewer stubs to the Foley property.
- Mr. Sarff calculated the cost of water and sewer stub ins to range between \$6,200 to \$6,800. This would include the larger pipe extensions with curb cut access costing another \$1,000.
- Council discussion included how the lost assessments will be covered, these dollars will be absorbed by the city. Council consensus was to assess the Foley property \$8,000.
- If a property owner chooses to defer the assessment, the deferred amount must be paid within 30 years or to the life of assessment for an undeveloped property. The landowner would need to request a deferment. Age based deferments are also available to property owners and must be requested within 30 days.

PRESENTATIONS

1. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Reconstruction Project
 - This presentation was handled during the Public Hearing.
2. John Graupman, Engineer with Bolton and Menk: Water Treatment Improvements Project
 - Mr. Graupman stated the request to the MN Department of Health has been submitted for their project priority list, this is where they rank their water improvement projects. An application has been submitted to MN PFA which is the financing agency. City staff has contacted the City of Mankato to discuss the regionalization process with a written request for a response. A face-to-face meeting will take place in July or early August. Full Council consideration can be expected later this year. State lists their funded projects in September which will give the city more information as to funding and if funded whether it will be a grant or a loan.
 - Mayor Auringer updated new council members on this project explaining that the City is looking into options which include a full water treatment plant or regionalization with Mankato who has a water filtration system.
3. Julie Blackburn, Engineer with ISG: (1) Annual MS4 Presentation; and (2) Overview of Stormwater Ponds and Maintenance
 - Ms. Blackburn explained that the Municipal Separate Storm Sewer System (MS4) requires an annual meeting. The programs concern is water runoff, water that is not absorbed into the land. The program looks at six control measures which include: public participation, public involvement, illicit discharge detection and elimination, construction site stormwater runoff control on parcels greater than one acre, post construction storm water management, and pollution preventions and good housekeeping. A new requirement in public involvement includes picking up litter and use of rain gardens. Illicit discharge inspections are also a new requirement. New ordinances and internal check lists will be drafted. Ponds inlet and outlets need to be inspected every five years.
 - The annual report has been submitted, the MPCA will review permit request.
 - Complaints have been received about pond odor on Owl Lane. These ponds are designed to be retainers of pollution. Ms. Blackburn presented a proposal which would include a topographic survey, sediment, inlets and outlets, a volume analysis, stormwater pond inspections and recommendations. The cost of the proposal is \$4,500. Optional tasks include water quality sampling and continuous water level data logger. This work is expected to take 4-6 weeks, if approved. Monitoring events over the course of an entire season is ideal, with a timeframe of April through the end of summer.
 - Council discussion included how to avoid issues with other ponds. The best approach is to educate resident to the fact that these are working ponds and are a part of the city’s infrastructure.

- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the professional services proposal from ISG for assessment of Owl Lane ponds. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
4. Jayne Overstreet, Community Philanthropy Consultant with Southern MN Initiative Foundation: Annual Presentation
 - Ms. Overstreet explained that SMIF serves a 20-county region in south central and southeast Minnesota. Their organization focuses on three areas: economic development, early childhood development, and community vitality. The EDA portion has start up grants and bridge loans available. Early Childhood Development has included grants, bridge lending and start up grants. Community Vitality has included funding for events such as Eagle Lake’s Music on Parkway.
 5. Dan Ruschmeyer, Fire Chief: Fire Department
 - Chief Ruschmeyer explained the fire truck for sale is listed at \$50,000 and asked Council for permission to lower the asking price and to list it on the state bid site.
 - Council consensus was to set a minimum sale price of \$40,000.

NEW BUSINESS

1. Adoption of Special Assessment Roll for CSAH 27 (Agency Street) reconstruction Project
 - Council Member White moved, seconded by Council Member Steinberg, to adopt Resolution 2021-29: A Resolution Adopting Assessments as amended. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
2. Planning Commission Recommendation for Variance at 112 Parkway Avenue (former Uncle Albert’s Café)
 - Administrator Bromeland explained that a public hearing was held on May 17, 2021 at the Planning Commission meeting to consider a variance application from Mark and Rolene Fromm, owners of the property located at 112 Parkway Avenue in the Eagle Lake “Parkway Avenue Business District, from 598th Avenue to Agency Street. The owners are seeking a variance to convert an existing commercial building into multi-family apartments.
 - The Parkway Avenue District will accommodate residential uses when located above or behind commercial development. The proposed use does not include a commercial use for the property. The owners are seeking a variance for a property use that otherwise is not allowed in a B-1 Community Business District. In order to grant a variance a property owner must demonstrate a practical difficulty. A variance will be tied to the property, not the property owner. City code detailing practical difficulty was reviewed which included that a practical difficulty must relate to a physical situation and cannot be an economic situation.
 - Notices have been mailed and no opposition was received. The Planning Commission, in a not unanimous vote, has recommended approval of the variance request.
 - Mayor Auringer voiced concern that he does not see a practical hardship and that the Planning Commission looked at the setback requirements and that is not the issue. He stated that Parkway Avenue is specifically designated as a business district and asked if there is any ability to create a business on the front side.
 - Mr. Fromm stated that the property used to be located on Center Street and that frontage was lost when Parkway Avenue was redevelopments. The hardship is finding a tenant.
 - Mr. Fromm’s realtor stated that many people have looked at the building and that the economy is not good to operate a restaurant and that there is not enough income to support a small business.
 - Mayor Auringer stated his concern is that City Code states that the Parkway Avenue District is specifically for businesses and asked if there is anyway that a business could be created on the front side of the property.
 - Council discussion included that the Parkway Avenue District waives parking requirements for businesses, that residential properties along this corridor is a lost opportunity for future businesses and the potential for future variance requests.
 - Council Member Rohrich moved, seconded by Council Member Steinberg to approve the variance request for 112 Parkway Avenue. Motion carried with Council Members Steinberg, Rohrich, and White voting in favor. The motion was opposed by Council Member Whittington and Mayor Auringer.
3. Promotion of Part-Time Officer to Full-Time Officer
 - With the resignation of a full-time officer, an internal announcement was posted advertising the full-time officer opening. Police Chief Kopp and Administrator Bromeland interviewed one internal candidate for the position. The committee recommends that Ben Romig be promoted from a part-time police officer to a full-time officer.
 - A conditional offer of employment was made to Officer Romig to start at Step 1 on the wage scale for a full-time police officer. Officer Romig will have a performance evaluation following the completion of 6 months and 12 months, with a pay increases upon satisfactory evaluations.

- Council Member Rohrich moved, seconded by Council Member Steinberg, moved to approve Resolution 2021-25 to promote Ben Romig to a full-time police officer. Motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Auringer voting in favor.
4. Hiring of Part-Time Police Officer
- Five applications were received for the position of part-time police officer. The hiring committee, consisting of Chief Kopp, Administrator Bromeland, and the program director with MN Valley Council of Governments interviewed all five candidates. The hiring committee recommends that Evan Chirpich be hired as a part-time officer at Step 1. Mr. Chirpich recently received his Bachelor of Science degree in Law Enforcement.
 - Council Member White moved, seconded by Council Member Rohrich, to approve Resolution 2021-27 authorizing the hiring of Evan Chirpich. Motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Auringer voting in favor.
 - Council requested that new hires be asked to attend the Council meetings to be introduced.
5. Review Bids Received Street Repairs
- There was \$115,000 budgeted in 2021 for street repairs with an available balance of \$112,600 remaining. The unused street repair funds from 2020 were carried over to capital outlay for this purpose.
 - Three bid requests were requested with WW Blacktopping submitting the only bid in the amount of \$87,831.55 plus additional cost for unknown manhole adjustment rings and water valve irons that may be needed. The approximate cost for these items is \$3,500.
 - Public Works Director Brian Goettl stated work would be coordinated with traffic patterns relating to the Agency Street project and that crack sealing and gravel work are also being considered for 2021.
 - Council Member Steinberg moved, seconded by Council Member White, to approve WW Blacktopping's bid in the amount of \$87,831.55. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
6. Park Land Access Request from 1001 Timberidge Trail
- A request has been received from Pan and Dave Serdar, owners of 1001 Timberidge Trail, to access the rear of their property on limited occasions using City park land.
 - The Serdar's written request stated they would like to continue the access previous owners have occasionally used through their back gate in May and September to move their camper, occasionally for tree trimming access, and to dispose of leaves. They would ensure that they utilize their property through this access point when it is dry so as not to cause any damage to park land.
 - Discussion included the request that the Serdar's contact City staff prior to accessing the property and that the Serdars' are aware that the City may withdraw access approval in the future if the park expands.
7. Sewer Connection Variance Request from 804 Parkway Avenue
- Administrator Bromeland explained that Chad Ragan, owner of 804 Parkway Avenue, was notified some time ago by Blue Earth County of a septic system upgrade required for the property. Since that time, Mr. Ragan has been in contact with City staff to discuss connecting to City sewer. Recently, Mr. Ragan advised City staff that he is unable to obtain an easement from the owner of 800 Parkway Avenue for this purpose. After consulting with the City's engineer with Bolton and Menk, Brian Sarff, and the City's Public Works Director, Brian Goettl, it was suggested that perhaps Mr. Ragan be allowed to replace his septic system and granted a variance from connecting to City sewer until sewer is made available in front of his property along Parkway Avenue in the future.
 - If the City is agreeable to allowing Mr. Ragan to replace his septic system, the City will need to send a letter to MPCA informing them of an exception being granted for 804 Parkway Avenue. City staff has confirmed with Jesse Anderson with Blue Earth County that the county will be the entity performing the inspection and issuance of a permit for the septic system.
 - Mr. Chad Ragan explained he has 90 days to fix the issue. The existing line is approximately 500 feet from his property and he would need a grinder pump. The family is not interested in granting an easement due to potential future hardship of selling the commercial property.
 - Administrator Bromeland stated that the City has the ability to authorize the septic system and also require the property owner to connect to future city services once the new septic system reaches the end of its useful life.
 - Council Member White moved, seconded by Council Member Rohrich, to approve the variance request allowing a new septic system for 804 Parkway Avenue. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
 - Brian Sarff with Bolton and Menk stated that Mr. Rykhus, 524 Agency Street, has a similar situation and that Mr. Sarff will bring connection information to the Council at the July meeting.

8. Lease for Land to Stockpile Leaves Collected During Fall Pickup

- City staff have been notified by Blue Earth County wetland officials that the City is no longer allowed to stockpile leaves collected during the fall leaf pickup near the Public Works Building due to its proximity to a wetland. At the present time, there is no other City owned land available to stockpile leaves.
- City staff contacted Gary Hiniker about the possibility of leasing an acre of his land on parcel R43.09.24.200.003 to stockpile leaves year-round. Upon Council approval, staff will work with legal counsel to establish terms. The Public Works staff requests the ability to haul in gravel for the access to the site and to install a chain link fence perimeter. It was suggested that the annual lease amount be established at \$250.
- Council Member Rohrich moved, seconded by Council Member White, to authorize City staff to work with legal counsel to draft a lease with Gary Hiniker for 1 acre on parcel R43.09.24.200.003 for the purpose of stock piling leaves. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

9. Tator Days Request

- Administrator Bromeland explained that a request came in today asking that Tator Days be classified as a community festival and to waive the fees for liquor establishments' contiguous area permits. Administrator Bromeland stated she would like to research further the need to deem a community festival for liquor licensing purposes or whether the City could just waive the fees as requested.
- Council Member Rohrich moved, seconded by Council Member White, to waive the 2021 contiguous area permit fees associated with Tator Days 2021. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Auringer voting in favor.

CITY ADMINISTRATOR REPORT

1. Update on UWP Application Submitted for Pedestrian Connectivity Study along CSAH 27 from Thomas Drive to 211th Street
 - City Administrator Bromeland updated the City Council that she is working with MAPO to obtain funding for a pedestrian connectivity study for the area along CSAH 27 between Thomas Drive and 211th Avenue.
2. Outdoor Movie Event will be held at the Eagle Lake Elementary School on Friday, June 11, 2021.
3. Comprehensive Plan Update and Possible Next Steps
 - It was noted that MN Council of Governments can assist with an update at no additional charge but that City staff will research further whether an update is appropriate or if a more in depth update is required and the need to contract out for this work.
4. Update from Minnesota State Demographic Center
 - Due to COVID 19 the census results are delayed.
5. Overview of 2022 Budget Timeline and Process
 - Budget work sessions will begin in August. The preliminary tax levy must be set by the end of September.
6. MetroNet
 - A pre-construction meeting was held today.
7. American Rescue Funds Resolution
 - It is anticipated that the League of MN Cities will have a model resolution available for the July City Council meeting.

COUNCIL MEMBER'S REPORT

- Mayor Auringer stated the Region 9 Development Commission represents Blue Earth County cities with a population under 10,000. Tim will attend their meeting within the next couple of weeks.

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member White, to adjourn the meeting at 9:28 p.m.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
JULY 12, 2021**

CALL TO ORDER

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

ROLL CALL

- Council Members present: Beth Rohrich, Anthony White (arrived at 6:21 p.m.), John Whittington, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Chief John Kopp, Public Works Director Brian Goettl, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- Coby Winkler, 205 S. Agency Street, presented access concerns for residents on the east side of CSAH 27 during the construction process. He stated there are, at times, 3–4-foot embankments making it impossible for residents and emergency vehicles to access properties. He has spoken with Bolton and Menk about his concerns. Council asked city staff to monitor road conditions each Friday to ensure access is maintained for residents as much as possible.

APPROVAL OF THE AGENDA

- Council Member Rohrich moved, seconded by Council Member Whittington, to approve the agenda. Motion carried with Council Members Rohrich, Whittington, and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Whittington moved, seconded by Council Member Rohrich, to approve the June 7, 2021, City Council meeting minutes. Motion carried with Council Members Rohrich, Whittington, and Mayor Auringer voting in favor.

CONSENT AGENDA

- Mayor Auringer brought attention to the change order for the planned water main crossing beneath Canadian Pacific Railway. The estimated cost of the independent review ranges from \$3,500 to \$4,050.
- Council Member Rohrich moved, seconded by Council Member Whittington, to approve the consent agenda.

Monthly Bills

Treasurer's Report

Police Report

Fire Report

Public Works Report

Building & Zoning Permits

Gambling Report

Change Order No. 1: CSAH 27 (Agency St) Project

- Motion carried with Council Members Rohrich, Whittington, and Mayor Auringer voting in favor.

PUBLIC HEARING

- None

PRESENTATIONS

1. Vien Nguyen, Community Forestry Member with AmeriCorps: Overview of Tree Inventory Work and EAB Plan

- Vien Nguyen explained that she has conducted a comprehensive tree survey of Lake Eagle Park of which one third of the trees are at risk for Emerald Ash Bore (EAB) disease and of these two trees are of immediate concern. Individual trees should be treated once every three years and the city should randomly treat 15% of ash trees. This will substantially reduce the spread of disease.
- Approximately 20 residents signed up for a survey of two trees on their property. Approximately 2/3 of all trees within the city are on private property.
- A file will be compiled and provided to the city with the results of the surveys and will include recommendations, including a Slowing Ash Mortality (SLAM) plan. One recommendation is for the city and residents to diversify the variety of trees within the City and that maple trees are discouraged due to impending disease.
- Discussion included that boulevard trees are the responsibility of property owners, how to best protect ash trees within the city and the need to provide residents with tree care information.

2. Patti Schuch Family: Ag Land Access Request

- A request was received from the Patti Schuch family about obtaining access to their agricultural land that they farm using City of Eagle Lake right of way north of the railroad tracks along 598th Avenue or CSAH 56. This right of way parcel is referred to as Lutter Avenue. The area is currently overgrown with brush and would need to be cleared. The parcel is in compliance with the railroads required 50-foot setback.
- The Schuch family has expressed that they will be responsible for clearing the brush, establishing a driveway, installing a culvert in the driveway to let water through and not disrupt waterflow, and that they will ensure that their farm policy covers the right of way area for insurance purposes.
- If Council approves this request City staff will work with legal counsel to develop an agreement which would include these details.
- Patti and John Schuch confirmed that their farm policy would include coverage for the right of way and there would be no liability for the City. They also indicated they would begin this work in the fall.
- Council discussion included the need to talk to Blue Earth County regarding this access and how it would affect the adjacent property owner.
- Council Member White moved, seconded by Council Member Rohrich, to approve access via the right of way. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.

3. Bradley Van Deinse, Auditor with Eide Bailly: Annual Audit Report Presentation

- Mr. Van Deinse stated that they are able to report a clean, unmodified opinion for the audit and that the city has a positive fund balance and is in compliance with its fund balance policy. He reviewed fund balances for the general fund and enterprise funds.
- Mr. Van Deinse presented a finding of requiring two signatures on all checks. A policy to this effect will be proposed later on the agenda.
- Eide Bailly is responsible for state filings.

4. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Reconstruction Project

- Mr. Sarff explained that sanitary sewer and water work has been completed for phase one of the CSAH 27 project and that once the storm sewer has been completed the road will be put back together. Work on phase two will be from Linda Drive to Thomas Drive, followed by phase three which is Parkway Avenue to LeRay Avenue.
- Mr. Sarff reminded Council that the sanitary sewer line for 524 S. Agency Street is located on Connie Lane and in order for the property owner to connect it would result in a large expense to the property owner who would need a grinder pump. The existing line will not work for a gravity feed due to depth of the line. Per Council's prior request Mr. Sarff presented a cost of \$28,000 to extend the sanitary sewer line from Thomas Drive to this property. If approved, Blue Earth County would be responsible for the change order.
- Council discussion included if the property owner is interested in making the connection at this time, the cost, if the City decides to pursue this at a later date, would be substantially higher. Also discussed is when the property owner would need to connect if a new line is installed. Mr. Sarff stated that a delay in this decision could delay the entire CSAH 27 project.
- Public Works Director Brian Goettl stated he feels the City should extend this line and the City may want to consider contacting Blue Earth Council to determine if the septic system is in compliance.
- Council White moved, seconded by Council Member Rohrich, to extend the sanitary sewer line from Thomas Drive to 524 S. Agency Street. Motion carried with Council Member Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Mr. Sarff stated he has made note of Mr. Winkler's concerns and they will be addressed.

NEW BUSINESS

1. Memorial Bench Request

- A request was received from Judy Born to place a memorial bench along the north side of Parkway Avenue at the intersection of Linda Drive and Parkway Avenue in memory of Chuck Born, Robert Jacobs, Jan Hedge, and Bryce Olson. The bench will be paid for by the families of those being memorialized as will a name plate recognizing each person for their community service. Chuck served on the American Legion Post 617 board and Jaycees, Robert served on the Planning Commission, Jan served on the City Council, and Bryce serves as a former Mayor. The families are requesting that the City order and install the bench on their behalf with the cost for the bench to be reimbursed by the families.
- The estimated bench cost is \$2,520.11 and will be blue in color.

- City staff recommends that the color and location of the bench be reviewed by the Public Works Department since they maintain the other benches located in the parks and along trails and to help ensure uniformity in appearance and installation.
 - Other possible locations for the bench were discussed.
 - Council discussion included the desire to keep future bench donations of the same color and that City benches would remain green.
 - Council Member Rohrich moved, seconded by Council Member Whittington, to accept the donation of the park bench and plaque and to have City staff install and maintain bench. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.
2. Eagle Lake Area Lions Club Signage at City Signs and Proposed Community Service Project
- Terry Kvittek with the Eagle Lake Area Lion's Club recently contacted City Hall requesting the City's consideration to either affix to or place near the Welcome to Eagle Lake signs a Lions Club emblem. In addition, the Lions Club would like to offer the possibility of assisting with landscaping at the city signs as part of a community service project.
 - Mary Maul, with the Lions Club, was present and explained they have priced out metal signs, magnetized signs and decals.
 - Discussion included that a magnetized sign could look 3 dimensional, that signs attached to the welcome signs could potentially damage the signs if they are ever removed.
 - Council directed the Lions Club to bring to Council their designs for consideration.
 - Public Works Director Brian Goettl stated the landscaping project is something the Lions Club could assist with.
3. Resolution for Alley Vacation
- An alley vacation was approved at the November 4, 2013 City Council Meeting but a signed resolution cannot be located at City Hall and was not recorded with Blue Earth County. Per Minnesota Statutes 412.851, following a resolution granting a vacation, notice of completion of the proceedings should be prepared and then recorded with the county recorder. Failure to file the notice does not invalidate the vacation.
 - Legal counsel has recommended a new resolution be adopted referencing the 2013 action taken. Following adoption staff will record the alley vacation with the county recorder.
 - Discussion included the utility easement will remain.
 - Council Member Rohrich moved, seconded by Council Member Whittington, to approve Resolution 2021-30 A Resolution Approving the Vacation of an Alley Located in the City. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.
4. Pricing for Kage Plow
- Public Works Director Brian Goettl requested to purchase a Kage Plow totaling \$6,150. Currently there is \$462,086.85 available in capital outlay for streets. This includes the \$25,000 which was budgeted for 2021 and has not been expended.
 - Mr. Goettl explained this purchase was budgeted and that the plow turns side to side and will be a time saving when moving snow. It will be used on the Tool Cat or skid loader.
 - Council Member White moved, seconded by Council Member Rohrich, to approve the purchase of a Kage Plow for the price of \$6,150. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.
5. Authorized Disbursement Signature Police
- Included as an audit finding is the need to establish a check signing policy. It should be noted that there are some disbursements which are set up to come out the City's checking account automatically. These expenses are noted on the monthly bills list included on the consent agenda.
 - Council Member White moved, seconded by Council Member Rohrich, to approve the Check Signing Policy as presented. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.
6. Eagle Ridge Phase II
- Administrator Bromeland explained that a previous City Council put a hold on issuing building permits in phase II of the Eagle Ridge subdivision until corrective action was taken and the necessary underground infrastructure repairs were made. To date, the underground infrastructure issues have been completed and the first lift of bituminous has been applied. The outstanding item of concern is the stormwater pond. The pond needs to be constructed to the previously approved plans for stormwater construction. Requests for pond measurements and schedule have been made but the needed information has not yet been received. In

addition to the stormwater pond matter, the developer has not yet supplied a cash deposit or irrevocable letter of credit.

- City Hall has received a couple of inquiries from individuals who have purchased lots and are wanting to pull building permits.
- Legal counsel recommends that if building permits are allowed to be issued prior to the final lift of bituminous and the completion of the stormwater pond, that parties making application for a building permit be advised of the status of the public improvements and made aware that any issues related to grade or construction that affect their property are at their own risk.
- Council discussion included that they are not interested in issuing building permits until all punch list items have been completed and that any deficiencies have been corrected.
- Mr. Sarff, with Bolton and Menk, stated the planned stormwater pond was civilly engineered and if the city is interested in pond modifications the new calculations should be reviewed by Bolton and Menk. A more complete punch list will be developed.

7. American Rescue Plan Resolution

- The American Rescue Plan resolution is for the purpose of requesting funds from Minnesota Management and Budget. The exact amount Eagle Lake will receive will be finalized in the coming weeks but are estimated to be between \$330,000-\$350,000. The covered period to expend funds is March 3, 2021 through December 31, 2024. All uses of the funds will be subject to review and approval of the City Council prior to any expenditures being made.
- Council Member Rohrich moved, seconded by Council Member Whittington, to approve Resolution 2021-31 A Resolution to Accept the Coronavirus Local Fiscal Recovery Fund Established Under the American Rescue Plan Act. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.

8. Special Assessment Deferrals

- Three property owners have applied for a special assessment deferral. The parcel IDs are R12.10.18.127.013, R12.12.18.128.011, and R12.10.18.128.003. Upon approval, these deferrals will be included with the special assessments to be certified to Blue Earth County.
- Council Member White moved, seconded by Council Member Rohrich, to approve the special assessment deferrals for the above listed parcels. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.

9. Terminate Emergency Declaration

- Resolution 2021-32 is a resolution terminating the local emergency and temporary measures that went into effect on March 27, 2020 to address a peacetime emergency due to the COVID-19 health pandemic.
- Council Member Rohrich moved, seconded by Council Member White to approve Resolution 2021-32. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.

10. Utility Disconnections

- Administrator Bromeland explained that water disconnections were stopped due to the COVID-19 pandemic and that the League of MN Cities has communicated that the unwritten and informal opinion of the Attorney General's office is that it is allowable for utility providers to follow their normal shutoff procedures.
- Discussion included there are federal funds distributed through the state to assist residents and the city offers payment plans.
- Council Member Rohrich moved, seconded by Council Member Whittington, to reinstate water disconnections. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.

OTHER

1. Tator Days Parade – City Parade Entry

- Line up for the parade is at 12:30 p.m. for City Council and staff. Spouses and kids are welcome.

2. Mankato Motorsports Appeals Court Response

- The court remanded decision back to city to review climate change and wildlife.
- Bolton and Menk anticipates this information collection and review will take approximately two to three weeks to complete, at which time they will submit their findings to city staff for review and follow up EIS determination. Should the city require additional information, BMI staff will facilitate this with and through their client to ensure all information is received and approved by the City.

3. Mower Update

- Administrator Bromeland explained that a public works employee, whiling driving a lawn mower, was struck by a vehicle while crossing the street. The employee does not appear to have been injured.
- The mower did receive damage and will need to be repaired. Since the City's deductible is \$2,500 for property, the City's insurance carrier will subrogate on the City's behalf to collect from the at-fault party's insurance carrier.

CITY ADMINISTRATOR REPORT

1. Guidance form LMC on Juneteenth (June 19th) Federal Holiday
 - Cities are not required at this time to observe the holiday and are able to conduct city business on the day of the new holiday.
2. Drought Conditions and Water Conservation
 - The public works department monitors daily usage and capacity. Discussion should ensue about process if a mandatory watering ban were to be imposed on Eagle Lake in the future. At this time, no restrictions have been imposed.
3. 2021-2022 Service Term for Community Forestry Member Position
 - Vien will end her service with the City on August 28, 2021. For the 2021-2022 service year the City will be sharing a full-time Community Forestry Member with the City of Lake Crystal. Each City having 20 hours of service per week. Two interviews will be held this week with interested candidates.
4. SMIF Small Town Grant Program Application
 - An updated proposal is being sought from Region Nine Development Commission to apply for grant funding to update the EDA handbook.
5. DNR EAB Grant Program Application
 - City staff will work on submitting an application for DNR Emerald Ash Bore grant funds to help remove and replace ash trees on public property.
6. Requests from Public Works Director Brian Goettl
 - A request for new microphones for City Council meetings was made.
 - A request for a meeting for leaf vac collection was made. Council asked that Mr. Goettl compile options and bring to a work session.

COUNCIL MEMBER'S REPORT

1. Mayor Auringer stated he has reviewed police reports on stop sign violations and feels it is a matter of time before someone is hit. He would like to see more tickets and less warnings issued. Chief Kopp asked that the department is backed by City Council on this matter.
2. Council stated they would like to see more police interaction with residents, waiving, slowing down, etc.
3. Council Member White stated Jim Beal asked at the EDA meeting for the city to consider lowering the water rates for outside water usage. Mayor Auringer stated he believes this rate was established for water conservations purposes.

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member White, to adjourn the meeting at 8:52 p.m. Motion carried with Council Members Rohrich, White, Whittington, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
AUGUST 2, 2021**

CALL TO ORDER

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

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, John Whittington, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Chief John Kopp, Public Works Director Brian Goettl, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

1. Daryl Guentzel, 22083 604th Avenue, Eagle Lake, stated that in regard to the motorsports track, 110 decibels is similar in volume to a train whistle which is 96-110 decibels and asked why people would want to tolerate such noise and the congestion the motorsports park would bring. He went on to state that Lime Township rejected the proposal, which would have been located on land Mr. Guentzel farms. He stated he feels the location of the Eagle Lake site would be better suited for light industrial or housing which would be less obtrusive. He feels this is a risky venture for a rich man's playground.
2. Mike Guentzel, 60374 224th Lane, Madison Lake, stated he wonders what the new EAW is based on. He also stated the original proposal for the motorsports park has changed and that there now will be sanctioned events and an auto mall which were not in the original EAW. Car condos now will be located together. The track was never designed for first responder training. He also stated that Judge Segal stated this was "a death by 1,000 cuts". Mr. Guentzel went on to state that the DNR has stated this project would be better suited in a different location. He also stated that the seasons the track will be open has also changed and that the developer is looking to hold winter events and that the lack of foliage in the winter will result in sound traveling further. He encouraged council members to visit an actual track to get good information. He also questioned why Council would decide if an EIS is needed and that there are professionals who should make this decision. He stated that he has spoken to Brainerd International Raceway and Hasting Raceway and they have stated that the condos and track are not enough to finance this project. If there is a new EAW he would like to see it go back to the drawing board to look at the updated scope of the project. He asked how many jobs it would bring. He also stated that Brad Bass has no interest in being part of the Eagle Lake community other than for financial purposes.
3. Rachel Calsbeek, 212 Oak Drive, explained that while away for 10 days their toilet was leaking and since returning have fixed the problem. She spoke with the City Office and was told she can set up a payment plan and that late fees would be applied to the account. She asked Council if any relief could be given. This will be taken up under New Business on the agenda.

APPROVAL OF THE AGENDA

- Council Member Garrett moved, seconded by Council Member Rohrich, to approve the agenda. Motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Rohrich moved, seconded by Council Member Whittington, to approve the July 12, 2021, City Council meeting minutes. Motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the consent agenda.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Certification Special Assessment-Unpaid Snow Removal Charges	
- Motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

PUBLIC HEARING

- None

PRESENTATIONS

1. Angela DeMartini, owner of Bella's House of Doodles

- Administrator Bromeland explained the DeMartini's are present to discuss their plans for the construction of the main commercial building and a garage/shed at 107 598th Avenue and to request an exception to the building permit process to accommodate their timeline.
- A building permit application was received for a shed only with the use of property listed as storage and kennel use. Absent from the application was information for the main commercial building. The applicants anticipate completion of the shed by October 1, 2021 and completion of the main commercial building by November 30, 2021.
- A Conditional Use Permit (CUP) was approved to operate a kennel business in a B-1 Business District with conditions attached to the CUP. Included in the approved plan was a commercial facility for operations and a garage/shed building for products and equipment. The shed would not be approved for use by itself and cannot be the only structure on the property since it was not approved for use as the kennel. The shed is an accessory to the principal structure, the commercial facility.
- To approve the building permit application, the final plans for the main commercial building need to be submitted for review. Administrator Bromeland reviews the site plan as zoning administrator to make sure all setbacks are met and that building materials are in line with city code and any other zoning regulations in the business district, while the building inspector will review the design/plans and ensure compliance with state building code. Until the building permit process has been completed, no digging can occur as it relates to the proposed buildings. What is needed is the final plans for the main building to process the building permit application for both the main building and garage.
- Rick DeMartini explained they have been running into snags, that the original building was planned to be 40 x 80 foot, but has learned that due to the size they would need to have an architect sign off on the plans at an additional cost of \$29,000. Therefore, they are looking to construct a 40 x 60 ft main building and a 40 x 60 shed which they would run the business out of temporarily. The blueprints for the main building are slow in coming and he anticipates he will have them sometime this week. He would like to build the shed first and then move into the shed in August, then the main building could go up yet this year.
- The DeMartini's asked if the kennel license they currently have could be issued for their shed and that the grooming business would need to wait for the main building.
- Council discussion included that Council did not approve running the business out of the Borgmeier building on a temporary basis and that the plans for the business have changed completely since it was first brought to the City and that is the reason why a CUP was needed. The shed would be an accessory building to the main business structure. Concern was voiced that if the shed is constructed first, that the main building may not be constructed. Also mentioned was the desire to see a sidewalk in this area.
- Council asked if an agreement could be drafted allowing to construct the shed first and for the short-term housing of dogs. The CUP would still remain with the primary building. Staff was directed to contact legal counsel to draft an agreement allowing the temporary housing of the dogs in the shed until the main building is complete with both buildings being complete by the end of the year or a cease and desist would be issued.
- Mr. DeMartini asked about utilities and was told he would need to contact utility companies himself. He also mentioned concerns for traffic his business would bring for entering and exiting through the Borgmeier access point. Access concerns would need to be brought to Blue Earth County since this business will be located on a county road.

2. Steve Mohr, Project Director with MetroNet: Location for Fiber Cabinet

- Mr. Steve Mohr with MetroNet explained there was a need to change fiber plans due to the fact that they are no longer going into Mankato. Because of this they will need to install a cabinet. He met with Administrator Bromeland and Public Works Director Goettl and identified a location close to the water tower. They are looking for a utility easement to build a 30 x 12 foot cabinet to hold network equipment.
- Discussion included that MetroNet could draft an agreement for the City's legal counsel to review. The ballard posts would be 12 inches from the sidewalk and MetroNet does not anticipate needing to expand the cabinet. Council desire is for the agreement to include language that MetroNet would remove the cabinet in the future if no longer needed. The agreement would be filed with Blue Earth County.
- Council directed MetroNet and staff to move forward with in writing the agreement.

3. John Jensen, VP of Economic Development with MetroNet: Franchise Agreement

- Mr. Jensen was unable to attend the Council meeting.
- Mayor Auringer asked if the franchise agreement was standard language based on the agreements with Consolidated Communications and Spectrum, which it is with a 3 percent of gross revenues.
- A public hearing would need to be scheduled for this ordinance change.
- Council Member Rohrich moved, seconded by Council Member Whittington, to schedule a public hearing for Monday, September 13, 2021 at the City Council meeting. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
- Mr. Mohr updated Council on the fiberoptic build out stating 25,000 feet of the 32,000 feet of underground work has been completed on the south side and that 5,000 feet of underground on the north side still need to be done. They are still waiting for pole permits for above ground work. It is anticipated that the underground work will be completed by the end of September. They will continue working as long as weather allows. Two of the drills have been pulled from this project temporarily.

4. Brian Sarff, Engineer with Bolton and Menk: CSAH 27 (Agency Street) Project Updated

- Mr. Sarff explained that the underground utilities from Linda Drive to Parkway have been completed and that the concrete curb and gutter will be poured tomorrow.
- The asphalt from Linda Drive to Thomas Drive has been stripped and the connection of the temporary water line will take place tomorrow.
- The railroad permit for the needed underground work has been fully executed.
- It is anticipated the project will be substantially completed by the middle to end of October and there is no major concerns with the schedule.
- It is anticipated that the east access to Thomas Drive will be closed sometime this week and will be closed for a two to three days.
- People using the minimum maintenance road as a detour are doing so at their own risk.
- The contractor will most likely lay Phase 1 and 2 bituminous at the same time.

NEW BUSINESS

1. Utility Easement Needed for Fiber Cabinet for MetroNet

- This item was handled under Presentations.

2. Franchise Agreement with MetroNet

- This item was handled under Presentations

3. All Seasons Arena Operating Service Agreement

- The City entered into an agreement with All Seasons Arena two years ago and the agreement is up for renewal for a three year period. Eagle Lake's share is 4.524% or \$1,809.57 per year, which is the same amount Eagle Lake paid in 2019 and 2020.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the agreement with All Seasons Arena. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

4. Tax Forfeited Parcels

- There are two parcels forfeited to the State of Minnesota for nonpayment of property taxes. Each of the parcels listed is classified as non conservation lands located in the City of Eagle Lake. Per MN Statutes 282.01 Subdivision 1(g)(h)(i), they are requesting that the City approve the classification of each parcel and approve the sale by public auction or auction to adjacent owners. Alternatively, the City may request a sale or conveyance to itself. Since these parcels are classified as wetlands and are an important part of stormwater infrastructure. The City may wish to request conveyance of parcels R12.09.13.279.028 and R12.09.13.402.008 which are classified as outlots.
- Council discussion included that it would be wise for the City to have control of these parcels.

- Council Member Whittington moved, seconded by Council Member Rohrich, to approve Resolution 2021-33. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
5. Authorization to Apply for Walmart Community Grant for Parks Project
 - Administrator Bromeland explained that the City previously received \$5,000 from the Walmart Community Grants Program for the Parks Project. The City received notification of another grant opportunity through the Walmart Community Grants Program to apply for additional funds for the Parks Project. It was explained that the application process has changed, and applicants are now required to apply through Cybergrants FrontDoor. As part of the process, banking information is required as a way of confirming that the person who is trying to claim the organization is in fact an authorized member of the organization. Administrator Bromeland stated that providing this information is not typical when applying for a grant and noted that it was verified with a local Walmart Store Manager that Cybergrants FrontDoor is used as part of the application process. A request was sent to Cybergrants asking if there is an alternative to submitting this information, but no response has been received. Administrator Bromeland stated she wanted to review the new application process with the City Council to determine if there is still an interest in having staff submit a grant application.
 - Council discussion included the desire to find a secure way to submit the grant application.
 6. Authorization to Advertise Sale of 2017 Police Squad Car
 - Police Chief John Kopp asked for permission to sell the 2017 squad car through the MN Bid state system utilizing Blue Earth County as the seller. The County would handle any questions that come in as well as the sale and the transferring of the title. In return they would keep a small percentage of the sale price.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the sale of the police squad using Mn Bid. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
 7. Water Bill Relief Request
 - Administrator Bromeland explained the last time relief was given for utility bills was in 2014 when residents ran water to prevent pipes from freezing in the winter. One option for Council to consider is the waiving of late fees if property owner enters into a payment plan agreement. It was also explained that this summer there have been several residents with high water usage and that staff has notified them of their usage.
 - Discussion included Rachel Calsbeek has come before Council in good faith. It was also explained that most payment plans which are entered into are due to delinquent utility bills to avoid water disconnection. The City is unable to adjust sewer charges due to the fact that Mankato bills the City for sewer pumped to them.
 - Council consensus was to waive the late fees for Rachel Calsbeek if she enters into a payment agreement.

OTHER

1. Mankato Motorsports Appeals Court Response – Next Steps
 - Following the July 12, 2021 City Council meeting, a conference call was held with legal counsel and the developer and the developer's team to discuss what is required by the City and next steps. The developer and his team were advised that the process so outlined in Minnesota Rules 4410 will be followed, meaning that the same timelines and process should be adhered to as if this was a new EAW, with the exception that it will be limited to the remand issues and referred to as a "supplement to the EAW". The process is not intended to revisit the entire EAW, but rather to focus on the two narrow issues outlined by the Court of Appeals: 1) The project's potential effects on wildlife; and 2) The project's cumulative effects on climate change.
 - Mike Guentzel stated this is not the same project and asked if there will be a public comment period. The City will have 30 days to review the published EAW and after that resident will have the right to appeal the two items remanded back. Mike Guentzel asked at what point does Council say this project is not what was talked about. He asked to start the process over and stated the City should take into account the county's concerns regarding traffic. That this process should include the automall and racetrack.
 - Cindy Guentzel stated she saw more concern about the puppies at Bella House of Doodles than she did for humans and this project will be in her backyard.
2. Follow-Up to Access Off of CSAH 56 Using City ROW
 - Following Patti Schuch's request to access agricultural land via Lutter Avenue Administrator Bromeland contacted Blue Earth County and they responded that the existing access for agricultural access is fine, but a street construction would need to be looked at by the county.

3. Follow-Up to Resident Request for History on Outdoor Water Rates
 - In response to a question raised by Council Member White at July's City Council meeting and a request made by a resident Administrator Bromeland explained that in 2015 City Council increase the outside water rate to promote water conservation.
 - The resident's concerns were the aesthetic appeal of green grass.
 - Council discussion included that Shannon Sweeney has analyzed the city's water rate. In 2015/2016 the water tower was in danger of running out of water due to a drought at that time. Council Members responses varied from being opposed to watering of grass, to enjoying green lawns.
 - Council would like to see education on drought resistant grasses and other conservation ideas such as how trees can help maintain green lawns.
4. 2020 Community Water Fluoridation 50 Year Award Letter from MN Department of Health
 - The City has been recognized with the Fluoridation 50 Year Award which is awarded by the American Dental Association, Association of State and Territorial Dental Directors and Centers for Disease Control and Prevention. This award is given jointly to recognize public water systems that have consistently adjusted the fluoride concentration in drinking water for the past 50 years.
5. Notice from Mankato Township Planning and Zoning of Upcoming Hearing to Consider USS Peach Solar LLC's Request for a Conditional Use Permit to Construct and Operate a 1-Megawatt Solar Garden
 - Mankato Township will hold a public hearing on this request on August 10, 2021.
6. Status of Lease Agreement to Stockpile Leaves
 - Gary Hiniker gave a verbal ok to lease his land and is now asking for a meeting to discuss concerns. If an agreement cannot be reached, leaf collection this fall may need to be cancelled. The City can no longer use their current leaf storage location due to proximity to the wetlands.
 - Council discussion included educating residents on the benefits of mulching their leaves, looking for alternate locations for leaf storage, which may be difficult due to locations of other facilities.

CITY ADMINISTRATOR REPORT

1. Music on Parkway – will be held on August 19th from 7:00 p.m. to 10:00 p.m.
2. National Night Out – will be held on August 3rd from 5:00 p.m. to 7:00 p.m.
3. Upcoming Budget Work Session – work session was scheduled for August 30th at 6:00 p.m.

STAFF UPDATE

1. Police Chief Kopp stated the part-time officer the city hired is currently being backgrounded for a full-time position. Chief Kopp would like to hold off in hiring a new officer until after the wage survey is completed, hoping that a more competitive wage will be identified.

COUNCIL MEMBER'S REPORT

- None

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member Steinberg, to adjourn the meeting at 8:15 p.m. Motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
AUGUST 17, 2021**

CALL TO ORDER

- Mayor Auringer called the meeting to order at 12:00 p.m.

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White (arrived at 12:02), John Whittington, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Brian Goettl, and Deputy Clerk Kerry Rausch.

AGENDA

1. Approval of Revised Lease Agreement for Location to Store Leaves Collected During Fall Leaf Collection
 - A proposed lease agreement between the City of Eagle Lake and Gary and Kim Hiniker for the purpose of storing collected leaves during the fall leaf collection was presented for discussion. The primary revision consists of eliminating monetary compensation for the use of the leased premises and is instead replaced with the City agreeing to mow 11 vacant lots owned by the Hiniker's in the Prairie Run Subdivision. As the lots are developed, the City will no longer need to mow the developed lots. Once all lots are developed, the annual rent will be monetary and agreed to at that time. In addition to the rent, revision, the term was also changed as it was mutually agreed upon by both parties that a 5-year lease is more favorable compared to a 1-year lease.
 - The portion of the parcel to be leased will be separated from other property with a chain link fence. City staff will install the fence and gravel to allow for access to the property. No trespassing signs will be posted as the site will not be open to the public and not intended as a drop off site. The police will be asked to help monitor this area.
 - Council discussion included verifying that the Public Works Department has the capability to mow these parcels without taking them away from other work. The cost of the chain link fence still needs to be priced out, but Public Works will use fencing materials that have stored and will purchase only what is needed. A No Dumping sign was also discussed and potentially fining violators.
 - Public education will be provided to residents to the benefits of mulching leaves.
 - During the budgeting process the purchase of leaf vacuuming equipment will be discussed.
 - Council Member Steinberg moved, seconded by Council Member White, to approve the revised lease agreement with Gary and Kim Hiniker for the purposes of leaf collection storage. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
 - Staff will review the 2021 leaf collection schedule to allow for more efficient collection of leaves.

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member Steinberg, to adjourn the meeting at 12:21 p.m. Motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
AUGUST 30, 2021**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, and Mayor Auringer.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, Public Works Director Brian Goettl, and Deputy Clerk Kerry Rausch.

AGENDA

1. DNR Emerald Ash Borer (EAB) Grant Award Notification and Acceptance of Funds

- Administrator Bromeland shared that she received a grant award notice via email earlier in the day informing of a \$7,500 grant award from the DNR for the removal and replacement of seven ash trees at Lake Eagle Park. The grant must be accepted no later than September 2nd and it was explained why the agenda was amended and this item added so that acceptance could occur this evening. It was further noted that there is a \$3,000 match on the City's end which is already included in the budget.
- Council Member White moved, seconded by Council Member Steinberg, to authorize the Mayor and City Administrator to move forward with the grant acceptance. The motion carried with Council Members Steinberg, Rohrich, White, and Mayor Auringer voting in favor.

2. Budget Work Session

- Administrator Bromeland presented budget binders and a draft of a preliminary budget. She went on to explain that cities must prepare and adopt a proposed budget and proposed property tax levy each year. By law in Minnesota, the fiscal year of a city and all its funds must be calendar year. A budget is one year of estimated money coming in, or revenue and expenditures or money going out. Cities over 500 in population that propose a property tax increase are required to provide notice of the proposed budget adoption and to allow public input on the proposed budget and property tax levy. The "truth-in-taxation" process (TNT) requires cities to certify proposed property tax levies to the county auditor on or before September 30th. A TNT public comment hearing must occur sometime between November 25th and December 20th. The final levy must be certified to the county auditor by or before five working days after December 20th each year. The preliminary levy can be reduced once adopted but cannot be increased prior to the final levy being adopted. The levy is comprised of the general fund, EDA, and debt service.
- Last year's final tax levy was set at 7.5% or an increase of \$56,632. Property taxes remained relatively flat unless a property's valuation increased.
- The first draft of the 2022 budget has been set at 10% over what was collected in 2021. The levy is comprised of general fund at \$696,904, EDA at \$51,000 and debt service at \$144,997. Which is a total increase of \$81,173 over the 2021 levied amount. Included in the 2022 budget is the purchase of a new leaf vac (\$200,000) and F-250 for the public works department (\$40,000) and capital outlay expenditures for the fire department and parks department. These items will be paid for using funds previously set aside for capital outlay expenditures.
- Local Government Aid (LGA) is set at \$685,922 for 2022. The payroll COLA rate is 5.9% plus a 2% step increase for eligible employees. Health insurance rates will be known in October but are estimated to increase 6% and there are no increases to PERA, Medicare and Social Security. Worker's compensation rates are estimated to increase between 10%-15%, property insurance 5%-10%, liability insurance 3%-7% and auto insurance 3%-7%.
- The League of MN Cities dues will increase by 4%, this amount is based on population. EDA dues will increase to \$7,178.82, Music on Parkway as included at \$5,000 which would cover a scaled back program from 2021. Audit fees will increase to \$25,500. A new fee of \$1,000 was added for Small Business Development Center (SBDC) which is available to provide services to local businesses.

- Following the budget presentation by Administrator Bromeland, department heads for fire, public works, and the police department presented proposed changes to their 2022 departmental budgets and reviewed current and future capital outlay needs.
- Council will review presented documents and discuss in further detail at the September 13, 2021, City Council meeting.

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member Steinberg, to adjourn the meeting at 8:07 p.m. Motion carried with Council Members Steinberg, Rohrich, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE
CITY COUNCIL MEETING
SEPTEMBER 13, 2021**

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, Chief John Kopp, Public Works Director Brian Goettl, Fire Chief Dan Ruschmeyer, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

APPROVAL OF THE AGENDA

- A quote for sidewalk repairs was asked to be placed on the agenda under New Business.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the agenda as amended. 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 August 2nd, 17th, and 30th, 2021, City Council meeting minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

CONSENT AGENDA

- The resignation of Luke Longoria is included in the consent agenda items.
- Council Member Rohrich moved, seconded by Council Member White, to approve the consent agenda.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Resignation of Luke Longoria	
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

PUBLIC HEARING

1. Public Hearing for Ordinance Number 2021-01: An Ordinance Granting and Awarding a Non-Exclusive Cable Service Franchise to CMNRUS, Inc., DBA MetroNet
 - This public hearing is to consider the adoption of Ordinance No. 2021-01, an ordinance granting and awarding a non-exclusive cable service franchise to CMN-RUS, Inc., D/B/A MetroNet, to construct, operate, and maintain a cable system within the City of Eagle Lake. This agreement reflects similar language in existing franchise agreements that the City of Eagle Lake has with Consolidated and Charter. The ordinance was reviewed by the City's legal counsel and no further changes were recommended at that time.
 - The proposed terms of the franchise agreement is 15 years with periodic evaluations not less that every 5 years, and the fee would be in the amount of 3% of gross revenues.
 - Due to the length of the ordinance, City staff requested that a summary publication versus publication of the entire ordinance. A four fifths vote is required to direct that only the title of the ordinance and a summary be published.
 - The public hearing was opened with no comments being offered and subsequently closed.

- Council Member Steinberg moved, seconded by Council Member Rohrich, to adopt Ordinance 2021-01. A roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Council Member White moved, seconded by Council Member Rohrich, to authorize the publishing of a summary of Ordinance 2021-01. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

PRESENTATIONS

1. Julie Blackburn and Goeff Kramer with ISG: Owl Lane Pond Assessment Presentation

- Mr. Kramer presented the results of the pond study.
- This study stemmed from resident concerns with two ponds appearance and odor along Owl Lane.
- Pond design and as constructed elevations were reviewed along with 2021 survey data to assess any changes in relevant invert elevations over time. No substantial changes were noted.
- Pond volume comparisons used 2005 and 2021 topographic survey data. Sediment in the pond is low with 2.4 percent of the pond's storage being lost.
- MPCA pond design criteria were reviewed with these ponds being compliant with MPCA's requirements with the exception of woody vegetation which should not be allowed to grow within 15 feet of the toe of the pond embankment or 25 feet from the inlet and outlet structures. Mature trees are present around the entirety of pond 16 and within 25 feet of pond 15 outlet structures.
- Based on findings of volume, hydrologic, and hydraulic analyses, there are no obvious issues related to pond volume or outlet elevations causing of the nuisance algal conditions. The likely cause of the nuisance conditions in the pond are lack of inflow due to lower-than-normal precipitation and driven by hypoxia.
- Recommendations included: water quality sampling to evaluate phosphorus loading and discharge throughout the growing season and sampling to confirm presence and types of algae.
- Several treatment options, varying in cost, were presented which included: mechanical removal of algae, suppressing algal growth, period pond treatment, install aerators and retrofitting ponds with iron-enhanced sand filters.
- Council asked Mr. Kramer to provide the city with an updated quote for sampling ponds.
- Mr. Kramer updated the City Council on the MS4 process stating the public comment period will end September 24 and that responses need to be submitted within seven days. The city will have one year to meet requirements.

2. Scott McMahon, Senior Lobbyist with Flaherty and Hood, PA: Annual Coalition of Greater MN Cities Visit

- Mr. McMahon presented an overview of the Coalition of Greater MN Cities (CGMC) and what they have been working on.
- They have actively worked on bonding and the dispersal of federal funds. The 2020 election did not impact majority control of the legislature.
- Top CGMC goals for 20210 were: no cuts to local government aid (LGA), infrastructure-focused bonding bill, childcare funding, and city streets.
- The state's budget forecast during the pandemic changed significantly going from a surplus to a deficit, and then back to a surplus. This indicates the economy is coming back strong.
- Accomplishments included funding for six Minnesota initiatives to assist families and children, Border-to-Boarder Broadband Grant Program, addressing potential legislation regarding PFAS and small city street funding.
- Upcoming CGMC events include the Fall Conference in Willmar, November 18-19, 2021, and a Legislative Action Day March 2, 2022.

3. Rick and Angela DeMartini with Bella's House of Doodles: Request to Allow LP Tank for Heating Building

- Rick DeMartini stated that he has spoken with the gas company, and they have stated the gas line could be run at a cost lower than initially quoted, but that it will not be done this year.
- Bella's House of Doodles will require heat and therefore requested consideration for allowing a LP Tank to heat the building.
- Other businesses in this area use water heat, LP heat or other heating sources unique to their business.
- Council discussion included the desire for businesses to connect to natural gas as soon as it is available to them. The size and location of tank was discussed.
- Administrator Bromeland stated the draft agreement has been modeled after the agreement with Scott Borgmeier.

- Council Member Steinberg moved, seconded by Council Member White, to approve a conditional use permit for 107 598th Avenue, allowing the use of an LP tank. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Mr. DeMartini asked if it would be permissible to park a vehicle on top of a dirt pile for marketing purposes. Staff will research if this is allowable.

NEW BUSINESS

1. Offer Received for 301 and 305 Parkway Avenue

- Administrator Bromeland explained that an offer of \$50,000 was received from Mike Bales with Freedom Security to purchase 301 and 305 Parkway Avenue. The EDA and buyer have reached an agreement on site plan and layout and is recommending Council's approval on the offer. Construction would need to begin within two years of the closing date. If approved a closing date will be scheduled.
- Council Member Steinberg moved, seconded by Council Member White, to accept the EDA's recommendation on the sale of 301 and 305 Parkway Avenue for \$50,000. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

2. Proposal for Edging at Frazee Park and Purchase of Memorial Balance Beams

- A quote from St. Croix Recreation in the amount of \$4,477.08 has been received for the edging needed in Frazee Park.
- To save freight cost it was recommended that the memorial beams be purchased for Lake Eagle Park at the same time. The cost of the beams will be paid for by the city and the city will be reimbursed.
- The public works department will install both the edging and the beams.
- Council Member Whittington moved, seconded by Council Member Rohrich, to authorize the purchase of edging and memorial balance beams. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

3. Leaf Vac Request from Public Works Department

- Public Works Director Brian Goettl submitted a request to purchase 2019 ODB Truck Mount Debris Collector (also referred to as a leaf vac) off the MN State Bid from MacQueen Equipment totaling \$225,685.
- At the August 30th budget work session, included in the Public Works Department budget request, was a request to spend \$200,000 in 2022 to purchase a leaf vac.
- There is \$455,936.83 available in capital outlay for streets. Since this expenditure was not planned for in 2021 the auditors were contacted and they indicated that a budget amendment is not needed, but the city will need to be able to explain the purchase at the time of the annual audit.
- Administrator Bromeland presented the pro's and con's of this purchase in 2021. The pro's include the cost of the equipment will most likely increase in 2022, this equipment will result in a reduction of labor cost as the new leaf collector will only require 1 operator versus three with the current leaf vac. This should free up the other two full-time staff and 1 part-time staff to assist with other public works tasks. New equipment would result in a more efficient experience for residents. Con's included this is not a planned expenditure in 2021 and that the capital outlay funds will be drawn down. The 2022 preliminary budget will need to be adjusted.
- Public Works Director Goettl stated he would like to still use the old equipment on the outskirts of town this year and re-evaluate after this season's leaf collections if the old equipment should be kept or sold.
- The life expectancy of this new equipment should be similar to that of plow trucks.
- Discussion included the desire to still promote mulching of leaves and if there is still a need to hire seasonal Public Works staff to assist with leaf vac operations if the new equipment is purchased.
- Council discussion included the desire to still hire two seasonal workers for this year's leaf vac process and the need to establish a set work schedule for them. The seasonal employees need to be kept busy with other public works duties if leaf collection does not require as much time.
- Council stated they would like the leaf collection schedule published for residents with a note that the schedule may change.
- Council Member Rohrich moved, seconded by Council Member White, to purchase the 2019 ODB Truck Mount Debris Collector for \$225,685 from MacQueen as listed on the state bid site and to hire seasonal employees to help with leaf collection and other duties as needed.
- Council Member Rohrich amended her motion to authorize the purchase of the 2019 ODB Truck Mount Debris Collector for \$225,685 from MacQueen as listed on the state bid site. Council Member Whited seconded the amended motion. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

4. Recommendation to Hire Seasonal Employees for Public Works Department
 - Administrator Bromeland explained that two applicants were interviewed prior to looking at the leaf vac purchase and that if hired the operations of the public works department needs to be efficient and effective for all full- and part-time employees.
 - Director Goettl stated that Mr. Kuster has indicated that he is only interested in assisting with leaf collection as advertised in the job posting. Mr. Ferguson would be interested in helping however is needed.
 - Council discussion included the need to make sure all staff are productive and that by the hiring of seasonal staff for leaf collection will help get the work done and that 2021 will be a learning year for staffing needs with the new equipment.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, to authorize the hiring of two seasonal employees. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
5. Proposal for Microphones for Council Chambers
 - Video Services, Inc. (VSI) has provided an updated proposal to replace nine microphones with used gooseneck microphones for a cost of \$4,857 and second proposal for nine new gooseneck microphones for \$7,326.
 - The auditors have confirmed that the microphones can be purchased with America Rescue Plan funds.
 - Council discussion included the desire to test different microphone prior to purchasing to ensure they will meet the city's needs. It was also discussed if VSI should look at our current equipment to make sure that is working correctly as related to audio volume.
 - Mayor Auringer stated he would like to use the America Rescue funds for a water filtration system for the city only.
6. Proposal for Air Compressor and Cylinders for Fire Department
 - Fire Chief Dan Ruschmeyer asked to utilize federal funds to purchase a new air compressor at a cost of \$29,400 to replace the 35-year-old compressor that is failing.
 - Council asked that additional quotes be received for all major purchases that are not listed on the state bid site.
 - Chief Ruschmeyer clarified that tanks and the fill station would not need to be replaced.
 - Administrator Bromeland is waiting to hear back from the auditors as to whether such a purchase is eligible to use American Rescue funds.
 - Chief Ruschmeyer asked for permission to lower the asking price for the fire truck listed with Brindle Mountain to \$29,900, which Council approved. Chief Ruschmeyer will also look into listing the fire truck on the state bid site along with the vehicle mileage.
 - Chief Ruschmeyer invited Council Members to attend the house burn scheduled for September 27th or October 10, yet to be determined, located at County Roads 12 and 17.
7. Acceptance of SMIF Grant Award for Strategic Economic Development Plan and Initiative
 - The City has been awarded \$10,000 from the Southern Minnesota Initiative Foundation (SMIF) for the purpose of developing a strategic economic development plan and initiative. The City's match will be \$10,000 and is reflected in the 2022 budget. The grant award and City match would be used to hire a consultant, Region Nine, to research and complete a new strategic economic development plan and initiate.
 - Grant activities are to be carried out for the period of January 1, 2022 through December 31, 2022. The final grant report is due February 28, 2023. Grant activities will include collaboration and input from advisory committees (EDA, Park Board, Planning Commission), staff City Council, and public meetings in which input is sought from the community.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, to accept the \$10,000 grant from SMIF. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
8. Resolution Adopting Preliminary Tax Levy
 - Administrator Bromeland explained that the preliminary tax levy must be adopted on or before September 30, 2021 and once adopted it cannot be increased prior to the final levy being adopted. Last year's levy was set at 7.5% or an increase of \$56,632. Property taxes should have remained relatively flat unless a property's valuation increased.
 - Since the August 30th budget work session, the Public Works Department has submitted a request to purchase a new leaf vac in 2021. Since this was approved an updated report included the 2022 proposed general fund revenues would remain the same at \$1,758,012 and the proposed 2022 general fund expenditures would change to \$1,802,041, which will result in a (\$44,029) planned deficit spending using capital outlay reserves. The budget would be balanced except for \$109,370 in planned capital outlay

expenditures drawing down previously set aside funding in general fund reserves. Planned deficit spending is intentional drawing down of capital outlay funds previously set aside in the general fund. But for the planned capital outlay expenditures, the budget would be balanced.

- The city will be receiving approximately \$47,000 from the state for street projects.
- Council discussion included Tax Increment Financing (TIF) districts and how this will affect the budget. TIF schedules will be sent to Council once received from Shannon Sweeney.
- The proposed preliminary tax levy, as presented, is a 10% increase. A Truth and Taxation (TNT) hearing will be held December 6th and if needed, a continuation hearing will be scheduled for December 13th.
- Council Member Whittington moved, seconded by Council Member White, to approve Resolution 2021-35 A Resolution Setting the Fiscal Year 2022 Preliminary City Budget and Preliminary Property Tax Levy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

9. Sidewalk Proposal

- Director Brian Goettl explained that he contacted four contractors to request bids for sidewalk repairs and only received one estimate back, that from Clint Adams Concrete LLC in the amount of \$20,887.
- There are funds in capital outlay that have been previously set aside for this work.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to accept the estimate from Clint Adams Concrete, LLC. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Director Goettl stated he would like to contact MacQueen asking them if they would take the orange plow truck on trade when purchasing the leaf vac.
- He mentioned that an injured fox has been sited at Lake Eagle Park and asked if there was anyone who could be contacted. Administrator Bromeland will look into this.

OTHER

- None

CITY ADMINISTRATOR REPORT

1. MetroNet Update

- Per MetroNet, the underground work is anticipated to be complete by the end of October 2021. MetroNet is still waiting on pole applications from Xcel and expects to have them back in February 2022. It is anticipated that Eagle Lake will be complete in March/April 2022, depending on weather to complete aerial work. MetroNet will be doing a Mankato build and therefore the cabinet in Eagle Lake may not be necessary.

2. CSAH 27 (Agency Street) Project Update

- The Thomas Drive and Agency Street intersection closed Monday, September 13 at 7:00 a.m. There is no end date listed in communication as it is expected that the intersection will have to be closed intermittently during construction and it may not always be possible to provide advance notice. Motorists are encouraged to utilize the posted detour. Bolton and Menk has notified the bus companies of the intersection closure and detour.

3. Recap of Meeting with KJ Walk and Phase II of Eagle Heights Subdivision

- A meeting was recently held with KJ Walk and the City's engineer with Bolton and Menk for the purpose of reviewing final punch list items needed to be completed prior to building permits being issued for new home construction in Phase II. No firm timelines were established.

4. Playground Update Related to Wood Fiber Fungus

- Sightings of what is known as "slime mold" has occurred at the Lake Eagle Park and Eagle Heights Park playgrounds. An email from St. Croix Recreation and manufacturer has stated the slime mold is harmless but should be removed and placed in a plastic bag to avoid spreading of the spores. The Public Works Department has been monitoring the playgrounds at the parks and removing as needed.

5. EAB Grant and Next Steps

- The grant acceptance paperwork was submitted and awaiting the grant contract. When the grant contract is received, a copy will be forwarded to the Council for review.

6. New Community Forestry Member for Upcoming Service Year

- Eagle Lake's new Community Forestry Member through the AmeriCorps will be starting towards the end of September. The City looks forward to welcoming her and thanks Vien for her service this past year.

STAFF UPDATE

- None

COUNCIL MEMBER'S REPORT

- None

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member White, to adjourn the meeting at 9:15 p.m. 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
CITY COUNCIL MEETING
OCTOBER 4, 2021**

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, Chief John Kopp, Public Works Director Brian Goettl, Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

APPROVAL OF THE AGENDA

- Mike Kennedy, Insurance Agent and Dan Ruschmeyer, Fire Chief were not able to be in attendance tonight, both items under Presentations will be added to the November agenda.
- Administrator Bromeland requested to add authorization to work with a real estate attorney and staffing updates to New Business.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the agenda as amended. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Rohrich moved, seconded by Council Member White, to approve the September 13, 2021, City Council meeting minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member Rohrich moved, seconded by Council Member White, to approve the consent agenda.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Approve Hiring Amy Crary	Approve PERA for Amy Crary
Resignation of Alan Kliest, DTR		
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

PUBLIC HEARING

- None

PRESENTATIONS

1. Scott McConkey, Southern MN Liaison with Office of Traffic Safety: TZD Grant
 - Mr. McConkey stated he is proud of the Eagle Lake Police Department and their dedication to public safety.
 - One year ago, most traffic fatalities stemmed from distracted driving, elderly drivers and driving under the influence.
 - In 2021, the number of year-to date traffic fatalities are the highest they have been in over five years. Through September 26th, there were 356 traffic-related deaths on Minnesota roadways. This is a 22% increase over last year at this time and a 34% increase over this time in 2019.
 - Speed continues to be the largest contributing factor in fatal traffic crashes. Currently there have been 117 speed-related deaths, this is a 35% increase from this time last year and a 102% increase from this time in 2019. It is not uncommon for vehicle speeds to reach 100+ miles per hour.

- Towards Zero Death (TZD) campaigns are geared towards driver accountability and education in an attempt to change the culture.
 - A new grant has been awarded which covers the cost of officers working TZD shifts.
 - Discussion included that officer need to hold specific certifications to work TZD shifts, that these shifts can focus on both the highway and within a community as long as there is visibility and creates a positive safety impact. These campaigns are not to take away from community coverage and should only be run as staffing levels allow.
 - Community education would help to inform residents as to why there are Eagle Lake officers patrolling the highway and what TZD is about.
2. Mark Venem, Eagle Lake Area Lions Club: Placement of Lions Club Sign
- Mr. Venem presented the logo design and template for sign size. The circular sign would be 30 inches in diameter for the logo with a smaller rectangular sign for the meeting dates.
 - Discussion included that the location of these signs would be placed next to the three Welcome to Eagle Lake signs on a separate pole.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the sign design and placement. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

NEW BUSINESS

1. Amendments to Personnel Policy

- The proposed amendment to the City's Personnel Policy relates to clothing allowance. Absent is language addressing specific dollar amounts allocated for clothing allowance for various departments. The purpose of the amendment is to have a comprehensive list of clothing allowance amounts by department for ease of reference. Moving forward the policy can be updated as needed for changes to specific dollar amounts allowed for each department.
- In 2018 a clothing allowance was set for administrative employees and a safety boot policy for the public works department. The police department also has a clothing allowance that has been in place for some time, but not reflected in the policy.
- In addition to the clothing allowance section of the policy, an amendment is needed to update the purchasing policy following the finding in the 2020 audit in which it was noted that two signatures are required on all disbursements regardless of expenditure amount. The current policy read that two signatures are required for expenditures more than \$5,000.
- Council Member White moved, seconded by Council Member Rohrich, to approve amendments to the personnel policy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

2. Authorization to Work with Real Estate Attorney

- With the approval of the offer received for the City-owned lots at 301 and 305 Parkway Avenue, some legal work is needed to prepare a deed and affidavit for the city. In the past, the City has utilized Chuck Peterson and Abbie Olson with Maschka Riedy Ries and Frenz law firm. Mr. Peterson has retired, and Ms. Olson is moving to a different firm. Per an inquiry to Ms. Olson, she is able to complete this work for the City but would be doing so at the firm of Fredrickson and Byron, P.A. in Mankato. It is anticipated that the total cost for the work will be around \$250.00
- Council Member Whittington moved, seconded by Council Member Rohrich, to authorize working with Abbie Olson of Frederickson and Byron, P.A. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

3. Seasonal Employee Update

- Teddy Ferguson was recently authorized for hire as a seasonal employee for the public works department. Mr. Ferguson did not complete all the necessary pre-employment paperwork and notified City Hall today that he will be unable to work for the City of Eagle Lake this fall but appreciated the opportunity.
- Brian Goettl, Public Works Director, stated the department is short staffed currently with the part-time and one seasonal employee off due to medical reasons. This leaves Andrew Hartman, Mike Nicklay, Brian Goettl and Larry Kuster available.
- Discussion included the desire to look into another seasonal staff person to assist with leaf collection. Mr. Goettl stated he was approached by a resident who would be interested in assisting with leaf collection.
- The new leaf vac has been received but there is work needed to the equipment. A technician will come to work on the equipment. The work should be covered under the warranty.

- With the city having two leaf collection systems this year, it is uncertain if the old equipment will be needed next year. If not, it is anticipated it could be sold after this year. This equipment retains its value well.

OTHER

1. Fire Department Open House: Sunday, October 3rd from 1:00p.m. to 3:00 p.m.
 - Administrator Bromeland stated the fire department members did a good job with the open house event this past weekend.

CITY ADMINISTRATOR REPORT

1. Fall leaf collection will begin the week of October 11th. Full schedule is in the newsletter.
2. Fall Cleanup at Lake Eagle Park will be held Saturday, October 16 from 8:00 a.m. to Noon. Council discussion included the possibility of a different location in the future with better in and out vehicle access.
3. Timeline for Strategic Economic Development Plan and Initiative. Administrative Bromeland met with Region Nine staff. Work on this will begin in January of 2022.
4. The upcoming GMG meeting will be held November 9, 2021. Borg Homes will be recognized at the meeting. Any council members wishing to attend should contact Jennifer Bromeland or Kerry Rausch to be registered.
5. The One Million Cups Event will be in Eagle Lake on November 17, 2021. Dasch Salon and Hometown Fitness will be participating.

COUNCIL MEMBER'S REPORT

- Mayor Auringer asked Council and staff to consider alternate ways for sending utility bills to residents other than the United States Postal Service.
- Any members of the public who listened to tonight's meeting online are encouraged to contact City Hall to let staff know if the new microphones being tested by Mayor Auringer and Council Member Steinberg improved the audio portion of the live stream.

ADJOURNMENT

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 6:55 p.m. 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
CITY COUNCIL SPECIAL MEETING
OCTOBER 11, 2021**

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, Chief John Kopp, Public Works Director Brian Goettl, Deputy Clerk Kerry Rausch.\

AGENDA

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

NEW BUSINESS

1. Approval to Hire Seasonal Public Works Worker

- Ed Stevens applied for the seasonal position and was interviewed by Administrator Bromeland and Public Works Director Brian Goettl. Staff is asking for Council approval contingent on a successful background check and any other pre-employment testing. Mr. Stevens accepted a contingent job offer with starting pay of \$11.71 per hour.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to hire Ed Stevens contingent on a successful background check and any other pre-employment testing. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

OTHER

1. Leaf Vac Unit Update

- Brian Goettl updated Council on the new leaf vac equipment stating there is still an issue with the box which will be covered under warranty and will be repaired after the leaf collection season. There is a one-year warranty on this equipment.
- Leaf collection started today, and the new equipment is more efficient than anticipated.
- The collection schedule has the city divided into four sections. Each week will focus on a different section of town, going through that section several times during the week. If time allows staff may work in other sections as well each week.
- It is anticipated that after this year leaf collection will be a one person, one unit operation.

2. Lutter Avenue Access Agreement Update

- Administrator Bromeland shared that the reason work has not begun on clearing access to Lutter Avenue is because the requesting party has not yet signed the access agreement due to questions as to why an agreement is needed when there isn't an agreement with another property owner that utilizes the City's access to get to his property along 598th. It was noted that this is a shared access and only one access allowed off 598th in this area. Legal fees have been incurred to draft the access agreement. Legal counsel was consulted about the other party's requests and was advised that the agreement was drafted to protect the City's interest and because there is no benefit to the City in allowing the access to be used by the other party. It was noted that the city will want to maintain this access off 598th for future development purposes. City staff will keep the lines of communication open with the other party as the access agreement with language from legal counsel was previously approved by the City Council and is still an option for the party if they are interested and agree to the City's terms of the agreement.

ANNOUNCEMENT

1. Presentation of Employee Spotlight Recognition Award from South Central Service Cooperative

- Administrator Bromeland explained that Kerry Rausch was nominated for the South-Central Service Cooperative Employee Spotlight Award and that they recognize honorees quarterly and that not all nominated employees receive this award. This quarter’s Employee Spotlight Recognition Award was presented to Kerry Rausch with the City of Eagle Lake.

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member Whittington, to adjourn the meeting at 6:14 p.m. 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
CITY COUNCIL MEETING
NOVEMBER 1, 2021**

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 (left early, approximately 7:30 p.m.), John Whittington, and Mayor Tim Auringer.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Brian Goettl, Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

APPROVAL OF THE AGENDA

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

APPROVAL OF MEETING MINUTES

- Council Member Rohrich moved, seconded by Council Member Whittington, to approve the September 13, 2021, City Council meeting minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member White moved, seconded by Council Member Rohrich, to approve the consent agenda.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Approval of 2022 Liquor Licenses	Designate Polling Place
Certification of Unpaid Charges	Pay Estimate #4 and Final for Linda Drive Drainage Project	
Add Britton and Fangmann to Active Fire Roster		
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

PUBLIC HEARING

- None

PRESENTATIONS

1. Dana and Kathy Schnepf, Owners of Hwy 14 Self Storage of Eagle Lake: Building Permit Valuation and Fee Review
 - Administrator Bromeland explained that a letter from Kathy Schnepf, owner of Highway 14 Mini Storage was received on August 11, 2021 regarding her concern about the valuation placed on her permit for a new storage building. She met with Mr. and Mrs. Schnepf and Dan Murphy, building official where the Schnepf's stated their concern that the valuation they included on the permit application was crossed off and replaced with a higher valuation resulting in a higher permit fee. They also expressed frustration with the similar plan fee and how it has been applied. Consensus at that meeting was to refund permit 21-33 since the Schnepf's indicated that they were not able to secure a building due to supply chain issues and backlogs with orders. The permit fee refunded was included in the bills list at the October 4 City Council meeting and a check cut on October 5th refunding the entire amount paid. In addition, the Schnepf's requested an audit of all the permits issued on their storage buildings and a refund of any overcharges.

- A second meeting was held on October 27 with the Schnepf's, Mr. Murphy and Administrator Bromeland to review Mr. Murphy's valuation and permit fee calculations on all permits issued to date. It was explained to the Schnepf's that City staff does not have the authority to issue a refund for any overcharges on past permits and that the matter would have to be reviewed by the City Council and a determination made.
- Mayor Auringer stated he and Kathy talked on the phone prior to these meetings and that he hopes there were productive meetings with city staff and the building official, it is his understanding that the most recent application has been withdrawn and permit fees have been refunded.
- Dana and Kathy Schnepf, 42389 Kerns Drive, North Mankato, stated that earlier in 2021 a building permit was applied for and the second permit they applied for had higher fees and that the value on the application was changed. They stated that the building official's valuation was incorrect. It is concerning to them that he is able to change the value. They feel that he should discuss changes with the applicant. They also have issues with the plan review fee, stating that a former administrator had them under a similar plan, and that their interpretation of "similar plan" is different than the building official's. The Schnepf's believe that the site plan they originally submitted should be considered the master plan, the buildings are the same, even if the sizes vary.
- It was explained that a master plan is used for similar sized buildings and since the building sizes are not all the same size they do not fall under the same master plan.
- Mr. and Mrs. Schnepf continued by expressing their concerns that the building inspectors' charts for cost per square foot are not the same as what it actually costs them to build these buildings. Their actual cost to construct a building, including concrete, is \$23 per square foot.
- Chris Kennedy, the city attorney, stated the reason the Schnepf's have not been reimbursed is due to his advice and that Council needs to review this matter and make this decision.
- Mayor Auringer explained that state statute does allow for a building official to change the valuation for a project. He also stated he feels the fair way proceed is for the city to utilize the data the Schnepf's have provided which shows the valuation for the project.
- Chris Kennedy stated that a former city administrator had certain handshake agreements and did not necessarily have these documented and did not necessarily get council approval. He also explained that Administrator Bromeland has instructed the building official to make property owners aware of valuation changes to their permit application prior to the permit being issued. The fees are mathematical using the 1997 fee schedule. There are a lot of things which have been learned through this process and will be improved upon. Need to consider if precedent is being set.
- Mayor Auringer explained to Council that the building code comes from the International Building Code which lays out a chart. The city is using the 1997 version which is more advantageous to residents than more current charts. It includes a building permit fee, the plan review fee, and the state surcharge fee. When a developer has a master plan with similar buildings, then the plan review fee would be reduced because there is not as much time involved in reviewing a similar plan. He also explained that at times, when the size of a building changes, it may put the building into a different code requirement.
- Mr. Schnepf voiced his concern about the valuation on the permit and that it would be used by the county to determine the amount of his property taxes. Administrator Bromeland shared an email from Blue Earth which stated: "Although a building permit valuation provides the county with an estimate pertaining to the actual cost of the item being completed it does not affect the valuation that the county will assign to the project. The county will make its own determination of the permit and will assign a valuation adjustment completely independent of the valuation estimate assigned by the permit."
- Mayor Auringer asked how Council would like to move forward, stating he is of the opinion that the costs the Schnepf's provided should be used, in lieu of the building code chart. Mrs. Schnepf state that if the city were to go back and recalculate the building permits using the \$23 it would not be advantageous to the city.
- Council Member Whittington asked if the issue is how this project it is being categorized, which appears to be a unique situation.
- Mr. Kennedy's concern is that if there is not an identified policy, how does it apply to different situations. The city's policy is similar to other cities. He also stated that the actual cost does not come into play, but rather what the expected valuation of the property is, which makes sense because some contractors may come in with the ability to build something much cheaper than someone else. This works well for residential property for the most part, but not as well for properties that do not slot in well to other categories.
- Council Member White asked how the value could be so far off. It is due to a storage building is the simplest of commercial buildings.

- Council consensus is that if the inspector is recommending a change to the valuation indicated on the permit, this needs to be communicated to the customer and explained why the change. Mr. Kennedy recommended that these changes are not only being communicated with the customer, but also with city staff.
 - Council would like to move forward and know that research of past permits and been analyzed. Mayor Auringer asked if there is any information if a refund is due.
 - Council Member Rohrich asked about Mr. Murphy's indication of a code violation.
 - Administrator Bromeland explained the site plan has different size buildings. Mr. Murphy has indicated that if there are different sized buildings the plan review reduction does not apply.
 - The overcharges, per Mr. Murphy, for building permit 16-21, the city would owe \$367.50 the Schnepfs utilizing the \$21.66 per square foot cost. The Schnepf's were undercharged on other permits.
 - Mayor Auringer stated he wanted to see the bills for construction are and that has been provided. Mr. Whittington voiced concern with how a determination tonight would be used going forward; how would the City replicate this. Mr. Kennedy stated this case it is a one-off situation. If a similar request is received the city should develop a policy and decide what that policy should be. This would not be setting of a president, but a onetime situation.
 - Council discussion included the desire to make sure the cost is accurate for future projects, that value and cost are not the same thing, and not wanting the Council to do anything to allow the City to be taken advantage.
 - It was explained that the Council updated the building code chart the City utilizes from the 1994 code to the 1997 code since the Schnepf's started their project in 2016.
 - Mayor Auringer moved, seconded by Council Member Whittington, to utilize the construction costs the Schnepf's have provided to determine valuation of this project. Council discussion included that items on the building permit should never change without a discussion between the building official and applicant unless a conversation has taken place. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
 - Mr. Kennedy stated this process is legal and that this is a one-off situation. He also referenced Mr. Murphy's note regarding a building code violation and that should be addressed.
2. Luke Israelson, KJ Walk: Developer's Agreement and Building Permit Timeline
- Luke Israelson, President of KJ Walk, asked what needs to be done to be able to issue building permits in the second phase of the Eagle Ridge subdivision. There is interest in new home building in the development.
 - Administrator Bromeland explained sidewalks would be constructed in 2022, stormwater pond calculations have been received with Bolton and Menk in the process of reviewing those, boulevard restoration and final wear course would be completed in 2022 as well as adjusting misaligned valve box. Items completed include the removal of concrete from catch basins, replacing bar from missing grate, and the removal of a concrete pipe from the site. City Hall has received inquiries about pulling permits and staff is following previous direction in not issuing permits until all punch list items have been completed.
 - The City's attorney, Chris Kennedy, stated Council can consider an irrevocable trust or that monies be set aside for repairs or punch list items which need to be completed. This would ensure funds would be available for uncompleted items on the punch list. Luke Israelson indicated he would be open to these options.
 - Discussion included that the buyers of the lots would need to be aware of where sidewalks will be installed and who is responsible for them. The city needs to ensure that the storm pond design is adequate. The city would not be responsible for snow removal until the city accepts all infrastructure. The cost of the remaining improvements needs to be determined.
 - Discussion of issuing building permits included those applications could be accepted but not issued until legal issues are finalized.
 - Mayor Auringer moved, seconded by Council Member White, to proceed with the final storm water calculations, develop a cost for outstanding items to be completed in 2022, and work with the developer to get escrow monies or a letter of credit for those items, allowing for the ability for building permits to be issued on those properties. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
 - Council directed Brian Sarff with Bolton and Menk to work with KJ Walk on cost estimates for remaining work.

3. Mike Kennedy, Insurance Agent: Insurance P & C and WC Renewal Information
 - Mr. Kennedy was unable to attend tonight's meeting.
4. Brian Sarff with Bolton and Menk: CSAH 27 (Agency Street) Project Update and Recap of Water Regionalization Meeting
 - Brian Sarff with Bolton and Menk stated the CSAH 27 project is substantially complete and that the initial punch list including sidewalks, signage and grading have been complete. The remaining items include concrete repairs, evaluation of grass and the final lift of blacktop will be completed in 2022.
 - In recapping the water meeting with Mankato, which staff attended, to discuss regionalization of water resulted in Mankato expressing two concerns which include the concern of water quality and the potential contamination of Mankato's water. The other concern is that of capacity and the difficulty for Mankato to expand their capacity, making this option much more challenging. Mankato indicated they would need financial reimbursement from Eagle Lake for this to be further explored.
 - The next step for Eagle Lake would be to secure a site for a water treatment plant. And to pursue preliminary designs for a plant. Funding for such a project would be available in 2023 with the new manganese threshold. A new well would also need to be constructed.
 - The timeline to submit a funding request is March 2023. Mr. John Graupman, with Bolton and Menk, would be available to attend the December's Council meeting to go into more detail and to answer questions.
 - Discussion included asking that research be done to ensure that the American Rescue Plan (ARP) funds can be used for the design work of the treatment plant and long-term planning is needed for such a project.

NEW BUSINESS

1. Planning Commission Recommendation for 237 Oak Drive
 - Mark Fromm, owner of 237 Oak Drive, has submitted an application for the construction of a new detached garage. As the zoning administrator, Jennifer Bromeland explained that she reviews permit applications for dimensions and setbacks and carefully reviews the site plan. Included on Mr. Fromm's site plan appeared to have a hard surface of more than 40 feet at the garage line. A response was sent to Mr. Fromm and his contractor indicating that the existing driveway for the three-stall garage was already at the maximum allowed per code. Mrs. Bromeland's response prompted a request from the owner and contractor to meet on site. When she met with the property owner and his contractor, it was apparent that the additional hard surface needed for the proposed new detached garage was already constructed and in violation of code. An email was sent to the owner and contractor following that meeting informing that the hard surface more than 40 feet at the front garage line was considered illegal and non-conforming.
 - A building permit was approved in 2017 for the new construction of a home of which the driveway was included with a measurement of 39.4 feet at the garage line. The property owner approached the City in the spring of 2018 asking how wide the driveway could be at curb. This inquiry prompted discussion at the April 2018 Planning Commission meeting which resulted in a public hearing being schedule to consider widening the driveway width at curb and eliminating the 40-foot driveway width at the garage line. A public hearing was scheduled, and a recommendation made from the Planning Commission to the City Council to increase the driveway width at curb and to allow more flexibility for hard surface parking. The City Council tabled taking any action at their initial meeting in which the recommendation was made, due to concerns with allowing up to 35% of a front yard to be hard surfaced. Ultimately, the City Council voted to widen the driveway width at curb to 32 feet but took no action on increasing the amount that a front yard could be hard surfaced and left the 40-ft driveway width at curb language as written.
 - When an application comes in, the zoning administrator reviews against code and if everything look good on the application and site plan, it is approved, and then public works goes on site to complete a staking inspection. At the conclusion of the project, public works goes back on site for a final staking inspection to verify that the result is consistent with what was approved according to code. The permit was approved in 2017 and a final inspection should have occurred when the permit was finaled out. According to the permit, no driveway inspection occurred or was initialed on the permit form.
 - Discussion took place at the October 18th Planning Commission meeting and a recommendation made to deny the permit application for a detached garage until the property is brought into compliance with code.
 - City staff informed the applicant that upon reviewing definitions of front, rear, and side yards, it was noted that the detached garage could not be placed where proposed as doing so would mean placement of an accessory structure in the "side yard". The lot is odd shaped and not rectangular creating some confusion as to what is considered the front, side, and rear yard. An accessory structure can be placed in a rear yard so long a five-foot setback is maintained from all property lines.

- Section 6.260 of Chapter 6 of City Code states, upon finding the existence of a violation of the ordinance, corrective action may be required. The hard surface of more than 40 feet in width at the garage line will need to be removed to bring the property into compliance with code.
 - Discussion included that the existing concrete at the garage line is approximately 56 feet. Possible actions of recourse could include removing side parking pad or applying for a variance. Council indicated they are not interested in issuing variances after the fact. Discussion also included if 4 stall garages are something that should be addressed in city code, that this parcel is unique in shape.
 - It was also noted that once the city receives a complaint or is made aware of a violation, it needs to act upon it. Violations of city code are considered a misdemeanor and a citation could be issued.
 - City Council asked that the Planning Commission review city code to determine if any code changes are needed.
2. Pricing for New Air Compressor for Fire Department
- Fire Chief Dan Ruschmeyer stated he has received two quotes for an air compressor. The quote from Alex Air Apparatus is for \$36,550 and includes a 5-year warranty and has a local presence for service and the quote from Sandry Fire Supply is for \$31,643.55, the extended warranty would need to be purchased separately, and service would come out of Iowa. An electrician would need to be contracted to do the electrical hook up. The fire department requested authorization to purchase the air compressor from Alex Air Apparatus utilizing the American Rescue Plan (ARP) funds.
 - Discussion included that the lowest cost is not necessarily the best purchase option. There is \$21,700 set aside in capital outlay for this purchase which leave a balance of approximately \$15,000 that has not been set aside at this point.
 - Council discussion included the desire to utilize the ARP funds for water situations and that this purchase is not eligible for ARP funds per the city's auditors and that gambling funds held with the City would be an appropriate option to pay the remaining balance.
 - Chad Witte with the fire department stated that he feels the city should be responsible for this purchase and that gambling is an unreliable income source. He stated he does not want to be disrespectful of what the city provides but he feels the gambling funds could be used elsewhere.
 - Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the purchase of an air compressor from Alex Air Apparatus in the amount of \$36,550. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
 - Discussion continued stating there is approximately \$91,000 in the gambling fund and those funds would be used to cover the remaining \$15,000 of this purchase. This purchase will be order now with delivery and payment coming in 2022.
3. Pricing for New Microphones for Council Chambers
- The updated proposal for the purchase of nine used microphones for the Council Chambers from Video Services, Inc. (VSI) is \$4,857. Per an inquiry to the City's auditor, the use of American Rescue Plan (ARP) funds to purchase microphones to complement the new live stream equipment in the Council Chambers that was purchase in 2020 using CARES Act funding, so it seems logical that additional funding made available because of COVID be used to finish outfitting the Council Chambers for this purpose.
 - In 2021, \$163,329 has been received in ARP funds and to date, no expenditures have been made using these funds.
 - Discussion included whether this is a desired purchase and if so that the purchase should come out of general government capital outlay and not use ARP funds.
 - Council Member Rohrich moved, seconded by Council Member Whittington, to purchase nine microphones from VSI. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

OTHER

1. Recap of Recent Meeting about Water Regionalization Concept
 - This was covered under presentations.
2. Mayor for a Day Essay Contest
 - The League of MN Cities is holding another Mayor for a Day essay contest. To enter, 4th, 5th, and 6th graders can answer the prompt, "What would you do if you were mayor for a day?" for a chance to win \$100 and recognition in the Minnesota Cities magazine. The deadline for submission is Monday, December 6th. Essays can be submitted online or through email. Winners will be notified in early January.
 - In addition to the LMC contest, Eagle Lake can provide additional recognition for local participants.

- A letter from Mayor Auringer will be sent to the Eagle Lake Elementary School, sent out via email, and posted on the City's Facebook page.
3. Informational – Non-Conforming Fence and Corrective Action Required
- City public works staff recently expressed concern with the placement of the west side of a newly installed fence, at 245 Joan Lane, as it appeared to be very close to the roadway and likely in the City's right of way. An onsite meeting was coordinated with the owner, public works staff and the City Administrator to review the site plan, property pins, and placement of the fence.
 - Since the on-site meeting, the property owner submitted an application for variance along with payment and was planning to attend tonight's meeting but has since withdrawn his application and requested to be removed from the agenda. The property owner has indicated cooperation with the City's request for corrective action by agreeing to remove the west side of the fence from its present location to within the property owner's property. There appears to have been a misunderstanding by the property owner as to where the property line ended in conjunction with the City's right of way. The property owner has requested a grace period to remove the fence from the City's right of way as the installer of the fence is from out of state and won't be returning until December. City staff recommends that the property owner be given a grace period until December 31st to remove the fence from the City's right of way on the west side along Thomas Drive.

CITY ADMINISTRATOR REPORT

1. Update on Lawn Mower Claim from Motor Vehicle Damage
- One of the City's seasonal public works employees was hit while driving a city mower across the street last July. Fortunately, the employee was not injured but the mower did sustain damage and needed to be repaired. With the City's deductible being \$2,500 and the repairs being \$1,150.50, the League of MN Cities Insurance Trust (LMCIT) subrogated on the City's behalf to collect from the at-fault party's insurance carrier. LMCIT was successful in recovering \$1,150.50. A check from LMCIT will be arriving shortly. The repairs have been made to the lawn mower.
2. Response from Canadian Pacific Railroad for Crossing #193-416W
- Canadian Pacific Railroad has indicated that the railroad crossing at the east edge of the city has been inspected with work scheduled in the next couple of weeks to make it smoother.
3. 2020 Census Population and Household Counts from MN State Demographer
- The 2020 census population and household count for Eagle Lake from the Minnesota State Demographer have been received. Eagle Lake's population is 3,278 which is an increase of 35% since 2010 when the population was 2,422.
4. CSAH 27 (Agency Street) Reconstruction Project Newsletter
- The contractor is substantially complete with the work on Agency Street. New traffic signs were installed last week. After all signs were placed, the detour and all temporary signage was removed from the project area. Agency Street is now fully open to traffic.
5. Issuance of Coverage under MPDES General Permit MNR040000 for Eagle Lake MS4
- Minnesota Pollution Control is issuing coverage under the Small Municipal Separate Storm Sewer System (MS4) General Permit to the city of Eagle Lake MN4, effective October 22, 2021.
6. Manganese Sampling Request from MDH Drinking Water Protection
- The Minnesota Department of Health Drinking Water Protection has asked water suppliers to participate in collecting water samples for manganese from each water supply entry in the water system. Public Works Director Brian Goettl responded to MDH and notified them that Eagle Lake will be participating in the sampling.
7. Pedestrian Connectivity Study
- At the recent Mankato Area Planning Organization Technical Advisory Committee (TAC) meeting, a recommendation to approve requests for proposal for studies contained in the 2022 Unified Planning Work Program was approved. Included is the Eagle Lake Connectivity Study. The purpose of the study is to identify alternatives to connect the southeastern portion of Eagle Lake to the rest of the community with the potential addition of a pedestrian crossing and a sidewalk or trail along CSAH 27 (Agency Street) from Thomas Drive to 211th Street. The study is intended to promote walkability and connectivity while eliminating accessibility barriers and ensuring ADA compliance. Currently there is a safety concern to pedestrians crossing CSAH 27 and traveling along the shoulder of the road between Thomas Drive and 211th Street. There is a population of youth that are disconnected from the rest of Eagle Lake for fear of crossing CSAH 27 without a safe crossing and sidewalk system in place. The total project cost for the study is \$25,000 with an anticipated date of completion for the study being December of 2022. There is no direct cost to the City of Eagle Lake for the study.

8. MN DNR Park Inspection

- The MN DNR recently completed a visit to Eagle Lake to inspect sites funded by DNR grants. Each site is visited at least every 5 years to ensure that the program requirements are being met. During the recent site inspection, the DNR checked to be sure that the grant assisted park areas (Lake Eagle Park and tennis courts) are being managed for public outdoor recreation and that the grant assisted facilities are still in existence. They also look for any safety or accessibility concerns and verify that there is a grant funding acknowledgement sign displayed near the entrances. Following the inspection, an email was received notifying that the park and tennis courts were found to be well maintained and operated for outdoor recreation use. One comment was that a walkway and level access should be provided to the playground to ensure access for persons with disabilities. Coincidentally, a day or two after receipt of the email, the concrete path was poured at the playground area and a photo sent documenting the improvement to ensure ADA access.

9. Budget and Wage Study Update

- As updated numbers begin to be available for health insurance and other items, budget line items will be updated accordingly. Survey data has been received and compiled. A meeting will be scheduled with the Personnel Committee soon to review results and recommendations. The goal is to implement wage study recommendations into the 2022 budget. It is anticipated that a work session may be necessary in mid to late November to review wage study recommendations and timeline for implementation.

10. One Million Cups Event in Eagle Lake on November 17th

- This event will be held at City Hall from 8:30 a.m. to 9:30 a.m. and all are invited to attend. It is anticipated that two Eagle Lake business owners will be presenting-Kim Daschner with Dasch Salon, and Jake Schrom with Hometown Fitness.

11. Support Local Campaign/Community Holiday Event

- The EDA has in recent years collaborated with local businesses to send out a support local business flyer in conjunction with the holidays. In addition, last year the police and fire held a drive through event at Eagle Lake Elementary in which the departments and Santa handed out goodie bags to children. Discussion will take place at the November EDA meeting about collaborating with the police and fire departments and holding a community event that encourages celebrating community and supporting local.

COUNCIL REPORTS

- None

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member Whittington, to adjourn the meeting at 8:38 p.m. 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
CITY COUNCIL SPECIAL MEETING
NOVEMBER 22, 2021**

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, Chief John Kopp, Public Works Director Brian Goettl, Deputy Clerk Kerry Rausch.

NEW BUSINESS

1. Petition for Annexation for Parcel R39.10.19.251.008

- Administrator Bromeland presented a petition for annexation from the property owners of parcel R39.10.19.251.008. She explained that a developer, Justin Jackson, would like to purchase this parcel for a housing development.
- Administrator Bromeland further explained that when land is annexed, it is placed in an agricultural district until re-zoning occurs. Per City Code, a preliminary plat is needed with a re-zoning application. After reviewing the petition for annexation, the City Council will have the opportunity to schedule a public hearing under Minnesota Statutes 414.033, Subdivision 2(3). Notice will need to be provided to LeRay Township and affected landowners 30 days in advance of the hearing. In addition, notice of the proposed ordinance will also need to be published in the City's legal newspaper.
- When contemplating annexation, the City Council will want to carefully evaluate how the annexation will affect residents, landowners, and property in the area to be annexed, what additional costs will the City incur when providing services to the annexed area, how much revenue can and will the City obtain through taxes and other charges against the annexed area, what is the present status of the land available in this area and outlook for future development, and what impact, if any, will annexation have on development in this area. A developer's agreement will also need to be developed outlining the responsibilities of the developer and the city.
- The petition for annexation was reviewed with the Planning Commission at its November 15th meeting. In attendance at the meeting were property owners directly adjacent to the proposed development. The developer had previously reached out to the landowners adjacent to the proposed development area to discuss his plans.
- The Planning Commission's role is to provide a recommendation to the City Council about re-zoning when an application is received for this purpose. Once an application is received for re-zoning, a public hearing is scheduled, and notice published in the newspaper and mailed to all property owners within 350 feet of the area proposed to be rezoned. While re-zoning can occur concurrent to an annexation, in this situation it is not possible without the developer putting together and supplying a preliminary plat. The developer attended the Planning Commission to discuss a future possible re-zoning request. No official action was taken as the discussion was for informational purposes only and because no application for re-zoning has been received.
- The development is proposed to be completed in phases with the first phase consisting of market rate twin homes and the later phases(s) being market rate multifamily apartment complexes.
- Developer, Justin Jackson, was present and stated the design before Council tonight is only a concept plan and that he is willing to work with the neighboring properties and is willing to put in a tree line to serve as a buffer. The units would be market rate rental properties. If annexed, it is anticipated that construction would in the spring of 2022. Mr. Jackson also stated the proposed density of this development would be 5.7 persons per acre.
- Discussion included the need to determine how new developments would affect the city's water capacity and supply. Administrator Bromeland stated that preliminary conversations with the city's engineer have

indicated that utilities should be sufficient north of the creek, but south of the creek would likely require a lift station and more review. There is a water main at the end of Oak Drive. A meeting with the engineer and staff is scheduled for tomorrow to discuss utilities in more detail. Administrator Bromeland stated that the development being proposed has come up quickly and staff has not had sufficient time to research utilities and study a concept plan. It was noted that the developer wanted to meet with the Planning Commission to have an informal conversation about the proposed development and answer questions but that there is a formal process to be followed before any formal action can be taken as far as rezoning or platting. The matter before the City Council is to consider the petition for annexation.

- Council concerns included the water runoff into the wetland/swamp area and how that would affect existing developed properties. Traffic flow was discussed and how this would affect existing properties, where access points should be and the need to ensure delivery truck and emergency response vehicles needs. The desire for single family homes instead of 8-plexes was also discussed with the developer indicating that single family homes would not be feasible.
- Council consensus included the desire to look at the big picture and the future of this area and the need to make an informed decision.
- Mayor Auringer asked if there is a deadline with which the city must respond to the petition for annexation. Administrator Bromeland stated that she was not aware of a timeframe as in the situation of a variance or conditional use permit but recommended that the matter be tabled and revisited at the December 6th meeting so she could research the question raised and report back.
- Council Member Steinberg moved, seconded by Council Member White, to table discussion until the December 6, 2021, City Council meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

2. Request from Developer for City to Remove Snow in Eagle Ridge Phase II Prior to City Accepting Infrastructure

- Administrator Bromeland shared that Luke Israelson, owner of KJ Walk, Inc., has requested that snow removal services be provided prior to all final punch list items being completed. Since the supplemental agreement was approved, one permit for new home construction has been pulled. In an email to Administrator Bromeland, Mr. Israelson indicated that he does not have the means or equipment to remove snow and is asking the City to provide this service. It was noted that the developer acknowledged the wording of the developer's agreement as it relates to snow removal prior to all punch list items being completed.
- Council discussion included that if there is no construction occurring, the City would not plow these roads, while the City could provide this service, it should also charge for the service. If the City provides plow service at this time, it would only be for contractors to be able to access the construction site and the roads would not be plowed curb to curb.
- Mayor Auringer moved, seconded by Council Member Steinberg, to approve the request to plow snow for the developer at a per season cost. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.
- Council directed staff to determine an appropriate cost for plowing snow in Eagle Heights Phase II and to address this with Mr. Israelson.

3. Offer Received for 1986 Plow Truck

- The plow truck was listed for sale in March of 2021 with a minimum bid amount set at \$6,000. Advertisements were placed on the City's website and Facebook page and on the League of Minnesota Cities online "For Sale" section. To date, only one bid has been received and it is in the amount of \$2,500.
- Discussion included the minimum bid amount was set at the trade in amount the city was quoted. Another location to list the plow would be with MinnBid.
- Council indicated their feelings that the bid received was too low.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to reject the bid received. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Auringer voting in favor.

4. 2022 Budget Work Session

a. Review Wage Survey Results and Staff Recommendations

- A wage survey was completed for all positions by the Minnesota Valley Council of Governments (MVCOG). The reason for the survey was to ensure that employees are being paid competitively and close to market to reduce turnover and increase retention. The last wage survey was completed and approved in 2016 and went into effect in 2017.

- Being within 10% above or below the average is typically considered within market. A 10% wage increase was factored across the board into the preliminary budget. A proposed 2022 wage recommendation was presented, and a similar wage increase structure was recommended for 2023, until wages closer in line with the average pay in the area.
 - The recommended 2022 wage is an increase of COLA by 5.9% and grant a 2% step increase to all eligible employees on January 1, 2022 and another 2% step increase to all eligible employees on July 1, 2022. In total, all employees eligible for a step increase will have the opportunity to increase their wages by 10% in 2022. Employees at the top of the pay of the range will only receive a COLA increase on the current pay scale. Additional pay scales were presented for consideration which included one or two additional steps to accommodate employees at or nearing the top of the pay scale.
 - Council discussion included the desire to beef wages up and if a 10% increase is enough, the need to look at a plan to increase wages for the next 2-3 years, if wages for one particular department should be considered over other departments. Further discussion included total compensation packages which would include benefits. For such a study it was recommended this be contracted out.
 - The MVCOG has recommended that all employees be treated the same. Council has the discretion to set new hire's beginning wages above step one.
 - Chief Kopp asked that Council keep in mind that police officers have two to four years of college education and that the City of Mapleton pays part-time police officers \$22 and LeSueur \$27 per hour.
 - Public Works Director Brian Goettl explained the pay increase history for the Public Works department.
 - Council directed staff to show where each employee's wage are on the pay scale. Further discussion will be held at the December 6, 2021 City Council meeting.
- b. Updated Health Insurance Rates
- The 2022 renewal rates have been received with an increase of approximately 10% over the 2021 rates. The City's rates are not based on health history as we are a small group. A meeting was held with the City's insurance agent, Todd Zimmerman, and he shared that after running a comparison with other plans there would be minimal cost savings if the City were to change plans. It was noted that employees seem satisfied with the current plan and have not expressed any concerns or interest in exploring alternate plan options at this time. The updated rates will be reflected in the 2022 proposed final budget.
- c. Pricing for Website Re-Design
- Greg Lee with Webicine, Inc. has provided an estimate in the amount of \$4,500 to move the current website to a WordPress platform with better security and stability. We are limited in what we can do with the current website due to it being obsolete.
- d. Park Pavilion
- The Park Board would like the City Council to consider prioritizing the construction of a new park pavilion at Lake Eagle Park for 2022. There is currently \$50,000 set aside in the 2022 budget for parks, but additional funding will be needed to construct a new shelter.
 - Council discussion included the possibility of utilizing some of the set aside funds for this purpose.
- e. AEPA Funding
- Possible eligible uses of ARPA funds will be presented at the December 6, 2021 meeting.
- f. Other
- The motorsports park is still going through the process.

OTHER

- None

ANNOUNCEMENT

- None

ADJOURNMENT

- Council Member White moved, seconded by Council Member Rohrich, to adjourn the meeting at 8:02 p.m. 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
CITY COUNCIL MEETING
DECEMBER 6, 2021**

CALL TO ORDER

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

ROLL CALL

- Council Members present: Garrett Steinberg, Beth Rohrich, John Whittington, and Mayor Tim Auringer.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, Public Works Director Brian Goettl, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None

APPROVAL OF THE AGENDA

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

APPROVAL OF MEETING MINUTES

- Council Member Whittington moved, seconded by Council Member Rohrich, to approve the November 1 and November 22, 2021, City Council meeting minutes. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

CONSENT AGENDA

- Council Member White moved, seconded by Council Member Rohrich, to approve the consent agenda.
 Monthly Bills Treasurer’s Report Police Report
 Fire Report Public Works Report Building & Zoning Permits
 Gambling Report Resignation of Bridget Larson from Park Board
 The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

PUBLIC HEARING

1. Truth-In-Taxation Hearing for Final Property Tax Levy Collectible in 2022

- Administrator explained that the purpose of the truth-in-taxation hearing is to give an overview of the proposed final general fund budget and proposed final tax levy for 2022 and to obtain feedback from the public. Market values shown on property owner Truth-In-Taxation notices are final and were set by Blue Earth County Board of Equalization. Eagle Lake’s preliminary tax levy was set at 10% over what was collected in 2021. This equates to an increase of approximately \$81,173. The final proposed general fund revenues are \$1,758,012 and the final proposed general fund expenditures are \$1,898,273. The budget would be balanced but for planned deficit spending using capital outlay reserves. These are reserves that were previously set aside for capital outlay expenditures. The proposed 2022 property tax levy is \$696,904 for the general fund, \$51,000 for the EDA, and \$144,997 for debt service. Unless a property’s valuation changes, the property tax increase should remain relatively flat for properties given the City’s net tax capacity. According to Blue Earth County Property Tax Services, residential values increased, on average, 8%. Local Government Aid (LGA) comprises approximately 43% of general fund revenues, while property taxes comprise about 40%. Police, fire and streets comprise approximately 60% of the general fund expenditures. The City maintains a bond rating of AA-, has a policy to maintain a minimum unassigned general fund balance of 50% of the annual budget, and has a positive fund balance which offers a cushion for unexpected expenditures or revenue shortfalls.
- The public hearing was opened; with no comments being offered the public hearing was closed.

PRESENTATIONS

1. Deanna Perreault with MRCI: Request to Use Council Chambers During Noon Hour

- Deanna Perreault explained that MRCI works with individuals with mental disabilities and requested the use of the Council Chambers during the lunch hours, noon to 2:00 p.m. for individuals to eat their lunch. There would be one staff person for four individuals, and they would clean up after using the room.
- Staff and MRCI would communicate in advance if the room would be unavailable on a given day.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to authorize MRCI to use the Council Chambers for lunch breaks. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

2. John Graupman with Bolton and Menk: Water Treatment Plant Concept and Next Steps

- Mr. Graupman stated a filtration facility would remove both iron and manganese utilizing one treatment process and that water clarity would no longer be an issue for residents.
- The federal infrastructure bill would triple Public Finance Authority's (PFA) funds for the next several years. To qualify for funding the City would need to be shovel ready, meaning land acquisition is a critical first step. Plans would need to be submitted by March of 2023 to meet the deadline to get funding in 2023. A request was submitted in April 2021 for placement on the Drinking Water Revolving Loan Fund 2022 Intended Use Plan.
- The city will need to engage an engineer to look at design site and to provide preliminary engineering. Five acres of land would be optimal for such a project, additional land would be a benefit, but slightly smaller than five acres would work. Another option for the City would be to do nothing.
- Administrator Bromeland has contacted Shannon Sweeney, with David Drown and Associates, as it relates to the timing and need for another analysis of water rates. It is recommended that once the City knows whether the project will score high enough through PFA's process to obtain low interest loans for the project that the rate model can be updated. It was also discussed that land cost could be rolled into the project's financing. Prior to or at the time of purchase of land, the City Council will need to adopt a reimbursement resolution authorizing the reimbursement of any capital costs from tax exempt bonds.
- Mr. Graupman stated that a treatment facility would require a half time employee and that staff time would be 1-2 hours a day on average. The plant would be fully automatic and will require maintenance. Once the plant is completed and running, water mains would still need to be flushed. The water tower will have little to no sediment.
- Council directed staff to schedule a work session for this project.

3. Brian Sarff with Bolton and Menk: Agency Street Lighting Update

- Discussion took place last summer about lighting needs along Agency Street. City staff and engineer Brian Sarff with Bolton and Menk have been in communication with Xcel about lighting. The plan is to add 9 lights along Agency Street to existing street light poles and one new light pole between Maywood Avenue and LeSueur Avenue. The cost per additional light will be approximately \$10 a month.
- Council discussion included the amount of light that will be added. Mr. Sarff explained that the lighting is designed to cast downward, similar to what is already there.

4. Steve Mohr with MetroNet: Update on Plan to Resume UG Operations During Winter

- Steve Mohr updated Council on the work that is still needing to be completed and that their contractor is back working in the Eagle Height's Subdivision Lake as weather allows. Remaining underground work as well as ariel work will continue in the spring. The estimated time for service to be available to residents is June 2022.

- Residents were encouraged to submit a ticket with MetroNet if they have questions or concerns relating to the build out.
5. Pete Forrey with Forrey Septic and Representative for Chad Ragan: Sewer Extension Needed for 804 Parkway Avenue
- Mr. Forrey explained that he was contacted by Chad Ragan to install a new septic system on his property at 804 Parkway Avenue and that the only portion of the property in which it would be possible is the extreme northern part, but due to the fill in that area he would not recommend constructing in that area.
 - Mr. Forrey asked for Council consideration to extend the sewer line to this property.
 - Mr. Sarff stated he has pulled together one concept design that would serve this and the property to its east. A small water main could be added, as well as a hydrant, which will need to be flushed. The estimated cost for such a project would be \$33,000 for sewer and \$27,000 for water for an estimated total of \$60,000. He also stated that it would be better to move the new line further to the south.
 - The sewer line would not have a lot of depth and that Mr. Ragan may need to install a private pump for the sewer.
 - Discussion included if the property owners to the west of 804 Parkway Avenue are interested in connecting to the new water and sewer lines, they would first need to be annexed into city limits and would need to submit a petition for annexation. An easement would need to be obtained from the Chuck's Body Shop.
 - Bolton and Menk will develop preliminary plans for project.
 - Council Member Whittington moved, seconded by Council Member Steinberg, to authorize Bolton and Menk to obtain an easement for this project. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

NEW BUSINESS

1. Revisit Petition for Annexation Received for Parcel

- Administrator Bromeland stated that the petition for annexation was discussed at the November 22, 2021 special city council meeting with no action taken due to Council asking for additional information. Since the last Council meeting Mr. Jackson has been in contact with some residents in the Eagle Heights Subdivision to try to address their concerns. There is a revised design concept for Council information. This concept is for informational purposes only. The only action for Council is the request for annexation which has no timeframe to be acted upon. The next step is to schedule a public hearing.
- If the parcel is annexed into the City the Planning Commission would make a recommendation as to how this parcel should be rezone.
- Brian Sarff stated the sewer lift station has capacity and that the primary concern is related to water looping. The current line comes in from Agency Street and is in good condition. If this line breaks there would be an issue for water service to affected properties. Discussion included how water main looping could be addressed.
- Council discussion included how the proposed development would affect water run off to developed properties. Mr. Sarff stated that it is the contractor's burden to ensure water run off can be handled.
- Mr. Jackson stated he likes the idea of not annexing the parcel if Council is not favorable to the project.
- Bernie Davey, 60321 211th Street, stated this project sets a precedent for rental units in the area and that he is not sure if anyone would want to build single family housing in the area if this project goes through.
- Pam Davey, 60321 211th Street, stated there is a high need for senior housing and asked if this could be a possibility. She also stated that Mr. Jackson has been very accommodating with this process.
- A resident asked if there is a better way to get into Eagle Lake, stating the high speed of traffic in this area. Council discussion included the desire to consider installing a four way stop at Maple Lane and 211th Street.
- Through MAPO, a pedestrian connectivity study will be completed for this area.
- Tony Dickmeyer, 256 Oak Drive, stated he would like to see infrastructure needs be addressed before any more development occurs.

- The options before Council are to table discussion until the January meeting, move forward with public hearing or do nothing and the project is dead in current form.
 - Council Member Whittington moved, seconded by Council Member Steinberg, to move forward with a public hearing to consider annexation. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
 - Mr. Davey thanked the City Council for acting like professionals through this discussion.
2. Requests Received for Filling Backyard Ice Rinks and Pools
- Administrator Bromeland explained that a request was recently received from a resident for the fire department to fill a backyard ice skating rink. Similar requests are often received in the summer months to fill pools. This service has not been provided in recent years.
 - If there is an interest in filling ice rinks and pools, the rate established would need to be sufficient to recoup the City's costs, factoring in which City department would be responsible for filling pools and/or rinks (fire department or public works) plus staff time. Residents requesting water should be advised of the potential for water discoloration. While more time consuming, an alternative is for residents to fill pools and rinks using a hose connected to an outside water meter to achieve more optimal water clarity.
 - Council discussion included that other city's fire departments have used this service as a fundraiser opportunity.
 - Council directed staff to contact the fire department to see if this is something they would consider taking on and that they would be responsible for determining the schedule. The city would still charge for the gallons of water used for this service.
 - Council directed staff to bring this request to the fire department to see if they would be interested in providing this service.
3. Sale of 1986 Plow Truck
- The 1986 plow truck was listed on Surplus Services (minnbid.org) website. The bidding closed Friday, December 3 at noon. A high bid in the amount of \$10,650 was received. Surplus Services will withhold 6% from the sale proceeds, with the balance being paid to the City.
4. Recommendation to Hire Part-Time Police Officer
- An application for the position of part-time police officer was received late last week and an interview was conducted. The candidate is currently a licensed and active peace officer. The current police department roster includes Chief Kopp, two full-time police officers, and two part-time police officers.
 - If hiring is approved the police officer would begin work in 2022 and would be hired at Grade 6, Step 1 on the wage scale.
 - Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the hiring of Stephanie Kvale as a part-time police officer, contingent upon all pre-employment requirements being met. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
5. Continuation of Wage Survey Results and Recommendations Discussion from 11/22/21 Budget Work Session
- Administrator Bromeland explained that wage survey results and recommendations were presented at the Special City Council meeting on November 22nd. City staff was directed at that meeting to provide a spreadsheet showing employee wages and placement on the pay scale at the December 6th meeting. Discussion also took place at the meeting about the challenges with hiring part-time police officers, whether additional steps should be added to the pay scale, and whether increases should be granted evenly across the board or if one department or position should be considered over another. It was recapped that an informal wage survey was recently completed for all full-time positions, part-time police officers, and part-time and seasonal public works positions. The wage survey was undertaken to find out how Eagle Lake employees are compensated in comparison to other area cities. The wage survey was completed with assistance from the Minnesota Valley Council of Governments (MVCOG)

and included wage data collected from area cities. The cities that responded included the following: Blue Earth, Jackson, Janesville, Lake Crystal, Le Center, LeSueur, Madison Lake, St. James, Windom, and North Mankato. Referenced on the wage survey sheets is wage data from the city of Mankato and Blue Earth County, but due to the larger size of those jurisdictions, that data is not included in the averages. The wage study was informal in the sense that no consultant was hired to complete an in-depth classification and compensation study. Administrator Bromeland stated that the system at hand isn't perfect but conducting the survey and implementing gradual wage increases will help to ensure that Eagle Lake is working towards compensating employees within market. As was discussed at the November 22nd meeting, being within 10% above or below average is typically considered within market. When contemplating wage adjustments, various factors must be considered, largely that of the City's ability to absorb significant wage adjustments without negatively impacting the budget and tax levy. When the wage survey was undertaken, the goal was not to find out what other cities are paying their employees and match those wages, it was undertaken to get a sense of whether Eagle Lake is considered within market and adjust accordingly. It is recommended that gradual increases be implemented and continued yearly to keep up pace with the market. The last time a wage survey was completed was in November of 2016. The City Council at that time opted to make each step on the wage scale 2% and give a Cost-of-Living Adjustment (COLA) each year, effective January 1st, using the Consumer Price Index for the Midwest Region from the U.S. Bureau of Labor Statistics. Employees who received a satisfactory performance evaluation and who were not at the top of the range for their pay grade received a step increase and COLA annually. It was explained that when employees are hired or promoted, they receive a step increase at 6 months following a satisfactory performance evaluation, another step increase at the completion of 12 months of service (again following the completion of a satisfactory performance evaluation), and then receive annual COLA and step increases thereafter on January 1st of each year. This means that if an employee is hired or promoted starting at step 1, by the end of their first year of employment, they are already at step 3 on the step schedule for their respective pay grade.

- Council discussion included the need to cap the cost-of-living increase percentage to avoid issues with budgeting and the need to review the wage table yearly as relating to the cost of living.
- Council Member Rohrich moved, seconded by Council Member Whittington, to approve the two wage scales as presented and to move part-time police officers to grade 6 on the wage scale. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

6. Resolution Adopting Final Tax Levy and Budget

- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the final 2022 tax levy. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

OTHER

1. Review CUP for 107 598th Avenue

- Administrator Bromeland shared that the City was recently notified of a shed that was placed at 107 598th Avenue without a building permit being pulled. The property owner was notified of the need to apply for a building permit. A permit was pulled for a storage shed but after seeing pictures of the shed, it appears that part of the business is being operated out of the shed. An inquiry was sent to the owners regarding the purpose and use of the storage shed but no response has been received to date. Due to the fact that a Conditional Use Permit was issued for the business to be operated out of the main building with the secondary building being for warehouse and equipment storage, the CUP should be reviewed and a determination made whether the storage shed is allowable and what it can be used for.
- Mayor Auringer stated that he would like the owners to appear before the City Council to review the terms of the CUP for compliance as it relates to the business operations taking place. City staff will notify the property owners of the need to appear before the City Council.

2. 317 LeRay Avenue

- Administrator Bromeland stated a complaint has been received regarding 317 LeRay Avenue.
- Chief Kopp explained that according to the city's attorney it would need to be established if a business is being run out of the property and it isn't clear if there is a business or not. Chief Kopp also stated that the property is in compliant in regards to rodents/vegetation.
- Chief Kopp has contacted the property owner and individual with the business and is working with them to have all vehicles licenses or removed within 10 days. There is a possibility that the vehicles could be stored in the country and may only be on the property overnight.
- Mayor Auringer stated it is his belief that this property is in violation of the home occupation section of city code in which is states that scrapping is a prohibited use in an R-1 zoning district.
- Discussion included amending code so that there are parameters available to address containers filled with scrap metal in a residential district. Discussed included the possibility of tightening up city code to avoid this problem in the future.

CITY ADMINISTRATOR REPORT

1. Holiday Mailer – Upcoming City Hall Open House – The City Open House will be December 16th from 2:00 – 4:00 p.m.
2. Possible Future Housing Study Need – Administrator Bromeland updated the City Council that given the potential housing projects on the horizon that it may be beneficial for the City to obtain a housing study specific to Eagle Lake to determine what kind of housing is most needed and how much of each kind of housing is needed. The most recent housing study in which Eagle Lake was included was a Mankato Area Housing Study. Administrator Bromeland stated that she will pursue obtaining a proposal for a housing study and visit with the EDA about the concept.
3. Executed Preparing Emerald Ash Borer Grant Agreement and Maintenance Responsibilities –The electronic document has been signed. The city has been awarded \$7,500 to remove and replace trees.
4. Reminder about Economic Development Strategic Planning Process Coming Up in 2022 - The study will kick off in 2022.

COUNCIL REPORTS

1. Council Member Rohrich attended the Community Recreation meeting. They indicated they have resumed placing volunteers in schools for helping read to students and are looking for volunteers. It was discussed that the police and fire department members may be able to help with this.
2. Microphones for the council chambers have been ordered.d

ADJOURNMENT

- Council Member Rohrich moved, seconded by Council Member Whittington, to adjourn the meeting at 9:05 p.m. Motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

Tim Auringer, Mayor

Kerry Rausch, Deputy Clerk