

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
JANUARY 9, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Tim Auringer.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, and Public Works Director Andrew Hartman.

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

- Requested to be added to the agenda under New Business is Resolution 2023-12 Appointing Chris Willette to the Fire Department Active Roster and a Letter from Region 9 asking for a City appointment to their Commission.
- Council Member White moved, seconded by Council Member Rohrich, to approve the agenda as amended. The motion carried with Council Members Steinberg, Rohrich, White, Whittington voting in favor. Mayor Norton abstained due to not being at the December 5<sup>th</sup> meeting.

**APPROVAL OF MEETING MINUTES**

- Council Member White moved, seconded by Council Member Rohrich, to approve the December 5, 2022 City Council minutes as presented. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton 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
  - Res. 2023-01 Designating Official Depositories
  - Res. 2023-02 Designating Official Newspaper
  - Res. 2023-03 Approving 2023 Fee Schedule
  - Res. 2023-04 Electronic Fund Transfer Designated Authority
  - Res. 2023-05 Mayoral Appointments
  - Res. 2023-06 Resignation of Tyler Wallert
  - Res. 2023-07 Appointment of Tom Paulson to Planning Commission
  - Res. 2023-08 Accept Grant from Compeer Financial
- Mayor Norton brought to Council's attention the resignation of Tyler Wallert from Police Department, the appointment of Tom Paulson to the Planning Commission and the grant received from Compeer Financial.
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **PRESENTATIONS**

### **1. Luke Israelson, KJ Walk: Escrow Funds**

- Mr. Israelson with KJ Walk expressed concerns with the City retaining \$46,000 of escrow funds for repair of boulevards relating to Eagle Ridge Phase 2 development project for work still needing to be done in 2023 and that the City would be hiring an outside contractor to make repairs. He stated he was never informed of this possibility and does not feel the \$46,000 represents the work still needing to be done. He also stated that all work has been completed and that he should receive all remaining escrow funds.
- Mr. Israelson stated that while he did not personally inspect the boulevard work, he was told the work was completed. He stated he is willing to put in the castings and was never made aware they were missing.
- Mr. Israelson explained that he asked for escrow funds to be released in October and then again in November and learned it would be on the December Council meeting which he did not think he would need to attend and that he did not get a copy of Mr. Sarff's letter. He stated that communication from the city was lacking.
- Mr. Israelson stated he could make the necessary improvements for much less than the \$46,000 and would have his company make the needed repairs and that there are many vacant lots which will be developed by contractors.
- Council discussion included that the City has photos of the current state of the boulevards and that there is debris in the poor quality of dirt laid and there are safety concerns with the gap between the sidewalk and boulevard and that this sidewalk is a nice walking loop which gets used.
- Council also mentioned that for several years there has been a lack of communication from the developer and now the City finally has his attention by the withholding of escrow funds. They voiced concern that if funds were released what would the likelihood and timeliness of the repairs being made.
- Also discusses was the purpose of the escrow funds, which are to ensure that there are funds on hand in the event that the City needs to do work not completed by the developer.
- Council Member Rohrich stated she was in full support of withholding these funds.
- Mayor Norton stated she has asked for all emails and she has seen that KJ Walks has failed to communicate with the city repeatedly.
- Administrator Bromeland stated she sent an email on September 29<sup>th</sup> with pictures advising of concerns and the City did not hear anything back. She stated the \$46,000 retained was the amount suggested by the City's engineer who did consult a contractor as to estimated cost for repairs.
- Council stated that at the December meeting Administrator Bromeland stated that funds in excess of the cost of making repairs would be returned to the developer.
- Council Member Rohrich moved, seconded by Council Member Whittington, to have Mr. Israelson provide the City with a quote for the price of having the work done along with a timeline for the work to be completed and for this to be brought to the February Council meeting for consideration. Motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Norton voting in favor.
- Mr. Sarff recommended that work should be completed by April 30<sup>th</sup> to allow for seeding during the seeding window.

### **2. Brian Sarff, Bolton and Menk: WTP Campus Concept Plan, and 2023 Infrastructure CIP**

- Mr. Sarff explained that in 2022 the City executed a purchase option for a parcel for a water treatment facility on the west side of Eagle Lake. In September the City received the hydro-ecological assessment finding which included multiple high-capacity wells are feasible at this site, which is located at the northwest corner of 211<sup>th</sup> and 598<sup>th</sup> Avenue. Meetings have taken place with Bolton and Menk and City staff to create a conceptual layout of the parcel, which is not a final layout. The goal was to determine how much land is needed which would dictate the next steps.

- Approximately 5 acres of land are needed to be acquired and would be bounded by 211<sup>th</sup> and 598<sup>th</sup> and the extension of Peregrine Avenue. Consideration has been given to what is needed to construct a plant and for future expansion, as well as future needs such as a water tower and street improvements in this area. The plant building would have additional storage factored in. A future water tower project is possible 20 years in the future.
  - Well needs were assessed with the possibility of two wells on opposite ends of the parcel, however both wells could not be run simultaneously and one well would be sufficient to service the City. Existing wells #2 and #3 are located in Lake Eagle Park and consideration was given to leave these in service as an emergency backup. It may make sense to construct a raw water line in the future to connect the existing wells to the treatment facility. Well #1 is located by the current water tower and would be sealed and abandoned.
  - A bonding bill is needed to go much further in the process. A bonding bill will allow the City to score higher on future funding applications. The city has one item which is manganese content in the water supply. 2025 would be the earliest possible construction date.
  - The site would have a lot of green space which Council could determine its best use.
  - Council discussion included that the City has a 5 year option with Gary and Kim Hiniker on the parcel and that a sale price has not been identified. Wells have a 50 foot set back for development.
  - Administrator Bromeland confirmed that this concept is sufficient to move forward if funding is received. She has submitted requests for low interest loan/grant funding but has concerns if the project will score high enough without recognition of manganese levels. A meeting in January with legislators to provide them with an update on project would be beneficial since more information has been obtained since the last meeting with them. This project will not be possible without grant funding and a low interest loan.
  - Mr. Sarff stated the purpose of this process is to set the City up for conversations and potential land acquisition.
  - Mayor Norton expressed concern for wanting to ensure future utility bills remain affordable for residents.
  - Mr. Sarff stated the City's existing capital improvement plan for infrastructure needs to be updated periodically and that is what is being done now to include items such as the wastewater treatment plant and CSAH 27 trails. This is a planning and prioritization tool. Current items on the plan include watermain looping in the area of Valley Lane and Cedar Path as well as several full street improvements construction projects which would include water and sewer line work.
  - A CIP can provide the opportunity to prioritize projects and establish timeframes. Street reconstructions would also include sidewalks on one side of the road and include ADA ramps.
  - Mr. Sarff stated that the 429-assessment process is also looked at and stated that the City's current assessment policy is not in touch with benefits received and that the City should consider updating the assessment policy.
  - Administrator Bromeland explained that she is working on a grant application for a shared use path and two sidewalk segments to improve connectivity in the southeast area of Eagle Lake, that the City has submitted a letter of intent and was approved to submit an application which is due by January 13, 2023. She also stated that Shannon Sweeney with David Drown and Associates was present at the meeting and that she would like to work with him on future street and utility project needs and funding options, utility rates and to determine the amount of debt service the City can handle taking on.
3. Randy King, Prokore Inspection: Building Inspection Services
- Mr. King addressed the City Council by stating his company provides building inspection services for Mankato and other communities. He said that he has been contacted by some Eagle Lake community members and that through Prokore's work with the City of Mankato, he feels there would be improvements that could be made in Eagle Lake with administration and enforcement of the state building code and

consistency. He also stated they do not provide zoning review services but that they do deal with soil erosion control and are certified in this area. Currently Prokore is staffed by himself and a partner and that they will soon be hiring an additional staff person. Residential permits currently take 7-10 days for review and issuance and commercial permits 10-14 working days.

- Administrator Bromeland explained the current process includes her reviewing building permit applications for zoning, these are then forwarded on to the Dan Murphy with City Building Inspection Services. Non-zoning permit applications go directly to Dan Murphy for review and issuance. Administrator Bromeland also explained that Mr. King reached out to the staff and she recommended Mr. King come before Council since this was not a City initiated contact.
- Council Member White explained he has worked with Mr. King on a professional basis in the real estate setting and stated he feels Mr. King is willing to go the extra mile and would be an asset to the City.
- Council discussion included that there are no complaints with the current building inspector and that through personal experience Mr. Murphy is very responsive. It was also stated that there is value in consistency and that Mr. Murphy knows the community.
- Council Member Rohrich stated that unless there is a major cost difference for this service, there is a benefit to having someone who is familiar with the City. And that it may be best to stay with who we have.
- Council indicated they would like to compare fees for services offered and were open to opening this service to a request for proposal.

## **NEW BUSINESS**

1. Resolution Requesting Parking Restrictions on CSAH 56 from CSAH 17 to Highway 14
  - Administrator Bromeland explained that following the discussion at the December 5<sup>th</sup> City Council meeting about whether parking should be allowed on CSAH 56 from CSAH 17 to Highway 14, she reached out to Blue Earth County Engineer Ryan Thilges to find out the next step in this process. Mr. Thilges advised that the Eagle Lake City Council needed to adopt a resolution requesting parking be prohibited on this segment of CSAH 56. The resolution states that the City of Eagle Lake agrees that it will post no parking signs and that the City will be responsible for enforcement of the parking restrictions in this area.
  - Council Member White moved, seconded by Council Member Steinberg, to approve Resolution 2023-09 restricting parking along both sides of CSAH 56 from CSAH 17 to Highway 14. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
2. Resolution Supporting State Bonding for Regional Water Resource Recovery Facility
  - Administrator Bromeland stated an update was provided at Mankato's fall server customer meeting that was held on November 15<sup>th</sup> at the City of Mankato about the Water Resource Recovery Facility (WRRF) disinfection and digester project costs. The project was initially projected to cost about \$45 million but now is estimated to cost between \$84 million and \$89 million.
  - The City of Mankato is asking member jurisdictions to partner together to lobby legislators for bond funding for this project since it is a critical regional project. Eagle Lake sends its sewage and wastewater to the City of Mankato WRRF for treatment before it is discharged into the Minnesota River. This is a need, not a want. Without improvements, the sewer capacity of the region becomes more fragile.
  - Council Member Steinberg moved, seconded by Council Member White, to approve Resolution 2023-10 A resolution supporting state bonding for the regional water resource recovery facility. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Norton voting in favor.
3. Resolution Providing for Issuance and Sale of GO Water Revenue Note, Series 2023A
  - Shannon Sweeney with David Drown and Associates provided information regarding the application for funding through the Minnesota Rural Water Midi-Loan program to fund the water tower renovation project.
  - The total project cost is \$561,690. This includes construction, engineering, and contingency costs and MN Rural Water fees. The funding sources to be utilized to finance the project include a 2023 A General

Obligation Note totaling \$462,000 and a cash contribution of \$99,690 using American Rescue Plan Act (ARPA) funds.

- Mr. Sweeney also explained that past capital planning has identified the needed utility rate structure and the need for a 5% rate increases for the water utility per year for 2023 through 2026 to reach a break even result in 2026 recognizing that small deficits will be incurred in 2024 and 2025. The 2022 water rate was \$31.30 and will increase to \$38.05 in 2026 with a 5,000 gallon per month water usage.
- The terms of the recommended financing is 10 years and can be prepaid any time after February 1, 2030. The interest rate is 3.75%. If approved, the closing date will January 23, 2023.
- Council discussion included the funding will result in \$100,000 in interest being paid.
- Mr. Sweeney suggested that the City can look at when other debt service payments will drop off to plan for when a new project can be taken on. He stated it is his goal to help the city manage its funds well and to understand how decisions impact the City's finances before spending money and to be able to prioritize projects.
- Council Member Whittington moved, seconded by Council Member Rohrich, to approve Resolution 2023-11 a resolution providing for the issuance and sale of a \$462,000 General Obligation Water Revenue Note, Series 2023A, and pledging net revenues for the security and payment thereof. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

4. Fox Meadow Townhomes, LLC, TIF Agreement Modification and Resolution

- Administrator Bromeland explained that a development agreement by and between the City of Eagle Lake and Fox Meadows Townhome. LLC, was adopted in April of 2022 and included a construction start date of August 1, 2023 and a construction end date of January 14, 2023. Due to unforeseen delays on the developer's end with the wetland delineation and EAW processes, the construction start and end dates will now require modification to reflect the actual start and end dates.
- The new language to the First Amendment to Development Agreement will state: "Construction shall begin by May 1, 2023 and the construction of the Project will be substantially completed on or before July 1, 2024, subject to Unavoidable Delays."
- Shannon Sweeney explained that the delay will only impact what is being reimbursed to the developer which will be less. The City's invest in the project would be less.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the modifications included in the First Amendment to Development Agreement for the Fox Meadows TIF Agreement. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

5. Use Agreement with Gary and Kim Hiniker and Steve Wolfe

- Administrator Bromeland explained that before Council is a proposed Use Agreement by and between Gary and Kim Hiniker, Steve Wolfe, and the City of Eagle Lake. The proposed agreement was drafted by legal counsel. The purpose of the agreement is to allow the City of Eagle Lake the ability to create wind rows on farmland owned by Gary and Kum Hiniker when necessary to help combat snow drifting along 598<sup>th</sup> Avenue in exchange for performing snow removal on three vacant lots owned by Hiniker's on Creekside Drive. The agreement also contains a provision giving staff the authority to issue monetary compensation to the tenant that farms the land in exchange for leaving up rows of either corn or beans to serve as a snow fence in this area.
- Included in the proposed agreement is that the value of the crop left for a snow fence would be calculated by the value of the crop left in the field based on the bushel price on November 1<sup>st</sup> of each year.
- Administrator Bromeland explained this is similar to the agreement allowing the City to haul leaves to a site owner by Hiniker's and in return the City mows vacant lots.

- Public Works Director Andrew Hartman stated that snow allows for windrows to be created further back from the road, but that corn is also beneficial and more cost effective due to having to contract someone to move snow into windrows.
  - Council Member Rohrich moved, seconded by Council Member Steinberg, to authorize the Use Agreement with Gary and Kim Hiniker and Steve Wolf. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
6. Planning Commission CUP Recommendation for Fox Meadows Housing Development
- Administrator Bromeland explained that a public hearing was held at the December 19<sup>th</sup> Planning Commission meeting to consider an application for Conditional Use Permit (CUP) from Troy Schrom and the area in the Fox Meadows Housing Development that is zoned R-4 for the 8-plex structures. Mr. Schrom intends to construct thirteen 8-plex structures in the part of the development that is zoned R-4, totaling 104 units. A CUP is being sought for grouped housing consisting of a total of thirteen buildings, each containing eight units to be located in the plat of Fox Meadows. Three buildings to be located in Block 4, eight buildings to be located in Block 5, and two buildings to be located in Block 7. Grouped housing projects are allowed in an R-4 district subject to the regulations for conditional uses. The applicant indicates that no variances will be required.
  - The Planning Commission recommends that the CUP application for the area zoned R-4 in the Fox Meadows Housing Development be approved.
  - Council Member Rohrich moved, Seconded by Council Member White, to grant the Conditional Use Permit. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
7. Website Redesign
- Administrator Bromeland explained that the City’s website was down on Monday, January 2<sup>nd</sup>, and appears to have been compromised. Per an inquiry to the City’s current web host, Greg Lee with Webicine, the most likely reason that the website was compromised is because the site is running an older version of Concrete 5 and needs to be upgraded to get security holes patched. Mr. Lee recommends that the site be moved to WordPress to secure it better. The last website refresh was in 2016. The current costs include a \$300 annual fee for web hosting and a \$25 fee for the domain renewal.
  - Two proposals were presented for website redesign. The first from Webicine is the one-time amount of \$5,100. The other from GovOffice in the form of a 4-year contract with an annual cost of \$4,475. The proposal from Webicine is more basic while the proposal from GovOffice offers new and different features and services but at a higher annual cost.
  - Mr. Lee has indicated that WordPress is user friendly and similar to what we are using at the present time with on-page editing. It is anticipated that the process to move to the new platform would take approximately one month. Given that the City’s website platform is currently obsolete and the website is vulnerable to being compromised, City staff recommended that the estimate from Webicine be approve using funds set aside in general government, and that the conversion process be implemented as soon as possible.
  - Council Member Rohrich moved, seconded by Council Member Steinberg, to accepted the estimate from Webicine to upgrade and redesign the City’s website. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
8. Resolution 2023-09 Add Christopher Willette to Active Fire Department Roster
- Council Member Whittington moved, seconded by Council Member Rohrich, to approve Resolution 2023-12 appointing Christopher Willette to the active fire department roster. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## 9. Region 9 Development Commission Appointment

- Mayor Norton stated a letter has been received requesting that the City's vacant seat on the Region Nine Commission be filled. Mayor Norton volunteered to fill this seat if no other Council Member was interested.
- Mayor Norton moved, seconded by Council Member White, to appoint Mayor Norton to the Region Nine Commission. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **OTHER**

- None

## **CITY ADMINISTRATOR REPORT**

1. Hiring Update for 4<sup>th</sup> FT PW Worker, 4<sup>th</sup> FT Police Officer, and Community Development Coordinator
  - Job announcements will be posted externally on January 9<sup>th</sup> for the 4<sup>th</sup> full-time public works worker and 4<sup>th</sup> full-time police officer. Very few applications have been received for the newly created community development coordinator position. A review of applications will take place and interviews scheduled for those that meet minimum qualifications.
2. Upcoming Friday Family Fun Programming
  - The Mankato Area Public Schools Community Education Enrichment staff in partnership with the City of Eagle Lake Park Board and Eagle Lake Elementary School will be opening Eagle Lake Elementary School from 6:30-8:30 p.m. on Friday evenings from February 3<sup>rd</sup>-March 24<sup>th</sup>. A variety of activities are being planned, including open gym, library and maker space activities, bingo and trivia. Each week different activities will be offered for families to enjoy. There is no cost to participate and all activities are free and open to the Eagle Lake community.
3. Upcoming 4<sup>th</sup> Annual Winter Activities at Lake Eagle Park on Feb. 4<sup>th</sup> from 2-4 p.m.
  - The Park Board will host the 4<sup>th</sup> Annual Winter Activities Event at Lake Eagle Park on Saturday, February 4<sup>th</sup> from 2:00-4:00 p.m. This is a free event and open to the public. It is geared towards encouraging outdoor physical activity and winter fun at the park.
4. Winter Newsletter
  - The newsletter will be printed and mailed to all postal patrons with a 56024 zip code shortly.

## **COUNCIL REPORTS**

1. Council Member Steinberg passed along a resident's comment that the City's roads are not in good shape before snow emergencies are lifted and voiced his agreement with this comment. The resident also stated that the Public Works department is doing a good job. Public Works Director Andrew Hartman explained that the purpose of the snow emergency was to allow for the pushing of snow back and making the roads wider. Once accomplished the snow emergency was lifted and staff continued to clear the remainder of the snow.
2. Council Member Steinberg stated he would like to see the City establish a task force to look into the possibility of a Eagle Lake community center, stating that venues are highly sought after. A task force could determine what could be part of a regional aspect.
3. Council Member Rohrich stated that Council should determine their goals and start addressing them.
4. Council discussed the times of the EDA and Park Board meetings and determined the 6:45 a.m. meetings are working well.

**ADJOURNMENT**

- Council Member Rohrich moved, seconded by Council Member White, to adjourn the meeting at 8:28 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk



**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
FEBRUARY 6, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

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

**PUBLIC COMMENTS**

- Vern Simpson, 164 Creekside Court, asked if the City could consider purchasing a belly scraping snow plow.

**APPROVAL OF THE AGENDA**

- Administrator Bromeland asked to add LeRay Township Payment to New Business.
- Council Member White moved, seconded by Council Member Rohrich, to approve the agenda as amended. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**APPROVAL OF MEETING MINUTES**

- Council Member White moved, seconded by Council Member Rohrich, to approve the January 6, 2023 City Council minutes as presented. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- 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	Res. 2023-12 Accept Donations to the City	
Resolution 2023-13 Disposal of City Record		
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**PRESENTATIONS**

1. Roger and Nathan Bechel, 308 and 312 S. Agency Street: Sidewalk Concerns
  - Roger Bechel brought in a cooler with ice chunks to show Council what is being thrown onto the sidewalk on South Agency St in front of his property when Blue Earth County's snow plows come by. He stated that last year such ice chunks damaged his snowblower. He also stated there is nothing in City Code which identifies the proper tools for sidewalk snow removal and asked that Council consider adding such language to City Code. He went on to state that Blue Earth County has a grader on the sidewalk which weighs more than the equipment he uses.
  - Council Member Rohrich thanked the Bechel's for their prompt removal of snow from their sidewalks.

- Council discussion included an interest to research possible language amendments to code to address appropriate equipment for sidewalk snow removal by residents and the need to consult with the Public Works department on this.
- City Attorney Chris Kennedy stated that nothing indicates that the Bechel's are doing anything wrong and that he would recommend that staff research this and bring back to Council. He also stated that April would be the earliest this could come back to Council.

## **NEW BUSINESS**

1. Recess Regular Meeting and Adjourn into Closed Session as Permitted by Minnesota 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 (b), to consider pending litigation related to the property at 317 LeRay Avenue.
    - Council Member White moved, seconded by Council Member Rohrich to enter into a closed session to discuss items listed above. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
2. Resume Regular Meeting
  - Council Member Steinberg moved, seconded by Council Member Whittington, to adjourn the closed meeting and to enter back into the public meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
3. LeRay Township Detachment
  - Council Member Norton moved, seconded by Council Member Rohrich, to move forward with legal proceedings relating to 317 LeRay Avenue, as discussed in the closed session. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
  - Administrator Bromeland explained that LeRay Township had submitted a request to detach the parcel annexed into the City due to construction not taking place within 36 months, as allowed for in the annexation agreement.
  - Since the initial detachment request, the City of Eagle Lake asked LeRay Township to consider annual payments instead of a lump sum payment. LeRay Township is no longer interested in detachment and is asking for the lump sum payment as written in the annexation agreement. These funds were set aside in the 2022 budget.
  - Council Member Steinberg moved, seconded by Mayor Norton, to authorize staff to make the lump sum payment to LeRay Township. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
4. Schedule Public Hearing to Amend Ordinance Related to Expanding Timeframe to Clear Sidewalks
  - Discussion took place at a recent City Council meeting about the need to look into the timeframe with which property owners have to clear sidewalks of snow and ice following a snow or other precipitation event. Concern was expressed that the current timeframe of twelve hours to remove snow and ice from sidewalks is too short and poses challenges for property owners. Included in the Council packet was survey results from area cities and how long property owners are given to clear sidewalks.
  - Administrator Bromeland explained that before Council tonight is the need to decide if they are interested in amending Chapter 3, section 3.010, Subdivision 3A of City code. She also reminded Council of the need to balance the time residents have to clear snow/ice and that children need to use sidewalks to get to school. Residents will need to be given a 10-day notice of any public hearing on this issue. If code changes are looked at, it will not be able to go into effect this winter due to timeframes needed in this process.

- Council discussion included the thought that twelve hours is not sufficient time for residents to clear sidewalks, the desire to look at acceptable equipment for snow remove on sidewalks, and the concern about snowmobiles using sidewalks.
  - Council Member White moved, seconded by Mayor Norton, to research snow removal timeframes, snow removal equipment and snowmobiles using sidewalks and bring to the March City Council meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
5. Eagle Ridge Phase II Escrow and Request from Developer to Release Remaining Funds
- Administrator Bromeland explained that Luke Israelson with KJ Walk responded to the City Council’s request for him to present his estimated costs for boulevard restoration in the Eagle Heights Phase II development. She read the correspondence received from Mr. Israelson in which he stated his estimated cost for this restoration would be \$5,008 for his crew to do the required work. She also explained that if the developer defaults on making corrections, it will cost the City substantially more to do required work. Also explained was that the developer also inquired about utilizing a letter of credit, but currently the City has the actual funds in hand.
  - Council discussion including the cost the City could expect to haul in the necessary dirt, with Public Works Director Hartman estimating the dirt, hauling and grading cost could be \$10,000 and this would not include seeding costs. Discussion also included that the developer missed the original deadline to have all work completed and that the City was generous to provide a second chance.
  - Council Member White moved, seconded by Council Member Rohrich, to give the developer, KJ Walk, until May 1, 2023 to have work completed to the City’s satisfaction and if work is not completed by May 1, 2023 the City will contract out for this work. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
6. Audit Engagement Letter
- Administrator Bromeland explained the City has received an engagement letter from Eide Bailly for audit services for year end 2022 at cost of \$25,500. She stated she has requested a three-year proposal for years 2023-2025.
  - Council Member Whittington moved, seconded by Council Member Rohrich, to authorize Mayor Norton to sign the Audit Engagement Letter from Eide Bailly. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
7. Assign Committed Fund Balance for Capital Outlay
- Administrator Bromeland explained that the City’s auditors have requested that the Council approve year end 2022 capital outlay balance amounts. The December 31, 2022 year-end capital outlay balance is \$1,712,966.68. Capital outlay funds are reflected as “committed ” funds on the balance sheet of the annual audit.
  - Council Member Whittington moved, seconded by Council Member Rohrich, to establish a balance of \$1,712,966.68 in capital outlay as of December 31, 2022. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
8. Agreement for IT Consulting Services
- Administrator Bromeland stated the City currently contracts with CTS for IT consulting services and has since at least 2014. Due to concerns with increasing IT costs, a request for proposal was put together. In addition to pricing obtained from CTS, proposals have been received from Patheon, CIT, and VC3. An important takeaway from this process is that the police department most likely requires its own server to ensure compliance with BCA requirements. This has been communicated to both the chief of police and CTS, and they are in the process of determining what is appropriate. On average, CTS currently spends about 14 hours a month supporting the City of Eagle Lake.

- Council Member Whittington stated he reviewed the proposal and explained that with CTS the city leases the networking equipment and with the other proposals the City would need to purchase this equipment.
- Council Member White moved, seconded by Council Member Steinberg, to contract with CTS for IT services. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

9. Request for Keeping of Chickens within City Limits

- Administrator Bromeland explained that Mayor Norton and Council Member Steinberg have requested that the topic of keeping chickens within City limits be discussed. If there is interest in allowing chickens within City limits, an ordinance amendment will be needed to exclude chickens from “farm animals”. A chicken ordinance would also be required regulating the keeping of chickens within City limits.
- Mayor Norton stated that backyard chickens are becoming common, and the current ordinance does not allow for this. She stated the current ordinance does not allow for people to provide their own food and that other cities have reasonable restrictions and can serve as good examples.
- Council discussion included that if approved there is a need to be very clear with expectations, such as number of chickens allowed, how to dispose of waste, what to do if chicken dies, compliance checks, and neighbor notification, etc. Planning and zoning would be affected by such an ordinance for the construction of chicken coops/runs.
- Council Member Steinberg moved, seconded by Mayor Norton, directing staff to research language for allowing chickens within City limits.
- Council Member Steinberg amended the motion, seconded by Mayor Norton, directing staff to research what other communities allow for backyard chickens and to mirror that language for City Council to review.
- Council discussion included Council Member Whittington asking to allow staff sufficient time for research and to bring to the April City Council meeting.
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

10. Request to Adjust Emergency Part-Time Snowplow Operator Hourly Wage

- Administrator Bromeland explained that Public Works Director Hartman shared that the current emergency part-time snow plow operator asked for a consideration in a rate increase. This position was brought on a couple of years ago when the department was short staffed. The City has control of when this employee works and the number of hours they work and it saves on overtime with full-time employees. Staff recommended an increase from \$20 to \$25 per hour.
- Council Member Steinberg moved, seconded by Council Member White, to increase the pay for the emergency part-time snowplow operator to \$25 per hour. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

11. Amended Use Agreement

- Administrator Bromeland explained that approval was obtained at the January 9<sup>th</sup> City Council meeting to enter into a Use Agreement with Gary and Kim Hiniker and Steve Worle. Following the meeting, a copy of the approved agreement was sent to the Hiniker’s. Gary Hiniker called and said the agreement looked fine to him but that he would send to Mr. Wolfe for his review. Per an email from Mr. Wolfe, it appears that in order for Mr. Wolfe to agree to the terms, that an amendment may be necessary as it relates to the number of acres and also total cost per acre. A message was left with Mr. Wolfe asking him to let Administrator Bromeland know what figure he has in mind for the effort to make the snow fence and then come back to remove it.
- Also explained by Administrator Bromeland was that in the past there was only a verbal agreement and that a written agreement would better serve the City and property owners and farmer.

- Administrator Bromeland stated Mr. Wolfe has indicated a fee of \$1,600 per acre and that he would leave 1.8 acres to be used as a snow fence.
- Council discussion included that a crop snow fence would cost \$2,880 a year, if a permanent snow fence would be a possibility, and how effective wind rows are in comparison to a crop fence. Council expressed no desire to leave beans as a wind row and create wind rows when beans are planted.
- Council Member Rohrich moved, seconded by Mayor Norton, to amend the agreement presented to create a one-year agreement which states that in non-corn years the City will need access to the property to create wind rows and in return will clear sidewalks for Mr. Hiniker in the Creekside development. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

#### 12. Agreement for MS4 Services

- Administrator Bromeland stated before Council is a proposal from ISG to provide professional services for SWPPP program administration and implementation of the Municipal Separate Storm Sewer System (MS4) General Permit for the City of Eagle Lake. The proposal encompasses a scope of work that ensures that the City of Eagle Lake implements and meets MS4 program requirements and includes program management and specific tasks for each minimum control measure. The proposal is for 2023-2024 and totals \$30,240 which is \$15,120 per year.
- Council discussion included the non-compliance issue which was due to the program not being implemented at the time when the City was notified of being on MS4 city in 2015. At that time the City had the option to join with Mankato to implement this program, but chose to do this independently.
- Julie Blackburn with ISG explained that the Minnesota Pollution Control Agency (MPCA) selects a certain number of cities every year to audit and that they usually find some areas needing correction. She went on to explain there are four items relating to the MS4 requirements that should be revised to tighten up to have a good record and an ordinance change may be needed.
- Ms. Blackburn stated that the MPCA will be updating their permit in 2025 and will be including water quality and modeling requirements.
- Administrator Bromeland responded to Council's questions about this service and explained that this will be a continual service needed and will need to be contracted out.
- Council Member Rohrich moved, seconded by Council Member Whittington, to accept ISG's MS4 proposal. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

### **OTHER**

#### 1. Bobcat Demo Opportunity for Eagle Lake Public Works at Park – PW Director Hartman

- Administrator Bromeland stated Andrew Hartman has been in contact with a dealership about a demonstration at the park which could save the city money. She also stated that pitfalls have not been researched yet.
- Public Works Director Harman stated that Bobcat approached him asking to put on a demonstration by the ponds. This would allow the City to get rid of trees at no cost and would be a sale opportunity for Bobcat. Bobcat would host the demonstration and the City would provide the site.
- Council discussion included safety concerns for children. This event would take place during the day and would not be open to public participation, rather would be a professional event. Council expressed a desire for Bobcat to provide the promotion information, not the City.
- Mr. Hartman stated that Bobcat's competitor Case has indicated they are not interested in hosting such an event.

- Council Member Rohrich moved, seconded by Mayor Norton, to allow Bobcat to hold their demonstration event at Lake Eagle Park, stating specifically that this is not a City sponsored event. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.1

## **CITY ADMINISTRATOR REPORT**

1. Update on TA Grant Application – An ATP-7 Transportation Alternatives Solicitation Full Application from the City of Eagle Lake was submitted on January 13<sup>th</sup>. Administrator Bromeland is scheduled to give a presentation to the ATP Review Committee on March 1<sup>st</sup>. It is anticipated the date to award these grants will be April 14<sup>th</sup>.
2. Hiring Updates – Four interviews are scheduled for February 14<sup>th</sup> for the Community Development Coordinator position. Those that will be sitting on the interview committee include Administrator Bromeland, Jess with MVCOG, Personnel Committee members Beth Rohrich and John Whittington, and a rep from the EDA and Planning Commission. It is possible a recommendation to hire will be included on the March 6<sup>th</sup> agenda if there is a suitable candidate for the position. A review of applications from the 4<sup>th</sup> Full-Time Public Works Worker and 4<sup>th</sup> Full-Time Police Officer will be underway this month. It is also possible that a recommendation to hire for each of the positions will be included on the upcoming March 6<sup>th</sup> agenda if there are suitable candidates for the positions.
3. Water Tower Rehab – With the start date of the water tower rehab project coming up on April 15<sup>th</sup> (weather permitting), the design for the water tower should be finalized by the March 6<sup>th</sup> meeting.
4. Upcoming Remote Meeting with Legislators to Discuss WTP Funding - A remote meeting has been scheduled with local legislators, Mayor Norton, and Administrator Bromeland to discuss legislative bills relating to the proposed Water Treatment Plant project. The purpose of the meeting is to keep the lines of communication open and reiterate the importance of the project and need for funding.
5. Recap of Insurance Appraisal – The City of Eagle Lake is insured through the League of Minnesota Cities Insurance Trust (LMCIT). LMCIT partnered with HCA Asset Management to develop a completed appraisal report for the City of Eagle Lake. Administrator Bromeland has reviewed the report and after speaking with the City’s insurance agent, Mike Kennedy with Allied Insurance Agency, the appraisal values are concerning due to some steep increases. This has a direct effect on our premium amounts. It is Administrator Bromeland understanding that LMCIT will update the City’s property schedules to reflect the new values at the upcoming renewal. Mr. Kennedy will attend an upcoming meeting to review the report and talk about next steps and what, if any, options exist or if we have no choice but absorb the premium increases. As per LMCIT, there will not be another appraisal for approximately 6 years.
6. Monthly Financial Reports – Administrator Bromeland stated she will be emailing Council monthly the City’s financial reports.
7. MS4 Audit – Administrator Bromeland gave a brief recap of the MS4 audit and findings.

## **COUNCIL REPORTS**

1. Council Member Rohrich stated she attended the Community Education and Recreation (CER) meeting in January where it was mentioned that the ACES program has 100 kids on a wait list. An increase in wages for next year has been approved. Ms. Rohrich stated she relayed appreciation to CER staff for the events they have organized in Eagle Lake. She also stated that CER is close to getting adult pick up basketball run through the school in Eagle Lake.
2. Council Member Steinberg stated there will be a Music on Parkway meeting in the next couple of weeks. Resident Kyle Rueter has expressed interest in servicing on a task force to explore the possibility of a community room for Eagle Lake.
3. Mr. Steinberg also stated that he suggested the eagle on the water tower be kept as is for branding purposes. Council Members Whittington and Rohrich stated they are not a fan of the Eagle and that they would like to

see the blue wave, not the eagle on the water tower. Council members agreed that the keeping the darker color on the bottom of the tower would be desired.

4. Mayor Norton stated she attended the Region 9 meeting and joined the transportation and legislative committees. She also attended the Mayors and Clerks meeting.

#### **ADJOURNMENT**

- Council Member Whittington moved, seconded by Council Member Steinberg, to adjourn the meeting at 9:21 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
MARCH 6, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

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

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

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

**APPROVAL OF MEETING MINUTES**

- Council Member White moved, seconded by Council Member Rohrich, to approve the February 6, 2023 City Council minutes as corrected. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton pointed out the resignation of Andrew Miller from the Planning Commission and the appointment of Hunter Bless to the Fire Department Reserves.
- Council Member Whittington 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	Res. 2023-14 Resignation of Miller from Planning Commission	
Pump Maintenance Agreement		
Resolution 2023-15 Appoint Bless to Fire Dept Reserve Roster		

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

**PRESENTATIONS**

1. Roger and Nathan Bechel, Sidewalk Maintenance Concerns
  - This will be moved to the April meeting due to the Bechtel's not being able to attend tonight's meeting.
2. Vern Simpson, Fire Chief: Fire Department Items
  - Chief Simpson stated the department has received the battery-operated extrication equipment which cost \$37,966.50 in which capital improvement funds were used to pay for this along with a \$5,000 grant from the Schmidt Foundation.
  - Chief Simpson stated the next purchases for the fire department will include:



- rope rescue equipment which will be used for high angle rescues which costs \$6,637.50 which will use the Alliance Pipeline grant in the amount of \$7,500
- blacktopping the west and north sides of the parking lot with a cost of \$12,975 based on a 2022 quote.
- Future anticipated purchases include:
  - airbags at a cost of \$15,054.77 which will use capital improvement funds and a \$4,000 grant from Compeer and a \$1,000 grant from Walmart
  - gloves and hoods using a \$2,500 grant received in June of 2022
  - channel locks and rescue wrenches paid from the capital outlay fund
- Before the Council tonight is a request to purchase noise cancelling headsets for truck 4311 in the amount of \$9,280.15, truck 4321 in the amount of \$6,300.80 and for truck 4301 in the amount of \$7,225.25 totaling \$22,806.20.
- Council Member White moved, seconded by Council Member Whittington, to authorize the purchase of noise cancelling headsets as presented. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **OLD BUSINESS**

### **1. Possible Amendment to Chapter 3 Expanding Timeframe to Clear Sidewalks**

- Administrator Bromeland stated that Council discussed the possibility of changing the required timeframe for residents to clear snow and ice from sidewalks with concern being expressed that the current timeframe of twelve hours is too short and poses challenges for property owners. Administrator Bromeland presented survey results from other communities and showed the average time to clear sidewalks is 24 hours.
- Administrator Bromeland reviewed the response from legal counsel regarding a resident's concern that they have regarding snow removal from sidewalks on Agency Street. They asked that the City Council consider amending code to allow for the use of ATV's on sidewalks. Per legal counsel, current code prohibits the use of ATV's on sidewalks, and notes that the City Council may consider modifying the ordinance to allow for the use of ATV's on sidewalks, or to allow for the minimal use on sidewalks. Legal counsel further advises that this can be accomplished by amending the language of Eagle Lake Code – Section 4.160, subdivision 3(D), or the City Council could add an exemption that would permit the use of an ATV on public sidewalks for repairs, maintenance, upkeep and removal of snow in Section 4.160, subdivision 4 of Eagle Lake City Code. Ultimately, legal counsel advises that as to which option is preferable will depend on what the City Council feels is appropriate use. Administrator Bromeland stated that to change City Code a public hearing would be required.
- Administrator Bromeland explained that the proposed code change includes language will let residents know it is their responsibility to keep the sidewalks clean and that there are repercussions in not cleaning the sidewalk.
- Public Works Director Hartman provided input relating to equipment used to clean sidewalks and stated he feels this section should be more board and that residents should use their best judgement. He also stated he has not witnessed any equipment being used that is heavier than what the City uses to remove snow from sidewalks.
- Council discussion included the possibility that some equipment could damage the sidewalks.
- Council Member White moved, seconded by Council Member Steinberg, to schedule a public hearing for the April 3<sup>rd</sup> City Council meeting to explore code changes to Chapter 3 of City code. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## NEW BUSINESS

### 1. Water Tower Rehabilitation Project – Water Tower Design and Plant Colors

- Administrator Bromeland stated that the water tower rehabilitation project is scheduled to start April 15, weather permitting, and end by July 10<sup>th</sup>. While the project consists of both exterior and interior coating work, the most visible portion of the project will include the exterior design of the water tower. When finished, the water tower should be set for another twenty years before another rehabilitation project is needed.
- Council discussed tower designs and colors and asked that the designer provide input to ensure that the white is pure and will not take on blue tones.
- Council Member Whittington moved, seconded by Council Member White, to move forward with option 1 in the blue and white designs, but to include mirroring the top to the bowl to that of the bottom of the bowl and to use paint colors 4086-Safety Blue, 4063-Robotic blue and ultra-white. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

### 2. Pricing to Straighten Wings for Snowplow Trucks

- Public Works Director Hartman stated to repair the wings on the snowplow trucks will cost \$6,692, stating that both wings need to be straightened in order for staff to safely attach the cutting edges. It was also explained that the damage to the wings is not from this winter season alone and that the damage poses safety concerns about efficiency and having effective equipment functioning properly when plowing snow.
- Crysteel has the setup to straighten the wings for a cost of \$6,692 and would be paid for out of streets capital outlay funds. Said repairs would be made after the plowing season ends.
- Director Hartman stated he has asked department members to walk around and inspect a vehicle before driving it.

### 3. Council Member White moved, seconded by Council Member Rohrich, to authorize the repairs to the snowplow wings by Crysteel in the amount of \$6,692. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

### 4. Pricing for DR900 Multiparameter Portable Colorimeter

- Public Works Director Hartman explained that recently they encountered a situation where they needed to borrow a chorine analyzer. The City's engineer with Bolton and Menk strongly recommend that the City invest in an analyzer such as the DR900. This device can test for chlorine, fluoride, iron, manganese, etc. and could be able to handle all the City's testing both now and in the future with a new water treatment plant. The City currently uses UC labs for testing.
- Administrator Bromeland stated this equipment would be used to test chemical levels in the water.
- Council Member Rohrich moved, seconded by Council Member White, to authorize the purchase of the DR900 Multiparameter Portable Colorimeter. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

### 5. Hiring of Part-Time Public Works Worker

- Administrator Bromeland explained that an application was received from James (Jim) Anderson and that the hiring committee comprised of Jess Steinke with Minnesota Valley Council of Governments, Public Works Director Hartman and herself interviewed Mr. Anderson for the position of part-time public works worker. The committee recommends that Mr. Anderson be hired for the position with a starting pay of Grade 3, Step 1 contingent upon the satisfactory completion of all required conditions for employment.
- Director Hartman stated the primary role of this position will be mowing at the park.
- Council Member White moved, seconded by Council Member Steinberg, to hire Jim Anderson as a part-time Public Works Worker, contingent upon satisfactory completion of all required conditions. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

6. Hiring of 4<sup>th</sup> Full-Time Public Works Worker

- Administrator Bromeland stated the hiring committee comprised of Jess Steinke with Minnesota Council of Governments, Public Works Director Hartman and herself interviewed Jacob Beckmann for the position of full-time public works worker. The committee recommends that Mr. Beckman be hired for the position with a starting wage of Grade 8, Step 1, upon successful completion of all required conditions. Mr. Beckmann possesses a bachelor's degree in Recreation, Parks, and Leisure Services.
- Council Member White moved, seconded by Council Member Steinberg, authorizing the hire of Mr. Beckmann as a full-time public works worker upon completion of required conditions. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

7. Hiring of Community Development Coordinator

- Administrator Bromeland stated the hiring committee comprised of Jess Steinke with the Minnesota Valley Council of Governments, Personnel Committee members Beth Rohrich and John Whittington, a rep from the Eagle Lake EDA, a rep from the Eagle Lake Planning Commission and herself interviewed four candidates for the position of Community Development Coordinator. The committee recommends that Olivia Adomabea be hired for the position.
- A conditional offer of employment has been made to Ms. Adomabea with a starting pay of Grade 8, Step 1. Ms. Adomabea possesses a bachelor's degree in Urban Planning and is currently pursuing a master's degree in Urban Planning. In addition to pursuing her master's degree, Ms. Adomabea has also worked as a GIS intern for Le Sueur County and is currently a Community Development Intern for the City of Chanhassen.
- Ms. Adomabea will be available to start working part-time on April 5<sup>th</sup> the hours of Wednesdays 8:00 a.m. to noon and Fridays 8:00 – 4:30 until she finishes school. In June she will begin working full-time.
- Council Member Steinberg moved, seconded by Council Member White, authorizing the hire of Olivia Adomabea as the Community Development Coordinator contingent upon satisfactory completion of required conditions. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

8. Notebook Computer Needed for Community Development Coordinator Position

- The cost of a notebook computer for the newly created Community Development Coordinator position will cost \$887 from CTS.
- Council Member Steinberg moved, seconded by Council Member White, authorizing the purchase of a notebook computer. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

9. July City Council Meeting Date

- Mayor Norton stated the July Council meeting is scheduled for July 3<sup>rd</sup> and asked if Council would like to consider moving the meeting to the following week due to potential attendance issues.
- Council Member Steinberg moved, seconded by Council Member White, to move the July Council meeting to July 10<sup>th</sup>. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

10. Juneteenth

- Administrator Bromeland explained a bill to establish Juneteenth as a state-recognized holiday was passed on both the house and senate floors and then signed into law by the governor on February 3. The bill goes into effect on August 1, 2023. The holiday recognizes the date on which slavery was abolished in the United States. With the effective date being August 1, 2023, the observance will not interfere with the existing holiday calendar for the current year. Minnesota law states that no public business shall be transacted on any holiday, except in cases of necessity.
- Administrator Bromeland also stated the City's Personnel Policy should be amended to include Juneteenth as a holiday observed, effective August 1, 2023. If the City Council wishes to recognize Juneteenth this

year, then a resolution is needed since it will not be a designated holiday until the law takes effect on August 1<sup>st</sup>.

- Mayor Norton moved to recognize Juneteenth as a holiday this year. The motion died due to the lack of a second.
- Council Member Steinberg moved, seconded by Council Member White, to recognize Juneteenth as a holiday effective on August 1, 2023. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

11. Planning Commission Recommendation and Fox Meadows PUD Application

- Administrator Bromeland explained that the Planning Commission reviewed an application for a Planned Unit Development within Fox Meadows development for Lot 1, Blocks 2, 3, and 6 at their meeting on February 27<sup>th</sup>. Following review of the application, the Planning Commission found that the Planned Unit Development (PUD) satisfies the intent of the ordinance and does not jeopardize the public health, safety, or welfare and to recommend to the City Council to set a public hearing.
- The PUD is being sought to create a new Common Interest Community (CIC) within the Fox Meadow development. Per the applicant, the CIC will consist of two types of dwellings. The first type will be twin homes located in Blocks 3 and 6. Each half of a twin home will become a separate lot and will eventually be sold to a homeowner. The second type will be single family homes located in Block 2. Each of the single-family homes will become a separate lot and will eventually be sold to a homeowner. The greenspace and driveways will be owned by the same homeowner's association as the twin homes.
- To approve a proposed Planned Unit Development, the Council must find that the proposed use meets one or more of the requirements listed in Section 6.195, Subdivision 2. Per staff's review, the proposed use appears to meet Subdivision 2(D) and E.
- Mayor Norton stated she participated in the Planning Commission meeting and mentioned concerns she has relating to outdoor maintenance and stated Mr. Schrom stated the property management company he uses has worked well for him relating to outdoor work.
- Other Council discussion included that a covenant is not subject to City Council approval and that the City is not able to enforce a covenant.
- Administrator Bromeland explained that a PUD allows for different types of housing not currently in Eagle Lake and diversifies housing types.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to schedule a public hearing at the April 3<sup>rd</sup> City Council meeting for a Planned Unit Development within the Fox Meadow development. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

12. Create Task Force for Community Center (Mayor Norton and Member Steinberg)

- Administrator Bromeland stated that Mayor Norton and Council Member Steinberg expressed interest in establishing a Community Center Task Force to explore the feasibility of a community center in Eagle Lake. She also noted that a task force is just a fact finding committee and is not authorized to incur expenditures without prior authorization by the City Council. It was also noted that no more than two council members could serve on this task force to abide by the open meeting laws.
- Council Member White moved, seconded by Council Member Rohrich, authorizing the formation of community center task force. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**OTHER**

- None

## **CITY ADMINISTRATOR REPORT**

### 1. Water Treatment Plant Bonding Request

- Mayor Norton and Administrator Bromeland will be traveling to St. Paul on Wednesday to testify on behalf of HF 144. The City of Eagle Lake is seeking a \$1,150,000 appropriation for a grant for predesign and design work necessary for the construction of a new water treatment plant.

### 2. CDL Requirements

- On February 7, 2022, new rules for CDL applications went into effect. The requirements now require all CDL applicants prove that they've followed federally approved training curriculum provided by a federally approved instruction. To obtain a CDL, applicants must complete a theory training, either online or in class, and then also complete behind the wheel training. It is estimated that it will now cost approximately \$3,000 to have public works staff obtain their CDL.

### 3. Carbon Reduction Grant Submitted

- A Carbon Reduction Grant application was submitted to try to help offset costs associated with the Eagle Lake Pedestrian Connectivity Project. City staff will work to modify the grant application as needed to meet program eligibility requirements.

### 4. Preparing for EAB Grants Application Submitted

- A Preparing for EAB Grants application was submitted in the amount of \$6,300 to remove and replace seven ash trees from Lake Eagle park. Funding for the program has significantly decreased compared to what was available last year when the City was awarded a grant to remove and replace ten ash trees.

### 5. TA Grant Application Submitted

- An ATP-7 Transportation Alternatives Solicitation Full Application from the City of Eagle Lake was submitted on January 13<sup>th</sup>. A presentation was made to the ATP Review Committee on March 1<sup>st</sup>. If awarded funding, the project may be able to commence in federal fiscal year 2026, a year ahead of what was initially anticipated when the application was submitted, due to additional funding that might be available for the program.

### 6. Two Applications Received for Planning Commission Vacancies

- Two applications have been received for the two vacancies that presently exist on the Planning Commission. The applications will be forwarded to the Planning Commission for review at their upcoming meeting. A recommendation to appoint will be forthcoming to the City Council for the April 3<sup>rd</sup> meeting.

### 7. Overview of Planning Process for Possible Future New Fire Hall

- As requested at a budget workshop, there was \$5,000 budgeted for a feasibility study relating to a new fire hall. Fire Chief Simpson and Assistant Fire Chief Talle would like to start this discussion and to look at financing options. There are no reserve funds for this project.

### 8. Upcoming Safety Loss Training

- The League of Minnesota Cities will be hosting a safety loss training in Mankato on April 5<sup>th</sup>. The afternoon session is one that would be beneficial for all office staff to attend. Administration Bromeland asked if the office could be closed that day at noon for the rest of the day. Council authorized this request.

### 9. Spring Clean Up

- Spring clean up will be held on May 13<sup>th</sup>. Per LJP this event will be a drop off event with no curbside pickup.

## **COUNCIL REPORTS**

1. Council Member Rohrich stated that Community Education did not choose Eagle Lake for a summer Aces site.
2. Council Member Rohrich stated that adult basketball will begin this Wednesday in the Eagle Lake school gym. This event will be held March through April based on gym availability and then will hopefully return in September.

3. Council Member Rohrich requested that staff look into street sweeping and mosquito spraying earlier this year.
4. Council Member Steinberg reported that Music on Parkway will take place again with events being planned for June, July and August. The June event will be held at Lake Eagle Park due to the water tower rehabilitation project.
5. Mayor Norton stated she attended the League of Minnesota Cities Newly Elected Officials training which provided her with great information.
6. Mayor Norton explained that she attended an Emergency Management meeting with Administrator Bromeland, Police Chief Kopp, Public Workers Director, and Eric Weller, Paul Barta and Sheriff Wersal with Blue Earth County. An item of concern for her was learning that the City has no generators, other than a couple of smaller household generators. Council discussion followed.
7. Council Member Rohrich stated that it would be helpful to drafted language that residents could use to contact state legislators relating to the bonding bill would be helpful.
8. Public Works Director Hartman informed Council that the location of where the temporary pole for Verizon will be located and stated the location has been painted.

### **ADJOURNMENT**

- Council Member White moved, seconded by Council Member Rohrich, to adjourn the meeting at 7:49 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
APRIL 3, 2023**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 6:15 p.m.

**ROLL CALL**

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

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

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

**APPROVAL OF MEETING MINUTES**

- Council Member Rohrich moved, seconded by Council Member Whittington, to approve the March 6, 2023 City Council minutes as corrected. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton pointed out the resolution for the donation from the American Legion for Music on Parkway, the appointments of Richard Garvey and Paul Bunkowske to the Planning Commission and the resignation of David Knutson from the Fire Department.

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

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Res. 2023-18 Accept Music on Parkway Donation	
Res. 2023-19 Appoint Garvey to Planning Commission		
Res. 2023-20 Appoint Bunkowske to Planning Commission		
Res. 2023-21 Resignation of Knutson from Fire Department		
Limited Continuing Disclosure Agreement		

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

**PUBLIC HEARING**

1. Planned Unit Development Application from Troy Schrom with Fox Meadows Housing Development (Lot 1, Blocks 2, 3 & 6)

- Administrator Bromeland explained that a public hearing has been scheduled to consider an application received from Troy Schrom with Fox Meadows. Mr. Schrom is seeking a Planned Unit Development

(PUD) for Blocks 2, 3, and 6. The PUD is being sought to create a new Common Interest Community (CIC) within the Fox Meadow development. Per the applicant, the CIC will consist of two types of dwellings. The first type will be twin homes located in Blocks 3 and 6. Each half of a twin home will become a separate lot and will eventually be sold to a homeowner. The greenspace and driveways will be owned by a homeowner's association. The second type will be single family homes located in Block 2. According to the plan submitted, there will be 17 single family home units and 16 twin home units. Each of the single-family homes will become a separate lot and will eventually be sold to a homeowner. The greenspace and driveways will be owned by the same homeowner's association as the twin homes.

- Administrator Bromeland also explained that CIC plats are governed by Minnesota Statute Chapter 515B. At the local level, a CIC can be approved as a Planned Unit Development, allowing some flexibility from regular zoning standards as to size and location, such as reduced lot size for dwellings and setbacks. In the proposed PUD, the applicant is seeking reduced lot sizes for the dwelling units and reduced setbacks. To approve a proposed Planned Unit Development, the Council must find that the proposed use meets one or more of the requirements listed in Section 6.195, Subdivision 2 of City code. Per staff's review, the proposed use appears to meet Subdivision 2(D) and (E).
- The PUD application and plan for Blocks 2, 3, and 6 of Fox Meadows was reviewed by the Planning Commission at its February 27, 2023 meeting. The Planning Commission recommends to the City Council that a public hearing be held based on the findings that the PUD satisfies the intent of the ordinance and/or does not jeopardize public health, safety, or welfare. A public hearing notice was published in the City's legal newspaper and posted on the bulletin board at City Hall. Notice was also mailed to all property owners within 350 feet of the subject property.
- Administrator Bromeland stated that the developer has submitted a CIC declaration and the City should have a copy of the covenant on file, but the City does not enforce covenants.
- Council discussion included Mayor Norton stating that the Planning Commission asked many questions and felt very comfortable with the PUD application.
- Council Member Steinberg moved, seconded by Council Member White, to approve Resolution 23-2022 approving a Planned Unit Development that will operate as a Common Interest Community. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## 2. Amendment to Chapter 3, Section 3.010, Subdivision 3(A)

- Administrator Bromeland explained this is a public hearing to consider an amendment to Eagle Lake City Code, Chapter 3, Section 3.010, Subdivision 3(A). The proposed amendment consists of replacing "All snow and ice not removed from public sidewalks after the snow or other precipitation causing the condition has ceased to fall" with "The owner and the occupant of any property adjacent to a public sidewalk shall use diligence to keep the walk safe for pedestrians. No owner or occupant shall allow snow, ice, dirt or rubbish to remain on the walk longer than 24 hours after its deposit thereon. Failure to comply with this section shall constitute a violation."
- Notice of tonight's public hearing was published in the City's official newspaper and posted on the bulletin board at City Hall. To date, no comments have been received in advance of the public hearing on the matter. If the Council chooses to adopt the amendment to Chapter 3.010, a 2/3 vote is necessary and will go into effect after publication.
- Deb Mastin, 601 Linda Drive, explained to Council the difficulties they have in removing snow from their sidewalk and stated the change to 24 hours to remove snow from sidewalks is needed. She also asked that flexibility be used in the enforcement of code.
- Council Member White moved, seconded by Council Member Steinberg, to adopt amendment to Chapter 3.010 Subdivision 3(A) of City Code. A roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.



## PRESENTATIONS

### 1. Eugene and Joyce Bruner: Sidewalk Concerns

- Kip Bruender, 204 Joan Lane, spoke as a representative for Eugene and Joyce Bruender who live at 425 S. Agency Street, regarding the sidewalk in the Fox Meadows subdivision. Mr. Bruender asked Council to review the sidewalk plans closely for this development. He stated he feels it makes more sense to have sidewalks on the south side of Blace Avenue since there will be less driveways than on the north side. He also stated he would be happy to meet with Administrator Bromeland and staff relating to this. Mr. Bruender also stated that safety will out way any additional cost.
- Brian Sarff with Bolton and Menk stated that Connie Lane has been realigned. He also explained this project has a 60-foot right-of-way on Blace with 27 feet of this right-of-way on the Bruender side (the north side) of the roadway with an 8 foot boulevard. From the midsection of the road to the right-of-way is 18 feet 10 inches and there would be a 5-foot sidewalk with a 2 ½ foot boulevard, which is very narrow and will make it harder for maintenance.
- Council discussion included location and potential use of sidewalk based on location.
- Developer Troy Schrom stated by having the sidewalk on the north side, it will allow for an east/west connection. There are two wetlands, one in phase 1 and the other in phase 2 and that this design has gone through the wetland delineation process and they need to stay out of the wetlands. The moving of the sidewalk would cost approximately \$20,000-\$30,000 and the developer's agreement would need to be redone.
- Mr. Bruender reiterated that he is only asking for Council to review plans for the development and is not asking for a decision at tonight's meeting.
- Council asked that a future meeting be set to review plans and expressed the desire to look at the big picture relating to sidewalk installation.

### 2. Roger and Nathan Bechel: Sidewalk Maintenance Concerns

- Roger Bechel, 308 S. Agency Street, and Nathan Bechel, 312 S. Agency Street, presented their concerns about snow removal on sidewalks which includes ice chunks thrown onto the sidewalk when snow was removed from the street which has damaged his snow removal equipment. Roger Bechel stated he feels the City should pursue county state aid funding to remove snow on the sidewalks along the county road. Roger again asked Council to consider adding language to city code to state what is allowable equipment residents can use for snow removal. He stated when he uses his tractor unit he does not have problems with snow removal.
- Nathan Bechel stated their assessment for the CSAH 27 project was \$8,000 for the value added to their property, but now they are incurring additional costs to remove snow from the new sidewalk.
- Council discussion included the possibility of reviewing the maintenance contract with Blue Earth County which expires on December 31, 2023. Council also indicated that this winter snow removal has been difficult for the entire community.

## OLD BUSINESS

- None

## NEW BUSINESS

### 1. Planning Commission Recommendation for Rezoning for Eastgate Townhomes (Parcel R12.10.18.201.019)

- Administrator Bromeland explained that a public hearing was held at the March 30<sup>th</sup> Planning Commission meeting to consider an application for rezoning for parcel R12.10.18.201.019. The applicant is seeking to rezone the parcel from L-1 Light Industrial to R-3 Limited Multiple Family Residential for the purpose of developing the property into a townhome housing development. According to the concept plan, the development is proposed to consist of a 2-unit townhome, two five-unit townhomes, and two four-unit

townhomes on the parcel. No written comments were received in advance of the public hearing, but one resident did speak at the meeting and stated that he was not against the rezoning but did have a questions about where a light industrial business would go if one wanted to move to town.

- Administrator Bromeland stated the applicant’s request to rezone the parcel from L-1 to R-3 is not consistent with the City’s land use map as this parcel is shown as L-1. However, as the applicant indicates in the rezoning request, the parcel is directly adjacent on the east, south, and west sides of the property are zoned R-3. If the subject parcel were to be rezoned, it would eliminate the remaining lot available for L-1.
  - Administrator Bromeland explained that when making a determination about a zoning amendment, the following shall be considered:
    - Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Land Use Plan, as adopted and amended from time to time by the City Council.
    - Whether the proposed amendment is compatible with the overall character of existing development in the immediate vicinity of the affected property.
    - Whether the proposed amendment will have an adverse effect on the value of adjacent properties.
    - The adequacy of public facilities and services.
  - The Planning Commission recommends to the City Council that the request for rezoning of parcel R12.10.18.201.019 be approved.
  - Mayor Norton stated the Planning Commission focused on watermain connectivity and a possible easement from the developer for watermain looping.
  - Council discussion included the need to ensure space for emergency vehicles to enter and exit the development and the location of fire hydrants. The developer indicated the design presented has a turn radius for a 42-foot fire truck and stated he is willing to work with adjacent property owners. The developer also stated that they would provide more fire hydrants and the units will be sprinkled.
  - The Council asked if water run off with this development would be a concern. It was explained that the holding ponds included in this development would handle water runoff.
  - Council Member Whittington indicated his desire to look at the multi-family versus single family units within Eagle Lake to consider appropriate balance.
  - Council Member White moved, seconded by Council Member Rohrich, to rezone parcel R12.10.18.201.019 from L-1 to R-3. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
2. Planning Commission Recommendation for Preliminary Plat for Eastgate Townhomes (R12.10.18.201.019)
- Administrator Bromeland stated a public hearing for a preliminary plat application was held at the March 20<sup>th</sup> Planning Commission meeting. The applicant is seeking to develop the property into a townhome housing development consisting of 1 two-unit townhome, 2 five-unit townhomes, and 2 four-unit townhomes on the parcel. The Planning Commission recommends that the preliminary plat be approved.
  - Administrator Bromeland also explained that the City’s engineer, staff and the developer have reviewed the concept plan and preliminary plat and that notices were sent to properties within 350 feet of this parcel and that a notice was published in the City’s official newspaper and posted in City Hall. She also explained that if there are any concerns, the preliminary plat could be approved with conditions and that items could be worked through with the final plat.
  - Council Member Steinberg moved, seconded by Council Member White, to approve the preliminary plat. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
3. Planning Commission Recommendation for Zoning Code Amendment
- Administrator Bromeland explained that a public hearing was held at the March 20, 2023 Planning Commission meeting for the purpose of considering the addition of the word “required” to Chapter 6,

Section 6.210, Subdivision 4(A)(2). Currently, there is conflicting language in code. In Section 6.210, Subdivision 6(A) the word “required” is included, but it is missing from Section 6.210, Subdivision 4(A)(2). The purpose of the amendment is to promote consistency within Chapter 6 as it relates to the permissible location of accessory structures in the front and side yards.

- No comments were received in advance or at the public hearing on this matter. The Planning Commission recommends that the above-described amendment be approved. The proposed amendment will need at least a 2/3 affirmative vote by the Council to be approved.
- Council Member Steinberg moved, seconded by Council Member White, to adopt the amendment to Chapter 6, Section 6.210, Subdivision 4(A)(2). A roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

4. Resolution Authorizing Delegation of Authority, Amendment to Check Signing Policy, Update to Internal Controls Policy

- Administrator Bromeland explained the proposed resolution is to authorize the delegation of authority to pay claims and make electronic fund transfers. She directed Council to a memo from the League of Minnesota Cities which states a city council may delegate its authority to pay certain claims. This authority may be given by the city council to a city administrative official. In order to delegate this authority, a city must adopt a resolution, establish internal accounting and administrative control procedures, and prepare annual audited financial statements.
- Administrator Bromeland provided background stating that discussion took place at the October 3, 2022 City Council meeting about the need to amend the City’s check signing policy. A concern was expressed by City staff at that time with being able to issue disbursements in a timely manner to avoid late fees. The check signing policy was amended to allow for checks to be processed twice a month. Since that time, Deputy City Clerk Kerry Rausch has requested that staff be allowed to process disbursements on a weekly basis, if needed, to avoid late fees.
- Council discussion included the possible need of paying claims by electronic fund transfers. It was mentioned that from an internal control standpoint it would be best to pay claims by check whenever possible.
- Council Member Steinberg moved, seconded by Council Member White, to approve Resolution 2023-23 authorizing the delegation of authority to pay claims and make electronic fund transfers. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member White moved, seconded by Council Member Rohrich, to approve the amended check signing policy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member Rohrich moved, seconded by Council Member Whittington, to approve the updated internal control procedures policy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

5. Pricing for Hydrant Nozzles

- Administrator Bromeland explained that during the 2023 budget setting process, the Fire Department requested that \$5,000 be set aside in the 601 Water fund for the purpose of updating 9 fire hydrants. The scope of work will involve replacing 9 hydrant nozzles. The proposal from Core & Main totals \$5,898.15. Of this amount \$5,000 will be paid for using funds in the 601 fund with the remaining portion to be paid for using fire department funds.
- Council Member Steinberg moved, seconded by Council Member White, to approve the purchase of fire hydrant nozzles from Core & Main. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

6. Pricing for Street Sweeping

- Administrator Bromeland explained that the Public Works Director Andrew Harman requested pricing from Loken's Asphalt Maintenance, Inc. and Peters Striping for street sweeping. Loken's Asphalt Maintenance, Inc. came in at \$4,725.
- Public Works Director stated Loken's Asphalt Maintenance pricing reflects the hours needed to clean up the sand.
- Council discussion included the desire to have the street swept sooner than later stating concerns with MS4 requirements.
- Council Member Rohrich moved, seconded by Council Member Whittington, to accept the bid from Loken's Asphalt Maintenance. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

7. Schedule Public Hearing for Chicken Ordinance

- Administrator Bromeland stated that Mayor Norton compiled information from several cities and created a spreadsheet with a list of various factors to consider addressing an ordinance regulating chickens.
- The City Council reviewed Lake Crystal's ordinance to use and made suggested modifications to use for Eagle Lake's draft ordinance.
- Administrator Bromeland asked, due to the size of the draft ordinance, to publish a summary which will state the complete draft ordinance will be available at City Hall. If the Council authorizes a summary publication a 4/5<sup>th</sup> vote will be needed.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to hold a public hearing at the May City Council meeting and to allow for a summary publication relating to amending city code to allow for chickens. The a roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

8. Mosquito Control Pricing and Options

- Administrator Bromeland explained two proposals from Clarke for environmental mosquito management were received. The first option is for 9 bi-weekly treatments at \$825.00 per treatment and an option for 15 weekly treatments at \$775.00 per treatment. Staff also contacted Total Lawn Care and Landscapes with a quote to provide mosquito and tick control at two of the three city parks. The quote consists of four liquid applications totaling \$4,688.
- When asked by Council if these treatments are effective, Public Works Director Hartman stated that it is difficult to tell until there is no treatment. He also stated the dog park area is the worst area at Lake Eagle Park.
- Council discussion included the cost for this service and questioned how effective it is, especially in back yards. Also discussed was if it would be possible to contract for special events only and if the city could contract this service out later if it is deemed necessary.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to not accept the bid from Clarke and to not do any regular spraying for mosquitos. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member Rohrich moved, seconded by Council Member Whittington, to revisit the need for mosquito control at the May City Council meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**OTHER**

- None

## **CITY ADMINISTRATOR REPORT**

### 1. Open Book Meeting Notice

- The open book meeting for Eagle Lake will be held at Blue Earth County Property and Environmental resources office at 9:00 a.m. Monday through Friday, April 17-23, 2023.

### 2. Spring Newsletter

- The spring newsletter will be printed and mailed to all postal patrons shortly. The newsletter will also be emailed via the City's email list and posted on the City's website and Facebook page.

### 3. Engineering Review for Park Shelter and Next Steps

- Public Works Director Hartman and City Administrator Bromeland participated in a remote meeting with Bolton and Menk regarding pricing for an engineer review of the shelter plans. Project cost is yet to be determined.
- General discussion included that the building inspector has asked for an engineering review.
- Council asked if it should be the responsibility of the park board to fund this project, if donations could be raised and the possibility of locating grants to assist with the cost. It was suggested that developing a concept plan to circulate to the public for fundraising purposes would be helpful.

### 4. LMCIT Loss Control Workshop on April 5<sup>th</sup>

- City staff will be attending a Safety and Loss Control Workshop in Mankato on April 5th and the front office will be closed in the afternoon.

### 5. Generators

- Pricing for generators was explored and pricing came in much higher than anticipated. It was noted that there is a matching grant but it is only for \$10,000 and the cost is much higher.

### 6. Access to Police Department

- The police chief has been informed that any person who has access to the police department office without an officer present must be fingerprinted and screened. Chief Kopp will be drafting a policy which will include that no one has access to the police department without an officer present except for the city administrator. When drafted this policy will come before the Council for approval.

### 7. CSAH 56 No Parking

- Blue Earth County has been contacted asking that No Parking signs be ordered.

### 8. No Mow May

- City Council discussed and determined the City of Eagle Lake will not be participating in No Mow May.

### 9. Request from Non-Resident

- Public Works Director Hartman stated he has received a request from a person living outside of city limits for gravel to be hauled in due to road conditions. The road in question runs from Peregrine to 211<sup>th</sup>. Mr. Hartman asked if Council wants to maintain this portion of the road to the fullest.
- Council discussion included the need to determine who is responsible for this section of road, the township or the City. If the township, then the township should be responsible for the road maintenance.

## **COUNCIL REPORTS**

- Council Member Rohrich asked about the office layout with the Community Development Coordinator position and asked if the office needs to be renovated to create a private office space. This may need to be reviewed in the 2024 budget planning process.
- Council Member Steinberg stated that Music on Parkway bands have been hired.
- Council Member Steinberg stated he has worked with city staff to secure the council chambers for every Thursday at 6:00 p.m. for AA meetings.

- Council Member Whittington asked about the work on the water tower. Public Works Director Hartman explained that the company doing the work is planning to start in April and is pulling their crew together.
- Mayor Norton asked about the school districts decrease in enrollment and their need for budget cuts and asked if this would affect the Eagle Lake school. Council Member Steinberg stated he emailed two school board members with his concerns. Council asked if a meeting with District 77's Superintendent could be arranged. Council Member Rohrich stated she feels it is the roll of the Council to keep residents and business in town and that Council needs to be the voice of the residents and feels that the Council should use their leverage to try to have an open dialog with the school district.

#### **ADJOURN INTO CLOSED SESSION**

- Council Member Rohrich moved, seconded by Council Member Whittington, to moved into a closes session as permitted by section 13D.05 subdivision 3(a), to complete the annual performance evaluation of the city administrator, Jennifer Bromeland. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member Rohrich moved, seconded by Council Member Whittington, to move back into the public meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

#### **ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 10:05 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
MAY 1, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

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

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

- Added to the agenda under New Business was #13-Overlay Project and under Other #3 was Flag Protocol.
- Council Member Whittington moved, seconded by Council Member Rohrich, to approve the agenda as amended. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**APPROVAL OF MEETING MINUTES**

- Council Member White moved, seconded by Council Member Rohrich, to approve the April 3, 2023 City Council minutes as corrected. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton pointed out the resolution appointing Roger Sward to the Fire Department's Day Time Rescue.
- Mayor Norton asked for discussion relating to the Server Warranty and Replace UPS. Administrator Bromeland explained that the two quotes included in the Council packet are to replace the UPS and that CTS recommends that batteries be replaced at 3 years and that the unit is replaced at 6 years. The batteries were replaced approximately 3 years ago. The second quote is to extend the server warrant either 1 or 2 years. CTS is recommended that the server be replaced in 2025. Staff is requesting a two-year server warrant be considered.
- Council Member Steinberg moved, seconded by Council Member White, to approve the consent agenda.

Monthly Bills	Treasurer's Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Res. 2023-1 Appoint Sward to Day Time Rescue	
Server Warrant and Replace UPS		
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **PUBLIC HEARING**

### **1. Amendment to Chapter 3 Allowing Chickens in City Limits**

- Administrator Bromeland stated tonight's public hearing is to consider amending Chapter 2, Section 3.110 of Eagle Lake City Code to exclude "chickens" from the definition of farm animal and fowl. Also, as part of the public hearing, the addition of Section 3.140 to Chapter 3 is proposed to allow chickens on any lot with a single-family residence that is issued a permit to do so by the City.
- Administrator Bromeland explained that the topic of keeping chickens in City limits was brought forth by Mayor Norton and Council Member Steinberg at the February 6th meeting. Discussion took place at both the February 6th and April 2nd City Council meetings. City staff was directed to schedule a public hearing for this evening's meeting to consider amending Chapter 3 to allow chickens in city limits and to add provisions related to the keeping, transporting, treatment, and housing of chickens.
- Administrator Bromeland went on to explain that if the motion is amended a fee will need to be set for the required permit and that the ordinance will take effect upon publication in the City's official newspaper. Staff suggested a fee of \$50 to apply for a chicken permit.
- Mayor Norton opened and closed the public hearing with no comments being offered.

## **PRESENTATIONS**

### **1. Mitch Kleist with MAYBA: In-Ground Irrigation System and Sponsorship Banners**

- Mitch Kleist with MAYBA stated MAYBA has reviewed the expired contract with the City and he would like to request a new contract be entered into to establish a commitment for the use of the ballfields and that he would like to see a 5 year agreement.
- Mr. Kleist stated that MAYBA would like to install an in-ground irrigation system on the 90-foot ballfield, which MAYBA would pay for and asked if the City could pay for the water usage. If approved, the installation is anticipated to occur several months from now.
- Mr. Kleist explained MAYBA recruits sponsors and asked for Council consideration in allowing banners to be hung from the fence, scoreboard, and on the dugouts. MAYBA is also asking for permission to install bull pens for pitchers to warm up.
- Council discussion included being open to installation of an in-ground irrigation system, the city installing a water meter, construction of bull pens, and being open to sponsor banners being placed on fence, scoreboard and dug outs. Discussion on preferred locations of banners was also discussed, as was the option for the City to request the ability to ask for banners to be removed if deemed inappropriate.
- Al Kiefer with MAYBA stated that banners on the score board would be replaced every two years. He also stated that the softball field will be used by MAYBA Monday through Thursday from now until July 20<sup>th</sup> and that the 90-foot baseball field will be used Monday and Wednesdays for games and Tuesday and Thursday for practices. When asked, Mr. Kiefer requested that if the fields are chalked for a game, that the fields not be disturbed prior to the game.

### **2. Consolidated Communications – 2023 Fiber Expansion Plans**

- Mark Sharpless, with Consolidated Communication, explained that Consolidated Communications Inc. (CCI) is planning to continue the fiber build in Eagle Lake and their plan is to complete the build this year. Mr. Sharpless also explained that Fidium Fiber Build is part of CCI.
- Nick Sorenson, with Consolidated Communications, stated the build in the area south of Chuck's Body Shop has been completed as well as the Maple Lane area. The next area of build will be on the eastern edge of the community to build out from CCI's office. Mr. Sorenson explained they will completely finish restoration work in one area before moving to another area of town. He also stated they will install the fiber through boring which will take place in the right-of-way. To inform residents of their work in town, they plan to do mailings and place information on doorknobs.



- Administrator Bromeland stated she was contacted by Blue Earth County about their concerns with pedestals.
3. Brian Sarff with Bolton and Menk: Eagle Ridge Phase II
- Brian Sarff with Bolton and Menk shared pictures of the current status of work in Eagle Ridge Phase II development. Mr. Sarff explained that the original work was unsatisfactory and that the developer was given until May 1<sup>st</sup> to restore boulevard to a satisfactory condition. The developer has been in town to complete work and currently there are 2-inch drops in some areas adjacent to the sidewalk. The developer has commented that this area will be disturbed when new homes are constructed. Mr. Sarff also stated there is a section of sidewalk and driveway missing due to a sewer issue which arose this winter. He went on to state that he feels the developer is passing the responsibility onto the builders and that there are large clumps of dirt in this area.
  - Council discussion included asking if the developer will water the hydroseeded soil and that if not watered weeds will grow instead of grass. It was confirmed that the hole in the asphalt has been repaired.

## **OLD BUSINESS**

- None

## **NEW BUSINESS**

1. Developer's Agreement between City and Eastgate Townhomes
- Administrator Bromeland explained that before the Council is a developer's agreement between the City and New Era Developments, Inc. for the Eastgate Townhomes. She explained that a landscaping plan will need to be submitted prior to a land disturbance permit being issued, there will be a parkland dedication fee and language regarding water and sewer area connection charges, and that all necessary easements must be in place, including easements for the water looping. She also stated that the City's attorney has reviewed and approved this agreement.
  - Council discussion included asking if the fire department's concerns have been met. Nate Myhra, the project manager with Bolton and Menk, stated the hydrants cover the projects' needs and the looping on their property. The hydrants cover 300 feet and the buildings have a sprinkler system. Emergency vehicle turnaround needs have been taken into consideration.
  - Council Member Steinberg moved, seconded by Council Member White, to approve the developer's agreement with New Era Developments, Inc. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
2. Planning Commission recommendation for Eastgate townhomes Final Plat
- Administrator Bromeland explained that a public hearing for a final plat was held at the April 17th Planning Commission meeting with no public comments offered. The applicant is seeking to develop the property into a townhome housing development. In total, there are 20 townhome units proposed in the development.
  - Administrator Bromeland also explained that a meeting was previously held with the developer, the developer's representative from Bolton and Menk, the City's engineer with Bolton and Menk, the Eagle Lake Public Works Director, and herself to review the proposed subdivision for compliance with the design standards as set forth in Chapter 5 of City Code.
  - Council Member White moved, seconded by Council Member Steinberg, to approve the final plat along with the recommended landscaping plan provision which was included in developer's agreement. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
3. Planning Commission Recommendation for Eastgate Townhomes CUP
- Administrator Bromeland explained that a public hearing for a Conditional Use Permit (CUP) application was held at the April 17th Planning Commission meeting. The CUP is being sought for the purpose of

allowing grouped housing in an R-3 district. There were no members of the public in attendance that spoke either for or against the project for which the conditional use permit is being sought. The applicant is seeking to develop the property into a townhome housing development. Grouped housing projects are allowed in an R-3 district subject to the regulations for conditional uses. The applicant indicates that no variance will be required.

- The Planning Commission recommends that the Conditional Use Permit application for grouped housing in an R-3 district be approved.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the Conditional Use Permit application. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

4. Amendment to Chapter 3 Allowing Chickens in City Limits

- Administrator Bromeland explained the draft ordinance before Council was sent to the City’s attorney for review and that the attorney recommended leaving the draft language in for Council review and that modifications can be made to the draft ordinance.
- Council discussion included the desire to change Section II, A. General Requirements, Premises #7 to say chickens may not be slaughtered and to delete “in public view”, and in the same section change #8 to read “inside a coop, a fenced in run, or a fenced in yard”.
- Discussion relating to D4 and fencing was discussed. It was determined that a fence could be up to the property line and that the setbacks in D4 would not change due to placement of the fence.
- D7 should include the word “coop” height of 6 feet.
- Item B7, relating to 75% of the adjacent property owners must approve the application was discussed in detail with Council members not agreeing on how to ensure property owners are informed of and provided the opportunity to voice their approval or disapproval for issuing a chicken permit. Council also agreed to remove “withing fifty (50) feet” of adjacent properties.
- Council Member Steinberg moved, seconded by Mayor Norton, to table discussion to later in the meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member Steinberg moved, seconded by Mayor Norton, to reopen discussion relating to Chapter 3 proposed ordinance change and keeping of chickens within city limits. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Administrator Bromeland asked for clarification on what the City Council is proposing for language in A8 with the addition of fenced in yard with concerns if this includes conflicting language, asking when a chicken can run range free and that in another place in the ordinance it says chickens must always be confined in a coop or fenced in run. It was also asked if the reason to require chickens be in a coop or fenced in run with a roof might be to protect them from predators. Mayor Norton stated if chickens are contained within a fenced in yard, it is not considered ranging fee and that it is inhumane to contain chickens into such a small space.
- A suggestion relating to the adjacent property owner’s approval language was proposed by Council to read, “the applicant will be responsible for obtaining signatures from adjacent property owners. If there is no response from a neighbor, the City will send that property owner a letter. If there is no response to the City’s letter after 15 days, it will be considered as approval”.
- Council Member White moved, seconded by Council Member Rohrich to approve the ordinance with the discussed and agreed upon changes and to allow for a summary publication in the City’s official newspaper with a full copy available in the city office for review. The roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

5. MAYBA Agreement

- Administrator Bromeland explained that the term of the agreement will run May 1, 2023 to May 1, 2028 and that both parties are aware that the previous agreement expired and have been in communication as to terms for the new agreement. She also stated the City staff appreciates the ongoing positive working relationship with MAYBA reps, specifically Al Kiefer and Mitch Kleist and all the many hours of work that they put into keeping the ballfield looking nice for our community.
- Administrator Bromeland explained that the City's attorney reviewed the agreement and stated it is similar to the previous agreement. The cost of watering cannot be determined at this time, but the City can monitor usage and address this later if need be.
- Council discussion included wanting to ensure the City Council will have the authority to reject a sponsor if they are deemed inappropriate and to allow staff to removed damaged or broken signs.
- Council Member Rohrich moved, seconded by Council Member Steinberg to approve the MAYBA agreement and to authorize the installation of an irrigation system, bull pen, and to allow sponsor banners to be hung upon Park Board approval of location at their May 11th Park Board meeting. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

6. Purchase of AEDs for Fire Department

- Trent Talle, 424 Thomas Drive, was present representing the Fire Department. He stated pricing has been obtained to purchase two new AED response systems from Stryker in the amount of \$5,401.60. These AEDs have the ability to link into the department's Lucas machine. The proposed purchase will be paid for with grant funding received from the Carl and Verna Schmidt Foundation and the fire departments' gambling funds.
- Council Member Steinberg moved, seconded by Council Member White, to authorize the purchase of AEDs for the Fire Department. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

7. 2023 Blacktop Repairs

- Public Works Director Andrew Hartman explained that he received two quotes for street repairs. He asked the two contractors to meet onsite to get a visual of working needed and only one of the contractors, WW Blacktopping met this request. Mr. Hartman stated while WW Blacktopping's bid is higher than the other contractor it is due to them having a better understanding of the repair work needed and it was his recommendation to accept the bid from WW Blacktopping in the amount of \$53,327.65.
- The 2023 budget was set at \$100,000 for street repairs and there is a remaining balance of \$91,397.89.
- Council discussion included if there is need for any other repairs needed that could be done while the contractor is in town. Council also asked about a 10-year plan for road repairs, which staff is working on.
- Council Member White moved, seconded by Council member Steinberg, to accept the bid from WW Blacktopping and to approve up to \$10,000 of additional road repairs if needed. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

8. EDA Recommendation for Forgivable Childcare Loan Program Request from Little Sprouts

- Administrator Bromeland explained that a Blue Earth County Childcare Forgivable Loan Program application has been received from Erica Tummers, owner of Little Sprouts, LLC. The loan request totals \$26,945.11 and is comprised of security improvements, a retrofit to create an additional classroom, furnishing for additional classroom, and other equipment needed to improve operational efficiencies.
- Administrator Bromeland provided background explaining that Eagle Lake was originally allocated \$35,000 for this program and there is \$18,723.11 remaining. This program was created in 2018 with the goal of expanding or improving the availability of childcare in the County. The program was designed to help communities with a population of 5,000 or less. The funds can be issued to both in-home daycare providers or centers.

- Also explained was that 20 percent of the original loan is forgiven annually if the center remains in business and continues to make interest payments. After 5 years of business operations and interest payments, the loan is forgiven in its entirety. The applicant must provide collateral to secure the loan. Per Blue Earth County staff, the Board of Commissioners set the interest rate at the first meeting of each year based off the federal prime rate. For 2023, the interest rate has been set at 7%. If the loan recipient defaults, repayment by the City and County is 50/50. The business plan and financials for Little Sprouts were reviewed by Bryan Stading with CEDA and City staff.
  - The Blue Earth County Childcare Forgivable Loan request received from Little Sprouts was reviewed by the Eagle Lake Economic Development Authority (EDA) at its April 27th meeting. The EDA recommends that the application from Little Sprouts be approved in the amount of \$18,723.11.
  - Council Member White moved, seconded by Council Member Rohrich, to approve the loan request from Erica Tummers for Little Sprouts in the amount of \$18,723.11. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
9. Authorization for City Credit Card
- Administrator Bromeland stated that at this time the City does not have a city issued credit card due to City staff not wanting to provide a personal guarantee and the difficulty finding a local bank willing to issue a credit card without a personal guarantee. Staff are encountering more vendors that require payment by credit card and in those situations City staff are having to use a personal credit card and then turn in a reimbursement. This is a hassle for staff to remember to turn in a reimbursement request and then must wait to get reimbursed until payables are approved for payment and processed.
  - If approval is granted, Administrator Bromeland explained a motion will be needed to add the Bank of Elk River to the official depositories for the City of Eagle Lake. A motion would also need to be adopted the proposed Credit Card Use Policy.
  - Staff is recommending approval authorizing staff to pursue a credit card and approve the credit card use policy upon the city's attorney review.
  - Council Member White moved, Council Member Rohrich seconded, to authorize staff to pursue a city issued credit card. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
  - Council Member White moved, Council Member Rohrich seconded, adopt resolution 2023-25 a resolution adding the Bank of Elk River MN to the City's official depositories. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
  - Council Member White moved, Council Member Rohrich seconded, the proposed credit card policy upon the city attorney's review. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
10. Addendum to Internal Control Procedures Policy
- Administrator Bromeland explained that the addendum to the Internal Control Procedures Policy relates to Menards purchases and even more specifically, rebates. After consulting with the City's auditor on the matter, City staff was advised to adopt an internal control policy to ensure rebates be used for public purpose items only.
  - Council Member Steinberg moved, seconded by Council Member Whittington, approving the addendum to the Internal Control Procedures Policy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
11. Police Department Access Policy
- Administrator Bromeland explained that Police Chief John Kopp has advised that the BCA now requires that all personnel with access to the police department office be fingerprinted and backgrounded. Per an inquiry to legal counsel, it is advised that the City Administrator go through the process required by the

BCA to be able to access the police department if needed, without a law enforcement employee present. All other non-law enforcement personnel will be prohibited from entering the police department office without a law enforcement employee present.

12. Possible Resolution Requesting that MAPO Conduct a Grade Separated Study for the Intersection at CR 17 and Highway 14

- Administrator Bromeland explained that Mayor Lisa Norton recently asked that City staff pursue funding for a study at the intersection of CR 56 and US 14. City staff reached out to both MnDOT and Mankato Area Planning Organization (MAPO) staff. MnDOT responded via email indicating that construction of an interchange on US 14 at CR56 is cost prohibitive and that MnDOT would not be supportive of a study at this location. MnDOT however indicated that they would be interested in pursuing a demonstration project at CR 17 that would close the direct lefts off US 14.
- Council Member Steinberg explained that the last time Council pursued changes to the design of Highway 14, MnDOT installed R-cuts. He also expressed his strong concern that the access at CR 17 and Highway 14 needs to remain open.
- The council and staff voiced opinions that the City should be able to contact MnDOT without concerns that contact will result in changes to the highway design.
- The council consensus was they would like to invite MnDOT to a special city council meeting, hopefully in May to discuss concerns and options.
- Council Member Steinberg moved, seconded by Council Member White, to take no official action at this time and to invite MnDOT to a special council meeting to allow for discussion. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

13. Bituminous Overlay Project on CSAH 27

- Administrator Bromeland explained that per Stefan Gantert, Assistant County Engineer with Blue Earth County, a bituminous overlay project on CSAH 27 between Thomas Drive and 206<sup>th</sup> Street is planned for 2023. According to Mr. Gantert, the road will remain open with flaggers during the overlay project. Blue Earth County has indicated they need municipal consent for this project.
- Council Member Steinberg moved, seconded by Council Member White, approving a resolution giving consent for a bituminous overlay project on CSAH 27 from Thomas Drive to 206<sup>th</sup> Street. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**OTHER**

1. Summary of Performance Evaluation as Required by MN Statute 13D.05, Subd. 3

- Administrator Bromeland explained that a closed session was held at the April 3, 2023 City Council meeting for the purpose of completing the annual performance evaluation of the city administrator. The meeting was closed as permitted by Minnesota Statute 13D.08, Subdivision 3(a). There were 5 rating factors and 19 rating elements used. City Administrator Jennifer Bromeland received a rating of “meeting standards or exceeding standards” for all the rating factors and elements.

2. Community Center Task Force

- Administrator Bromeland explained that city staff was directed to add “Community Center Task Force” to the agenda to allow City Council to discuss next steps and to appoint Council Member Steinberg to lead the task force. It was explained that the purpose of the task force is to study the concept of a community center and bring back information to the City Council. The task force does not have authority to expend city funds on a community center or enter into any binding agreements, it is designed to gather information to bring to the full City Council for further evaluation.
- Discussion included the desire to poll the public and to establish a task force. A date of May 24<sup>th</sup> at 7:00 p.m. at City Hall was set to host a public meeting for members of the community to provide input and to establish a task force relating to a Community Center.

- Administrator Bromeland explained that only two members of the City Council could attend this meeting to avoid open meeting law violations.
  - Council Member Steinberg moved, seconded by Mayor Norton, to set up a Community Center Task Force. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
3. Flag Protocol
- Mayor Norton stated she was contacted by a resident over the weekend as was City Hall on Monday by residents expressing concern about flag protocol.
  - Administration Bromeland explained that staff researched flag protocol relating to inclement weather and found that flags must be all-weather flags to be flown in inclement weather. She contacted the public works department who provided her with packaging showing that the flags the city uses are all-weather flags.
  - Council Member White moved, seconded by Council member Rohrich, to train all staff on how to correctly remove a damaged flag. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **CITY ADMINISTRATOR REPORT**

1. Letter from LJP about Possible Future “Modified” Curbside Cleanups
  - Administrator Bromeland explained that other communities LJP serves who will be having curbside spring clean ups is due to the language in their contract and that Eagle Lake’s contract does not have this language. The City’s attorney has reviewed the City’s contract and has indicated there is nothing the City can do.
  - In meeting with Administrator Bromeland, Jesse with LJP indicated that a modified curbside fall or spring pickup may be possible in the future, but items such as large couches would not be picked up.
  - Council discussion included that residents need to keep in mind that clean up events are provided by the City at no cost to the residents.
2. Letter from Mankato about 2022 Sanitary Sewer final Costs and 2023 Expected Costs
  - Eagle Lake’s final refund for calendar year 2022 is \$19,623.63. The expected cost for 2023 is \$203,092.14.
3. 2022 Drinking Water Report
  - Each year all community water systems must distribute a drinking water report to their customers. This report is known as a Consumer Confidence Report (CCR). In lieu of mailing the full report, the City has the option to mail a postcard with information notifying customers of where they can access the report. The postcard will be mailed shortly.
  - The council asked if the water advisory from last year could be included to make new residents aware.
4. New Resident Welcome Bag – EDA Initiative
  - The council was provided with a letter that was sent to all Eagle Lake businesses for the purpose of informing them of a New Resident Welcome Bag initiative and to introduce them to the City’s new Community Development Coordinator Olivia Adomabea who will be contacting them to schedule visits.
5. Outdoor Movie Night – Save the Date: August 18th at Eagle Lake Elementary
  - The City of Eagle Lake is again partnering with Mankato Area Public Schools Community Education and Recreation to hold another Outdoor Movie Night at Eagle Lake Elementary on August 18th. The cost for the outdoor movie will be paid for via business sponsorships. At this time, the movie title will be Mighty Ducks.
6. Transportation Alternatives Funding Award Letter for Eagle Lake Pedestrian Connectivity Project
  - MnDOT sent an award letter informing the City that Eagle Lake’s TA project was selected for funding through the MnDOT District 7 Area Transportation Partnership 2027 solicitation. The TA program has set aside \$475,982 in federal funds towards the construction cost of Eagle Lake’s project in fiscal year 26. The local funds share will be split 50/50 between the City and County. A meeting was recently held with Blue

Earth Council Engineer to talk about next steps. The first step will be to enter into a cost participation agreement. More information is to follow. City staff will be exploring other grants available to help offset the local share.

7. Upcoming Annual LMC Conference and Communications Panel

- Administrator Bromeland will be attending the Annual LMC Conference June 21-23 in Duluth and was invited to speak on a communications panel from a small city perspective during one of the sessions. Due to serving on the panel the fee of the conference registration will be waived. Eagle Lake will be the first stop of the Region 9 Bus Tour on June 21<sup>st</sup> from 9:15 a.m. – 10:45 a.m. She will leave immediately following the bus tour and head to Duluth.

**COUNCIL REPORTS**

1. Mayor Norton explained that she is part of the legislative policy committee with Region 9. The manganese issue the City of Eagle Lake is experiencing is a region wide issue. Region 9 is making this a regional issue and will try to create more awareness.

**ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 8:59 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
MAY 22, 2023**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 7:00 p.m.

**ROLL CALL**

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, and Deputy Clerk Kerry Rausch.

**PUBLIC COMMENTS**

- Mary Maul, 509 Linda Dr, stated there has been a multitude of accidents and one fatality and that the most recent upgrades to Highway 14 are a bandage. Nicollet has an overpass and with Eagle Lake's growth it is time to do something.
- Robert Gospeter, 209 Ann Drive, asked where the initial design came from and how did we get to the point of needing to cross over 2 lanes of traffic and the line-of-sight issue never fixed.
- Gabriel Norton, 212 Ann Drive, stated he does not like the current design of the J-turn saying it is difficult to judge which lanes cars are in when turning west onto Highway 14.
- Josh Norton, 212 Ann Drive, stated he has witnessed cars in the winter having difficulty crossing the lanes of traffic and accelerating to get across on poor road conditions. He also stated his concern with the line-of-sight issue and that he feels the J-turn is not safe. He believes there needs to be a better design.
- Mike Guentzel, 60374 224<sup>th</sup> Lane, Madison Lake, stated he lives north of Highway 14 on County Road 27 and has personally witnessed several illegal uses of the J-turn at this intersection and that this intersection needs to be closed down. He understands an overpass is not feasible, and that none of the current designs make sense. He went on to say that the City has pigeon holed itself and that the people need another option to get to Mankato. He also stated this was all brought up with the EAW with the Motorsports Park and that forward thinking is needed.

**NEW BUSINESS**

1. Conversation with MnDOT District 7 Traffic Engineer Scott Thompson about Highway 14 Safety Concerns in Eagle Lake
  - Scott Thompson, an engineer with MnDOT District 7, explained that the current circumstance is due to funding and that MnDOT's funding was cut. MnDOT has since realized the error of their way and that is why other cities have grade separation. He explained that Eagle Lake is land locked to the north and development to the south.
  - Mr. Thompson stated that MnDOT is willing to work with the City of Eagle Lake to look at options for road design by working with MAPO to do a study of Highway 14 from County Road 12 to Highway 60. This study would look at where access is needed. The partners for this study would be the City of Eagle Lake, Blue Earth County, and MnDOT. He encouraged the City Council to consider adopting the revised resolution.
  - City Council discussion included the potential closing of left turn lanes. Mr. Thompson stated the goal should be to look at interim and future safety improvements and to pursue funding. MnDOT would like to



continue the discussion. He also explained that 60% of the accidents were left turning accidents, 30% were rear end accidents, and 10% were fluke accidents.

- The Council asked if any size vehicle could utilize J-turns. Mr. Thompson responded stating the MnDOT uses a semi-trailer as the design vehicle when designing J-turns.
- Also discussed was the differences between all the intersections, specifically at County Roads 56, 17 and 27 and asking to compare these intersections with the stop lights on Highway 14 in Bryon. Mr. Thompson responded stating that MnDOT's experience is that traffic signals along high-speed roadways show severe traffic safety concerns and that MnDOT is contemplating their removal, but this would be based on funding.
- Ryan Thilges, Blue Earth County Engineer, addressed a comment about Blue Earth County available funding for road work. He stated that the cost to construct an interchange would be shouldered by MnDOT, Blue Earth County and the City of Eagle Lake. He stated he is passionate about the County Road 17 intersection and its safety concerns. The signage has been changed to an LED enhanced stop sign. The line-of-sight concern is related to the curvature of the road and is affected when the sun rises. Blue Earth County is eager to get external funding, but the County is not able to pay for a project of this magnitude. He also stated that he personally and Blue Earth County are in favor of this study. He urged people to use County Road 12 for safety purposes.
- Dennis Terrell, 60604 211<sup>th</sup> Street, asked about lowering the speed to 55 mph on the highway by Eagle Lake. Mr. Thilges stated he does not believe this would be effective and that people drive at the speed that feels safe for the road design. Mr. Thompson stated that by dropping the speed, more people will offend the speed limit and it would result in increases of crashes. Mr. Thilges explained that Minnesota Statute 169.14 calls out speed limits on divided highways and that the Commissioner of Transportation is the only person who can set speed limits.
- Mr. Thilges stated that the proposed study would be the first step in a long process and that the study through MAPO would begin in 2024 and is estimated to be finished by mid-2025, possibly sooner. The study would be paid for with MAPO funding and MnDOT would pay for any cost in excess of MAPO's funding amount.
- It was pointed out that conducting this study does not automatically mean there is a project. The purpose of the study is to identify options and determine feasibility.
- Mayor Norton stated that members of the fire department were not able to attend due to a call, but wanted to voice concerns that there is no access to Highway 14 when a training goes through Eagle Lake and that there should be consideration given for emergency vehicles ability to access Highway 14.
- Mr. Thompson explained that the study would be a fact-finding exercise and would identify future growth locations, collect traffic counts for roads that connect to Highway 14 and would be conducted by a third party. No roadways would be shut down as part of the study. The City of Eagle Lake, Blue Earth County and MnDOT would be partners in this study, and all would contribute to identifying short-term solutions. When asked if this study could undo construction that was already done and limit access point, Mr. Thompson responded by stating everything is on the table.
- Mr. Thompson stated that since the J-turn has been installed there have been 4 accidents, all of which have result in property damage only. When asked if the lower usage of highway access roads could be the reason for the decrease in accidents, he responded with that could be possible. There are over 60 J-turns installed in Minnesota and these have resulted in a dramatic reduction in the severity of accidents. He also stated that J-turns typically do not have acceleration lanes. He address the comment that J-turns are not suitable for large/heavy vehicles which are not able to get up to speed quickly by stating that this is a common concern, but data does not support this. He addressed a comment stating that when the redesign of Highway 14 took place a few years ago, the design was not intended to force traffic to County Road 12 and that it is MnDOT's goal to balance safety and access to the City of Eagle Lake.

- Discussion on Eagle Lake’s historic and future growth was discussed which tied into the need to look to the future needs of the City and where road access will be needed.
- Drivers need to be reminded to slow down, to be patient, and to wait until it is safe to proceed when entering onto Highway 14. It was also mentioned that the City may want to consider reserving future right-of-ways to be able to plan ahead.
- Council Member Rohrich moved, seconded by Council Member Whittington.
- Discussion included the desire to conduct the study prior to closing access points. When asked, Mr. Thompson indicated that it may be possible to close the east bound access left turns and keep open the west bound left turns, if it is deemed necessary to limit left turn access points.
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member Rohrich, to adjourn the meeting at 8:31 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
JUNE 5, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

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

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

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

**APPROVAL OF MEETING MINUTES**

- Council Member White moved, seconded by Council Member Rohrich, to approve the May 1 and May 22, 2023 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton pointed out the resolution accepting donations for Music on Parkway from the Sons of the American Legion and Jeremy Horkey and thanked them for their donations. Mayor Norton also expressed thanks to the Tator Days committee for their hard work.
- Council Member Whittington 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
  - Tator Days Contiguous Area Permits
  - Res. 2023-28 Donations for Music on Parkway
  - Tator Days Parade Permit and Goofy Goat Farm Update Post-Parade Activity
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**PUBLIC HEARING**

- None

**PRESENTATIONS**

1. Julie Blackburn with ISG: Annual MS4 Presentation
  - Ms. Blackburn with ISG explained that the City is required as an MS4 city to hold an annual public meeting as part of the annual requirement of the MS4 permit, to provide an opportunity for interested residents to

learn about the City's efforts to address the required 6 Minimum Control Measures and to receive comments from the public on the stormwater program. The City of Eagle Lake is regulated by the MS4 (Municipal Separate Storm Sewer System) and the NPDES (National Pollutant Discharge Elimination System) law. As part of the NPDES law, the city falls under the municipal category and needs to include construction.

- According to the EPA, municipal storm water is one of the leading causes of water pollution. Storm water includes snowmelt and rain that flows over land and does not infiltrate. Stormwater carries all that it picks up as it flows across surfaces and enters the surface water, such as ponds, lakes and streams.
- There are six (6) minimum control measures (MCM) the City needs to abide by. These include Public Education, Public Participation and Involvement, Illicit Discharge and Elimination, Construction Site Storm Water Runoff, Post-Construction Stormwater, and Pollution Prevention and Good Housekeeping for Municipal Operations. The City has ordinances, check lists, and maps have been developed and are in place and staff receive the required training for this program.
- Ms. Blackburn explained that the City is in compliance with all requirements, that MPCA has recommended slight adjustments to Chapter 18 of City Code to clarify the details of how the City of Eagle Lake is meeting requirements, that draft ordinance language has been provided for Council review, and that a public hearing for the July 10<sup>th</sup> City Council meeting was recommended.
- Ms. Blackburn reviewed with the City Council the proposed ordinance changes in Chapter 18 of City Code, which more accurately reflect the current process. Included in the recommended changes is Section 18.0207 (a) Process: the developer is responsible for submitting storm water management plans to the zoning administration and transmitted to the city engineer. (d) Performance bond or letter of credit states the applicant shall enter into a developer's agreement with the city. Section iii. States that any requirements related to off-site treatment will be outlined in a developer's agreement. Section 18.0209 (d) (1) states it is the intent of the City of Eagle Lake to own all stormwater infrastructure. Only in the event of extraordinary circumstances will private facilities be permitted. Specific requirements regarding maintenance, access, and inspections will be outlined in the developer's agreement that meets all requirements outlined in this chapter and the MCM 5 legal mechanism requirements identified in the Minnesota Pollution Control Agency MS4 general permit. In all cases, stormwater infrastructure must meet the design, rate, and water quality standards outlined in this chapter.
- Council discussion included if the word planning needs to be included in Section 18.0207 Plan review procedure proposed change. Also discussed is the desire to have a template which can be used for future developer's agreements. Administrator Bromeland explained that the Fox Meadows developer's agreement has this language which will be used for future developer's agreements.

## 2. Mike Kennedy, City Insurance Agent with AIA: P & C Insurance Renewal and Updates

- Administrator Bromeland explained that the League of Minnesota Cities conducted a recent appraisal which includes buildings and structures, contents and machinery, and equipment. The updated values that resulted from the recent survey will have a significant impact on premiums and will be higher than what we have seen in recent years. Because of the timing of the survey and renewal schedule, the increase in values were not known when the 2023 budget was set. An increase in property and casualty premiums will be factored into the 2024 budget resulting in a noticeable increase. It was noted that LMCIT indicated that the next survey will take place in six years.
- Mr. Kennedy stated the City should look at the value of vehicles. He also explained there are not traditional insurance carriers who provide this type of coverage for the city to be able to look elsewhere for insurance, so the best options to reduce premium cost is to consider increasing deductibles. Mr. Kennedy stated it is possible for the city to see a 25% increase in premiums, some of which is due to claims and the cost of construction.

## **OLD BUSINESS**

### **1. Request for Release of Escrow for Eagle Ridge, Phase II**

- Administrator Bromeland explained that since the May 1<sup>st</sup> meeting, the hydroseeding and curb patch work has been completed. City staff has been in contact with the developer to advise of concerns with a fissure and erosion involving the pond due to heavy rains and request that the fissure be repaired and erosion control blankets be installed. The developer was given until May 1<sup>st</sup> to complete all necessary corrective action work required for the city to release the remaining cash escrow balance which is \$47,067.50.
- Brian Sarff, with Bolton and Menk, stated that last month the developer added dirt to the boulevard and that the area is not a finished look and that grass has started to grow. He also stated there are warranty issues, the sidewalk/driveway restoration relating to the sanitary sewer issue. The developer is working on this restoration. When asked by Council, Mr. Sarff stated that the developer has substantially completed what was asked of him.
- Council Member Steinberg moved, seconded by Council Member White, to release the remaining \$47,067.50 of escrow funds to KJ Walk.
- Discussion included the desire to time the release of the escrow funds in conjunction with the final work completion.
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **NEW BUSINESS**

### **1. Re-Evaluate Mosquito Spraying for Summer 2023**

- Administrator Bromeland explained that pricing for mosquito control was presented at the April 3<sup>rd</sup> City Council meeting. Discussion included measuring the effectiveness of the treatments and feedback received in recent years from residents concerned about the negative impact on pollinators. Ultimately, a motion was made to not do any regular spraying for mosquitoes in 2023 and re-evaluate as needed.
- With a wetter than normal spring, Administrator Bromeland stated mosquitoes are out in full force. This has generated inquiries from residents asking if the city will be spraying for mosquitoes as it has done in recent years.
- Staff has inquired with Clarke to learn more about measuring the effectiveness of mosquito control City staff was advised that we could set up automatic traps that count mosquitoes and send bank data in real-time (cellular) to see what mosquito populations are at any given time. This can be used to prove or disprove whether the spray is working. The charge for setting traps and monitoring is approximately \$2,000 per season per trap.
- City staff has confirmed with Clarke that they are able to work Eagle Lake back into the schedule. They propose keeping the original number of treatments and spraying two weeks in a row to get ahead of mosquitoes. A regular schedule of sprays is recommended versus spraying in advance of special events only or just at the parks. It was suggested that if there is only an interest in spraying in advance of special events that a backpack fogger be used instead of a spray due to the fogger leaving a residual that will remain for approximately 7-10 days. With the product that is sprayed from the truck, once it is no longer in the air, it is no longer viable and disintegrates into the environment. This was discussed in 2022 when the pollinator questions was posed. At that time, Clarke indicated that they treat at a time when the pollinators are not present (in their hives generally or in the ground) and that once the product is no longer in the air, it is not a threat to pollinators.
- Council discussion included several of the council members stating they have been contacted by residents, some in favor of spraying and some opposed. The emails received by the City were overwhelmingly in support of spraying. The desire to make sure the parks are sprayed along their trails was expressed.

- Council Member Rohrich stated that Total Lawn Care & Landscape also provides this service and could be looked at next year.
  - Council Member White expressed his opposition to spraying.
  - Jim Beal, 420 Owl Lane, stated that his neighborhood has several ponds and that he feels the spraying for mosquitoes is effective and asked if the City could look into treating the ponds.
  - Council Member Steinberg moved, seconded by Mayor Norton, to contract with Clarke to spray for mosquitoes.
  - Council discussion included the desire to include the spraying of parks along the trails and the need to follow up with residents who expressed interest in spraying to determine if they noticed a difference.
  - The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor. Council Member White voted in opposition.
  - Administrator Bromeland stated the City has 25 acres of ponds and 427 catch basins and when checking into cost of larval control treatment for these areas in 2022, it was determined cost prohibitive.
  - Mayor Norton asked to include the cost of treating ponds on a future agenda.
2. Proposal for GIS Site Location Analysis/Study for New Fire Hall
- Administrator Bromeland explained that according to Five Bugles Design, Station Location Studies are generally developed based on the following considerations: using GIS mapping to create response time polygons based on 3-5 years of past National Fire Incident Reporting System (NFIRS) data; ability of the department to meet National Fire Protection Association 1720 (volunteer) requirements; the City's planned future growth documents; Insurance Services Office (ISO) rating of the City; and other potential issues specific to the community (e.g., railroad, highway, etc.).
  - Administrator Bromeland provided background information stating that \$5,000 was allocated in the 2023 fire department budget for the purpose of conducting an analysis to determine the best location for a new fire hall. A meeting was recently held with the Fire Chief, Assistant Chiefs, the Mayor, herself, and representatives from Five Bugles Design to talk about next steps to undertake a GIS study.
  - Council Member Steinberg moved, seconded by Council Member White, to accept the proposal from Five Bugles Design for a GIS study. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
3. Undertaking and Escrow Agreement for Fox Meadows Housing Development
- Administrator Bromeland stated before Council is an Undertaking and Escrow Agreement for the Fox Meadows Housing Development. As per the Developer's Agreement between Fox Meadow Townhomes LLC and the City of Eagle Lake, the developer is responsible for providing financial security to the City for the cost of improvements, including but not limited to site grading, streets, curbs, and gutters, sanitary sewer, watermain, storm water drainage and management facilities, utilities, etc. The purpose of the Undertaking and Escrow Agreement is to define and outline the obligations and duties of all parties involved as it relates to the opening of escrow, distribution from the escrow funds, escrow agent, and other miscellaneous provision. The agreement has been reviewed and approved by the City Attorney. The developer has delivered into escrow the total sum of \$2,976,387.54. The money is being invested in a federally insured, separate, interest-bearing account with Cornerstone State Bank.
  - Council member Steinberg moved, seconded by Council Member White, to authorize the Mayor and City Administrator to execute the Undertaking and Escrow Agreement on behalf of the City of Eagle Lake. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

4. Withdrawal Request #1 for Distribution from Escrow Funds for Fox Meadows Housing Development
  - Administrator Bromeland explained that before Council is Withdrawal Request #1 for distribution from the escrow funds for the Fox Meadows Housing Development. The request is in the amount of \$1,064,304.57. Brian Sarff with Bolton and Menk has reviewed the request and recommends that the escrow funds be released as requested.
  - Council Member White moved, seconded by Council Member Steinberg, to authorize the release of Withdrawal Request #1 in the amount of \$1,064,304.57 to the developer. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
5. Placement of Sidewalks on Blace Avenue East in Fox Meadows Housing Development
  - Administrator Bromeland explained that discussion took place at the April 3<sup>rd</sup> City Council meeting about placement of the sidewalk along Blace Avenue East in the Fox Meadows Housing Development. It was determined at that time that a future meeting be set up with the developer and adjacent property owner to re-evaluate placement of the sidewalk on the south side of Blace Avenue in the Fox Meadows Housing Development.
  - Administrator Bromeland, Troy Schrom (developer), Eugene and Kip Bruender (property owner), and Brian Sarff met on May 9<sup>th</sup> to discuss relocation of the sidewalk from the north side of Blace Avenue East to the south side of Blace Avenue East. The outcome of that meeting was that all parties are agreeable to relocating the sidewalk to the south side of Blace Avenue East with the understanding that pricing will need to be obtained for pedestrian ramps and cost-sharing determined between the City and developer. As of tonight's meeting, no pricing has been provided to the City.
  - Brian Sarff stated there is a 66-foot right-of-way but due to alignment of Blace Avenue East with Blace Avenue to the west of Agency Street, there is a smaller right-of-way on the north side which would cause the sidewalk to be very close to the curb. Moving the sidewalk to the south side of the road would be better. Mr. Sarff stated he has not priced pedestrian ramps but estimated it would cost less than \$10,000.
  - Council discussion included the desire to have pedestrian ramp cost information prior to determining cost-sharing.
  - Council Member Whittington asked about wetlands with Mr. Sarff explaining that if a wetland would be removed, the developer would need to purchase wetland credits.
6. Amendment to Personnel Policy Adding Juneteenth as a Holiday in 2023
  - Administrator Bromeland explained that Governor Tim Walz signed a bill to establish Juneteenth as a state-recognized holiday. This holiday is to recognize the date on which slavery was abolished in the United States. Public business cannot be conducted on June 19<sup>th</sup> in observance of the holiday. The new law was scheduled to go into effect on August 1, 2023, however, the bill signed into law this session changed the effective date to make the new holiday effective before June 19 of 2023, requiring that the day be observed.
  - Council Member White moved, seconded by Council Member Rohrich, to amend the City's Personnel Policy to reflect the June 19<sup>th</sup> holiday beginning in June of 2023. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
7. Burgess Cemetery Request
  - Administrator Bromeland explained that a request was received from Jim Anderson, past member of the former Eagle Lake Church of Christ, asking that the City of Eagle Lake take over the Burgess Cemetery, which is in the southwest corner of city limits off 598<sup>th</sup> Avenue. According to Mr. Anderson, the church owned the cemetery but has no finances left to take care of it. Mr. Anderson said that someone has been volunteering their time mowing the cemetery the past few years but is unsure as to whom that might be. He also said that the cemetery has a lot of history and that the last internment took place in 1969.
  - Administrator Bromeland went on to state that a letter was received from the City Attorney advising of issues the City Council should take into consideration when deliberating the request.

- Some of the considerations that should be given include that Minnesota Statute 471.84 allows for a city to take over a cemetery but it also implies that these would be working cemeteries, which Burgess is not. There are funds available to be used on the cemetery limited to \$10,000 a year, which would most likely cover just maintenance. There is no indication as to who owns the cemetery and there is not an entity to gift it to the city nor is there an entity from whom the city could buy the property. This means that in order for the city to acquire the property it would need to be condemned. That process would be lengthy and costly. It does not appear that the parties that have contacted the city have any ownership interest in the property. If the City funds a cemetery, there is a requirement that it be open to all citizens and that the plots are not restricted to a particular group or religion. The Burgess cemetery is not a working cemetery, there has not been an interment since 1969 and there is no reason to believe that that status is going to change. It is also likely that any person that was interred in the cemetery either was a member of or shared the beliefs of the Eagle Lake Church of Christ, so it is unlikely the cemetery was open to all.
- Council discussion included per Mr. Kennedy's information, that the City is not able to take over the cemetery and that Mr. Anderson could contact professional cemetery services.
- Mr. Beal, 420 Owl Lane, stated that Brian Hughes or Dennis Terrell may have information about this cemetery.

#### 8. Utility Billing Complaint

- Administrator Bromeland explained that a utility billing complaint has been received from a water customer at 100 Blace Avenue alleging that the billing for water and sewer service for the month of April 2023 has been excessive and that it is not possible to have used that much water. The water customer submitted a written complaint and is requesting that the \$662.43 bill be reduced to the average usage. Included with the complaint are notes from the plumber that was hired by the utility customer along with a copy of a billing history summary showing the discrepancy between the average monthly billing amount and the amount incurred for April's usage.
- Administrator Bromeland stated the City's utility billing clerk has provided that the customers average water usage is approximately 1,800 gallons per month. During the month of April 2023, the meter showed a usage of 40,063 gallons. The Public Works Department switched out the meter with a new meter and sent the old meter to be tested by a 3<sup>rd</sup> party.
- Administrator Bromeland explained that Section 8.040 of City Code states that if a water consumer files with the City Council a written complaint alleging that the billing for water and sewer service has been excessive, the Council shall cause to have the water meter checked by competent personnel. If the meter check results in a determination that the meter is accurate, the water consumer shall pay for the cost of said water meter check and shall be responsible for payment of the unused balance of the billing. If there meter check results in a determination that the meter was not correct, the City shall bear the cost of such meter check and shall adjust the water billing for the consumer accordingly. Such adjustments shall be made only for a period of three months immediately preceding the filing of the written complaint by the water consumer.
- Discussion included that the Public Works department did verify the original meter read and after the new meter was installed a meter read was taken several times for the first week.
- Public Works Director Andrew Hartman stated when water meters malfunction they slow down or stop working completely.
- Council discussion included how high-water usage notifications are handled. Staff contact consumers who have higher than normal water usage.
- Council Member Whitington moved, seconded by Council Member Rohrich, to offer the consumer a payment plan and to have up to six (6) months to pay this bill while still keeping up on payments for current bills with late fees being waived for the payment plan portion.



9. Minimum Maintenance Road Repair

- Administrator Bromeland stated that before Council is an expenditure request from Public Works Director Andrew Hartman for the repair of the minimum maintenance road on 211<sup>th</sup> Street between 598<sup>th</sup> Avenue and CR-27. Included with the request is an estimate from Bruender Construction in the amount of \$2,214. The purpose of the estimate is to address drainage issues in this area.
- Administrator Bromeland also explained that per Brian Sarff, the City's engineer with Bolton and Menk, the pond and grading in Eagle Edge, Phase II were built according to plan.
- Mr. Sarff with Bolton and Menk stated he conducted research and that based on topography obtained from 2003 it showed that overflow flowed into the wetlands but did not show drainage from the road into the wetland. At some point between 2004-2006 a drainage channel was cut that drained the low area of the minimum maintenance road to the north into the wetland. This could have been done by the developer to try to dry the area out so in effect he improved the drainage temporarily. He did use this area for access onto his parcel. Then 20 years later he builds the pond and needs to build a berm to contain the pond, essentially restoring that areas drainage back to where it was 20 years ago. The survey that was found for that time indicates drainage going to the east and for the last 20 years it has been going to the north. That area for the past 20 years has been relatively dry but prior to 2003 it appears that that area was not draining. Mr. Sarff drove this area with the Public Works Director and stated it appears that a little bit of grading work would get this area to drain to the east have result in better flow.
- Public Works Director Harman stated this area is wetter this year due to the pressure relief valve that has been opened in this area for the water tower rehab project. He also stated that the proposed grading work would take place on the north side of the road. He also stated that J.R. Bruender has submitted a quote to trench and grade this area for \$4,214. Without improving this area, the City would not have access to dump leaves in the fall. He also stated he filled in the ruts last week.
- Fire Chief Vern Simpson commented on the road condition of this section of roadway and stated there have been accident calls to this area.
- Mr. Sarff stated the city has done a lot of maintenance to this road and that it is still a low maintenance road and that there is not much area to grade.
- Council discussion included this is a minimum maintenance road and there are road closed signs placed at both ends of this road and that driving through a road closed area is a ticketable offense.
- Administrator Bromeland asked if the City needs to get permission from the property owner. Mr. Sarff stated the City needs to contact the property owner for approval.
- Council Member Steinberg moved, seconded by Council Member White, to accept the estimate from Bruender Construction in the amount of \$4,214.
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

10. Johnson Street Storm Outlet

- Public Works Director Hartman explained the catch basin in the area of Southern Minnesota Inspection is not draining properly and that J.R. Bruender Construction has provided an estimate in the amount of \$4,840 to complete the repairs needed.
- Council Member White moved, seconded by Council Member Steinberg to approve the repairs. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

11. Lease Agreement for Bobcat Mower

- Public Works Director Hartman explained that the 2020 mower has been in for service and the repairs costs are adding up. He also explained that he feels the purchase of the proposed Bobcat mower will be more efficient in that it is a 2-speed. The cost to lease this equipment is \$367.45 per month with a three year lease.

Mr. Hartman also stated that he would like to replace mowers when their warranty expires, which for this Bobcat would be three years.

- Council discussion included the desire to consider the benefits of purchasing versus leasing and financing options. Administrator Bromeland explained that this purchase was not budgeted as a 2023 expense.
- Administrator Bromeland stated that when the lease documents are available the City's attorney should review prior to the City signing the lease.
- Council discussion included the desire to look into obtaining pricing information from other vendors and to look into equipment that is geared for commercial use.
- Council directed Mr. Hartman to obtain other quotes and scheduled a special city council meeting for 7:30 a.m. on Monday, June 12 to review. The goal was to obtain the needed equipment in a timely manner to avoid mowers being out of service during high demand time.

12. Park Board Recommendation for Pavilion at Lake Eagle Park

- Administrator Bromeland stated before the Council are two bids for construction of a pavilion at Lake Eagle Park. The lowest proposal received is from J.R. Murilla Construction in the amount of \$129,000, the other from Jon Schabert Construction totaling \$131,810.
- Administrator Bromeland explained the Park Board has \$118,183.37 available in its capital outlay fund. The Park Board plans to seek grant funding and sponsorships to make up the difference. The City Council has allocated \$50,000 annually for the past couple of years into parks capital outlay for this purpose. A similar request will be included with the 2024 budget to help replenish capital outlay for parks. An informational flyer will be distributed shortly to bring awareness to fundraising needs.
- Public Works Director Hartman explained that the proposed pavilion project will also include the addition of an ADA compliant restroom and a storage area. The roofline will be symmetrical and there will be counter space, outlets and lighting. He also stated it is not anticipated that the playground will not need to be closed during the construction of the pavilion.
- Administrator Bromeland explained that the City's building official has stated that because an ADA accessible restroom and an accessible sidewalk to the restroom is part of this project, the existing restrooms will not need to be upgraded.
- Council discussion included the idea of providing a sponsorship for naming rights to the pavilion.
- Council Member Rohrich moved, seconded by Council Member Whittington, to accept the recommendation of the Park Board to accept the bid from J.R. Murilla Construction for the pavilion in the amount of \$129,000. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member Steinberg moved, seconded by Council Member Whittington, to allow staff to seek grants and sponsorships for this project. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

13. J.R. Bruender Construction Contract for Porta-Toilet

- Administrator Bromeland explained that the City was able to negotiate a lower price for porta-toilets upon accepting a two-year agreement.
- Council Member White moved, seconded by Council Member Steinberg, to authorize staff to enter into a two-year agreement with Bruender Construction for portable toilets as needed at the park and for special events. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

14. Schedule Public Hearing to Amend Chapter 18 of City Code

- Administrator Bromeland explained that a public hearing will need to be scheduled to consider amending Chapter 18 of City Code and recommended the date of the July 10<sup>th</sup> City Council meeting.
- Council Member Steinberg moved, seconded by Council Member White, to set a public hearing for July 10<sup>th</sup> to consider amending Chapter 18 of City Code. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

15. Ballpark Advertising Policy

- Administrator Bromeland explained that the City Attorney drafted the proposed policy for ballpark advertising.
- Mayor Norton stated she would like to see religious organization or messages removed from the list of unacceptable advertising.
- Council discussion included the desire to leave proposed policy as is and if religious organizations are interested in advertising the City Council could review at that time.
- Council Member Rohrich moved, seconded by Council Member White, to approve the Ballpark Advertising Policy as presented. The motion carried with Council Members Steinberg, Rohrich, White, and Whittington voting in favor. Mayor Norton voted in opposition.

16. Amendment to City Credit Card Policy

- Administrator Bromeland explained that a Credit Card Policy was adopted at the May 1<sup>st</sup> City Council meeting. An amendment to the policy is proposed to reflect the scope of use, credit card purchases, and prohibited purchases more accurately. The original policy was reviewed by the City Attorney and the proposed revisions are based on his feedback.
- Administrator Bromeland stated that currently she and the Deputy City Clerk have been issued credit cards and that department heads could be cards if it is deemed necessary. Prior approval will be needed for purchases.
- Council Member White moved, seconded by Council Member Rohrich, to amend the credit card policy as proposed. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**OTHER**

1. Regency of Minnesota – Demolition Status Update

- Administrator Bromeland stated she has been in contact with Kim Stumne, Regional Manager of Regency of Minnesota, Inc. regarding the demolition of uninhabitable mobile homes. Ms. Stumne indicated that demolition will begin in July and will consist of the removal of six mobile homes in 2023 and another 5 mobile homes in 2024.

2. Update from Consolidated Communications and Fiber Build Project

- Administrator Bromeland explained that Nick Sorenson, Field Operations Manager, with Consolidated Communications was unable to attend the meeting but is open to scheduling a call to answer questions the City Council might have.
- Administrator Bromeland stated that Mr. Sorenson did respond to a question about above ground pedestal any why they are not flush with grade by explaining that due to the fact that the existing pedestals contain their legacy copper and still runs telephone, tv and internet they are not able to put much of this in a below grade enclosure. He also explained that it is their goal to someday retire the old copper facilities all together but with strict Ilec/Incumbent federal regulations this is a lengthy process to do. He also stated they still have a large customer base in Eagle Lake which is why they chose to include Eagle Lake in their large over build plan.

- Mayor Norton stated there have been multiple utility hits with gas lines and other internet carrier's lines. She also stated it is inappropriate for work to be done late into the evening where they are working in people's yard. Administrator Bromeland stated that work is only to be done between the hours of 7:00 a.m. and 7:00 p.m. and that Mr. Sorenson has been made aware of this situation and he said that it will not continue and that they are bringing in a new crew.
- Council Member Rohrich mentioned that when listening to the May 1<sup>st</sup> meeting recording it was stated that pedestals are being added and would like clarification since it was her thought that new pedestals should be below grade.
- Mayor Norton asked if the call for service fees for the fire department responding to hits could be increased for multiple occurrences. Administrator Bromeland stated this could be a conversation for a future meeting and that the City needs to be universal in its policy.

## **CITY ADMINISTRATOR REPORT**

1. UPWP Application for Highway 14 Corridor Study
  - At the May 22 special City Council meeting it was authorized for staff to submit an application to MAPO. Administrator Bromeland will be submitting the application and will ask for the full \$115,000 available. MnDOT will fund in rest of the Corridor Study cost.
2. Capital Budget Request for Water Treatment Plant Project
  - Administrator Bromeland stated she is researching funding options to submit for a water treatment plant. She also stated she and Mayor Norton have met with legislatures regarding this.
3. Outdoor Warning Siren at Fire Hall and Communication from Blue Earth County EMA
  - Eric Weller with South Center EMS has contacted the City stating they have funding for the City to replace the siren located at the fire hall. The new siren will be programmable to include noon and evening whistles.
4. 2024 Budget Process and Timeline
  - The budget process will begin soon, and a special meeting will be scheduled for July. The council indicated they would like to schedule two or more meetings to work on the budget and to schedule department heads at specific times to minimize overtime.
5. Rec on the Go Schedule for the Summer
  - Mankato Community Education and Recreation's schedule has been developed and it will be sent to residents via email and the city's newsletter.
6. June 15<sup>th</sup> Music on Parkway Event
  - The June event will be held at Lake Eagle Park due to the water tower rehab project.
7. Outdoor Movie
  - The outdoor moving will be held August 18<sup>th</sup> at the Eagle Lake Elementary School
8. Website Update
  - The City needs high resolution photos for the website update. Discussion included waiting on the pictures until the water tower rehab project is completed so that pictures of the new water tower design can be included on the website.

## **COUNCIL REPORTS**

1. Mayor Norton stated she will be attending the annual conference later this month and that her registration fee has been waived since she will be providing feedback about the conference.
2. Mayor Norton stated that she and Council Member Whittington attended the Greater Mankato Growth Legislative Recap forum. There were several laws passed which will affect small cities.
3. Mayor Norton stated she attended the New Commissioner meeting with Region 9 and informed the Council that they have grants for items such as generators.

**ADJOURNMENT**

- Council Member Rohrich moved, seconded by Council Member Steinberg, to adjourn the meeting at 9:21 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
JUNE 12, 2023  
7:30 A.M.**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 7:30 a.m.

**ROLL CALL**

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

**NEW BUSINESS**

1. New Mower for Public Works Department.

- Administrator Bromeland stated that attached to the agenda was pricing obtained by Public Works Director Hartman for a new mower. It was explained that discussion took place at the June 5<sup>th</sup> City Council meeting about leasing a new Bobcat mower and the desire for multiple quotes to be obtained and whether to buy outright, lease, or finance. Administrator Bromeland stated that since the June 5<sup>th</sup> City Council meeting Public Works Director Hartman has obtained additional pricing from Arnold's in Mankato and Kibble Equipment in Mankato and that the purpose of the special meeting today was to review multiple options. It was noted that the subject mower is not scheduled to be replaced for another 5 years and that it is spending more time at the repair shop than in use for mowing. Administrator Bromeland stated that it is recommended that the City either buy outright or lease and that the current interest rate on investments should be considered when contemplating leasing.
- Public Works Director Hartman reviewed the pricing obtained from Bobcat, Arnolds, and Kibble. He explained that his preference is the two speed Bobcat mower due to it being more efficient to be able to go from point A to point B. He also stated that his preference would be a 36 month lease so that we are always covered under a warranty and that the biggest challenge right now is keeping up with repairs and the cost associated with the repairs.
- A motion was made by Council Member White, seconded by Council Member Steinberg, to approve the 36 month lease with Bobcat of Mankato for a new mower.
- Mayor Norton stated that she had some questions and specifically asked for clarification on the quotes from John Deere and noted that they were very different from each other. Public Works Hartman explained that the difference includes one having a 35 horsepower engine and another having a 25 horsepower engine. Discussion took place about each of the quotes. Council Member Rohrich asked if having a two speed is still more efficient than having a trailer to load the mower onto and haul from point A to point B. Mayor Norton acknowledged that it sounded like the consensus is to go with Bobcat but questioned whether buying outright would be a better option since the City would then have an asset versus leasing. Administrator Bromeland stated that the capital outlay fund is healthy but that the concern is that since it wasn't a budgeted expenditure for 2023, that expenditures would be skewed. Council Member Rohrich asked when the next mower needs to be replaced. Public Works Director Hartman responded that the other mower should be replaced in 2024. Council Member Whittington noted the anticipated value at the end of the 36 month lease and buyout amount. Council Member White stated that the current mowers are not best

suiting for mowing at the parks and other public property and that the Bobcat mower is a better fit for what is needed.

- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member Rohrich asked what will happen to the mower that will be replaced. Public Works Director Hartman said that it will be included on the July City Council meeting agenda to sell on Minn Bid.

2. Resolution Accepting Resignation of Connor Guillemette as Full-Time Officer.

- Administrator Bromeland shared that attached to the agenda was Resolution No. 2023-29, a resolution accepting the resignation of Connor Guillemette from the City of Eagle Lake Police Department. It was noted that the resignation is effective June 21, 2023.
- A motion was made by Council Member Whittington, and seconded by Council Member White, to regrettably accept the resignation of Connor Guillemette from the City of Eagle Lake Police Department, effective June 21, 2023.
- The motion was carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

3. Police Department Staffing Challenges.

- Administrator Bromeland stated that she wanted to provide a staffing update and make the City Council aware that police department staffing challenges persist. She stated that a fourth full-time officer position was added to the 2023 budget but that we aren't getting applications. She went on to note that the current staffing challenge is not unique to Eagle Lake and that as of today, there are over 150 openings on the POST board for law enforcement positions. Eagle Lake is competing against larger jurisdictions with more resources to fill positions. It was explained that across the board in law enforcement, there is a shortage of applicants and not enough people going into the profession to fill the positions needed and people exiting the field. Administrator Bromeland said that they have reached out to area colleges with law enforcement programs to share information about Eagle Lake Police Department openings and to highlight some of the advantages of working in a smaller community like Eagle Lake such as more opportunities for community policing, low crime, and proximity to Mankato. City staff continues to actively advertise for the positions. Administrator Bromeland shared that she and Chief Kopp will continue working with the Personnel Committee to try and stay on top of staffing issues and that the purpose of the staffing update is to be transparent and keep the City Council informed of staffing challenges.
- Council Member White asked about the possibility of offering sign on bonuses or incentives to retain officers.
- Administrator Bromeland responded that there will be one-time public safety money coming possibly in December to help cities like Eagle Lake be able to offer hiring and retention incentives.
- Council Member Whittington said that everything is on the table at this point and we need to look at incentives, hourly pay, working environment, areas that we can improve such as retaining and training. It was noted that Administrator Bromeland will be meeting with the officer that is leaving to find out what we can be doing better.
- Council Member Steinberg commented that he is concerned that we have a revolving door of police officers. He stated that we are next to Mankato and we should be an attractive place for officers wanting to work.
- Mayor Norton stated that we need to look at the bigger picture and focus on the positives but that at the end of the day, money talks and we need to have more competitive pay. Cities are being forced to take drastic measures and offer hiring incentives and we are not at that point but need to do something different.
- Council Member Whittington commented that pay is one factor but that looking at coverage is needed too.

- Council Member White noted that in addition to pay, what the City is offering for benefits should also be considered.
- Council Member Whittington responded that benefits mean different things to different people at different stages in their life but that he would like to see a comprehensive plan from the police chief about what is needed.
- Council Member Rohrich stated that on-call is a problem and limits police officers in having time off and away from Eagle Lake.
- Mayor Norton brought up pay and questioned whether it is enough for officers to pay for housing in Eagle Lake and whether we need to have housing incentives.
- Council Member Steinberg expressed concern with scheduling issues and asked why there are abrupt changes to the schedule. He stated that everything needs to be looked at it.
- Council Member Whittington said that not only do we need to fill the two openings we have now but what is the contingency plan if we were to lose another officer. What are the options and who can help us if we are down officers.
- Administrator Bromeland stated that there have been ongoing issues with police staffing and that it is expected that Eagle Lake is a stepping stone for new officers entering the profession but that with the demand for full-time officers many new officers now have more opportunities to go to larger departments quicker and no longer need to work in a smaller community to get experience as has been the case in recent years. It was noted that there's really no such thing as part-time officers anymore because there's such a demand for full-time officers and that there used to be a constant revolving door with part-time officers until they obtained full-time positions. It was also noted that larger departments have more opportunities for career advancement within the law enforcement profession as opposed to smaller departments such as Eagle Lake where we only have a police chief and full-time officer positions. Administrator Bromeland stated that if there is a 911 call and we don't have an officer on duty that law enforcement will respond via the emergency on-call agreement with Blue Earth County. It was explained that if we have a reduction in officers, we will see a reduction in time that squads are visible in the community patrolling.
- Council Member Rohrich commented that from a safety perspective, overtime is a concern and making sure officers are well rested.
- Mayor Norton asked if overtime is way up.
- Administrator Bromeland stated that overtime will likely be up this year overall but that it is not being purposely scheduled because we want to be mindful of and prevent burnout and make sure officers are well rested and safe and can take time off. It was explained that at the present time, overtime typically occurs when an officer is on-call and gets called in and there is an automatic two hour callout which is compensated as overtime and also in situations where an officer is involved with a call that is ongoing when their normally scheduled shift ends and they have to work longer.
- Council Member Steinberg stated that he would like a contingency plan in writing.
- Council Member Whittington said that the Police Chief is responsible for putting together a contingency plan and presenting it.
- Chief Kopp stated that his plan is to go to 12 hour shifts to get the best coverage we can with the staff that we have and that we will utilize Blue Earth County for on-call as needed. He said that he will have coverage during the busiest times when we have the most calls.
- Mayor Norton asked Chief Kopp if he had any concerns with putting together a contingency plan and presenting it to the City Council at the July 10<sup>th</sup> meeting. Chief Kopp said that wouldn't be an issue.
- Chief Kopp stated that one of his colleagues reached out and is having the same issue and that they are increasing their pay substantially.



- Council Member Whittington said that we need a recruitment, retention, and contingency plan and know what we need for coverage and have a contract with Blue Earth County for backup coverage when needed.
- Council Member Rohrich said that she'd like to see a call log to back up what is being proposed for coverage. She stated that there aren't enough officers for the demand and that we need to look at all options.
- Council Member Steinberg asked about sharing with other cities and exploring all options.
- Council Member Whittington said that we have finite resources and we need to figure out what we can do with what we have.
- Chief Kopp stated that he will investigate it but that Madison Lake is having staffing issues too and asked if we should look at a partnership.
- Mayor Norton stated that she would like to see a draft contingency plan by June 30<sup>th</sup>.
- Administrator Bromeland stated that if anything changes between now and the July 10<sup>th</sup> meeting then a special meeting can be scheduled and that she and Chief Kopp will stay in frequent communication with the Personnel Committee and advise if there are any updates to staffing.

## **ADJOURNMENT**

- Council Member Rohrich moved, seconded by Council Member Whittington, to adjourn the meeting at 8:47 a.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Jennifer J. Bromeland, City Administrator

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
JUNE 30, 2023  
7:30 A.M.**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 7:30 a.m.

**ROLL CALL**

- Council Members present: Garrett Steinberg, Beth Rohrich, John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp, and Deputy Clerk Kerry Rausch.

**NEW BUSINESS**

1. Resolution Accepting Resignation of Dustin Jensen as Full-Time Police Officer

- Each Council Member expressed gratitude for Officer Jensen service with the City of Eagle Lake.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve Resolution 2023-30 Accepting the Resignation of Dustin Jensen from the City of Eagle Lake. The motion was approved with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

2. Recommendation to Hire Joel Jandt as a Full-Time Police Officer

- Administrator Bromeland explained that the hiring committee, comprised of a representative from the Minnesota Valley Council of Governments (MVCOG), Police Chief John Kopp, and herself, interviewed Joel Jandt for the position of full-time police officer. The committee recommends that Mr. Jandt be hired as a full-time police officer.
- Administrator Bromeland continued by stating that a conditional offer of employment was extended to Mr. Jandt to start at Grade 8, Step 5 (\$25.20 per hour). Following the completion of six months of service and achieving a satisfactory performance evaluation, the employee will be eligible to advance another step on the pay scale and again at one year upon a satisfactory performance evaluation. The job offer is contingent upon being approved by the City Council and the successful completion of a background and reference check, drug and alcohol testing, and the ability to meet the department's physical and psychological standards. Mr. Jandt will be eligible to begin working upon successfully meeting the contingencies.
- Chief Kopp explained that it is anticipated that Officer Jandt will begin a 2–3-month training program in August.
- Chief Kopp explained that since he was on the hiring committee POST Board requires that an outside party perform the background check. The City would like to hire the City of Mapleton's police department to perform this service.
- Discussion included that the wage was recommended by the MVCOG representative, based on the wages paid by other police departments in the area.

- Council Member Rohrich moved, seconded by Council Member Whittington, to authorize contracting with the City of Mapleton’s police department to conduct the background check on Officer Jandt. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

**ADJOURNMENT**

- Council Member Whittington moved, seconded by Council Member Steinberg, to adjourn the meeting at 7:40 a.m. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
JULY 10, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

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

**PUBLIC COMMENTSp**

- None

**APPROVAL OF THE AGENDA**

- Council Member Steinberg moved, seconded by Council Member Whittington, to approve the agenda.
- Administrator Bromeland asked to add a quote for water meters to New Businesses.
- Council Member Whittington moved, seconded by Council Member Steinberg, to amend the motion to approve the agenda as requested. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**APPROVAL OF MEETING MINUTES**

- Council Member White moved, seconded by Council Member Steinberg, to approve the June 5, June 12, and June 30, 2023 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton pointed out the resolution accepting donations for Music on Parkway from the Sons of the American Legion and Jeremy Horkey and thanked them for their donations. Mayor Norton also expressed thanks to the Tator Days committee for their hard work.
- Council Member Whittington 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	Res. 2023-32 Resignation of Galen Mastin for Fire Department	
Res. 2023-33 Accept Donations for Park Pavilion.		

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

**PUBLIC HEARING**

1. Amendment to Chapter 18 of City Code related to Storm Water Drainage Utility

- Administrator Bromeland explained that a public hearing was scheduled for tonight to consider amendments to Chapter 18 related to Storm Water Drainage Utility. A motion is necessary to adopt the amendments as proposed and if approved the changes will take effect upon publication in the City’s official

newspaper. The City may choose to publish the title and a summary of an ordinance. To do so, the City Council must approve summary publication by a four-fifths vote.

- Julie Blackburn with IS Group presented the proposed changes which included Section 18.0207 (a), Section 18.0208 (h)(3)(b)(iii), and Section 18.0209 (d)(1). The proposed changes will reflect the process that is in place.
- The public meeting was opened and closed with no comments being offered.
- Council Member Rohrich moved, seconded by Council Member Whittington, to adopt the amendments to Chapter 18 of City Code. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to authorize a summary publication of the ordinance change. A roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **PRESENTATIONS**

### 1. Bradley Van Deise with Eide Bailly: Annual Audit Presentation

- Mr. Van Deise presented the audit findings and stated the City has received a clean unmodified audit opinion and that the financial statements do not contain material misstatements and are fairly presented. They did note three findings which are common for smaller cities which are the preparation of financial statements, material journal entries and segregation of duties.
- The cash investment balance has remained steady, the general fund saw a 7% increase in revenue over the budgeted amount and 19.6% less expenditures than budgeted with an ending fund balance of \$3.3 million. The City has a fund balance policy that unassigned fund balance is at least 50% of the annual budget.
- Other funds include debt service: revenues from property tax levies and special assessments have been sufficient to meet the required debt service payments. The water fund revenues over the past ten years have been sufficient to cover the operating expense of the water system. The sanitary sewer fund revenues for the past ten years have been sufficient to cover the operating expense of the sanitary sewer system.
- There have been no significant changes in the City's net position in the water and sewer funds.

### 2. Chris Kennedy, City Attorney: Moratorium, ROW Ordinance, Indemnity Agreement, Pocket Bikes

- Mr. Kennedy explained that he has drafted a THC moratorium and if the City would choose to adopt this it would prevent new businesses from coming into Eagle Lake until the state law is understandable. Come August 1, 2023 cannabis will become legal in Minnesota, but cannot be sold until 2025. The City may want to consider if zoning restrictions are needed. Mr. Kennedy explained that a moratorium would require a study and that in this case much of that information would come from the League of Minnesota Cities and the states newly created Office of Cannabis Management.
- Mr. Kennedy explained that approximately 50% of cities have a Right-of-Way Ordinance and it is up to the City Council to determine if they would like to create such an ordinance. Mr. Kennedy voiced his concern relating to staffing levels to enforce an ordinance of this type. Such an ordinance could include utility easements, basketball hoops, etc. This could be a discussion for a work session.
- Mr. Kennedy stated that an indemnity agreement for a concession trailer at the park would be wise. It could address what can be sold, injuries, and who can use it. Such an agreement needs to be neutral in nature. Administrator Bromeland stated an indemnity agreement should be considered sooner than later.
- Mr. Kennedy addressed pocket bikes and stated that it is up to the City Council to determine how much this should be regulated. He also stated that currently pocket bikes would be allowed in the city parks. Police Chief Kopp stated that he has not seen as many pocket bikes being used lately. Council Member Rohrich stated it is her opinion that these types of items should be monitored by the parents and the community and not the City.

3. Mike Guentzel with Citizens Against the Motorsports Park (CAMP)

- Mike Guentzel, 60374 - 224 Lane, Madison Lake MN, stated he is before Council not representing CAMP, but as an individual. He stated his parents have purchased the north 80 acres of the land originally included in the Mankato motorsports park. This land will never be developed and will remain rural in nature. There is a potential of building a house on part of this acreage. His concern is that if a house with a septic system is built and then the City would extend water and sewer the City could require them to hook up to city services and the money spent on a new septic system would be wasted. He stated there is no reason for this land to be within city limits and asked that it be un-annexed. He stated the original agreement with the township stated that if the owner wants out and there is no development within three years the land can be unannexed. The developer for the motorsports park had an option to purchase this land and did not. He would like to get the process of unannexing this land started.
- Mayor Norton stated that the City Council, upon the City Attorney recommendation, has no comment at this time.
- Mr. Guentzel went on to state that the township may want money for use of the road since the City will not grade it. He stated that the sale of 1/3 of the acres originally planned for the motorsports park drastically changes the EAW. The EAW was for the dilution of the pollution. He also stated it would save the City money if they pulled the pin on the project and that Mr. Bradford is not coming through.

4. Roger Bechel, 308 S. Agency St: Fiber Installation Complaint

- Mr. Bechel stated that the fiber optic installation is welcome and that his concern is with the temporary cable which is intended to be a permanent buried cable. He went on to state cable needs to be buried 36-48 inches and that state statute requires copper to be buried 36 inches. He also stated there are franchise agreements which allow easements for utility companies to just show up with no permits.
- Mr. Bechel went on to state the conditions of the franchise agreement cover name transfers but that he feels when a company is sold, that mean management changes and that the City has the right to review the franchise agreements. The City has the right to monitor and inspect installations.
- Mr. Bechel stated he pulled the cable out unintentionally and that this work is not acceptable. He would like the state code to be followed and feels this installation is a nuisance.
- Mr. Bechel asked that the easement for 308 and 213 S. Agency Street be vacated buy the city. This will need to be surveyed and he is asking the City to vacate the easement.
- Mr. Kennedy, the City's attorney, stated that Mr. Bechel is referring to a state rule, not a state statute. He also explained that the City can look at the frustrations expressed, the franchise agreement, but cannot discuss the vacation until a vacation has been applied for. He also stated that he has reservations that the vacation request would qualify.
- Mr. Bechel then mentioned that a neighbor's property marker was pulled out.

5. Nick Sorenson with Consolidated Communications: Fiber Build Update

- Mr. Sorenson stated that fiber has been installed in most of the town and that the final area needing installation is the Maple Lane and Oak Drive area which will start this week.
- Mr. Sorenson stated that during the installation process three gas lines were hit. He also stated there were issues with locaters being able to use the right-of-way for what it is intended for and that Eagle Lake is the only community they have had issues when installing their pedestals. He also stated that he and Mr. Bechel have talked and that Consolidated Communications has moved to the front of the parcel.
- Council discussion included their concerns with workers walking in residents back yards in the evening and how long utility marking flags are required to stay in place. Council thanked Mr. Sorenson for his responsiveness through this process.

- Council expressed the need for better communication from utility companies when there are doing work in the right-of-way and easements and that it is the company's responsibility to send out the communications, not the city's.
  - City Attorney Chris Kennedy explained that there are federal and state regulations which will need to be researched.
  - Administrator Bromeland stated that acceptable hours of operation for this type of work is 7:00 a.m. to 7:00 p.m.
6. David Wing, District Outreach Representative with Congressman Brad Finstad's Office: Outreach and Introduction
- Mr. Wing introduced himself as the Outreach Representative for Brad Finstad and explained that it is his duty to inform Mr. Finstad of City's concerns. He encouraged the City of Eagle Lake to let him know of issues and concerns.
  - Mayor Norton stated one of the pressing issues for Eagle Lake is congressionally directed funding.

## **OLD BUSINESS**

## **NEW BUSINESS**

### 1. Police Department Staffing Challenges and Police Chief Recommendations

- Administrator Bromeland explained that like many police departments across the state and country, Eagle Lake's Police Department is struggling to attract and retain police officers, both full-time and part-time positions. Funding for a fourth full-time officer was included in the 2023 budget but been unable to fill the position and has instead been operating with just three officers, the police chief and two full-time officers. The staffing shortage has placed a strain on Eagle Lake's officers because of challenges with scheduling and taking time off and needing to be available for on-call.
- Administrator Bromeland went on to explain there is one officer on duty 20 hours a day, Monday through Friday, and 12 hours on Saturday and Sunday. The remainder of the time, either an Eagle Lake Police Officer or the Blue Earth County Sheriff's Office is on-call. An emergency on-call agreement has been in place with the Blue Earth County Sheriff's Office since June of 2022. With the recent resignation of Eagle Lake's two full-time police officers, Eagle Lake's police roster now consists of the police chief and a newly hired full-time officer. Due to the time involved with field training, the soonest the newly hired full-time officer will be able to work independently will be this fall.
- Administrator Bromeland also explained that Police Chief John Kopp has been working on a staffing contingency plan for his department, which he will present. Included in his plan is a recommendation to contract with the Blue Earth County Sheriff's office 12 hours a week to help fill gaps in coverage.
- Administrator Bromeland presented a cost comparison for contracting with Blue Earth County's Sheriff's office and that of paying overtime rates for the Police Chief. The rates were very comparable and contracting with the Sheriff's Office would ensure the officer is well rested and able to take time off when needed to avoid burnout.
- Administrator Bromeland explained that there are over 170 law enforcement openings on the POST board and that there are not enough officers to fill every opening across the state right now and that is why all options are being explored to ensure the best coverage for Eagle Lake. An outcome of the 2023 legislative session is a \$210 million in one-time public safety aid to all cities in Minnesota. The aid can be spent on fire, police, emergency medical, or other public safety needs.
- Administrator Bromeland explained that the contingency plan includes contracting with the Sheriff's department for 12 hours per week and that Chief Kopp would need to work approximately 10 hours of overtime per week. An agreement with the Sheriff's department has been drafted and reviewed by Chris Kennedy.

- Police Chief John Kopp presented three contingency plan options and stated that option 3 gives the most flexibility with split shifts and utilizes the Eagle Lake officer the most. He stated this option would provide a familiar face to the community. Chief Kopp stated his goal was to create an efficient and effective plan utilizing Eagle Lake's officers.
  - Option 2 would utilize more county coverage and less Eagle Lake hours. A drawback of this option is that there are items the Eagle Lake officers do on a nightly basis that would not be done by the Sheriff's Office.
  - Option 1 would have Blue Earth County provide 42 hours of coverage and the Eagle Lake officer would work straight 8 1/2 hour shifts.
  - Chief Kopp stated that he was approached by an applicant who may be interested in a part-time police officer position.
  - Substantial Council discussion occurred with the consensus being they would like to utilize the Blue Earth County's Sheriff's department as much as possible to minimize the amount of overtime Chief Kopp would need to work. Scheduling an officer 50 hours a week knowing that there will be call outs was thought to be asking a lot and could result in burnout.
  - The City Council emphasized that the goal is to recruit and retain Eagle Lake officers and that options need to be explored to encourage recruitment and retention.
  - Captain Paul Barta with the Blue Earth County Sheriff's Office stated that the simpler the schedule the easier that will make the scheduling of deputies. He stated that a good working relationship/partnership is important and that the Sheriff's office will not let a call go unanswered. Captain Barta explained the process of how a deputy will be assigned to cover Eagle Lake.
  - Deputy Jeremy Brennan explained what their coverage would look like when they are covering a shift. When asked if the Sheriff's office would be able to cover up to 36 hours a week, he stated that was a big ask and most likely not possible.
  - Police Chief Kopp stated he would be fine with taking on call hours when he is available when the Sheriff is off and that he can work with the Sheriff's office.
  - Mayor Norton moved, seconded by Council Member Rohrich, to authorize contracting with Blue Earth County's Sheriff's Office up to 20 hours per week, staying within budget as much as possible. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
  - Administrator Bromeland stated she will continue to work with Chief Kopp on hours and try to keep overtime to a minimum.
  - It was verified that Toward Zero Death (TZD) hours are outside and different from overtime hours.
  - Next steps need to include specifics for officer retention proposals, which should be a one-page document.
  - Mayor Norton moved, seconded by Council Member Rohrich, to schedule a work session at 5:00 p.m. for Tuesday, August 8, 2023, to review the police department's staffing and retention program. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
2. Amendments to City Code Chapter 18 Related to Storm Water Drainage Utility
    - See Public Hearing.
  3. Necessary Accessories for New F-250 for Public Works Department
    - Public Works Director Andrew Hartman presented a quote from Toppers & Trailers Plus for accessories for the new F-250 truck totaling \$2,858.62 for safety lighting, a spray in bedliner and a box cover. A quote for the plow is not yet available.
    - Council Member Steinberg moved, seconded by Council Member White, to accept the quote from Toppers & Trailers Plus. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.



4. Schedule Public Hearing for Interim Ordinance Related to Cannabis
  - Administrator Bromeland stated a draft interim ordinance prohibiting the sale, testing, manufacturing, cultivating, growing, transporting, delivery, and distribution of cannabis projects in the City of Eagle Lake is before Council. If the City Council wishes to adopt an interim ordinance to this effect, then a motion is necessary to schedule a public hearing for the August 7<sup>th</sup> meeting. To publish a summary of the interim ordinance, the City Council must approve doing so by a four-fifths vote.
  - Council Member Whiting moved, seconded by Council Member Rohrich, to schedule a public hearing for a Interim Ordinance relating to cannabis be scheduled for August 7<sup>th</sup> and to publish a summary publication in the City's official newspaper. A roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
5. Pay Application No. 1 for Water Tower Rehab Project
  - Administrator Bromeland explained that before Council is a pay application from Maguire Iron in the amount of \$204,440 for the water tower rehab project. Bolton and Menk Engineer John Graupman recommends payment of the contractor's pay request.
  - Administrator Bromeland explained that concerns with the paint job have been received and that the engineer made the contractor aware of the issue and that the project will not be accepted until the issue is corrected.
  - Council Member Whittington moved, seconded by Council Member Rohrich, to approve pay application #1 for the water tower rehab project. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
6. Draw Request No. 2 for Fox Meadows Housing Development Cash Escrow
  - Administrator Bromeland explained that the request is in the amount of \$826,447.55 and that Brian Sarff with Bolton and Menk has reviewed the request and recommends that the escrow funds be released as requested.
  - Council Member White moved, seconded by Council Member Steinberg, to release \$826,447.55 in escrow funds for the Fox Meadow Development. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Norton voting in favor.
7. Purchase of Water Meters
  - Public Works Director Andrew Hartman explained that he is requesting to purchase 64 water meters to be installed in the Fox Meadows Development. The cost of these meters is \$20,672.00.
  - Council Member White moved, seconded by Council Member Rohrich, to authorize the purchase of 64 water meters. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **OTHER**

- None

## **CITY ADMINISTRATOR REPORT**

1. Upcoming Budget Work Session: Tuesday, August 8<sup>th</sup>
  - A budget work session has been scheduled for 6:00 p.m. for Tuesday, August 8<sup>th</sup> and the police department retention work session for 5:00 p.m. that same evening.
2. 2024 Capital Budget Request Submitted to MMB for Water Treatment Improvements Project
  - A capital budget request was submitted to Minnesota Management and Budget for the water treatment improvement project.

3. Update on Siren Replacement at Fire Hall and Timeframe for Installation

- Eric Wellner, Blue Earth County's Sheriff's Departments Emergency Management Director, recently updated the City advising that all siren upgrade/replacement work will be completed by September 30<sup>th</sup>. Eagle Lake's project will consist of replacing the existing, nonfunctional, siren at the Fire Hall. A new pole will be installed in the same location for the new siren. City staff inquired about the possibility of programming the sirens for noon and curfew whistles and was advised that outdoor warning sirens should be sounded for public warning purposes only. Use of sirens for non-public warning purposes should be phased out.

4. Upcoming Music on Parkway: July 13<sup>th</sup> from 6-9 p.m. at Lake Eagle Park

- Due to the water tower rehab project and site restoration work, the July 13<sup>th</sup> Music on Parkway event will be held at Lake Eagle Park instead of under the water tower. The Music on Parkway Committee will closely monitor site conditions and make an announcement if the August 17<sup>th</sup> event will need to be relocated to the park.

5. Lead Service Line Inventory and Technical Assistance Application to MDH

- The federal Environmental Protection Agency is requiring all cities with public water systems to conduct an inventory of the lead lines within their water service area by October 2024. The City can apply now through the Minnesota Department of Health (MDH) for the first round of technical assistance. Assistance is available in three different categories: records review, visual inspection, or development of a replacement plan. The deadline to apply for assistance is July 20<sup>th</sup>. City staff will apply by the deadline.

6. YTD Expenditure and Revenue Worksheet as of June 30<sup>th</sup>

- The council has been provided with a year-to-date expenditure and revenue report as of June 30<sup>th</sup>. Staff will be providing this information to the Council on a monthly basis which helps with bond ratings to demonstrating it is being reviewed on a monthly basis.

7. PFAS Update

- The City received an email from the MN Rural Water Association which was sent to all public water suppliers. City Administrator Bromeland gave an overview of PFAS and shared that she reached out to both the engineer and attorney to find out if the City should participate in the cost recovery program. It was noted that the City has not incurred any cost related to testing of PFAS in the water. Administrator Bromeland reported that both the City's engineer and attorney have indicated the City could disregard the notice since no costs have been incurred to date for testing and because there are no issues at this time with our water supply.

8. Water Tower

- A water tower update was provided.

9. Sewer Televising

- Public Works Director Hartman stated that lines on the north side of town were televised and cleaned. There is a section of line that needs to be repaired due to an object sticking into the line. The cost at this time is known.

10. City Logo

- Administrator Bromeland asked about the City's logo and if the Council is interested in utilizing only one logo for the City for branding purposes and whether the logo on the water tower should match what is on the City's vehicles. This discussion was initiated with the purchase of the new Public Works truck and which logo to use. Council discussion included the desire to start consolidating logos but recognizing the fact that a logo on letterhead and envelopes may not look good in other applications such as on vehicles.
- This discussion lead into if Council Members would be interested in a City of Eagle Lake shirt.

## COUNCIL REPORTS

- Council Member White asked about getting the name of Lake Eagle Park renamed to Eagle Lake Park. Administrator Bromeland stated it would be wise to look into the history of naming the park.
- Council Member White stated that when Mankato does an I & I inspection it is good for 10 years and that Eagle Lake requires one be done every time a house sells. It was his feeling they do not need to be done so often. Public Works Director Hartman stated he does not see an issue with doing the inspections less frequently and that he has found only 2-3 connections that have not complied within the last few years.
- Mayor Norton recapped the League of Minnesota Cities annual conference and stated she felt it was a good conference. She stated she learned that lead pipe replacements to homes can be done at no cost to the homeowner. There was discussion on the recent cannabis legislation and police staffing issues. She also stated that Administrator Bromeland did a fantastic job serving on a panel. She also stated that many cities are doing veterans memorials with park board funding. She will be looking into the Green Steps Cities Program.
- Mayor Norton stated that the Tator Days Committee has done a great job in marketing the town's celebration and stated she would like to recognize them for their hard work at the August City Council meeting.

### **ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member Rohrich, to adjourn the meeting at 8:55 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
AUGUST 7, 2023**

**CALL TO ORDER**

- Due to a power outage and a city-wide water outage the meeting was delayed, and Mayor Norton called the meeting to order at 6:25 p.m.

**ROLL CALL**

- Council Members present: Garrett Steinberg, Beth Rohrich, John Whittington, and Mayor Lisa Norton. Absent was Council Member Anthony White.
- Staff present: City Administrator Jennifer Bromeland (arrived at 7:55 due to power outage and city-wide water outage), Public Police Chief John Kopp, and Deputy Clerk Kerry Rausch. Public Works Director Andrew Hartman was not able to attend meeting due to power outage and city-wide water outage.

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

- Mayor Norton asked to add under New Business #7 Snowplow Blade Purchase and #8 Freedom Security.
- 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 Norton voting in.

**APPROVAL OF MEETING MINUTES**

- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the July 10, 2023 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton brought to the Council's attention the resolution accepting the resignation of Jerry Haber from the Public Works department and the resolution to not waive statutory tort limits for property and casualty insurance through the League of Minnesota Cities.
- Council Member Steinberg 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	Res. 2023-34 Resignation of Jerry Haber from Public Works	
Res. 2023-35 to Not Waive Statutory Tort Limit		

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

**PUBLIC HEARING**

1. Interim Ordinance Prohibiting the Sale, Testing, Manufacturing, Cultivating, Growing, Transporting, Delivery, and Distribution of Cannabis Products in the City of Eagle Lake

- Mayor Norton explained that a public hearing was scheduled to consider adopting an interim ordinance related to cannabis businesses. Pursuant to Minnesota Statute 462.355, subd. 4, a city is authorized to enact by ordinance a moratorium to regulate, restrict or prohibit land uses within its jurisdiction to protect the public health, safety, and welfare.
- Mayor Norton also explained the draft interim ordinance would prohibit the sale, testing, manufacturing, cultivating, growing, transporting, delivery, and distribution of cannabis products in the City of Eagle Lake. The purpose of the moratorium ordinance is to allow the City the opportunity to undertake a study to determine whether to adopt any regulations or restrictions, including siting and location of uses, related to the sale, testing, manufacturing, cultivating, growing, transporting, delivery and distribution of cannabis products. Unless earlier rescinded by the City Council, the moratorium would remain in effect until twelve (12) months from its effective date, at which point, it will either automatically expire or be extended pursuant to other statutory authority until January 1, 2025.
- The public hearing was opened with a question asked by Tim Auringer, 405 Perry Street, asking if the proposed interim ordinance is just for commercial users or for private users as well.
- The City Council's discussion included that Minnesota state statute regulates private users and that it is believed that the intent of the proposed ordinance would allow for study of the commercial aspect. The City's attorney can be asked to provide clarification for Mr. Auringer's question.

## **PRESENTATIONS**

### 1. Darrin W. Lee with Coalition of Greater Minnesota Cities: City Visit

- Mr. Lee explained that the Coalition of Greater Minnesota Cities represents non-metro cities at the state level and lobbies for the needs of those cities. Currently they represent over 100 cities. He stated this is important because non-metro cities needs are different than metro cities.
- Mr. Lee presented some legislative updates that were proposed and the final outcomes. Items presented included local government aid, environmental, childcare, workforce, housing and economic development, and transportation.
- Legislative changes include funding for lead service lines and city streets for cities under a population of 5,000 which will be captured through delivery fees, and public safety aid.
- There was no bonding bill in 2021 nor 2022 and 2024 would typically see a bonding bill, so there may be a bonding bill next year as well.

### 2. Jessical Beyer and Ryan Vesey with Greater Mankato Growth (GMG): Joint Services Agreement

- Jessica Beyer, GMG's President and CEO and Ryan Vesey, GMG's Economic Development and Research Manager were present to provide information of what services GMG provides for member cities and how membership dollars are utilized.
- Greater Mankato Growth includes Regional Economic Development Alliance (REDA) which is a partnership of five cities and two counties. The primary focus for REDA is business retention and expansion, new enterprise and emerging business development, new business development, and marketplace enhancements. Resident recruitment is an additional focus of REDA and they are seeing increased results from new media campaigns.
- Mr. Vesey explained that several participating cities have renewed the joint membership and that existing partners have until the end of year 2023 to renew their membership. Per capital rate adjustments in the 2023 joint service agreement were explained and Eagle Lake's projected membership fees were presented. The proposed rate adjustment was suggested by the City of Mankato, who currently pays a higher per capita rate than other partners.
- Funding within REDA is used for economic development and marketing resources subscription, business development and recruitment, targeted marketing campaigns and promotional material, and human capital and resources.

- Ryan Vesey explained that Freedom Security received a grant which was administered through Greater Mankato Growth to assist with the development of a new business coming to Eagle Lake. It was also explained that they offer direct support to local businesses and that any business can participate.

## **OLD BUSINESS**

- None

## **NEW BUSINESS**

1. Ordinance No. 2023-03: An Interim Ordinance Prohibiting the Sale, Testing, Manufacturing, Cultivating, Growing, Transporting, Delivery and Distribution of Cannabis Products in the City of Eagle Lake
  - Administrator Bromeland explained the intent of the proposed interim ordinance is for business/commercial purposes and that City Council could approve the ordinance with the request for that the City's attorney provide clarification that this pertains commercial businesses.
  - Council Member Rohrich moved, seconded by Council Member Steinberg, to adopt Ordinance 2023-03 upon the clarification by the city's attorney that it is intended for commercial businesses. A roll call vote was taken with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.
2. Job Description for Police Sergeant Position
  - Item was removed from agenda.
3. Recommendation to Hire Anthony Adams as part-Time Police Sergeant
  - Chief Kopp stated that Mr. Adams has withdrawn his application from consideration. No action is therefore needed.
4. Block Party Request from Resident
  - Mayor Norton explained that a request was received from Diann Brooks, 209 Maywood Avenue, to hold a block party in front of 304 Maywood Avenue on August 26<sup>th</sup> from 3:00 p.m. to 7:00 p.m. Ms. Brooks is requesting that the street be blocked off at the corner of 3<sup>rd</sup> Street and Maywood Avenue to the west side of 304 Maywood Avenue.
  - At the present time, the City of Eagle Lake does not have a Block Party and Block Party Consent Form. Before Council are proposed forms for review and approval.
  - A motion will be needed if there is an interest in granting the block party request by Diann Brooks and to adopt the Block Party Rules and Regulations and Block Party Consent Form. Approving these items would allow staff to process requests administratively instead of waiting until the next City Council meeting to obtain approval.
  - Council Member Steinberg moved, seconded by Council Member Rohrich, to approve Diann Brooks' block party request and to adopt the Block Party Rules and Regulations and Block Party Consent Form. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.
5. Pricing for Annual Sidewalk Repairs
  - Each year, the public works department prioritizes segments of sidewalk around the community that need to be replaced. Andrew Hartman, the Public Works Director, has received pricing from Clint Adams Concrete for sidewalk repairs totaling \$11,400. There is \$20,000 budgeted in the 2023 budget for this purpose.
  - Council Member Steinberg moved, seconded by Council Member Rohrich, to authorize the sidewalk repairs by Clint Adams Concrete in the amount of \$11,400. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.
6. Pricing for Annual Tree Trimming and Removal

- Each year, the public works department prioritizes trees to be removed from public property. Last year, the City received grant funds through the DNR to remove ash trees. The grant funds available this year were very limited and we were not awarded funding to remove ash trees. City staff will apply for funding as it becomes available in hopes of being able to remove more ash trees in 2024.
  - Public Works Director Andrew Hartman submitted a departmental expenditure request to trim and remove trees at Lake Eagle Park. This request includes pricing from Melchoir’s Tree Service totaling \$9,800. There was \$20,000 budgeted for miscellaneous professional services related to parks. Of the amount budgeted, \$13,300 remains for tree trimming and removal and other services for the parks.
  - Council Member Steinberg moved, seconded by Council Member Rohrich, authorizing staff proceed with tree trimming and removal services utilizing Melchoir’s Tree Service. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.
7. Purchase of Snowplow Blade
- Public Works Director Andrew Hartman has submitted a request for the purchase of a snowplow blade for the new F-250 truck. Only one quote was received due to the limited vendors who carry the blade needed.
  - Council Member Rohrich moved, seconded by Council Member Whittington, to authorize the purchase of the snowplow blade from Northland Farms Systems Inc, in the amount of \$10,500.55. The motion carried with Council Members Steinberg, Rohrich, Whittington and Mayor Norton voting in favor.
8. Freedom Security Request
- A request from Mike Bales with Freedom Security has been received to extend the date to begin construction from September 29, 2023 to October 29, 2023.
  - Council discussion included that this extension would allow for correct procedures to be followed.
  - Council Member Steinberg moved, seconded by Council Member Rohrich, to extend the beginning construction date for Freedom Security to October 29, 2023. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

**OTHER**

1. Thank You to the Tator Days Committee
- No action was taken at the meeting.

**CITY ADMINISTRATOR REPORT**

1. Music on Parkway
- The August 17<sup>th</sup> event has been moved to Lake Eagle Park and will be held from 6:00 p.m. – 9:00 p.m.
2. Outdoor Movie Event
- The August 18<sup>th</sup> event will take place at Eagle Lake Elementary School beginning at 6:00 p.m.
3. YTD Expenditure and Revenue Report
- The City Council has received the year-to date as of July 31<sup>st</sup> expenditure and revenue reports for review.
4. Information from LJP for Upcoming 2023 Fall and 2024 Spring Cleanups
- The 2023 Fall Cleanup will be a drop off only event and the 2024 Spring Cleanup may be a modified curbside cleanup event.
5. Park Pavilion Construction Timeline
- Bolton and Menk is providing structural review and will provide feedback. The contractor has indicated that construction is expected to begin in September if all goes well with the structural review.
6. Park Bathrooms
- The Park Board was thanked for their help in locking park bathrooms.
7. Budget Work Session: August 8<sup>th</sup> at 6:00 p.m.

- A budget work session will be held August 8<sup>th</sup> at City Hall at 5:00 p.m..

8. Water Update

- The water outage was not expected and the required processes were followed. Xcel has restored power and the water is on. The Minnesota Department of Health's Boil Alert Advisory is in effect and notice has been emailed to residents, on the city's website, and on the City's Facebook page. Blue Earth County's Sheriff's department has issued a Code Red text alert to residents as well.
- The public works department will have the water tested on Tuesday and results should be back within 24 hours. The boil alert advisory will remain in effect until the City receives notification that it can be lifted.
- A thank you to Chief Kopp and Public Works Director Hartman was extended for their work during this power and water outage.
- It was explained that it was not possible to answer the City phones during this event and that the City may want to consider looking into its own notification system to send text messages/alerts to residents.
- Mayor Norton stated that if it were not for the water tower project and the tower being offline, this power outage would not have affected the water supply system.
- Council Member Whittington stated staff did a great job handling this situation.

**COUNCIL REPORTS**

- None

**ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member Whittington, to adjourn the meeting at 8:04 p.m. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk



**CITY OF EAGLE LAKE  
SPECIAL CITY COUNCIL MEETING  
AUGUST 08, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

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

**APPROVAL OF THE AGENDA**

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

**NEW BUSINESS**

1. Police Staffing Work Session

- Chief Kopp presented a police officer retention plan which covered areas such as community involvement, mentorship, field training program, work/life balance, training opportunities, and scheduling. He also presented a list of items which can be used for recruitment to help entice officers to consider working in Eagle Lake.
- Discussion relating to retention and how goals could be achieved followed the presentation.

2. Budget Work Session

- Department heads for fire, public works, and the police departments presented proposed changes for their 2024 departmental budgets and reviewed current and future capital outlay and staffing needs.
- Administrator Bromeland explained that cities must prepare and adopt a proposed budget and proposed property tax levy each 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 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 30<sup>th</sup>. The preliminary levy can be reduced once adopted but cannot be increased prior to the final levy being adopted. The levy is comprised of the general fund, EDA, and debt service. A TNT public comment hearing must occur sometime between November 25<sup>th</sup> and December 28<sup>th</sup>. The final levy must be certified to the county auditor by or before December 28<sup>th</sup>. Cities must also file a certificate of compliance with the Department of Revenue by December 28<sup>th</sup>.
- The 2023 Legislative Session resulted in many changes affecting cities, some of which will impact budgets in the future. City staff will continue monitoring guidance as it becomes available related to these changes. The City of Eagle Lake is a member of the Minnesota Valley Council of Governments (MVCOG), and they will be assisting member cities shortly with necessary policy updates. Effective January 1, 2024, employees will accrue earned sick and safe time. Beginning in January 2026, the state will administer a program to provide a number of weeks of partial wage replacement for family and medical leave. The program will be funded primarily through a payroll tax applied to all employers and their employees.

- Last year's final tax levy was set at approximately 9% or an increase of \$80,361. Property taxes should have remained relatively flat unless a property's valuation increased. The levy is comprised of the general fund, EDA, and debt service.
- Preliminary tax levy amounts for 2024 are yet to be determined with another budget work session suggested to allow for final preliminary information to be compiled and presented to the City Council.
- The City consistently maintains a minimum unassigned general fund balance of 50% of the annual budget. A positive fund balance contributes to a favorable bond rating, provides a source of working capital to meet cash flow needs, and offers a cushion for unexpected expenditures or revenue short falls.
- The Minnesota Department of Revenue released the certified Local Government Aid (LGA) amounts for 2024. The 2024 LGA payments will be made on July 20<sup>th</sup> and December 26, 2024. Together, LGA and property taxes account for approximately 80% of general fund revenues. Both are significant sources of income. The goal of LGA is to help equalize a city's ability to provide an average level of services at a reasonable property tax rate. The certified LGA amount for Eagle Lake in 2024 is \$749,370.
- Each year, a cost-of-living adjustment is made to wages using the consumer price index. This is intended to counteract inflation and the average change over time in prices paid by consumers for goods and services. Discussion took place in 2021 that the City retains discretion as to the actual adjustment to wages for cost of living and is not bound by the CPI. This year, the percent change for the Midwest region from June 2022 to June 2023 is 2.4%. Based on a survey of other area cities comparable in size, most are budgeting anywhere between 3%-5% for a cost-of living adjustment for 2024. A 3% COLA will be factored into the 2024 budget.
- Per a recent wage survey completed with assistance from the Minnesota Valley Council of Governments (MVCOG), across the board, Eagle Lake's wages are below average of market comparables. Per MVCOG, we want to be somewhere between 90%-110% of average to be considered competitive with other jurisdictions. With the current labor market, we are finding that to attract and hire new employees, we need to hire employees at a higher step to be competitive. To get to a more competitive position for wages, after consulting with MVCOG, City staff recommends that the first 4 steps of the current plan be dropped. This means that Step 5 will become Step 1 and then 4 steps will be added to the top end. In total, there will still be 10 steps, the same as the current step schedule. Anyone that is currently placed between Step 1 and Step 3 of the wage scale will automatically be moved to Step 5 of the proposed new wage scale.
- Council discussion included they would like to see Administrator Bromeland receive more than a COLA increase, being at the top of that position's pay scale, based on her performance and asked if there is flexibility as to where a person may be placed on the wage scale.
- Administrator Bromeland explained that the proposed wage scale would allow those employees currently at Step 1-Step 4 to automatically move to Step 5 and those at the top step to move to a new Step 6 and have an opportunity for an annual step increase. It was explained that currently there are 10 steps to the step schedule and that by dropping the first 4 steps and adding 4 steps to the top end, the step schedule will still be 10 steps in total. Those employees currently at the lower steps (Steps 1-3), would see a larger overall increase by moving to Step 5 as compared to employees higher on the step schedule. Once at the top step, an employee will only receive a COLA increase.
- The 2024 health insurance rates will not be known until October, but staff have been advised by our agent to budget for an 8-10% increase. It is anticipated that the renewal will be under 10% but staff are budgeting higher until the new rates are known.
- Public Employees Retirement Association (PERA), social security and Medicare withholding rates for 2024 will not change.

- There will be a one-time public safety aid in the amount of \$143,617. These funds will be sent to cities in late December 2023 and can be spent on public safety purposes for police and fire. Discussion took place about whether the funds could be used to purchase a generator.
3. Amend Agenda – Resolution 2023-37 Hunter Bless to Fire Department Active Roster
- Council Member Steinberg moved, seconded by Council Member White, to amend the agenda to add Resolution 2023-37 Moving Hunter Bless to the fire department’s active roster. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
  - Council Member Steinberg moved, seconded by Council Member White, to approve Resolution 2023-37 appointing Hunter Bless to the fire department’s active roster. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**OTHER**

- None

**ADJOURNMENT**

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

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
SPECIAL CITY COUNCIL MEETING  
AUGUST 16, 2023**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 7:00 p.m.

**ROLL CALL**

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

**APPROVAL OF THE AGENDA**

- Council Member Rohrich moved, seconded by Council Member Whittington, to amend the agenda to add Riley Hiller’s presentation for charity event in Lake Eagle Park. The motion to amend the agenda carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**NEW BUSINESS**

1. Riley Hiller – Charity Event in Lake Eagle Park

- Riley Hiller, 96 Valley Lane, presented the idea of a charitable basketball tournament she would like to hold at the Lake Eagle Park on September 23, 2023 from 10:00 a.m. to 4:00 p.m.. Her employer Star Nutrition would sponsor the community charity-based event with the proceeds going to National Alliance on Mental Illness (NAMI). Details of how the event would operate were presented and would be geared towards persons ages 16 and over. Star Nutrition will be responsible for liability insurance. Food trucks will be present in the park.
- Council discussion included parking concerns and the need to notify property owners in the park area of the event and the Council’s desire to waive the rental fee.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to waive the rental fee for this charitable basketball event in Lake Eagle Park. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

2. Budget Work Session

- Administrator Bromeland explained that a preliminary budget and proposed tax levy must be adopted by the City Council and certified to the county auditor by September 30<sup>th</sup>. The preliminary budget and levy can be reduced but not increased once it has been adopted. The levy includes \$935,312 for the general fund, \$51,000 for the EDA and \$132,939 for debt service, totaling \$1,119,251. The proposed 2024 revenue for the general fund is \$2,093,515 and the proposed expenditures are \$2,271,743. The budget would be balanced except for \$181,627 in planned capital outlay expenditures drawing down previously set aside funding in general fund reserves. The expenditures are comprised of fire, police, streets, and parks capital outlay expenditures. Planned deficit spending is the intentional drawing down of capital outlay funds previously set aside in the general fund. But for the planned expenditures, the budget would be balanced.
- Truth in Taxation notices are sent to all property owners each November before local units of government finalize their budgets for the coming year. The notice is meant to help property owners understand how property taxes are determined and how they can get involved with local budgeting and taxation. Property owners cannot appeal their property’s market value or classification at the Truth in Taxation meeting. The Truth in Taxation meeting is tentatively scheduled for Monday, December 4<sup>th</sup> at 6:00 p.m. at City Hall.

- Proposed for 2024 is a modified step schedule with a 3% step increase and a 3% COLA. The police budget has been calculated with three full-time officers and a separate line item was added for contracted patrol hours with Blue Earth County totaling \$75,000. The number of contracted patrol hours will be reduced once staffing levels increase. If the City were able to hire a 4<sup>th</sup> full-time officer, there would be enough budgeted in the overall police department budget assuming the contracted patrol hours were eliminated.
- The 2024 health insurance rates will not be known until October but have staff have been advised by our agent to budget for an 8-10% increase. It is anticipated that the renewal will be under 10% but have been budgeted higher until the rates are known.
- The one-time public safety aid for Eagle Lake is \$143,617. The funds will be sent to the city in late December 2023 and can be spent on public safety purposes – police and fire. This will not be reflected in the general fund and instead a separate fund will be set up to track expenditures. A new police squad is scheduled to be purchased in 2024 with an anticipated cost of \$43,000. City staff recommended that a portion of the one-time public safety aid be used for the purchase of a new police squad. City Council discussion took place at the August 8<sup>th</sup> meeting about the possibility of using some of the funds for the purchase of a generator for the main well. It was noted that a generator is needed to ensure water pressure in the event of a prolonged outage. A legal opinion was obtained from the city attorney advising that the funds could only be applied towards the purchase of a generator if there is a showing that a generator is necessary to maintain water pressure in the fire hydrants and that absent a generator in the event of a long-term power outage there would be an inability to fight fires. A legal opinion was also obtained from the city attorney advising that the purchase of a police squad would be an eligible use of the one-time public safety aid. The purchase of the squad was removed from the 2024 budget and is recommended to be purchased using one-time public safety funds. The remaining funds are recommended to be applied towards the purchase of a generator for the main well.
- City staff will continue working on fine tuning the enterprise fund budgets and will consult with Shannon Sweeney with David Drown Associates on whether an updated rate analysis is needed based on projected operating expenses. A rate increase recommendation will be presented at the upcoming September 11<sup>th</sup> meeting would take effect January 1<sup>st</sup> if approved.
- Discussion included if the one-time public safety funds could be used for WIFI and cameras in the park or for police body cameras. Administrator Bromeland explained that Chief Kopp is looking at leasing body cameras.
- Administrator Bromeland stated she has intentionally budgeted interest earnings and building permits conservatively and tried to forecast expenditures as much as possible.
- The water treatment facility was discussed in terms of lobbying the legislature with Administrator Bromeland stating that the Coalition of Greater MN Cities does a great job lobbying.
- Any requests to reduce the levy will need to be a reduction in expenditures such as equipment requests and wages, etc.
- Other items discussed included solar panels, which the city already participates in a solar credit program, possible funding for emissions reduction and the potential need to review budget concerns relating to the police department in light of police staffing issues throughout the state.
- Discussion about large departmental equipment purchase requests took place with Council consensus being that the requests are strategic and will increase efficiencies and help retain staff. The fire department's request for a tiered compensation plan will help encourage responses to calls.
- Administrator Bromeland noted there has been an increase in the technical support line item for the replacement of computers. The fire department's operating supplies line item has been increased to include recruitment needs. The fire department will need to come before the Council to request a pension increase.

- Administrator Bromeland stated a quote for pricing from Freedom Security has been requested for bathroom and warming house locks at the parks.
- Items of general discussion included how to obtain more parking at Lake Eagle Park, improvements to the Lake Eagle Park pond and possible dredging and treatment options, additional fountains for the pond, ways to generate revenue from park use, the need for the Park Board to make a project priority list and the possibility of budgeting for these items versus fund raising, the fact that park equipment should be included in the capital outlay planning to be replaced eventually and setting aside funding for that purpose.
- Mayor Norton stated that the City Council needs to be forward thinking with the budget process and that there is no fluff in the proposed budget; the 15% increase will pay for the needs and not the wants.
- Council Member Steinberg stated that Lake Eagle Park is the only destination place in Eagle Lake and that he feels more money should be put into the park. He would like to see more urban beautification with boulevards and annual and perennial flowers and for Eagle Lake to be the best bedroom community and the best-looking community it can be. The need for community volunteers to help make things happen was discussed as well.
- Council Member Rohrich encouraged the Council to email Jennifer their goals for 2025 and beyond. Council Member White stated the Council needs to develop a needs list of only 1-2 items to be completed in the next 5 years to ensure all Council members are on the same page.
- Administrator Bromeland asked for clarification if the pond in Lake Eagle Park is a priority for 2024. The Council's consensus is that the pond is a priority. City staff indicated that Public Works will be asked to provide an estimate of funding needed to address the issues at the pond to better gauge how the project might impact the proposed budget and levy.

#### **ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 8:18 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
SEPTEMBER 11, 2023**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 6:01 p.m.

**ROLL CALL**

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

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

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

**APPROVAL OF MEETING MINUTES**

- Council Member White moved, seconded by Council Member Steinberg, to approve the August 7, August 8, and August 16, 2023 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton brought to the Council’s attention the resolution to accept donations for the park pavilion.
- Council Member Steinberg 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	Res. 2023-38 Accepting Donations for Park Pavilion	
- The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**PUBLIC HEARING**

- None

**PRESENTATIONS**

- None

**OLD BUSINESS**

- None

## **NEW BUSINESS**

### **1. REDA Joint Services Agreement**

- Administrator Bromeland explained that before the City Council is a Joint Economic Development Services Agreement Regarding the Greater Mankato Regional Marketplace. The purpose of the agreement is for parties wishing to facilitate economic development of the communities that make up the Greater Mankato Regional Marketplace. This endeavor offers a forum to facilitate individual and regional assets and opportunities for the purpose of business development and will enable Eagle Lake to enhance its future economic prosperity.
- Administrator Bromeland also explained that the cost for 2024 will be \$8,084 and will be paid using Economic Development funds. Eagle Lake was one of the founding communities in 2009 when the Regional Economic Development Alliance (REDA) was formed.
- Council Member Whittington moved, seconded by Council Member White, to enter into a Joint Economic Development Services Agreement regarding the Greater Mankato Regional Marketplace. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

### **2. Use Agreement with Property Owner and Farmer for Wind Rows along 598<sup>th</sup>**

- Administrator Bromeland explained that the City has previously paid Steve Wolfe, Jr. compensation to leave up rows of crops, both corn and beans, to help combat drifting along portions of 598<sup>th</sup> Avenue in Eagle Lake. There has not been a formal agreement for this arrangement. Before Council is an agreement drafted by legal counsel and modified by staff to reflect a specific dollar amount and acres as requested by Mr. Wolfe, Jr.
- Administrator Bromeland also stated that no arrangement had been made in the fall of 2022 to leave crops during harvest time. Due to the unique winter, the City hired a contractor to create snow wind rows on a portion of the land owned by Gary and Kim Hiniker that Steve Wolfe, Jr. farms. The City's Public Works Director Andrew Hartman has expressed interest in leaving rows of beans to help combat drifting this winter.
- Public Works Director Hartman stated he believes the bean rows will help create natural wind rows.
- Council Member Steinberg moved, seconded by Council Member Rohrich, authorizing the Mayor and City Administrator to sign a use agreement with Gary and Kim Hiniker and Steve Wolfe, Jr. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

### **3. Draw Request No. 3 for Fox Meadows Housing Development Cash Escrow**

- Administrator Bromeland explained that a draw request for distribution from the escrow funds for the Fox Meadows Housing Development in the amount of \$461,869.12 has been received and that Brian Sarff with Bolton and Menk has reviewed the request and recommends that the escrow funds be released as requested.
- Council Member Rohrich moved, seconded by Council Member White, authorizing the release of withdrawal request #3 in the amount of \$461,869.12 to the developer. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

### **4. TIF 3-1 Interfund Loan Repayment to General Fund**

- Administrator Bromeland stated that before Council is a letter from Shannon Sweeney with David Drown Associates regarding the 2022 TIF reports for the City of Eagle Lake. Mr. Sweeney has recommended that the interfund loan for the 3-1 TIF District, the district was created for the TSO Janesville, LLC Redevelopment Project – 704 Parkway Avenue in 2015, has been documented and can now be transferred to the general fund as repayment for expenditures previously incurred. There is currently a cash balance of \$45,560 which can be transferred to the general fund, less \$1,000 for annual reporting costs.
- Administrator Bromeland stated before Council is a recommendation to transfer \$44,560 to the general fund on January 1, 2024 with the funds being dedicated for the purpose of improving the parks, such as costs associated with improving and maintaining the pond at Lake Eagle Park.



- Council Member White moved, seconded by Council Member Rohrich, to approve the interfund transfer and to dedicate the funds towards park improvement. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
5. Insurance Agent for Property and Casualty and Work Comp
- Mayor Norton explained that the City’s current insurance agent attended a previous City Council meeting and stated that the City’s insurance rates would be increasing. Mayor Norton stated that she felt adequate information was not provided as to why rates were increasing. Since then, Mayor Norton contacted North Risk Partners who represents the largest number of municipalities insured by the League of MN Cities and coordinated a meeting with an insurance agent to get another perspective on what services cities can expect from an insurance agent. Mayor Norton, Administrator Bromeland, and Deputy Clerk Rausch attended this meeting.
  - Administrator Bromeland stated the City has a good relationship with Mr. Kennedy with Allied Insurance Agency of Mankato, LLC who has been the City’s insurance agent since 2014. She also explained that the insurance agent receives 10% of the City’s property and casualty premium with the League of MN Cities Insurance Trust (LMCIT) and 2% of the work comp premium with LMCIT. She also explained that if the City decides to change agents at this time, the current agent will receive the commission and that North Risk Partners is fine with that.
  - Council discussion included that it is always good to look at services other companies can provide and that if there are more services with a new company to ask the existing agent if that is something they could match.
  - Council Member White asked that a third insurance company be contacted so that three options are available to Council for decision making purposes.
  - Council Member White moved, seconded by Council Member Steinberg, authorizing an informal committee comprised of Mayor Norton, Administrator Bromeland, and Deputy Clerk Rausch be formed to review insurance agencies and services they offer. Motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
6. Agreement Establishing Regional Safety Group with Madison Lake and St. Clair
- Administrator Bromeland stated before the Council is an agreement which would allow Eagle Lake to partner with neighboring communities, Madison Lake and St. Clair, to get affordable, in-person safety training. The League of Minnesota Cities Insurance Trust (LMCIT) has developed a Regional Safety Group Initiative to facilitate safety training for cities and entities. The purpose of the agreement is to promote workplace safety and health through the sharing of ideas and knowledge and by holding regular joint safety and health training, educational programs, and meetings. Each member city will host two training sessions a year for a total of six training sessions.
  - These trainings would include administrative, police and public works staff. The fire department provides its members with the needed mandatory training already. The cost of said training would be \$1,485 per year per city. Administrator Bromeland expressed a strong recommendation for this training to ensure staff are trained adequately. If approved, Eagle Lake will host the first training on November 13<sup>th</sup>.
  - Council Member Whittington moved, seconded by Council Member Steinberg, to authorize entering into an agreement establishing a Regional Safety Group with Madison Lake and St. Clair. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
7. Utility Rate Recommendations – Water, Sewer, and Stormwater Rate Analysis
- Administrator Bromeland directed the City Council to a letter from Shannon Sweeney with David Drown Associates with utility rate recommendations for water, sanitary sewer, and storm water. Mr. Sweeney’s rate recommendations for 2024 are: water enterprise a 6% annual increase, sewer enterprise a 4% annual increase, and storm enterprise a 36% increase which will go from \$3.63 per month to \$4.94 per month.

- Administrator Bromeland explained that a household with an average monthly water consumption of 5,000 gallons would see their utility bill increase from \$109.11 a month to \$115.95 a month, an increase of \$6.84. If approved the water and sewer rates would go into effect with January 2024 usage which would be reflected in the February 2024 bill.
  - Administrator Bromeland also explained that in 2028 the City will see some debt service drop off which will result in a positive balance.
  - Council Member White moved, seconded by Council Member Rohrich, to approve the recommended rate increases for 2024 for water, sewer and storm water as presented. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
8. Resolution Adopting Proposed 2024 Preliminary Budget and Tax Levy
- Administrator Bromeland explained that cities must prepare and adopt a proposed budget and proposed property tax levy each year. By Minnesota law, 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 30<sup>th</sup>. The preliminary levy can be reduced once adopted but cannot be increased prior to the final levy being adopted. The levy is comprised of the general fund, EDA and debt service. A TNT public comment hearing must occur between November 25<sup>th</sup> and December 28<sup>th</sup>. The Truth In Taxation meeting is tentatively scheduled for Monday, December 4, 2023 at 6:00 p.m. at City Hall. The final levy must be certified to the county auditor by or before December 28<sup>th</sup>. Cities must also file a certificate of compliance with the Department of Revenue by December 28<sup>th</sup>.
  - Administrator Bromeland also stated that last year's final tax levy was set at approximately 9% or an increase of \$80,361. Property taxes should have remained relatively flat unless a property's valuation increased.
  - The 2024 Proposed Preliminary Levy is as follows: General Fund \$945,045, EDA \$51,000, and Debt Service \$132,939 for a total of \$1,128,984. Proposed expenditures for 2024 are \$2,324,965 and propose revenues are \$2,147,808. The budget would be balanced except for planned deficit spending in the amount of \$181,627. Planned deficit spending is the intentional drawing down of capital outlay funds which were previously set aside in the general fund.
  - Administrator Bromeland also explained that a net tax capacity increase with continued growth allows our tax rate to decrease. Even with a proposed 16% levy increase, the proposed 2024 tax rate is still slightly below the 2023 tax rate. If a property's valuation increased, taxes will increase accordingly. Taxpayers that see an increase in their taxes will also notice that their valuation likely increase. Calculations can appreciate or depreciate. The time to appeal a valuation is in April and taxpayers need to contact Blue Earth County directly as the City of Eagle Lake does not determine property valuations.
  - Administrator Bromeland explained that police staffing and coverage amounts have been considered and the proposed budget amount should cover expenses.
  - Council Member Whittington moved, seconded by Council Member Rohrich, to approve Resolution 2023-39 A Resolution Setting the Fiscal Year 204 Preliminary City Budget and Preliminary Property Tax Levy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
9. Fire Department Request to Use Gambling Fund Proceeds to Purchase Uniforms
- The Eagle Lake Area Fire Department is requesting permission to use gambling proceeds to purchase new uniforms. Each year the Eagle Lake Area Fire Department contributes gambling proceeds to the City of Eagle Lake to help offset eligible fire and EMS related expenditures.

- Council Member White moved, seconded by Council Member Rohrich, to authorize the use of \$2,272.10 of gambling proceeds for the Eagle Lake Area Fire Department to purchase uniforms. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Norton voting in favor.

10. Authorization to Sell 2020 Country Clipper Mower and 2008 F-250 on Minn Bid

- Public Works Director Andrew Hartman has requested to put the 2020 Country Clipper mower on sale on MinnBid with a recommended minimum bid set at \$2,000. He also requested to list the 2008 Ford F-250 with a minimum bid set at \$7,500.
- Discussion included that the City has three mowers in use and that the 2020 Country Clipper is not being used and is not needed.
- Council Member White moved, seconded by Council Member Rohrich, to authorize the sale of the 2020 Country Clipper and the 2008 Ford F-250 on MinnBid with set minimum bid amounts of \$2,000 and \$7,500 respectively. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

11. Public Works Request to Purchase Two-Way Radios for Equipment

- Public Works Director Andrew Hartman stated that the Public Works Department has Bluetooth and cell phones but that it cumbersome to use while snow plowing and other job functions and is requesting to purchase two-way radios from 2-Way Radio of Minnesota Inc. at a cost of \$3,100.
- Mr. Hartman also stated the department has tested these radios and feels that a repeater is not needed at this time but may be needed in the future.
- Discussion included if the public works employees would still need to use their cell phones for work purposes. The Council asked that how cell phones are being used be reviewed and that maybe only the Public Works Director would need to utilize a cell phone for work purposes once the two-way radios are being used.
- Council Member Whittington moved, seconded by Council Member White, to authorize the purchase of two-way radios for the public works department in the amount of \$3,100. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

12. Climate Impact Corps Site Agreement for Community Forestry Member

- Administrator Bromeland stated that the City of Eagle Lake has been awarded a Community Forestry Member with the Climate Impact Corps for the 2023-2024 year. This will be the third Community Forestry Member for Eagle Lake in recent years. The Community Forestry Member will assist with EAB outreach and education, tree planting, rain garden maintenance, etc. The City Administrator will supervise the Community Forestry Member.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve retroactively the Climate Impact Corps Site Agreement. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

13. Pricing for Mass Notification System

- Administrator Bromeland explained that during the recent power outage and subsequent loss of water pressure during the water tower rehab project it became apparent that a mass notification system is needed to be able to notify residents quickly of important information. Administrator Bromeland stated she contacted two vendors were contacted about pricing and she participated in on-line demonstrations.
- Administrator Bromeland also stated that utilizing a mass notification system will help streamline communications and ensure timely notifications to residents of important information including but not limited to a boil water alert or snow emergency. Residents will need to sign up to receive notifications with this system. A mass notification system would also allow the City to move away from MailChimp.

- Administrator Bromeland recommended accepting the proposal from GOGov in the amount of \$3,900 annually. This system will allow residents to be notified through an app, via text message, and email. The system will also work with the City’s website.
- GOGov indicated that it would take about a month to launch and that they would assist with the launch.
- Council Member White moved, seconded by Council Member Whittington, to accept the proposal from GOGov in the amount of \$3,900 annually. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**OTHER**

1. New Law Regarding Managed Natural and Native Landscaping and Next Steps

- Administrator Bromeland explained that effective July 1, 2023, municipalities are required to allow property owners and occupants to install and maintain natural landscapes. According to an article by the League of Minnesota Cities, city ordinances that are not consistent with this change would not be enforceable and may need to be amended or repealed.
- A letter from City Attorney Chris Kennedy has advised that the City can enforce height restriction on turf grass lawns and yards not maintained. The language in City ordinance about vegetation would be unenforceable regarding plants that are not considered noxious weeds.
- Discussion included if native landscaping could be in easement areas. Current City Code states that planting in easements is not allowed and that to do so would be at the property owners risk.
- Administrator Bromeland explained that noxious weeds in excess of 6 inches can still be enforced as well as turf grass.

2. Police Department Staffing Update

- Administrator Bromeland stated that it has been a struggle to hire police officers. The August 7<sup>th</sup> conditional offer for a part-time officer was extended with the officer later withdrawing his application. The conditional job offer to a full-time police officer candidate was withdrawn by the City. The City conducted another interview, but no offer was extended. An application has been received which will be reviewed.
- Due to the difficulty in filling police officer positions the personnel committee has been researching viable options.
- Administrator Bromeland asked if the Council would like to schedule a special meeting to allow the personnel committee dedicated time to present their findings which will allow for the best possible coverage.
- Council Member Steinberg moved, seconded by Council Member White, to schedule a special meeting for Monday, September 25<sup>th</sup> at 7:00 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CITY ADMINISTRATOR REPORT**

1. 2022 Population and Household Estimates from MN State Demographer

- According to a mailing from the Minnesota State Demographer, Eagle Lake’s April 1, 2022 population estimate is 3,331 while the household estimate is 1,210. Eagle Lake’s population has increased since the 2020 Census in which our population was determined to be 3,278.

2. Expenditure and Revenue Report as of August 31, 2023

- It was noted that the YTD expenditure and revenues were included in the budget information.

3. Community Forestry Member Recruitment

- Upon the approval of the agreement for another Community Forestry Member, City staff will begin pushing out recruitment materials.

4. Storm Drain Stenciling Activity for 2023

- As part of the MS4 program, the City will be holding another storm drain stenciling activity this fall. Public education and participation are a requirement of the MS4 program. Expenses will be minimal for supplies and food for volunteers. More information will be coming.

5. Upcoming Mayors and Clerks Meeting in Eagle Lake

- The October Mayors and Clerks meeting will be hosted in Eagle Lake. The exact date is to be determined but the meeting will be held at City Hall and the meal catered.

6. MSU Graduate Class Studio Project (Land Use Update) for Eagle Lake

- The South Central Service Cooperative recently notified cities of an opportunity to utilize an urban and planning graduate class to assist with projects such as land use, comp plan, housing study, etc. Community Development Coordinator Olivia Adomabea submitted a proposal to update the City's comprehensive plan, but due to the City's comprehensive plan not having been updated since 1991, the professor of the studio class recommended that perhaps the class focus on one area of the comprehensive plan such as updating the land use plan. The studio class is currently working on updating the City's land use plan. More information will be presented in the next couple of months.

7. Status of Highway 14 Corridor Study Application and 2024 UPWP

- The Mankato/North Mankato Area planning Organization has approved the City of Eagle Lake's application for a Highway 14 Corridor Study from CSAH 12 to the eastern planning boundary. MnDOT has agreed to fund the portion of the study that is outside of the planning area boundary. More information will follow as to the timeline and next steps.

8. Regency Update

- According to Kim Stumne, manager of Regency, the teardowns have commenced. It is anticipated that 3-4 units will be removed in 2023. Ms. Stumne cited difficulty with renting dumpsters and having them emptied in a timely manner as the reason for the teardowns taking place slower than anticipated.

## **COUNCIL REPORTS**

1. Mayor Norton asked about leaf collection this fall with some trees already losing their leaves. Public Works Director Hartman stated that the equipment is ready as well as the dumping location.

## **ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member Rohrich, to adjourn the meeting at 7:15 p.m. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
SPECIAL CITY COUNCIL MEETING  
SEPTEMBER 18, 2023**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 7:40 a.m.

**ROLL CALL**

- Council Members present: Anthony White, John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Andrew Hartman and Deputy Clerk Kerry Rausch.

**APPROVAL OF THE AGENDA**

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

**NEW BUSINESS**

**1. Review and Approve Updated Park Pavilion Pricing**

- Administrator Bromeland explained that an updated proposal from J.R. Murilla Construction in the amount of \$158,700 for the Park Pavilion Project at Lake Eagle Park was received via email on September 13<sup>th</sup>. Bolton and Menk recently completed a structural engineering review of the proposed pavilion plans and provided recommendations to ensure that the proposed structure complies with minimum design load requirements such as wind, snow, and weight. After implementing the recommendations, the total cost of the project increased \$29,500, from \$129,200 to \$158,700.
- Administrator Bromeland provided background on this project, explaining that two proposals were received and reviewed in June 2023. The City Council selected the proposal from J.R. Murilla Construction in the amount of \$129,200. Following the selection of a contractor, the City's building inspector advised that the plans for the park pavilion would need to be reviewed by a structural engineer to ensure compliance with the state building code. Bolton and Menk was next hired to perform the structural engineering review. The feedback received from Bolton and Menk consisted mainly of modifications needed for masonry and framing.
- The cost for the park pavilion project will be paid for using capital outlay monies set aside for parks. The capital outlay funds will be exhausted when this project is completed. These funds will need to be replenished using funds set aside in 2024 for parks improvements along with any donations or grants received for the parks. \$50,000 has been asset aside annually in recent years for parks improvements, with another \$50,000 allocated in the 2024 budget for this purpose.
- Joe Murilla with J.R. Murilla Construction has stated that to be able to complete the project this fall, the updated proposal needs to be approved at the City's earlier opportunity and therefore, this special City Council meeting was called to keep the process moving.
- Council discussion included that the changes suggested are needed to ensure public safety and that both plans that were submitted were similar and that engineering review would have been need for both. Also discussed was the fact that both the existing and new ADA restrooms would be available in the event of severe weather.

- Council Member White moved, seconded by Council Member Whittington, to approve the updated proposal from M.R. Murilla Construction in the amount of \$158,700. The motion carried with Council Members White, Whittington, and Mayor Norton voting in favor.

**ADJOURNMENT**

- Council Member Whittington moved, seconded by Council Member White, to adjourn the meeting at 7:45 a.m. The motion carried with Council Members White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
SPECIAL CITY COUNCIL MEETING  
SEPTEMBER 25, 2023**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 7:00 p.m.

**ROLL CALL**

- Council Members present: Garret Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland, Police Chief John Kopp and Deputy Clerk Kerry Rausch.

**APPROVAL OF THE AGENDA**

- Council Member Steinberg moved, seconded by Council Member White, to add Public Comments to the agenda. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Council Member Whittington moved, seconded by Council Member Rohrich, to move the Public Comments period to after new business. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**NEW BUSINESS**

1. Police Department Staffing Challenges and Coverage Options

- Administrator Bromeland explained that this special City Council meeting has been called for the purpose of discussing the ongoing police department staffing challenges that Eagle Lake continues to experience and identify options for the best and most complete law enforcement coverage for the residents and businesses.
- Also explained was that Eagle Lake is a growing community with a current population of 3,331 which is 53 residents higher than the 2020 census count of 3,278. Eagle Lake is forecasted to continue increasing in population. Maintaining a consistent, dedicated police presence is important to deter crime while ensuring the safety and well-being of all residents and businesses. Proactive and consistent community policing is just as important in forging relationships between members of the community and law enforcement.
- For background purposes Administrator Bromeland explained that Eagle Lake has historically been staffed with three full-time police officers and 1-2 part-time police officers, providing approximately 20 hours of coverage a day. Part-time officers were previously utilized to help fill gaps in coverage when full-time officers were not available or needed time off.
- A shift in staffing began in late 2020, first with difficulty retaining part-time police officers. As a result, the City began to see police coverage decrease on weekends and most weekend day shifts were replaced with daytime on-call. This shift placed a strain on full-time officers who had difficulty taking time off while still needing to be available on call. Coverage in 2021 and 2022 consisted mostly of 20 hours of coverage per day, Monday through Friday, and daytime on-call coverage Saturdays and Sundays.
- Also explained was that in July 2022, the City of Eagle Lake entered into an agreement with Blue Earth County Sheriff's Office for emergency on-call service. The purpose of entering into this agreement was to help alleviate some of the pressure felt by full-time officers not being able to fully take time off because of regular daytime on-call hours scheduled every Saturday and Sunday.



- Administrator Bromeland also explained that in June of 2023 two full-time police officers submitted their resignations back-to-back within a span of weeks and the City was suddenly down to one full-time police officer, the police chief, for scheduled law enforcement coverage. Despite adding funding to the 2023 budget for a 4<sup>th</sup> full-time officer, we have been unable to fill the position because we cannot first fill the existing vacancies.
- With the City running out of options, in July 2023, the City Council approved another contract with the Blue Earth County Sheriff's Office for up to twenty hours of scheduled patrol coverage per week. While the current situation is working for now, it is not a viable long-term solution. Under the current agreement, the Blue Earth County Sheriff's Office has provided excellent, reliable service, without having a dedicated law enforcement presence in Eagle Lake, but there are still gaps in coverage that create vulnerabilities.
- Efforts continue to be made to hire new police officers, such as increased pay, but there are fewer candidates and less qualified candidates. There is a significant demand for police officers in Minnesota and a limited pool of qualified applicants. Even when Eagle Lake has been able to extend an offer to a qualified candidate who meets all requirements for the position, the vicious cycle of expending time and resources on hiring, training, and turnover remains. There are not enough officers to fill every opening in law enforcement across the state and the City is competing with law enforcement agencies that possess more resources.
- Given the ongoing police officer shortage and the City's inability to fill vacancies, the City's Personnel Committee, which is comprised of Council Members Beth Rohrich and John Whittington, have been periodically meeting with the police chief to discuss staffing updates and coverage needs. No long-term viable internal solutions have been identified in those meetings other than to continue trying to fill vacancies and hope that the hiring landscape changes soon. The committee also met with the Blue Earth County Sheriff's Office to hear more about what it would cost and look like to contract fully for law enforcement coverage.
- Contracted service with Blue Earth County's Sheriff's Office allows Eagle Lake to have dedicated law enforcement coverage 18-20 hours a day Monday through Friday, and 12 hours a day on Saturdays and Sundays. All other times and resources would be covered with a response from the Sheriff's Office at no additional cost, ensuring 24/7 coverage. Under this scenario, a lieutenant and two deputies would be assigned to Eagle Lake and the wording "serving Eagle Lake" would be added to the squads used for patrol in Eagle Lake. An anticipated cost to contract fully for law enforcement coverage is \$502,000 for 2024. Eagle Lake's 2023 budget for the police department totals \$469,361. Not reflected in the police department budget and allocated elsewhere in the general fund budget are the costs for insurance, such as health, dental, work comp, property and casualty and liability insurance. The police department's share of insurance costs is approximately \$40,000. When insurance costs are factored into the overall cost to operate a police department, the total cost is like what it would cost to contract with Blue Earth County. An additional benefit to contracting police coverage is that the County employs a total of 37 full-time officers, additional deputies are immediately available in the event of a major incident in Eagle Lake.
- Council Member John Whittington, a member of the personnel committee, stated the City has struggled with staffing issues for several years and the personnel committee has met with the Police Chief and City Administrator looking for ways to provide safety for the community. Mr. Whittington stated that the personnel committee does not believe it will be able to staff the police department at this time and feels it would be good for the City to contract with Blue Earth County's Sheriff's Office. The deputies are well trained and will allow for more patrol time and less administrative time. There will be three officers assigned to Eagle Lake and the County would have other officers available to back them up when needed. He stated the goal of the personnel committee to keep the community safe.

- Council Member Rohrich, also serving on the personnel committee, stated this issue has been several years coming and that the personnel committee has tried to be creative and think outside the box. Year to date the City has received few applications for three positions and not all have been qualified. The goal is community safety and consistency in coverage. Mrs. Rohrich stated that Chief Kopp has had great support from the County, but the County's staff is not currently dedicated to the City and therefore changes need to be made.
- The City's Attorney Chris Kennedy explained that the City will need to determine if contracted police coverage would be a temporary or permanent change. If a permanent change, the city code would need to be amended and could include options. He also stated that temporary service could be several years in duration.
- Chief Deputy Jeremy Brennan with Blue Earth County's Sheriff's Office stated the County was approached by the City to look into contracting police services. Blue Earth County Sheriff's Office's mission statement under the leadership of Sheriff Jeff Wersal, is to provide quality services that promote and protect the safety, security and well-being of all the people in our community.
- Blue Earth County's administrative officers consist of Sheriff Jeff Wersal, Chief Deputy Jermy Brennan, Captain Paul Barta and Emergency Management Director Eric Weller. They also have a patrol division, an investigative Division which includes the Minnesota River Valley Drug Taks Force, a Records/Evidence/Office Coordinator, and a Communication Center and Detention Division.
- The contracted law enforcement proposed services would include the Sheriff's Office providing 3 full-time staff to cover approximately 6,240 hours of patrol coverage with 1 Lieutenant and 2 Deputy Sheriff's to be dedicated to the City of Eagle Lake. This would provide approximately 20 hours of patrol coverage each day for the City Monday through Drive and approximately 12 hours of patrol coverage Saturday and Sunday. It would provide 24 hours 7 days a week Sheriff's Office response to calls. The Sheriff's Office is staffed 24 hours a day with licensed Deputy Sheriff's. The Sheriff's Office is currently fully staffed with 37 full-time licensed peace officers.
- Benefits to contracting law enforcement services include financial advantages such as known costs, automatic replacement for injured/sick deputies, provided with fully trained/experienced officers, Sheriff's Office pays to hire and train deputies, and access to additional resources. Increased level of service benefits include additional deputies are immediately available in the event of a major incident in Eagle Lake, access to the Sheriff's Office Divisions and Specialized Units, additional resources to address specific concerns.
- Other resources Blue Earth County's Sheriff's Office has available include a dive team, drone team, DWI/traffic enforcement, emergency management, water patrol/boat/ATV, and 2 K9 teams which will be coming soon.
- Deputy Chief Brennan stated that the contracting of police services through Sheriff's departments is a tried and proven concept and shared with the City Council agencies currently contracting for this service. He also stated it is expected that contracted police services will increase greatly.
- The Sheriff's Office currently contracts law enforcement for several small cities within the County. Deputies have participated in several functions within those cities, attend and participate in city council meetings, community events, school events and participate in community interaction.
- Mayor Norton asked about transition time needed to contract police services. Chief Deputy Brennan stated that a contract will need to be in place and an effective date be established. From there the contract would go to the Blue Earth County Board for approval.
- Council discussion included the desired length of contract, which could range from 3-5 years, the possibility of extending the contract, and the desire to restore the local police department when the hiring environment improves.

- Attorney Chris Kennedy stated the police department currently follows the City Council’s lawful orders and if police services are contracted the City Council would lose that control. He also stated that it should be determined if the City Council is looking at disbanding the police department or rebuilding it over time.
- The meeting was opened to public comments with the following comments being taken.
- Ken Reichel, 101 Maywood Avenue, stated that if the police department is eliminated and later reinstated it would cost approximately \$750,000 to set it up. He asked the City Council to slow down the process and try to find a different solution, such as increasing police officer pay to entice them to Eagle Lake. He stated he has compared the 2022 and 2023 budgets and they are not an apple-to-apple comparison with Blue Earth County. Mr. Reichel went on to state it is important for residents to know there is police coverage and concluded by stating he is not in favor of contracting police services.
- Council members addressed some of Mr. Reichel’s concerns by explaining that the current staffing situation is not sustainable long term, that wages have been increased without the desired results and there are a lack of qualified applicants.
- Tim Auringer, 405 Perry Street, stated he believes contracting of police services is a great idea and that the City has struggled with staffing concerns for 10-12 years. This is the best thing the city can do for the residents and will result in more patrolling of the streets in the community. He also stated he likes the price tag and fully supports the contracted service.
- Council Member Andrew White read an email submitted by Jim Beal, 420 Owl Lane, which stated he, Mr. Beal, has always felt safe living in Eagle Lake and thinks that is one of the biggest quality of life reasons people move here. He hopes most of our citizens realize the visual presence of a policing agency and that it certainly helps with reducing the potential to commit a crime. He believes right now it is extremely difficult to hire police officers for our city. For now the best answer is to contract with Blue Earth County. We need to have a reliable policing agency in our growing community. Blue Earth County would provide professionally trained officers to our city. While the council may prefer a city police department, the current staffing makes that extremely difficult. We need professionals when it comes to an emergency situation. It appears the contract would be on an annual basis. This would give the city the opportunity to review as necessary. As time and budget allows it is always possible to go back to a city police force.
- Council Member Whittington moved, seconded by Council Member Rohrich, to continue contract discussion with the Blue Earth County’s Sheriff’s Office and to bring information back to the City Council. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
- Chris Kennedy stated he could provide ordinance information to the City Council. He also indicated this contract may take until January or February of 2024 to be implemented.

## **ADJOURNMENT**

- Council Member White moved, seconded by Council Member Steinberg, to adjourn the meeting at 8:13 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

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

**CALL TO ORDER**

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

**ROLL CALL**

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

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

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

**APPROVAL OF MEETING MINUTES**

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

**CONSENT AGENDA**

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

Monthly Bills	Treasurer’s Report	Police Report
Fire Report	Public Works Report	Building & Zoning Permits
Gambling Report	Res. 2023-40 Appoint Ben Metcalfe as Fire Reservist	

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

**PUBLIC HEARING**

- None

**PRESENTATIONS**

- None

**OLD BUSINESS**

- None

## NEW BUSINESS

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

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

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

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

## 7. Sale of Country Clipper Mower

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

## **OTHER**

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

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

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

- Administrator Bromeland explained that the League of Minnesota Cities is holding another Mayor for a Day essay contest. To enter 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> 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 12<sup>th</sup>. Essays can be submitted online or through the mail. Winners will be notified in early January.
- In addition to the LMC contest, Eagle Lake can provide additional recognition for local participants. Mayor Norton would like to send out a letter and is willing to talk to students about local government.

## **CITY ADMINISTRATOR REPORT**

### 1. Climate Impact Corps Community Forestry Member Update

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



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

## **COUNCIL REPORTS**

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

## **ADJOURNMENT**

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

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
NOVEMBER 6, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

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

**PUBLIC COMMENTS**

- None

**APPROVAL OF THE AGENDA**

- Council Member White moved, seconded by Council Member Rohrich, to approve the agenda.
- Administrator Bromeland requested to add repair pricing for the #4311 fire vehicle to the agenda.
- Council Member White moved to amend the motion, seconded by Council Member Rohrich, to include the repair pricing for the fire department vehicle under New Business. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**APPROVAL OF MEETING MINUTES**

- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the October 2, 2023 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton brought to the Council’s attention the resolution appointing Ben Metcalfe to the Fire Department Reserve Roster.
- Council Member 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	Liquor License Approval for 2024	
Res. 2023-42 Accept Park Donations		
Res. 2023-43 Resignation of John Kopp		
Res. 2023-44 Resignation of Matt Trainor from Day Time Rescue		
Pitney Bowes Postage Meter Upgrade		

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

## **PUBLIC HEARING**

1. Ordinance Repealing and Replacing Chapter 3, Section 3.010 Subpart 4, Chapter 4, Section 4.200, and Chapter 10, Section 10.020 of Eagle Lake City Code
  - Administrator Bromeland explained that the draft ordinance before Council was drafted by legal counsel and would repeal and replace the Chapters 3.010 Subpart 4, Chapter 4.200, and Chapter 10.020 of Eagle Lake City code related to police protection, duties of city officers, and law enforcement duties. If the City Council wishes to move forward with a contract for law enforcement coverage with Blue Earth County Sheriff's Office then this public hearing is needed. If the Council would like to authorize publishing a summary of the ordinance, a four-fifths vote is needed.
  - City Attorney Christopher Kennedy explained that the suggested updates to City Code will conform to what they City is wanting to do and will allow for more options in the future, both by contracting police coverage or having a City run police department.
  - The public hearing was opened with no comments offered.
  - Council Member Steinberg moved, seconded by Council Member White, to close the public hearing. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **PRESENTATIONS**

1. Recap of October Law Enforcement Services with Blue Earth County Sheriff's Office: Sheriff Jeff Wersal and Chief Deputy Jeremy Brennan
  - Chief Deputy Jeremy Brennan stated that several deputies have worked traffic enforcement details in Eagle Lake concentrating on areas of concern. Several vehicles were stopped for traffic violations resulting in traffic citations and warnings. One party was arrested for Driving Under the Influence of Alcohol.
  - Lt. Mohr visited the fall clean up event and noted no traffic issues.
  - Deputies have been around the school during drop off and pickup times and things seemed to be working well. They patrolled the area looking for traffic violations to make sure kids were safe.
  - Deputies Dobie, Lund and Blakesley attended the Fun Run at the school as well as visited Little Sprouts Preschool and handed out stickers and let the kids tour the squads.
  - Deputy Madson attended the Eagle Lake Fire Department's Fire Prevention event at the Fire Department showing the squad and handing out stickers to kids.
  - Deputy Bauman and Chief Deputy Brennan attended the Halloween Community event at Epiphany Lutheran Church and participated in some of the activities, handed out treats and had some good conversations with kids and parents.
2. Update on Left Turn Lane Closure (Eastbound US 14 to Northbound CR 17): Scott Thompson, Traffic Engineer with MnDOT
  - MnDOT engineer Scott Thompson explained that he had previously shared with the City Council the observed crash pattern with eastbound left turning Highway 14 traffic to go northbound on County Road 17 in which left turning vehicles are failing to yield which results in crashes. In 2016 the J-turn was developed.
  - In 2020 two crash trends were observed, that of rear-end crashes and eastbound left turn crashes. Due to these trends sign clutter was removed in 2020. In January of 2022 an LED stop sign was installed.
  - Since 2016 nine eastbound left turn crashes have occurred, one of which was a fatality. Three were minor injury crashes, three possible injury crashes and two property damage only crashes. There were also four westbound left turn crashes, one of which was a minor injury crash and three property damage only crashes.
  - Mr. Thompson stated MnDOT will maintain and monitor the westbound left turn lane and close the eastbound left turn lane. They will release a press release approximately two weeks prior. Eastbound

motorists will be guided to the median U-turn and the turn lane will be closed with tubular markers. If needed, the tubular markers could be removed within three days.

- The use of the U-turn will encourage slower speeds and site lines would be improved due to higher elevation.
- The City Council expressed the need to make sure the tubular markers will be placed close enough to ensure drivers will not be able to access the closed section.
- The City Council asked about how this change will impact the Corridor study in which Eagle Lake, Blue Earth County, MnDOT and MAPO have agreed to partner. Mr. Thompson stated the study will still happen and that this change is to address a safety issue. Council Member Rohrich stated she likes this option and expressed her opinion that this change is a band-aid for a larger problem. She also stated that drivers need to take ownership for their driving and that the driving culture needs to change.
- Mayor Norton expressed concern that Eagle Lake needs to maintain highway access, especially as a growing community. She stated she is concerned that this change will show it is safer to not have highway access.
- Mr. Thompson explained that acceleration lanes when they were present resulted in serious and fatal accidents. Acceleration lanes are not a safety issue. County Road 56 crash history since the J-turn was installed has resulted in 8 crashes, four of which were rear ends accidents and two T-bone. Only one crash resulted in a possible injury.
- Council Members White and Rohrich stated they feel this change is a good thing to do at this time.

### 3. Fire Department Repairs, 2020 Fire Truck

- Assistant Fire Chief Trent Talle, 414 Thomas Drive, explained that the 2020 fire truck which was purchased from Custom Fire has had a bouncing issue between 2<sup>nd</sup> and 3<sup>rd</sup> gear since it was purchased. Mr. Talle also stated that the fire department has been working with Freightliner and Custom Fire since the purchase trying to fix the issue. An estimate was received today from Freightliner in the amount of \$4,152.71 to attempt to correct this issue but it is not a guaranteed fix.
- Mr. Talle went on to state that the repair could be delayed allowing for more due diligence to learn if a reimbursement could happen. He also stated this issue is a safety concern depending on the driver's experience.
- Attorney Chris Kennedy stated that if an attorney were involved with this issue a delay in repairs could happen and that the legal system for civil matters is not a quick process.
- Council discussion included verifying the issues with the vehicle have occurred since the vehicle was delivered and that the fire department has been working to remedy the issue since that time. Mr. Talle did confirm both items. He also stated that Custom Fire has not come to the table to remedy this issue and that Freightliner's engineers could re-engineer the truck but Custom Fires' engineers have already signed off on the vehicle.
- Council Member Steinberg moved, seconded by Council Member White, to accept Freightliner's quote of \$4,152.71 to repair the 2020 fire truck. The motion carried with Council Members Steinberg, Rohrich, White, Whittington and Mayor Norton voting in favor.

### 4. Mankato Area Planning Organization – ADA Transition Plan Update and Overview of Eagle Lake Infrastructure Inventory: Brit Berner, Senior Transportation Planner with Stonebrook Engineering, Inc.

- Brit Berner, Senior Transportation Planner with Stonebrook Engineering, Inc. presented information for the updated 2023 ADA's curb ramp and sidewalk infrastructure.
- Since the 2017 report Eagle Lake has completed 1% of sidewalk compliance work and has not addressed curb ramps and crosswalks. Ms. Berner stated that the City should address these compliance areas as projects take place.

- Council discussion included that new developments are brought into compliance as the development is constructed.
  - Ms. Berner stated no complaints or grievances have been received relating to ADA compliance.
5. Introduction of New Community Forestry Member with Climate Impact Corps
- Administrator Bromeland introduced Nathan Hyde who is serving the City of Eagle Lake as a Community Forestry Member through the Climate Impact Corps. Nathan is an environmental science student at Minnesota State University, Mankato, and has a background in ecology and conservation. Nathan spent two summers saving ash trees from Emerald Ash Borer via injections and is looking forward to assisting residents with any tree related questions.
  - Administrator Bromeland explained that the Community Forestry Initiative places members at local agencies that have a mission to preserve and protect our environment. By preserving and increasing tree canopy, Community Forestry Members like Nathan create a positive impact on our planet and well-being of the community.

## **OLD BUSINESS**

- None

## **NEW BUSINESS**

1. Adoption of Ordinance Repealing and Replacing Chapter 3, Section 3.010 Subpart 4, Chapter 4, Section 4.200, and Chapter 10, Section 10.020 of Eagle Lake City Code
  - Mayor Norton stated the City's attorney has reviewed the proposed ordinance changes.
  - Council Member Steinberg moved, seconded by Council Member White, to adopt the ordinance changes as presented. A roll call vote was taken and the motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
2. Memorandum of Understanding with BECSO for Law Enforcement Services Prior to the New January 1, 2024 Agreement Take Effect
  - Administrator Bromeland explained that before the City Council is a proposed Memorandum of Understanding (MOU) with the Blue Earth County Sheriff's Office (BECSO) for law enforcement services needed prior to the January 1, 2024 agreement taking effect. As per the MOU, the BECSO agrees to provide an average of 8 hours of patrol time per day with 4 hours occurring between 7:00 p.m. and 1:00 a.m. As compensation for services provided prior to January 1, 2024, the City would agree to exchange Eagle Lake Police Department equipment including the City's fully equipped 2020 and 2021 squads, portable radios, and Toughbook tablets.
  - Chief Deputy Brennan explained that purchasing new equipment is difficult at this time stating that the BECSO purchased vehicles several months ago with a delivery date of March or April of next year. He explained that by providing 56 hours a week of coverage for Eagle Lake for the remainder of 2023 for the trade of equipment would be a wash in terms of value.
  - Lieutenant Martin with BECSO explained that 2024 Fords for police use cannot be ordered, that Dodge has a six-month delivery period, and Chevy is one year out. Mobile radios are 1 year out, and portable radios are 6 months out.
  - Council Member Steinberg moved, seconded by Council Member White, to authorize Administrator Bromeland to sign the Memorandum of Understanding with Blue Earth County Sheriff's Office. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

3. Sale of Eagle Lake Police Department Firearms

- Administrator Bromeland explained that three quotes were received for the purchase of the Eagle Lake Police Department firearms. The firearm inventory consists of 7 handguns, 4 shotguns, and 2 rifles. The highest offer received is from Stock & Barrell Gun Club in the amount of \$3,600. The next highest offer is from Ahlman's Gun Shop in the amount of \$3,535, while the lowest offer is from Last Man Arms in the amount of \$2,525.
- Also explained was that City staff will coordinate the pickup of the firearms with the dealer whose offer is accepted, and that City staff will request a detailed receipt with serial numbers and a copy of the dealer's Federal Firearms License for the City's records.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to accept the offer from Stock & Barrell in the amount of \$3,600 for the sale of the Police Department's firearms inventory. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

4. Proposals for Carpet Cleaning at City Hall

- Administrator Bromeland explained that two proposals were obtained to clean the carpet at City Hall. The scope of work includes the Police Department, front office, and Council Chambers. The lowest proposal obtained is from Fresh Start in the amount of \$475, while the other proposal is from Vanderberg Cleaning in the amount of \$741.20. The cleaning of carpet at City Hall was prompted because of the need for the Police Department carpet to be cleaned prior to the Sheriff's Office personnel assigned to Eagle Lake occupying that space beginning in January. Fresh Start would be able to clean carpets on November 22<sup>nd</sup>.
- Council Member Steinberg suggested that Zerme Clean be contacted for a quote for future carpet cleaning needs.
- Council Member White moved, seconded by Council Member Steinberg, to contract with Fresh Start to clean carpets at City Hall. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

5. Proposals for Painting of Police Office

- Administrator Bromeland explained that three proposals were obtained to paint the walls of the Police Department space. The scope of work includes making repairs to walls as needed and painting the walls. The lowest proposal received was from Painting Plus of MN in the amount of \$950. If approved the painting would be completed prior to the carpets being cleaned.
- Council Member Rohrich moved, seconded by Council Member Whittington, to accept the proposal from Painting Plus of MN. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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

- Administrator Bromeland explained that a draw request in the amount of \$135,000 was received for the Fox Meadows Housing Development. Brian Sarff with Bolton and Menk has reviewed the request and has indicated that \$125,000 is a fair drawer request based on the sidewalk work completed in Phase 1.
- Council Member Whittington moved, seconded by Council Member White, to approve a draw request in the amount of \$125,000 for the Fox Meadows Housing Development. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

7. Updated Municipality Routine CSAH Maintenance Agreement

- Administrator Bromeland explained that before Council is an updated Municipality Routine CSAH Maintenance Agreement from Blue Earth County Engineer Ryan Thilges. According to the letter, the current annual maintenance payment to the City of Eagle Lake is \$2,524.74. Under the new agreement, the annual maintenance payment to the city will be \$3,311.26. The agreement has a 5 year term, with the current agreement expiring December 1, 2023. Public Works Director Hartman has no concerns with the updated agreement.

- Council Member Steinberg moved, seconded by Council Member, to approve entering into the updated agreement with Blue Earth County for Municipality Routine CSAH Maintenance. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
8. Certification of Special Assessments
- Administrator Bromeland explained that cities must certify special assessments to the County Auditor no later than November 30<sup>th</sup> of each year per Minnesota Statute 429.061, Subdivision 3. City staff compiled a listing of properties which will be assessed if payment is not received prior to November 30, 2023. Past practice has been that assessed balances are charged interest at 4%. City staff has sent notice to the properties listed advising that if payment is not made, the unpaid charges will be assessed for collection with property taxes. Included in the notice was the process to contest any unpaid charges.
  - Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the list presented to be certified to the County Auditor if payment is not received. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
9. Quote for Notebook Computer
- Administrator Bromeland explained that a quote from CTS has been received for a new notebook computer totaling \$995. With the addition of the Community Forestry Member an additional notebook computer is needed. CTS has recommended that one of the notebook computers scheduled for replacement in 2024 be replaced now with the existing notebook computer be reconditioned and assigned to the new Community Forestry Member. The existing notebook computer is functional with no issues.
  - Council Member Whittington moved, seconded by Council member Rohrich, to authorize the purchase of a new notebook computer from CTS as was quoted. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton in favor.
10. Wangen Subdivision Developer's Agreement
- Administrator Bromeland explained that a draft agreement between the City of Eagle Lake and Tufte Wangen Real Estate, LLC for Wangen Subdivision was included with the October City Council Packet. The developer attended that meeting and requested that no action be taken on the matter until his attorney reviewed the agreement. Since that time, the developer's attorney has reviewed the agreement and provided revisions. The revisions were sent to the City's attorney for his review. To date, mutual agreement of the terms has not been achieved. Administrator Bromeland stated she would reach out to the developer.
  - Council Member Steinberg moved, seconded by Council Member White, to approve the City attorney's recommendation. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **OTHER**

1. Benefit for Fire Chief Vern Simpson and His Wife Brenda
  - Mayor Norton explained that the Fire Chief Vern Simpson is undergoing cancer treatment and that his wife Brenda has just completed cancer treatment. A benefit has been planned for November 19<sup>th</sup> from 3:00-6:00 p.m. at the Fire Hall. Music will be provided by Neon Live and a pulled pork meal was donated by Dad Bod's BBQ. Donations can be dropped off at City Hall or the Fire Department.
2. Ribbon Cutting for "Gig Town" Fiber Designation November 15<sup>th</sup> at City Hall
  - Administrator Bromeland stated that Fidium Fiber will be hosting a Gig Town Reveal at City Hall on November 15<sup>th</sup> at noon. Eagle Lake now has fiber internet access through both MetroNet and Fidium. The City Administrator, Mayor, and Community Development Coordinator will attend the event.



## **CITY ADMINISTRATOR REPORT**

1. Schedule Budget Work Session for November
  - Administrator Bromeland asked to schedule a budget work session prior to the December City Council meeting. A meeting was scheduled for Monday, November 20<sup>th</sup> at 7:00 p.m.
2. YTD Expenditure and Revenue Report for October
  - This report was provided to Council for review.
3. Holiday Open House at City Hall and Support Local Initiative
  - City staff will work with the EDA to develop a promotional piece about supporting local businesses and will discuss possible dates and times for an open house at City Hall.
4. Senate Capital Investment Tour
  - In response to a 2024 Capital Budget Request submitted to Minnesota Management and Budget (MMD) for Eagle Lake's proposed Water Treatment Project, Eagle Lake officials will have an opportunity to present our initiative during a Senate Capital Investment Bonding visit to be held at Eagle Lake City Hall on November 28<sup>th</sup>.
5. CGMC Fall Conference in Willmar
  - Mayor Norton and Administrator Bromeland will attend the fall CGMC conference in Willmar November 16-17<sup>th</sup>.

## **COUNCIL REPORTS**

1. Council Member White announced the birth of his baby.
2. Mayor Norton asked Council Members to let her know if there are committees they are interested in serving on for 2024.
3. Mayor Norton asked about the pavilion project. Administrator Bromeland explained that weather has delayed the project and the contractor does not want to rush project if weather is not cooperative. Council Member Rohrich asked if concrete can be laid with good results, she would like to see the project done properly. Public Works Director Hartman stated that to light the ballfield fence which is 650 feet would cost approximately \$800. Administrator Bromeland stated that the Park Board will discuss at their November meeting the limitations of power for lighting the park.

## **ADJOURNMENT**

- Council Member White moved, seconded by Council Member Steinberg, to adjourn the meeting at 7:41 p.m. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
SPECIAL CITY COUNCIL MEETING  
NOVEMBER 20, 2023**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 7:00 p.m.

**ROLL CALL**

- Council Members present: Garret Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland and Deputy Clerk Kerry Rausch.

**APPROVAL OF THE AGENDA**

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

**NEW BUSINESS**

1. Budget Work Session

- Administrator Bromeland explained that following the adoption of the preliminary levy on September 11<sup>th</sup>, the City Council approved a contract with the Blue Earth County Sheriff's Office for law enforcement services. Due to this contract an updated budget reflecting this change to the police budget is before Council. The overall general fund budget expenditures and revenues remain largely unchanged, however, after backing out health insurance for police officers, the levy has been reduced from 16% to 14%.
- Also explained was that a "truth-in-taxation" (TNT) public comment hearing has been scheduled for Monday, December 4<sup>th</sup> at 6:00 p.m. The final levy must be certified to the county auditor by or before December 28<sup>th</sup>. Cities must also file a certificate of compliance with the Department of Revenue by December 28<sup>th</sup>.
- The updated budget reduces the General Fund to \$925,580 which is a \$19,465 reduction from the preliminary budget. The EDA and Debt Service amounts remain the same. With this proposed change the total tax levy would be \$1,109,519 which is a 14% increase (\$136,257) from 2023.
- Administrator Bromeland also stated that the budget would be balanced but for planned deficit spending which is the intentional drawing down of capital outlay funds previously set aside in the general fund.
- Also explained was that the 2024 tax rate is below the 2023 tax rate, so if residents see an increase in their property taxes it would be due to an increase in their property's valuation. If residents have a question relating to their valuation, they should contact the county auditor's office.
- Administrator Bromeland stated that another area of the budget that has been updated is the training line items for the City Council, Mayor, and Community Development Coordinator. These line items have been increased by \$500. It was also explained that the City Council could determine whether to leave the tax levy at 16% or reduce it to the 14%. Either way, the budget is trim, without excess expenditures.
- Council discussion included the desire to keep funding in the budget that was approved when the preliminary levy was adopted at 16% to allow funding for lobbying efforts relating to the proposed water treatment facility. Money could be put into the professional services budget of the general government. Administrator Bromeland will research lawful lobbying guidelines for Minnesota cities.
- Also discussed was a backup plan if the city does not get a generator. Ideas included security cameras and public safety related items which would be allowable items.

- The City Council discussed the idea of paying the Planning Commission, EDA and Park Board members for their service. There was discussion in favor of and opposed to this idea. Administrator Bromeland stated that this is something that could be implemented at any time. Payments could be monthly or annually. Another option discussed was that in lieu of paying the volunteers on these boards and commissions could be recognized and thanked at an event open to the public.
- Administrator Bromeland stated that she will readjust the budget based on feedback received and provide an updated final draft with the December 4<sup>th</sup> packet. She also said that she will put together a short power point for the truth-and-taxation hearing.

#### **ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 7:32 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
DECEMBER 4, 2023**

**CALL TO ORDER**

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

**ROLL CALL**

- Council Members present: Garrett Steinberg, Beth Rohrich, Anthony White (arrived at 6:24 p.m.), John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland, Community Development Coordinator Olivia Adomabea, Public Works Director Andrew Hartman, and Deputy Clerk Kerry Rausch.

**PUBLIC COMMENTS**

- Erin Guentzel, 60374 224<sup>th</sup> Lane, Madison Lake, thanked Administrator Bromeland and Deputy Clerk Rausch for their professionalism in responding to requests relating to the motorsports park.

**APPROVAL OF THE AGENDA**

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

**APPROVAL OF MEETING MINUTES**

- Council Member Steinberg moved, seconded by Council Member Rohrich, to approve the November 6, and November 20, 2023 City Council minutes. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

**CONSENT AGENDA**

- Mayor Norton brought to the Council's attention the resolution appointing Ben Metcalfe to the Fire Department Reserve Roster and several resolutions contained in the consent agenda. Mayor Norton also stated she will begin serving on the Park Board in 2024.
- 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	Liquor License Approval for 2024	
Res. 2023-46 Write-In Vote Count		
Res. 2023-47 Designate Polling Place		
Res. 2023-48 Park Donation		
Res. 2023-49 Council Appointments for 2024		

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

**PUBLIC HEARING**

## 1. Truth-In-Taxation Hearing for Final Property Tax Levy Collectible in 2024

- Council Member Rohrich moved, seconded by Council Member Whittington, to open the public hearing. The motion carried with Council Members Steinberg, Rohrich, Whittington and Mayor Norton voting in favor.
- Administrator Bromeland presented a brief PowerPoint presentation to provide an overview of the budget and tax levy process. She also explained that the levy must be certified to the county auditor by or before December 28<sup>th</sup> and that cities must file a certificate of compliance with the Department of Revenue by December 28<sup>th</sup>. The levy is comprised of the general fund, EDA, and debt service.
- Administrator Bromeland explained that market values shown on resident's Truth-In-Taxation Notice are final and not a subject for the hearing tonight. Values for the 2023 assessment were discussed and established at the County Board of Equalization held earlier this year. Questions on market value should be addressed to the Blue Earth County Property and Environmental Resources Department.
- Included on property tax statements are all levy authorities, not just the city. Other levy authority include the county, school district, special taxing districts, and the state of Minnesota. Proposed property taxes include taxable market value for taxes payable in 2023 and 2024. Included are what was actually paid for taxes in 2023 and an estimate for 2024 based on the preliminary levy certified.
- Eagle Lake's preliminary tax levy was set at 16% over what was collected in 2023. This equates to an increase of approximately \$155,722. The proposed final general fund revenues are \$2,147,808. The proposed final general fund expenditures are \$2,324,965. 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 final proposed property tax levy breakdown is General Fund-\$945,045, EDA-\$51,000 for tax abatement, and Debt Service-\$132,939 for a total of \$1,128,984. The local property tax rate is a function of the levy and total tax base. Taxable tax capacity is used to determine the local tax rate. A property's share of the City levy is based on the taxable value of the property relative to the full value of all other property in the City's taxing district.
- If taxpayers see an increase in taxes, they will want to look at their valuation and determine if there is a change. Valuations can appreciate or depreciate. The time to appeal a valuation is in April and taxpayers need to contact Blue Earth County directly as the City of Eagle Lake does not determine property valuations. Overall, property taxes and market valuation are complex with several moving parts.
- Local Government Aid comprises approximately 35% of general fund revenues, while property taxes comprise about 44%. License and permit fees, interest earnings, franchise fees, police and fire state aid and other miscellaneous revenues total the remaining revenues. On the expenditure side, police, fire and streets comprise the bulk of the general fund expenditures at approximately 60%.
- Administrator Bromeland also explained that the City's financial health is good with a bond rating of AA-. The City has a policy to maintain a minimum unassigned general fund balance of 50% of the annual general fund budget. The unassigned general fund balance was \$1,565,396. The General fund expenditures for 2024 total \$2,324,965. The City has a positive fund balance, which offers a cushion for unexpected expenditures or revenue shortfalls.
- Administrator Bromeland stated that she has looking at lobbying costs and has reached out to other cities to learn of their lobbying efforts. The amount is the proposed final budget is approximately \$20,000.
- No comments from the public were offered.
- Council Member Steinberg moved, seconded by Council Member Rohrich, to close the public hearing.

## **SCHEDULED GUEST/PRESENTATIONS**

- Lieutenant Mitch Gahler introduced himself to the Council and stated he has worked with Blue Earth County for approximately 10 years in the jail, on patrol, and in investigations. He is excited about the opportunity to work in Eagle Lake.
- Administrator Bromeland stated that once the two deputies are here working, the City will host a meet and greet open house.

## **OLD BUSINESS**

- None

## **NEW BUSINESS**

### 1. Resolution Adopting Final Tax Levy Collectible in 2024

- Council Member Steinberg moved, seconded by Council Member Whittington, to approve Resolution 2023-50 A Resolution Setting the Fiscal Year 2024 Final Property Tax Levy. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

### 2. Recommendation to Promote Mike Nicklay to Public Works Supervisor

- Administrator Bromeland explained that a meeting was recently held with Public Works Director Andrew Hartman, Public Works Worker Mike Nicklay, the Personnel Committee (Council Members Rohrich and Whittington), and herself to discuss filling the position of Public Works Supervisor, effective January 1, 2024.
- The Public Works Supervisor position was left vacant following the promotion of Andrew Hartman to Public Works Director in February 2023 because the City was in the process of hiring two new full-time workers and no immediate need presented itself for a supervisor at the time.
- The role of the Public Works Supervisor is to supervise full-time part-time, and seasonal public works staff, and to determine priorities, schedule work, and ensure the property completion of work in the absence of the Public Works Director. By filling the Public Works Supervisor position, the framework is established for a hierarchy within the department to effectively monitor and ensure that workflow continues in the absence of the Public Works Director. The current roster includes the Public Works Director, 3 Public Works Workers and 1 part-time Public Works Worker.
- The Personnel Committee and Public Works Director recommend that Mike Nicklay be promoted to the position of Public Works Supervisor, effective January 1, 2024.
- Council Member Steinberg moved, seconded by Council Member White, to promote Mike Nicklay to Public Works Supervisor, effective January 1, 2024. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

### 3. Earned Sick and Safe Time Policy

- Administrator Bromeland explained that effective January 1, 2024, Minnesota's earned sick and safe time (ESST) law requires employers to provide earned sick and safe paid leave to employees who work in Minnesota. An employee is anyone who works at least 80 hours in a year for an employer in Minnesota but does not include independent contractors. Temporary and part-time employees are covered under the law. Employers must provide each employee with one hour of ESST for every 30 hours worked, with the ability to accumulate at least 48 hours of ESST each year.
- Administrator Bromeland also explained that ESST is job protected paid time off. It is earned at one hour of ESST for every 30 hours worked by an employee, up to a maximum of 48 hours of sick and safe leave per year. For all full-time benefit eligible employees, ESST accrual hours are not in addition to the already accumulated sick leave hours. As per the City's current policy, all full-time employees accrue 8 hours of sick leave per month or 96 hours per year. The current sick leave accrual for full-time employees meets the minimum ESST earning threshold of one hour per 30 hours, meaning the City is not required to offer

additional leave hours. ESST requires employers to allow the use of ESST for events that meet the eligibility criteria. ESST hours are an allotment of job protected leave associated with already accrued paid sick leave accrual hours. The ESST hours are essentially a subset of the traditional sick leave hours offered to full-time employees. The 48 ESST hours have a broader use for employees than a traditional sick leave plan. For all other employees (part-time, seasonal, temporary), ESST is a paid leave bank and can be used as per the City's ESST policy.

- Staff is working with ADP, the payroll processor, to get the tracking of ESST hours set up so that it is compliant with Minn. Statute 181.032.
- Administrator Bromeland explained that a staff meeting will be held this week and employees will be provided with ESST information.
- Council Member Steinberg moved, seconded by Council Member White, to approve the presented ESST policy. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

#### 4. Employee Request Received Related to Vacation Accrual Rate

- Administrator Bromeland explained that a request has been received from an employee seeking to increase their vacation accrual from 80 hours per year to 160 hours per year. A meeting was held with the Personnel Committee to review the request with the employee. The Personnel Committee is not in clear agreement on whether to recommend that the request be approved or denied. The City Administrator does not have the authority to approve a request related to compensation that is contrary to established policy. The City Council has the authority to approve or deny the request.
- Before council is an excerpt from the City's Personnel Policy relating to vacation leave earnings and accumulation information. The employee will be starting their 6<sup>th</sup> year of employment, in 2024. In 2025 the employee will begin earning 120 hours of vacation per year.
- Administrator Bromeland stated if the City Council is interested in approving the employee's request, they may wish to look at adjusting the vacation accrual chart for all employees versus just a single employee to avoid any potential negative impacts to morale by treating employees differently. Additionally, making an exception for one employee creates precedence for future similar requests that may be received from other employees. The overall budgetary impact should also be factored when contemplating whether to adjust vacation accruals for employees.
- Council discussion included Mayor Norton stating that she is in favor if such a request and that the first year of employment does not provide much vacation time. She also indicated she would be in favor of looking at accrual amounts based on roles of the employee.
- Council Member Rohrich voiced concerns about moving from 80 hours to 160 hours, which she stated is a massive increase. She also voiced concerns from a business standpoint stating this could be a large financial impact for the City and that if employees have too much vacation time, it could result in their being short-staffed, not running at full potential, and needing to hire more employees to cover shifts. She stated that at some point the employer needs to put the brakes on and take individuals out of consideration and look from a business perspective. Councilor Rohrich also stated she does not want to see employees abuse the system and then need to hire more employees to get work done and also that Council needs to look at the new FMLA mandates that are required to be implemented in 2026 in this decision-making process.
- Council Member Steinberg stated that consideration needs to be given to the fact that in addition to vacation employees earn 96 hours of sick leave each year. He also stated he is weary to double an employee's vacation accrual and that employees will be gone all the time. He also stated that consideration needs to be given to the morale of long-term employees if changes are made for newer employees. New employees are still proving themselves. Councilor Steinberg stated he does not see a need to change the current accruals and that employees know the accrual rates and need to plan accordingly.

- Administrator Bromeland explained that employees who work overtime hours are eligible to bank overtime hours as compensatory time which can be used to take time off. Comp time balances are capped at 40 hours on the books at any given time but can continue to be earned when capped hours are used.
  - Public Works Director Hartman stated that when earning 40 hours of vacation a year, this is 1.53 hours earned every pay period.
  - Council Member Whittington stated this is a common struggle and that one-off situations should not be considered, but instead need to be looked at as a whole. He would like to see that time is taken over the next year to research what other cities offer and to allow for budgeting consideration for 2025. He stated that the entire time off package needs to be reviewed as a whole which include vacation, sick, and comp time.
  - Mayor Norton voiced her concern with the high amount of sick time and low amount of vacation which could result in last minute time off. More vacation time could allow for more planned time off.
  - Council Member Steinberg moved, seconded by Council Member Whittington, to direct staff to study leave accrual rates and bring the findings to the Personnel Committee. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.
5. Planning Commission Recommendations for Chapter 6 Amendments
- Community Development Coordinator Olivia Adomabea explained that the Planning Commission reviewed Chapter 6 and is recommending a public hearing be scheduled relating to the recommended changes.
  - Ms. Adomabea reviewed for the City Council the changes being recommended which are primarily a reorganization of the existing code into separate “Articles” by topic to assist residents and contractors in finding information they are looking for. She also stated that a new section for signs has been created.
  - Administrator Bromeland stated that if the Council wishes to schedule a public hearing they may want to consider a summary publication as well, in which case a 4/5<sup>th</sup> vote would be needed.
  - Council Member Steinberg moved, seconded by Council Member White, to schedule a public hearing for January 8, 2024 and to allow for a summary publication. A roll call vote was taken with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

## **OTHER**

1. Letter from City Attorney Regarding Court of Appeals Ruling and MMS
- Administrator Bromeland explained that the Court of Appeals has made their ruling on the second appeal in regard to the Mankato Motorsports Park. They have again reversed and remanded this matter. The developer has indicated that they will not be moving forward with the project.
  - Administrator Bromeland stated that in the Council packet is a letter from City Attorney Chris Kennedy for their review.
  - Council discussion included how this may affect future developments. Administrator Bromeland stated that a current development underwent the EAW process with no problems.
2. Veterans Memorial (Mayor Norton and Council Member Whittington)
- Council Member Whittington explained that he is looking into funding sources to develop a veteran’s memorial and would like to form a committee to help with this endeavor.
  - The Council discussion included that several smaller communities have such memorials and that this is outside the scope of the Park Board and the this should be its own committee and the committee should be responsible for its own fundraising efforts.
  - Council Member Steinberg moved, seconded by Council Member Rohrich, to authorize the formation of a committee to gather information to develop a veteran’s memorial. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.



## **CITY ADMINISTRATOR REPORT**

### 1. Recap of Senate Capital Investment Committee Tour Stop in Eagle Lake

- The Senate Capital Investment Committee stopped in Eagle Lake on December 28<sup>th</sup>. Administrator Bromeland presented to the Committee information about Eagle Lake in general and specific information on the needs for the City to develop a water treatment facility. Included in the presentation was the engagement of Bolton and Menk who completed a water system study in 2020. At that time the City was unaware of the high manganese issues. The study also included water quality improvement options being identified, of which most were not recommended.
- Administrator Bromeland explained to the Senate members that in February of 2022 the City was notified by the Minnesota Department of Health of having a high level of manganese in our drinking water system. The levels of manganese exceed the health advisory limit for infants. Children and adults who drink water with high levels of manganese for a long time may have problems with memory, attention, and motor skills. The City's current system is not able to treat manganese. It was explained that the city has a five-year option to purchase land needed for the water treatment facility. Also presented is the estimated cost of the project and the fact that the City has submitted a Capital Budget Request in June of 2023 for one-half of the estimated \$14,153,000 cost. Also presented were current and anticipated water costs for residents with and without outside funding. Administrator Bromeland stated this project will not be feasible without funding.

### 2. Expenditure and Revenue Report

- A year-to-date revenue and expenditure report has been included in the Council packet for review.

### 3. Holiday Open House at City Hall and Support Local Initiative

- A Holiday Open House will be held at City Hall on Wednesday, December 20<sup>th</sup> from 10:00 – Noon. Ms. Adomabea is reaching out to businesses and a mailer will be sent to residents.

### 4. GOGov App.

- Marketing materials will be sent to residents this week.

### 5. Upcoming Special City Council Work Session

- A work session has been scheduled for Thursday, December 7<sup>th</sup> at 3:00 p.m. for the purpose of reviewing roles and responsibilities of both elected and appointed officials. City Attorney Chris Kennedy will be attending the work session.

### 6. Highway 14 Update

- Christopher with MAPO emailed an update on the Highway 14 studies. Scoring of proposals for the 2024 studies will be taking place with the RFP deadline being December 19<sup>th</sup>. The goal is to have a recommendation to TAC by the end of January and the Policy Board by the end of February.

## **COUNCIL REPORTS**

1. Council Member Rohrich stated the Lake Eagle Park pavilion is being constructed and at the December Park Board meeting the Winter Event will be planned.
2. Council Member White stated he will begin flooding the ice rink as weather allows.
3. Council Member Whittington stated the EDA has rolled out the welcome bags for new residents.
4. Council Member Steinberg stated planning for Music on Parkway will begin soon. The committee will need to determine the location for these events, either along Parkway Avenue or in Lake Eagle Park.
5. Mayor Norton stated she and Administrator Bromeland attended the Coalition of Greater MN Cities Conference in Willmar. Great information was presented, and it provided opportunities for networking. She encouraged Council Members to attend such events if possible.
6. Mayor Norton asked about the lights on at the ice rink. It was explained that the lights are on a timer and are on earlier to meet the needs of people who wish to use the park after dark. The lights go off at 10:00 p.m.

**ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 7:31 p.m. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk

**CITY OF EAGLE LAKE  
SPECIAL CITY COUNCIL MEETING  
DECEMBER 7, 2023**

**CALL TO ORDER**

- Mayor Norton called the meeting to order at 3:00 p.m.

**ROLL CALL**

- Council Members present: Garret Steinberg, Beth Rohrich, Anthony White, John Whittington, and Mayor Lisa Norton.
- Staff present: City Administrator Jennifer Bromeland, Public Works Director Andrew Hartman, Public Works Worker Mike Nicklay, and Deputy Clerk Kerry Rausch.

**NEW BUSINESS**

1. Work Session to Review Roles and Responsibilities of Appointed and Elected Officials
  - Administrator Bromeland explained the purpose of this work session is to review the roles and responsibilities of appointed and elected officials. She said that as city administrator it is her job to get everyone back on track when the organization is getting off track and she said this is a good opportunity to review roles and responsibilities and use this as a refresher. She said that we have great staff and elected officials and that we should be able to have a good conversation about roles and responsibilities as a group and make sure that we are all working together. She went on to explain that the relationship between elected officials and staff is important because it has the power to impact the overall success of the city. Establishing clear roles, boundaries, communication, and trust between council and staff is essential to ensure that the city is running smoothly and that our city continues to be a great place to work and serve. She also stated that while it can be uncomfortable, conflicts, however small, need to be addressed directly and quickly and not allowed to fester.
  - Administrator Bromeland went on to explain that Eagle Lake is a statutory city and as such has an elected mayor and council and an appointed administrator. The council appoints/hires all personnel. In addition, the council can appoint independent boards and commissions to advise the council on issues. The council retains all independent boards and commissions to advise the council on issues. The council retains all administrative and legislative authority but delegates all day-to-day operations to the city administrator except hiring and firing. Council members' statutory duties are to be performed, almost without exception, but the council as a whole. This means that it is the council and not individual council members that must supervise administrative officers, formulate policies, and exercise city powers. Council members should devote their official time to problems of basic policy and act as liaisons between the city and general public. The most important single responsibility of a council person is participation at council meetings. As individuals, council members have no administrative authority. This means that council members cannot give orders to or supervise city employees unless specifically directed to do so by the council.
  - Other roles of individual council members are to devote time to problems of basic policy and act as a liaison between the City and general public; two council members or the mayor may call a special meeting of the city council, set and interpret rules governing its own proceedings, exercises all the powers of cities that the law does not delegate to others, legislate for the city, direct the

enforcement of city ordinances, appoint administrative personnel, transact city business, manage the city's financial operations; appoint members of boards, conduct the city's intergovernmental affairs, protect the welfare of the city and its inhabitants, provide community leadership, and other specific powers relative to the city.

- Also explained was the role of the mayor which is to be the official head of the city and speak for both the council and community as a whole, execute official documents, serve as the presiding officer at council meetings, declare local emergencies, call special and emergency council meetings, be a signatory on the city's checking account, and other specific powers relative to the city. The mayor has all the powers and duties for the office of council member in addition to those of mayor.
- The city administrator is the chief administrative officer of the city and is responsible to the city council for the proper administration of the duties set forth in Chapter 12 of city code. The duties of the city administrator shall include those duties prescribed by law for statutory city clerks and statutory city treasurers. The city administrator shall supervise the administration of all departments and offices of the city and may delegate duties and responsibilities of city department supervisors. The city administrator shall be the personnel officer of the city with the following duties: implementation of adopted personnel policies, periodic evaluation and review of all city employees, and the scheduling of work. The city administrator is a non-voting member of the personnel committee and shall provide staff support to that committee. The city administrator prepares and submits the annual budget and keeps the council advised of the financial condition of the city and makes recommendations as deemed necessary. The city administrator is the purchasing agent for the city and is responsible for making all purchases in accordance with the approved budget. The city administrator coordinates the activities of the city's consultants. The city administrator is tasked with making recommendations to the city council. The city administrator shall attend and participate at all meetings of the city council and other meetings as directed by the city council. The city administrator represents the city at all official functions as directed by the city council and maintains good public relations with the citizens of the community.
- Department Heads report to the city administrator. Assignment of work duties and scheduling work is the responsibility of the supervisor subject to the approval of the city administrator and city council. Supervisors are responsible for maintaining compliance with city standards of employee conduct.
- Administrator Bromeland referenced the Chain of Command policy which is contained in the personnel handbook employees receive upon being hired. The policy states that employees should address all questions, suggestions, concerns, and/or problems with their supervisor first. Employees should know that not agreeing with an answer or resolution does not constitute the issue not being resolved or addressed. If an employee feels a question, suggestion, concern, and/or problem has not been addressed, the employee may arrange a meeting with the city administrator. If the employee feels the questions, suggestion, concern, and/or problem has not been addressed, the employee may arrange a meeting with the city council personnel committee. The meeting will be arranged by the city administrator. Administrator Bromeland also stated that a refresher on chain of command was included as part of a recent staff meeting. She went on to explain that respect for chain of command is essential to an organization's success and trust. Employees jumping ranks and reporting to whomever they want is not acceptable. This is disrespectful to the immediate supervisor and undermines the supervisor's authority. Circumventing the process results in disorder and distrust.

- Administrator Bromeland stated that each person has a role to play and important work to complete. Understanding roles and responsibilities and following established policies and protocols will help the city to operate as cohesively, and effectively and efficiently as possible.
- Council discussion began with City Attorney Chris Kennedy stating that the role of council is complicated and fills the legislative, judicial and executive duties. He also explained that unlike private companies there are a set of overall issues and there are statutory and constitutional rules that need to be followed. He also stated that each council member is 1/5 of a vote and it takes the whole to make decisions. Mr. Kennedy also explained that the judicial portion of the council's duties require that council members understand what they are authorizing/signing.
- Council discussion included that it is ok to ask questions but not give directions outside of a council meeting, questions should be routed to the department heads through the city administrator or copy the city administrator.
- Council asked if roles of each committee/board could be written up and provided to the council.
- Administrator Bromeland stated that the personnel policy is reviewed by the Council of Governments and is formatted using the League of MN Cities template. Mr. Kennedy stated it would be good for the council to review this again.
- Council Member White stated that he communicates directly with Public Works Director Hartman and Mike Nicklay regarding park issues and lets them know of his volunteer flooding the ice rink and asked if this is ok. Mr. Kennedy responded by stating it fine communicating with staff but not okay to direct their work and foregoing the chain of command. Administrator Bromeland stated the general rule of thumb is that if the council members talk to employees about work that needs to be completed, they should send the city administrator an email recapping the conversation so that everyone is in the loop. She also stated it is okay for council members to be friends with staff but conversations that are work related should follow the established process to ensure good communication within the organization. If staff has a complaint, it should be addressed directly with a co-worker, supervisor, or city administrator. Administrator Bromeland also stated that conversations with staff could make it difficult for staff in determining if something needs to be done immediately or if it is something that needs approval by the full city council. She asked that situations such as this should be brought to the city administrator first and that the city administrator should be used as a clearing house. Mr. Kennedy stated that the city administrator is the public relations for the City.
- Council Member Rohrich stated that communication with staff can be a fine line and that when situations arise, the correct response should be asking if staff have talked to the correct person first. She also stated she personally needs to better understand when something is her problem to deal with and when it is not. Mr. Kennedy stated this is important for all council members. The answer could be that they will discuss this with the city administrator or look into it further or take it up with the personnel committee. He also suggested the council look into what the personnel committee's role is and then bring information to the full council.
- Administrator Bromeland reiterated that chain of command is important, and that staff will be held accountable, she has given everyone notice and that there is not time to deal with side complaints. She stated she wants to follow the appropriate chain of command and asked the council to respect that process as well and redirect the employees. She also stated that the Council has tasked her with jobs that need to get done and she cannot do that if she is putting out fires and defending things that she is not aware that are going on and issues that have not been addressed appropriately. She also asked council to redirect staff to her, stating that she cannot be efficient without the

organization addressing issues appropriately. She stated she feels strongly that this is needed to avoid chaos and distrust and that if needed disciplinary action will take place.

- Council Member Steinberg asked what will be appropriate with contracting with Blue Earth County's Sheriff's Office (BECOS) for police coverage. Mr. Kennedy stated that the city administrator will work with BECSO and that there will be a Lieutenant or Deputy at council meetings and if there are questions the council will need to listen to the Sheriff as he is in charge of BECSO personnel. Administrator Bromeland stated that she views herself as the liaison to the Lieutenant on a day-to-day basis but council members have the ability talk to the lieutenant about any concerns they see as this is contracted and not City staff. Administrator Bromeland will be meeting with the BECSO Lieutenant, Public Works Department and Fire Department in January to determine how best to communicate.

#### **ADJOURNMENT**

- Council Member Steinberg moved, seconded by Council Member White, to adjourn the meeting at 3:39 p.m. The motion carried with Council Members Steinberg, Rohrich, White, Whittington, and Mayor Norton voting in favor.

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Lisa Norton, Mayor

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Kerry Rausch, Deputy Clerk