

**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