

**CITY OF EAGLE LAKE
FEBRUARY 13, 2017
CITY COUNCIL MEETING**

CALL TO ORDER

- Mayor Anderson called the meeting to order at 6:03 p.m.

PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance was said.

ROLL CALL

- Council Members present: John Ries, Dennis Terrell, Clete Frederick, Ryan Short, and Mayor Brianna Anderson.
- Staff present: City Administrator Brad Potter, police Chief John Kopp, and Deputy Clerk Kerry Rausch.

PUBLIC COMMENTS

- None.

APPROVAL OF THE AGENDA

- Mr. Potter asked to have the Accessory Shed Height Ordinance to be pulled from the agenda. Council Member Ries moved, seconded by Council Member Frederick, to approve the agenda as amended. Motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.

APPROVAL OF MEETING MINUTES

- Council Member Frederick moved, seconded by Council Member Short, to approve the December 5, 2016 and December 12, 2016 City Council meeting minutes. The motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.

CONSENT AGENDA

- Mayor Anderson stated the consent agenda includes Resolution 2017-04 Appointing Dillon Brashear as a part-time police officer.
- Council Member Short moved, seconded by Council Member Frederick to approve the consent agenda. The motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.

PUBLIC HEARING

1. St. Peter Counseling Center and Conditional Use Permit

- Mr. Potter explained the request before Council is to rezone the Christ of Christ parcel. The church approached the St. Peter Counseling Center who would employ 40 full time employees. This parcel is in township and zoned agricultural but in the city's land use plan it is marked for a business use. Notices were sent to property owners within 350 feet as required by Minnesota statute.
- Jason Sellner, 718 Linda Circle, asked what the ten year plan for the proposed used is and how could it change. If the business would want to expand it would need to get council approval. Mr. Sellner also asked why this is before city council. The county deals with agricultural zoning and since this is adjacent to city limits and worth having the conversation.
- Chad Ekstadt, 60761 Millie Lane, what would actually be annexed in? Only the church parcel. If there was an addition they would need to meet city setbacks.
- Leah Bridger, 300 Concetta Trail, listed the following concerns: in regards to annexation at

the Planning Commission meeting, Commissioner Michael McCarty made the recommendation to not annex this property, asked if residents had been notified, if the annexation has a value to the city, who would be responsible for the cost if the septic system fails, there would be increased costs to the city for snow plowing, police and fire calls, the January city council minutes stated the city is sealing wells within city limits but this annexation would bring a well into city limits, and the current land use plan has the city's grown on the west side of the community. Ms. Bridger also stated she feels there are transparency concerns. Mr. Potter addressed each of these issues stating currently there are no property taxes paid on this parcel and that would continue with the new land use and the proposed use would provide an essential service. Sewer issues would be addressed in a developer's agreement and if water and sewer were to be extended the benefitting property owners would be assessed. The roadway would still be a county road and the county would be responsible for snow plowing. The wells that have been sealed are wells that were not being used. And concluded that re-adaptive land use is always a challenge.

- Police Chief Kopp stated he has spoken with the St. Peter police chief who indicated the St. Peter Counseling Center is good to work with and spoke highly of this organization.
 - Bob Kraywinkel, 308 Brook Court, why the city would be concerned if a church on the highway goes into a state of disrepair when we don't care about a property within city limits. After determining which property it is, that too is located outside of city limits.
 - Mr. Gene Taylor with the St. Peter Counseling Center stated he has received input from an environmental services company to determine any concerns with using a well and septic system which will be addressed appropriately.
 - Greg Meyer, 60741 Millie Court, stated he sees a lot more risk than benefit.
 - The public hearing was opened with the following comments being taken.
 - LeAnn Larson, 60701 Millie Lane, stated this is currently a safe neighborhood and that she feels this business would pose safety concerns. She also stated concerns that land values would decrease with this business coming in. Council Member Ryan Short explained that he works for Blue Earth County as an assessor's office and that he tracks sale costs and that it is difficult to see group homes affect sale prices. He also stated he does understand that the land use in question is not a group home.
 - Mary Michels, 302 Concetta Trail, asked how long this parcel has been vacant. It is not vacant at this time.
 - Mr. Gene Taylor addressed security concerns and how staff can handle certain situations.
 - The public hearing was closed.
 - Council discussion included concerns with putting assessments onto residents for possible future water and sewer connections, not feeling comfortable that a signed developer's agreement would be sufficient in assuring the developer would be responsible for paying for cost of these connections, seeing no value to the community in this development, no planned goals for growing towards the east.
 - Council Member Short moved, and Council Member Ries seconded, to deny request for rezoning. Motion to deny request carried with Council Members Ries, Terrell, Frederick, and Short voting in favor. Mayor Anderson voted in opposition.
 - Council Member Short moved, Council Member Ries seconded, to deny request for conditional use permit. Motion to deny request carried with Council Members Ries, Terrell, Frederick, and Short voting in favor of motion. Mayor Anderson voted in opposition.
2. 2017 Water Rates for Industrial and Commercial Users
- The Economic Development Authority looked at this potential rate change in January and is

recommended for Council Approval.

- The proposed rate change for commercial and industrial water usage would include inside water usage only and would move the commercial rate to a single rate at tier one of the residential tiered water rate. This would result in approximately a \$6,000 loss in revenue annually.
- The public hearing was opened with Todd Borchardt, owner of Superior Wash Carwash, stating his business uses water as their consumer product. They have installed water conservations equipment. The public hearing was closed.
- Council discussion included how this rate would compare to other communities and that we penalize businesses for doing business.
- Council Member Frederick moved, seconded by Council Member Ries, to approve Resolution 2017-06. Motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.

3. 2017 City Service Rates

- The proposed fees for service were presented and discussed.
- Council Member Frederick moved, Council Member Short seconded, to approve Resolution 2017-07 setting the 2017 fees for service. Motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.

4. Planning Commission Ordinance

- Mr. Potter stated the current planning commission is composed of seven members. Due to lack of quorums at meetings he asked Council to consider restricting the planning commission to five members with two alternatives. This would allow the quorum to be three members. The two alternate members would be involved with discussion but would only vote if needed to make the quorum.
- The public hearing was opened with Leah Bridger, 300 Concetta Trail, recommending that Council not act on this at this time due to lack of transparency.
- Angel Uribe, 427 Owl Lane, asked if there are a certain number of meeting members must attend. Code addresses the number of meeting which must be held each year, but not the number the members must attend. She also suggested citywide emails be sent out on highly emotional issues.
- The public hearing was closed.
- Council discussion included how often a lack of quorum occurs and if attendance needs to be addressed. Council Member Frederick suggested that quorum for the planning commission be defined in city code to three members and leave the number of members on the commission at seven.
- Mr. Potter summarized three options: a five member commission with two alternates, a seven member commission with a quorum established with three members, and to leave as is.
- Council Member Ries moved, seconded by Council Member Terrell, to leave composition of planning commission as is. Motion carried with Council Members Ries, Terrell, Frederick, and Short voting in favor and Mayor Anderson voting in opposition. Council recommended addressing this topic with the planning commission.

NEW BUSINESS

5. Performance Review – Jake Kuntz (3 months)

- Mr. Kuntz opted to keep the meeting open for his performance review.
- The results of the performance review were presented and the recommendation of increasing Mr. Kuntz's wage to \$16.02 was recommended.

- Council Member Ries moved, seconded by Council Member Short, to increase Jake Kuntz's wage to \$16.02 per hour. Motion carried with Council Members Ries, Terrell, Frederick, Short and Mayor Anderson voting in favor.
6. Sewer – City of Mankato Line
- Council Member Ries moved, seconded by Council Member Frederick, to close the public meeting to discussion sewer negotiations. Motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.
 - Council Member Short moved, Council Member Ries seconded, to re-open the meeting. Motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.
 - Council Member Short moved, seconded by Council Member Ries to offer a rate of \$40 per linear foot. Motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.

ADMINISTRATOR'S UPDATE

7. Facility Management Software Update

- Mr. Potter explained the Facility Dude software to members who unable to attend the lunch presentation of the GIS database to streamline work flow.
- Council discussion included this product was too costly for the city's needs. Council Member Short explained what he uses in his job and offered to show it to Mr. Potter. Other options were also discussed.
- The Water Open House will be held on February 28, 2017 from 6:00 p.m. at City Hall and is open to the public. Residents with water clarity issues are encouraged to attend.
- Park and Sidewalk Open House will be held on February 23, 2017 from 5:00 – 8:00 p.m. at the American Legion.
- The American Legion has applied for a city loan to make repairs. Council scheduled a walk through at the Legion for Tuesday, February 21, 2017 at 6:00 p.m.
- Employee review timeframe was discussed with Council choosing to hear all reviews at the March 6, 2017 meeting.

COUCNIL MEMBER'S UPDATE

- Council Member Short asked to discuss some concerns with the workings of the City Council.
- Council Member Ries moved, seconded by Council Member Short, to close the meeting. Motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.
- Council Member Frederick moved, seconded by Council Member Short, to re-open the meeting. Motion carried with Council Members Ries, Terrell, Frederick, Short, and Mayor Anderson voting in favor.

ADJOURNMENT

- Council Member Frederick moved, seconded by Council Member Short, to adjourn the meeting at 9:38 p.m. Motion carried with Council Members Ries, Terrell, Frederick, Short and Mayor Anderson voting in favor.

Brianna Anderson, Mayor

Kerry Rausch, Deputy Clerk