



**EXHIBIT 4**  
**Issue of the City Newsletter**



City of Eagle Lake

# City Newsletter

[www.eaglelake.govoffice.com](http://www.eaglelake.govoffice.com)

(507) 257-3218

Fall 2005



## Eagle Lake Directory

### Mayor

Tim Auringer

### Council Members

Patty Raddatz

Adlor Olsen

Hub Ericksen

Aaron Hager

### Administration

Brad Potter, City Administrator

Phone (507) 257-3218

[eaglelk@myclearwave.net](mailto:eaglelk@myclearwave.net)

Kerry Rausch, Deputy Clerk

Phone (507) 257-3218

[elclerk@myclearwave.net](mailto:elclerk@myclearwave.net)

- Water Bills
- Dog Licenses
- Building Permits

### Office Assistant

Phone (507) 257-3218

[eagleassist@myclearwave.net](mailto:eagleassist@myclearwave.net)

- Street light outages
- City Council Minutes

### Public Works

Rick Reinbold, Director

Phone (507) 257-3218

[elpw@mnclearwave.net](mailto:elpw@mnclearwave.net)

- Parks
- Streets
- Public Utilities

### Police

Phil Wills, Chief of Police

Phone: (507) 257-3218

## City sets Preliminary 2006 Tax Levy

### Review

Through a series of Work Sessions and Special Meetings the Council has reviewed the City's 2006 Budget and approved a ten percent increase in the tax levy at their September 12, 2005 meeting. The tax levy amount may be lowered by the Council but not raised.

The City's Truth-N-Taxation public hearing is scheduled for 7:00 p.m., Monday, December 5, 2005 in the Fire Hall Meeting Room. All residents are welcome and encouraged to attend the hearing. The entire purpose of the Truth-N-Taxation process is to give you, as a taxpayer, an opportunity to comment on the budget and property tax levy prior to final adoption. Copies of the 2006 preliminary budget are available for review at City Hall during regular office hours.

### Impact upon Property Owners

The tax capacity of the City has increased from \$908,894 to \$1,103,722 an increase of 21 percent. This is attributed to an increase in properties market values as determined by Blue

Earth County as well as an expanded tax base.

The next page includes existing and proposed tax levy rates.

### Budget Highlights

#### REVENUES

- \* A 16 percent increase in Local Government Aid from 2005 (\$277,880 to \$322,297)
- \* Additional Revenue generated by increased interest rates on investments
- \* Building Permit Fees based upon 30 new homes (28 as of October 20, 2005)

#### EXPENDITURES

##### Overall

- \* Possible Higher Employee Health Insurance Costs
- \* Increased Fuel Prices

##### Administrative, Professional and City

- \*\$20,000 for New City Hall
- \*Monies allocated for Highway 14 Environmental Review
- \*Grant writing
- \*\$10,000 allocated for Geographic Information System Mapping

### Streets

- \* Additional costs of Seal coating streets
- \* Acquisition of Snowplow to replace 1973 Plow Truck

### Police

- \* Increase in Clothing Allowance to be comparable to other communities
- \* Equipment Acquisition

### Fire

- \* Increased training costs
- \* Increased fuel prices

### Parks

- \* \$20,000 for Designated Park Board Projects
- \* Mower Replacement

### Economic Development

- \* Reduced Amount of Miscellaneous Spending
- \* Reduced Amount of Professional Services

### Debt Service

- \* Increase of Property Taxes dedicated to the Debt Service from \$71,161 in 2005 to \$82,316 2006.
- \* Increase due to reduced assessments

### Water Fund

- \* Increase for maintenance of the Water Tower including washing outside

### Sanitary Sewer Fund

- \* Increase in Sewer Expenditures to City of Mankato

## City of Eagle Lake New Office Hours

The City Office is open Monday through Friday from 7:30 a.m. to 4:30 p.m.. We will also remain open during the lunch hour. You can reach us in the office at 257-3218.

## City Council Minutes

The City receives several requests from residents to mail copies of the City Council minutes each month. In an effort to better meet the needs and requests of our residents we would like to offer the opportunity to those interested to receive a copy of the minutes via e-mail. If you are interested in participating in this option please e-mail us at: [elassist@myclearwave.net](mailto:elassist@myclearwave.net) with your e-mail address.

## Refuse Pick Up Change

With Thanksgiving holiday falling on a Thursday, refuse will be picked up on **Friday, November 25.**

## Refuse/ Recycling Guide

Garbage is collected every Thursday. Recycling is collected the 1<sup>st</sup> and 3<sup>rd</sup> Thursdays of each month.

Place your limit of two 30-gallon bags at the curb by 7:00 a.m. There is **NO** limit on recycling.

If your refuse is not picked up due to it not being placed on the curb the correct day of pick up, it is your responsibility to purchase extra tags and place

the extra bags on the curb the following week.

Tags for extra garbage bags are available at Eagle Express and Eagle Lake Amoco for \$2.65

## Meter Reading Tips



Reading your water meter can be at times a bit confusing and sometimes difficult. To help you understand what we at the City need to help ensure you are billed correctly for your water and sewer usage, we have included a picture of a standard water meter (above).

While not all water meters have the same number of digits, the concept is the same. When recording your meter read on the back of your bill each month there is no need to record the last 2 digits which are in black since we only bill to the hundreds. If your meter has 3 black digits, we do need you to record the first digit in black. An example of a correct meter read for the above photo is 3,513.

To more easily budget your utility bill, you can reduce variation in your bill by reading your meter on the same day each month. A one-week difference can make your utility bill vary as much as 25 percent.

Residents who do not turn in meter readings to the City for 2 or more consecutive months will be charged a non-read fee that progresses in amount with each meter reading not received.

Remember that utility bills must be received in the office on or before the 25<sup>th</sup> of each month to avoid receiving a late payment fee.

### SMC Compost Site

The City will be exploring ways for the community to dispose of brush, leaves, and grass clippings.

In the meantime, the Southern Minnesota Construction provides a place for such materials. The compost site is located north of Mankato at the intersection of 3rd Avenue and Industrial Road.

The SMC Compost Site is open November 1-15 from 7 a.m.-5 p.m. The cost is \$.50 per bag or \$3.00 a yard. Accepted compost includes leaves, grass clippings, limbs, branches, Christmas trees, logs, and sod stripping. Non-acceptable items include animal waste, dirty stumps, plastic lawn edging, flower pots, and plastic leaf bags. SMC asks that yard waste is loaded into reusable containers and keep yard waste separated from brush. Call (507) 388-3122 for any questions.



### EAGLE LAKE FAMILY & COSMETIC DENTISTRY

BRADLEY A. HOLMBERG, DDS  
SEAN P. VOSTAD, DDS

104 PLAINVIEW ST. • EAGLE LAKE, MN 56024  
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or  
Tammy Nelson  
(507) 257-3997

112 Center St.  
Eagle Lake, MN 56024



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Call 257-3130 for information and reservations.



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### Police Department

The Eagle Lake Police Department would like to remind you to watch for the kids and that it is illegal to drive through a crosswalk if there are people already present in the crosswalk. We also need to slow our speeds down in school zones and to make sure we stop at all stop signs. **SAFETY IS EVERYONE'S CONCERN.**

The curfew ordinance is 9:30 p.m. This means that all children age 15 and under must not be out after 9:30 p.m. unless accompanied by a parent or legal guardian.

I would like to thank all kids and adults that attended our Kids and Cops fishing day at the Eagle Lake City Park during Tator Days. We had 105 kids come down and fish the pond and many crappies and sunfish were caught during the two-hour event. I would like to remind you that all children age 15 and under along with all adults 65 and older may fish in the city pond.

We have a large quantity of gun safety locks that fit almost any handgun or long gun made. We received these locks through Project Child Safe. We encourage anyone with guns to come to our office and pick some up. These are free of charge to anyone who needs

them. They should be placed on all guns!

#### **598<sup>th</sup> Avenue**

I would like to let everyone know that 598th Avenue is a **30 mph** road. This road was only designed and built as a 30 mph road. There have been concerns that people believe the speed is to slow. But it is defined as an Urban Collector street and the maximum speed allowed is 30 mph.

#### **911 Use**

If you need to speak to an officer, you may call our office at 257-3110 but because we are not always, there an officer might not be able to get back to you right away. If you need to speak to an officer right away or need assistance **please call 911.**

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### **Halloween Safety Tips**

1. Never trick or treat alone. Groups of 4 or 5 and an adult are fun and safer.
2. Costumes should be flame resistant and made of bright colored material. They should be short enough so that children will not trip and fall.
3. Children should be able to be seen by motorists. Put reflective tape on both bags and costumes and have your children carry a flashlight.
4. Trick or treat in your own neighborhood and never take a ride from a stranger.
5. Adults should always check treats for any sign of tampering.

The Eagle Lake Police Department wishes everyone a *safe and fun Halloween.*

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### **Fire Department**

I would like to thank those who supported us during Fire Prevention Month, and those that came to our open house.

Heating season is here. Have your furnace serviced to make sure it is operating safely and check your smoke detectors monthly.

We are in need of some volunteer fire fighters and are taking applications at this time. You can pick one up at City Hall, or for more information call Clete at 257-3245.

Remember all of our Armed Forces protecting freedom around the world.

Fire Chief,  
Clete Frederick

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### **Public Works Dept.**

You may have noticed a change with the color of the water in certain areas of the community. Pressure testing was completed on the various fire hydrants to insure that adequate water pressure for firefighting. In addition, the inside of the water tower was cleaned. When the water mains are being flushed and shortly thereafter, the water may be cloudy and somewhat rusty for a time as the sediment is disturbed.

As the City prepares for the upcoming winter, we appreciate your cooperation in regards to

the City's Snow Removal Policy.

### **Utility Bills Getting Higher and Higher?**

There is a projected increase of 40% - 70% on the price of natural gas this winter. Join us on **Sunday, November 13th from 2:00pm- 4:00pm at the Fire Hall Meeting Room** to learn how to keep your bills down as prices continue to rise. This community gathering will give you the resources necessary to combat rising natural gas and electricity prices. This session will also cover green power and recycling FAQ. The last half hour will be reserved for discussion on any other environmental problems you may have in your community. Door prizes will be given out to attendees and refreshments are provided. Watch for posters around town in the next week! If you have any questions contact Chelsie Glaubitz at 382-9879 or [chelsie.glaubitz@moea.state.mn.us](mailto:chelsie.glaubitz@moea.state.mn.us).

### **Community Meeting for Land Use Plan/ Capital Infrastructure**

The City will be having an Open House meeting in the Fire Hall Meeting Room from 5:00 p.m. to 8:00 p.m. on November 15, 2005 with a presentation at 6:30 p.m. for the progress of the Comprehensive Planning Study.

City staff along with coordination from Bolton and Menk has been working on the City's Land Use Plan as well as the Capital Infrastructure Plan. The Land Use Plan is important in identifying desired land uses within and surrounding the

community. A copy of the proposed Land Use Plan map is available on the City's website at

[www.eaglelake.govoffice.com](http://www.eaglelake.govoffice.com).

In addition, Bolton and Menk is analyzing the City's public infrastructure in terms of sanitary sewer, water, storm sewer, and transportation. You may have seen traffic counters around the community, which is part of this process.

Both documents will work together with the City's existing plans (Parks Plan, Mankato Area) in providing the City with the necessary information for existing neighborhoods and future growth areas.

## Park Board

The Park Board would like to thank **Amy Smith** for her three years of hard work serving on the board. Thank you Amy.

Eagle Lake is looking for one person to fill a Park Board position. The applications may be picked up at City Hall at 101 Plainview Street, printed off of the City's website under the tab of Boards Commissions tab.

[www.eaglelake.govoffice.com](http://www.eaglelake.govoffice.com)

You may also call 257-3218 and have one mailed out to you

### North Park Improvements

The Park Board is working on a Concept Plan for the redesign of North Park in 2006. The proposal includes a soccer field, volleyball court, basketball court, a path, and new playground equipment. Fund raising possibilities to pay for the cost of the park was briefly discussed at the October Meeting.

The following are members of the Park Board:

Joan Back, Chairperson  
Russ Ohm, Vice-Chairperson  
Naomi Masten, Youth Member  
Mike Wesely, Youth Member  
Rick Rosenbauer  
Judy Koenigs  
Hub Eriksen, Council Member  
Tim Auringer, Mayor  
Rick Reinbold, P.W. Director

If you have any questions or would like to give input on the Parks, do not hesitate to direct your comments to them.

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## Cans for Kids

The Park Board initiated the community wide fund-raising program "Cans for Kids" to raise money for the community parks. Since 2001 community members have donated 12,905 pounds of aluminum cans that have totaled \$5,772.95 in donations. This money goes directly towards maintaining and updating the parks and park equipment. If you are interested in participating in this program, please bring your cans to the "Cans for Kids" trailer that is located by the water tower. We do ask that you deposit your cans in the trailer un-bagged. Thanks to all community members who have made this project a success!

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## Tator Days Planning is Underway

As the leaves continue to fall and the air chills, Tator Days may seem a very long way off. But planning has already begun for another great Tator Days weekend next summer. There

will be even more things to do for the whole family, including a Friday Family Fun night in the park. Events next year will begin on Thursday with the queen coronation and continuing all weekend. If you have any ideas or events you would like to see take place or would like to be a part of the planning, please join us at our Tator Days Meetings. The Tator Days Committee meets the third Monday of every month at 6:30 P.M in the American Legion Ballroom. Everyone is welcome. If you cannot attend a meeting but would like to share your ideas or volunteer to help out at any time during the weekend, please call Darcia Anderson at 257-3091 or Sandy Terrell at 257-3828.

The Tator Days Committee will be holding a Holiday Entertainment Showcase fundraiser in December. Watch for more details and ticket information at area businesses and local papers. All proceeds will be used towards Tator Days 2006. Many exciting, fun, family, events are planned and we would appreciate your support.

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## New employees with the City.

The City wishes to welcome **Leslie Chmielewski** and **Audra Whittington** to the City. Leslie is an intern from Minnesota State University, Mankato and Audra is assisting in the office.

## Any suggestions?

The objective of the newsletter is to provide you the residents

City of Eagle Lake  
101 Plainview Street, P.O. Box 159  
Eagle Lake, MN 56024

Postal Patron  
Eagle Lake, MN 56024

**Important City News!**

**EXHIBIT 5**  
**Excerpt from Eagle Lake City Code**

# City of Eagle Lake Minnesota

Home
City Officials
Ordinances

1 Enacting of City Code  
 2 Organization and Procedure of the City Council  
 3 Public Protection from Crime and Offences  
 4 Regulations of Streets, Highways and other Right-of-Ways  
 5 Subdivision and Development Regulations  
 6 Zoning  
 7 Financing Local Improvements  
 8 Establishing Rates and Regulations for Water Service  
 9 Establishing Sewer Use Regulations & Sewer Service Charge System  
 9A Prohibiting Discharge into Sanitary Sewer System & Providing Penalties for the Violation  
 10 Public Safety, Health and Welfare  
 11 Private Utility Franchise  
 12 Establishing Position of City Administrator  
 13 Business Regulations and Licensing  
 14 Combining Offices of Clerk and Treasurer  
 16 Establishing Planning Commission  
 17 Regulating the Burning of Waste within the City Limits and Providing for the Collection, Transportation and Disposal Waste Collection  
 19 Establishing Park Board  
 22 Deferral of Assessments  
 26 Procedure for Unclaimed Property  
 27 Providing Regulations for Recreational Facilities

Agendas/Minutes
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## CHAPTER 2

### ORGANIZATION AND PROCEDURE OF THE CITY COUNCIL

#### SECTION 2.01 ORGANIZATION OF THE CITY COUNCIL

**SUBDIVISION 1. COMPOSITION:** The City Council shall consist of Mayor and four Council members pursuant to Minnesota Statutes 412.191 subdivision 1.

#### SECTION 2.02 COMPENSATION OF THE MAYOR AND COUNCIL MEMBERS

**SUBDIVISION 1. MONTHLY SALARY:** The Compensation payable to the elected Mayor of the City of Eagle Lake shall be \$200 per month. The compensation payable to the other duly elected members of the City Council of Eagle Lake shall be \$175 per month.

**SUBDIVISION 2. SPECIAL MEETINGS:** The compensation payable to the Mayor and members of the City Council shall be \$50 for each meeting which that member attends.

**SUBDIVISION 3. FEE ADJUSTMENT FOR NONATTENDANCE:** If the Mayor or a City Councilmember fails to be present at three or more scheduled regular meetings in any given calendar year, the total compensation payable to such Mayor or City Councilmember shall be reduced by the percentage of the regular meetings missed in such year.

#### SECTION 2.03 MEETINGS

**SUBDIVISION 1. REGULAR MEETINGS:** Regular meetings of the Council shall be held on the first Monday of each calendar month at 7:00 PM. Any regular meeting falling upon a holiday shall be held on the following Monday at the same time and place. The City Clerk shall maintain a schedule of regular meetings. This schedule shall be available for public inspection during regular business hours at the Office. All meetings, including special, emergency, and adjourned meetings shall be held in the Fire Hall Meeting Room.

**SUBDIVISION 2. SPECIAL MEETINGS:** The Mayor or any two members of the Council may call a special meeting of the Council at least 24 hours written notice to each member of the Council. The notice shall be delivered personally to each member, or left at the member's usual place of residence with some responsible person. Similar written notice shall be posted upon the bulletin board at the Office or on the door to the usual meeting room. Written notice shall

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mailed at least three days before the meeting date to those who have requested notice of such meetings. This request must be by written request filed with the City Clerk, designating an official address where notice may be mailed to. Such request will be valid for one year.

**SUBDIVISION 3. EMERGENCY MEETINGS:** The Mayor or any two Council members may call an emergency meeting when circumstances require immediate consideration of the Council. Notice may be in person, personally delivered to Council members or may be in the form of personal telephone communication. Notice must include the date, place, and subject of such meeting. Where practical, the Clerk shall make an effort to contact news-gathering organizations that have a request to receive notice of special meetings.

**SUBDIVISION 4. WORKSHOP MEETINGS:** Workshop meetings of the City Council may be held at the call of the Mayor, who shall serve as the presiding officer at workshop meetings. No official Council action shall be taken at workshop meetings.

**SUBDIVISION 5. INITIAL MEETING:** At the first regular Council meeting of January of each year the Council shall:

1. Designate the depositories of City funds;
2. Designate the official newspaper;
3. Choose an acting Mayor from the Council members who shall perform the duties of the Mayor during the disability or absence of the Mayor from the City or, in case of vacancy in the office of the Mayor, until a successor has been appointed and qualifies;
4. Appoint such officers and employees and such members of boards, commissions, and committees as may be necessary.

**SUBDIVISION 6. PUBLIC MEETINGS:** Except as otherwise provided in the Minnesota open meeting law, Minnesota Statutes 471.705, all Council meetings, including special, emergency, and adjourned meetings and meetings of all Council committees, shall be open to the public.

## SECTION 2.04 PRESIDING OFFICER

**SUBDIVISION 1. WHO PRESIDES:** The Mayor shall preside at all meetings of the City Council. In the absence of the Mayor, the acting Mayor shall preside. In the absence of both, the Clerk shall call the meeting to order and shall preside until the Council members presiding at the meeting choose one of their number to act temporarily as presiding officer.

officer.

**SUBDIVISION 2. PROCEDURE:** The presiding officer shall *preside, order, enforce the rules of procedure herein prescribed and determine* without debate, subject to final decision of the Council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these rules, the proceedings of the Council shall be conducted in accordance with *Robert's Rules of Order, Revised*.

**SUBDIVISION 3. APPEAL FROM RULING OF PRESIDING OFFICER:** Any member may appeal to the Council from a ruling of the presiding officer. If the appeal is seconded, the member may speak once on the question involved and the presiding officer may explain his or her ruling, but no other Council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority of the members present.

**SUBDIVISION 4. RIGHTS OF THE PRESIDING OFFICER:** The presiding officer may make motions, second motions, or speak on a question, except that on demand of any Council member the presiding officer shall vacate the chair and designate a Councilmember to preside temporarily.

#### SECTION 2.05 MINUTES

**SUBDIVISION 1. WHO KEEPS:** Minutes of each Council meeting shall be kept by the Clerk or, in the Clerk's absence, by the Deputy Clerk. In the absence of both, the presiding officer shall appoint a secretary. Ordinances, resolutions, and claims need not be recorded in the minutes if they appear in permanent records of the Clerk and are accurately identified from the description given in the minutes.

**SUBDIVISION 2. APPROVAL:** The minutes of each meeting shall be reduced to typewritten form, shall be signed by the Clerk, and copies thereof shall be delivered to each Council member as soon as practicable after the meeting. At the next regular meeting following such delivery, approval of the minutes need not be read aloud, but the presiding officer shall call for any additions or corrections. If there are no objections to a proposed addition or correction, it may be made without a vote of the Council. If there is an objection, the Council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

**SUBDIVISION 3. PUBLICATION:** The Clerk shall publish a condensed version of the official minutes within 30 days of a regular or special meeting which includes a summary of the action on motions, resolutions, ordinances and other special proceedings.

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**SECTION 2.06 ORDER OF BUSINESS**

**SUBDIVISION 1. MATTERS FOR CONSIDERATION:** Matters for Council action shall be submitted by department heads; committee boards, or commissions; members of the Council, or by citizens. Matters for consideration must be submitted to the City Clerk no later than prior to the Council meeting..

**SUBDIVISION 2. AGENDA:** The Clerk shall prepare an agenda of business for each regular Council meeting and file a copy in the office of the Clerk not later than 3 days before the meeting. The agenda shall be prepared in accordance with the order of business and copies thereof shall be delivered to each Councilmember as far in advance of the meeting as time for preparation will permit.

**SUBDIVISION 3. AGENDA MATERIALS:** When a copy of printed materials relating to agenda items is required by Minnesota Statute 471.705, subdivision 1b to be available to the public in the Council meeting room for inspection by the public, the Clerk shall see that at least one copy of such material is so available while Council considers the subject matter. The agenda item will not be considered unless this provision is complied with.

**SUBDIVISION 3. ORDER ESTABLISHED:** Each meeting of the Council shall convene at the time and place appointed therefore. Council business shall be conducted in the following order:

1. Call to order
2. Roll call
3. Approval of minutes
4. Public hearings
5. Presentation of petitions and comment
6. Ordinances and resolutions
7. Consent agenda
  - a. Approval of monthly bills
  - b. Treasurers Report
  - c. Police Report
  - d. Fire Report
  - e. Public Works Report
  - f. Planning Commission Minutes
  - g. Building Permits
  - h. Gambling Reports
  - i. Correspondence
8. Unfinished business
9. New business
10. Announcements
11. Adjournment

**SUBDIVISION 4. VARYING ORDER:** The order of business may be varied by the presiding officer, but all public hearings shall be held at the time specified in the notice of the hearing.

**SUBDIVISION 5. CONSENT AGENDA:** Matters for the Council of routine or non-controversial nature which need minimal Council deliberation shall be placed on the Consent Agenda. A motion to approve the Consent Agenda shall not be debated. At the request of a Councilmember, an item shall be removed from the Consent Agenda and placed upon the regular agenda for debate immediately following the Consent Agenda. The Consent Agenda shall only be adopted by a unanimous vote of those Council members present at the meeting.

**SUBDIVISION 6. ITEMS NOT ON THE AGENDA:** No item of business shall be considered unless it appears on the agenda for the meeting. If an item is approved for addition to the agenda by unanimous vote of the Council members present.

## SECTION 2.07 QUORUM AND VOTING

**SUBDIVISION 1. QUORUM:** At all Council meetings a majority of Council members elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.

**SUBDIVISION 2. VOTING:** The votes of the members on any question may be taken in any manner which signifies the intention of the individual members, and the votes of the members on any action taken shall be recorded in the minutes. If any member is present but does not vote in the minutes, as to that member's name shall be marked AAbstain.@

**SUBDIVISION 3. VOTES REQUIRED:** A majority of all members of the Council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

**SUBDIVISION 4. PROCEDURE:** The votes of the members on any ordinance or resolution pending before the Council shall be by roll call vote. The votes of the members on any motion shall be by voice vote unless the Mayor or any member of the Council requests that a roll call vote be taken. The Mayor shall call for a roll call vote whenever a vote of the Council is not clear as to the disposition of the action before the Council.

## SECTION 2.08 ORDINANCES, RESOLUTIONS, MOTIONS, PETITIONS AND COMMUNICATIONS

**SUBDIVISION 1. READINGS:** Every ordinance and resolution shall

presented in writing. Every ordinance shall receive two readings by the Council prior to final adoption, but shall not be read twice at the meeting unless the rules are suspended for that purpose. An ordinance or resolution need not be read in full unless a member of the Council requests such reading.

**SUBDIVISION 2. SIGNING AND PUBLICATION PROOF:** Every ordinance and resolution passed by the Council shall be signed by the Mayor, attested by the Clerk, and filed by the Clerk in the ordinance resolution book. Proof of publication of every ordinance shall be attached and filed with the ordinance.

**SUBDIVISION 3. REPEALS AND AMENDMENTS:** Every ordinance or resolution repealing a previous ordinance or resolution or a section or subdivision thereof shall give the number and title of the ordinance or resolution to be repealed in whole or in part. Each ordinance or resolution amending an existing ordinance or resolution or part thereof shall set forth in full each amended section or subdivision as it will read with the amendment.

**SUBDIVISION 4. MOTIONS, PETITIONS, AND COMMUNICATIONS:** Every motion shall be stated in full before the presiding officer subject to a vote and shall be recorded in the minutes. Every petition or other communication addressed to the Council shall be in writing and shall be read in full upon presentation to the Council unless the Council dispenses with the reading. Each petition or other communication shall be recorded in the minutes by title and filed with the minutes in the office of the Clerk.

## SECTION 2.09 RULES OF DECORUM

**SUBDIVISION 1. COUNCIL:** While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings of the Council nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

**SUBDIVISION 2. RECOGNITION:** No person or member of the Council shall address the Council without first being recognized by the presiding officer.

**SUBDIVISION 3. DISCUSSION:** Members of the Council, staff and the public shall confine remarks to the matter under debate.

**SUBDIVISION 4. STAFF:** Members of the City staff shall observe

same rules of order and decorum as are applicable to the City Council.

**SUBDIVISION 5. ADDRESSING THE COUNCIL:** Each member of the public addressing the Council shall, after being recognized by the *presiding officer, give his or her name, address, subject to be discussed and who the speaker is representing if representing an organization or other persons.* Unless further time is granted by a majority vote of the Council, remarks from the public shall be limited to four (4) minutes; remarks shall be addressed to the Council as a whole and not to a member thereof.

**SUBDIVISION 6. SPOKESMAN FOR GROUP OF PERSONS:** In order to expedite matters and to avoid repetitious presentations, whenever a group of persons wishes to address the Council on the same subject matter, it shall be proper for the presiding officer to request that a spokesman be chosen by the group to address the Council and, in additional matters to be presented by any other member of said group, to limit the number of such persons addressing the Council.

**SUBDIVISION 7. AFTER MOTION:** After a motion has been made and a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the City Council.

**SUBDIVISION 8. CONDUCT:** Any member of the Council, staff, or person indulging in personalities or making impertinent, slanderous, profane remarks or who willfully utters, loud, threatening, or abusive language, or engages in any disorderly conduct which would impede, disrupt, or disturb the orderly conduct of any meeting, hearing or proceeding, shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer, be ordered barred from further audience before the Council during the meeting.

**SUBDIVISION 9. MEMBERS OF THE AUDIENCE:** No person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting.

**SUBDIVISION 10. SUSPENSION OR AMENDMENT OF RULES:** The rules may be suspended only by a two-thirds vote of the members present and voting.

**SECTION 2.10 ENFORCEMENT OF DECORUM**

**SUBDIVISION 1. WARNING:** All persons shall, at the request of the presiding officer, be silent. If, after receiving a warning from the presiding officer, a person persists in disrupting the meeting, said officer may order that person to remove him/herself from the meeting. If that person does not remove him/herself from the meeting, the presiding officer may order that the person be removed by the Sergeant-at-Arms.

**SUBDIVISION 2. SERGEANT-AT-ARMS:** The Chief of Police, or a member or members of the police department, shall be Sergeant-at-Arms of the Council meetings. They shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the Sergeant-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the Council.

**SUBDIVISION 3. RESISTING REMOVAL:** Any person who resists removal by the Sergeant-at-Arms may be charged with violating City Ordinance.

**SUBDIVISION 4. MOTIONS TO ENFORCE:** Any Councilmember's motion to require the presiding officer to enforce the rules and the affirmative vote of a majority of the Council shall require the presiding officer to do so.

**SUBDIVISION 5. ADJOURNMENT:** In the event that any meeting is willfully disturbed by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and when order cannot be restored by the removal of individuals who are creating the disturbance, the meeting may be adjourned with the remaining business considered for the next regular meeting.

**SECTION 2.11 COMMITTEES**

**SUBDIVISION 1. COMMITTEES DESIGNATED:** The Council may create such committees, standing or special as it deems necessary. The following boards and committees shall be appointed by the Mayor at the first regular Council meeting in January of each year:

1. Personnel Committee
2. Budget Committee
3. Park Board
4. Safety Committee
5. Economic Development Authority
6. Charitable Gambling Board
7. Fire Board

**SUBDIVISION 2. MEMBERSHIP:** Each committee shall consist of members of the Council and the Mayor shall designate the chairperson of each committee. Each committee member shall serve as appointed unless a majority of the members of the Council excuse the member. If the committee does not provide otherwise, committee meetings shall be held at the call of the chairperson. The same notice shall apply to committee meetings as for special meetings of the Council.

**SUBDIVISION 3. REFERRAL AND REPORTS.** Any matter brought before the Council for consideration may be referred by the Presiding Officer to the appropriate committee or to a special committee which the presiding officer appoints. For a written report and recommendation, the committee shall sign the report and file it with the Clerk no later than 5 days prior to the meeting which it is to be presented. Each committee shall act promptly and faithfully on any matter referred to it.

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**EXHIBIT 6**  
**Copy of Minutes from 2006 City Council Meetings**

**MINUTES  
CITY OF EAGLE LAKE  
CITY COUNCIL MEETING  
APRIL 3, 2006**

**Members Present:** Mayor Tim Auringer, City Council Members Hub Ericksen, Adlor Olsen, Patty Raddatz, and Aaron Hager

**Members Absent:** None

**Staff Present:** City Administrator Brad Potter, Police Chief Phil Wills, Police Officer John Kopp, Public Works Director Rick Reinbold, Fire Chief Clete Frederick, Deputy Clerk Kerry Rausch, and Police Reserve Joe Roeker

**1. CALL TO ORDER**

Mayor Tim Auringer called the meeting to order at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Everyone stood and said the Pledge of Allegiance

**3. ROLL CALL**

The following were present for Roll Call: Mayor Auringer, City Council Members Patty Raddatz, Adlor Olsen, Hub Ericksen, and Mr. Hager

**4. APPROVAL OF THE AGENDA**

Consent agenda items asked to be pulled and placed in new business include the police report and 1983 fire rescue vehicle. Mr. Olsen moved to approve the agenda. Ms. Raddatz seconded the motion. Motion carried.

**5. APPROVAL OF THE MARCH 6, 2006 REGULAR COUNCIL MEETING MINUTES AND MARCH 21, 2006 SPECIAL COUNCIL MEETING MINUTES**

Mr. Hager moved to approve meeting minutes, seconded by Mr. Ericksen. Motion carried.

**6. PRESENTATIONS OF PETITIONS AND COMMENTS**

- Mr. Don Scheinder of LeRay Township thanked the Council for working with LeRay Township on the Land Use Plan

**7. ORDINANCES AND RESOLUTIONS**

A. Ordinance 2006-08 Ordinance creating Section 11.04 of the City of Eagle Lake Code granting a natural Gas Franchise to Greater Minnesota Gas, Inc.

- Mr. Potter explained that this would be a nonexclusive franchise and that the City will make sure there is equity between Greater MN Gas and Center Point Energy
- Right of way ordinance will be developed to help ensure equity in standards and right-of-way restoration
- Staff recommend adoption or ordinance
- Tom Tellijohn of Greater MN Gas was present to answer any questions

- Clete Frederick asked is new lines would run into some of the new areas being developed. His concern is if there is a fire call, would the fire department know which company to contact.
- Mr. Hager moved to adopt ordinance, seconded by Ms. Raddatz. Motion carried unanimously
- B. Public Hearing regarding Franchise for Cable Video Services
  - Hickory Tech representatives Lona Eccles, Carrie Rice and Paul Bertino are present
  - Application for franchise will need to be amended excluding channel 45, which will not be available
  - Public Hearing closed
  - Service will be available to residents in July of 2006
  - No action is needed tonight
- C. Public Hearing Resolution 2006-26 Resolution Adopting the City of Eagle Lake Land Use Plan
  - Public Hearing opened and closed with no public comment
  - Mr. Hager thanked LeRay Township representatives to attending and providing their input
  - Mr. Olsen moved adoption of Land Use Plan. Mr. Hager seconded. Motion carried unanimously
- D. Resolution 2006-27 – Ordering Preparation of Report, and Calling for a hearing on proposed improvement for the without petition, construction of Johnson Street. Set date of project feasibility hearing for May 1, 2006.
  - Mr. Potter mentioned there is a formula used to determine cost
  - Need to devise plan and feasibility study for the 300 feet on Johnson Street from Eagle Ave heading North
  - May bring in an appraiser to determine valued added to property
  - Council will need a 4/5<sup>th</sup> majority vote for approval
  - Mr. John Weber of SMI state he is okay with plans and that he has purchased the property
  - Mr. Ericksen moved to approve resolution and Mr. Olsen seconded. Motion carried unanimously
- E. Resolution 2006-28 – Resolution for Joe Roeker being added to Eagle Lake Police Reserves
  - Chief Wills mentioned that Police Reserves Program is being re-implemented with renewed interest in the program
  - This is a volunteer position which would help at Tator Days and with other events within the City of Eagle Lake
  - Ms. Raddatz moved to approve resolution and Mr. Olsen seconded. Motion carried unanimously
- F. Resolution 2006-29 Resolution Supporting Renewable Energy and Encouraging the use of 25% Renewable Fuels for Transportation use by 2025
  - Mr. Potter stated this is a request from Region 9 and that currently no communities have officially passes this resolution
  - Mr. Hager voiced concern as to what this may commit the City to in the future
  - Mr. Ericksen moved to table, Mr. Olsen seconded. Motion to table carried unanimously
- G. Resolution 2006-30 calling for a public hearing for Tax Increment Financing (TIF) District
  - Public Hearing was opened and closed

- There was a meeting March 21, 2006 with Dick Asleson regarding the TIF and to set date for public hearing
  - There is still negotiating regarding the amount of TIF dollars and the number of years TIF would be available
  - June 5, 2006 Public Hearing date set
  - Mr. Hager moved to approve and Mr. Ericksen seconded. Motion carried unanimously
- H. Resolution 2006-31 Authorizing the City to apply for a Federal Department of Homeland Security Grant
- Grant writing is almost complete for fire department turn-out gear and air packs
  - Used STI Company to write the grant
  - Staff is looking for authorization to submit grant
  - Clete Frederick mentioned that fire department has replaced some of the gear but needs to be brought up to National Fire Protection Association standards
  - Ms. Raddatz moved to submit grant and Mr. Olsen seconded. Motion carried unanimously

#### 8. CONSENT AGENDA

- Items requested to be pulled from consent agenda and placed in new business are police report, rezoning 213 LeRay Ave and 1983 fire rescue vehicle
- Mr. Hager moved to approve as amended. Mr. Ericksen seconded. Motion carried.

#### 9. OLD BUSINESS

##### A. Midwest Wireless – Amend Lease Agreement for additional antennas on City Water Tower

- Mr. Potter mentioned that Andy Bobrytzke of Midwest Wireless is present
- Discussion was held as to location of existing building and the exterior finish on the new building would be a red brick face
- Railing on water tower needs to be evaluated for the addition of antennas up to a maximum of 19. Currently looking at adding 6 antennas now and 6 more in the future
- All structural improvements needed to the railing would be covered by Midwest Wireless
- Location of new building has limitations that need to be considered. It should be outside of the zone. If 180 feet or less, can use smaller lines.
- Midwest Wireless would like to be as close as possible and feels the best side would be towards Eagle's Nest
- New lease would be \$8,400 annually which is an additional \$700 per month
- Mr. Olsen moved to approve amended lease agreement and Mr. Hager seconded. Motion carried unanimously

##### B. Bills over \$1,000

- Mayor Auringer moved to approve and Mr. Hager seconded. Motion carried

#### 10. NEW BUSINESS

##### A. Report regarding Mankato Sanitary Sewer Payment.

- Mr. Potter stated he estimates the actual charge should be \$13,000 - \$14,000 per month
- Mr. Olsen moved to payment and Mr. Hager seconded. Motion carried

##### B. Bids for street sweeping

- Two bids have been received and staff is recommending approval of the bid from Wagner Paving of Belle Plain
- Mr. Olsen moved to accept bid and Ms. Raddatz seconded. Motion carried unanimously

C. Bids for televising Sanitary Sewer lines

- Three bids were received and staff recommend accepting bid from Jetter Clean at 80 cents per foot
- Looking at televising 3,500 feet this year on north side of town
- Mr. Ericksen moved to accept bid and Mr. Olsen seconded. Motion carried unanimously

D. Review of hiring possible part-time Public Works position

- Mr. Hager asked if this would be a temporary position for 2006 and then go permanent in 2007. This is a permanent part-time position with after six months probationary period then going permanent.
- Mr. Ericksen asked if full-time position would be needed instead of part-time. At this time would like to hire part-time and if need arises in future may consider full-time.
- This position would be eligible for PERA
- Mayor Auringer moved to accept applications for this position and Ms. Raddatz seconded. Motion carried unanimously
- Staff are given authority to hire position

E. Possibility of hiring intern

- Mr. Potter stated that interns are being discontinued from HUD dollars so this position either needs to be volunteer or paid at least minimum wage of \$6.15 per hour
- There is money in the budget with the administrative secretarial position working shorten hours this winter and spring
- William Goldy is interested in internship and would not be eligible for PERA
- Mr. Olsen moved to hire intern at minimum wage and Mr. Hager seconded. Motion carried unanimously

F. Possible rescheduling of July 3, 2006 City Council Meeting

- Mr. Olsen moved to change July City Council meeting date to July 10, 2006. Mr. Hager seconded. Motion carried unanimously

G. Acceptance of Parkland from Progress Land Company rather than Payment-in-lieu

- Cash of 7% of value or land for Eagle Ridge is needed for park land
- Park Board would like to see land accepted and this would provide dedication for Eagle Ridge phase 2 and 3
- Would like to keep land fairly passive with trail
- There is wooded area close to former compost site
- This would be an opportunity for City to get wooded land
- Mr. Hager moved to accept land and Ms. Raddatz seconded. Motion carried unanimously

H. Report of 1983 Fire Rescue Vehicle

- Two bids have been received one for \$5,000 and the second for \$5,501. The higher bid is from a fire department in Michigan
- Clete Frederick mentioned that he would like vehicle go to another fire department
- Brad mentioned that for bids received off of the web site would be subject to a ten percent fee, thus making both bids essentially equal
- Mr. Ericksen moved to allow City staff authority to sell rescue vehicle and Ms. Raddatz seconded. Motion carried unanimously

I. Police Report

- Mr. Olsen mentioned concern with purchasing Expedition and feels a Crown Victoria should have been purchased
- Mr. Olsen would like to see money set aside in budgets for 2007 and 2008 for future vehicle replacements

- Chief Wills stated that officers will be able to pursue in the Expedition and that the resale value is higher than the Crown Victoria's

• The new radio and light stick are add on's which account for the \$1,000 over projected cost  
In order to justify repairing 2003 Crown Victoria, City would need to be able to justify needing three cars on duty at one time

I. Annual Review of City Administrator

- Mr. Potter opted to close the meeting for review
- Mr. Ericksen moved to allow Mr. Potter's wage to be increased to the next step level. Motion was seconded by Mr. Hager.

**11. ADJOURNMENT**

- Ms. Raddatz moved to adjourn meeting at 9:03 p.m. and Mr. Ericksen seconded. Motion carried.

**MINUTES  
CITY OF EAGLE LAKE  
EMERGENCY CITY COUNCIL MEETING  
MARCH 21, 2006**

**Members Present:** Mayor Tim Auringer, City Council Members Hub Ericksen, Adlor Olsen, Patty Raddatz, and Aaron Hager

**Members Absent:** None

**Staff Present:** City Administrator Brad Potter, Police Chief Phil Wills and Sergeant Laramy Lawson, Dick Asleson, Northland Securities; Chris Kennedy, City Attorney

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

Everyone stood and said the Pledge of Allegiance

**3. ROLL CALL**

The following were present for Roll Call: Mayor Auringer, City Council Members Patty Raddatz, Adlor Olsen, Hub Ericksen, (Mr. Hager joined the meeting at 6:10 p.m.)

**4. APPROVAL OF THE AGENDA**

Mr. Ericksen moved to approve the agenda. Ms. Raddatz seconded the motion. Motion carried.

**5. PRESENTATIONS OF PETITIONS AND COMMENTS**

**6. OLD BUSINESS**

A. Appearance of City Attorney regarding pending issues

Chris Kennedy was present to discuss on the assessment issues regarding past projects including the Industrial Park lift station project from 1998. Mayor Auringer had a concern over past precedent regarding assessments. Mr. Kennedy stated that the assessment amount must add a similar value to the property. Mr. Olsen added that every party should be assessed the same. It was discussed that acquiring the services of the certified appraiser would be the best way to validate proposed assessments.

Al Anderson, 100 Valley Lane, stated that he did not want to pay any additional assessments because he has already paid for the project once. It was discussed that hearing may have to be reopened as well.