

APRIL 17, 2017

The Regular Meeting of the Lake Benton City Council was held on Monday, April 17, 2017 at 5:30 P.M. in the Heritage Center/City Office. Mayor Bob Worth presided. Trustees Rosie DeZeeuw, David Enke and Daryl Schlapkohl were present. City Attorney Mike Cable was absent. City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, Acting Police Chief Tony Sievert, First Responders Gary Serie and Chuck DeBates, Monica DeBates, Jenny Nordmeyer, Karen Lichtsinn, Sandy Dahl, Scott Christensen, and Shelly Finzen from the Lake Benton Valley Journal were also present. Trustee Mark Dunn contacted City Staff that he would be a little late.

Mayor Bob Worth called the meeting to order. The Pledge of Allegiance was recited by all present.

Mayor Bob Worth then asked if anyone in attendance had an item, not on the agenda, to bring up during the Open Forum part of the meeting. If so they had two minutes to state their concern. No items were brought forward at this time.

The minutes of the Regular Meeting of April 3, 2017 were reviewed. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to approve the minutes of the Regular Meeting of April 3, 2017. Motion carried.

The minutes of the Board of Review Meeting of April 11, 2017 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to approve the minutes of the Board of Review Meeting of April 11, 2017. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

ITC	\$ 261.62	USTI	\$ 2.32
QUARNSTROM/DOERING	\$ 840.00	LB HARDWARE	\$ 217.70
EXPRESSWAY-LB	\$ 508.09	GOPHER STATE	\$ 10.80
CITY OF LAKE BENTON	\$ 131.87	POSTMASTER	\$ 116.28
MN WEST COLLEGE	\$ 350.00	MN POLLUTION CONTROL	\$ 1,450.00]
LB CHAMBER-CVB	\$ 25.65	LB CHAMBER	\$ 240.00
PETERSEN GRAVEL	\$ 120.00	SW SANITATION	\$ 3,454.04
BANNER	\$ 4,500.00	CARDMEMBER	\$ 498.45
ONE OFFICE SOLUTION	\$ 11.57	BUFFALO RIDGE NEWS	\$ 85.20

MOTION by Dave Enke, seconded by Rosie DeZeeuw to approve payment of the claims presented against the City of Lake Benton. Motion carried.

Trustee Mark Dunn was now present.

The next item of business was to meet with the Lake Benton First Responders to discuss civil defense training. Gary Serie looked over the current Emergency Disaster Manual and changes will need to be made to the names and dates. The Lake Benton School has contacted Gary and has shown interest in getting together to work on an emergency plan for the School. Gary Serie and Chuck DeBates will be meeting with Amber Scholten, Lincoln County Emergency Management Director, to create a plan for emergency evacuations. They inquired if the City has a copy of the plan on a computer hard drive and the City did not. Gary will check with Alisha Kuhn, Lake Benton Chamber Marketing Director, to see if it is on the Chamber's computer hard drive. If they cannot locate the document, they will create a new plan using a template.

The concept for getting a plan in place will begin with a "table top" which will include fire, police, EMS, and council members to prepare a plan if and/or when an emergency disaster happens.

They will need to work with Tyler Bus Service in case transportation is needed to bus individuals to the nearest County evacuation facility which is Danebod School. The facility can house 90 people with beds, heat, water, etc. This is a work in progress and they are not to the point of training individuals for the evacuation process at this time. Gary Serie and Chuck DeBates will keep the Council updated on their progress.

The Council was reminded Weather Awareness Training is scheduled for May 4, 2017 beginning with registration at 6:30 PM and training from 7:00 to 9:00 PM at the Hole-in-the-Mountain Chalet.

Chuck DeBates informed the Council that National EMS is next month and EMS week is May 21-27, 2017. The First Responders/EMS will display their equipment, have an open house and serve food on Wednesday, May 24, 2017 at the EMS shed. They will ask the fire department if they would like to display their rescue rig as well.

The Council then inquired about the doors for the EMS shed and the First Responders and Maintenance Supervisor Todd Draper are still working on it.

The next item of business was to review/act on funding for the summer Park and Rec Program and youth baseball and softball. Jenny Nordmeyer was in attendance to speak to the Council and request funding for the program.

Jenny stated that last year's program cost approximately \$2,455.00 which included new shirts for the ball teams. The participation for the program consists of 30 to 50 children a week. Pastor Riley agreed to run the 7 to 8 week program again, which takes place on Monday's in June and July. The theme this year is "Animals" and they will go to several places around the City of Lake Benton and learn about animals. They are also planning to go swimming out of town on one of these days.

They would also like to hire two high school students to help with the program because the volunteers don't always show up. Jenny went on to say they received a grant last year, but that doesn't happen two years in a row. They will be looking for sponsors to fund their t-shirts and will talk with the Legion and Lions Club.

The program will need extra money for supplies. The Riley's have agreed to donate their time. The Council inquired if they hired two teenagers, how much would it cost. Jenny said it would cost \$200.00 per hired teenager. She is unsure if anyone will be willing to help, but she will check on it.

Discussion took place on funding given to the Park and Rec program in the past and Maintenance Supervisor Todd Draper informed the Council the City put in an insurance claim on the chain link fence that was ruined during the ice storm in December 2016. The League of Minnesota Cities (LMC) covered the replacement of the fence which included an additional 50 feet of fence and the City will install it. The ag-lime should also be covered under the LMC insurance claim. Maintenance Supervisor Todd Draper suggested putting the \$2,500.00 that was budgeted for this year's fencing into a CD for next year. Todd also stated this is a good program and it is nice to see all these children around town during the summer.

Maintenance Todd Draper went on to inform the Council that the City owns the concession stand located at the ball fields. The concession stand was in bad repair and two (2) years ago, the DeZeeuw and Johnson families paid for new electrical and installed a new roof on the concession stand. However, the refrigerator went bad. Todd went on to explain the Lake Benton EDA replaced the 4-plex appliances and they have refrigerators for sale at \$50.00. Todd suggested the City consider purchasing a refrigerator for the concession stand.

MOTION by Daryl Schlapkohl, seconded by Dave Enke to allocate \$2,500.00 to the Park and Rec Program with the option to come back and request an additional \$500.00 if needed. Motion carried.

The next item of business was the hearing with the property owners at 209 S. Fremont Street. Acting Police Chief Tony Sievert updated the Council on the situation and process. There were a few cars on the property owner's back yard that were missing wheels. There was also a vehicle that the property owner stated was a "diamond in the rough" and was requested to store it in his garage. Acting Police Chief Tony Sievert said the property owner complied with the Ordinance and therefore there is no need for a hearing.

The next item of business was to review/act on the City licenses for May 1, 2017 through April 30, 2018. The Council questioned why the City's license renewals are from May 1st to April 30th and their certificate of liability is from January 1st to December 31st. City Administrator/Clerk Eileen Christensen informed the Council there is only one establishment that this effects as the remaining establishments do not have a problem with it. The Council also inquired if there are any instances with non-compliance and they were informed there are no instances of non-compliance. It was also mentioned an establishment inquired about getting an off-sale liquor license and they were informed there is an agreement the City must abide by through 2025 for only one establishment to sell off-sale liquor.

The Council made reference to the informational item on City Administrator/Clerk Eileen Christensen's memo in regards to the Fire Department having an individual cater hard liquor at their Fireman's Dance. City Administrator/Clerk Eileen Christensen informed the Council she contacted the MN Alcohol and Gambling Enforcement Agency who informed her this individual has a Combination Carter's License (good through 11/16/17) and can go to any event and serve food and hard liquor. The City has also obtained this individual's certificate of liability insurance.

City Administrator/Clerk Eileen Christensen then provided the Council with information on the liquor and tobacco licenses for the City as well as the temporary Malt Liquor and Dance licenses for the Fireman's Dance from 8:00 PM on June 17, 2017 through 1:00 AM June 18, 2017. City Administrator/Clerk Eileen Christensen also stated the Police Chief needs to sign the Liquor applications so she can get them sent into the state before May 1, 2017. **MOTION** by Dave Enke, seconded by Mark Dunn to approve the following City Licenses for May 1, 2017 through April 30, 2018 with proof of liability insurance from those with On Sale Liquor Licenses: **Cigarette:** Lake Benton Grocery, Express Way-Lake Benton, Dad's Wine & Spirits; **Off Sale Beer:** Express Way-Lake Benton; **On-Sale Malt Liquor:** Center Post; **Off Sale Liquor:** Dad's Wine & Spirits; **On Sale Liquor:** Country House Supper Club, Center Post, Becker's Resort, Dad's Wine & Spirits; **On Sale Liquor (Sunday):** Country House Supper Club, Center Post, Becker's Resort, Dad's Wine & Spirits; **Dance:** Center Post, Dad's Wine & Spirits; **General Corporation:** Center Post, Dad's Wine & Spirits; and to approve the Temporary 3.2% Malt Liquor and Dance to the Lake Benton Fire Department at 110 Benton Street for the Fireman's Dance from 8:00 PM on June 17, 2017 through 1:00 AM on June 18, 2017. Motion carried.

The next item of business was to review/act on the 2017 contract for mowing the north ditch at cemetery hill for \$285.75 per time not to exceed seven (7) times or \$2,000.25. Mike Otto mowed the hill last year at a cost of \$270.00 per time not to exceed seven (7) times or \$1,890.00. If the ditch needs to be mowed more often Mike will contact the Mayor for approval. Mike also provided proof of liability insurance. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve the 2017 contract with Mike Otto to mow the north ditch at cemetery hill at \$285.75 per time not to exceed seven (7) times or \$2,000.25. Motion carried.

The next item of business was to review/act on the EDA request for proposal. Karen Lichtsinn, EDA Chair, was present and informed the Council the Lake Benton EDA met last week on April 12, 2017 and discussed the 2.1 acres of property owned by CHS and the economic impact the property can have on Lake Benton. It can give the City the potential to build on this property if someone wanted to start a business in Lake Benton. This viable property is located in the City's downtown commercial district.

Some of the EDA board members and Vince Robinson met with CHS regarding the possibility of selling the property. CHS requested the EDA submit a bid proposal for the 2.1 acre property.

It was stated the EDA is no longer funded for larger projects by the City except on a needed basis, and are requesting the City to back the bid proposal of \$18,500.00. Maintenance Supervisor Todd Draper informed the Council the CHS property purchased from CHS in Tyler was bought privately and we are not sure about the CHS property in Balaton. The CHS property in Lake Benton is in the commercial district with water/sewer accessibility.

It was stated this may not happen this year, but it's a good option. We need to look for opportunities that are right here for the EDA and the City, and we can't miss those opportunities that we may have in the past. We need to work as a community to get this accomplished. This is a good proposal and it is very exciting. **MOTION** by Mark Dunn, seconded by Dave Enke to accept the EDA's bid proposal of \$18,500.00 to purchase the 2.1 acres of property now owned by CHS. Motion carried.

The next item of business was to introduce/adopt Ordinance Number 207 – An Ordinance Adopting Permits and Requirements for Fences, Walls or Hedges. City Administrator/Clerk Eileen Christensen reminded the Council at their January 17, 2017 regular meeting it was stated they would like to address the fence issues in the City at a meeting in April. City Attorney Mike Cable reviewed the ordinance and approved it. City Attorney Mike Cable also suggested the Council consider updating the Land Use/Zoning Ordinance using the Minnesota Basic Code of Ordinances as a base (which includes the Fence Ordinance) and add in the necessary items from the current Zoning Ordinance to include the Lakeshore District, etc.

The Ordinance will go into effect Wednesday, April 26, 2017 when it is published in the newspaper. All fences that were constructed before that date are to be left alone. **MOTION** by Mark Dunn, seconded by Dave Enke to adopt Ordinance Number 207 – An Ordinance Adopting Permits and Requirements for Fences, Walls or Hedges. Motion carried.

PUBLIC WORKS UPDATE:

Maintenance Supervisor Todd Draper gave an update on the heating and cooling system at the Community Center and received pricing from Thomas Heating and Cooling. There was a switch issue on the freezer and that has been replaced. The freezer is running properly and now that it is warming up and the electric heat should not need to be used, the City should see a decrease in electricity use.

Maintenance Supervisor Todd Draper brought up the issue from the previous agenda item in regards to the ballfields. Would the City like to purchase a refrigerator for the concession stand for \$50.00? **MOTION** by Dave Enke, seconded by Daryl Schlapkohl to purchase a refrigerator from the Lake Benton EDA for \$50.00 for the ballfield concession stand. Motion carried.

Maintenance Supervisor Todd Draper then gave an update on the Coteau Street Improvement Project and the possible improvements on Harrison Street. A & C Excavating provided an estimated quote for the improvements on Harrison Street. However, Minnesota State Statutes states any additional work at the same unit price cannot exceed 25% of the original contract price. A & C Excavating's estimated amount exceeded the original contract price by 29%. Legal Counsel stated this will not work and to leave the Harrison street project until next year. The preconstruction meeting for the Coteau Street Improvement Project has not been set at this time.

POLICE UPDATE:

Acting Police Chief Tony Sievert informed the Council he is expecting an application for the open part-time officer position sometime this week. Trustee Daryl Schlapkohl visited with Police Chief Tony Sievert and requested if he would patrol Norwegian Creek once a day during the

weekends. Trustee Daryl Schlapkohl said he would like to get approval from the Council to see if this would be okay. Tony can drive through the park, look for any suspicious activity, and talk with the younger kids. Trustee Daryl Schlapkohl, Lincoln County Parks Department Manager, has a hostess that has a list of the permanent campers at the campground that can also be available to Police Chief Tony Sievert. People appreciate seeing an officer drive through once in a while and it makes them feel safe. Police Chief Tony Sievert told the Council he will speak with Sheriff Chad Meester to make sure this is okay with Lincoln County and felt assured this should not be a problem.

COMMITTEE REPORTS:

Trustee Mark Dunn – No report.

Trustee Rosie DeZeeuw – The Chamber/CVB met and Shelly Finzen and Alisha Kuhn are going to meet and find nine (9) to twelve (12) historical locations for the Lake Benton scavenger hunt. Trustee Daryl Schlapkohl stated the parks need proof of liability insurance for any activities going on in the parks. Trustee Daryl Schlapkohl will talk with the Chamber Chair Dan Kuss or meet with the Chamber at their next meeting on May 9, 2017.

Trustee Rosie DeZeeuw continued the Chamber's pottery has been purchased. The Te-Tonka-Ha banner has been ordered. This year's Te-Tonka-Ha celebration will include archery for the children's games, and the Star quilt will again be given away. Carl and JoAn Burk's 50th wedding anniversary is that weekend and they will be serving cake and coffee in the Chalet on Saturday. This event will be advertised in the flyer.

Trustee Daryl Schlapkohl – The Opera House Board met and they are going to upgrade the sound system and replace the current lighting with LED lighting. The Opera House Board is still waiting for Al Trigg to give them an estimate on the windows and balcony. The Board was concerned that a fan was making too much noise and requested Maintenance Supervisor Todd Draper take a look at it. The Board is hoping Mike Weets will begin tuck-pointing the building sometime in May.

Dave Enke – Dave stated how happy he is to be on the committee for the Lake Benton EDA who met last week. There are a lot of exciting things happening. For one project, the Council heard Karen Lichtsinn's proposal on the CHS property; and another, Dave Enke, Bob Worth, Vince Robinson and Eileen Christensen went to Balaton to meet with Tru Shrimp which is a subsidiary of Ralco. Ralco is expanding their portfolio to aquaculture and they have been researching and raising shrimp in Balaton for a few years now. They purchased patented rights to shallow tank growth and production of shrimp. It is amazing that 90% of the shrimp eaten comes from outside the United States. Tru Shrimp is now ready to expand and they need at least 25 acres in which to house a nine (9) acre harbor. They are looking to put their first harbor in Luverne and the second harbor in Marshall. The first hatchery will be in the same vicinity as one of the harbors. Ralco is keeping the business in southwest Minnesota where the owners were born and raised. There could possibly be something for Lake Benton in the future.

ADMINISTRATOR/CLERK REPORT:

City Administrator/Clerk Eileen Christensen requested the Council consider moving the regular July 3, 2017 Council meeting to July 5, 2017 due the Fourth of July being on Tuesday and people may want to take that Monday off for a long weekend. **MOTION** by Mark Dunn, second by Rosie DeZeeuw to move the July 3, 2017 regular Council meeting to Wednesday, July 5, 2017. Motion carried.

Letters and invoices have been mailed to 38 residents with dogs. The license fees are good for two years. The rabies clinic has been scheduled for Tuesday, May 2, 2017 from 4:00-6:00 PM at the Lake Benton Fire Hall. An ad will be placed in the paper reminding residents of this as well. The ATV/Golf Cart permit letters and invoices were also mailed to 28 individuals.

City Administrator/Clerk Eileen Christensen reminded the Council she will be taking off April 24-25, 2017. Rosie DeZeeuw will be filling in for her from 8:00 AM to 2:00 PM each day.

MAYORAL REPORT:

Mayor Bob Worth thanked everyone, Council, City staff, EDA, and Chamber for working so hard at the community meeting on April 6, 2017. It was very impressive with great outcome.

Mayor Bob Worth then mentioned to the Council he looked into purchasing polo shirts for the Council, City staff, EDA and Chamber for City of Lake Benton events and display representation of the City. The City can purchase the shirts and each individual wanting a shirt can purchase one for approximately \$20.00/shirt. **MOTION** by Dave Enke, seconded by Mark Dunn to purchase polo shirts for the Council, City staff, EDA, and Chamber and each individual will purchase their own for approximately \$20.00.

Trustee Daryl Schlapkohl stated that with the incidents that occurred at City Hall today, he would like to thank Police Chief Tony Sievert for being there to assist. Mayor Bob Worth then stated that based on events that occurred earlier in the day he would like to make a statement to the community members. City staff does not need to take abuse from community members. People who have a concern with the City Council need to come to the meetings and speak during the open forum time. They do not need to take it out on City staff.

Trustee Dave Enke informed the Council that after the Community forum on Thursday, April 6, 2017 there were inquiries about the DNR putting in a new landing at Al's Landing. Trustee Dave Enke made a few phone calls and talked with Phil Nasby who informed him the design work for the landing in Lake Benton is complete. However, there is not funding yet for the construction of the project. There is a state-wide moratorium on all State boat landings.

Mayor Bob Worth that thanked the Council for working so well together. The Council puts in a lot of time and effort to attend committee meetings. He couldn't be more proud of such a great group. Thank you.

There being no further business to come before the Council at this time, a **MOTION** was made by Daryl Schlapkohl, seconded by Dave Enke and carried, the meeting adjourned.

MAYOR

ADMINISTRATOR/CLERK