

**APRIL 3, 2017**

The Regular Meeting of the Lake Benton City Council was held on Monday, April 3, 2017 at 5:30 P.M. in the Heritage Center/City Office. Mayor Bob Worth presided. Trustees Rosie DeZeeuw, Mark Dunn, David Enke and Daryl Schlapkohl were present. City Attorney Mike Cable, City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, Acting Police Chief Tony Sievert, Dallas and Kim Drietz, and Shelly Finzen from the Lake Benton Valley Journal were also present.

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.

5:30 PM – **MOTION** by Dave Enke, seconded by Daryl Schlapkohl to go into closed Executive Session concerning the matter of the City of Lake Benton vs. Thor Tollefson, and Public Employees Retirement Association. Motion carried.

6:16 PM – **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw leave closed Executive Session. Motion carried

**MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to have Mary D. Tietjen of Kennedy & Graven join the City of Ashby in the action entitled in the Matter of the City of Lake Benton vs. Thor Tollefson and Public Employees Retirement Association. Motion carried.

**MOTION** by Dave Enke, seconded by Rosie DeZeeuw to give Mary D. Tietjen of Kennedy & Graven the authority to consult with a psychiatrist and/or psychologist and hire said psychiatrist and/or psychologist to examine Thor Tollefson concerning the action entitled in the Matter of the City of Lake Benton vs. Thor Tollefson and Public Employees Retirement Association. Motion carried.

The minutes of the Regular Meeting of March 20, 2017 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to approve the minutes of the Regular Meeting of March 20, 2017. Motion carried.

**CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:**

SHELLY FINZEN	\$ 53.50	LB GROCERY	\$ 3.99
OTTER TAIL	\$ 2,736.47	SANITATION PRODUCTS	\$ 277.72
L-P RURAL WATER	\$ 3,658.00	LB HARDWARE	\$ 3.99
BUSSELMAN LUMBER	\$ 11.95	THOMAS ELECTRIC	\$ 6,458.88
POSTMASTER	\$ 212.95	TODD DRAPER	\$ 32.00
PAT HAYNES	\$ 240.00	MINNESOTA LIFE	\$ 5.10
AVENET, LLC	\$ 970.00	KJERGAARD SPORTS	\$ 146.21
DOUBLE D GRAVEL	\$ 2,517.24	MARSHALL SEWING CTR	\$ 60.00
TROY NORDMEYER	\$ 32.00	PEOPLE	\$ 110.45
USDA RURAL DEVELOP	\$ 1,505.12	ONE OFFICE SOLUTIONS	\$ 32.50
KENNEDY & GRAVEN	\$ 516.75	BUFFALO RIDGE NEWS	\$ 189.20
BOB WORTH	\$ 38.52		

Discussion took place regarding the cost of the electricity at the Community Center. Maintenance Supervisor Todd Draper informed the Council he would have information on this during the Public Works Update. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve payment of the claims presented against the City of Lake Benton. Motion carried.

The Police Report for March was presented to the Council by Acting Police Chief Tony Sievert. There were 35 calls of service in March and low mileage due to working on the City's ordinances. It takes a lot of time and he has been working with Legal Counsel Matt Gross. There are certain steps that need to be taken before Chief Tony Sievert goes to talk with the individuals. When enforcing the ordinances, the City must remember to be fair across the board – not just pick on a select few.

Acting Police Chief Tony Sievert then went on to address the City complaints. He would greatly appreciate it if the community has an issue (and/or complaints) to address, please refer it to the Lake Benton Police Department, City Administrator, or the Lincoln County Sheriff's Office. This is to ensure the proper documentation is filled out and the Lake Benton Police Department get the appropriate information and receives it in a timely manner.

Acting Police Chief Tony Sievert then informed the Council that Lincoln County Emergency Management and Pipestone Emergency Management will be hosting a Severe Weather Awareness Training in Lake Benton on Thursday, May 4, 2017 at 6:30 PM. The location is yet to be determined.

Acting Police Chief Tony Sievert then gave an update to the Council regarding his research when hiring a part-time police officer. He found a place that can perform the psych evaluation for \$200.00 versus the \$650.00 the City has paid in the past. Discussion then took place on having Tony work every other weekend or an 11:00 PM to 7:00 AM shift once in a while. A lot of people are aware of both the Sheriff's Office and the City of Lake Benton's schedules and know when they can get away with something.

Mayor Bob Worth brought up hiring a part-time police officer. Our current Acting Police Chief is only working 29 hours a week and additional hours are needed for the summer months with more calls and complaints. Several of the Council agreed the City has saved money in the past months and currently has funding available to cover a part-time officer right now. It was then stated Sheriff Chad Meester is frustrated there are no decisions made from the City of Lake Benton on a Police Chief. It was commented that Sheriff Meester needs to understand and realize the situation the City is currently in.

Acting Police Chief Tony Sievert has been spending a lot of time on ordinances issues and therefore is not able to patrol as much as he'd like in the allotted 29 hours a week. The part-time officer doesn't need a full uniform as they could wear blue jeans and a shirt for a uniform. **MOTION** by Mark Dunn, seconded by Dave Enke to hire a part-time officer for 16 hours a week at \$15.00 an hour, and Acting Police Chief Tony Sievert will perform the background check and get the psych eval completed for \$200.00. Motion carried.

**MOTION** by Dave Enke, seconded by Rosie DeZeeuw to approve the March Police Report. Motion carried.

The next item of business was to review/act on the football lease between the City and the Buffalo Ridge Wildcats. The Buffalo Ridge Wildcats would like to lease the football field from April 10, 2017 through July 31, 2017 for \$500.00. The Accidental Waiver and Release form will be completed by the members and a copy will be sent back to the City Office. The Lease states the Buffalo Ridge Wildcats will take care of the mowing and marking inside the football field playing area during the time of the lease. **MOTION** by Mark Dunn, seconded by Daryl Schlapkohl to approve the football lease between the City and the Buffalo Ridge Wildcats for April 10, 2017 through July 31, 2017. Motion carried.

The next item of business was to review/act on a variance permit for Kim and Dallas Drietz to add a dining room to their existing house and extend their existing garage an additional 24 feet at 311 Lakeview Street. However, they are not meeting the required setback of 25 feet from their front

yard property line, and are not in compliance with the Ordinance. Maintenance Todd Draper informed the Council and the Drietz's the property line is located 11 to 13 feet behind the curb and the 25 foot setback is added to that. The Drietz's want to extend their garage an additional 14 feet. The Drietz's were informed they will need to reimburse the City for legal fees to draw up the paperwork, the publication of the hearing, and the recording of the Variance permit with the recorder's office. The Drietz's paid the fee of \$25.00. **MOTION** by Mark Dunn, seconded by Dave Enke to set the hearing date for Monday, May 1, 2017 at 5:45 pm. Motion carried.

The next item of business was to review/act on awarding bids on the Coteau Street Improvement Project. Maintenance Supervisor Todd Draper informed the Council the City received a recommendation from Banner and City Attorney Mike Cable reviewed it, and presented a resolution awarding the bid to A & C Excavating from Marshall, MN. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to award the bid to A & C Excavating. Motion carried.

Maintenance Supervisor Todd Draper then informed the Council he was looking into the next street improvement project to see if that could be done at the same time as the Coteau Street Improvement Project. State Statute states the City cannot raise the awarded bid more than 25% of the original bid.

Maintenance Supervisor Todd Draper said Harrison Street is the next street project and only needs to have water line replacement to half the street. Some of these houses have had water freeze-ups in previous years from the original cast iron water lines, and one water line goes underneath a home owner's garage. Maintenance Supervisor Todd Draper will be working with Banner and Chris Nibbe of A & C Excavating to see what they can work out, and bring figures to the Council at their next meeting of April 17, 2017.

#### **PUBLIC WORKS UPDATE:**

Maintenance Supervisor Todd Draper informed the Council the LED lights were installed in the Heritage Center, Community Center and Library. They have not been replaced at the Maintenance Quonset building or the Fire Hall.

The anticipated branch and leave pick-up was going to begin the first Wednesday of May, but since the weather has been so nice and people are cleaning their yards, the Maintenance Department will be picking up branches and leaves on Wednesday, April 5, 2017. Appliance pick-up will be May 2, 2017. City Administrator/Clerk Eileen Christensen will put an ad in the paper regarding the appliance pick-up.

Maintenance Supervisor Todd Draper contacted Thomas Heating and Plumbing regarding the Community Center heating and was provided with an estimate. The regulation setbacks require the City to connect the Heritage Center's gas line with the Community Center for \$325.00. The remainder of the quote included \$2,750.00 for the furnace only, or \$6,475.00 for the furnace, air conditioning and running the new gas line. Todd will bring this back to the Council at a later date.

Todd also worked with Thomas Electric regarding the freezer continually running. When they looked into it, the freezer was leaking Freon. Todd will contact someone to check the problem and give the City some options.

#### **COMMITTEE REPORTS:**

Daryl Schlapkohl – None.

Dave Enke – The Library Board met in late March and the annual report has been completed and submitted. The updates are going well. The Summer Reading Program will feature guest speakers and are anticipating to wrap it up with a Zoo Mobile.

Rosie DeZeeuw – None.

Mark Dunn – The meeting with the Lake Benton Public School is scheduled for April 4, 2017 regarding the playground equipment. Mark also talked with a gentleman about solar panels. He was informed that the City will need to talk with Excel Energy. Jim Nichols will be more than happy to meet with the Council regarding this issue.

**ADMINISTRATOR/CLERK REPORT:**

City Administrator/Clerk Eileen Christensen reminded the Council of the Board of Appeal Meeting on Tuesday, April 11, 2017 at 7:00 PM at the Heritage Center/City Office.

City Administrator/Clerk Eileen Christensen informed 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 reminded the Council and audience to attend the Community Meeting on Thursday, April 6, 2017 at 6:00 PM at the Center Post. Input from the citizens of Lake Benton will be greatly appreciated.

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

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MAYOR

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ADMINISTRATOR/CLERK