

**AUGUST 5, 2019**

The Regular Meeting of the Lake Benton City Council was held on Monday, August 5, 2019 at 5:30 P.M. in the Heritage Center/City Office. Mayor Bob Worth, Trustees Rosie DeZeeuw, Mark Dunn, Dave Enke, and Daryl Schlapkohl were present. City Attorney Mike Cable was absent. City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, Sheriff Chad Meester, County Commissioner Cory Sik, Roger Rudebusch, Phil Schmidt, Darcy Miller-Insurance Agent-Buffalo Ridge Agency-Lake Benton, Pat Haynes, 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.

The minutes of the Regular Meeting of July 15, 2019 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to approve the minutes of the Regular Meeting of July 15, 2019. Motion carried.

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

LAKE BENTON GROCERY	\$ 23.48	OTTERTAIL	\$ 3,234.47
ITC	\$ 338.52	USTI	\$ 270.00
QUARNSTROM/DOERING	\$ 787.75	LINCOLN CTY TREAS	\$ 90.75
RETHWISCH & SON	\$ 370.01	GOPHER STATE	\$ 5.40
POSTMASTER	\$ 76.00	UTILITY CONSULTANTS	\$ 412.37
TODD DRAPER	\$ 32.00	PAT HAYNES	\$ 365.00
MINNESOTA LIFE	\$ 5.10	CHAMBER-CVB	\$ 655.87
DALLAS CORNELL	\$ 172.78	LINCOLN CTY RECORD	\$ 46.00
CORE & MAIN	\$ 467.78	SW SANITATION	\$ 3,595.48
MAGAZINE LINE	\$ 102.93	TROY NORDMEYER	\$ 32.00
KYLIE ROCHEL	\$ 95.00	VERIZON	\$ 35.01
ONE OFFICE	\$ 23.42	BUFFALO RIDGE NEWS	\$ 7.00
THOMAS PLUMBING	\$ 375.75	JIM ROGGENBUCK-TREE	\$ 300.00
AMAZON CAPITAL	\$ 870.10	LB REALTY	\$ 587.50
WEST SHORE SERVICES	\$ 1,010.00		

**MOTION** by Dave Enke, seconded by Mark Dunn to approve payment of the claims presented against the City of Lake Benton. Motion carried and the Mayor authorized the City Administrator/Clerk to make payment.

Three rehab grant checks (Contractor request of \$10,104.00 to DK Construction. \$2,050.00 to Scarcely, Ltd. for lead assessment and \$3,000.00 to DSI, Inc. for admin charges) were presented for payment. The funds have been requested and were deposited into the account. **MOTION** by Mark Dunn, seconded by Dave Enke to approve payment of the rehab grant checks presented. Motion carried.

The next item of business was to meet with Darcy Miller to finalize the 2019-2020 Insurance Renewal. Darcy provided the Council with the information the Council requested at the July 15, 2019 meeting which included a quote for the Equipment Breakdown coverage and a quote for the difference between the League and the City being the primary or the excess on the City's vehicles.

Darcy presented a quote of \$838.00 for the Equipment Breakdown coverage which would be good coverage for the sewer lift station and all equipment breakdowns. The City has a \$1,000.00 deductible. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve adding the Equipment Breakdown coverage for \$838.00. Motion carried.

In the past, the City has listed the League as the primary on the City's vehicles. The City would save \$430.00 if they chose the City as the primary. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to keep the League as the primary on the City's vehicle for \$430.00. Motion carried.

The next item of business was to review/act on the electronic sign software upgrade. Pat Haynes was in attendance to discuss the software upgrades needed for the electronic sign. Pat spoke with the sign company and can get updated software for approximately \$200.00 and it will run off a digital connection rather than a modem. Administrator/Clerk Eileen Christensen contacted ITC about getting a broadband connection and a dedicated IP address and was quoted \$75.00 per month. The City currently pays \$39.00 a month for the modem connection. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve getting the software upgrade for \$200.00 and the digital connection with an IP address for \$75.00 per month. Motion carried.

The next item of business was to meet with Sheriff Chad Meester for a Question and Answer Session. Sheriff Chad Meester passed out handouts for his presentation and a copy of the contract the County has with the City of Hendricks which expires in 2020. Should the Council consider contracting with the County, it was suggested Legal Counsel review and make changes to the contract according to the City of Lake Benton. Sheriff Meester stated the Council should focus on making a non-emotional, fact supported approach toward what is needed, versus what is wanted, and what is the best fit for the City of Lake Benton.

The handout included general calls for the County and the City's in the County for 2018. The total calls for the County and the City's was 3,229 of which 240 were for the City of Lake Benton. The Council inquired if the County can pull actual hours worked even though the City was informed their department worked 56 hours a week. This can be pulled through monthly reports and timecards.

The active calls in Lake Benton for 2014, 2015, 2016, 2017, 2018 and 2019 were also presented with an average of 380 calls per year. These calls include transfers, funeral escorts, etc. These calls come through 911, the City Police Office, or the City Police cell phone when the Police Chief/Officer deems it necessary to report.

Sheriff Chad Meester then provided the City's budget information which included \$56,000.00 for wages, \$14,000.00 for benefits and \$19,000.00 for operating expenses. Chad then provided information on the City of Hendricks when they disbanded their police department in 2011 and entered into a five (5) year contract with Lincoln County. The contract addresses roles and responsibilities, contract renewal and cancellation process, fees, and a dispute resolution. The contract pricing is set at \$52.454 per person residing in the City of Hendricks which is based on their population of 713 from the 2010 census. The City of Hendricks pays \$37,400.00 per year for approximately ten (10) hours per week coverage.

Sheriff Chad Meester then presented four (4) contract costs to the Council based on \$52.454 per person living in the City of Lake Benton. The template included the following: a five (5) year contract at 56 hours per week would cost \$125,463.82 per year (\$627,319.11); a five (5) year contract at 32 hours per week would cost \$88,562.70 per year (\$442,813.50); a five (5) year contract at 24 hours per week would cost \$73,802.25 per year (\$369,011.25); a five (5) year contract at 10 hours per week would cost \$36,901.12 per year (\$184,505.60). These costs are provided according to wages, benefits, administrative duties, fuel and training from the County.

Sheriff Chad Meester then requested the Council take time to think about the options presented to them and set a date for a decision to be made either to proceed with hiring a Police Chief or contracting services. Take the time to review the applicants the City has received and consider what efforts are involved to bring someone here. The Council should also consider scheduling a meeting with the Lincoln County Board Members, County Attorney, Sheriff, Lake Benton City Council Members, City Attorney and City Administrator. The Council inquired what would happen with the City owned equipment if the City of Lake Benton contracted with the County. Sheriff Chad Meester said these things can be handled with a Memorandum of Understanding (MOU) and can be negotiated if the Council chose to contract.

The Council then asked questions of Sheriff Chad Meester. If the City contracts for ten (10) hours a week and one call takes a lot of paperwork, is the paperwork included in the ten (10) hours. Sheriff Meester said yes, however on average, there are some weeks the County may be short. The County usually provides more than the contracted ten (10) hours. The County's goal is to be in the City for the approximate agreed upon time.

Citizens make comments to the Council regarding why would the City have to pay a contract, where do their tax dollars to the County go? Sheriff Meester explained the tax dollars pay for a small part of the Sheriff's office, and are contributed to courthouse staff, housing of inmates, dispatching, building upkeep, utilities, etc.

If the City contracts for 56 hours with the County, what are the chances to have a Deputy live in Lake Benton. Sheriff Meester explained it is slim as you cannot force someone to live here, however the City can require a response time. Sheriff Meester also stated this is like a partnership and we are both on equal terms with a joint interest to succeed.

The City just purchased a new squad; if the City contracts with the County will the squad be used as a bargaining tool for negotiations? Sheriff Meester said yes, the squad will be factored in with the total cost and a MOU can be created specifically for the squad.

Sheriff Meester had stated in his presentation that Hendricks disbanded in 2011, what did they do until 2012 when they contracted with the County? Sheriff Meester said they responded to the calls in Hendricks, and the status of contracting was being worked out. Would the County consider a one (1) year contract to see how things would go and possibly cancel the contract? Sheriff Meester said if the City contracts with the County, Legal Counsel will need to assist with drawing up the paperwork which can take time. The City Administrator will need to talk with the POST Board if contracting and then not contracting. The longer the contract the easier it is on Legal Counsel, the POST Board and the City. However, there are options that can be put in the contract.

There are citizens concerned about the enforcement of the City's ordinances; will the Sheriff's Office enforce the ordinances? Sheriff Meester said the Sheriff's office will not be enforcing the ordinances but will assist as much as they can. Blight issues are a joint effort and we can negotiate bargaining tools. If the City Administrator sends a letter to residents regarding their lawns, we can assist if nothing is being done about it. Fences and zoning are the City's and go in front of the Council for approval.

If the City contracts with the County for law enforcement, and you are already down one Deputy how will that affect the impact with covering the City of Lake Benton if the County doesn't have the man power to cover the County? How are you able to assist Lake Benton? Is there a refund if the County is not covering what they agree to cover because there are not enough Deputies hired? It sounds like the City would have the ability to set the parameters of the contract and specify certain hours and days, or does it fall back on the County? Sheriff Meester said this goes back to the basics of community policing where the Deputies meet with the constituents and attend events.

The City's former Police Chief dealt with a lot of issues while in Lake Benton is that going to continue or does having a local Police Chief do a better job? Can the Sheriff's Office work on this? Sheriff Meester said any tips they receive, they look into. Having the advantage of a local Police Department is better as they are near the citizens, as far as trouble going on, the County will look into it. The Council thanked Sheriff Chad Meester for his time.

The next item of business was an update on the Police Chief Applications. Administrator/Clerk Eileen Christensen informed the Council the City received three complete applications for the Police Chief position. One individual e-mailed a resume with no application.

### **PUBLIC WORKS UPDATE**

Maintenance Supervisor Todd Draper updated the Council on the DNR Project. There is an area of 425 feet of uncovered roadway on Lakeshore Drive that received fabric and 12 inches of classified gravel. Double-D Gravel provided the gravel (\$7.00 a ton) and Town and Country excavated and re-laid the new classified gravel. DNR is expected to begin the asphalt work next week. The new water line was bored in by T & E Underground, and Town and County was willing to remove the existing concrete well and reshape the ditch to drain better at a cost of \$1,000.00.

Oakwood Drive was created in 1981 and the life of the road is gone. The gravel area by Don Hughes storage sheds is being used for larger trucks to drive on because Oakwood Drive cannot withhold the weight. This and other roads in town will need to be reconstructed in the short term.

Fuller is in town taking care of frost boils on Kent Street, Garfield Street and Whiteman Street. They will also be repairing the water break patch on Lincoln Avenue and the sink hole on Center Street. These will be submitted to FEMA for possible reimbursement excluding Lincoln Avenue and Center Street.

Todd received a quote of \$7,000.00 to repair the EMS parking lot. The quote includes fabric and 12 inches of crushed concrete which will be submitted to FEMA for reimbursement. If the City were to mill down 6" and add asphalt the cost was quoted at \$20,000.00. Our best case scenario is to have the frost boils completed before FEMA comes to the City.

The Council inquired about mosquito spraying and if it is feasible in Lake Benton. Maintenance Supervisor Todd Draper said they'd never get ahead of them because there are too many water areas in town.

The next item of business was to review/act on the Sexual Assault Policy for the Lake Benton Police Department. Administrator/Clerk Eileen Christensen informed the Council that Mark Bloom, Peace Officer Standards Coordinator of the MN POST Board, contacted her last week indicating each City with a Police Department needs to adopt the Sexual Assault Investigation Policy prior to October 1, 2019.

The MN POST Board adopted the policy in January 2019 and mandates the City of Lake Benton pass this policy and include a letter of certification. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the Sexual Assault Policy for the City of Lake Benton Police Department and include a letter of certification that the policy has been adopted. Motion carried.

The next item of business was to review/act on the implementation of a card-based fueling program at Staples Enterprises. Staples plans to have the implementation completed by August 31, 2019 and some of the key features and benefits of the program include: Increased security through card and account specific activation prompts, including a PIN number; 24-hour fueling access; Faster transaction times; Acceptance at any ExpressWay location; Enhanced reporting features; Detailed statements by card; Web access to reporting and card information; E-mailed invoices and statements; and Flexibility to design a set-up that meets our individual fueling and reporting needs

The City can get a card for each vehicle – two for the Maintenance trucks (with the same PIN number), one for each of the fire trucks/4-wheeler (with the same PIN number), and one for the Police squad (own PIN number). An envelope will be placed in each vehicle for the receipts to be turned into the City office each week or at the end of the month. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to authorize Administrator/Clerk Eileen Christensen to move forward with the implementation of the card-based fueling program at Staples Enterprises. Motion carried.

The next item of business was to review/act on a Resolution Accepting Donations to the Library. The Library received the following donation in memory of Glenn Krog:

- Conrad and Lisa Schardin - \$25.00

The donation will be designated towards Collections. Minnesota Statutes state the Library can accept donations for the benefit of recreational services. The Council needs to pass a resolution accepting the donations to the Library. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the Resolution Accepting Donations from Conrad and Lisa Schardin for \$25.00. Motion carried.

**COMMITTEE REPORTS:**

Trustee Mark Dunn – No report.

Trustee Rosie DeZeeuw – No report.

Trustee Dave Enke – No report.

Trustee Daryl Schlapkohl – No report.

**ADMINISTRATOR/CLERK REPORT:**

Administrator/Clerk Eileen Christensen reminded the Council of the August 12 and 13, 2019 Budget Meeting at 5:30 PM.

Administrator/Clerk Eileen Christensen provided the Council with the 48th Annual Polish Days Parade flyer. Child Care & Nutrition, Inc. (CCNI) will be facilitating the Weekend Winners backpack program this school year for the schools of Hendricks, Ivanhoe and Lake Benton.

**MAYORAL REPORT:**

Mayor Bob Worth stated the dogs in town are a big issue as owners are letting their dogs do their job on other's property. The Council will need to evaluate this ordinance again in the future.

On August 1st the City officially signed the papers for the sale of the former Community Center to the Henry Sollie Post 10 American Legion. This is a great fit for them as they have a meeting place again. The Post will plan to update the Veteran's Memorial with new names in the future. Previously the Council talked of using the funds to pay more on the loan from the Sewer fund for the purchase of the Event Center, but for now we will leave those funds in the General Fund.

Mayor Bob Worth stated that Sheriff Chad Meester was correct for the Council to set a date to complete the search for a Police Chief or contract with the County. Mayor Bob Worth would like to have the HR committee evaluate the applicants and bring the finals to the Council and discuss the interview process. The entire Council will perform the interviews in three locations as not to violate the Open Meeting Law. After the interviews, the Council will get together at another meeting under closed session to discuss the outcome.

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

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MAYOR

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ADMINISTRATOR/CLERK