

**AUGUST 6, 2018**

The Regular Meeting of the Lake Benton City Council was held on Monday, August 6, 2018 at 5:30 P.M. in the Heritage Center/City Office. Mayor Bob Worth presided. 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, Police Chief Tony Sievert, Darcy Miller, Insurance Agent for Buffalo Ridge State Agency-Lake Benton, Lisa Willert-Lake Benton Resort, Dustin Drietz, Diann Powell, 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. Diann Powell inquired who is in charge of the recycling in the City. Her recycling did not get dumped and they have missed Whitman Street several times. Diann was given an 800 number to contact Waste Management or contact Robert Olson at the Lincoln County Environmental Office.

Dustin Drietz addressed the Council explaining on July 19, 2018 sewage backed up into his basement due to tree roots in the sewer line. This was the second time in five years this has happened. The cost to clean it up far exceeded his insurance policy and inquired if there is any financial assistance for faulty utilities. Dustin did not provide the estimate on the structural damage because he would like this placed as an item on a future agenda. Dustin also inquired if the City could include all of Harrison Street in the project coming up this summer. The Council informed Dustin the improvement project has already been approved and bids placed. The City will contact Legal Counsel regarding the sewer issue and will add Dustin on the September 4, 2018 agenda.

The minutes of the Regular Meeting of July 16, 2018 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to approve the minutes of the Regular Meeting of July 16, 2018. Motion carried.

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

OTTERTAIL POWER	\$ 2,191.41	ITC	\$ 264.02
USTI	\$ 1.20	ALPHA WIRELESS	\$ 1,116.00
L-P RURAL WATER	\$ 4,567.93	GOPHER STATE	\$ 12.15
POSTMASTER	\$ 72.00	POSTMASTER	\$
TODD DRAPER	\$ 32.00	PAT HAYNES	\$ 250.00
MN LIFE	\$ 6.80	LINCOLN CTY RECORDER	\$ 46.00
HEIMAN FIRE EQUIP	\$ 950.00	SW SANITATION	\$ 240.00
CITY OF MINNEOTA	\$ 250.00	XION TECHNOLOGIES	\$ 380.00
BIOAG ENERGY	\$ 531.81	LIPINSKI SMALL ENGINE	\$ 269.90
TROY NORDMEYER	\$ 32.00	HYDRO TECH SERVICE	\$ 575.00
KYLIE ROCHEL	\$ 55.00	VERIZON	\$ 35.35
ONE OFFICE SOLUTION	\$ 24.30	KENNEDY & GRAVEN	\$ 175.50
BUFFALO RIDGE NEWS	\$ 413.10	MAXWELL FOOD EQUIP	\$ 3,242.69
DEMCO	\$ 80.03	FULLER PAVING	\$ 2,000.00
ENVIRO-PUMP PLUS	\$ 705.00		

**MOTION** by Mark Dunn, seconded by Rosie DeZeeuw 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.

**POLICE REPORT:**

The Police Report for July was given by Police Chief Tony Sievert. Police Chief Tony Sievert informed the Council the City's application for the Archery Hunt has been approved for 40 permits.

Applications for the City's Archery Hunt are available on the City's website. An ad will be placed in the Lake Benton Valley Journal beginning August 8, 2018. The proficiency test will be conducted at Kjergaard's Sports on September 8th and 9th with the season beginning September 15, 2018 through December 31, 2018. Steve Kjergaard will also provide targets for the proficiency test. Police Chief Tony Sievert received a Hunting Agreement from the Nature Conservancy and will forward it on to City Attorney Mike Cable for review and approval.

Police Chief Tony Sievert put together bids for the new Lake Benton Police vehicle. Police Chief Tony Sievert recommended the Council consider purchasing the 2019 Dodge Durango SSV for \$30,940.00 in addition to outfitting the vehicle for \$10,162.00. The state did not provide bids for 2018 vehicles. City Administrator/Clerk Eileen Christensen informed the Council the City has two \$5,000.00 CD's, another \$5,000.00 in the 2018 budget that can be put into a CD per Council approval, and another \$5,000.00 has been budgeted for the vehicle in 2019. The unassigned funds the Council previously approved could add an additional \$20,000.00 for the Police squad and \$25,000.00 for the Maintenance vehicle.

Police Chief Tony Sievert informed the Council it will take up to three months to get the vehicle after it has been ordered. The current pricing should not change from now until the purchase. Police Chief Tony Sievert also informed the Council he researched Minnesota Surplus on minnbid.org and the City could get anywhere from \$5,000.00 to \$14,000.00 for the current squad. The squad would have to be stripped down of the light bar and additional items. Police Chief Tony Sievert also informed the Council the radio from the current squad can be taken out and put in the new one and save the City \$3,500.00. After some discussion, the Council agreed to review this issue when they meet on the budget and consider keeping or getting rid of the current squad.

Police Chief Tony Sievert requested the Council consider purchasing a cell phone for the Police Department because they are not always in their office to answer the phone. Citizens cannot contact them when they need to and will not leave a message on the answering machine. Police Chief Tony Sievert recommended the Council consider purchasing an I-Phone from Straight Talk for \$179.00 plus \$35.00 a month for an unlimited plan. **MOTION** by Mark Dunn, seconded by Dave Enke to purchase an I-Phone from Straight Talk for \$179.00 plus \$35.00 a month for an unlimited plan with the existing phone number of the Police Department. Motion carried.

Police Chief Tony Sievert will be participating in an Emergency Vehicle Operation Course in Marshall at the MERIT Center on August 27, 2018. This is POST Board mandated training.

**MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve the Police Report for July. Motion carried.

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

Maintenance Supervisor Todd Draper gave an update on the Harrison Street Utility Improvement Project. Banner received the signed contracts from D & G last Friday and the City will receive them tomorrow. D & G will begin the project after Labor Day.

Maintenance Supervisor Todd Draper further explained to the Council the issue with the sewer line on Harrison Street. Five years ago the same line had tree roots and the City jetted them out and it was good for five years. On July 19, 2018 Maintenance Supervisor Todd Draper contacted a contractor from Balaton to get the tree roots out, but was unable to get through them with the equipment he was using. Double-D-Gravel was then contacted and they dug up the area and cut a large piece of pipe off to get to the tree roots. Maintenance Supervisor Todd Draper informed the Council he is aware of a company from Watertown, SD who can open the area and use a camera to evaluate the situation and get the City an estimate. The Council authorized Maintenance Supervisor Todd Draper to contact the individual in Watertown, SD for an estimate. Todd Draper and Eileen Christensen will contact Legal Counsel regarding the sewage issue at the home on Harrison Street.

The next item of business was to meet with Darcy Miller to finalize the 2018-2019 Insurance Renewal. Darcy Miller informed the Council all of the information is complete and sent to the League but the quotes have not been completed at this time. Darcy will plan to attend the August 20, 2018 meeting to finalize the renewal.

The next item of business was to review/act on leasing the sign by the CHS property and the railroad tracks to the Lake Benton Resort. Lisa Willert, co-owner of the Lake Benton Resort was in attendance to request approval from the Council to lease the sign in exchange for mowing around and maintaining the sign. Maintenance Supervisor Todd Draper informed the Council the Lions Club used to take care of the sign several years ago until they no longer needed it, so the City took over the maintenance of the sign. The former owners of Becker's Resort then requested to advertise on the sign and the City agreed to let them advertise if they agreed to maintain the sign and mow around it at no cost. The Council unanimously agreed to let the Lake Benton Resort use the sign for advertising if they agree to maintain it and mow around it at no cost.

Lisa Willert then inquired if there is any possible way the Lake Benton Resort can get an off-sale liquor license. The Council informed Lisa the City will not break the contract with the Lake Benton Bar & Grill and the Mini-Mart as it will expose the City to a liability. Lisa inquired if she spoke with the owners of the Lake Benton Bar and Grill and they were willing to let the Lake Benton Resort get an off-sale license, would the City agree. The Council informed Lisa that Legal Counsel would have to be involved before the City agrees to anything.

The next item of business was to review/act on sponsoring inflatables for the School Open House on August 21, 2018. Administrator/Clerk Eileen Christensen informed the Council that Jenny Nordmeyer would like to request the Council consider sponsoring inflatable events for the Lake Benton Public School Open House on August 21, 2018. Due to the fact the School's insurance will not cover obstacle related events; they are requesting the City to sponsor the event as the liability insurance is covered by the City's insurance. They are not requesting money, just the City's approval to sponsor the inflatable events.

Discussion took place if an accident occurs why the City has it added on their claims. Why should the City have to pay for someone else's events on someone else's property? **MOTION** by Dave Enke, seconded by Mark Dunn to approve sponsoring the inflatable events at the Lake Benton Public School Open House on August 21, 2018 this time only. There will be no more approval of insurance for future events until this is investigated further. Those entities putting on events should consider covering the inflatables with their own insurance liability. Motion carried.

The next item of business was to review/act on a building permit for Lincoln County Environmental Office to build a fence between the recycle area on Grant Street and S & E Auto. The Environmental Office was given the setbacks from the property line on which they can build a fence in a Commercial District. Maintenance Supervisor Todd Draper confirmed there were no setback concerns and everything is in compliance with the Ordinance. The fee of \$25.00 has been paid. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve the building permit for Lincoln County Environmental Office to build a fence between the recycle area on Grant Street and S & E Auto. Motion carried.

The next item of business was to review/act on a building permit for Mike Weets to build a 32' x 40' garage at 105 S. Cottage Street. Mike was given the setbacks from the property lines on which he can build a garage. Maintenance Supervisor Todd Draper confirmed there were no setback concerns and everything is in compliance with the Ordinance. The fee of \$25.00 has been paid. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the building permit for Mike Weets to build a 32' x 40' garage at 105 S. Cottage Street. Maintenance Todd Draper will inform Mike Weets that a culvert will need to be installed if he is adding an approach to the garage. Motion carried.

The next item of business was to review/act on the Ad Hoc Committee's recommendation to sell the Community Center on Benton Street which would be available for possession on December 1, 2018. Mayor Bob Worth informed the Council the committee first discussed advertising and promoting the Event Center. The front page of an upcoming issue of the Peach will feature the Event Center for the cost of \$650.00. People need to be aware the Event Center is available for parties, receptions, etc.

Mayor Bob Worth then informed the Council he talked with KLOH Radio and the City can pay for 300 ads per year for \$2,400.00. The ad will be placed three times a day on all of their stations. Discussion took place that the word needs to get out about the Event Center and perhaps make table tents and flyers listing accommodations and eating establishments. Perhaps the Lake Benton Resort would consider sharing a radio ad with the City.

Mayor Bob Worth then informed the Council it was discussed to sell the Community Center. It was agreed by the Legion to leave the memorial where it is located at the Community Center and not include that part of the parcel in the sale. The appliances, tables and chairs will be removed before the building is sold. The generator on the outside of the Community Center will be excluded from the sale as well and be moved to the resort lift station. The building cannot be sold until after the November election because a resolution was passed for that to be the polling place for the 2018 elections.

It was suggested by the committee to divide the parking lot and sell the south portion to Johansen's Repair as well as the parking lot behind the former Coffee Shop. Barricades will be put up as to where Johansen's can park and the purchaser of the Community Center. Maintenance Todd Draper will measure the parking lot and have the measurements for the Council at their next meeting of August 20, 2018.

Discussion then took place if alcohol would be an issue during events held at the Event Center, as well as consulting with Lutheran Social Services and Senior Dining. These issues need to be addressed prior to the sale of the building. The City has the right to accept or reject any and all bids at the time of advertising.

#### **COMMITTEE REPORTS:**

Trustee Mark Dunn – No report.

Trustee Rosie DeZeeuw – No report.

Trustee Dave Enke – The EDA meets this coming Wednesday. The Library Board meeting was short because not all the members were present. The August numbers were up compared to the previous month. The Fall Programming events include Friday morning preschool beginning September 7, 2018 through the school year. Jen Anfinson is coming back to the Library on September 25, 2018 with two workshops. The Jewelry Techniques for Nature Finds begins at 3:30 PM and at 6:00 PM there will be a Fairy House Workshop.

Trustee Daryl Schlapkohl – Trustee Daryl wanted to apologize to the Library and the Library Board on behalf of the Lincoln County Park System for the miscommunication between Daryl's park guide and the Library when the Library held their Summer Reading Program Grand Finale – The Petting Zoo. The park does not allow animals on the property, and Daryl failed to inform the park guide this was happening and it was okay.

The Opera House did well with the production "Footloose" averaging over 200 attendees at each performance. The Opera House Board will meet on Thursday evening and Daryl will have an update at the next regular meeting.

**ADMINISTRATOR/CLERK REPORT:**

Administrator/Clerk Eileen Christensen informed the Council she and Rosie DeZeeuw will be attending the mandatory Public Accuracy Testing (PAT) training on Thursday, August 9, 2018.

Administrator/Clerk Eileen Christensen received an e-mail from Infants Remembered in Silence, Inc. requesting the Council adopt a resolution endorsing October 15, 2018 as Pregnancy and Infant Loss Remembrance Day. Eileen attached a copy of the letter and a Proclamation Recognizing National Pregnancy and Infant Loss Awareness Day on October 15, 2018. **MOTION** by Mark Dunn, seconded by Dave Enke to adopt the proclamation endorsing October 15, 2018 as Pregnancy and Infant Loss Remembrance Day. Motion carried.

Administrator/Clerk Eileen Christensen contacted Dave Johnston from MnDOT in regards to the City leasing or purchase their building that formerly housed the state snow plow. Dave informed Administrator/Clerk Eileen Christensen that things are moving forward on a positive note. It is Dave's intention to have the Maintenance Department moved into the building before winter arrives this year.

Administrator/Clerk Eileen Christensen then explained a letter was received from a concerned citizen requesting the City to come up with a solution to repair the washed out roads on the interior roads at Memorial Hill Cemetery. Maintenance Supervisor Todd Draper informed the Council the access road was in the state right-of-way and in the late 1980's early 1990's the State conveyed the access road back to the City. The cemetery is located in the City limits. A local contractor has been offering a load of gravel for \$150.00 and this could get expensive. In the past, the City has used recycled asphalt on other streets in town. Maintenance Supervisor Todd Draper will talk with Roger Rudebusch-Cemetery Association and see what can be done for a reasonable price.

Administrator/Clerk Eileen Christensen reminded the Council of the following items:

- Affidavits of candidacy for Mayor and two Council members can be filed with her office between July 31, 2018 and August 14, 2018.
- Special Budget Meeting on Wednesday, August 15, 2018 at 5:30 PM.
- Trustee Daryl Schlapkohl, Maintenance Superintendent Todd Draper and she will be meeting with Lindsey Bruer, MnDOT Planning Director and Megan, MnDOT Senior Planner on Thursday, August 9th at 1:30 PM.

**MAYORAL REPORT:**

Mayor Bob Worth will not be at the next regular Council meeting on August 20, 2018. Acting Mayor Rosie DeZeeuw will preside at that meeting.

City officials and residents met with Senator Bill Weber a few weeks ago and discussed the issue of treating the lake. Senator Bill Weber informed Mayor Bob Worth that he visited with the DNR this past Monday. Senator Bill Weber gave the Assistant Commission the letter recently sent from the Lake Benton Lake Improvement Association.

Mayor Bob Worth informed the Council that Senator Bill Weber has been selected as a League of Minnesota Cities Legislator of Distinction for 2018. The League requested Mayor Bob Worth share this recognition with the City Council, the public, and the local newspaper.

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