

DECEMBER 19, 2022

The Regular Meeting of the Lake Benton City Council was held on Monday, December 19, 2022 at 5:30 P.M. in the Lake Benton Area Community and Event Center. Mayor Michael Carpenter presided. Trustees Rosie DeZeeuw, Mark Dunn, and Patrick Haynes were present. City Attorney Mike Cable and Trustee Daryl Schlapkohl were absent. City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, Karen Lichtsinn and Scott Christensen were also present.

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

Mayor Michael Carpenter 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 December 5, 2022 were reviewed. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve the minutes of the Regular Meeting of December 5, 2022. Motion carried.

The minutes of the Special Meeting of December 12, 2022 were reviewed. **MOTION** by Patrick Haynes, seconded by Mark Dunn to approve the minutes of the Special Meeting of December 12, 2022. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

VADIM	\$ 1.20	L-P RURAL WATER	\$ 4,468.83
RETHWISCH & SON	\$ 1,147.19	STATION ONE	\$ 341.08
RICK'S WELDING	\$ 12.00	CITY OF LAKE BENTON	\$ 173.26
POSTMASTER	\$ 143.44	LINCOLN CTY TREAS.	\$ 80.00
S & E AUTO	\$ 78.00	MINNESOTA LIFE	\$ 5.10
FIRST SECURITY BANK	\$ 23,500.00	JOHANSEN REPAIR	\$ 7,073.75
BIOAG	\$ 624.88	CARDMEMBER SRVCS	\$ 570.46
ONE OFFICE	\$ 87.79		

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.

The next item of business was to review/act on Change Order Number One (1); and the Final Pay Request Number Four (4) to A & C Excavating for the Mork & Giles Infrastructure Project. Change Order Number One (1) reflects the final adjustment of quantities for the Mork and Giles Infrastructure Project. The original contract price was \$469,482.50 minus the decrease in quantities of \$14,482.00 with a contract price of \$455,000.50. **MOTION** by Patrick Haynes, seconded by Mark Dunn to approve Change Order Number One (1) to decrease the original contract price of \$469,482.50 minus the decrease in quantities of \$14,482.00 with a contract price of \$455,000.50. Motion carried.

Banner Associates presented the Final Pay Request Number Four (4) for Council approval. Mayor Michael Carpenter asked Maintenance Supervisor Todd Draper if he was satisfied with the completed project and Todd replied, yes. Mayor Michael Carpenter then informed the Council the contract states liquidated damages can be assessed to the project if the substantial completion date of August 29, 2022 was not met. The contractors, A & C Excavating were 14 days late in meeting the substantial completion date. Banner is not recommending anything, instead their obligation to the City is to report information to the Council on issues that arise during the project. Banner provided information with two payment options that the Council can approve to assess either the full amount of \$16,800.00 in liquidated damages, one-half the amount of \$8,400.00 in liquidated damages, or nothing. The project is completed and it looks great. The Council then discussed that the contractor spends money in the City and the project was completed to our satisfaction, therefore the City should pay the full amount

due without deducting any liquidated damages. However, the City is setting a precedence for future projects that may not get completed on time and should consider charging half the liquidated damages. Mayor Michael Carpenter received a phone call earlier in the day from the Contractor who reminded him when they were going to begin the project, they were delayed by rain. They did, however, work on Saturdays and Sundays to get the project completed. They are a regional business who employs citizens from the Lake Benton area with money being spent in the community. Mayor Michael Carpenter then reminded the Council the next time a project is done in the City and the same issue arises, is the City setting a precedence for future projects. **MOTION** by Mark Dunn, seconded by Patrick Haynes to approve the Final Pay Request Number Four (4) in the amount of \$47,183.05 with no liquidated damages deducted for the Mork and Giles Infrastructure Project. Roll call vote: Mark Dunn – Yes, Rosie DeZeeuw – Yes, Patrick Haynes – Yes. Motion carried.

LAW ENFORCEMENT UPDATE

The Council reviewed the November calls for service in Lake Benton. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve the law enforcement update. Motion carried.

The next item of business was to review/act on the Farm Lease between the City of Lake Benton and Tom and Mary Gunnink. City Attorney Mike Cable reviewed and approved the lease. The Lease is for a three - year period of March 1, 2023 through February 28, 2026. There will be two \$12,000.00 payments made each year on March 1st and November 1st. Tom and Mary request the amounts to be reimbursed should the lease be terminated to include: Change \$550.00/acre to \$975.00/acre for corn; change \$400.00/acre to \$560.00/acre for soybeans; and change \$400.00/acre to \$500.00/acre for wheat. **MOTION** by Mark Dunn, seconded by Patrick Haynes to authorize the Mayor and Clerk to sign the Farm Lease between the City of Lake Benton and Tom and Mary Gunnink to include the reimbursement if lease is terminated. Motion carried.

The next item of business was to review/act on the 2022 Audit Engagement Letter with Kinner and Company. The proposal for the 2022 audit will not exceed \$11,750.00 which is a 6.82% increase over the 2021 audit of \$11,000.00. **MOTION** by Patrick Haynes, seconded by Mark Dunn to approve the 2022 Audit Engagement Letter with Kinner and Company for \$11,750.00. Motion carried.

The next item of business was to review/act on the employee annual wage adjustment effective January 1, 2023. Mayor Michael Carpenter informed the Council the 2023 budget included a 3% wage increase for the City employees. Mayor Michael Carpenter then requested the Council consider the wage increases in two motions, first the Maintenance Department, then the Administrator/Clerk. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve a 3% wage increase for Maintenance Supervisor Todd Draper and Maintenance Worker Troy Nordmeyer. Motion carried.

Mayor Michael Carpenter then explained the Administrator/Clerk's wage would be \$26.06 if she received the 3% increase which is not much more than the new Maintenance Supervisor's wage. Her responsibilities will increase with the new employee and the City of Lake Benton is paying one of the lowest wages for the Administrator/Clerk position in the County. Mayor Michael Carpenter requested the Council consider raising the Administrator/Clerk's salary to \$27.00/hour. A lot of people may be able to do her job but not a better job. The Administrator/Clerk has experience, knowledge of reporting timelines, and maintains a good relationship with the County, State and Legal Counsel. **MOTION** by Mark Dunn, seconded by Patrick Haynes to approve the salary of \$27.00/hour for City Administrator/Clerk Eileen Christensen effective January 1, 2023. Motion carried.

COMMITTEE REPORTS:

Trustee Patrick Haynes – The EDA will be meeting this Wednesday.

Trustee Rosie DeZeeuw – The Chamber met last week and the January Business of the Month is Buffalo Ridge Insurance. The Diner's Club continues to get meals on wheels from the Tyler Hospital and if the driver is not able to pick up the meals due to inclement weather, Lutheran Social Services has provided frozen food to be used if need be. The Opera House Christmas program was a success. Santa Clause Day

was December 10, 2022 with approximately 100 attendees. The winners of the Lighting Contest included: Margret Larsen and Jackie Hansen – First Prize; Lois and Corliss Kock – Second Prize, Dale Rochel – Third Prize, and the Country House was the business winner.

Trustee Mark Dunn – No report.

MOTION by Mark Dunn , seconded by Patrick Haynes to approve the Committee Reports. Motion carried.

ADMINISTRATOR/CLERK REPORT:

The City office will be closed Friday, December 23, 2022 and Monday, December 26, 2022.

MAYORAL REPORT:

Mayor Michael Carpenter thanked Trustees Mark Dunn and Daryl Schlapkohl for their six years of dedication to the City Council. The City thanks them for their time and expertise. Trustee Mark Dunn thanked the Mayor and reminded the new Council members to follow what they believe and stay true.

The next regular Council meeting is scheduled for Tuesday, January 3, 2023 at 5:30 PM. A special meeting to review the televising of the sewer lines will be Monday, January 9, 2023 at 2:00 PM.

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.

MAYOR

ADMINISTRATOR/CLERK