

DECEMBER 3, 2018

The Regular Meeting of the Lake Benton City Council was held on Monday, December 3, 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, Police Chief Tony Sievert, Dan Popowski with DSI, and Shelly Finzen from the Lake Benton Valley Journal were also present.

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 PUBLIC HEARING

At 5:30 PM Mayor Bob Worth called for a motion to go into the Public Hearing on Adopting the Police Body-Worn Camera (BWC) System Policy. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to go into the Public Hearing on Adopting the Police Body-Worn Camera (BWC) System Policy. Motion carried.

Police Chief Tony Sievert informed the Council the Policy is not completed yet as the Data Retention Record information needs to be completed. The Policy should be completed for the January 22, 2019 meeting.

At 5:31 PM, a **MOTION** by Mark Dunn, seconded by Dave Enke to close the Public Hearing and return to the regular meeting. Motion carried.

The minutes of the Regular Meeting of November 19-20, 2018 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the minutes of the Regular Meeting of November 19-20, 2018. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

OTTERTAIL	\$ 2,106.80	QUARNSTROM/DOERING	\$ 750.00
THOMAS ELECTRIC	\$ 3,340.21	UTILITY CONSULTANTS	\$ 119.12
MN RURAL WATER ASSOC	\$ 250.00	TODD DRAPER	\$ 32.00
PAT HAYNES	\$ 250.00	MINNESOTA LIFE	\$ 6.80
MN DEPT OF HEALTH	\$ 516.00	BIOAG ENERGY	\$ 294.90
AVERA MEDICAL GROUP	\$ 142.00	TROY NORDMEYER	\$ 32.00
KYLIE ROCHEL	\$ 55.00	ONE OFFICE SOLUTION	\$ 364.21
NORTH SHORE ANALYT	\$ 305.00	BUFFALO RIDGE NEWS	\$ 17.20
ALPHA TRAINING	\$ 120.00		

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

Police Chief Tony Sievert explained to the Council he was unable to get the November Police report completed due to other items that took precedence this past week. The November report will be given at the December 17, 2018 meeting.

Police Chief Tony Sievert then informed the Council that he and Maintenance Supervisor Todd Draper are requesting the Council's opinion on the snow emergency ordinance. The ordinance states that during a declared snow emergency or after two inches or more of snow have accumulated, no motor vehicle shall be left parked on any street or public way in the City until the declared emergency is canceled or, if no emergency is declared, until the street is cleared on

both sides of accumulated snow. During the declared snow emergency, any police officer or City appointed parking enforcement officer who finds a motor vehicle in violation of this section shall attempt to contact the owner of the motor vehicle and require the owner to immediately move the motor vehicle so as not to be in violation of this section. If the owner does not immediately remove the motor vehicle or the owner cannot be located, the police officer or city appointed parking enforcement officer is authorized to have the motor vehicle removed at the owner's expense. Discussion took place that Todd works well with the people to remove the vehicles, but it is getting harder and harder to plow around the vehicles because the owner's do not remove them on a timely basis. Although the ordinance may not have been enforced to its fullest in the past, it will need to be enforced to the fullest effective immediately. The Council agreed to put a tow tag on the vehicle giving the owner 24 hours to remove the vehicle, put a box ad notice in the newspaper regarding the ordinance, and declare a snow emergency by notifying KLOH Radio when a snow emergency is declared by the Mayor, Police Chief and/or snow removal Maintenance staff. The Police Chief will attempt to notify the owner of the vehicle prior to towing the vehicle. Police Chief Tony Sievert will contact Bruender's in Tyler to confirm they can tow and store the vehicle(s) until the owner pays the tow and storage fees.

PUBLIC WORKS UPDATE

No report.

The next item of business was to review/act on the Small Cities Development Program (SCDP) start-up process. Dan Popowski was in attendance to congratulate the City on getting their grant approved, and to introduce himself to the Council as he will be the primary individual working with the community members going forward on the first steps for the SCDP grant process.

Dan presented the start-up documents that need Council authorization for the Mayor's signature which included: Notice of Intent to Request Release of Funds, Request for Release of Funds and Certification, Grant Administration Service Agreement, and Certificate of Categorical Exclusion. The Council inquired when they can expect the release of funds. Dan informed them it will be at least 21 days after Council approval which will be around December 24, 2018 or after the first of the year.

Dan then requested Council approval on the Resolution Adopting Small Cities Development Grant Plans and Documents. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the Resolution Adopting Small Cities Development Grant Plans and Documents.

The next item of business was to appoint a new member to the Library Board. Council liaison Dave Enke for the Library Board informed the Council that due to Carolyn Rosenboom's resignation from the Library Board, he requested the Council appoint Cathy Morris as the new member to fill the vacancy on the Board. Dave Enke informed the Council that Cathy has been a member of the community for two years and has a big history of volunteering at the Library. Cathy comes from the Redwood Falls area and is involved with the Special Olympics in Minnesota. The Library Board feels Cathy will be a good addition to the board and recommends the Council appoint Cathy Morris to the board. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to appoint Cathy Morris as the new Library Board member beginning January 1, 2019. Motion carried.

The next item of business was to review/act on creating CD's for the City's General, Fire, Water and Sewer funds. When the City Council worked on the 2019 budget, they approved creating several CD's in various funds if the money was not used in 2018. The list of a 6-month, several 12-month CD's and the new Public Works Account totaling \$45,500.00 were reviewed: General Fund – \$5,000.00 6-month CD for Street Repairs/Sealcoating, and the following 12-month CD's which include \$2,000.00 for Parks/Ballfield Fence, \$5,000.00 for Street Capital Outlay, and \$5,000.00 for Police Capital Outlay; Fire Fund – \$5,000.00 for Fire Department Capital Outlay/Building Fund; Water Fund – \$1,000.00 for Capital Outlay/Water Meters, and \$5,000.00 for Water Tank Upkeep; Sewer Fund – \$5,000.00 for Sewer Capital Outlay.

The following amounts will be put in the new Public Works Account: \$4,000.00 for Public Works Heavy Equipment and \$8,500.00 for Capital Outlay Equipment. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the list of 6-month, and 12-month CD's and the new Public Works Account totaling \$45,500.00: General Fund – \$5,000.00 6-month CD for Street Repairs/Sealcoating, and the following 12-month CD's which include \$2,000.00 for Parks/Ballfield Fence, \$5,000.00 for Street Capital Outlay, and \$5,000.00 for Police Capital Outlay; Fire Fund – \$5,000.00 for Fire Department Capital Outlay/Building Fund with option not to go in; Water Fund – \$1,000.00 for Capital Outlay/Water Meters, and \$5,000.00 for Water Tank Upkeep; Sewer Fund – \$5,000.00 for Sewer Capital Outlay. Motion carried.

The Fire Department requested the Council adjust the 2018 budget and move the budgeted \$3,000.00 in Capital Outlay Equipment into Fire Capital Outlay/PPE (Personal Protective Equipment) so they can purchase an additional air-pack in 2018 in the amount of \$5,400.00. The \$3,000.00 plus the \$1,000.00 remaining in the PPE account will cover the air-pack with additional funds from Run Fees and Dividends expected to come in before the end of the year.

MOTION by Mark Dunn, seconded by Dave Enke to adjust the 2018 budget and move the budgeted \$3,000.00 in Fire Capital Outlay Equipment into Fire Capital Outlay/PPE (Personal Protective Equipment) so they can purchase an additional air-pack in 2018 in the amount of \$5,400.00. The \$3,000.00 plus the \$1,000.00 remaining in the PPE account will cover the air-pack with additional funds from Run Fees and Dividends expected to come in before the end of the year. Motion carried.

At 6:01 PM Mayor Bob Worth called for a motion to go into the Truth-in-Taxation Hearing. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to go into the Truth-in-Taxation Hearing. Motion carried.

The proposed 2019 levy that was approved at the September 17, 2018 meeting was \$235,966.08 (\$158,966.08 allocated to the General Fund and \$77,000.00 allocated to the USDA-RUS Improvement Fund). This is an approximate increase of three percent (3%) over the previous year for a total increase of \$4,630.08.

Mayor Bob Worth then informed the Council the City can either approve the proposed tax levy of \$235,966.08 or decrease it – it cannot be increased at this time. Discussion took place to lower the proposed levy and leave it the same as 2018 which was \$231,336.00. This is the fourth year the City's levy has not been increased. **MOTION** by Dave Enke, seconded by Mark Dunn to certify the tax levy for the City of Lake Benton at \$231,336.00 in which \$154,336.00 is allocated to the General Fund. Motion carried. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to certify the tax levy at \$77,000.00 for the USDA-RUS Improvement Fund. Motion carried.

The 2019 Budget amounts are as follows: General Fund: Income-\$479,099.00, Expense-\$477,200.00; Fire Fund: Income-\$80,100.00, Expense-\$72,608.00; Library Fund: Income-\$49,524.00, Expense-\$46,683.50; Utility Fund: Income-\$368,682.00, Expense-\$289,591.50; USDA-RUS Improvement Fund: Income-\$77,000.00, Expense-\$77,000.00. **MOTION** by Mark Dunn, seconded by Daryl Schlapkohl to return to the regular meeting at 6:09 PM. Motion carried.

The next item of business was to review/act on closing the TIF Saving Account for Rick's Welding. Rick's Welding has reached the statutory maximum duration limit of ten years for the Tax Increment Financing (TIF) and will be decertified effective December 31, 2018. As part of the decertification process, the City needs to get confirmation back from the County Auditor that the information on the form is correct, and the excess tax increment gets returned to the County. The funds are in a savings account and the excess money will need to be withdrawn and put into a money order and sent to the Lincoln County Auditor. The Council will need to approve closing the savings account and the decertification of Rick's Welding TIF.

MOTION by Daryl Schlapkohl, seconded by Rosie DeZeeuw to approve closing the TIF Savings Account for Rick's Welding effective December 31, 2018. Motion carried.

The next item of business was to review/act on the delinquent water bills at 514 W. Benton Street owing \$596.36, 206 S. Fremont Street owing \$859.90, and 108 S. Kent Street owing \$192.41. The individuals will be mailed a letter on December 4, 2018 informing them if payment is not received by December 15, 2018, this amount will be certified as a property tax levy against their property on December 20, 2018. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to submit the delinquent water bills to the County Auditor to be assessed to the properties if payment is not received by December 15, 2018. Motion carried.

COMMITTEE REPORTS:

Trustee Dave Enke – The Diner's Club Ad-Hoc Committee met last week and today was first Diner's Club meals-on-wheels delivery, and Thursday will be the first sit down dinner at the Lunch Box with an outstanding 48 reservations! Peg Gorter-Evans and everyone involved are very excited. Dave informed the Council he checked the minutes in regards to the senior dining from 1979 to 1981 and found that the senior citizens have a long monetary history of support to senior dining. In 1979 the City approved \$52,000.00 to build a new Community Center and the seniors wrote a check for \$7,250.00 towards the purchase of the Center. The seniors spent approximately \$2,000.00 to purchase tables and chairs for use of the senior center as well as paid \$3,300.00 towards the purchase and installation of a new A/C and furnace at no cost to the City. The major fixtures in the kitchen which included the mixer, convection oven, volcano stove, refrigerator, freezer and dishwasher were also purchased by the seniors through fund raisers and grants. The seniors have a large investment over the years in sustaining and building the program. The agreement between the seniors and the City was that all purchases would belong to the City.

With the successful transition to the new program, it was the committee's recommendation to offer the City a proposal with two parts. The first part is regarding the freezer that was purchased for \$3,500.00 and is 26 years old. Peg Gorter-Evans is interested in purchasing the freezer to help her work with the program and provided a sealed bid. Work was done on contacting someone who sells used equipment and what the value would be. Most used freezers that are five years old, just like the one in the Community Center, can be sold for \$1,000.00 to \$1,500.00. The comment made was to take what you can get.

The second part of the proposal is to move some of the amenities (plates, glasses, condiment trays, silverware, serving cart, tubs and dishwasher tubs, and cake pans) to the Lunch Box. The City would retain ownership of the amenities to be used at the Lunch Box and stored there for the use of the program. These proposals are critical to the immediate transition of the program.

Discussion took place among the Council regarding the proposals and agreed they would rather give the freezer to Peg then to sell it to her. Since the freezer is 26 years old, the City would not feel right charging for it in case it breaks down shortly thereafter. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to let the Lunch Box use the freezer and amenities, retain ownership of the freezer and amenities, and return the sealed bid to Peg Gorter-Evans. Motion carried. Trustee Dave Enke thanked the Council and the committee members who worked hard on keeping the program and getting funding for it.

Rosie DeZeeuw – No report.

Daryl Schlapkohl – Trustee Dave Enke, Administrator/Clerk Eileen Christensen and himself met with Sarah Meyer today. They had a good discussion and gave Sarah several ideas for marketing the Event Center.

Trustee Mark Dunn – Trustees Mark Dunn and Daryl Schlapkohl, and Administrator/Clerk Eileen Christensen met with three individuals from the Fire Department last week. Eileen will plan to meet each November with the Fire Department to review their funds and optional CD's.

ADMINISTRATOR/CLERK REPORT:

No report.

MAYORAL REPORT:

Mayor Bob Worth thanked everyone for attending the committee and ad-hoc committee meetings as it makes the City work so much more smoothly.

Mayor Bob Worth then requested the Council and staff consider a date for the Christmas Party at the Country House to discuss at the next regular meeting.

Mayor Bob Worth informed the Council if they would like to make any changes to the committee assignments to let him and Eileen know as soon as possible.

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.

MAYOR

ADMINISTRATOR/CLERK