

DECEMBER 6, 2021

The Regular Meeting of the Lake Benton City Council was held on Monday, December 6, 2021 at 5:30 PM in the Lake Benton Area Community and Event Center. Mayor Michael Carpenter presided. Trustees Rosie DeZeeuw, Mark Dunn, Daryl Schlapkohl, and Dave Enke were present. City Attorney Mike Cable was absent. City Administrator/Clerk Eileen Christensen, Curtis Rethwisch, Kenny Johansen, and Kristina Hernandez with the Lake Benton Valley Journal were also present.

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

5:30 PM – PUBLIC HEARING TO INTRODUCE CHAPTER 172 NO. 212

Mayor Michael Carpenter called for a motion to go into the public hearing to introduce Chapter 172 No. 212 – An Ordinance Amending Title XVII, General and Additional Provisions Chapter 172 by Amending Ordinance No. 150 Article VII. Zoning District Regulations, Central Business District. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to open the public hearing to introduce Chapter 172 No. 212 – An Ordinance Amending Title XVII, General and Additional Provisions Chapter 172 by Amending Ordinance No. 150 Article VII. Zoning District Regulations, Central Business District. Motion carried.

Mayor Michael Carpenter informed the Council and audience the Ordinance states the following shall be allowed in the Central Business District: (1) Dwelling units may be located above businesses and only one dwelling unit may be connected to the business on the same street level as the business. The current ordinance allows dwelling units above the businesses in the Central Business District, not on the street level. The notice was published in the November 17, 2021 edition of the Lake Benton Valley Journal to inform citizens that may want to attend. There were no questions or concerns from the Council. Mayor Michael Carpenter then asked the audience three times if they had any questions or concerns. No one had any questions or concerns. The adoption of the ordinance will take place later this evening for any citizens that want to attend and provide input. **5:34 – MOTION** by Mark Dunn, seconded by Daryl Schlapkohl to close the public hearing and return to the regular meeting. Motion carried.

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 November 15, 2021 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the minutes of the Regular Meeting of November 15, 2021. Motion carried.

The minutes of the Special Meeting of November 16, 2021 were reviewed. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve the minutes of the Special Meeting of November 16, 2021. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

BOLT'S LB GROCERY	\$ 5.83	OTTERTAIL	\$ 2,258.01
ITC	\$ 331.38	QUARNSTROM/DOERING	\$ 1,595.00
RETHWISCH & SON	\$ 2,062.41	GOPHER STATE	\$ 5.40
TODD DRAPER	\$ 32.00	PAT HAYNES	\$ 250.00
MN LIFE	\$ 5.10	LINCOLN CTY RECORDER	\$ 46.00
HEIMAN	\$ 36.00	MN DEPT OF HEALTH	\$ 789.00
SW SANITATION	\$ 3,710.58	D & G EXCAVATING	\$ 200.00
LIBRARY JOURNAL	\$ 104.99	TROY NORDMEYER	\$ 32.00
KYLIE ROCHEL	\$ 135.00	ONE OFFICE	\$ 130.54

MAGAZINE LINE	\$	74.83	BUFFALO RIDGE NEWS	\$	33.38
AMAZON CAPITAL	\$	275.24	CENTER POINT	\$	45.54
DANNY-MEGAN KROTZER	\$	250.00			

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 Administrator/Clerk to make payment.

PUBLIC WORKS UPDATE

No report.

The next item of business was to review/act on a building permit for Erica Johnson to install a fence in the back yard along the house of her property at 310 S. Garfield Street. Erica was given the setbacks in which to install the fence and the \$25.00 application fee has been paid. There are no setback concerns. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve the building permit for Erica Johnson to install a fence in her back yard at 310 S. Garfield Street. Motion carried.

The next item of business was to review/act on creating CDs for the City’s General, Fire and Water funds. When the City Council worked on the 2022 budget, they approved creating several CDs in various funds if the money was not used in 2021. The list of 6-month and 12-month CDs for \$48,000.00, and the Public Works Account for \$12,000.00 totaling \$60,000.00 were reviewed: General Fund – \$1,000.00 for City Office Improvements, \$2,000.00 for Parks/Ballfield Fence, \$2,500.00, for Parks/Ballfields Lakeside Park Improvements, and \$7,500.00 for Street Capital Outlay (Sidewalk); Fire Fund – \$3,000.00 for Fire Capital Outlay/Equipment, \$5,000.00 for Capital Outlay/Building Fund, and \$7,000.00 for Fire Capital Outlay/Personal Protective Equipment; Water Fund – \$5,000.00 for Capital Outlay/Water Improvements, and \$5,000.00 for Water Tank Upkeep. A six-month CD for Street Repair/Sealcoating for \$10,000.00. The following amounts will be put in the Public Works Account: \$2,000.00 for Public Works Heavy Equipment and \$10,000.00 for Capital Outlay Equipment. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the list of 6-month and 12-month CDs for \$48,000.00 and the Public Works Account for \$12,000.00 totaling \$60,000.00: General Fund – \$1,000.00 for City Office Improvements, \$2,000.00 for Parks/Ballfield Fence, \$2,500.00 for Parks/Ballfields Lakeside Park Improvements, and \$7,500.00 for Street Capital Outlay (Sidewalk); Fire Fund – \$3,000.00 for Fire Capital Outlay/Equipment, \$5,000.00 for Capital Outlay/Building Fund, and \$7,000.00 for Fire Capital Outlay/Personal Protective Equipment; Water Fund – \$5,000.00 for Capital Outlay/Water Improvements, and \$5,000.00 for Water Tank Upkeep. A six-month CD for Street Repair/Sealcoating for \$10,000.00. The following amounts will be put in the Public Works Account: \$2,000.00 for Public Works Heavy Equipment and \$10,000.00 for Capital Outlay Equipment. Motion carried.

The next item of business was to review/act on the delinquent utility bills at 514 W. Benton Street owing \$670.52, 303 Valley Street owing \$683.66, 109 W. Bluff Street owing \$683.66, 104 S. Garfield Street owing \$260.44, and 114 N. Center Street owing \$511.90; and the abatement at 114 N. Center Street owing \$956.98. The individuals will be mailed a letter on December 7, 2021 informing them if payment is not received by December 16, 2021, this amount will be certified as a property tax levy against their property on December 17, 2021. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to submit the delinquent water bills to the County Auditor to be assessed to the properties if payment is not received by December 16, 2021. Motion carried. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to submit the delinquent abatement to the County Auditor to be assessed to the property at 114 North Center Street. Motion carried.

COMMITTEE REPORTS:

Trustee Mark Dunn – No report.

Trustee Rosie DeZeeuw – No report.

Trustee Dave Enke – The Library board met last week, and Plum Creek is working on updating their website to be utilized by the patrons of Plum Creek. The Library had their Holiday Open House last Saturday. The Library purchased new shelving for the DVD selection with the interest from the Endowment Fund. An individual donated a sum of money to the Endowment Fund for the Library and the Library board has the authority to use the interest from the fund. The Winter Reading Program will begin in January. Employee reviews will be given in January.

The EDA board met at a special meeting December 2, 2021 and met with the architect with SWMNHP to assist with the design and construction management. The architect shared the design changes and cost factors relative to the previous meeting. The EDA will plan to advertise for bids in February 2022 for the construction season and will be discussing financing options. The Johnson Commercial Park property is progressing slowly. The EDA is still waiting for a letter of intent/commitment from the interested tenant. However, the interested tenant instructed their engineers to move forward on the designs and plans. The EDA board is still waiting for the delineation to be completed and the report. The formed Task Force will be meeting soon.

The Council inquired about the EDA board waiting for the letter of intent from the interested tenant and has there been an offer made from the City on what they are purchasing from the City. The tenant is aware that the City will need to approve the final purchase. Once the EDA receives the letter of intent, they will hand it over to the City because the City owns the property.

Trustee Daryl Schlapkohl – No report.

MOTION by Rosie DeZeeuw, seconded by Mark Dunn to approve the committee reports. Motion carried.

ADMINISTRATOR/CLERK REPORT:

The Fire Department is calling for a special meeting of the City, Townships and Fire Department to address the capital improvement/truck fund account. This informational meeting will be held on Tuesday, December 7, 2021 at 7:00 PM at the Lake Benton Area Community and Event Center.

Mayor Michael Carpenter informed the Council that Fireman Garrett Petersen contacted Mark Dunn about the special meeting to include the Council and townships. This is an Informational meeting, and the Mayor would like to see the Council attend.

MAYORAL REPORT:

Mayor Michael Carpenter reminded the Council that Maintenance Supervisor Todd Draper and Maintenance Worker Troy Nordmeyer did an excellent job cleaning up behind the bar. The Mayor and Administrator have received several calls from tax payers inquiring why nothing had been done to the property. The Council has been working on this since June and had to wait for authorization from the courts before cleaning up the items and putting them in storage.

At the last meeting, the Council discussed the Mork and Giles Addition which the EDA will be adding two duplex units, and six lots have been sold for three houses to be built. The City received a bid from Banner Associates for the infrastructure (water, sewer, streets) for \$491,000.00 in April. Due to the change in economy, the City will be looking at getting a new bid in January and bring to the Council before advertising for bids in February 2022.

Administrator/Clerk Eileen Christensen will be training on the new meter reader in January 2022.

Mayor Michael Carpenter reminded the Council at the last meeting he asked them to look at Ottertail's substation area. Mayor Michael Carpenter talked with Gregg Nelsen who indicated that the updated expansion of the substation is budgeted for 2022. Although things can change, Gregg felt there was an 80% chance it will be funded for 2022 and the area will be improved. Gregg alluded to the fact Ottertail may need additional land and will contact the City when known.

The County is scheduled to resurface Benton Street (County Road 21) in 2022.

At 6:04 Mayor Michael Carpenter called for a motion to go into the Truth-in-Taxation Hearing. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to go into the Truth-in-Taxation Hearing. Motion carried.

The proposed 2022 levy that was approved at the September 20, 2021 meeting was \$260,477.00 (\$183,477.00 allocated to the General Fund and \$77,000.00 allocated to the USDA-RUS Improvement Fund). This is an approximate increase of two percent (2%) over the previous year for a total increase of \$3,598.00. Mayor Michael Carpenter then informed the Council the City can either approve the proposed tax levy of \$260,477.00 or decrease it – it cannot be increased at this time.

If the Council chooses to keep the levy the same, the estimated expenses for the General Fund are \$506,688.00 and estimated income of \$505,982.00. If the Council chooses to move ahead with the levy increase of 2%, the estimated expenses for the General Fund are \$506,688.00 and estimated income of \$509,580.00 which is an increase of \$3,598.00. Mayor Michael Carpenter stated the Council did a respectable job on budgeting for 2022.

The Council discussed the percentage increase they would like to see, either 0% or a 2% increase. The Council stated there are a lot of projects taking place in the coming year (i.e. Mork & Giles Addition) and a 2% increase is not a heavy burden on the tax payers. The City has shown they manage the funds wisely and it is better to increase the levy a small amount each year versus increasing the levy by a larger percentage in the future. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to certify the tax levy for the City of Lake Benton at 2% with an increase of \$3,598.00 in which \$183,477.00 is allocated to the General Fund, and \$77,000.00 allocated to the USDA-RUS Improvement Fund. Roll call vote: Trustee Enke – Yes, Trustee Schlapkohl – Yes, Trustee DeZeeuw – Yes, Trustee Dunn – Yes. Motion carried unanimously.

The 2020 Budget amounts are as follows: General Fund: Income-\$509,580.00, Expense-\$505,688.00; Fire Fund: Income-\$81,000.00, Expense-\$78,668.00; Library Fund: Income-\$52,024.00, Expense-\$50,671; Utility Fund: Income-\$340,135.00, Expense-\$341,440; USDA-RUS Improvement Fund: Income-\$77,000.00, Expense-\$77,000.00. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to return to the regular meeting at 6:16 PM. Motion carried.

6:16 PM – PUBLIC HEARING TO ADOPT CHAPTER 172 NO. 212

Mayor Michael Carpenter called for a motion to go into the public hearing to adopt Chapter 172 No. 212 – An Ordinance Amending Title XVII, General and Additional Provisions Chapter 172 by Amending Ordinance No. 150 Article VII. Zoning District Regulations, Central Business District. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to open the public hearing to adopt Chapter 172 No. 212 – An Ordinance Amending Title XVII, General and Additional Provisions Chapter 172 by Amending Ordinance No. 150 Article VII. Zoning District Regulations, Central Business District. Motion carried.

Mayor Michael Carpenter read the amended Ordinance: *An Ordinance Amending Title XVII, General and Additional Provisions Chapter 172, by Amending Ordinance No. 150, Article XVII, Section 708 – Central Business District Permitted Uses. The City Council of the City of Lake*

Benton Ordains: Section 708.2 – No. 1. Dwelling units may be located above businesses and only one dwelling unit may be connected to the business on the same street level as the business. The following use shall be allowed in the Central Business District: (1) Dwelling units may be located above businesses and only one dwelling unit may be connected to the business on the same street level as the business. Passed by the City Council of the City of Lake Benton, Minnesota this 6th day of December, 2021.

Mayor Michael Carpenter then asked the citizens in attendance, three times, if they would like to give any input on the adoption of the ordinance. No input was given. **ROLL CALL VOTE:** Trustee Enke – Yes, Trustee Schlapkohl – Yes, Trustee DeZeeuw – Yes, Trustee Dunn – Yes to approve the adoption of Chapter 172 No. 212 – An Ordinance Amending Title XVII, General and Additional Provisions Chapter 172 by Amending Ordinance No. 150 Article VII. Zoning District Regulations, Central Business District. Motion carried unanimously.

6:19 PM – MOTION by Mark Dunn, seconded by Rosie DeZeeuw to close the public hearing and return to the regular meeting. Motion carried.

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

MAYOR

ADMINISTRATOR/CLERK