

FEBRUARY 1, 2021

The Regular Meeting of the Lake Benton City Council was held on Monday, February 1, 2021 at 5:30 P.M. in the Lake Benton Area Community and Event Center. Mayor Michael Carpenter, Trustees Rosie DeZeeuw, Mark Dunn, and Dave Enke were present. City Attorney Mike Cable and Trustee Daryl Schlapkohl were absent. City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, Lisa Willert, and Miranda Deutz from 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.

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 January 19, 2021 were reviewed. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve the minutes of the Regular Meeting of January 19, 2021. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

BOLT'S LB GROCERY	\$	12.18	OTTERTAIL	\$	2,458.44
RETHWISCH & SON	\$	12.98	GOPHER STATE	\$	50.00
S & E AUTO	\$	145.00	TODD DRAPER	\$	32.00
PAT HAYNES	\$	287.57	MN LIFE	\$	5.10
KINNER & COMPANY	\$	99.00	CAREN PETERSEN	\$	258.75
BIOAG ENERGY	\$	447.80	TROY NORDMEYER	\$	32.00
KYLIE ROCHEL	\$	130.00	ONE OFFIC SOLUTION	\$	9.98
BUFFALO RIDGE NEWS	\$	93.45	PAM BAKKER	\$	1,232.00
AMAZON	\$	581.76	MIKE CZECH	\$	273.92
CENTER POINT	\$	44.34	DEMCO	\$	107.05

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.

The next item of business was to review/act on Street Improvement Project on Fremont Street. Mayor Michael Carpenter reminded the Council they discussed this project at their last meeting.

- The first item in this section is to review/act on a Resolution Ordering Preparation of Report on Improvement. **MOTION** by Dave Enke, seconded by Mark Dunn to approve the Resolution Ordering Preparation of Report on Improvement of Fremont Street. Motion carried.
- The second item in this section is to Accept the report from Banner Associates and Cost Estimate for the Street Improvement. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to accept the report from Banner Associates and Cost Estimate for the Fremont Street Improvement. Motion carried.
- The third item in this section is to review/act on Resolution Receiving the Feasibility Report and Calling for a Hearing on Improvement. This project is an assessable project to effect nine property owners. It was suggested to have the hearing on Monday, March 1, 2021 at 5:45 PM at the Lake Benton Area Community and Event Center. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the Resolution Receiving the Feasibility Report and Call for a Hearing on Improvement on Monday, March 1, 2021 at 5:45 PM. Motion carried.

Maintenance Supervisor Todd Draper informed the Council Banner Associates is waiting to hear from the state regarding the road closure for this project.

The next item of business was to review/act on Nuisances and Parking Ordinances. The Council was reminded that at the January 19-20, 2021 regular meeting, Mayor Michael Carpenter handed out copies of the Ordinances on Nuisances and Parking and requested the Council review and discuss at tonight's meeting. The Council inquired if the ordinances reflect both residential and commercial properties, and were informed they do. It was recommended that this item definitely be addressed, and make everyone aware of the ordinances. After some discussion about how to inform all the citizens of Lake Benton, it was suggested the ordinances are posted on the website, but not everyone has access to a computer; advertise something on the local access channel, but not everyone watches the access channel; put small articles in the newspaper, but not everyone reads the newspaper. After further discussion, a **MOTION** was made by Mark Dunn, seconded by Dave Enke to authorize Administrator/Clerk Eileen Christensen to put a letter together for the Council to review at their February 16, 2021 meeting. If approved at that time, the letter will be included with the March utility bill in an envelope marked "UTILITY BILL ENCLOSED". Motion carried.

The next item of business was to review/act on City On-Sale and Off-Sale Liquor Licenses. The Lake Benton Resort, LLC applied for an Off-Sale Liquor License effective February 1, 2021 through April 30, 2021, until the annual renewal for May 1, 2021 through April 30, 2022 is due. The Lake Benton Waterfront Resort applied for an On-Sale Liquor and Off-Sale Liquor (Combination) for April 1, 2021 through April 30, 2021 because they will be the new owners for one month before their annual renewal is due.

The cost of the Off-Sale Liquor License is \$240.00 and the cost of an On-Sale/Sunday License is \$550.00. The City can charge the Lake Benton Resort, LLC and Lake Benton Waterfront Resort, LLC a portion of the \$240.00 and the \$550.00 until the purchaser gets their annual renewal in May. The cost of the Off-Sale Liquor License is \$20.00/month, and the cost of the On-Sale Liquor License is \$46.00/month. Sheriff Meester performed background checks and signed the applications. After Council approval, the Administrator/Clerk will send them to the state for review/inspection. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve the Off-Sale Liquor License for February 1, 2021 through April 30, 2021 with proof of liability insurance for The Lake Benton Resort, LLC for a prorated fee; and the On-Sale and Off-Sale License (Combination) for the Lake Benton Waterfront Resort (new owner) from April 1, 2021 through April 30, 2021 with proof of liability insurance for a prorated fee. Motion carried.

The next item of business was to review/act on rental fees at the Lake Benton Area Community and Event Center. The City currently charges \$50.00/day to rent the front room of the Event Center, \$50.00/day to rent the kitchen, and \$100.00/day to rent the back room. Mayor Michael Carpenter informed the Council the real estate on the property is approximately \$1,300.00 and insurance is approximately \$355.00. The City is subsidizing this building by paying taxes, insurance, utility bills, propane, electricity, cleaning and maintaining it. Will the Council consider adjusting the rates for the rental center? There are three weddings planned this summer and after COVID-19, we will be in a better position to market the Event Center. Suggested rate increases included \$150.00/day to rent the front room and \$100.00/day to set up; \$100.00/day to rent the kitchen; and \$250.00/day to rent the back room and \$100.00/day to set up. **MOTION** by Dave Enke, seconded by Mark Dunn to table this item until the next regular meeting of February 16, 2021. Motion carried

The next item of business was to review/act on Resolution, Earnest Money Contract, and Sale of Property to Buffalo Ridge Holdings, LLC. This was approved at the January 19-20, 2021 meeting, but the buyers requested the purchaser name be changed from Jack Christiansen and Marie Christiansen to Buffalo Ridge Holdings, LLC. Legal Counsel prepared an amended Resolution that will need be approved to convey the said real property: **WHEREAS**, the City of Lake Benton met in regular session on February 1, 2021 for the purpose of selling that real property described as follows: Lots One (1) and Two (2) of Block Three (3) of the Replat of a part of Giles and Mork's Addition, City of Lake Benton, State of Minnesota, **WHEREAS**, the City

of Lake Benton wants to sell said real property, and **WHEREAS**, Buffalo Ridge Holdings, LLC offered to pay the City of Lake Benton Eleven Thousand and No/100 (\$11,000.00) Dollars, and **WHEREAS**, the City of Lake Benton met in regular session on February 1, 2021 for the purpose of accepting the offer of Buffalo Ridge Holdings, LLC. **NOW, THEREFORE**, the City Administrator/Clerk of the City of Lake Benton certifies the following:

1. That on February 1, 2021 upon a motion made by Mark Dunn, seconded by Dave Enke, and carried that real property described as follows: Lots One (1) and Two (2) of Block Three (3) of the Replat of a part of Gile and Mork's Addition, City of Lake Benton, State of Minnesota, was sold to Buffalo Ridge Holdings, LLC, for Eleven Thousand and No/100 (\$11,000.00) Dollars.

The Earnest Money Contract of Sale and a copy of Exhibit A – Agreement prepared by City Attorney Mike Cable to convey the real estate in the Replat of Mork & Giles Addition described as Lots One (1) and Two (2) of Block Three (3). The Earnest Money Contract of Sale needs to be authorized by the City of Lake Benton and after authorization is obtained, the Earnest Money Contract of Sale has to be signed in the presence of a Notary Public by Michael W. Carpenter, Eileen Christensen, and the Buffalo Ridge Holdings, LLC (Jack Christiansen and Marie Christianson). After the Earnest Money Contract of Sale is signed by all parties, Jack and Marie will need to send a check in the amount of \$1,000.00 to Quarnstrom & Doering, P.A. Trust Account. Jack and Marie Christiansen have agreed to order an Abstract of Title for the property and pay the same. The remaining amount of \$10,000.00 will be paid the date of closing which will be determined. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to approve the Earnest Money Contract of Sale. Motion carried.

Mayor Michael Carpenter informed the Council that he and Administrator/Clerk Eileen Christensen received a request from an interested party to purchase Lots 6, 7 & 8 of Block 3 located directly west of the lots just sold. However, the three lots have sewer, but do not have water. If the City wants to move forward to get water to the west lots, the water line will have to go through the football field. The utility account will help fund the water line in the project, but not the street, curb and gutter. Discussion took place that if taxpayers are willing to expand and move here, we should develop the property to get people here, however that means the football field may need to go. After additional discussion to proceed on funding, and get a cost estimate to put in water on Harrison Street to Lots 5, 6, 7 & 8 of Block 3, a **MOTION** was made by Dave Enke, seconded by Rosie DeZeeuw to check the cost of adding a water line on Harrison Street and extending Harrison Street. Not carried due to additional discussion.

Maintenance Supervisor Todd Draper explained to the Council if someone wants to develop in the Mork and Giles Addition, it will need water, sewer and street which is a combined completion project. The City will need to extend Mork Street going west, and Harrison Street going north to connect to Mork. The City will need to talk with Banner Associates to put together a report on Engineering as we need an engineer involved to get the water, sewer and street completed properly in the Mork & Giles Addition which may not happen until the fall of 2021 or spring/summer of 2022. **MOTION** by Dave Enke, seconded by Mark Dunn to authorize Maintenance Supervisor Todd Draper contact Banner Associates and determine the cost factor and bring back to the Council. Motion carried.

The issue of signing a lease with the Buffalo Ridge Wildcats was brought forward. Since the project may not be completed until fall of 2021 or 2022, then the Wildcats should be able to play again this year. Discussion on the repairs needed on the football field included bad poles, bad corner posts, the crow's nest needs to come down, and the bleachers on the west side of the field have been removed. After additional discussion on the Mork and Giles Addition and the football field, it was the consensus that the road is the issue, not so much water and sewer, a **MOTION** was made by Mark Dunn, seconded by Dave Enke to table the discussion of the sale of Lots 6, 7 & 8 of Block 3 and the lease with the Buffalo Ridge Wildcats until the next regular meeting; and authorize the Mayor and Administrator/Clerk talk with the potential buyers. Motion carried.

The next item of business was to review/act on a Resolution Accepting Donations to the Library. The Library received donations from the following: Coralee Rochel for \$100.00, The Fiber Guild for \$200.00, and Ila Mae Christensen for \$25.00. These donations will be designated for collections. Minnesota Statutes state the Library can accept donations for the benefit of recreational services. The Council needs to pass the resolution accepting the donation to the Library. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve the Resolution Accepting Donations from Coralee Rochel for \$100.00, The Fiber Guild for \$200.00, and Ila Mae Christensen for \$25.00 to the Library. Motion carried.

COMMITTEE REPORTS:

Trustee Mark Dunn – Mark will be meeting with the Fire Department on Wednesday evening, February 3, 2021 to get their opinion on where to house the restored fire truck. It was suggested that Mark get the Fire Department's input and also talk with the Historical Society since it is a piece of our town's history. The Fire Department is also discussing adding on to the fire house and the City will need to work on budgeting for that in the future.

Trustee Rosie DeZeeuw – No report.

Trustee Dave Enke – The Library Board met last Thursday and performance appraisals were completed with raises awarded. The Winter Reading Program is running January through March. Corrections will be made in the Lake Benton Valley Journal and the website to reflect the Library's correct hours of operation. There were changes made to minimize the amount of cash on hand at the Library. The Library will be closed President's Day.

ADMINISTRATOR/CLERK REPORT:

Lincoln Pipestone Rural Water gave the City a Notice of Rate Increase of \$0.08 per 1,000 gallons that will take effect on June 1, 2021 and payable July 1, 2021. This will be put on one of the agendas in May 2021 for Council's review and action.

MAYORAL REPORT:

Mayor Michael Carpenter reminded the Council he was instructed to get a bid to paint the east side of the Event Center, and received a bid from Brent Bressler for \$500.00 plus materials. Brent will purchase the materials locally, and it should be completed by the next regular Council meeting. **MOTION** by Mark Dunn, seconded by Dave Enke to authorize Brent Bressler to paint the east side of the Event Center for \$500.00 plus materials. Motion carried.

Mayor Michael Carpenter then informed the Council when the weather warms up, he would like to check with a contractor on a cost to build a shelter/kiosk around the north side entrance door of the Event Center to make more attractive and inviting. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to check with a contractor on a cost to build a shelter/kiosk around the north side entrance door of the Event Center. Motion carried.

Mayor Michael Carpenter then stated the back storage room of the Event Center needs a good cleaning. There are items that need to be thrown away and/or given to a scrap metal dealer to get rid of. The Council unanimously agreed to have Mayor Michael Carpenter check with a scrap metal dealer to get rid of the items no longer needed.

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

MAYOR

ADMINISTRATOR/CLERK