

JULY 1, 2019

The Regular Meeting of the Lake Benton City Council was held on Monday, July 1, 2019 at 5:30 P.M. in the Heritage Center/City Office. Mayor Bob Worth, 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, Acting Police Chief Dallas Cornell, 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. No items were brought forward at this time.

The minutes of the Regular Meeting of June 17, 2019 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the minutes of the Regular Meeting of June 17, 2019. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

C & B OPERATIONS	\$	111.60	OTTERTAIL	\$	3,253.78
TODD DRAPER	\$	32.00	PAT HAYNES	\$	353.66
MINNESOTA LIFE	\$	5.10	HEIMAN, INC.	\$	1,040.27
GARY NORDMEYER	\$	125.00	BIOAG ENERGY	\$	528.98
US TREASURY	\$	7.35	TROY NORDMEYER	\$	32.00
BOB ANDERSON	\$	250.00	KYLIE ROCHEL	\$	185.00
ONE OFFICE SOLUTION	\$	116.30	BUFFALO RIDGE NEWS	\$	38.00
KIBBLE EQUIPMENT	\$	125.38	THOMAS PLUMBING	\$	1,489.04
AMAZON	\$	454.73	DEMCO	\$	34.34
JANINE SCHAAP	\$	55.00	WH PETTING ZOO	\$	418.00

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 June was given by Acting Police Chief Dallas Cornell. Dallas Cornell requested an update on where the City is going with the Police Chief position. Mayor Bob Worth informed him that he and Trustee Dave Enke met with the County a couple weeks ago, and they will have a presentation for the Council the first meeting in August. The previous minutes stated the position was to be posted and applications are due by July 26, 2019. Dallas then told the Council they should set a wage for a new Police Chief. Applicants will be asking about that and it is something the Council should decide before the application deadline.

The Council requested if they can check with Lincoln County to get the hours when the officers check in. How many hours is the City actually getting on patrol?

Dallas stated the SD card for the squad is full. Either the department needs more cards or should check into getting secure management software to hold the data. Dallas did some research and the City can get a device for \$86.00 a month for five years which will save time on getting footage to legal counsel, or does the City wish to purchase more SD cards. Dallas requested Administrator/Clerk Eileen Christensen to assist him with getting this information.

Dallas then stated his uniform for the City of Lake Benton consists of one pair of pants and two shirts that belonged to a former officer. Dallas asked the Council for permission to get a new pair of pants and two new shirts. The total cost is approximately \$209.00. **MOTION** by Dave Enke, seconded by Mark Dunn to give permission to Dallas to purchase a new pair of pants and two shirts for \$209.00 Motion carried.

Dallas then requested the Council consider purchasing load bearing vest carriers. These vests will help take weight off the belt and put it on the vest. It will also help with back injuries and save on Worker's Comp claims in the future. The estimated cost could be from \$209.00 to \$283.00.

Dallas then expressed his disagreement with the policy of returning items from former Police Chief Tony Sievert. The City sent a certified letter to Tony Sievert demanding he bring the belongings to the City. Dallas stated that Tony Sievert returned the belongings to him and the Lake Benton Police Department is the employer. Dallas informed the Council he has Tony's belongings with him now which includes the Glock Pistol, and he has an issue with Administrator/Clerk Eileen Christensen storing or possessing a fire arm because he doesn't have a background on her. Mayor Bob Worth stated the pistol belongs to the City of Lake Benton and the City is selling it. The City will not own another weapon and the officers can purchase their own weapon. Dallas informed the Council he will keep the pistol in his possession because he doesn't have a background on Administrator/Clerk Eileen Christensen.

The Council informed Dallas the certified letter was sent to Tony and Tony's obligation was to return the items to the City. Dallas said he had Tony Sievert's office and squad keys, and the pistol locked in the file cabinet and a City employee went into the office. Dallas then informed the Council he is going to put a camera in the office to make sure this doesn't happen again. The Council reminded Dallas the police office is his to use, it belongs to the City. The Council then advised Dallas he should have notified the City immediately the items were returned to him and the communication between the Police Department and the City office needs to improve. Maintenance Supervisor Todd Draper said he was involved with the rekeying of the police door after the former Police Chief issue. The City Attorney advised the City to get the door rekeyed and that the City office should have a key, and the Police Chief should have a key. There are currently four (4) keys for the Police office – one at the City office and three at the Police Department office.

Dallas then stated that even though the union contract states the vest that was purchased for the Police Chief is to be returned to the City after leaving the Department, there is a Police officer's serial number on the vest and the vest should belong to that particular Police officer.

Dallas then informed the Council the squad car needs servicing and he has issues with the current service provider. Dallas takes his personal vehicles to Ivanhoe and would like to take the squad there for servicing. After some discussion, the Council stated the current service provider does a good job and the police squad is not to be taken out of town to be serviced.

Dallas then expressed his displeasure with his recent paycheck. The Council appointed him as Acting Police Chief on June 10, 2019 and he should have been paid \$25.00 an hour beginning June 11, 2019. Dallas was not paid \$25.00 an hour until June 17, 2019. The Council did not specify a date as to when he was to begin his duties. After some discussion, a **MOTION** was made by Mark Dunn, seconded by Dave Enke to change the date Dallas began his duties as Acting Police Chief from June 17, 2019 to June 11, 2019, and reimburse Dallas the difference of \$9.09 an hour for 32.5 hours totaling \$295.43. Motion carried.

MOTION by Mark Dunn, seconded by Dave Enke to approve the June Police Report. Motion carried. Mayor Bob Worth told Acting Police Chief Dallas Cornell his behavior was not called for and it will not happen again during an open Council meeting. These issues should have been brought to the attention of the Police Commission or Human Resources.

PUBLIC WORKS UPDATE

Maintenance Supervisor Todd Draper informed the Council the claims that were presented showed a payment to Thomas Plumbing which included a sump pump at the Opera House and an air conditioning a-coil at the Library.

Maintenance Supervisor Todd Draper had a preconstruction meeting with the DNR and the Contractor Town and Country last Thursday. The project is scheduled to begin July 8, 2019. Todd contacted two contractors for quotes to bore the underground water from the City's building up to the Resort, and T & E Underground was the lowest bid. They will begin work the week of July 15. Two trees have been cut down and the restroom was sold for \$100.00.

Maintenance Supervisor Todd Draper contacted Ottetail to move a couple light poles by the water access known as Al's Landing. He requested Ottetail to remove the light pole next to the landing and replace the light on the other side of the road with the light on the pole being removed. Ottetail recommended Todd get Council approval before they will remove the light pole and move the light. **MOTION** by Mark Dunn, seconded by Dave Enke to give Maintenance Supervisor Todd Draper approval to authorize Ottetail to remove the light pole and the light by Al's Landing and replace the light on the other side of the road for better lighting. Motion carried.

Maintenance Supervisor Todd Draper reminded the Council that Ottetail is replacing all the City's lights to LED. The light at Russell Zimmer Drive and Highway 14 was thought to be a City light but it is a County light. It was recommended that the light become a City light and get it replaced with LED lighting. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to authorize Ottetail to add the light at Russell Zimmer Drive and Highway 14 to the City's inventory and add LED lighting. Motion carried.

Maintenance Supervisor Todd Draper and Administrator/Clerk Eileen Christensen met with FEMA last week after the declaration of a state of emergency DR-4442. The City previously provided FEMA with the information they needed. This is an eighteen (18) month program and they added the terminology "frost boils" to the disaster. Todd talked with Amber Scholten, Lincoln County Emergency Management, and Amber is talking with the State regarding an area with three (3) frost boils in the front of the First Responders parking lot. The area is in bad shape due to the heavy trucks going on it and traffic making U-turns. The City can get the work done to fix the frost boils and return it to its original state. However, the rest of the lot is bad. The City could dig down six (6) to eight (8) inches and bring in asphalt. Amber didn't believe bringing the area back to its original state included three (3) inches of asphalt and black top. Todd talked with Double-D Gravel and they can bring in asphalt for a year or two to keep the area in fair condition. Amber thought the City could get reimbursed for fixing the three (3) frost boils and covering the entire area with recycled asphalt.

Some of the other areas on the disaster plan include cleaning the ditches, sewer pump rental and maybe the purchase of the new sewer pump. The plan for North Kent Street is to mill out eight (8) to ten (10) inches and mill down eight (8) inches with four (4) inches of asphalt and four (4) inches of black top. Todd is getting quotes to fix the spot on Whitman Street. It was suggested Todd talk with Joe Wilson with the Lincoln County Highway Department.

Lakeshore Drive is another issue and Todd talked with the DNR at their preconstruction meeting about the frost boils in front of the picnic shelter. When they begin work on July 8, 2019 with the culverts and straightening out the road to the Resort, they are going to be making the area worse with their equipment. The DNR said they will maintain the road and fix it when they are complete. The plan is to complete the project in three weeks with perfect weather, but they have until the end of August. Duinick's is the contractor for the paving and they are running behind.

Administrator/Clerk Eileen Christensen received a call on the 2013 squad car and sold it for \$8,500.00.

The next item of business was to review/act on a Resolution Authorizing a Special Archery Hunt for the City of Lake Benton and the Minnesota Department of Natural Resources. The City of Lake Benton applied for a special archery hunt for the 2019 archery season. The City needs to be aware there is a proficiency requirement for the hunters, and the City will need to get the landowners permission (i.e. Lincoln County) prior to hunting on their property.

MOTION by Mark Dunn, seconded by Dave Enke to approve the Resolution Authorizing a Special Archery Hunt for the City of Lake Benton and the Minnesota Department of Natural Resources. Motion carried.

The next item of business was to review/act on The Nature Conservancy (TNC) Hunting Agreement. Administrator/Clerk Eileen Christensen informed the Council City Attorney Mike Cable reviewed the agreement before last year's hunt which was also forwarded to the League of Minnesota Cities Insurance Attorney. The League's attorney reviewed the agreement and provided information to be considered and revised in the agreement. City Attorney Mike Cable made the revisions and Administrator/Clerk Eileen Christensen forwarded it on to TNC for their review and approval. The same agreement was provided to the Council with the only revisions being the date changes.

The special City bow hunt will begin on September 14, 2019. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve The Nature Conservancy (TNC) Hunting Agreement. Motion carried.

The next item of business was to review/act on a building permit for Dave Hurd to install a shed on his property at 202 West Bluff Street. Dave was given the setback from his property lines on which he can install a shed. Maintenance Supervisor Todd Draper confirmed there were no setback concerns and everything is in compliance with the City's ordinance. The fee of \$25.00 has been paid. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the building permit for Dave Hurd to install a shed on his property at 202 West Bluff Street. Motion carried.

The next item of business was to review/act on a building permit for Emily McKee to build a fence at 108 Kent Street. Emily was given the setbacks from her property line on which she can install a fence. Maintenance Supervisor Todd Draper confirmed there were no setback concerns and everything is in compliance with the City's ordinance. The fee of \$25.00 has been paid. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the building permit for Emily McKee to build a fence at 108 Kent Street. Motion carried.

The next item of business was to review/act on the application for a Gambling Exempt Permit for St. Genevieve's Fall Festival cash raffle on October 6, 2019. Due to the fact the church is having a cash raffle the application requires the local unit of government's acknowledgement and the Mayor's signature. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve the Gambling Permit for St. Genevieve's and authorize the Mayor to sign the acknowledgement. Motion carried.

The next item of business was to review/act on giving a television from the Event Center to the Lake Benton EDA. Trustee Daryl Schlapkohl informed the Council the Opera House would like a television for their display window in the Kimball Building to use for advertising and promoting the City of Lake Benton. Since there are four televisions not being used in the Event Center, the Opera House inquired if they could have one of them.

Mayor Bob Worth informed the Council that legally, the City cannot make a gift. However, Legal Counsel said the City could give a television to the Lake Benton EDA and the Lake Benton EDA could give it to the Opera House under the theory that they are helping promote the City of Lake Benton.

MOTION by Dave Enke, seconded by Mark Dunn to give one television from the Event Center to the Lake Benton EDA. The Lake Benton EDA can then give the television to the Opera House under the theory that they are helping promote the City of Lake Benton. Motion carried.

DINERS CLUB UPDATE

Program Coordinator Ka Finzen provided a written report to the Council updating them on how the Diner's Club has done March through June 2019.

It was stated the home deliveries are up and the eat-ins are about the same. Winter was hard on the program, but it seems to be working well from all perspectives. The program has been good for Peg at the Lunch Box and all those that attend. Ka enjoys working with the program and the citizens of Lake Benton.

COMMITTEE REPORTS:

Trustee Mark Dunn – No report.

Trustee Rosie DeZeeuw – No report.

Trustee Dave Enke – The Library Board met last week. The board was looking into the option to offer the use of a fax machine on Saturdays as no other businesses are open to provide this service. Everything is digital at the Library and the fax machine requires analog. The board decided not to proceed with offering this service. Activities for Saddle Horse Holiday went well with \$200.00 raised in activities. As stated previously, the air conditioning coil malfunctioned and needed to be repaired. The summer activities and the Summer Reading Program (SRP) are going well. The June activities were favorably attended and the July schedule includes the following: July 9, 2019, in a cooperative effort between the SRP and the 4-H, they will be having an engineering camp; July 15, 2019 Mr. Twister will present Balloons in Space; and the SRP finale will be on July 26, 2019 and feature the Petting Zoo.

Trustee Daryl Schlapkohl – No report.

ADMINISTRATOR/CLERK REPORT:

Administrator/Clerk Eileen Christensen will be taking vacation July 19 through July 28, 2019.

MAYORAL REPORT:

Mayor Bob Worth and Trustee Daryl Schlapkohl met with Next Era Energy last Monday. They had a good discussion and will continue to work with Next Era Energy on some issues.

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

MAYOR

ADMINISTRATOR/CLERK