

MARCH 16, 2020

The Regular Meeting of the Lake Benton City Council was held on Monday, March 16, 2020 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, City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, and Mark Wilmes 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 March 2, 2020 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the minutes of the Regular Meeting of March 2, 2020. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

OTTERTAIL	\$	12.26	ITC	\$	273.54
EILEEN CHRISTENSEN	\$	107.25	QUARNSTROM-DOERING	\$	1,002.00
M & H COMMUNICATIONS	\$	20.00	L-P RURAL WATER	\$	4,360.63
RETHWISCH & SON	\$	614.85	EXPRESSWAY	\$	191.69
CITY OF LAKE BENTON	\$	174.61	POSTMASTER	\$	116.55
LINCOLN CTY TREASURER	\$	15.00	MN POLLUTION CONTROL	\$	1,450.00
CHAMBER-CVB	\$	38.13	ROSIE DEZEEUW	\$	225.00
MN DEPT OF HEALTH	\$	789.00	SOUTWEST SANITATION	\$	3,599.68
BARB HURD	\$	202.50	CAREN PETERSEN	\$	150.00
TRACY TRIGG	\$	210.00	CARDMEMBER SRVCS	\$	1,429.20
KAREN LICHTSINN	\$	210.00	THOMAS PLUMBING	\$	126.00

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 Administrator/Clerk to make payment.

The next item of business was to review/act on Rehab Grant requests. Five payment requests were received for the Rehab Grant Program: Contractor request of \$7,309.00 to DK Construction, \$15,000.00 to James Lozinski Construction, \$1,145.00 to Thomas Electric, Inc., and \$2,800.00 to Dean Brandt HVAC, LLC, and \$450.00 to Scarcely for lead assessment. The funds have been requested and were deposited into the account. **MOTION** by Mark Dunn, seconded by Dave Enke to approve payment of the rehab grant checks presented. Motion carried.

PUBLIC WORKS UPDATE

Maintenance Supervisor Todd Draper updated the Council on the following:

- In the process of acquiring quotes for the EMS parking lot for both concrete and asphalt.
- During the 2008 street project, at the intersection of South Grant Street and First Street by Gerry Rudebush's and Lichtsinn's properties, there was a concrete spillway and the contractors eliminated the spillway and paved through it. The resident's sump pumps go towards the spillway and the asphalt is tearing away. Maintenance Supervisor Todd Draper will get pricing to put a concrete spillway back in that intersection.
- Will be doing seal coating this year and will be looking for a contractor doing seal coating in the area and get it done at the same time.
- Encountered lift station issues which were electrical and not due to the high water table. The entire lift station went down due to an electrical unit in the control panel. The maintenance department also installed a permanent hose in the lift station for the 6" pump.

- Encountered issues with filling the water tank and got new controls and is working to get the pressure up which is slowly rising. The building on Garfield Street controls the level of the water tank.
- Contacted the County about striping the streets in the downtown area this year and it is not in their 2020 budget. The City has money to do this and City staff will review the budget to confirm.
- The City should find out if they qualified for the State Park Road Account (SPRA) grant in April to complete the road by the DNR boat landing and Lakeside Park. Maintenance Supervisor Todd Draper will also get pricing to put concrete on the road versus asphalt.
- Benton Valley Manor is looking to expand their parking lot and asked for bids on both concrete and asphalt. The bid was awarded to Kevin Mosch who will be doing concrete. This is something the City should begin using in the future.
- Maintenance Supervisor Todd Draper posted a statement on social media about the effects of not flushing the correct items down the toilet. Anything BUT toilet paper effects the pumps and a lot of cities are having problems with this issue.

The Council thanked Maintenance Supervisor Todd Draper for going above and beyond to keep the City running with maintaining the lift station, maintaining the water tank, and maintaining the streets.

The next item of business was to review/act on a building permit for Leah Gauquie to build an 18' x 28' sun porch on the back of her house at 210 E. Benton Street. Maintenance Supervisor Todd Draper confirmed there were no setback concerns and everything is in compliance with the Ordinance. The fee of \$25.00 has been paid. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve the building permit for Leah Gauquie to build an 18' x 28' sun porch on the back of her house at 210 E. Benton Street. Motion carried.

The next item of business was the update on the revised Law Enforcement Contract with Lincoln County. City Attorney Mike Cable reviewed the contract and informed the Council the contract included what was referenced as an "Escape Clause" for either party to terminate the Agreement with written notice. If the City feels the services provided are not meeting their expectations, they can agree upon a resolution or terminate the contract. Since the City is considering disbanding the Police Department, it would cost the City a lot of money to get a Police Department back. It was the consensus of the Council they believe if there are issues, they can be resolved by talking with the Sheriff.

Sheriff Chad Meester talked with Glen Petersen who also reviewed the contract and suggested changing paragraph #24 to read as follows: The City shall retain full responsibility for any and all types of records, property and evidence of the Lake Benton Police Department, provided the Sheriff's Department in its discretion may assist in the disposal of firearms, controlled substances, paraphernalia, and records. It was noted that this revision means the City does not need to hire the City Attorney to assist with this job. Administrator/Clerk Eileen Christensen sent the contract to the Lincoln County Auditor's office to forward on to the Commissioners for their review last week. It was suggested Trustee Dave Enke and Administrator/Clerk Eileen Christensen attend the County Commissioner's meeting tomorrow, March 17, 2020 to get their approval. If the Commissioners approve the contract, it will go into effect April 1, 2020 with the first payment being made July 1, 2020.

MOTION by Mark Dunn, seconded by Dave Enke to approve the updated contract. Motion carried.

The next item of business was to review/act on a resolution to disband the City's Police Department. Administrator/Clerk Eileen Christensen and Jeff Bumgarner worked with Minnesota POST Board representative Mark Bloom who informed them that an employment termination form from Jeff needs to be completed, and a copy of the minutes and resolution passed by the City Council to disband the department needs to be sent to him prior to taking the department out of the system. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the resolution to disband the City's Police

Department pending the approval of the contract by the Lincoln County Commissioners. Motion carried. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to approve Jeff Bumgarner's resignation as Police Chief pending approval of the contract by the Lincoln County Commissioners. Motion carried.

The next item of business was to review/act on the sale of the 2019 Dodge Durango Police Squad/Equipment to Lincoln County. Mayor Bob Worth reminded the Council the City paid \$42,000.00 for the new squad and new equipment and has only 4,000 miles. Since the County is agreeing to help clean the police office and evidence locker, the offer of \$34,975.00 seems fair. City Attorney Mike Cable informed the Council there is some evidence still in custody and he is waiting for Glen Petersen to confirm there will not be any charges of violation regarding this evidence. The Sheriff is aware of the pending evidence.

It was questioned if the contract gets approved and the purchase of the squad gets approved by the County Commissioners, will the vehicle be sold separate rather than putting the money towards the contract. It was explained the signing of the title card for the vehicle will be a separate transaction from the signing of the contract which is for services.

MOTION by Daryl Schlapkohl, seconded by Mark Dunn to approve selling the 2019 Dodge Durango Police Squad/Equipment to the County for \$34,975.00 providing the Lincoln County Commissioners approval of the contract and approval to purchase the squad at this price. Motion carried.

COMMITTEE REPORTS:

Trustee Mark Dunn – None

Trustee Rosie DeZeeuw – The Chamber met last week and the March business of the month is Rick's Welding and the April business of the month will be the Greenhouse. The World War I Traveling Exhibit will be in the Museum May through July. It was requested the Museum be open Memorial Day so individuals can view the exhibit after the Memorial Day program. There are three wind tower tours lined up for this summer. Saddle Horse Holiday festivities will include the fireworks display which will again be funded by Next Era Energy, and Family Day at the park by the School.

Trustee Dave Enke – The EDA met last week and a month ago the board talked about the 4-Plexes being included in the rental housing rehab grant to replace the roof on one of the buildings, water heaters and doors. It was questioned if the application could include the addition of blown-in insulation in the roofs and it was confirmed it can be included. The EDA assisted the Bolt's with their financing to purchase the grocery store. The EDA discussed, supported and recommended to sell two lots in the Mork/Giles Addition.

Trustee Daryl Schlapkohl – The Opera House Board met last week and the musical Broadway Meets Lake Benton has been postponed, and they are working on the summer musical. The board is looking for funding to add a 24' x 36' storage building to the existing shed in 2021. Dave Norgaard received a quote to insulate the back wall of the building and Daryl informed the board the City has budgeted money to assist in that funding. It was also recommended the City consider getting a larger propane tank to replace the 300 gallon tank.

ADMINISTRATOR/CLERK REPORT:

Administrator/Clerk Eileen Christensen received an e-mail from Corporation for National Community Service to recognize and participate in this year's National Service Recognition Day. The City has given support for this in the past and would like to include the City in their list of participating Mayors and City officials for 2020. A Proclamation declaring Recognition Day for National Service on April 7, 2020 needs to be approved. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the Proclamation declaring Recognition Day for National Service on April 7, 2020. Motion carried.

A Notice of Public Hearing in the matter of the applications of Buffalo Ridge Wind Energy, LLC for a Certificate of Need and Site Permit for the Buffalo Ridge Wind Project in Lincoln County is scheduled from 2:00 PM to 6:00 PM on Thursday, March 26, 2020 at the Lake Benton Area Community & Event Center.

The Auditor was here today for their site visit, and everything went well. They will let the Administrator/Clerk know when they will be attending the Council meeting to review the 2019 audit.

The 2020 Board of Appeal and Equalization meeting is scheduled for Tuesday, April 14, 2020 at 7:00 PM at the Heritage Center/City Office.

MAYORAL REPORT:

Mayor Bob Worth reminded the Council and audience to keep abreast of the COVID-19. It is going to be tough on the businesses and community, so please shop local. It was questioned if the Library should be closed due to activity going in and out of the Library. Library liaison Trustee Dave Enke will discuss with the board what measure they will take regarding canceling the programs and individuals in the Library.

Mayor Bob Worth then read the Resolution Closing the Meeting of the City of Lake Benton.

WHEREAS, the City Council of the City of Lake Benton is considering selling real property owned by the City of Lake Benton described as follows: Lots Seven (7) and Eight (8) of Block 2 of the Replat of Giles & Mork Addition, City of Lake Benton, State of Minnesota, and **WHEREAS**, the City Council of the City of Lake Benton wants to determine the asking price for real property to be sold by the City of Lake Benton and to develop or consider offers or counter offers for the sale of real property in conformance with Minnesota Statutes 130.05 Subd 3 © (1) & (3). **NOW THEREFORE**, upon motion by Mark Dunn, seconded by Dave Enke, that the City of Lake Benton Meeting held on March 16, 2020 to be closed at 6:24 o'clock P.M. to consider the asking price and develop or consider offers or counter offers for the sale of real property described as follows: Lots Seven (7) and Eight (8) of Block 2 of the Replat of Giles & Mork Addition, City of Lake Benton, State of Minnesota, and Passed by the City Council of Lake Benton, Minnesota this 16th day of March, 2020.

At 6:59 PM – **MOTION** by Mark Dunn, seconded by Dave Enke to leave the closed meeting. Motion carried.

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