

MARCH 21, 2022

The Regular Meeting of the Lake Benton City Council was held on Monday, March 21, 2022 at 5:30 P.M. in the Lake Benton Area Community and Event Center. Mayor Michael Carpenter presided. Trustees Rosie DeZeeuw, Mark Dunn, Patrick Haynes, and Daryl Schlapkohl were present. City Attorney Mike Cable was absent. City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, Fire Chief Scott Christensen, Assistant Fire Chief Darin Herschberger, Fire Department Treasurer Daryl Trigg, Fireman Mike Czech, EDA Members Karen Lichtsinn, Curtis Rethwisch and Tony Schwing, Heath Houselog, Tom Hillard, Josh Osland, Lyle Blom, 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.

Mayor Michael Carpenter informed the Council and audience there will be a change to the agenda and the EDA would like to bring the Council up to date on the duplexes to be constructed in the Mork & Giles Addition on the west end of town. If things proceed as planned, the EDA will be looking for funding and request the City to sign off on the funding. The City still needs to transfer three lots to the EDA. EDA Chair Curtis Rethwisch addressed the Council and informed them the EDA went through the bidding process to construct two duplex units and they received bids from two contractors. The EDA decided today to move forward with the low bid which is valid for 30 days. In order to hold the contractor to the bid, the EDA needs immediate funding to lock the costs of materials. The contractor is looking to decrease the amount he needs for a down payment on the materials from \$400,000.00 to between \$200,000.00 to \$300,000.00. The EDA contacted City Attorney Mike Cable and Shannon Sweeney to assist in the funding process. The EDA recommended pursuing financing with the local bank to pledge CDs, and possibly a loan. The EDA is looking to get Council approval to secure the materials and store them in a secure location. Curtis reminded the Council, if the contract is not signed in 30 days (by April 15, 2022), the bid becomes null and void and the EDA will need to begin the bid process again or renegotiate the pricing. The contractor indicated that he could begin the concrete work this fall and begin construction one year from now. The two 4-Plex units are paid in full and the lots requested by the EDA (Lots 11, 12 & 13) were previously approved by the City Council. Curtis asked the Council for a joint meeting between the EDA and the City Council to review funding. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to set a joint City Council and EDA meeting for Tuesday, March 29, 2022 at 5:30 PM at the Lake Benton Area Community and Event Center. 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 March 7, 2022 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the minutes of the Regular Meeting of March 7, 2022. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

QUARNSTROM-DOERING	\$ 577.50	CITY OF LAKE BENTON	\$ 175.65
MN POLLUTION CONTROL	\$ 310.00	MN LIFE	\$ 5.10
BANNER ASSOC.	\$ 5,100.00	CARDMEMBER SRVCS	\$ 1,692.19
LINCOLN CTY AUDITOR	\$ 30.00	BUFFALO RIDGE NEWS	\$ 222.50
THOMAS PLUMBING	\$ 897.50	RAMES ENTERPRISES	\$ 475.00
ENVIRO PUMP PLUS	\$ 800.00		

MOTION by Mark Dunn, seconded by Patrick Haynes 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 rehab grant requests. Eight payment requests were received for the Rehab Grant Program: Contractor requests of \$6,918.00 to James Lozinski, \$336.00 to Efficient Electric, \$1,500.00 to Elkton Electric, \$768.00 to Gary Vlaminck, and \$4,495.00 to Jared Rouge; \$184.00 and \$46.00 to Lincoln County Recorder; and Administration fees of \$2,300.00 to DSI. The total funds of \$16,547.00 were requested to be deposited into the account. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve payment of the rehab grant checks presented. Motion carried.

PUBLIC WORKS UPDATE

Mayor Michael Carpenter requested the Public Works Update include agenda items #4-Public Works Update, #5-Award Bid for Infrastructure Improvements at Mork & Giles Addition, and #6-MnDOT Street Sweeping. Maintenance Supervisor Todd Draper informed the Council the sewer line in the Kimball building beside the Opera House needs to be replaced. Thomas Plumbing will jackhammer a 6' x 6' area to replace the sewer line for an estimated cost of \$2,000.00.

Ottertail Power is redesigning their substation located in Lake Benton and needs additional property to the east of their current substation. Ottertail did some background work that showed the property belongs to the City, and City staff has asked the City Attorney to confirm if the property belongs to the City or the State. Ottertail has stated they will pay all expenses incurred to the legality of the property and the purchase of the property. The City will keep 50' around the watermain and sell 25' to Ottertail. Ottertail plans to bring in a portable power plant to run during the reconstruction of the substation.

Maintenance Supervisor Todd Draper informed the Council the bid opening for the infrastructure improvements at the Mork & Giles Addition was held at 2:00 PM on March 15, 2022 and six (6) bids were provided. The Engineer's estimate was \$464,783.00 plus a 5% contingency fee of \$23,239.15. The bids were as follows: Towne and Country Excavating in the amount of \$546,301.00; R & G Construction Company in the amount of \$495,950.00; D & G Excavating, Inc. in the amount of \$479,500.50; A & C Excavating in the amount of \$469,482.50; Duininck, Inc. in the amount of \$491,516.09; and Winter Contracting in the amount of \$479,275.00. The City received a recommendation from Banner to award the bid to A & C Excavating. **MOTION** by Daryl Schlapkohl, seconded by Patrick Haynes to award the bid for infrastructure improvements at the Mork & Giles Addition to A & C Excavating in the amount of \$469,482.50. Motion carried.

Maintenance Supervisor Todd Draper stated the City has always performed street sweeping on Highway 75 (Fremont Street) and Highway 14 (East Benton Street) and MnDOT is willing to partner with the municipality to sweep those highways twice a year. Todd stated the City has a good rapport with the State and to show good faith, he would like to recommend the City waive the partnership and the City can continue to sweep the streets at no cost to the State.

There are two options how MnDOT and cities can work jointly to share these costs. **Option 1** – City can perform street sweeping with their own crews and MnDOT would then reimburse the City for the costs incurred; **Option 2** – City could hire a contractor to perform the work for them. MnDOT would reimburse the City for the costs incurred to **street sweep**. Guidelines should the City participate with MnDOT include:

- Municipality **must** obtain prior authorization **before** street sweeping costs are incurred for **each** sweeping instance.
- Failure to obtain prior authorization for approval of street sweeping for **each** instance could result in non-payment.

If the City is interested in entering into this agreement with MnDOT for the upcoming summer season, the City must do the following:

- Sign the Street Sweeping Agreement on the line indicated at the bottom no later than **May 2, 2022**.
- Complete the enclosed Request for Bid for **each** piece of "street sweeping" equipment that will be used. Besides listing each piece of equipment, the "Vendor Name and Address" section and the "Must be completed by Vendor" section are the only other areas to be completed.

MOTION by Mark Dunn, seconded by Rosie DeZeeuw to waive the partnership with MnDOT on street sweeping twice during the summer. Motion carried.

Maintenance Supervisor Todd Draper than informed the Council the City of Lake Benton has a contract with Ottertail to mow their lawn and blow the snow at the substation, and MnDOT has not mowed their rights-of-way in town since 1981 so the City mows them as well. **MOTION** by Mark Dunn, seconded by Patrick Haynes to approve the Public Works update. Motion carried.

LAW ENFORCEMENT UPDATE

The Council reviewed the February 2022 law enforcement activity report. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the Law Enforcement update. Motion carried.

The next item of business was to review/act on leasing the dishwasher at the Event Center. City staff was notified by Ecolab that the dishwasher is under a lease and inquired if the City is planning to lease the dishwasher or return it to Ecolab. The Council was given a copy of the two (2) year lease agreement which states the cost to lease the dishwasher is \$105.00/month and the unit will be maintained on a regular basis.

Mayor Michael Carpenter informed the Council they can choose to purchase a brand new dishwasher that is more expensive or pay the \$105.00/month lease and have it maintained. The Lions Club uses the dishwasher for their benefits and are willing to pay 50% of the lease. It was recommended that since the Lions Club have their benefits once a month for five months and all the proceeds go to the community or anyone needing assistance, the Council should consider paying the full amount of the lease. **MOTION** by Patrick Haynes, seconded by Daryl Schlapkohl to approve the City to lease the dishwasher from Ecolab for \$105.00/month beginning April 1, 2022 thru March 31, 2024. Motion carried.

The next item of business was to review/act to approve Ordinance No. 213 – An Ordinance Establishing Fees for Emergency Protection Services – Section 4: Rates. Mayor Michael Carpenter reminded the Council and the audience that at the last Council meeting Lake Benton Township Chair Heath Houselog had questions about the fire contract and was informed the City would check into his questions and get back to him. The concern was about the cost of the fire call which was raised from \$750.00 to \$1,000.00 but was not reflected in the contract. The current contract was signed in February 2017 and went into effect May 1, 2017. The Administrator/Clerk talked with Legal Counsel for an amendment to the contract. In the meantime, the City received a letter from the Lake Benton Fire Department dated March 10, 2022 requesting the City amend Ordinance No. 192. The Fire Department will continue to change the fire call charges when they deem necessary and would like to amend the Ordinance to reflect the Fire Department's determination of the charges they set. The Fire Department will change the amount by Resolution and deliver to the City Council of Lake Benton.

Mayor Michael Carpenter then opened the floor to discussion. Neither the Townships nor the Fire Department had any comments. Mayor Michael Carpenter then read that Chapter 178 Ordinance No. 213 states the following: Section 4: Rates (A) The charge for a fire call is \$1,000.00. This amount can be changed by Resolution of the Lake Benton Fire Department and delivered to the City Council of Lake Benton. When the Ordinance has been approved and signed, City staff will publish the Ordinance in the Lake Benton Valley Journal on March 30, 2022 and it will be effective after it is published. **MOTION** by Patrick Haynes, seconded by Mark Dunn to approve Ordinance No. 213 – An Ordinance Establishing Fees for Emergency Protection Services – Section 4: Rates. Motion carried

The next item of business was to approve the amended contract and authorize the Mayor and Administrator/Clerk to sign the amended contract with the Townships. The Lake Benton Fire Department will need to make sure they deliver their Resolution to the City Council of Lake Benton and the City will attach the Resolution to Ordinance No. 213. This will require the City to enter an Amendment to the Contract for a new Fire Contract to change the amount to be charged for a fire call. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the amended contracts and authorize the Mayor and Administrator/Clerk sign the contracts with the eight (8) Townships and the City of Lake Benton. Motion carried.

The next item of business was to review/act on a resolution reestablishing precincts and polling places. Lincoln County Auditor Deb Vierhuf informed the cities in Lincoln County that each City needs to pass a Resolution Reestablishing Precincts and Polling Places every ten (10) years (after the Census). The Resolution for the City of Lake Benton has only one (1) precinct and one (1) polling place. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to approve the resolution reestablishing precincts and polling places for the City of Lake Benton. Motion carried.

COMMITTEE REPORTS:

Trustee Mark Dunn – No report.

Trustee Rosie DeZeeuw – The Chamber met on March 8th, and the March Business of the Month is the Lake Benton Foundation, the April Business of the Month is Garden Gate Greenhouse, and the May Business of the Month is the Lake Benton Resort. The Diners Club \$3.00 meal has been put on hold due to COVID. Next Era Energy donated 30 meals to be delivered to the Meals on Wheels customers. The Lake Benton Elementary School is having a food drive April 4th thru April 8th for the local food shelf. The Gala is going to held March 26, 2022, and the Opera House performance The Odd Couple will run April 1st thru April 3rd and April 8th thru April 10th, 2022.

Trustee Patrick Haynes – No report.

Trustee Daryl Schlapkohl – No report.

MOTION by Mark Dunn, seconded by Patrick Haynes to approve the Committee Reports. Motion carried.

ADMINISTRATOR/CLERK REPORT:

Administrator/Clerk Eileen Christensen informed the Council that the Lincoln County Engineer's office will be having a community meeting on Tuesday, March 22, 2022 from 4:30 to 6:00 PM at the Lake Benton Area Community and Event Center to review the work that will be done on the sidewalks downtown on Benton and Center Streets.

The Lincoln County Environmental Office sent a letter regarding a Special Public Hearing on March 30, 2022 at 7:00 PM in the Assembly Room at the Lincoln County Courthouse, Ivanhoe, MN. The purpose of the hearing is to review and decide requests from the following for permits: Christensen Farm & Feedlots to construct another feedlot; Buffalo Ridge Wind, LLC for the construction and operation of a temporary laydown yard, and for the construction of a Wind Farm Collector Substation.

The auditors will be performing their site visit tomorrow March 22, 2022 for the 2021 audit.

MAYORAL REPORT:

Mayor Michael Carpenter reminded the Council of the joint City Council and EDA meeting next Tuesday, March 29, 2022 at 5:30 PM, the next regular Council meeting is April 4, 2022 at 5:30 PM, and the 2022 Board of Appeal and Equalization meeting for the City of Lake Benton is Tuesday, April 12, 2022 at 7:00 PM at the Lake Benton Area Community & Event Center.

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

MAYOR

ADMINISTRATOR/CLERK