

MAY 7, 2018

The Regular Meeting of the Lake Benton City Council was held on Monday, May 7, 2018 at 5:30 P.M. in the Heritage Center/City Office. Mayor Bob Worth presided. Trustees Rosie DeZeeuw, David Enke and Daryl Schlapkohl were present. City Attorney Mike Cable and Trustee Mark Dunn were absent. City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, Police Chief Tony Sievert, Pat McCarthy, Aaron Coe, Don Evers, Roger Rudebusch, Lisa Willert, Milo Downs 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 April 16, 2018 were reviewed. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to approve the minutes of the Regular Meeting of April 16, 2018. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

OTTERTAIL	\$ 2,196.70	ITC	\$ 275.66
USTI	\$ 247.20	WATCHGUARD VIDEO	\$ 140.00
L-P RURAL WATER	\$ 4,162.14	THOMAS ELECTRIC	\$ 3,510.89
GOPHER STATE	\$.60	POSTMASTER	\$ 166.90
LINCOLN CTY TREASURE	\$ 7,471.48	S & E AUTO	\$ 18.00
TODD DRAPER	\$ 32.00	PAT HAYNES	\$ 250.00
MN LIFE	\$ 6.80	HILARY BAULING	\$ 12.03
BRUENDER'S	\$ 122.91	JOHANSEN REPAIR	\$ 11,274.04
KJERGAARD SPORTS	\$ 263.70	KINNER & COMPANY	\$ 9,500.00
SW SANITATION	\$ 3,595.50	BIOAG ENERGY SRVCS	\$ 1,099.38
CNH INDUSTRIAL CAPITAL	\$ 285.00	TITAN MACHINERY	\$ 51.00
BIERSCHBACH EQUIP	\$ 1,099.00	TROY NORDMEYER	\$ 32.00
KYLIE ROCHEL	\$ 40.00	OLYMPIA BOOK CORP	\$ 53.50
VERIZON	\$ 35.39	ONE OFFICE SOLUTION	\$ 71.86
KENNEDY-GRAVEN	\$ 1,284.47	BUFFALO RIDGE NEWS	\$ 60.20
DEMCO	\$ 65.59	JANINE BUNJER	\$ 50.14
JON WORTH	\$ 2,250.00	W.H. PETTING ZOO	\$ 225.00

MOTION by Daryl Schlapkohl, seconded by Rosie DeZeeuw to approve payment of the claims presented against the City of Lake Benton with the exception of the payment made to Bob Worth should be to Jon Worth. Motion carried and the Mayor authorized the City Administrator/Clerk to make payment.

POLICE REPORT:

The Police Report for April was given by Police Chief Tony Sievert. Police Chief Tony Sievert requested the Council to consider approving an additional 8 hours per week for the part-time officers during the summer months including some Sunday's. This would begin on June 1, 2018 and go through Labor Day in September. Saddle Horse Holiday will be covered by the Lake Benton Police Department.

The Lake Benton Special Archery Hunt application has been sent in and we are currently requesting the DNR authorize the City 40 permits that would be considered earn-a-buck program to hunters that have to harvest a doe before shooting an antlered deer. This request is due to the increase of deer observed in town while patrolling. Some residents are feeding the deer and the Council may want to consider introducing an Ordinance against feeding of the deer in City limits.

Police Chief Tony Sievert informed the Council he talked with Joe Blastik from The Nature Conservancy and he has been given the go ahead to allow their land within City limits to be utilized for the archery hunt.

Police Chief Tony Sievert then requested the Council approve the purchase of a new PBT (breath sample test) for \$555.00. The County has been assisting the Lake Benton Police Department with PBT's because our equipment needs upgrading.

Police Chief Tony Sievert then listed the calls for April and the Squad has 87,973 miles.

MOTION by Dave Enke, seconded by Daryl Schlapkohl to approve the purchase of a new PBT for the Lake Benton Police Department in the amount of \$555.00. Motion carried.

This summer Police Chief Tony Sievert will be gone for military training and the part-time officers will be working more hours than usual during his absence. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to increase the part-time hours during the summer months an additional 8 hours per week including Sundays. Motion carried.

Trustee Daryl Schlapkohl, on behalf of the County Parks, requested permission for the Lake Benton Police Chief and Officers drive through the two County Parks (Norwegian Creek and the Hole-in-the-Mountain) to keep the parks safe. **MOTION** by Rosie DeZeeuw, seconded by Dave Enke to grant permission for the Lake Benton Police Chief and Officers to drive through the two County Parks (Norwegian Creek and the Hole-in-the-Mountain). Motion carried.

MOTION by Dave Enke, seconded by Rosie DeZeeuw to approve the Police Report for April. Motion carried.

The next item of business was to review/act on housing the Police Squad. Mayor Bob Worth informed the Council the verbal agreement with Tyler Bus Service to house the Police Squad in a stall in the bus garage by the school will be up on May 21, 2018 for \$600.00 a year. It was suggested the Council consider housing the Police Squad in the EMS building, where it is heated, and where the Legionnaires are currently storing their flags and equipment. The Legionnaires flags and equipment may be able to be stored in the back of the new Community Center where it was formerly stored and free up the space in the EMS building for the Police Squad.

MOTION by Daryl Schlapkohl, seconded by Rosie DeZeeuw to authorize the City Administrator/Clerk contact Tyler Bus Service informing them the City found another building to house the Police Squad and will no longer need to use their facility, and to thank them for all they have done for the City. Motion carried.

The next item of business was to review/act on funding for the Summer Park and Rec Program and youth baseball and softball. Mayor Bob Worth explained the City budgeted \$6,500.00 for the Parks/Ballfields in 2018 which consisted for funding for fencing (\$2,000.00), playground equipment (\$2,000.00) at the School, Park and Rec summer program (\$1,500.00), and utilities and maintenance for the park/ballfields (\$1,000.00). The Council discussed the maintenance of the ballfields which does not need ag-lime this year, and the mower is under warranty and should not need repairs. However, the lighting at the ballfields is old and may need to be updated, and there are some special events scheduled this summer that will require port-a-potties which are not covered under the City's contract with Southwest Sanitation. After discussion on where the money is going for the Park and Rec program, a **MOTION** was made by Dave Enke, seconded by Rosie DeZeeuw to approve up to \$1,500.00 in expenditures to be channeled and paid through the City Administrator/Clerk's office for the Summer Park and Rec Program. Motion carried.

The next item of business was to review/act on a City license for Lake Benton Resort, LLC for May 1, 2018 through April 30, 2019. Lisa Willert was in attendance and informed the Council that Lisa and Lonnie Willert, and Matt and Kristi Eickhoff purchased the Resort. They have been working the last two weeks cleaning the kitchen, office area and most of the rooms. They purchased a pontoon and a couple jet skis for anyone interesting in renting them for use on the lake. The property will remain a resort and they are looking to expand and update. The resort has 17 units and they would like to continue to have an on-sale bar.

MOTION by Daryl Schlapkohl, seconded by Dave Enke to approve the City License for May 1, 2018 through April 30, 2019 with proof of liability insurance from Lake Benton Resort, LLC for an On Sale Liquor License and a Sunday Liquor License. Motion carried.

The next item of business was to review/act on a Resolution Accepting Donations to the Library. The Library received the following donations in memory of Nancy Christensen:

- Ila Mae Christensen - \$10.00
- Connie Merritt - \$20.00

The following donor donated the following to the Library in memory of Bernice Johansen

- American Legion Henry Sollie Post #10 - \$10.00

The donations will be designated towards the Summer Reading Program.

Minnesota Statutes state the Library can accept donations for the benefit of recreational services. The Council needs to pass a resolution accepting the donations to the Library. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to approve the Resolution Accepting Donations from the above individuals totaling \$40.00. Motion carried.

The next item of business was to review/act on cleaning and painting estimates for the new Community Center. The Ad-Hoc Committee Chair Daryl Schlapkohl informed the Council the committee met on April 30, 2018 and reviewed estimates from Intek and Al Trigg Construction. Intek provided a bid to clean the entire kitchen, equipment, freezers and floors for \$3,169.50, and a bid to clean the AHU's, supply and return ductwork, and vent covers for \$1,297.00. Al Trigg Construction provided a bid for labor to paint two (2) coats of paint in the event hall and hallway (coat room) in the amount of \$2,100.00; and a bid for labor to paint two (2) coats of paint in the front bar and entry area for \$1,500.00. The committee is recommending approval of the estimates from the Council.

The installation of the new ceiling tile is almost complete. Thomas Electric completed the new lighting, and the rebate is larger than expected. Should the Council approve the cleaning and painting estimates, they can get started this week. After the painting and cleaning is complete, Steve Bennett will help with scrubbing the floor in the banquet area.

MOTION by Dave Enke, seconded by Rosie DeZeeuw to approve Intek's estimate to clean the kitchen in the amount of \$3,169.50, and the estimate to clean the AHU's, ductwork in the amount of \$1,297.00. Motion carried. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to approve Al Trigg's estimate to paint two coats of paint in the event hall, hall way, front bar and entry area in the amount of \$3,600.00. Motion carried.

The next item of business was review and act on the Settlement Agreement and Release of Claims Under MN Statutes Section 299A.465. The agreement is made by and between Thor Tollefson (Employee) and the City of Lake Benton (Employer). The Employer agrees to pay the Employee the sum of \$40,000.00 as compensation for all claims Employee has or claims to have against Employer under MN Statutes Section 299A.465. The parties agree that such sum represents the Employer's monthly liability to Employee under MN Statutes Section 299A.465 until Employee reaches the age of 65.

Mike Cable recommended the City approve this agreement. Thor Tollefson has the right to file a work compensation claim. When and if Thor Tollefson files a claim, City Administrator/Clerk Eileen Christensen will tenure defense to the League of Minnesota Cities. This may have an impact on the City's Work Comp Insurance premiums in the future.

MOTION by Dave Enke, seconded by Rosie DeZeeuw to approve the Settlement Agreement and Release of Claims Under MN Statutes Section 299A.465 between the City of Lake Benton and Thor Tollefson in the amount of \$40,000.00. Motion carried.

The next item of business was to review/act on the notice of water rate increase. City Administrator/Clerk Eileen Christensen previously informed the Council that Lincoln-Pipestone Rural Water System Board of Commissioners approved a \$0.10 increase per thousand gallons in municipal and community water rates. In the past, the Council has added the increase to the citizens of Lake Benton's utility billing.

The City's water rate of \$2.46 per thousand gallons will be increased to \$2.56 per thousand gallons effective June 1, 2019 to appear on the July utility billing. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to approve increasing the resident's water \$0.10 per thousand gallons effective June 1, 2018 to appear on the July utility billings. Motion carried.

The next item of business was to review/act on sump water issues on Parkview Drive. Maintenance Supervisor Todd Draper updated the Council on the history of Parkview Drive that in 1982 the City dug down three feet, installed 6" perforated PVC pipe, and resurfaced the road. The raising of the ground water goes to the sediment by the former Ridge and into the lake. The homeowners on Parkview Drive are hooked up to the pipe, but the pipe on the north side is not draining correctly.

Maintenance Supervisor Todd Draper recommended two options to observe and possibly locate the problem and fix it.

Option #1 – Dig a hole into the street and observe what is going on with the malfunction of the pipe.
Option #2 – Disconnect the drain line at the end of the cul-de-sac, but we will need to remove the existing pipe and shape the drainage ditch.

The Council unanimously agreed to authorize Maintenance Supervisor Todd Draper to go with option #1 and dig a hole into the street and observe what is going on with the malfunction of the pipe.

PUBLIC WORKS UPDATE:

Maintenance Supervisor Todd Draper informed the Council that the City wide clean-up is scheduled for May 21-25, 2018 with appliances being picked up Tuesday, May 22, 2018. There may be a change in cost for mattresses and will contact the Environmental Office to confirm. The Maintenance Department will begin picking up branches this Wednesday, May 9, 2018.

Maintenance Supervisor Todd Draper gave an update on the DNR boat access. The City has been working with the Railroad and the DNR regarding the roadways around the boat landing access. Kent Skaar with the DNR came to the conclusion that he felt confident to move ahead with the boat landing access and requested the City send him a letter with the City's intent to straighten the road access to the resort. The owners of the Lake Benton Resort, LLC are interested in what is going on and were informed they are invited to attend the next meeting.

Banner Associates, Inc. sent the agreement for the Harrison Street Improvement Project. Maintenance Supervisor Todd Draper would like to discuss the cap on the charges with Banner, and get approval from Legal Counsel before bringing to the Council at their next meeting.

Maintenance Supervisor Todd Draper informed the Council the City is having sewer plant issues. The lift station that was installed in 1992 is a 2-pump system but only one pump is running. He is working with a contractor on getting the second pump up and running as well.

Todd then informed the Council and the community that Ottertail Power is having problems with their sub-station. The temperature is very high and can go out anytime. Ottertail is planning a scheduled outage for the entire town on Saturday, May 19, 2018 from 8:00 AM to 10:00 AM. Ottertail will contact the newspaper to have the residents plan ahead (i.e. those with sump pumps running constantly may want to have a generator), and publish phone numbers for the residents to contact. This same information will be posted on the Local Access Channels. Ottertail has plans for putting in a new sub-station within the next five years.

COMMITTEE REPORTS:

Trustee Daryl Schlapkohl – The Opera House Board would like to request the City consider assisting with funding for a new heating/air conditioning unit at the Opera House. The total amount for the unit is approximately \$5,000.00 plus an additional \$1,000.00 for electrical work.

Trustee Daryl Schlapkohl explained the Opera House/Kimball Building have three furnaces. The furnace to be replaced is located under the stage and is used temporarily in the winter and spring. Installing a new heating/air conditioning unit will help cool the Opera House/Kimball Building in the summer and will request to the board the furnace be used only when a production is taking place and not run continuously using fuel which will cost more for the City. The Opera House is willing to share the expenses 50-50.

MOTION by Dave Enke, seconded by Rosie DeZeeuw to approve paying half or up to a cap of \$3,000.00 for a new heating/air conditioning unit with electrical at the Opera House/Kimball Building, and the furnace is not to run continuously and only when a production is taking place in the colder months. Motion carried.

Trustee Daryl Schlapkohl then gave an update on the new Community Event Center Ad-Hoc Committee. There is an individual wanting to lease the front of the building and will be meeting with the EDA this week. The outside walk-in cooler was to be sold for \$100.00 but the buyer didn't want it because it needed to be taken apart. Mitch with Thomas Electric had the tool to take the cooler apart and took it down and removed it for the City. This is already a big improvement to the building.

Trustee Daryl Schlapkohl then updated the Council regarding MN DOT housing a plow truck in Lake Benton after the blizzard on April 14. Two individuals met with Mayor Bob Worth, Trustee Daryl Schlapkohl, Maintenance Supervisor Todd Draper, Police Chief Tony Sievert, and Administrator/Clerk Eileen Christensen. The Lake Benton district area is the largest area with 109 miles with one driver. His route includes Highway 75 north from Pipestone to Lake Benton, Highway 14 east to Florence, Highway 14 west to the state line, and Highway 75 north to Ivanhoe. After some discussion, MN DOT agreed to upgrade the driver to beginning one-half hour earlier which may alleviate travelers having to wait for the roads to be cleaned before traveling out of the City. MN DOT may not house a plow here due to the fact they will need to get a pick-up, have all their tools available, sand, etc. and the costs for that are not feasible.

Trustee Dave Enke – The Library Board met the end of April. Board member Matt Meyer submitted his resignation as he and his family will be moving. Trustee Dave Enke will bring a name to be approved as a new board member to the Council on June 4, 2018. The recent donations will be used for supplies for the Summer Reading Program (SRP) and hire the petting zoo as a wrap-up to the program.

Trustee Rosie DeZeeuw – The Chamber met last month and had positive feedback from the Sports Show held in Sioux Falls in March. The \$2.00 meals are going well. The Opera House is on-line and phone ticket sales are going through the Chamber office and seems to be working very well.

The Redwing pottery is a Cream Can with the Gazebo and will be available in June for Saddle Horse Holiday. The "Yard of the Week" will be taking place again this year from Memorial Day through Labor Day.

On Sunday, April 29th, The Historical Society had their annual meeting and displayed their ornament featuring the Drug Store. The fourth Thursday of each month, the Historical Society organizes photos to be published in the newspaper. They purchased shelving and totes and are working to organize the back storage area. There are two new cabinets in the Lobby of the Heritage Center that display the ornaments and pottery items for sale, and the museum has a display case for the Te-Tonka-Ha pottery.

Trustee Mark Dunn by Mayor Bob Worth – The Fire Relief Association meeting was held last Wednesday evening. The Financial Officer reported \$116,294.00 after Jim Veire's retirement. After ten (10) years of service on the Lake Benton Fire Department, a fire fighter is given \$850.00/year in which Kinner and Company stated is the maximum amount.

ADMINISTRATOR/CLERK REPORT:

City Administrator/Clerk Eileen Christensen informed the Council the City's computer crashed on April 18, 2018 due to the Neptune handheld meter that would not allow upgrades to the computer's Windows 10 operating system. Danny Krotzer, City IT, took two long days to repair the damage and update all the applications. City Administrator/Clerk Eileen Christensen contacted Ferguson Waterworks requesting a credit due to the fact the City spent more time than budgeted to repair the computer and lost time. Ferguson Waterworks gave the City a \$400.00 credit on the one year \$1,300.00 maintenance agreement.

City Administrator/Clerk Eileen Christensen then informed the Council if anyone would like to be in the Saddle Horse Parade on Sunday, June 17, 2018 they should complete the form and send it to Janel Stuefen at First Security Bank.

The Southwest Regional Development Commission (SRDC) invited the Council to attend a public hearing on their budget for fiscal year 2019 at the Lake Benton Community Center on Thursday, May 10, 2018 at 3:30 PM.

MAYORAL REPORT:

Mayor Bob Worth thanked the Council for dealing with the situation of the former Police Chief. He appreciated the effort and support they gave to get the issue resolved. It is behind us and we can now move forward.

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