

OCTOBER 2, 2017

The Regular Meeting of the Lake Benton City Council was held on Monday, October 2, 2017 at 5:30 P.M. in the Heritage Center/City Office. Mayor Bob Worth presided. Trustees Rosie DeZeeuw, Mark Dunn, David Enke, and Daryl Schlapkohl were present. City Attorney Mike Cable, City Administrator/Clerk Eileen Christensen, Maintenance Supervisor Todd Draper, Police Chief Tony Sievert, Scott Christensen, Guy & Renee Pribyl-Becker's Resort, Joe Blastick-The Nature Conservancy, 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 September 18, 2017 were reviewed. **MOTION** by Dave Enke, seconded by Daryl Schlapkohl to approve the minutes of the Regular Meeting of September 18, 2017. Motion carried.

The next item of business was to review/act on the claims presented against the City of Lake Benton.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

LAKE BENTON GROCERY	\$ 2.12	OTTERTAIL	\$ 1,766.48
LEAGUE OF MN CITIES	\$12,248.00	L-P RURAL WATER	# 3,296.40
CLYDE KROG EXCAVATE	\$ 185.00	S & E AUTO	\$ 374.00
TODD DRAPER	\$ 32.00	PAT HAYNES	\$ 899.95
MINNESOTA LIFE	\$ 6.80	JOHANSEN REPAIR	\$ 3,111.47
THIS OLD HOUSE	\$ 35.00	DEV SERVICES, INC.	\$ 2,689.20
MARSHALL INDEPEND.	\$ 104.00	TROY NORDMEYER	\$ 32.00
HYDRO TECH SERVICE	\$11,575.00	GARRETT PETERSEN	\$ 96.83
KYLIE ROCHEL	\$ 40.00	ONE OFFICE SOLUTIONS	\$ 53.11
LB FIRE DEPT	\$17,447.87	BOB WORTH	\$ 237.31

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.

The next item of business was to discuss an off-sale intoxicating liquor license with Guy and Renee Pribyl with Becker's Resort. Renee and Guy expressed to the Council they would like to get an off-sale liquor license at their resort, but the City previously agreed that Dad's Wine and Liquor, LLC will have ten (10) year exclusive rights for an off-sale liquor license. The Pribyl's informed the Council that they spoke with the liquor commissioner who said that's not right. There are a lot of people wanting to get off-sale liquor, and the City should change the exclusive rights.

City Attorney Mike Cable reminded the Pribyl's the City of Lake Benton sold the municipal bar with the intentions to get the best benefit for the taxpayers. That was the reasoning why the City agreed to give ten (10) year exclusive rights to Dad's Wine, LLC and Veire's Mini-Mart because they had an off-sale liquor license at the time the bar was sold and the City supported that.

The City will not break the contract as it will expose the City to a liability. The City has the authority to give as many licenses as they choose. The City made the decision to sell the municipal bar, and protect the people who had licenses at the time. If Becker's Resort had an off-sale liquor license at that time, the City would have protected them as well.

The next item of business was the September Police Report by Police Chief Tony Sievert. Tony updated the Council on the CAD System purchased from Zuercher. The computer mount has been installed by Pro Action and it looks great. The Police Department is expecting to be trained this week on operating the system.

Police Chief Tony Sievert attended the AMEM Conference and was able to obtain a lot of good information. A few of the speakers included DAPL, and Ohio State University – A Perfect Storm on the Act of Terrorism.

The squad car has 76,682 miles on it, and is running well. Police Chief Tony Sievert ordered new tires for the squad and they should be in sometime this week.

The Firearms Safety class is scheduled for October 14 and 15, 2017 from 9:00 AM to 4:00 PM at the Lake Benton Public School.

MOTION by Mark Dunn, seconded by Dave Enke to approve the September Police Report. Motion carried.

The next item of business was to review/act on a resolution with the DNR for a city-wide deer hunt. Police Chief Tony Sievert informed the Council he invited Joe Blastick with The Nature Conservancy (TNC) to also speak with the Council. Tony contacted three (3) cities that have special hunts which include Canby, Granite Falls, and New Ulm. The cities informed Tony this entails a lot of work and New Ulm has been doing the special hunt for 25 years. The hunt needs to be very closely monitored, and every community that had bow hunts have seen the deer population decrease. The City has liability insurance and it is recommended not to have firearms used for the hunt. The Department of Natural Resources does not want the City to use firearms, therefore – the bow hunt is the best option. Administrative fees will need to be set and the City will need to monitor the hours of the hunt. Applications for the 2018 hunt are due in May.

Police Chief Tony Sievert reminded the Council there is a lot of coordination the City will need to work on with the DNR and TNC before we can move forward such as getting permission from the landowners before the hunt, completing waivers, etc. It was suggested that Lake Benton use bow only, with an option to “Earn-A-Buck” tag (i.e. shoot two does, earn a tag for a buck). Police Chief Tony Sievert suggested putting a committee together which would consist of Trustee Dave Enke, Trustee Daryl Schlapkohl, City Administrator/Clerk Eileen Christensen, Police Chief Tony Sievert, Joe Blastick, and two members of the Sportsman’s Club.

Joe Blastick, TNC, expressed the TNC’s interest in working with the City of Lake Benton on the deer hunt. They are committed to quantifying the problem and quantifying success. Joe recommended the City send residents surveys and request they explain the damage that has been done to their gardens, flowers, and plants; are the resident’s feeding the deer; are the resident’s feeding birds which deer also eat. Everyone will be able to express their opinions on the problem. It was questioned if TNC will allow hunters to use a stand should they hunt in TNC. Joe explained they cannot screw in stakes, but temporary stands would be good. We would like to make it hunter friendly for everyone involved. Joe then stated the TNC is very interested in working with the City.

The Council thanked Joe Blastick for coming to speak with the Council and appreciated his interest in working with the City. It was suggested to ask the Sportsman’s Club and Pheasants Forever to add food plots to help alleviate the deer population.

From an administrative standpoint, this is very labor intensive, and the City should meet with the DNR first. The committee members can work then together with the DNR and TNC to create a survey.

MOTION by Dave Enke, seconded by Rosie DeZeeuw to approve the Resolution with the DNR for a city-wide deer hunt in 2018. Motion carried.

Mayor Bob Worth asked the Committee members of Trustee Dave Enke, Trustee Daryl Schlapkohl, City Administrator/Clerk Eileen Christensen and Police Chief Tony Sievert if they are willing to be on the committee and they each agreed. Mayor Bob Worth then suggested one of the Trustees act as chair of the committee/task force.

The next item of business was to review/act on notice of garbage refuse rate increase. City Administrator/Clerk Eileen Christensen reminded the Council at the last regular Council meeting, the Council approved the garbage contract with Southwest Sanitation for six years with a \$0.50 increase per container for years one through three, and an additional \$0.25 increase per container for years four through six.

The Council had discussed if this additional increase should be charged to the residents of the City. City Administrator/Clerk Eileen Christensen passed out information on the costs associated with no increase to the resident, and increases of \$0.50, \$0.75, and \$1.00 per container per month to the resident.

City Administrator/Clerk Eileen Christensen informed the Council the last time garbage rates were increased was January 1, 2004. The current rates charged per container to the residents are as follows:

- \$10.00 for a 35 gallon container
- \$12.00 for a 65 gallon container
- \$14.00 for a 95 gallon container

Discussion took place on those residents that do not pay their bills on time. Currently the City sends letters to those individuals that are 90 days late with their payment and charges \$10.00 a month each time they do not pay the bill. The Council agreed they may have to amend the Ordinance on the amount of days late notice, but the fees associated with the bills can be done by resolution. It was the suggestion of the Council to get information from neighboring towns to see how many days they use before shutting the resident's water off.

MOTION by Mark Dunn, seconded by Dave Enke to approve increasing the garbage rates to the residents \$0.75 per container/per month beginning November 1, 2017. Motion carried.

PUBLIC WORKS UPDATE:

Maintenance Supervisor Todd Draper gave the Council an update that the lift station rehab project will begin tomorrow depending on how much rain we get this evening. Payment was approved this evening for the parts to perform the rehab.

Maintenance Supervisor Todd Draper then gave an update on the Lakeview Street storm sewer project. The landowner took a copy of the easement drafted by City Attorney Mike Cable to review it with her attorney. The landowner is evading the issue after agreeing to share the costs with the City. Todd attempted to contact the landowner twice, and has not heard anything back. The landowner has previously done some work to their driveway.

Discussion took place on the matter to rescind the motion to assist the landowner with their issue on Lakeview Street. The landowner's issues seem to be debris getting caught in the catch basin, and the landowner needs to keep it cleaned out. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to rescind the motion made on August 21, 2017 to install an 8" storm pipe to alleviate some of the water issues at the end of Lakeview Street. Motion carried.

The Council requested City Staff send a letter to the landowner explaining the Council reviewed the progress of the project, reconsidered their position, and the motion was rescinded.

COMMITTEE REPORTS:

Trustee Rosie DeZeeuw – The Chamber-CVB met on September 19, 2017. The Bar hosted a Vendor Day on Sunday, October 1, 2017 since there is no longer a Craft Fair. The Chamber discussed the Holiday Open Houses and sent out surveys to the businesses if they would like to have their own open house or an open house with everyone on the same day. The Chamber members that do not have store fronts will also have an opportunity to take part in an open house if they wish. This could be held at the Community Center. The Chamber also discussed having a summer open house which would include the lake people. It was also discussed to encourage the businesses be included on the lighting contest for Christmas as they had done a few years ago.

Trustee Dave Enke – The Library Board met last week. The Library Director position was advertised until filled. One application was received and is scheduled to interview on October 4, 2017 with Library Board President Rich Riley, Library Director Shelly Finzen, and City Administrator/Clerk Eileen Christensen.

Last month Trustee Dave Enke shared with the Council that only one of the four computers was working. Since that time, an anonymous individual gave the Library two computers and one was fixed. The Library is back to four working computers.

The Library Board adopted their new Mission Statement. The Mission Statement is based to enrich lives, build community, foster success, and share information and ideas together in a respectful manner.

The fall programming has begun, and training continues for the two Library Assistants.

Trustee Daryl Schlapkohl – No report.

Trustee Mark Dunn – No report.

ADMINISTRATOR/CLERK REPORT:

No report.

MAYORAL REPORT:

Mayor Bob Worth received a letter from the Lake Benton Grocery Store owners Al and Tami Trigg thanking him for the letter of endorsement for their grant proposal. Although the Trigg's did not receive the full amount, they received a generous amount and were able to replace the large display freezer near the cash registers.

Mayor Bob Worth will be making his committee appointments in January. If anyone on the Council would like to be put on a different committee for next year, please let him know.

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

MAYOR

ADMINISTRATOR/CLERK