

**SEPTEMBER 18, 2023**

The Regular Meeting of the Lake Benton City Council was held on Monday, September 18, 2023 at 5:30 PM in the Lake Benton Area Community and Event Center. Mayor Michael Carpenter presided. Trustees Rosie DeZeeuw, Karen Lichtsinn, Patrick Haynes, and Scott Christensen were present. City Attorney Mike Cable was absent. City Administrator/Clerk Eileen Christensen, and Lincoln County Sheriff Bob Bushman were also present.

Mayor Michael Carpenter called the meeting to order. The Pledge of Allegiance was recited by all present.

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 September 5, 2023 were reviewed. **MOTION** by Rosie DeZeeuw, seconded by Patrick Haynes to approve the minutes of the Regular Meeting of September 5, 2023. Motion carried.

The minutes of the Special Budget Meeting of September 11, 2023 were reviewed. **MOTION** by Karen Lichtsinn, seconded by Scott Christensen to approve the minutes of the Special Budget Meeting of September 11, 2023. Motion carried.

**CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:**

LEAGUE OF MN CITIES	\$ 21,933.00	L-P RURAL WATER	\$ 4,508.29
RETHWISCH & SON	\$ 617.53	STATION ONE	\$ 647.52
JARED ROUGE	\$ 39,055.00	RICK'S WELDING	\$ 350.00
GOPHER STATE	\$ 20.25	CITY OF LAKE BENTON	\$ 180.06
POSTMASTER	\$ 242.46	S & E AUTO	\$ 25.00
LMC DUES	\$ 984.00	CHAMBER OF COMMERCE	\$ 352.00
BRESSLER PAINTING	\$ 300.00	SW SANITATION	\$ 3,795.81
TITAN MACHINERY	\$ 960.00	CARDMEMBER SRVCS	\$ 4,939.07
ALEX AIR	\$ 1,754.32	PIPESTONE INTERIORS	\$ 1,128.60
ONE OFFICE SOLUTIONS	\$ 17.57	VERN CARL	\$ 843.00
THOMAS PLUMBING	\$ 58.00		

**MOTION** by Patrick Haynes, seconded by Scott Christensen 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.

**LAW ENFORCEMENT UPDATE**

Lincoln County Sheriff Bob Bushman presented the August calls for service. Sheriff Bob Bushman informed the Council he pulled the case logs for the past 30 days which included traffic violations, domestics, welfare checks, animal complaints, and miscellaneous calls. Sheriff Bob Bushman then informed the Council he pulled the geofencing that tracks his and the Deputies activity and they logged 71 hours in which one property took substantial time. **MOTION** by Rosie DeZeeuw, seconded by Patrick Haynes to approve the August law enforcement update. Motion carried.

The next item of business was to review/act on a request from the Lincoln County Sheriff's Office. City Attorney Mike Cable was contacted by the Lincoln County Sheriff's Office because they were concerned about the condition of a house on Fremont Street. Sheriff Bob Bushman informed the Council that he and his Deputies have been called to this residence several times. On Labor Day they made a couple arrests and dealt with domestic issues. It appeared that a sewer line in the basement was not functioning properly causing there to be sewage in the basement. City Attorney Mike Cable contacted Jason Kloss the Environmental Health Manager for Southwest Health and Human Services and he indicated to Mike Cable that he is willing to view the house.

Sheriff Bob Bushman stated that this is not a good situation and could cause problems in the future. The individual living at the residence has been cooperative with the Sheriff and he does not foresee any issues with the Environmental Health Manager being allowed in the home. City Attorney Mike Cable contacted Jason Kloss the Environmental Health Manager for Southwest Health and Human Services and he indicated to Mike Cable that he is willing to view the house.

City Attorney Mike Cable asked that the City Council pass a Resolution requesting that Jason Kloss view the house because of the request by the Sheriff's Office. It is possible the individual living in the house will not allow access to the house and if that occurs, Mike may have to get the necessary Court Order to allow him access to the house. Mike believes that when Jason views the house a member of law enforcement should be with him.

**MOTION** by Scott Christensen, seconded by Karen Lichtsinn to request Jason Kloss, Environmental Health Manager for Southwest Health and Human Services, view the house located on Fremont Street because of the request by the Lincoln County Sheriff's Office and be accompanied by a deputy from the sheriff's office. Motion carried.

The next item of business was to review/act on the Agreement between the City of Lake Benton and Banner Associates for engineering services for the 2027 MnDOT Highway 75 Infrastructure Project. Banner Associates provided the Agreement which consists of the Engineer's services identified as a Preliminary Engineering Report and Design Engineering and Bidding Services. A draft copy of the Preliminary Engineering Report will be completed on or before November 1, 2023 and the final report will be completed on or before November 17, 2023. The cost of the Preliminary Report is \$5,245.00 and the cost for the Design Engineering and Bidding Services for the project is \$83,375.00. City Attorney Mike Cable reviewed the Agreement and stated if the amounts to be paid are acceptable to the City, he has no changes to recommend. **MOTION** by Scott Christensen, seconded by Rosie DeZeeuw to approve the Agreement between the City of Lake Benton and Banner Associates for engineering services for the 2027 MnDOT Highway 75 Infrastructure Project. Motion carried.

The next item of business was to review/act on Voting Operations, Technology and Election Resources (VOTER) Account Agreement with Lincoln County. City staff received an email from the Lincoln County Auditor's office requesting each City and Township consider passing the Election Agreement once a year beginning in 2023. The Office of the Secretary of State completed the electronic transfer of \$1.25 million in electronic payments to counties, of which Lincoln County's share is \$3,845.07, for the Voting Operations, Technology and Election Resources (VOTER) account in accordance with the requirements of Minnesota Statutes 5.305.

The Lincoln County Auditor's office currently administers the absentee and mail balloting for all precincts and pays for all the maintenance for the election equipment utilized by the local units of government. After the Auditor's calculations, each entity will receive approximately \$46.00 if they choose to receive their share of the funds. However, if these funds are disbursed out, the County may have to begin charging the entity for equipment and ballots. The Agreement states that the City of Lake Benton does hereby agree to allow Lincoln County to retain all Voting Operations, Technology and Election Resources (VOTER) account funds received. **MOTION** by Karen Lichtsinn, seconded by Patrick Haynes to approve the Voting Operations, Technology and Election Resources (VOTER) Account Agreement with Lincoln County. Roll Call Vote: Trustee Rosie DeZeeuw – Yes, Trustee Karen Lichtsinn – Yes, Trustee Scott Christensen – Yes, Trustee Patrick Haynes – Yes. Motion carried.

The next item of business was to review/act on the appointment of three new members to the Lake Benton EDA Board. At the Lake Benton EDA meeting on September 13, 2023, the board regrettably accepted Nathan Krog, Matt Schreurs, and Loy Woelber's resignations from the board. The EDA board unanimously nominated Binod Jha, Travis Lustfield, and Jared Rouge and felt they would be great assets to the board. The Lake Benton EDA would like to request the City Council appoint Binod Jha, Travis Lustfield and Jared Rouge to the Lake Benton EDA board. **MOTION** by

Scott Christensen, seconded by Rosie DeZeeuw to appoint Binod Jha, Travis Lustfield and Jared Rouge to the Lake Benton EDA board. Motion carried.

The next item of business was to certify the proposed property tax levy and announce the time and place of the public meeting. Mayor Michael Carpenter thanked the Council for taking the time to attend the special meeting, and thanked Administrator/Clerk Eileen Christensen for the multiple hours she put in to make the 2024 budget as feasible as possible. Mayor Michael Carpenter then stated if the Council does not finalize the proposed 2024 budget this evening, a special meeting will need to be held prior to September 30, 2023 which must be certified to the County by September 30, 2023. It was noted that these amounts can be lowered but not raised at the Truth-in-Taxation Hearing. The previous City Council passed the 2023 budget with a 0% increase and due to the increase in insurance and snow removal, the Council is recommending a 3% increase for 2024. The total levy to be raised by taxes is \$265,981.00 of which \$188,981.00 is allocated to the General Fund and \$77,000.00 is allocated to the USDA-RUS Improvement Fund. The proposed budget amounts are as follows: **GENERAL FUND:** Income - \$537,498.00, Expenses - \$537,294.00; **FIRE FUND:** Income - \$90,300.00, Expenses - \$97,580.00; **LIBRARY FUND:** Income - \$53,429.00, Expenses - \$53,536.00; **UTILITY FUND:** (Water, Sewer and Garbage) Income - \$417,545.00, Expenses - \$430,903.00; **USDA-RUS:** Income - \$77,000.00, Expense - \$77,000. **MOTION** by Karen Lichtsinn, seconded by Rosie DeZeeuw to approve the total proposed 2024 tax levy of \$265,981.00 with \$188,981.00 for property tax allocated to the General Fund and \$77,000.00 allocated to the USDA-RUS Improvement Fund. Roll Call Vote: Trustee Karen Lichtsinn – Yes, Trustee Rosie DeZeeuw – Yes, Trustee Patrick Haynes – Yes, Trustee Scott Christensen – Yes. Motion carried.

The Council then needed to announce the date and time of the public meeting for the Truth-In-Taxation. **MOTION** by Scott Christensen, seconded by Patrick Haynes to hold the Truth-In-Taxation public meeting on Monday, December 4, 2023 at 6:00 PM at the Lake Benton Area Community and Event Center. Motion carried.

#### **COMMITTEE REPORTS:**

Trustee Rosie DeZeeuw – The Chamber met and the September Business of the Month is Austin's Auto Spa and Coatings. Plans for the Vendor Show on October 7, 2023 are going well. The 2024-2025 Visitors Guide is being worked on. The next Chamber Chat will be going out in mid-November to include the Holiday Open Houses.

Trustee Karen Lichtsinn – No report.

Trustee Scott Christensen – The Fire Department had their hoses pressure tested and passed.

Trustee Patrick Haynes – The EDA board met and set up a punch list for Karen Lichtsinn, Travis Lustfield, Jared Rouge and Eileen Christensen to set up a walk-thru of the new duplex units. After one year, the board will have its final walk-thru of the units. There is a five (5) year warranty on the electrical and plumbing, and a ten (10) year warranty on all structural materials. The 4-Plex units have been re-shingled. The board was presented with a list of individuals that expressed an interest in serving on the board. Lisa Willert and Andy Guptil with the bank were included in the list and the board appreciated their willingness to serve on the board if needed. Patrick then informed the Council that he presented the Council's recommendation to plant five (5) trees at the duplex units when Country Side Nursery performs the landscaping this fall and the board accepted the Council's donation. The Hole-in-the-Mountain Park Enhancement Project had an archaeological study conducted and there were 30 dig sites along the trails where thousands of artifacts were uncovered. There will be more enhancements on fewer trails. Their hope is to begin construction next summer and hope to have tubing by next winter.

The Opera House board met and Lisa Willert stepped down from the Treasurer position. They had discussion on hiring Kinner to take on this role as they do their taxes or hire someone else. This will be brought forward at their next meeting. The board is looking for more sixth-grade students to

perform in the Children's Theater "Alice At Wonderland" on October 7, 2023. The fall production "Mouse Trap" is scheduled for November 10 through November 18, 2023, and next summer's production "Mama Mia" is scheduled for July 17 through July 28, 2024. The Southwest Minnesota Arts Council will be in Tyler on October 14, 2023. The board is still waiting on materials to replace the Opera House balcony. **MOTION** by Karen Lichtsinn, seconded by Scott Christensen to approve the Committee Reports. Motion carried.

**ADMINISTRATOR/CLERK REPORT:**

Monique and Kelly Bahm brought a building permit into the City office this afternoon to install a 64' x 74' fence on their property at 209 E. Benton Street. Monique and Kelly were given the setbacks in which to install a fence, and the \$25.00 application fee has been paid. There are no setback concerns and everything is in compliance with the Ordinance. **MOTION** by Karen Lichtsinn, seconded by Scott Christensen to approve the building permit for Monique and Kelly Bahm to install a 64' x 74' fence on their property at 209 E. Benton Street. Motion carried.

Administrator/Clerk Eileen Christensen informed the Council that Johansen Repair agreed to move snow again for the City. Their prices increased from \$158.00/hour to \$230.00/hour; from \$168.00/hour to \$240.00/hour, and from \$178.00/hour to \$250.00/hour. The contract will be approved at the next meeting.

City staff received an e-mail from Infants Remembered in Silence, Inc. requesting the Council adopt a resolution endorsing October 15, 2023 as Pregnancy and Infant Loss Remembrance Day. The Council was provided a copy of the letter and a Proclamation Recognizing National Pregnancy and Infant Loss Awareness Day on October 15, 2023. **MOTION** by Rosie DeZeeuw, seconded by Patrick Haynes to adopt the resolution endorsing October 15, 2023 as Recognizing National Pregnancy and Infant Loss Awareness Day. Motion carried.

The City's website has a new look. It includes various pictures of the City that were taken by Diann Powell, is more user-friendly and looks more professional.

The proficiency test for the archery hunt was a success. All the shooters passed with a score of 70 or higher. The comments were well received and everyone was very happy with the test. **MOTION** by Karen Lichtsinn, seconded by Patrick Haynes to approve the Administrator/Clerk report. Motion carried.

**MAYORAL REPORT:**

Mayor Michael Carpenter informed the Council he received a Certified letter from FEMA indicating the flood map locates only one property as part of the change. If anyone would like to look at the flood maps, they are on file at the City office.

Mayor Michael Carpenter inquired if A & C Excavating got in touch with Travis Lustfield to repair the clean-out on North Harrison Street and was informed that yes he had been contacted.

Mayor Michael Carpenter requested an update on the Sheriff's Office remodel and Administrator/Clerk Eileen Christensen updated the Council that the painting, flooring and Wainscoting are completed. A new window is being installed and the mini split should be here on Tuesday, September 19, 2023.

Mayor Michael Carpenter then requested the Council authorize Administrator/Clerk Eileen Christensen to contact Vince Robinson and request he contact Shannon Sweeney and both of them meet with the City Council to discuss funding on the 2027 Highway 75 Project on a Wednesday or Thursday in October at 2:00 PM. **MOTION** by Scott Christensen, seconded by Karen Lichtsinn to authorize Administrator/Clerk Eileen Christensen to contact Vince Robinson to contact Shannon Sweeney to both meet with the City Council on a Wednesday or Thursday in October at 2:00 PM after October 16, 2023.

Mayor Michael Carpenter then reminded the Council they are waiting to meet with MnDOT this fall regarding the 2027 Highway 75 Project and will plan to meet with the Railroad after meeting with MnDOT.

The next regular meeting will be Monday, October 2, 2023 at 5:30 PM.

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

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MAYOR

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ADMINISTRATOR/CLERK