

SEPTEMBER 3, 2019

The Regular Meeting of the Lake Benton City Council was held on Tuesday, September 3, 2019 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, Karen Lichtsinn, Steve Schouviller, Mike Carpenter, Phillip Schmidt, 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 August 19, 2019 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to approve the minutes of the Regular Meeting of August 19, 2019. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

SHELLY FINZEN	\$ 38.00	LB GROCERY	\$ 18.56
OTTERTAIL	\$ 1,761.89	THOMAS ELECTRIC	\$ 4,833.66
S & E AUTO	\$ 76.00	TODD DRAPER	\$ 32.00
PAT HAYNES	\$ 365.00	LEAGUE OF MN CITIESD	\$ 896.00
MINNESOTA LIFE	\$ 5.10	MN DEPT OF HEALTH	\$ 516.00
SW SANITATION	\$ 50.00	ING & GREG'S REFRIG	\$ 1,489.65
MAGAZINE LINE	\$ 40.98	JOSH CHOUDEK	\$ 323.64
TROY NORDMEYER	\$ 32.00	KYLIE ROCHEL	\$ 123.00
ONE OFFICE	\$ 149.82	QUILTING MAGAZINE	\$ 29.97
AMAZON CAPITAL	\$ 157.07	DEMCO	\$ 171.31
JANINE SCHAAP	\$ 56.69	CORINNE CROWE	\$ 21.48

MOTION by Dave Enke, seconded by Mark Dunn 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.

Two rehab grant checks (Contractor request of \$9,000.00 to DK Construction, and \$46.00 to Lincoln County Recorder) were presented for payment. The funds have been requested and were deposited into the account. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve payment of the rehab grant checks presented. Motion carried.

Mayor Bob Worth informed the Council and audience that Agenda Item Number 11 will be open to the public and the Council will not go into Executive Session.

The next item of business was an update on the local food shelf by Karen Lichtsinn. Karen provided an update on the status of a very important community program, our Local Food Shelf. Currently Lake Benton has two (2) Food Shelves: The Lighthouse Assembly of God Church Food Shelf (church located north of town), and the Lake Benton Food Shelf which is housed in the back of the Heritage Center. Karen was included in an e-mail from Second Harvest Heartland informing the community that the Lighthouse Food Shelf was closing in August 2019.

Karen researched into the operations of both local Food Shelf programs and found the Lighthouse Assembly of God Food Shelf has been serving 5-20 Lake Benton families in the past

ten years. The Lighthouse Food Shelf partnered with Second Harvest Heartland of MN and the Lake Benton Grocery Store to supply low cost food and produce to their guests. Local financial support plus funding from other larger organizations helped support their program.

The Lake Benton Food Shelf has been in operation approximately 20 years and is supporting approximately 5 to 7 families a month. The Food Shelf is available by appointment and is currently managed by two (2) volunteers. Local donations are the only source of funding to this program. Karen has heard the program referred to as “the best kept secret in Lake Benton”. Many families don’t even know the program exists or how to access it.

Karen expressed sincere appreciation to the Lighthouse Food Shelf and Pastor Jon Olson and his congregation for their dedication and support to our local families with much needed food and commodities. Karen also acknowledged the work and dedication of our Local Food Shelf volunteers and thanked them for supporting and managing the Lake Benton Food Shelf for so many years.

Karen met with Pastor Jon Olson and the Tyler Food Shelf Board of Directors this past month to better understand their program and how the Lake Benton Food Shelf can gear up to continue meeting the needs of our local community. The Tyler Food Shelf was once supporting 15 Lake Benton families and only recently had to start referring them back to the Lake Benton program. This means the Lake Benton Food Shelf will increase to 15 to 20 families a month. This is three times what Lake Benton serves today.

Pastor Jon is very supportive of this transition and is encouraged by the opportunity to offer one Lake Benton Food Shelf, in a downtown location within walking distance, and offering weekly hours in a neutral community building. Karen’s vision to expand the current Food Shelf area will entail some rearranging in the warehouse area and creating a blueprint to seek input and approval of all related stakeholders. Karen’s intention is to apply for grant money to pay for the facility expansion with no added cost to the City. The Lighthouse Food Shelf has inventory, equipment and remaining funding they are willing to share with the Lake Benton Food Shelf once we are ready to accommodate the added items. Tyler is willing to send volunteers to help us maintain and enhance our program; and Karen already has volunteers willing to help at the weekly distribution and she will seek additional support from the local churches, schools and businesses. Karen again wanted to make the Council aware of what is going on and will bring additional information when available. The Council felt this is a very good move in the right direction to expand our Food Shelf area and hours. The generosity of the Lighthouse donating shelving, inventory and funding is greatly appreciated.

The next item of business was to review/act on the dedication of the DNR water access project. Phil Nasby contacted Administrator/Clerk Eileen Christensen earlier and suggested they have a dedication next May prior to the fishing opener. The grass will be green, and the sign will be created in time for the dedication. Mayor Bob Worth informed the Council he received a phone call from Senator Bill Weber that he is bringing the DNR Commissioner to Lake Benton on Thursday, September 5, 2019 to look at the newly completed water access project.

PUBLIC WORKS UPDATE

No report.

The next item of business was to review/act on a building permit for Carrie Timm at 116 S. Harrison Street. Carrie requested to install a utility shed on her property. Carrie was given the setback from the property lines on which she can install a utility shed. Maintenance Supervisor Todd Draper confirmed there were no setback concerns and everything is in compliance with the ordinance. The fee of \$25.00 per application has been paid. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the building permit for Carrie Timm to install a utility shed at 116 S. Harrison Street. Motion carried.

The next item of business was to review/act on Ordinance No. 112 through 112.04 Liquor Regulations. The Lake Benton Bar and Grill is planning a Ladies Night with Mikes Las Vegas Show on November 14, 2019. Although this event is not confirmed yet, it was recommended by Legal Counsel to bring this to the Council for review and action.

Ordinance No. 112.04 Nudity on the Premises of Licensed Establishments Prohibited states it is unlawful for any licensee to permit or allow any persons on the licensed premises when the person does not have his or her private body parts covered with a nontransparent material. A violation of this section is a misdemeanor punishable as provided by law, and is justification for revocation of any liquor, wine, or 3.2 percent malt liquor license or the imposition of a civil penalty under the provisions of 112.99(B).

It was recommended that the City Council write a letter to the owners of the Lake Benton Bar and Grill to make them aware of this Ordinance, and let them know there may be the potential of a misdemeanor and the possibility of getting their license revoked should the Ordinance be violated at this event. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to write a letter to the owners of the Lake Benton Bar and Grill to make them aware of any potential mishaps if Ordinance No.112.04 is violated for their Ladies Night event scheduled for November 14, 2019. Motion carried.

COMMITTEE REPORTS:

Trustee Mark Dunn – No report.

Trustee Rosie DeZeeuw – No report.

Trustee Dave Enke – The Library Board met last week and the Summer Reading Program (SRP) was a success with an average of 30 youth participating each week. Fall programs scheduled include: Game Night to begin September 9, 2019; Friday Morning Fun to begin September 13, 2019; Mark Moran who performs appraisals on antiques will be at the Library September 23, 2019; The Everett Smithson Band will perform at the Lunch Box on September 12, 2019 in conjunction with the Diner's Club \$3.00 meal; and Jen Anfinson will be having a program on Needle Punch work on September 30, 2019.

Trustee Daryl Schlapkohl – No report.

ADMINISTRATOR/CLERK REPORT:

Administrator/Clerk Eileen Christensen reminded the Council that at the September 4, 2018 meeting, the Council approved hiring Al Trigg Construction to replace the shingles on the LB Area Community & Event Center in the amount of \$500.00. As of today, the job has not been completed. Eileen contacted Gary Nordmeyer and he gave her a quote of \$500.00 to replace the shingles on the LB Area Community & Event Center and purchase the supplies locally. The Council gave their approval.

The Lake Benton DNR Archery Hunt will begin September 14, 2019. The City received 37 applications: 20 eligible applications from last year's hunt and 17 new applications to take the proficiency test September 7 and 8, 2019.

MAYORAL REPORT:

Mayor Bob Worth informed the Council and the audience that the last item on the agenda will be open to discuss the contract with Lincoln County and review applications for the Police Chief position. Steve Schouviller, former Police Chief of Lake Benton was present to participate as an expert to review the applications and participate in discussions to hire a new Police Chief or contract with the County. Mayor Bob Worth informed the audience to please listen and the Council will answer questions after the Council reviews the applications and discusses if the City should interview the applicants.

Mayor Bob Worth informed everyone the Personnel Committee previously reviewed the applications and narrowed the applications to three to be interviewed by the Council. Sheriff Meester had presented his proposal for the Council to consider as well. This needs to get decided as the City has been without a Police Chief since June 2019 and we need police protection for the community. The Council, City Attorney Mike Cable, and Steve Schouviller took time to review the three applications and give their opinion if they feel they should be interviewed.

Mayor Bob Worth informed the Council to give the number on the top of the application as to what number or numbers they felt should be interviewed:

Trustee Rosie DeZeeuw – Interview #1 and #2

Trustee Mark Dunn – Interview #1 and #2

Trustee Daryl Schlapkohl – Interview #1

Steve Schouviller – Interview #1 and #3

Trustee Dave Enke – Interview #1 and #3

Mayor Bob Worth – Interview #1 and #3

City Attorney Mike Cable – Presented his opinion to interview #1 and #3

The Council discussed their concerns about a part-time Police Chief and how long before they will be living in the area. The Council asked Steve Schouviller if he felt a part-time Police Chief could do an adequate job with 25 hours a week. Steve said yes, a part-time Police Chief can get the administrative work done and supervise two (2) part-time Police Officers and still do an adequate job in 25 hours a week. However, if the part-time Police Officer is not full-time POST Board, a phone needs to be made available for the Chief to talk with them. The Council then asked Steve in his past experience what percentage of time is dedicated to administrative work. Steve felt 6 to 10 hours per week. The majority of time is not and should not be spent doing administrative work. However, the downfall is if the Police Chief is working a case, then hours could be a problem. It would be better if the part-time Police Chief were close to town with a reasonable response time.

Discussion also included if the Council wants to interview all three applicants and not limit it to two. City Attorney Mike Cable informed the Council that if they choose to have the entire Council involved with the interview process, they cannot have more than two Councilmembers in one interview at one time, and do not have the interviews the same day as a Council meeting.

The Council then inquired about closing the meeting and interviewing all the applicants at once. City Attorney Mike Cable said the Council cannot justify closing a meeting to interview. City Attorney Mike Cable explained when meetings should be closed which included negotiating contracts to buy or sell property, negotiate a union contract, or pending litigations for security purposes. When the Council closes a meeting they have to indicate why they are closing the meeting and on what basis they are closing the meeting.

It was suggested the Personnel Committee, Administrator/Clerk Eileen Christensen and Steve Schouviller interview the three applicants and bring their recommendation back to the Council. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to have the Personnel Committee, Administrator/Clerk Eileen Christensen and Steve Schouviller interview the three applicants and bring their recommendation back to the Council. Motion carried.

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

MAYOR

ADMINISTRATOR/CLERK