

SEPTEMBER 5, 2017

The Regular Meeting of the Lake Benton City Council was held on Tuesday, September 5, 2017 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, Police Officer Dallas Cornell, Wendy Krueger and Amber Knutson-DNR Wildlife, 25 City residents, 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. Phil Schmidt addressed the Council with his support for the Chamber to have a City-wide clean up.

The minutes of the Regular Meeting of August 21, 2017 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to approve the minutes of the Regular Meeting of August 21, 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:

LB GROCERY	\$ 5.38	OTTERTAIL	\$ 2,014.62
ALPHA WIRELESS	\$ 1,928.00	L-P RURAL WATER	\$ 3,616.20
LB HARDWARE	\$ 58.96	LYLE "DUFF" TRAUTMAN	\$ 165.00
GOPHER STATE	\$ 13.50	S & E AUTO	\$ 77.70
TODD DRAPER	\$ 32.00	PAT HAYNES	\$ 899.95
LEAGUE OF MN CITIES	\$ 879.00	MINNESOTA LIFE	\$ 10.20
LINCOLN CTY RECORDER	\$ 9.00	MIDWEST GLASS	\$ 262.36
DOUBLE D GRAVEL	\$ 320.40	RADAR ROAD TEC	\$ 35.00
MN DEPT OF HEALTH	\$ 516.00	MEMORIAL HILL CEMETERY	\$ 200.00
TROY NORDMEYER	\$ 32.00	VERIZON	\$ 37.29
ONE OFFICE SOLUTION	\$ 102.11	BUFFALO RIDGE NEWS	\$ 6.75
REMINISCE	\$ 12.98		

MOTION by Dave Enke, seconded by Daryl Schlapkohl 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 meet with Wendy Krueger and Amber Knutson with the DNR Wildlife to discuss the deer population within the City limits of Lake Benton. Mayor Bob Worth thanked everyone for coming and welcomed Wendy and Amber. The Mayor informed the audience the DNR Representatives will speak first, then the Council will have time to ask questions, and then the floor will be opened up for the residents to speak and/or ask questions.

Wendy Krueger addressed the Council and audience and stated that she is aware there are several concerns regarding deer and the damage they are doing to properties in Lake Benton. Wendy said the DNR will need approval from the City Council to have a special hunt or sharp shooting, and they will work with the City through this process. They are also willing to work with individual homeowners regarding damage done to their property and give them ideas on how to reduce the damage. There was a news release, and informational handouts on the table for the audience to take and review.

The Council then asked questions and stated their concerns of individuals shooting guns in the City limits, number of permits allowed, and if the DNR takes into consideration the City of Lake Benton's problem when giving out permits. It is known that Lake Benton is a traditional winter area for deer due to the hills and habitat, but the deer are here all year round. The DNR can target the problem within the City and there is an opportunity to shoot on properties.

The audience then stated their concerns which included the Nature Conservancy land which doesn't allow hunting, as well as the City being surrounded by 2,000 acres of privately owned land in which owners do not allow hunting either. The deer can be found on all the streets in Lake Benton including Fremont Street, Lakeview Street, Parkview Drive and the streets on the west end of town. It was suggested that the DNR consider giving out doe permits and have the hunters apply for a buck permit instead of giving out buck permits and applying for a doe permit.

It is also believed the same herds come in the summer each year and are coming from the Nature Conservancy land. The Police Department has seen a fair amount of does, and the numbers are significant in Lake Benton. Other concerns from the audience included the deer being carriers of the Lyme disease, and causing accidents because they are continuously crossing the streets in town in the dark.

It was then stated that everyone is aware that the deer are causing property damage, and other topics have risen which include disease and safety issues. Does the DNR get a count of deer accidents at body shops? The DNR gets a state wide number of accidents but not by cities.

The City could consider doing a controlled hunt with bow and arrow. The DNR stated the bow and arrow season begins in mid-September through the end of the year and the application for this permit is due in May. However, a special hunt could happen with bonus tags for does only, and there are several places to hunt in Lake Benton. It is highly recommended the shooters have a proficiency test given by the head Administrator.

Mayor Bob Worth again thanked everyone for coming. He hoped they received valuable information. Mayor Bob Worth then informed the audience he spoke with Senator Bill Weber who also wants to see something done about the deer population in the City of Lake Benton. Mayor Bob Worth commented that he felt the DNR seems to be more concerned about the deer than the people. He requested Wendy and Amber take this information to their superiors and inform them we need something done now – we cannot wait. The City is not talking about 20 to 30 permits – we're talking about 100 to 200 permits. Mayor Bob Worth then presented a picture taken in July 2017 of three deer in his backyard near the Nature Conservancy.

Wendy informed the Mayor and Council they need City Council approval that they will agree on a special hunt. The DNR will work with the City on the application process and how many permits can be given. The highest amount of permits given to a city was 60. Mayor Bob Worth thanked Wendy and Amber for coming and listening to the community's concerns, and informed them a resolution for a special hunt will be brought before the Council for approval at their next meeting of September 18, 2017.

The next item of business was the hearing with the property owner on nuisance violation. At the regular Council meeting of August 7, 2017, the Council approved having a hearing at Tuesday evening's meeting to meet with the property owner at 314 East Prospect Street. Although the owner was unable to attend, Police Chief Tony Sievert assessed the property and the abandoned vehicles are gone and the junk has been disposed of. Police Chief Tony Sievert found the owner has made an amazing effort to come into compliance with the ordinance issues. **MOTION** by Dave Enke, seconded by Daryl Schlapkohl to send the property owner at 314 East Prospect Street a thank you letter for cleaning the property. Motion carried.

The next item of business was the August Police Report by Police Chief Tony Sievert. Police Chief Tony Sievert gave an update on the CAD system. The Contract with Zeurcher has been approved and we are on their wait list to get the computer installed. Tony will need to take the squad to Pro Action in Willmar to get another part installed. The system should be up and running by the end of September or the beginning of October.

Police Chief Tony Sievert is continuing to work on getting dates set for the Firearm Safety Course and should have something by the end of this week.

Police Chief Tony Sievert will be attending the Association of Emergency Managers Conference in the middle of September. There is a class on grant writing that can be very useful to the department and this will fulfill all of his continuing education credits.

The City received \$345.55 from the State grant money for Dallas Cornell's vest, and Radar Road Tec certified the Police Department's Radar and it is working properly and efficiently. On another note, the Radar Road Tec technician told Police Chief Tony Sievert the model of radar we have is one of the top of the line radars on the market.

There were 54 total calls for the month of August and even though it's the end of summer, things are still moving steady. Police Chief Tony Sievert reminded everyone to lock their cars, garages, and houses as there have been thefts in the surrounding areas. The squad has a total of 73,808 miles and the Council should consider looking into purchasing a new vehicle in the future. A new squad, same type as the current one, could cost approximately \$35,000.00 and the gear can be transferred from the old to the new squad. **MOTION** by Dave Enke, seconded by Rosie DeZeeuw to approve the August Police Report. Motion carried.

The next item of business was to review and act on a building permit for Nathan Slegers to build a 26' x 14' fence at 210 West Bluff Street. Nathan was provided the setbacks from the property line on which he can build a fence. Maintenance Supervisor Todd Draper confirmed there were no setback concerns and everything is in compliance with the Ordinance. The fee of \$25.00 has been paid. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to approve the building permit for Nathan Slegers to build a 26' x 14' fence at 210 West Bluff Street. Motion carried.

The next item of business was to review and act on a building permit for Josh and Jessica Gums to build a fence at 109 Cottage Street. Although the Gums were unaware of the most recent Ordinance adopted by the Council on April 17, 2017, they built their fence without obtaining a building permit, and without paying the fee. Maintenance Supervisor Todd Draper confirmed there were no setback concerns and everything is in compliance with the Ordinance. Since they were informed of the process, Josh and Jessica have completed the building permit application and paid the \$25.00 fee. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to approve the building permit for Josh and Jessica Gums to build a fence at 109 Cottage Street. Motion carried.

The next item of business was to review and act on a Fire Insurance Resolution Establishing a Trust or Escrow Account. City Administrator/Clerk Eileen Christensen informed the Council she received a phone call from Tyler City Administrator Robert Wolfington regarding insurance settlement proceeds. The City of Tyler is currently going through an instance where a fire destroyed a home and the homeowner left the City of Tyler with the cost of cleaning up the debris and demolishing the building. City Administrator/Clerk Eileen Christensen is requesting the Council to consider passing a resolution establishing a trust or escrow account and participate in the Fire Debris Removal List with the Minnesota Commissioner of Commerce in the case something similar to this happens in the City of Lake Benton.

City Attorney Mike Cable reviewed the information and agreed it would be appropriate for the City of Lake Benton to adopt the resolution for problems created if property is not properly cleaned up.

MOTION by Dave Enke, seconded by Daryl Schlapkohl to approve the Resolution Establishing a Trust or Escrow Account and participate in the Fire Debris Removal List with the Minnesota Commissioner of Commerce per Minnesota Statute 65A.50. Motion carried.

PUBLIC WORKS UPDATE:

Maintenance Supervisor Todd Draper gave the Council an update on the Coteau Street Improvement Project which is ready for final inspection. One item that is not complete is the service valve boxes, but the geothermal seeding looks good. Todd will be meeting with the Engineer and Contractor in the next week or two and the lien waivers will be provided at that time.

The sewer lift station rehab will begin work the end of October.

Fall Appliance pick-up will be Tuesday, September 19, 2017. The Public Works Department will continue to pick up tree limbs the first Wednesday of the month as long as weather permits.

COMMITTEE REPORTS:

Trustee Rosie DeZeeuw – The Chamber meets on September 19th.

Trustee Dave Enke – The Library Board met a couple weeks ago and the programming ended for the summer. The Library numbers were down and this is typical for August when people are getting ready to go back to school. The Library Director's position is going to be advertised. There is a new program being incorporated called C.A.R.E. (Children and Adults Respect Each other). Fall programming will begin in September and October. There are four (4) computers at the Library and only one (1) is reliable. The Library will need to consider purchasing new computers in the near future.

Trustee Daryl Schlapkohl – The Opera House Board meets in two weeks.

ADMINISTRATOR/CLERK REPORT:

City Administrator/Clerk Eileen Christensen informed the Council she spoke with George Eilertson of Northland Securities who updated her on refunding the City's USDA Rural Development Loan into General Obligation Refunding Bonds is now at 3.53%. Should the Council decide to move forward, Eileen will request George to begin the bond offering statement. The City does not need to choose an option of savings at this time. As a reminder, should something happen during the process and this is not the way they wish to proceed the City is not out any money. **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to move forward with getting the bond offering statement put together at 3.53% interest. Motion carried.

City Administrator/Clerk Eileen Christensen gave the Council a copy of the updated 2018 Budget for their review before they pass the preliminary budget at their next regular meeting.

MAYORAL REPORT:

Mayor Bob Worth informed the Council the EDA will be meeting next Thursday to discuss the CHS property. The EDA will report back to the City Council at the September 18th meeting.

Mayor Bob Worth then apologized to the Council for his behavior at the last meeting. There was good discussion this evening with the DNR and good points were given to them.

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

MAYOR

ADMINISTRATOR/CLERK