

SEPTEMBER 7, 2021

The Regular Meeting of the Lake Benton City Council was held on Tuesday, September 7, 2021 at 5:30 PM in the Lake Benton Area Community and Event Center. Mayor Michael Carpenter, Trustees Rosie DeZeeuw, Mark Dunn, Daryl Schlapkohl, and Dave Enke were present. City Attorney Mike Cable was absent. City Administrator/Clerk Eileen Christensen and Curtis Rethwisch 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 August 16, 2021 were reviewed. **MOTION** by Daryl Schlapkohl, seconded by Rosie DeZeeuw to approve the minutes of the Regular Meeting of August 16, 2021. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

BOLT'S LB GROCERY	\$	1.71	OTTERTAIL	\$	3,185.51
ICT	\$	338.62	IVANHOE SERVICE CTR	\$	701.50
LMC – BERKLEY ADMIN	\$	12,665.00	RETHWISCH & SON	\$	613.44
THOMAS ELECTRIC	\$	1,420.33	GOPHER STATE	\$	9.45
LINCOLN CTY TREAS	\$	15.00	ACE HOME & HARDWARE	\$	138.42
S & E AUTO	\$	105.00	TODD DRAPER	\$	32.00
PAT HAYNES	\$	749.99	MINNESOTA LIFE	\$	5.10
HEIMAN	\$	51.75	MN DEPT OF HEALTH	\$	789.00
SW SANITATION	\$	3,710.58	TROY NORDMEYER	\$	32.00
KYLIE ROCHEL	\$	100.00	ONE OFFICE SOLUTIONS	\$	275.14
MN FIRE CERT BOARD	\$	120.00	MAGAZINE LINE	\$	69.96
BUFFALO RIDGE NEWS	\$	208.50	THOMAS PLUMBING	\$	340.95
AMAZON	\$	708.92	CENTER POINT	\$	44.34

MOTION by Mark Dunn, seconded by Dave Enke to approve payment of the claims presented against the City of Lake Benton. Motion carried and the Mayor authorized the Administrator/Clerk to make payment.

The next item of business was to review/act on the second pay request for the Fremont Street Watermain Project. D & G Excavating submitted the second pay request for the Fremont Street Watermain Project in the amount of \$83,200.53. This payment request was reviewed and approved by Banner Associates. The City retained 5% of the total amount due until the work is confirmed complete. The second pay request will be drafted after that time. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve payment on the second pay request to D & G Excavating for the Fremont Street Watermain Project in the amount of \$83,200.53. Motion carried.

The next item of business was to review/act on the Lake Benton Economic Development Authority (LBEDA) request to acquire lots in the Mork & Giles Addition. EDA board member Curtis Rethwisch was present on behalf of the EDA board to inquire if the City would consider transferring the three lots in the northwest corner of the Mork & Giles Addition (Lots 12, 13 and 14 of Block 5) to the EDA to construct and develop two duplex units. Curtis Rethwisch reminded the Council that previously the City verbally agreed to transfer Lots 1 and 2 of Block 2 to the EDA, but Lots 12, 13, and 14 of Block 5 are better suited for building duplexes. The EDA felt Lots 1 and 2 of Block 2 are a more viable sale for the City as it provides two full lots with mature trees.

It was also suggested the City consider allocating Lot 11 for a parking lot and if additional space is needed for the duplex units, the EDA could use part of Lot 11. Curtis then explained the EDA's plan for building duplex units is the need for additional housing in Lake Benton. The EDA currently has a wait list of seven (7) individuals, and in the past five years the wait list has averaged seven (7) to ten (10). The backyards of the new units will face towards the park which grants some privacy. Curtis then stated if the Council will formally agree to transfer the lots to the EDA, he can inform the board at their regular scheduled meeting tomorrow, September 8, 2021, and be able to move forward with this project.

MOTION by Mark Dunn, seconded by Rosie DeZeeuw to transfer Lots 12, 13 and 14 of Block 5 in the Mork and Giles Addition to the LBEDA for construction of housing duplexes with additional land out of Lot 11 of Block 5 if needed. Motion carried.

The next item of business was to review/act on a Service Contract for the Event Center between the City and Danny and Megan Krotzer from September 1, 2021 through May 31, 2022. The agreement states Danny and Megan will market and promote the rental of the Event Center over social media and marketing tools for all types of events and maintain an updated calendar of events for \$250.00 per month. Mayor Michael Carpenter informed the Council per Legal Counsel's recommendation, paragraph 7 was added stating the party renting the Event Center shall enter into a Contract with the City. A copy of the Contract to be entered into was reviewed and marked Exhibit A. If both parties agree this transition is going well, a new contract will be presented for approval annually. The Council felt the promotion of the Event Center will be a service and benefit to the community and county. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve the service contract between the City and Danny and Megan Krotzer from September 1, 2021 through May 31, 2022 for \$250.00 a month. Motion carried.

The next item of business was to review/act on a building permit for Glenn Nelsen to install a utility shed. Glenn Nelsen would like to install a 10' x 12' utility shed at 401 Fremont Street S. Glenn was given the setback in which to place the utility shed and the \$25.00 application fee has been paid. The shed will be placed next to his retaining wall and there are no setback concerns and everything is in compliance with the Ordinance. **MOTION** by Mark Dunn, seconded by Dave Enke to approve the building permit for Glenn Nelsen to install a 10' x 12' utility shed at 401 Fremont Street S. Motion carried.

The next item of business was to review/act on revised Council Orders. At the regular meeting of August 16, 2021, the Council approved to file abatement on the property at 222 West Benton Street; and the Council also authorized City staff to send a certified Notice of Council Order to the owner/tenant at 304 South Garfield Street. The Council discussed each property on an individual basis:

- 222 West Benton Street. This property has had a camper parked in the front yard for several months. However, as indicated in the documents provided, the owner of the property passed away and the relatives are living there. The property is in mortgage foreclosure as of August 25, 2021 and the Sheriff is having a public auction on October 20, 2021. The tenants have until April 20, 2022 to vacate the property. The power and water have been shut off for non-payment. After some discussion, a **MOTION** was made by Mark Dunn, seconded by Dave Enke to halt the abatement process at 222 West Benton Street for six months (April 2022) due to mortgage foreclosure. Motion carried.
- 304 S. Garfield Street. The tenant has cleaned up the wood pile and has mowed the lawn but the vehicles and camper are still in disarray. It does look better, but will it remain. After some discussion, a **MOTION** by Daryl Schlapkohl, seconded by Dave Enke to continue with the abatement process at 304 S. Garfield Street. Motion carried.

The next item of business was to review/act on a Resolution Accepting Donations to the Library. The Library received a donation from the Fiber Guild for \$80.00. This donation will be designated for collections. Minnesota Statutes state the Library can accept donations for the benefit of recreational services. The Council needs to pass the resolution accepting the donation to the Library. **MOTION** by Dave Enke, seconded by Mark Dunn to approve the Resolution Accepting the Donation from the Fiber Guild for \$80.00 to the Library. 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 Library was closed Labor Day. In preparation for the fall season, the Fall Programming will be starting on September 17th and Adult Book Club will begin September 13th. A special program on Vietnam will be presented on October 5th (outside Library hours) which is funded with legacy funds. Trustee Dave Enke then highlighted the several donations the Library has received: Fiber Guild; considerable grants; 78 audio books were donated by an anonymous donor; and the Library is the recipient of \$1,000.00 grant from PILCROW Foundation to go towards books for children and teens. The EDA meets tomorrow with several projects taking place. The EDA will be working with the City on these projects in the near future.
- Trustee Daryl Schlapkohl – No report.

MOTION by Rosie DeZeeuw, seconded by Mark Dunn to approve the committee reports. Motion carried.

ADMINISTRATOR/CLERK REPORT:

No report.

MAYORAL REPORT:

Mayor Michael Carpenter reminded the Council of the previously scheduled September 15, 2021 meeting to finalize the 2022 budget. The next process is to adopt the preliminary certification at the September 20, 2021 Council meeting, and certify the final budget at the first meeting in December. Mayor Michael Carpenter reminded the Council they can decrease the tax levy but cannot increase it. The numbers have been inserted for the insurance and salaries and we are very close to balancing the budget with a deficit of \$2,000.00. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to cancel the scheduled budget meeting of September 15, 2021. Motion carried. **MOTION** by Mark Dunn, seconded by Dave Enke to authorize the Administrator/Clerk to provide an updated budget to the Council with a tax levy increase of 2%. Motion carried.

Mayor Michael Carpenter updated the Council on the Mork & Giles Addition and stated Banner was there last week to begin the design process. The City was given an estimate of \$491,000.00 to complete the infrastructure project. Mayor Michael Carpenter stated the City can use Assessments and/or TIF to assist with the infrastructure costs but we will need to talk with Shannon Sweeney and Vince Robinson again. However, it was discussed that due to the number of houses in that area, TIF will not be beneficial. The City has an Assessment Policy in place that can assess all new building taking place in the Addition. This can generate funding now and in the years to come. The City may want to consider charging the EDA \$500.00 for lawn service and snow removal of the new duplexes.

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

MAYOR

ADMINISTRATOR/CLERK