

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
FEBRUARY 28, 2005**

The meeting was called to order at 7:00 p.m. by Mayor Kittelson. Members present: Sue Fitz, Bob Claussen, Gary Landmark, and Paul Kittelson. Members absent: Lee Westrum. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Police Chief Jim Crace and Public Works Director Elliot Nelson.

There was no one present with unscheduled business to come before the Council.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve the following items on the consent agenda:

- a. December 16, 2004 Pioneerland Library System Jt. Executive/Finance/Technology Comm. Meeting
- b. November 18, 2004 Pioneerland Library System Board Meeting
- c. December 14, 2004 Benson Park Board Meeting
- d. December 20, 2004 UMRDC Meeting
- e. February 7, 2005 Planning Commission Meeting
- f. February 9, 2005 Utility Board Meeting
- g. February 24, 2005 Safety Committee Meeting

The City Manager reviewed with the Council the letter sent by the city to PBS & J Engineers who are contracted with FEMA in establishing the 100 year flood plain area within the City. The letter appeals the placement of the line north of Minnesota Highway 9 based upon a study provided by Bonestroo Rosene Anderlik & Associates that shows a discrepancy in the contour information that was used. No action was taken.

The permit application from DeToys for a Consumption & Display License was tabled until the next meeting.

Police Chief Jim Crace reviewed with the City Council the Police Departments 2004 Annual Report. The report provided statistics related to the departments calls for service and total offenses charged.

A capital outlay request was presented to the Council for the purchase of a new 2005 Police car. This purchase will replace the 1995 Chevrolet Lumina that is in poor condition and is unreliable. Motion was made by Landmark seconded by Claussen and carried unanimously to approve the purchase of a 2005 Ford Crown Victoria squad car at the state contract bid price plus accessory equipment for a total estimated price of \$25,000.

Public Works Director Elliot Nelson reviewed an invoice from MAAC, Inc. totaling \$9,000.00 for the demolition and asbestos removal for the residence located at 207 11th St. S. Motion was made by Fitz, seconded by Claussen and carried unanimously to approve payment of the invoice.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve an invoice from Uteig Engineers for Industrial Park Improvements related to the Fibrominn project in the amount of \$7,941.20.

The Public Works Director reviewed with the Council a drawing showing the proposed parking plan at the swimming pool. The estimated cost is \$65,000 and is part of the 2005 Parks Capital Outlay Budget. After discussion upon motion by Fitz, seconded by Claussen and carried unanimously to eliminate the old concrete islands, to overlay the existing asphalt, and to obtain bids on remaining concrete and asphalt of the swimming pool parking lot.

Public Works Director Nelson informed the Council that there has been a problem with trees growing up into the CRP acres at the Municipal Airport. Staff has spent time trying to cut them out and chemicals have been applied to kill them with limited success. This will be an ongoing maintenance item and he suggested that we trade the loader and blade that was purchased with the airport tractor and replace it with a 10' brush cutting mower. He reported the trade price would be in the neighborhood of \$5,600 and that the State of MN would participate in the funding. The Mayor suggested contacting a local tree service to see if they were able to provide any other solutions. No action was taken.

Councilmember Fitz offered the following resolution and moved its adoption:

**POLICE OFFICER DECLARATION
(RESOLUTION NO. 2005-07)**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the City Council of the City of Benson hereby declares that the position titled Part-Time Police Officer, currently held by Jason Hovde, meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.

Councilmember Landmark seconded the motion and the following vote was recorded: Ayes: Fitz, Landmark, Claussen, Kittelson. Nays: None. Absent: Westrum.

The City Manager reviewed with the Council a Safety Policy OSHA Record-keeping Program. Upon motion by Claussen seconded by Landmark and carried unanimously the policy

was adopted as presented.

A letter to the editor in last weeks Monitor News regarding the placement of yellow ribbons on public property prompted the City Manager to review with the Council the current policy. There needs to be a contact person designated and a clear plan that would include the color and use of the proper materials that will stand up to the weather. No action was taken.

It was moved by Claussen, seconded by Fitz and carried unanimously to adjourn the meeting at 7:40 p.m.

Mayor

Attest: _____
City Clerk