

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

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

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

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

- a. March 14, 2005 Regular City Council Meeting
- b. February 17, 2005 Benson EDA Meeting
- c. January 20, 2005 Pioneerland Library System Board Meeting
- d. January 17, 2005 UMRDC Meeting
- e. March 14, 2005 Benson Park Board Meeting

The following correspondence was reviewed with the Council:

- a. Informational meeting regarding potential construction of an electric generating plant near Milbank, SD
- b. Pat Cina Retirement Letter dated March 15, 2005
- c. Pioneerland Band Festival dated March 14, 2005: It was moved by Westrum, seconded by Claussen and carried unanimously to approve a \$350 donation to Pioneerland Bank Festival in the amount of \$350.
- d. Missouri River Energy Services dated March 14, 2005 regarding a change to their membership agreement and election to the Board of Directors
- e. Southwest MN Foundation regarding 2005 Annual Banquet

It was moved by Claussen, seconded by Landmark and carried unanimously to approve the following license renewals:

**Club On-Sale Liquor License** (effective 4/13/2005 thru 4/12/2006)

VFW Post #1403

**On-Sale Liquor License** (effective 4/13/2005 thru 4/12/2006)

Benson Bowler, Inc.  
Benson Golf Club, Inc.  
Duffy=s Bar & Grill, Inc.  
D. S. Lageson's

**Sunday Liquor License** (effective 4/13/2005 thru 4/12/2006)

Benson Bowler, Inc.  
Benson Golf Club, Inc.  
Duffy=s Bar & Grill, Inc.  
D. S. Lageson's  
VFW Post #1403

**Off-Sale Beer License** (effective 4/13/2005 thru 4/12/2006)  
Holiday Stationstore, Inc.  
Pamida Store

**Roller Skating License** (effective 4/1/2005 thru 3/31/2006)  
Svor=s Family Roller Rink

**Garbage License** (effective 4/1/2005 thru 3/31/2006)  
Mattheisen Disposal

**Sewer Tap License** (effective 4/1/2005 thru 3/31/2006)  
Grossman Plumbing and Heating  
Hawley=s, Inc.  
Craig=s Refrigeration

Councilmember Claussen offered the following resolution and moved its adoption:

**RESOLUTION 2005-08  
RESOLUTION CALLING PUBLIC HEARING ON THE  
PROPOSAL OF THE SWIFT COUNTY HRA TO  
UNDERTAKE A HOUSING DEVELOPMENT PROJECT WITHIN THE CITY**

WHEREAS, the Housing and Redevelopment Authority of Swift County, Minnesota proposes to undertake a certain "Housing Development Project" within the City pursuant to Minnesota Statutes, Sections 469.001 to 469.047 (the "HRA Law"); and

WHEREAS, Section 469.005 requires, among other things, that when an authority determines to undertake a housing development project it must apply to the governing body of the city for approval, and that the governing body of the city must hold a public hearing on the housing development project prior to approving the housing development project; and

WHEREAS, the City Council of the City of Benson, Minnesota, desires to call a public hearing on April 25, 2005, on the proposal of the Swift County HRA to undertake a Housing Development Project within the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "Council") of the City of Benson, Minnesota, as follows:

1. Public Hearing on Proposal of the Swift County HRA to Undertake a Housing Development Project Within the City. This Council shall meet at the time and place specified in the form of notice attached hereto as Exhibit A for the purpose of holding a public hearing on the proposal of the Swift County HRA to undertake a Housing Development Project within the City, pursuant to and in accordance with Minnesota Statutes, Sections 469.005.

2. Notice of Hearing; Filing of Plan. The City Clerk is hereby authorized to cause the notice of the hearing, substantially in the form attached hereto as Exhibit A, to be published once not less than 10 nor more than 30 days prior to the hearing.

Council Member Westrum seconded the foregoing resolution and the following vote was recorded: AYES: Claussen, Westrum, Landmark, Kittelson. NAYS: None. ABSENT: Fitz.

Whereupon the Mayor declared Resolution No. 2005-08 duly passed and adopted.

Ryan Krosch from the Upper Minnesota Valley Regional Development Commission gave a power point presentation about the Small Cities Development Program Grant that the City was awarded in the amount of \$868,200.

The City Attorney has submitted a letter stating that the current city attorney contract is acceptable with the exception of the hourly rate for services. They are requesting an increase to \$145 per hour effective April 1. Council asked what the hourly rate was for Finke Law Office. This item was tabled to later in the meeting to allow time for staff to look up the hourly rate.

Council Member Westrum offered the following Resolution and moved its adoption:

**RESOLUTION  
(RESOLUTION NO. 2005-09)**

WHEREAS: The Prairie Correctional Facility in Appleton, Minnesota is a privately owned, medium security prison, which may contract with governmental units to house inmates; and

WHEREAS: The Benson City Council recognizes the substantial economic impact of the Prairie Correctional Facility in the City of Appleton, Swift County and the entire west central Minnesota region; and

WHEREAS: The State of Minnesota entered into a professional and technical services contract with Corrections Corporation of America in 2004; providing for the custody, care and programming of Minnesota offenders; and

WHEREAS: Legislation has been introduced in the Minnesota House and Senate which, if enacted, would prohibit the State of Minnesota from contracting with Prairie Correctional Facility to house inmates at the Appleton facility.

NOW THEREFORE, BE IT RESOLVED that we, the Benson City Council opposes any legislation prohibiting the State of Minnesota, or any other governmental entity, from contracting with the Prairie Correctional Facility.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Westrum, Claussen, Landmark, Kittelson. NAYS: None. ABSENT: Fitz.

Whereupon the Mayor declared Resolution No. 2005-09 duly passed and adopted.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve an agreement with Mn/DOT in the amount of \$53,753.08 for the City's cost in the TH 9, 12 & 29 improvement project.

The Public Works Director presented a Tree Work and Tree Emergency Services Contract with Craig's Tree Service of Morris, MN. It was moved by Claussen, seconded by Westrum and carried unanimously to approve the tree contract with Craig's Tree Service as presented.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve Change Order No. 1 (a deduct of \$1,400) for the Wastewater Treatment Facility Improvements.

The Wastewater Pickup Truck Purchase request was tabled to the next meeting.

The Public Works Director presented the following bids that were opened on March 28 for the Swimming Pool Parking Lot and Sidewalk Improvement of 2005:

	<b>Base Bid (Leave Old Bit.)</b>	<b>Alternate</b>	<b>All New Bituminous</b>
Bituminous Paving Ortonville	\$111,390.00	\$80,800.00	\$111,540.00
Caldwell Asphalt Co. Hawick	\$ 85,383.90	\$63,402.75	\$ 92,346.55
Riley Bros. Morris	\$ 56,589.50	\$32,208.90	\$ 60,263.90
Duininck Bros. Prinsburg	\$ 66,477.49	\$42,251.33	\$ 71,443.33
Central Specialties Alexandria	\$ 65,399.00	\$44,238.00	\$ 70,655.00
Lakes Area Paving & Striping Alexandria	\$ 54,752.00	\$32,320.00	\$ 58,592.00

Staff recommends awarding Lakes Area Paving and Striping the contract for the Swimming Pool Parking Lot and Sidewalk Improvement of 2005. It was moved by Westrum, seconded by Claussen and carried unanimously to award the bid to Lakes Area Paving and Striping for the Swimming Pool Parking Lot and Sidewalk Improvement of 2005 in the amount of \$58,592.

The Public Works Director informed the Council that staff is proposing to conduct the Spring Clean Up similar to past years. Mattheisen Disposal submitted the following proposal to provide equipment and labor for the Spring Clean Up program:

Service Fee: \$86 per hour/per truck

Disposal Fee: \$80 per ton

Applicant Fee: \$10 per appliance

There was a consensus of the Council to conduct the Spring Clean Up on April 21 – 23, 2005 as presented.

The Council was informed that Finke Law Office receives \$100 per hour for their services in regards to their portion of the City Attorney fees. It was moved by Landmark, seconded by Claussen and carried unanimously to approve the request from Wilcox Law Offices to increase their hourly rate to \$145.

It was moved by Landmark, seconded by Westrum and carried unanimously to approve the following salaries for exempt employees for 2005 as recommended by the Personnel Committee:

**Exempt Employees**

Liquor Store Manager	\$38,000
Administrative Assistant	\$33,841
Public Works Director	\$50,837
Police Chief	\$50,837
Police Sergeant	\$42,239
Finance Director	\$55,000
City Manager	\$66,000

It was moved by Landmark, seconded by Westrum and carried unanimously to adjourn the meeting at 7:53 p.m.

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Mayor

Attest: \_\_\_\_\_  
City Clerk