

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING  
APRIL 25, 2005**

The meeting was called to order at 7:00 p.m. by Mayor Kittelson. Members present: Sue Fitz, Lee Westrum, Bob Claussen, Gary Landmark, and Paul Kittelson. Members absent: None. Also present: City Manager Rob Wolfington, Public Works Director Elliot Nelson, Wayne Knutson and Edward Pederson from the County Assessor's Office, Jason Kirwin, Dale Dahl, Vicki Syverson, Pat Hawley, Ramon Millett, Kenneth Opsal, Jim Hilleren, Lola Kennedy, Jerry Lundberg, Tom Serie, Rick Minor, Greg Hampton, Dawn Mortenson, Barbara Brown, and Lori Schnitzler.

At 7:00 p.m. the Board of Equalization hearing was called to order. Wayne Knutson and Edward Pederson from the County Assessor's Office came before the Council to review and discuss property sales within Benson over the past year. Mr. Pederson informed the Council of some training that is scheduled for June 15 that one member of the Board of Equalization needs to attend. If there was anyone in the audience that wished to speak to the assessors regarding their property valuation, they could go to the table in the back to meet with the assessors. The Council left the hearing open and continued with other business.

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. April 11, 2005 Regular City Council Meeting
- b. March 9, 2005 Benson HRA Meeting
- c. April 4, 2005 Benson Library Board Meeting
- d. February 21, 2005 UMVRDC Meeting

The next item on the agenda was Variance No. 2005-01 from Gary Landmark, 205 – 16<sup>th</sup> Street South. He is proposing to add onto a detached garage that is 28" from the north property line when zoning requires a 3' setback. He is proposing to add onto the west side of the garage. There were no comments received regarding this variance. The Planning Commission recommended approval of the variance. It was moved by Westrum and seconded by Claussen to accept the recommendation from the Planning Commission and approve Variance No. 2005-01. The following vote was recorded: AYES: Westrum, Claussen, Fitz, Kittelson. NAYS: None. ABSTAIN: Landmark.

The City Manager reviewed the following correspondence with the Council:

- a. National Flood Insurance Program dated April 15, 2005
- b. FAA Grant dated April 12, 2005
- c. Charter Communications dated April 20, 2005

Jason Kirwin from West Central Environmental Consultants reviewed the Annual Groundwater Monitoring Report for the Benson Municipal Airport with the Council. They expect to receive a letter to close this site within a month.

At 7:15 p.m. the Mayor opened the Public Hearing for the Swift County HRA proposal to construct six units of rental housing. The following were present for the hearing: Vicki Syverson, Pat Hawley, Ramon Millett, Kenneth Opsal, Jim Hilleren, Lola Kennedy, Jerry Lundberg, Tom Serie, Rick Minor Greg Hampton, Dawn Mortenson, Barbara Brown, and Lori Schnitzler. Jim Hilleren, representing the Swift County HRA, and Tom Serie, F & L Management, came before the Council to present the proposal. Pat Hawley, Ramon Millett and Rick Minor expressed the difficulty of the private sector in matching rents with the HRA. Lori Schnitzler and Barbara Brown expressed their support of the project and the need for additional housing with no stairs. After discussion, Council Member Fitz offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE SWIFT COUNTY HRA  
TO CONSTRUCT APPROXIMATELY SIX UNITS OF  
RENTAL HOUSING WITHIN THE CITY  
(RESOLUTION NO. 2005-10)**

WHEREAS, the Housing and Redevelopment Authority of Swift County, Minnesota (the "Authority") proposes to undertake a certain "Housing Development Project" consisting of the construction of approximately 6 units of rental housing within the City of Benson, Minnesota (the "City") pursuant to Minnesota Statutes, Sections 469.001 to 469.047 (the "HRA Law"); and

WHEREAS, the Authority has requested that the City consent to the Authority's construction of the Housing Development Project and the exercise of the Authority's powers to do so. Minnesota Statutes, Section 469.005, Subdivision 1, requires the consent and approval of the City Council, following a public hearing, for the Authority to undertake this Housing Development Project;

WHEREAS, the City on the date hereof, after having published a notice of public hearing in the official newspaper of the City not less than 10 nor more than 30 days prior to the hearing, conducted a public hearing on the Housing Development Project and the exercise of the Authority's powers within the City and received public comments on the same.

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

In accordance with Minnesota Statutes, Section 469.005, Subdivision 1, the City Council hereby consents to the Authority's undertaking of the Housing Development Project within the City and finds that there is a need for the Authority to exercise such powers and to proceed with the Housing Development Project.

This resolution shall not constitute building permit, planning and zoning or other City approval except in accordance with Minnesota Statutes, Section 469.005, Subdivision 1.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Westrum, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2005-10 duly passed and adopted.

The Public Works Director reviewed the plans and specifications for the proposed Industrial Park Improvements - Sewer and Water Extensions for the Fibrominn project. Staff is recommending approval of the plans and specifications with a bid opening date of May 19, 2005 at 10:00 a.m. It was moved by Landmark, seconded by Claussen and carried unanimously to approve the plans and specifications and set a bid opening date of May 19, 2005 at 10:00 a.m.

The City Manager informed the Council that staff is recommending extending the contract for the Swimming Pool Parking Lot and Sidewalk Improvements with Lakes Area Paving to include parking lot improvements at the Benson Civic Center. The project is estimated at \$15,000. It was moved by Westrum, seconded by Claussen and carried unanimously to approve an extension of the contract with Lakes Area Paving as recommended by staff.

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

**RESOLUTION CALLING FOR REDEMPTION OF OUTSTANDING  
GENERAL OBLIGATION REFUNDING BONDS, SERIES 1997B,  
DATED JANUARY 29, 1997**

**(RESOLUTION NO. 2005-11)**

WHEREAS, the City Council of the City of Benson, Minnesota, issued on behalf of the City of Benson, Minnesota \$750,000 General Obligation Refunding Bonds, Series 1997B, dated January 29, 1997 (the "Series 1997B Bonds"), of which \$100,000 still remains outstanding; and

WHEREAS, all of the Series 1997B Bonds maturing in the years 2006 through 2009, both inclusive, are subject to redemption and prepayment at the option of the City on June 1, 2005 and on any date thereafter at a price of par, plus accrued interest, all as provided in the resolution adopted by the City Council of the City of Benson, Minnesota on December 23, 1996, authorizing the issuance of the 1997B Bonds; and

WHEREAS, the City Council of the City of Benson, Minnesota deems it desirable and in the best interests of the City of Benson to call those bonds maturing in the years 2006 through 2009, inclusive, totaling \$100,000 in principal amount, on June 15, 2005, in accordance with the 1997 Resolution; and

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

- (1) All of the Series 1997B Bonds maturing in the years 2006 through 2009, inclusive, totaling \$100,000 in principal amount shall be redeemed and prepaid on June 15, 2005, at par, plus accrued interest.
- (2) The City Clerk of the City of Benson, Minnesota is hereby authorized and directed to give mailed notice of call, prior to June 15, 2005, for the Series 1997B Bonds, to the Bond Registrar/Paying Agent, U.S. Bank National Association as successor to Firststar Bank of Minnesota, N.A., in St. Paul, Minnesota, and to all holders of the Bonds. Said notice shall be substantially in the form shown as Exhibit A.
- (3) The City Clerk of the City of Benson is hereby authorized and directed to deposit with the Bond Registrar/Paying Agent of the Series 1997B Bonds, U.S. Bank National Association as successor to Firststar Bank of Minnesota, N.A. prior to the call date of June 15, 2005, sufficient funds to pay all principal and interest due on the Bonds as of the call date.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Westrum, Fitz, Claussen, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2005-11 duly passed and adopted.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the following Arbor Day Proclamation:

**ARBOR DAY PROCLAMATION**

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

Whereas, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal, and

Whereas, Benson has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting practices.

NOW, THEREFORE, I, Paul Kittelson, Mayor of the city of Benson, do hereby proclaim April 29, 2005 as

**ARBOR DAY**

in the City of Benson, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 25<sup>th</sup> day of April 2005

The Mayor mentioned a letter that was in the West Central Tribune from a Benson resident stating that Benson needs to better enforce the cleanup of properties in the community.

County Assessor Pederson informed the Council that the following individuals have requested that their property be re-evaluated:

Darold Mills	Parcel No. 23-0874-000
Dale Dahl	Parcel No. 23-0815-000

The Mayor announced the Board of Equalization hearing will be recessed until May 9, 2005 at 7:00 p.m.

It was moved by Landmark, seconded by Westrum and carried unanimously to adjourn the meeting at 8:23 p.m.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Manager