

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
MAY 23, 2005**

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

Member Fitz and Mayor Kittelson presented a flag and flowers to retiring Benson Librarian Pat Cina in appreciation for her many years of service.

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

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

- a. May 9, 2005 Regular City Council Meeting
- b. May 2, 2005 Library Board Meeting
- c. February 17, 2005 Pioneerland Library System Board Meeting
- d. April 13, 2005 Benson HRA Meeting
- e. May 9, 2005 Benson Park Board Meeting
- f. May 10, 2005 Benson Cemetery Board Meeting

The City Manager reviewed the following correspondence with the Council:

- a. Lakes Area Model Railroad Association dated May 7, 2005: It was moved by Fitz, seconded by Westrum and carried unanimously to waive the rental fee for Lakes Area Model Railroad Association to use the armory during Kid Day.
- b. Chamber of Commerce dated May 17, 2005: It was moved by Westrum, seconded by Fitz and carried unanimously to approve the Chamber's request to have the fireworks for the Kid Day celebration at the Benson Airport pending approval from the DNR, FAA-Office of Aeronautics, and Benson Airport Commission.

The City Manager reminded the Council that the first grant for the Fibrominn infrastructure construction was returned to the State and the reissued grant is now ready for approval. It was moved by Fitz, seconded by Westrum and carried unanimously to approve the reissued State Grant and authorized the Mayor to sign the agreement.

The Public Works Director informed the Council that bids were opened at 10:00 a.m. on May 19, 2005 for the Industrial Park Improvements. The following bid was received:

| Bidder | Base Bid | Alternate No. 1 |
|---------------------------|-----------------|------------------------|
| Riley Bros. Morris, MN | \$527,785 | \$76,740 |

The bid was substantially over the Engineer's estimated cost mostly due to the high water table. The Public Works Director recommended accepting the base bid contingent on Fibrominn's acceptance. There is no cost to the City for this project because Fibrominn will pay costs above what the State Grant will cover. It was moved by Fitz, seconded by Westrum and carried unanimously to authorize the Mayor to sign a contract not to exceed the amount of the base bid contingent upon Fibrominn accepting the bid.

The City Manager reviewed the proposed contract with Sanders, Wacker, and Bergly to provide professional planning services for the Central Business Plan. The first meeting of the task force to monitor the project is being planned for June 16. It was moved by Westrum, seconded by Fitz and carried unanimously to approve entering into a contract with Sanders, Wacker, and Bergly in a not to exceed fee of \$24,600.

It was moved by Fitz, seconded by Westrum and carried unanimously to approve the First Reading of an Ordinance to Vacate Utility Easement between Lots 4 and 5, Block 2, in the Victory Addition.

The City Manager informed the Council that paving the Electric Department parking lot is in the budget for 2005. With the good price on the current contract with Central Lakes Paving, staff is recommending doing this project when they are in town rather than wait as they were planning to. It was moved by Westrum, seconded by Fitz and carried unanimously to approve paving the Electric Department parking lot as presented at the estimated cost of \$7,000.

The Mayor inquired if staff is planning to proceed with the armory parking lot and diagonal parking on Wisconsin Avenue below the water tower this year. Staff informed him that the armory parking lot was not in the budget for 2005 and they anticipate putting the parking in below the water tower this year.

It was moved by Fitz, seconded by Westrum and carried unanimously to approve a pay request from TKDA for the Airport 2005 CIP project in the amount of \$8,895.35.

It was moved by Westrum, seconded by Fitz and carried unanimously to approve a pay request from Ulteig Engineers to design the fibre optic line requested by the County in the amount of \$2,353.50. The City will seek reimbursement from the County.

It was moved by Westrum, seconded by Fitz and carried unanimously to approve a pay request from Ulteig Engineers for engineering services for the Industrial Park Improvements from April 1, 2005 to April 30, 2005 in the amount of \$10,000.

It was moved by Westrum, seconded by Fitz and carried unanimously to approve bills and warrants in the amount of \$649,569.76.

Council Member Fitz said she had received a complaint on the mud where the tennis courts used to be in Laythrop Park. The Public Works Director informed her that as soon as it dries out they will be planting grass.

The City Manager presented a letter from CenterPoint Energy dated May 19, 2005 informing the Benson community that they are not in the service area that had couplings that did not meet standards.

Council member Fitz offered the following Resolution and moved its adoption:

**POLICE OFFICER DECLARATION
(RESOLUTION NO. 2005-12)**

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 Erik A. Knoop, 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.

Council Member Westrum seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Westrum, Kittelson. NAYS: None. ABSENT: Claussen, Landmark. Whereupon the Mayor declared Resolution No. 2005-12 duly passed and adopted.

It was moved by Westrum, seconded by Fitz and carried unanimously to adjourn the meeting at 7:25 p.m. The Council went on a tour of the Wastewater Treatment Facility Improvement project.

Mayor

Attest: _____
City Manager