

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
NOVEMBER 26, 2007**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Anne Johnson, Gary Landmark, Bob Claussen, and Paul Kittelson. Members absent: None. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, and Liquor Store Manager Pat McGeary.

The Finance Director administered the Oath of Office for Anne Johnson.

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 minutes on the consent agenda:

- a. November 13, 2007 Regular City Council Meeting
- b. November 15, 2007 Special City Council Meeting
- c. October 10, 2007 Benson HRA Meeting
- d. September 17, 2007 UMRDC Meeting
- e. November 15, 2007 Benson EDA Meeting

The Liquor Store Manager presented the 2008 budget and discussed various line items with the Council.

The City Manager reviewed the proposed 2008 General Fund Budget and priorities with the Council.

It was moved by Fitz and seconded by Claussen to approve entering into an engineering agreement with Landteam for the Cottage Square Development. The following vote was recorded: AYES: Fitz, Claussen, Landmark, Kittelson. NAYS: None. ABSTAIN: Johnson.

The City Manager reported on the recent training he attended to be certified in the Minnesota National Incident Management System. He will provide training to City staff and public safety personnel in order to be qualified to receive Federal Grants.

The City Manager presented information regarding an application for a water tower transmitter. This was informational only at this time.

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

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT
(RESOLUTION NO. 2007-21)**

BE IT RESOLVED that the Benson Police Department will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety.

Chief James M. Crace is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of the City of Benson.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Johnson, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2007-21 duly passed and approved.

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

**POLICE OFFICER DECLARATION
(RESOLUTION NO. 2007-22)**

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 Adam Moen, 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 Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Landmark, Fitz, Johnson, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2007-22 duly passed and approved.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve a pay request from LandTeam Incorporated for engineering services for the Cottage Square Subdivision development in the amount of \$60,008.21.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve seven pay requests from DGR for professional services through 10.31.07 regarding the Electric System Improvements in the amount of \$39,587 (\$7,000 for 115 kV Substation, \$3,964.50 for 115 kV Substation, \$12,600 for 115 kV Transmission Line, \$2,134 for 115 kV Transmission Line, \$234 for 115 kV Source Sub Mods, \$12,950 for Distribution Feeders, and \$705 for Distribution Feeders).

The Public Works Director asked the Council for authorization to go out for quotes on a test well at the Golf Course with an estimate of \$10,000 to \$13,000. There was a consensus to authorize staff to go out for quotes on a test well at the Golf Course.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve three pay requests from Bonestroo for services from October 7, 2007 to November 10, 2007 in the amount of \$4,141.50 (\$556.50 for Benson East Pacific Avenue Reconstruct, \$2,460 for Water Supply and Distribution Plan and \$1,125 for NE Storm Water Management Plan).

It was moved by Claussen, seconded by Fitz and carried unanimously to approve a pay request from TKDA for professional services regarding the Airport 2007 Capital Improvement Project in the amount of \$6,265.24.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve Pay Request #3 from Harold K. Scholz Co. for the Substation Construction in the amount of \$147,919.28.

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

**RESOLUTION SETTING ASSESSMENTS FOR CURRENT SERVICES
BY THE CITY OF BENSON, MINNESOTA FOR 2007 PAYABLE 2008
(RESOLUTION NO. 2007-23)**

BE IT RESOLVED, by the Benson City Council that the following assessments for 2007 as prepared by the City Manager are hereby approved and made a part thereof; and,

BE IT FURTHER RESOLVED, that the assessments hereinafter noted shall be submitted to the County Auditor on or before December 1, 2007 and placed on the tax roll for collection with the taxes collectable in 2008.

Charges	Name and Mailing Address	Legal Description and Parcel No.	Amount Due
Fire Call at 902 Church St.	Kenny J. & Alisha Jaeger 340 - 10 th St. SW, Benson	Pt of Lots 1-2, Block 4 Southside Addn., #23-0885-000	\$850.00
Fire Call at 710 - 10 th St. N	JCB Properties 4453 Lake Ave. S, Suite 202 White Bear Lake, MN 55110	Benson Acre Lots Part of Section 5 23-1347-000	\$500.00
Fire Call	Harlan Paulsrud 214 - 11 th St. N., Benson	Lots 18-20, Blk 10 Original Townsite., #23-0051-000	\$500.00
Fire Call at 860 Montana Ave.	RMA Investments, LLC 337 Lindsay Rd. Hudson, WI 54016	Lots 1-12, Block 1 East Heights Addn #23-1322-000	\$500.00
Remove Diseased Elm Tree at 902 Church St.	Kenny J. & Alisha Jaeger 340 - 10 th St. SW, Benson	Pt of Lots 1-2, Block 4 Southside Addn., #23-0885-000	\$182.00
Remove Diseased Elm Tree	Mary J. Johnson 405 - 16 th St. N., Benson	Benson Acre Lots Part of Sect 5 & 6, #23-1420-000	\$804.75
Remove Diseased Elm Tree	Bernard Drivdahl 1307 Minnesota Ave., Benson	Pt of Lots 1 & 2, Blk 1 Hansen's Addn., #23-0751-000	\$123.25
Mowing Charges	Jesse Boots 805 - 15 th St. S., Benson	Lots 7 & 8, Blk 6 Southside Addn, #23-0905-000	\$260.00
Garbage Clean-up	Bernard Drivdahl 1307 Minnesota Ave., Benson	Pt of Lots 1 & 2, Blk 1 Hansen's Addn., #23-0751-000	\$87.00
TOTALS			\$3,807.00

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Johnson, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2007-23 duly passed and approved.

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

**RESOLUTION SETTING ASSESSMENTS FOR WATER AND
SEWER SERVICES RENDERED BY THE CITY OF
BENSON, MINNESOTA FOR 2007 PAYABLE 2008
(RESOLUTION NO. 2007-24)**

BE IT RESOLVED, by the Benson City Council that pursuant to Minnesota Statutes Chapter 444 that the assessment roll for 2008 Sewer and Water Bills as prepared by the City Manager is hereby approved and made a part therefore; and,

BE IT FURTHER RESOLVED, that the assessments hereinafter noted shall be submitted to the County Auditor on or before December 1, 2007 and placed on the tax roll for collection with the taxes collectable in 2008.

Account Number, Name & Address	Legal Description & Parcel No.	Sewer	Water	Totals
102-0016-00-02 406 10 th St. N Damian Long	Lots 15 & 16, Block 1 Original Townsite 23-0006-000-01	\$231.07	\$66.86	\$297.93
103-1350-00-00 710 10 th St. N Peter Sampair JCB Properties	Benson Acre Lots Part of Section 5 23-1347-000-01	\$897.00	\$3303.86	\$4200.86
201-0020-00-00 516 15 th St. N Bernard Drivdahl	Lot 6, Block 3 Railway 2 nd Addition 23-0383-000-01	\$76.33	\$5.81	\$82.14
301-0070-00-00 805 15 th St. S Jesse Boots	Lots 7 & 8, Block 6 Southside Addition 23-0905-000-01	\$719.97	\$68.36	\$788.33
301-0107-00-00 703 16 th St. S. Allan Skare	Lot 10 & N ½ of 9, Blk 10 Southside Addition 23-0936-000-01	\$170.81	\$23.25	\$194.06
302-0055-00-07 210 15 th St. S. Pauline Wroblewski	Lot 5 & N ½ of 6, Block 42 Morris & Paytes Addition 23-0259-000-01	\$135.39	\$60.75	\$196.14
402-0087-00-00 206 10 th St. S L. Marshall/C. Doerr	Lots 5-7, Block 7 Original Townsite 23-0036-000-01	\$397.51	\$13.25	\$410.76
TOTALS		\$2,628.08	\$3,542.14	\$6,170.22

Council Member Johnson seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Johnson, Claussen, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2007-24 duly passed and approved.

There was a brief review of the budget report for month ended October 31, 2007.

It was moved by Landmark, seconded by Claussen and carried unanimously to reschedule the December 24, 2007 Council meeting to December 17, 2007 at 5:30 p.m. at the Benson Senior Center.

It was moved by Claussen, seconded by Johnson and carried unanimously to adjourn the meeting at 6:30 p.m.

Mayor

Attest: _____
City Clerk