

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
OCTOBER 22, 2007**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Gary Landmark, Bob Claussen, and Paul Kittelson. Members absent: One vacancy. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, City Attorney Don Wilcox, Hospital Administrator Frank Lawatsch, Benson HRA Director Jan Rohne, and Anne Johnson.

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

The City Attorney and Hospital Administrator came before the Council to discuss screening the hospital's parking lot. A condition of the Conditional Use Permit to allow construction of the parking lot was that the hospital erect a fence to screen their parking lot from the residential area. They are requesting that the Council waive that condition of the Conditional Use Permit that affects two property owners (Lots 5-8, Block 51, H.W. Stone's Addition). The fence would be erected on the west boundary of these two properties. The owner of Lots 8 and 9 has indicated they do not want a fence erected. The hospital will be contacting the owner of Pt of Lot 5 and all of Lots 6 and 7. After discussion, it was moved by Landmark and seconded by Kittelson to allow the hospital to go ahead as requested contingent upon receiving a written response from both property owners that they do not want the fence along the west boundary of their property. The hospital will keep the City informed whether a fence is or is not erected. The following vote was recorded: AYES: Landmark and Kittelson. NAYS: None. ABSTAIN: Claussen and Fitz. ABSENT: One vacancy.

The City Attorney gave a brief update on the Cottage Square Subdivision.

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

- a. September 24, 2007 City Council Meeting
- b. October 1, 2007 City Council Meeting
- c. October 14, 2007 Emergency City Council Meeting
- d. August 27, 2007 Swift County-Benson Hospital Board Meeting
- e. August 6, 2007 Benson Library Board Meeting
- f. September 25, 2007 Benson Library Board Meeting
- g. August 20, 2007 UMVRDC Meeting
- h. October 1, 2007 Benson Planning Commission Meeting
- i. September 12, 2007 Benson HRA Meeting
- j. September 12, 2007 Benson Park Board Meeting

The City Manager reviewed the following correspondence:

- a. Minnesota Department of Commerce dated 9.28.07 regarding the 115 kV Transmission Line Project
- b. Benson Area Chamber of Commerce dated 10.10.07. It was moved by Fitz, seconded by Claussen and carried unanimously to waive the Armory rental fee and approve donating \$250 to sponsor the Santa Truck on December 8 to be funded by the EDA fund.
- c. Nederman dated 10.4.07 regarding an upgrade to the Fire Station Exhaust Removal Project at no additional cost to the City.
- d. Anonymous letter regarding a barking dog. This issue has been taken care of.

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

BENSON CITY COUNCIL RESOLUTION IN SUPPORT OF THE APPLICATION AND A PLEDGE TO THE HOUSING AND REDEVELOPMENT AUTHORITY OF BENSON FOR THE APPLICATION FOR FUNDS TO STABILIZE AND PRESERVE MINNESOTA'S PUBLIC HOUSING STOCK WHICH ARE BEING OFFERED BY THE MINNESOTA HOUSING FUND (RESOLUTION NO. 2007-19)

WHEREAS, Westwood Manor is a three story, 39 unit apartment building, which is a turnkey project constructed twenty-five years ago, serving primarily low income elderly and disabled residents in Benson, also providing Assisted Living Services to those who contract for these services; and

WHEREAS, during the HUD REAC inspections at least 25% of the windows were found to be troubled having seals which are no longer functioning (cloudy glass), wood frames that due to decay do not support the new operators, the exterior of the window frames have also deteriorated, so much so that holes were patched using a fiberglass repair kit; and

WHEREAS, many of the wood windows have deteriorated, have become warped and are impossible to close and lock for our residents, which also causes heat loss and is a safety issue. During the winter months some residents put plastic across the inside of the windows to cut down on the cold air draft; and

WHEREAS, the repair of these windows is a continuous financial drain on the limited funds which are available to the Benson HRA. The subsidy has been cut 17.5% for the next year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benson, Minnesota that the Council is in support of this application to the Minnesota Housing Fund for the replacement of the windows at Westwood Manor in order to create more energy efficiency. The Benson HRA is requesting \$150,000 for this project. The City of Benson will match funds appropriated by the Minnesota Housing Fund equal to 10% of the grant to a maximum of \$15,000.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Landmark, Kittelson. NAYS: None. ABSENT: One vacancy. Whereupon the Mayor declared Resolution No. 2007-19 duly passed and approved.

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

RESOLUTION AUTHORIZING EXECUTION OF MINNESOTA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT FOR AIRPORT MAINTENANCE AND OPERATION (RESOLUTION NO. 2007-20)

It is resolved by the City of Benson as follows:

1. That the state of Minnesota Agreement No. 91285, "Grant Agreement for Airport Maintenance and Operation," at the Benson Municipal Airport is accepted
2. That the Mayor and City Manager are authorized to execute this Agreement and any amendments on behalf of the City of Benson

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Claussen, Fitz, Kittelson. NAYS: None. ABSENT: One vacancy. Whereupon the Mayor declared Resolution No. 2007-20 duly passed and approved.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve Change Order #1 from Srock Construction Inc. for the Airport Improvement Project.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve Change Order #1 from Harold K. Scholz Co. for the Substation Construction Project.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the purchase of 15 kV EPR cable from Resco Electric Utility Supply in the amount of \$17,484.64.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve Pay Request #2 from Harold K. Scholz Co. for the Substation Construction Project in the amount of \$58,800.47.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve a pay request from T & S Construction in the amount of \$12,620.95.

The Public Works Director informed the Council that staff is working on renewing the Air Emission Permit for the power plant for another five year term.

The Council was briefed on the Conservation Improvement Program Filing that is due by June 1, 2008. MRES is going to provide support to its members to complete the filing.

It was moved by Fitz, seconded by Claussen and carried unanimously to purchase the transformer at the Fibrominn plant from SNC Lavalin in the amount of \$9,100. The City will take ownership of the transformer on October 31, 2007.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve pay requests from Bonestroo for professional services in the amount of \$12,898 (\$158 for general mapping/GIS services from 9.2.07 to 10.6.07, \$4,340 for water supply and distribution plan from 9.2.07 to 10.6.07, \$6,750 for NE storm water management plan from 8.12.07 to 10.6.07, and \$1,650 for soil boring stake locations from 9.16.07 to 10.6.07).

It was moved by Claussen, seconded by Fitz and carried unanimously to approve a pay request from Craig's Inc. for the armory furnace and installation in the amount of \$6,525.02.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve a pay request from Independent Testing Technologies for soil borings for the 115 kV transmission line project in the amount of \$5,720.

The Council was informed that the trees for the NE Railroad Park are here and will be planted shortly. The lights will be installed after the trees are planted. Staff plans to relocate trees from the City nursery to other parks.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve the First Reading of An Ordinance to Amend Chapter 33, Police and Fire Departments.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve the bills and warrants in the amount of \$336,999.95.

There was a brief review of the budget report with month ended September 30, 2007.

It was moved by Claussen, seconded by Landmark and carried unanimously to adjourn the meeting at 6:17 p.m.

Mayor

Attest: _____
City Clerk