

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
APRIL 19, 2010**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Ben Hess, Bob Claussen, Gary Landmark, and Paul Kittelson. Members absent: None. Also present: Finance Director Glen Pederson, Public Works Director Elliot Nelson, County Assessor Edward Pederson, Stephanie Heinzig, Kay Harrison, Gary Searcy, Eric Lembke, and Miles Jensen.

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

At 5:30 p.m. the Board of Equalization Hearing was called to order. County Assessor Edward Pederson came before the Council to review and discuss property valuations. Mr. Pederson informed the Council that the hotel on East Hwy. 12 [Parcel No. 23-1416-000] was sold on a Sheriff's sale. The assessors have received a request to re-evaluate this property but they have not yet inspected it. They are recommending leaving the value the same. There was no one in attendance to address the Council on property valuations. The Council left the hearing open and continued with other business.

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

- a. March 15, 2010 Regular City Council Meeting
- b. March 11, 2010 Safety Committee Meeting
- c. February 22, 2010 SCBH Board Meeting
- d. March 1, 2010 Benson Planning Commission Meeting
- e. March 10, 2010 Benson HRA Meeting

The Council reviewed the following correspondence:

- a. Gene Weber RE: Request to waive special assessments. Member Landmark talked to Mr. Weber and he will be at the next City Council meeting to discuss his request.
- b. Benson Area Chamber dated 3.3.10. It was moved by Hess, seconded by Fitz and carried unanimously to charge the Chamber \$35 to use the armory on May 8 for the Community-Wide Rummage Sale.
- c. Mn/DOT dated 4.12.10. Notification of closure of Airport 2009 Crack Repair Project
- d. Letter to Mayor and Council RE: Transit dated 3.16.10
- e. CGMC dated 3.29.10 RE: Proposed 2010 Additional LGA Cuts
- f. Proposed 2010 Swimming Pool Fees. Council Member Landmark offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING SWIMMING POOL RATES  
(RESOLUTION NO. 2010-08)**

WHEREAS, the City Council of the City of Benson, Minnesota resolves:

In Section 3 of the Benson Rate Resolution that the following Swimming Pool Rates are hereby established with adoption of this resolution:

**DAILY ADMISSIONS**

Adult (18 & over)	\$ 6.00
Teen (13-17)	\$ 5.00
Child (12 & under)	\$ 4.00

**PASSES**

Individual Resident	\$ 90.00
Individual Non-Resident	\$115.00
Family Resident	\$135.00
Family Non-Resident	\$165.00
Add'l Family Member Resident	\$ 24.00
Add'l Family Member Non-Resident	\$ 30.00
Punch Pass Adult (10 punches)	\$ 50.00
Punch Pass Teen (10 punches)	\$ 42.00
Punch Pass Child (10 punches)	\$ 30.00
AM Swim	\$ 2.00
PM Swim	\$ 2.00

**POOL RENTAL**

One Hour	\$138.94 (\$130.00 w/o tax)
----------	-----------------------------

**PARTY ROOM RENTAL**

Per Hour	\$ 30.00
----------	----------

Family Pass: Limited to five immediate family members  
All rates include sales tax

Councilmember Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Claussen, Fitz, Hess, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2010-08 duly passed and adopted.

Pioneerland Library System has asked the City to appoint someone to be on the Benson Head Librarian interview team. The Mayor said he would take care of appointing someone.

It was moved by Fitz, seconded by Hess and carried unanimously to approve the following 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 30, 2010 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.

It was moved by Claussen, seconded by Landmark and carried unanimously to approve a One-Day Temporary On-Sale Liquor License to the City of Benson to allow the Benson Municipal Liquor Store to operate a beer garden at the Northside Recreation Area on June 26, 2010. The fee for the temporary license is \$100.

Chamber Manager Stephanie Heinzig and Tourism Board Member Kay Harrison came before the Council to review the 2010 Tourism Board budget. There was consensus of the Council to approve the budget as presented that includes \$2,500 of the \$7,500 membership to Western MN Prairie Waters.

It was moved by Claussen, seconded by Landmark and carried unanimously to approve a pay request from TKDA for professional services from 2.28.10 to 3.27.10 for the 2010 ALP Update in the amount of \$4,000.

The Public Works Director informed the Council that quotes were solicited to purchase a reel trailer. The following two quotes were received:

Vermeer, Moorhead, MN	\$9,966.09
Scharber and Sons, Rogers, MN	\$8,179.28

The Public Works Director recommended the purchase of a reel trailer from Scharber and Sons through the State Contract price in the amount of \$8,179.28. It was moved by Fitz, seconded by Claussen and carried unanimously to accept the recommendation from the Public Works Director to award the quote to Scharber and Sons in the amount of \$8,179.28.

It was moved by Claussen, seconded by Hess and carried unanimously to approve a pay request from Bonestroo for services rendered 2.14.10 to 3.20.10 in the amount of \$14,069.25 (\$196.00 for City General Work, \$653.50 for Replacement Well, \$145.75 for Lift Stations, and \$13,074.00 for Water Treatment Facility Study.)

It was moved by Claussen, seconded by Landmark and carried unanimously to approve a pay request from Their Well Company for Well #32 and Pumping Facility from 11.05.09 to 2.08.10 in the amount of \$27,500.60.

The Public Works Director and Eric Lembke and Miles Jensen from Bonestroo reviewed four options to rehabilitate or construct a new water treatment plant. Member Landmark expressed that he would like to see the affect on rates for each of the options. No action was taken at this time. This item will be on the May 3 City Council agenda. At the conclusion of the meeting the Council will tour the water treatment plant #2 by the Benson Golf Club.

At 6:30 p.m. the Mayor closed the Board of Equalization Hearing.

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

**RESOLUTION AUTHORIZING EXECUTION OF  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT  
EXCLUDING LAND ACQUISITION  
(RESOLUTION NO. 2010-09)**

It is resolved by the City of Benson as follows:

1. That the state of Minnesota Agreement No. 96428, "Grant Agreement for Airport Improvement Excluding Land Acquisition," for State Project No. 7601-31 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.

Councilmember Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Hess, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2010-09 duly passed and adopted.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve the 2010 AFSCME Union Contract and a 2% increase to 2010 wages for exempt employees.

It was moved by Hess, seconded by Fitz and carried unanimously to grant Pat Duffy of Duffy's Bar and Grill permission to hold a street dance and allow the possession and consumption of intoxicating beverages in the public ROW [barricaded area] on Friday, June 25, 2010 under the following conditions:

1. Close and barricade 13<sup>th</sup> St. So. from NE corner of Duffy's Bar and Grill to NW corner of Jimmy's Pizza South through the Kansas Ave. intersection and that part of Kansas Ave. from the west side of the alley between Darold's Super Valu and Countryside Public Health to the east side of alley between Grossman's Plumbing and the Armory from 6 p.m. on June 25 to 3 a.m. on June 26
2. Allow possession and consumption of intoxicating beverages in barricaded area [identified in #1] from 6 p.m. on June 25 to 1 a.m. on June 26
3. Band is allowed to play from 9 p.m. on June 25 to 1 a.m. on June 26
4. No sale of intoxicating liquor will take place in the barricaded area or which violates the provisions of Minnesota Statutes, local ordinances or the provisions of the liquor license held by Duffy's Bar and Grill

5. Contact all businesses and any renters above a business that is affected by this activity
6. Provide verification in writing that he has liquor liability insurance covering the activity in the barricaded area
7. Duffy will provide at his expense security for the activity
8. Above described portion of 13<sup>th</sup> St. So. will be sufficiently barricaded to prohibit any access except through a designated entry
9. No persons under the age 21 will be allowed in barricaded area after 9 p.m. on June 25
10. No intoxicating liquor will be possessed or consumed in the barricaded area unless purchased from Duffy's Bar and Grill and carried in containers provided by Duffy's

It was moved by Claussen, seconded by Fitz and carried unanimously to approve the bills and warrants in the amount of \$270,896.17.

It was moved by Claussen, seconded by Fitz and carried unanimously to adjourn the meeting at 6:57 p.m.

---

Mayor

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