

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
FEBRUARY 22, 2011**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Bob Claussen, Paul Kittelson, and Ben Hess. Members absent: Gary Landmark. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, City Attorney Don Wilcox, Fire Chief Mark Schreck, County Emergency Manager Bill McGeary, Tom Klemenhausen, Frank Christianson, Joe Holm, Tom Lee, and Jay and Val Alsaker.

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

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the February 7, 2011 City Council Minutes; November 8, 2010 Benson Park Board Minutes; December 8, 2010, January 5, 2011 & January 25, 2011 Benson HRA Minutes; January 20, 2011 Benson EDA Minutes; and December 6, 2010 Benson Planning Commission Minutes.

The Council reviewed the following correspondence:

- a. Charter Communications RE: Expiration of Franchise Agreement on September 18, 2013. The City Manager mentioned that Attorney Brian Grogan has represented the City previously with Charter Communications issues. He recommended hiring Brian Grogan to represent the City with renewal negotiations with Charter. He will have an engagement letter from Brian Grogan for the Council to consider at their next meeting.
- b. VFW 2010 Gambling Report
- c. Benson Hockey Association 2009 and 2010 Gambling Reports
- d. Lets Go Fishing 2010 Gambling Report
- e. Grace Township: Received a letter from Grace Township notifying the City that effective March 1, 2011 they are planning to adjust their boundaries for fire protection.

It was moved by Hess, seconded by Claussen and carried unanimously to approve a Gambling Permit to Northern Lights Trails to conduct Bingo on April 8 at the Benson VFW.

The next item discussed was review of a proposed amendment to the gambling ordinance. The proposed ordinance would require licensed organizations conducting lawful gambling in Benson to spend at least 80% of its lawful purpose expenditures of gross profits from lawful gambling within the trade area of Benson. The Mayor mentioned that he had talked to Member Landmark who expressed that he was okay with reducing the 80% requirement to 50%. The affect on local chapters of national organizations such as Ducks Unlimited was identified as a possible problem area. After discussion, it was moved by Claussen, seconded by Hess and carried unanimously to table this item until the second regularly scheduled Council meeting in July.

Fire Chief Mark Schreck came before the council to present the 2010 Benson Fire Department Annual Report. He reported a total of 48 calls in 2010. He also informed the Council about the grants that the department has been awarded and those that are still in process. The Mayor and Council thanked them for their service.

Joe Holm from Lets Go Fishing informed the Council about Lets Go Fishing and what their focus is. The Council then viewed a video presented by Lets Go Fishing of their new youth

program. Mr. Holm then informed the Council that Lets Go Fishing plans to get out of lawful gambling activities.

The City Manager, Tom Klemenhausen from Landteam and the County Emergency Manager briefed the Council about FEMA and preparing for a spring flood event. Klemenhausen presented some cost estimates to prepare for a flood event in the Hawleywood area, at the Wastewater Treatment Plant and Benson Civic Center (EX: levee construction, sandbag dike, and storm sewer). There was discussion about eminent domain, procurement of flood fighting materials and the City's role in dealing with private property. After discussion, it was moved by Claussen, seconded by Hess and carried unanimously to authorize Landteam to conduct an analysis of the area between Hwy 9 and 12 that is considered to be in the 100 year flood zone in a not to exceed amount of \$7,000.

It was moved by Hess, seconded by Claussen and carried unanimously to approve an invoice from the Upper Minnesota Valley RDC for the City's share of administrative expenses for the Small Cities Development Grant in the amount of \$10,403.01.

It was moved by Hess, seconded by Claussen and carried unanimously to approve a pay request from Bonestroo in the amount of \$126,142.37 (Benson Replacement Well \$686.00, Water Treatment Plant Improvements \$113,100.37, and 2010 Sandy's Sanitary Lift Station Renovation \$12,356.00).

The Public Works Director asked the Council to authorize staff to advertise for bids for the Water Treatment Plant Improvements and Sandy's Lift Station Renovation. It was moved by Claussen, seconded by Hess and carried unanimously to authorize staff to advertise for bids for the Water Treatment Plant Improvements and Sandy's Lift Station Renovation with bids to be opened on March 29, 2011.

The Finance Director presented a low income conservation program for the Council to consider. The City would provide free CFL light bulbs and low flow showerheads to Prairie Five to distribute to their clients. This would be a turnkey operation for the City. Missouri River will participate in the cost of the bulbs in the amount of \$1.50 per bulb rebate. It was moved by Hess, seconded by Claussen and carried unanimously to authorize staff to proceed with this program in the amount of \$5,804 less the \$1,800 rebate from MRES for a net cost of \$4,004 with the Electric Utility paying \$2,000 and Water Utility paying \$2,004.

It was moved by Hess, seconded by Claussen and carried unanimously to approve bills and warrants in the amount of \$543,564.60.

It was moved by Claussen, seconded by Hess and carried unanimously to adjourn the meeting at 7:33 p.m.

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Mayor

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City Clerk