

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
AUGUST 4, 2008**

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

There was no one under 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. July 21, 2008 Regular City Council Meeting
- b. June 11, 2008 Prairie Country RC & D Council Meeting
- d. June 30, 2008 SCBH Board Meeting

The City Manager reviewed the following correspondence with the Council:

- a. Department of Energy, WAPA dated 7.17.08 Re: Informal meetings to discuss the pending firm power rate adjustment
- b. Charter Communications dated 7.16.08 Re: Channel additions and changes

The City Manager briefed the Council about a Small Cities Development Program (SCDP) Grant for commercial and housing rehabilitation. Benson is planning to apply for a multi-jurisdictional grant with the four surrounding townships of Clontarf, Benson, Six Mile Grove, and Torning. It was moved by Fitz, seconded by Claussen and carried unanimously to approve a contract for the UMVRDC to provide professional services for the SCDP grant as follows:

- \$8,000 for pre-application
- \$4,000 for full application
- Cost for tabulating and analyzing survey responses not to exceed \$2,000

The Liquor Store Manager informed the Council about proposed changes that will hopefully improve the financial condition of the Liquor Store. The Liquor Committee recommended approval of the following changes:

- Share an employee with transit (75% transit and 25% liquor store)
- Reduce the number of hours the liquor store is open
- Constructed an outdoor patio

The Liquor Store Manager mentioned that they are planning to celebrate 60 years of being in business in conjunction with customer appreciation possibly in September. After discussion, it was moved by Landmark, seconded by Fitz and carried unanimously to approve the planned changes and to endorse the construction of the outdoor patio at the Liquor Store.

The next item discussed was the proposed stop sign plan for the Northwest section of town. It was moved by Claussen to approve the proposed stop sign plan as recommended by the Planning Commission. The motion died for lack of a second.

The Council reviewed the Mn/DOT District 4 Ten Year Plan.

The Council reviewed the roof inspection report of City owned buildings. No action was taken at this time.

The City Manager informed the Council that staff had been pursuing legal action to have a garage at 1615 Pacific either demolished or repaired. Due to the rapid deterioration of the garage and the danger to the public, he issued an Order for Immediate Demolition of a Dangerous Building or Structure. City staff recently demolished the garage at 1615 Pacific Avenue. There is approximately \$3,100 of demolition costs that the City will assess to the property. This was informational with no action taken.

The Public Works Director informed the Council that the following two bids were received today for the 2008-2011 Tree Removal Contract:

Bidder	Item and Est. Quantity	Unit Price
Craig's Tree Service Morris, MN	Clear and Grub - 5000 inches (225 trees)	\$ 20.00/inch
	Grub Only (stump removal) - 600 inches	\$ 2.25/inch
	Prune Branches - 300 inches	\$ 4.00/inch or \$170.00/ hour
	Excessive Stump Diameter	\$ 2.25/inch
	Emergency Maintenance - 30 hours	\$200.00/hour
	Addition fee for tree located within 20 feet of building/structure	\$ 10.00 to \$20.00 per inch
Carr's Tree Service Ottertail, MN	Clear and Grub - 5000 inches (225 trees)	\$ 16.45/inch
	Grub Only (stump removal) - 600 inches	\$ 2.85/inch
	Prune Branches - 300 inches	\$ 16.25/inch
	Excessive Stump Diameter	\$ 2.85/inch
	Emergency Maintenance - 30 hours	\$139.00/hour
	Addition fee for tree located within 20 feet of building/structure	\$ 39.75 per inch

The Base price of fuel at 7:00 a.m. on August 1, 2008 at the Benson Glacial Plains Service Station was \$4.579 per gallon (posted retail price of #2 low sulfur diesel including all taxes). This price is to be included in the 2008-2011 Tree Removal Contract. It was moved by Claussen, seconded by Fitz and carried unanimously to award the bid for the 2008 – 2011 Tree Removal Contract to Carr's Tree Service.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the First Reading of an Ordinance Authorizing the Sale of Real Estate by the City of Benson, Minnesota, A Municipal Corporation, To Christopher Larson contingent upon the County issuing Mr. Larson a conditional use permit to allow construction of a house on this property.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve a Real Estate Contract with Christopher Larson to purchase part of the SE Quarter of the NW Quarter of Section 15, Township 121, Range 38 (approximately 8.18 acres) in the amount of \$16,200.

It was moved by Claussen, seconded by landmark and carried unanimously to approve a pay request from Embarq in the amount of \$12,555.22 to replace some cable that was damaged during the Pacific Avenue Improvements in 2007.

It was moved by Fitz, seconded by Johnson and carried unanimously to approve five pay requests from DGR for professional services through 5.31.08 regarding the Electric System Improvements in the amount of \$8,181.13 (\$850.13 for Electric Miscellaneous, \$2,578 for 115 kV Substation (hourly portion), \$2,100 for 115 kV Transmission Line (lump sum portion), \$2,476 for 115 kV Transmission Line, \$177 for Distribution Feeders).

It was moved by Claussen, seconded by Landmark and carried unanimously to approve the 2008 Concrete Project list as presented by the Public Works Director. The Council also authorized staff to advertise for bids for the Concrete Project with the bid opening at 1:00 p.m. on September 2 and to schedule a public hearing at 6:00 p.m. on September 2 for the Concrete Project.

It was moved by Fitz, seconded by Claussen and carried unanimously to authorize the Mayor to proclaim the following Proclamation:

PROCLAMATION

Whereas, Honeywell and the National Center for Missing and Exploited Children will recognize Minnesota teacher, Kathy Ahrndt, for her commitment to child abduction and sexual exploitation prevention; and

Whereas, a child goes missing every 40 seconds in the U.S., adding up to more than 2,100 per day; and

Whereas, our children are our greatest national resource and we must do everything in our power to empower them to act safely; and

Whereas, the Got 2B Safe! Program offers teachers and parents simple rules that children can incorporate into their daily lives to keep them safer from abduction and sexual exploitation; and

Now, Therefore, I, Paul Kittelson, Mayor of the City of Benson, do hereby proclaim August 28th, 2008 to be

The Got 2B Safe! Child Safety Day

in the City of Benson.

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

POLICE OFFICER DECLARATION (RESOLUTION NO. 2008-13)

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 Mitchell J. Johnsrud, 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 Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Fitz, Johnson, Claussen, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2008-13 duly passed and adopted.

It was moved by Fitz, seconded by Claussen and carried unanimously to reschedule the September 1 Council meeting to September 2 at 5:30 p.m. due to Labor Day.

The City Manager informed the Council that they have been working with a group from Gaylord, Minnesota to arrange a visit to Benson. He will inform the Council when the date for the visit is confirmed.

It was moved by Fitz, seconded by Claussen and carried unanimously to adjourn the meeting at 6:19 p.m.

Mayor

Attest: _____
City Manager