

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
MAY 19, 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, Finance Director Glen Pederson, Public Works Director Elliot Nelson, Assistant City Attorney Tara Ulmaniec, Matt Goebel, James Moore, Peter Wlazlak, Anita Flodstrom, Donna Jackson, Heather Nord, Richard Ebnet, Eva Lyn Ebnet, Tess Skaalerud, Tom Lee, and Justin Campbell.

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

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

- a. May 5, 2008 Regular City Council Meeting
- b. May 12, 2008 Special City Council Meeting
- c. April 9, 2008 Benson HRA Meeting
- d. May 5, 2008 Benson Planning Commission Meeting
- e. March 17, 2008 UMVRDC Meeting

The City Manager reviewed the following correspondence with the Council:

- a. Swift Relay for Life Dated 4.14.08 – Staff will process their request administratively.
- b. Walter Munsterman dated 4.8.08 RE: Resignation from Benson HRA Board.

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

**RESOLUTION APPROVING LAWFUL GAMBLING PREMISE PERMIT
APPLICATION FOR LET’S GO FISHING TO CONDUCT
GAMBLING AT 300 – 14th STREET SOUTH IN BENSON, MINNESOTA
(RESOLUTION NO. 2008-08)**

WHEREAS, the Let’s Go Fishing organization is applying to conduct gambling at 300 – 14th Street South in Benson, Minnesota, and

WHEREAS, this is a new site for the base organization Premise Permit Number 034779.

NOW, THEREFORE, BE IT RESOLVED that the Benson City Council approves the application and authorizes the City Clerk to submit a certified copy of the resolution to the Let’s Go Fishing organization to be included in their application to the Gambling Control Division.

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. 2008-08 duly passed and adopted.

The Council then reviewed the proposed amendment to Chapter 90: Animal Ordinance. A number of individuals in the audience expressed their concerns and comments with the proposed ordinance. After discussion, it was moved by Claussen, seconded by Johnson and carried unanimously to delay the Second Reading of the proposed Chapter 90: Animal Ordinance until the June 16, 2008 Council meeting.

Matt Goebel and James Moore, AFSCME Staff Representative, came before the Council to present their appeal to the reduction of staff in the Wastewater Treatment Plant. Dave Clark, Attorney representing the City of Benson, was on speakerphone. After they presented their information, the Mayor indicated that they would schedule a special meeting to consider their appeal and will respond within the seven days as required in the union contract.

The City Manager and Council Member Bob Claussen briefed the Council on the proposal from Viessman Brothers Properties to purchase Lot 1, Block 1, Benson Industrial Rail Addition. The Benson EDA recommended selling Lot 1, Block 1, Benson Industrial Rail Addition to Viessman Brothers Properties with the following terms:

- Sale price: \$100,000
- 25 new jobs are to be created within 12 months of the sale
- The City has first rights to purchase the property at the original sale price if they vacate the property within ten years of the sale. If a building in excess of \$50,000 of assessed value is constructed on the property, the price will be renegotiated.
- Respect requirements of Fibrominn's MPCA Air Quality Permit
- Protect the ditch between Viessman's present building and Lot 1, Block 1, Benson Industrial Rail Addition

It was moved by Claussen, seconded by Landmark and carried unanimously to approve the sale of Lot 1, Block 1, Benson Industrial Addition to Viessman Brothers Properties as recommended by the Benson EDA. Staff informed the Council that prior to receiving this request to acquire Lot 1, Block 1, Benson Industrial Rail Addition, staff had given permission to the contractor doing the work on the county road project in that area to pile ground up bituminous onto that lot. Staff anticipates that the pile would be on the lot for about 60 to 90 days. Staff will contact the affected parties to discuss a location for the pile that all parties can agree to.

It was moved by Claussen, seconded by Fitz and carried unanimously to authorize Bonestroo to proceed with the engineering to replace the sanitary sewer lift stations at the Benson Civic Center and Roosevelt Park.

It was moved by Claussen, seconded by Fitz and carried unanimously to schedule a special City Council meeting at 5:30 p.m. on Wednesday, May 21, 2008, to deliberate and make a decision on the appeal by AFSCME to reduce staff in the Wastewater Treatment Plant.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve bills and warrants in the amount of \$366,256.33.

The City Manager mentioned some of the results of the legislative session that just ended.

It was moved by Landmark, seconded by Fitz and carried unanimously to adjourn the meeting at 6:38 p.m.

Mayor

Attest: _____
City Clerk