

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
JANUARY 3, 2012**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Paul Kittelson, Mike Fugleberg, Ben Hess, Gary Landmark and Sue Fitz. Members absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Police Chief Mike Jambor and Director of Public Works Elliot Nelson

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

- December 19, 2011 City Council Meeting
- December 15, 2011 Safety Committee Meeting
- December 19, 2011 Park Board Meeting
- December 15, 2011 EDA Meeting

Pederson administered the oath of office to new Councilmember Fugleberg and re-elected Mayor Kittelson and Councilmember Fitz.

Wolfington explained to the Council Missouri River Energy Services (MRES) has joined in a lawsuit against the Minnesota Public Utilities Commission declaring the Next Generation Energy Act of 2007 unconstitutional. This act prohibits importation to Minnesota of power from coal-fired facilities, which prohibits MRES from seeking new power supply contracts with coal burning facilities. The lawsuit could take a considerable amount of time to come to a decision.

Swift County-Benson Hospital CEO Frank Lawatsch submitted a nomination for Deb Moore to fill the vacancy on the Hospital Board. It was moved by Landmark, seconded by Fitz and carried unanimously to appoint Deb Moore to the Swift County-Benson Hospital Board with her term expiring December 31, 2014.

It was moved by Fitz, seconded by Hess and carried unanimously to appoint Jo Bronniche and Lyle Popma to vacancies on the Library Board with their term expiring December 31, 2014.

It was moved by Hess, seconded by Fugleberg and carried unanimously to appoint Eugene Doscher and Jack Kjos to vacancies on the Airport Advisory Commission with their terms expiring December 31, 2014.

It was moved by Landmark, seconded by Fitz and carried unanimously to appoint Leroy Noreen to a vacancy on the Economic Development Authority with the term expiring December 31, 2014.

It was moved by Fitz, seconded by Fugleberg and carried unanimously to appoint Ron Laycock and Mark Schreck to vacancies on the Planning Commission with their terms expiring December 31, 2014.

It was moved by Hess, seconded by Fitz and carried unanimously to approve the following appointments:

Emergency Chain of Command	Paul Kittelson Gary Landmark Sue Fitz Ben Hess Mike Fugleberg
Economic Development Authority	Fugleberg and Kittelson
Fire Board	Fitz and Landmark
HRA	Landmark and Fitz
Library Board	Fitz
Liquor Committee	Landmark and Hess

Park Board	Landmark and Kittelson
Personnel Committee	Landmark and Fugleberg
Planning Commission	Fitz
President Pro-Tem	Landmark
Civil Cases: City Attorney	Don Wilcox
Civil Cases: Assistant City Attorney	Ben Wilcox
Attorney Handling Criminal Cases	Finke Law Office

It was moved by Fitz, seconded by Fugleberg and carried unanimously to designate the Monitor News as the official newspaper in 2012.

It was moved by Landmark, seconded by Hess and carried unanimously that state banks, national banks, and thrift institutions located either within or outside the State of Minnesota that qualify as depositories under Minnesota Law are hereby designated as depositories for the City of Benson.

It was the consensus of the Council to designate 2012 City Council meeting dates on the first and third Mondays of each month at 5:30 p.m. When a meeting date falls on a holiday the following Tuesday will be the designated meeting date. The next City Council Meeting date was moved to January 23, 2012.

It was moved by Fitz, seconded by Fugleberg and carried unanimously to authorize the following as check signers for the following accounts:

All Accounts:	Mayor Paul Kittelson, City Manager Robert Wolfington, and Director of Finance Glen Pederson
Incidental Fund:	Lisa Kent and Valerie Alsaker
Meter Rent Account:	Lisa Kent
Hospital Fund:	Lisa Kent

It was moved by Landmark, seconded by Hess and carried unanimously to schedule the Board of Review on April 16, 2012 from 5:30 pm to 6:30 pm.

Wolfington presented drawings from Landteam of existing conditions on the north and west of Hawleywood first and second additions in reference to flood planning. The next phase of this project will be to determine cost of building a dike which will include obtaining easements and projected costs to build the non-certified dike. After discussion, it was agreed by the Council to get cost estimates for planning and execution of the project and bring them back to the Council for review.

There was a request for Change Order No.1 from KHC Construction for work on the Water Treatment Plant improvements. It was moved by Landmark, seconded by Hess and carried unanimously to approve Change Order No. 1 in the amount of \$11,164.37.

There was pay request No. 5 from KHC Construction for work on the Water Treatment Plant Improvements. It was moved by Fitz, seconded by Fugleberg and carried unanimously to pay KHC Construction in the amount of \$210,878.00.

Police Chief Mike Jambor presented the Law Enforcement Education Diversion Program to the Council. He explained if someone was pulled over for a minor driving infraction, they could choose between receiving a ticket and paying a fine or attending the Law Enforcement Education Diversion Program. Jambor explained the details. It was the consensus of the Council to approve the program.

Wolfington presented the CenterPoint Energy Gas Franchise Ordinance No. 184, explaining it needs review and adoption every ten years. It was moved by Fitz, seconded by Hess and carried unanimously to approve the First Reading of CenterPoint Energy Gas Franchise Ordinance No. 184.

Pederson approached the Council, explaining a new program with PERA called a Phased Retirement Option (PRO). Pat McGeary turned in his resignation to the Council in December 2011, to

retire in February. He expressed interest to Pederson in staying on at the Liquor Store under PERA's PRO program. He would be a part-time employee with no managerial duties. After discussion, it was moved by Landmark, seconded by Hess and carried unanimously to rescind the Council's acceptance of Pat McGeary Retirement request, and to approve the offering of the PRO Program to McGeary.

Mayor Kittelson asked the Council to reconsider the use of electronic technology to replace paper packets, and streamline communications to the Council members. After discussion, the Mayor asked staff to obtain costs on electronic tablets as well as other costs associated with getting set up, and bring the information back to the Council for consideration.

There being no other business, a motion was made by Fitz, seconded by Hess and carried unanimously to adjourn the meeting at 6:18 p.m.

Mayor

City Clerk