

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
OCTOBER 17, 2011**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Paul Kittelson, Bob Claussen, Ben Hess and Sue Fitz. Members absent: Gary Landmark. Also present: City Manager Rob Wolfington, Director of Public Works Elliot Nelson, Director of Finance Glen Pederson, Doug Cook, Stan Olson and Gene Doscher.

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

- October 3, 2011 City Council Meeting
- October 3, 2011 Planning Commission Meeting

The following correspondence was reviewed:

- A thank-you from Centerpoint Energy for our assistance in the natural gas outage on September 23, 2011.
- Travelers Insurance responded to a claim the City filed for damages the woodpeckers did to the utility poles. Travelers responded there is an exclusion in the policy for animal nesting, and therefore the claim was denied.

At 5:31 pm the Mayor opened a Public Hearing to consider a Conditional Use Permit for a house to be moved from Swift County-Benson Hospital property at 1850 McKinney Ave. to 615 Groehler Court. Wolfington stated the Conditional Use Permit was turned in by Doug Cook with fees paid and was brought before the Planning Commission today. They approved the Conditional use permit with the stipulation the house is in place within 90 days. The Mayor closed the Public Hearing at 5:33 pm. After discussion it was moved by Hess, seconded by Fitz and carried unanimously to approve the Conditional use permit for Cook with the stipulation the house is in place by December 31, 2011.

At 5:33 pm the Mayor opened a Public Hearing to consider a Conditional Use Permit for a house to be moved from Swift County-Benson Hospital property at 1830 McKinney Ave. to 205 11th St. S. This permit was taken out by Stan Olson & Shawn Tolifson. Wolfington stated this permit was also brought before the Planning Commission today which was approved with the same conditions as the Cook Conditional Use Permit. Olson stated the movers will be here November 5-7, 2011. He would like to have block laid and move the house over the top of it. The Mayor closed the Public Hearing at 5:35 pm. After discussion, it was moved by Claussen, seconded by Hess and carried unanimously to approve the Conditional Use permit for Olson-Tolifson with the stipulation the house is in place by December 31, 2011.

Next the Council discussed the Conditional Use Permit from Olson-Tolifson to move a house from 1840 McKinney to 500 – 9th St. N. This item was tabled from the last meeting. Wolfington stated the permit was previously approved by the Planning Commission. After questions and discussion, it was moved by Claussen, Second by Fitz and carried unanimously to approve the Conditional use Permit for Olson-Tolifson with the stipulation the house is in place by December 31, 2011.

A purchase agreement for Olson-Tolifson to purchase the lot at 500- 9th St. N. from the City was the next item of discussion. It was moved by Fitz, seconded by Claussen and carried unanimously to approve the purchase agreement at a cost of \$7,500.00.

Next Wolfington presented an annual action item from Minnesota Department of Transportation office of Aeronautics to approve the State Aid for Airport Maintenance and Operations for 2012-2013 at a reimbursement of \$22,052.00. Councilmember Claussen offered the following resolution and moved its adoption:

**RESOLUTION FOR AUTHORIZATION TO EXECUTE MINNESOTA DEPARTMENT OF
TRANSPORTATION GRANT AGREEMENT FOR AIRPORT MAINTENANCE AND OPERTION
(RESOLUTION NO. 2011-19)**

It is resolved by the City of Benson as follows:

1. That the State of Minnesota Agreement No. 99200, "Grant Agreement for Airport Maintenance and Operation", at the Benson Municipal airport is accepted.
2. That the Mayor and City Clerk are authorized to execute this Agreement and any amendments on behalf of the City of Benson.

Council Member Hess seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Hess, Fitz, Kittelson. NAYS: None. Whereupon, the Mayor declared Resolution No. 2011-19 duly passed and adopted.

Next item on the agenda was a letter from Missouri River Energy Services (MRES) informing the City of the Reciprocation Internal Combustion Engines (RICE) rules. Wolfington stated there would be much information on this topic in the future. He stated to be in compliance with the RICE rules, it could cost the City \$400,000. The City has until 2013 to comply with this rule, and this expense will be in next year's budget.

Nelson presented pay request number 3 from States Border Construction, Inc. for work on Sandy's Lift Station Renovation. It was moved by Claussen, seconded by Fitz and carried unanimously to approve the pay request in the amount of \$119,377.00

Thein Well Company submitted a change order request for work on Well No. 33 due to drilling issues and prevailing wage increases. It was moved by Claussen, seconded by Hess and carried unanimously to approve the pay request in the amount of \$4,294.96.

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Thein Well Company also submitted their first and final pay request for work on Well No. 33. It was moved by Fitz, seconded by Claussen and carried unanimously to approve the pay request in the amount of \$71,944.96.

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

**RESOLUTION SETTING ASSESSMENTS FOR FIRE SERVICE CHARGES
BY THE CITY OF BENSON, MINNESOTA FOR 2010 PAYABLE 2011
(RESOLUTION NO. 2011-20)**

BE IT RESOLVED, by the Benson City Council that the following assessments for 2011 Fire Service Charges as prepared by the City Manager are hereby approved and made a part thereof; and,

BE IT FURTHER RESOLVED, that the assessments hereinafter noted shall be submitted to the County Auditor on or before November 15, 2011 and placed on the tax roll for collection with the taxes collectable in 2012.

Charges	Name & Mailing Address	Legal Description & Parcel No.	Amount Due
Fire Call [House Fire at 506-11 th St. N.]	Duaine & Peggy Flanders 1418 Atlantic Ave. Benson, MN 56215	Lots 1& 2, Block 2 Lynn Park Addn. 23-0644-000	\$750.00
Fire Call [House Fire]	Jason Schulz & Staci Bohn 403 – 16 th St. So Benson, MN 56215	N. ½ Lot 10, Block 7 Lot 11, Block 7 McKinney's 1 st Addn. 23-0457-000	\$1,000.00
Fire Call [House Fire]	Sally Berens 802 – 16 th St. S. Benson, MN 56215	S. 60' Lots 1-3, Block 14 Southside Addn. 23-0951-000	\$750.00
TOTALS			\$2,500.00

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Hess, Fitz, Kittelson. NAYS: None. Whereupon, the Mayor declared Resolution No. 2011-20 duly passed and adopted.

Pederson presented the September 30, 2011 budget report to the Council.

It was moved by Fitz, seconded by Hess and carried unanimously to approve the bills and warrants in the amount of \$868,661.64.

Under additional items, Councilmember Hess asked if restrooms in Roosevelt Park had ever been considered. The Council directed staff to review and bring back options for the Council to consider.

It was moved by Claussen, seconded by Hess and carried unanimously to adjourn the meeting at 5:56 p.m.

Mayor

City Clerk