

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
OCTOBER 3, 2016**

The meeting was called to order at 5:30 p.m. by Mayor Landmark. Members present: Terri Collins, Jack Evenson, Jonathon Pogge-Weaver, Gary Landmark & Stephanie Heinzig. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, City Attorney Don Wilcox, Public Works Director Dan Gens, Benson Librarian Dawn Dailey, Friends of the Library Volunteer Donna Enderson and Lucas Olson.

The Council recited the Pledge of Allegiance.

Wolfington asked Dailey to come forward. She informed the Council that she nominated Friends of the Library President Donna Enderson for the “Stand up for Stand Out Friends” recognition. Enderson was chosen as the stand out volunteer. Dailey and the Mayor presented her with the award.

The Council discussed the tax abatement request from Willmar Fabrication. They reviewed the findings of facts and Claussen’s proposed agreement for abatement. After discussion, Evenson made a motion to grant the 10 year tax abatement as presented. The motion died for a lack of a second.

Next the Council recessed at 5:38 p.m. to take a tour of City Projects.

The Council reconvened at 6:38 p.m.

Mayor Landmark asked for any additions to the agenda. Wolfington asked to add purchase of lots to the agenda. No consent agenda items were moved to the regular agenda. A motion was made by Collins, seconded by Evenson and carried unanimously to approve the agenda as amended. It was moved by Evenson, Seconded by Pogge-Weaver and carried unanimously to approve the following items on the Consent Agenda:

- September 19, 2016 City Council Minutes
- Prairie 5 Rides 2017 Funding Request in the amount of \$9,640.00
- Tara Ulmaniec’s Resignation from the Planning Commission Board

Mayor Landmark asked for people with unscheduled business, to which there were none.

Wolfington presented a purchase agreement for the last elevator on Atlantic Avenue. The agreement states the City will purchase the elevator for \$190,000 from NFG, LLC (seller). Some of the stipulations are the seller demolishes the structure and disposes of debris in the proper landfills, the buyer may inspect for environmental hazards at the buyer’s cost, the seller must abate hazards at their cost and the seller is responsible for obtaining permits necessary for razing and removal of structures. Partial payments will be made when conditions of the contract are met. It was moved by Evenson, seconded by Heinzig and carried unanimously to approve the purchase agreement as presented.

Councilmember Collins offered the following resolution:

**RESOLUTION SETTING ASSESSMENTS FOR FIRE SERVICE CHARGES
BY THE CITY OF BENSON, MINNESOTA FOR 2016 PAYABLE 2017
(RESOLUTION NO. 2016-26)**

BE IT RESOLVED, by the Benson City Council that the following assessments for 2016 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 October 15, 2016 and placed on the tax roll for collection with the taxes collectable in 2017.

Charges	Name & Mailing Address	Legal Description & Parcel No.	Amount Due
Fire Call	Amber Castillo 807 – 10 th St. N. Benson, MN 56215	Lots 6 & 7, Block 11 Lynn Park Addn. Outlot 1, Block 1 Willow Knoll Addn. 23-0718-000	\$350.00
Fire Call	Richard Trinkle 813 – 13 th St .N. Benson, MN 56215	Lots 5 & 6, Block 2 Sunwall Addition 23-0737-000	\$350.00
Fire Call	Jose Salinas 212 – 9 th St. S. Benson, MN 56215	Lots 10,11 & 12, Block 6 City of Benson Addn. 23-0029-00	\$1,100.00
TOTAL			\$1,800.00

Councilmember Pogge-Weaver seconded the foregoing Resolution and the following vote was recorded AYES: Collins, Heinzig, Landmark, Evenson, Pogge-Weaver. NAYES: None. Thereupon the Mayor declared Resolution 2016-26 duly passed and adopted.

Wolfington stated there was a Planning Commission meeting today with a Conditional Use Permit application that was tabled until their special October 18, 2016 meeting.

It was moved by Evenson, seconded by Heinzig and carried unanimously to approve a pay request to B.G. Amundson for work at the brush site in the amount of \$8,250.00.

It was moved by Collins, seconded by Evenson and carried unanimously to approve the following election judges for the General Election on November 8, 2016:

Sue Fitz	Jo Bronniche
Pam Lawatsch	Alta Larson
Jim Hilleren	Jan Baukol
Diane Doscher	Susan Snow
Marge Scheffler	Gene Doscher
Darlene Iverson	Karen Wolfington
Mike Scheffler	Val Alsaker
Glen Pederson	

Next Pederson presented a Capital Authorization Request for digital imaging software which will allow employees to search all the data scanned in such as Council Minutes, and various financial documents. This will allow better access to these files. After discussion it was moved by Collins, seconded by Pogge-Weaver and carried unanimously to approve purchase of digital software from OPG3 in the amount of \$13,668.00.

Councilmember Pogge-Weaver submitted his resignation effective at the conclusion of this Council Meeting. Councilmember Evenson offered the following Resolution:

**CITY OF BENSON RESOLUTION ACCEPTING
RESIGNATION AND DECLARING A VACANCY**

(RESOLUTION NO. 2016-27)

WHEREAS, the Benson City Council has received the written resignation of Jonathon Pogge-Weaver, effective on October 3, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BENSON, MINNESOTA, AS FOLLOWS:

1. The council accepts Jonathon Pogge-Weaver's resignation as described above.

The council declares that a vacancy exists on council effective on October 3, 2016.

Councilmember Heinzig seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Landmark, Evenson. NAYES: None. ABSTAIN: Pogge-Weaver. Thereupon the Mayor declared Resolution 2016-27 duly passed and adopted.

Mayor Landmark said a special election will be needed to fill Pogge-Weaver's position. In the interim he discussed appointing someone to fill the position until the special election. Councilmember Evenson offered the following Resolution:

**CITY OF BENSON RESOLUTION
APPOINTING PERSON TO FILL A VACANCY
RESOLUTION NO. 2016-28)**

WHEREAS, a vacancy exists on the Benson City Council.

WHEREAS, pursuant to Minnesota Statute § 412.02, subd. 2a, the council shall fill the vacancy by appointment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BENSON, MINNESOTA, AS FOLLOWS:

1. The council appoints Susan Fitz to fill the vacant position until a special election is held and the newly elected member qualifies and receives a certificate of election.

Councilmember Heinzig seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Landmark, Evenson. NAYES: None. ABSTAIN: Pogge-Weaver Thereupon the Mayor declared Resolution 2016-28 duly passed and adopted.

Councilmember Evenson offered the following Resolution:

**CITY OF BENSON RESOLUTION CALLING
FOR SPECIAL ELECTION
(RESOLUTION NO. 2016-29)**

WHEREAS, a vacancy exists on the Benson City Council for Council Member with a term expiring the first Monday in January 2020.

WHEREAS, the vacancy occurred before the first day to file affidavits of candidacy for the next regular city election.

WHEREAS, the vacancy occurred when more than two years remain in the unexpired term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BENSON, MINNESOTA, AS FOLLOWS:

1. A special election is ordered to fill the vacancy on the Benson City Council. The person elected shall fill the vacancy for the remainder of the term.
2. The special election will be held on Tuesday January 10, 2017.
3. The city clerk is hereby authorized and directed to cause written notice of said special election to be provided to the Swift County Auditor at least seventy-four (74) days before the date of said special election. The notice shall include the date of said special election and the office to be voted on at said special election.
4. The city clerk shall cause all published and posted notices be provided and conduct the special election as required by State of Minnesota election laws.

Councilmember Collins seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Landmark, Evenson. NAYES: None. ABSTAIN: Pogge-Weaver. Thereupon the Mayor declared Resolution 2016-29 duly passed and adopted.

Wolfington discussed the demolition of the house at 305 – 16th Street South. The neighbors are interested in purchasing the lot. The neighbor to the north would like 10', and the neighbor to the south would like the rest of the lot. Wolfington stated the sale of the lot would be \$5,000 with the purchasers paying lawyer fees and taxes. It was moved by Evenson, seconded by Collins and carried unanimously to approve the sale of the lot as presented.

Collins said the building committee met before the Council meeting and would like to call a special meeting to further discuss the City Hall and Police Department options. It was moved by Collins, seconded by Evenson and carried unanimously to hold a special Council meeting on October 25, 2016 at 5:30 p.m.

Mayor Landmark presented a flag and thanked Pogge-Weaver for his service as a Council-member the past year.

There being no other business, a motion was made by Collins, seconded by Evenson and carried unanimously to adjourn the meeting at 6:59 p.m.

Mayor

City Clerk