

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
JULY 1, 2013**

The meeting was called to order at 5:30 p.m. by the Mayor. Members present: Mike Fugleberg, Paul Kittelson Ben Hess, Gary Landmark & Sue Fitz. Members Absent: None. Also present: City Manager Rob Wolfington, City Building Official Mike Jacobson, Public Works Director Elliot Nelson, Police Chief Ian Hodge, Police Officers Paula Wilson, Brennen McAlpin, Elissa Schmidt, Paul Larson, Dusty Burton, Nancy Dodsall, Ben Badowich, Swift County Sheriff John Holz, Deputy Sheriff Judd Nelson, Rhonda Flower, Chad & Melissa Payne and police officer family members.

Mayor Kittelson asked Chief Hodge to come forward and swear Police Officers Paula Wilson and Brennan McAlpin in as police officers for the City of Benson. The Council congratulated the new officers and welcomed them to the Benson Police Department.

The Mayor called for persons with unscheduled business. Rhonda Flower and Chad & Melissa Payne addressed the Council with concerns at the City Cemetery. They presented a letter and pictures after the City had mowed the cemetery. They expressed concerns over grass being blown unto the stones. They also felt the cemetery isn't being mowed often enough or trimmed. There was discussion on the mowing schedule. The Mayor assured Ms. Flower and the Paynes their complaint will be looked into and addressed.

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

- June 17, 2013 City Council Meeting
- June 21, 2013 Emergency City Council Meeting
- May 16, 2013 EDA Meeting
- May 30, 2013 Special EDA Meeting

It was moved by Fugleberg, seconded by Hess and carried unanimously to approve a gambling permit for the Swift County Gobblers for July 26, 2013.

It was moved by Fitz, seconded by Hess and carried unanimously to approve a gambling permit for Northern Lights Trails for November 2, 2013.

The Mayor acknowledged openings on the Park Board and Benson Area Tourism Board.

Mayor Kittelson presented a letter from Benson Public Schools requesting assistance from the City of Benson to put their referendum on the ballot this fall along with the City elections.

Wolfington said he will be gone July 7-12, 2013 to the Emergency Management Institute.

Next Chief Hodge approached the Council addressing the issue of ATV operations in the City of Benson. The vehicles were discussed and possible uses in the city limits. After discussion, the consensus of the Council was ATVs do not fit into our mini-truck and golf cart ordinance.

Councilmember Fugleberg offered the following resolution:

**POLICE OFFICER DECLARATION  
(RESOLUTION NO. 2013-12)**

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 Ellissa Schmidt 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 Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Fitz, Kittelson, Hess, Fugleberg. NAYS: None. Thereupon the Mayor declared Resolution 2013-12 duly passed and adopted.

Wolfington stated under the Council's Emergency Resolution at the June 21, 2013 meeting a grapple attachment for the loader has been purchased. Nelson stated this piece of equipment will be used to help in the storm damage clean-up, and all year long after that. It was moved by Fitz, seconded by Landmark and carried unanimously to approve the purchase of the grapple attachment in the amount of \$15,031.25.

Wolfington stated the City insurance company Travelers Insurance will be coming tomorrow to look over storm damage to public property. He also stated the brush pile at the dump from the storm damaged trees has grown to be 100 meters by 450 meters. Currently Fibrominn is interested in taking the wood to burn in their facility. Nelson presented a map to the Council with all of the damaged tree work orders on boulevards, city property and city right-of-way areas. There was discussion on how tree clean-up is progressing for the City and private property owners as well. Cost and ability to remove trees and stumps on personal property was discussed. Nelson said he hoped to see the bulk of tree debris to be cleared off boulevards by the end of next week.

Nelson said Stantec Engineering has completed designs for the railroad/storm sewer repairs and have submitted plans to the BNSF Railroad for their review .

There was pay request from Stantec Engineering for work on the storm sewer railroad repairs. It was moved by Landmark, seconded by Hess and carried unanimously to approve the pay request from Stantec in the amount of \$11,832.75.

Next Wolfington informed the council of the deteriorating conditions of the Parks Department building. The ideal solution would be to tear the building down and build a new one. Wolfington and Building Official Jacobson assessed the building and presented the Council with a budget for repairs to include re-roofing, Steel siding and labor, glass block restoration, soffit repairs and some interior repairs for \$127,071. Jacobson said the building has electric heat which cost the City over \$9,648 to heat last year. He suggested upgrading the building's electrical wiring which would add to the budget presented. It was decided to table the parks building until the next meeting.

Wolfington talked about the “Welcome to Benson” signs. Placing the sign on highway 9 west was not approved by MnDOT. Highway 29 north has been chosen as the new sight. A second sign will be placed on highway 9 east. Permits have been submitted and the sites need to be prepared for the signs.

Nelson said the power plant stack testing was completed last week and went well.

Wolfington made a request to go out for bids on demolition of the old lumber yard building on highway 9 west, and demolition of the old pump house. It was moved by Fitz, seconded by Hess and carried unanimously to authorize the bidding process on these two buildings.

The Council discussed ways to more efficiently keep the City Cemetery grass mowed and trimmed. Staff agreed to work out details to accomplish this.

There being no other business, a motion was made by Fugleberg, seconded by Hess and carried unanimously to adjourn the meeting at 6:27 p.m.

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Mayor

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City Clerk