

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
AUGUST 13, 2007**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Gary Landmark, and Paul Kittelson. Members absent: Bob Claussen and one vacancy. Also present: City Manager Rob Wolfington, Director of Public Works Elliot Nelson, Building Official Mike Jacobson, Margaret Solonski, Bob Hoberg, Don and Ruth Plackner, Don Edwards, Kathy Johnson, and Taylor Johnson.

Under unscheduled business, Don Edwards, representing the Pilgrim Congregational Church, informed the Council they are planning a Burger in the Park at Roosevelt Park with the Blues Brothers performing after the meal. They will not block the street but plan to block off two parking stalls. They would like permission to relocate a number of picnic tables from other parks to Roosevelt Park. They will move the picnic tables and return them to where they got them. It was moved by Landmark, seconded by Fitz and carried unanimously to approve their request.

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

- a. July 23, 2007 Regular City Council Meeting
- b. July 9, 2007 Benson Park Board Meeting
- c. July 19, 2007 Benson EDA Meeting
- d. July 9 and August 6, 2007 Benson Planning Commission Meeting
- e. July 19, 2007 Pioneerland System Jt Executive/Finance Committee Meeting
- f. June 25, 2007 SCBH Board Meeting

The City Manager reviewed the following correspondence:

- a. Charter Communications dated July 18, 2007 RE: Channel additions and changes
- b. Wilcox & Ulmaniec dated August 1, 2007. RE: City of Benson vs. Tamara Elizabeth White et al
- c. Minnesota State Demographic Center dated August 3, 2007 RE: Adjusted 2006 population and household count estimates
- d. West Central Environmental Consultants dated August 8, 2007 RE: MU Well Sampling in Response to June 2007 SFM (Oust) Rinsate Release

The City Manager informed the Council that Margaret Solonski, 803 – 12th Street North, would like to sell dog food out of her garage. The Planning Commission held a public hearing on August 6 and did not make a recommendation regarding the Conditional Use Permit for a Home Occupation (#2007-01). At the public hearing Ms. Solonski stated that there will not be any signs posted on the property. Ms. Solonski informed the Council that there will be minimal traffic with deliveries once or twice a month by a UPS size truck. The dog food will be in bags placed on pallets that will be on cement blocks in the garage. Rodent control will be used. After discussion, it was moved by Fitz, seconded by Landmark and carried unanimously to approve a Home Occupation Permit (#2007-01) to Ms. Solonski with the following conditions:

- No signage for business displayed outside of residence
- Dog food is to be placed on pallets above floor grade

The City Manager informed the Council that Bill Hoberg, 503 – 17th Street North, would like to remove the existing garage and replace it with a 1288 sq. ft. detached garage (28' x 46'). The Planning Commission held a public hearing on August 6 and recommended that the Council approve Conditional Use Permit #2007-01. It was moved by Landmark, seconded by Fitz and carried unanimously to approve Conditional Use Permit #2007-01 to Mr. Hoberg with the following conditions:

- Garage not to exceed 1288 sq. ft.
- Match height and exterior of residential structure
- No additional detached buildings will be allowed on the property

The Council discussed a request from business owners in the 1200 block of Atlantic Avenue that the City change the one-way on Utah Avenue behind their businesses to two-way traffic. The Planning Commission reviewed this request and recommended that the Council approve changing both the 1200 and 1300 blocks of Utah Avenue from a one-way to two-way traffic and to reserve the Council's judgment regarding changing some or all the parking stalls on the south side of Utah Avenue to a truck loading zone. After discussion, Fitz moved to change the 1200 and 1300 blocks of Utah Avenue to two-way traffic. The motion died for lack of a second. After further discussion, this item was tabled to a future meeting to allow Council Members time to talk to the business owners to see why they want the change.

It was moved by Fitz, seconded by Landmark and carried unanimously to accept the bid of \$5,000 from Gerald Kurkosky for Lot 6, Block 1, Lynn Park Addition (Parcel No. 23-0640).

The City Manager informed the Council that the Town of Six Mile Grove has signed the Joint Resolution between the Town of Six Mile Grove and the City of Benson designating an area for orderly annexation pursuant to Minnesota Statute 414.0325.

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

**RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT
WITH THE STATE OF MINNESOTA TO PROVIDE
PUBLIC TRANSPORTATION SERVICE IN THE CITY OF BENSON
(RESOLUTION NO. 2007-09)**

Resolved that the City of Benson, MN to enter into an Agreement with the State of Minnesota to provide public transportation service in the City of Benson.

Further resolved that the City of Benson agrees to provide a local share of 20% percent of the total operating cost and 20% of the total capital costs.

Further resolved that the City of Benson authorizes the City Manager and the City Clerk to execute the aforementioned Agreement and any amendments thereto.

Council Member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Landmark, Kittelson. NAYS: None. ABSENT: Claussen and One Vacancy. Whereupon the Mayor declared Resolution No. 2007-09 duly passed and approved.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve the bills and warrants in the amount of \$690,548.02.

The City Manager informed the Council that the two new substation transformers are being tested and available for inspection. The Public Works Director is planning a driving vacation that will include a stop in Mississippi on August 27 to inspect one transformer at an estimated cost of \$1,200. The City Manager may fly to Mississippi to inspect the other transformer on August 22 at an estimated cost of \$1,500.

It was moved by Fitz, seconded by Landmark and carried unanimously to authorize staff to advertise for bids for the sale of a used rescue vehicle with a bid opening date of September 10, 2007.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve a pay request from Hawley's Inc. to replace the fill system at the Fire Hall in the amount of \$11,730.

It was moved by Fitz, seconded by Landmark and carried unanimously to authorize the Mayor to sign the FAA grant for the Airport hangar and fueling system improvements.

It was moved by Landmark, seconded by Fitz and carried unanimously to adjourn the meeting at 6:14 p.m.

Mayor

Attest: _____
City Manager