

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
NOVEMBER 14, 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 Gary Landmark. Members absent: Sue Fitz . Also present: City Manager Rob Wolfington, Director of Public Works Elliot Nelson, Director of Finance Glen Pederson, Chief of Police Mike Jambor, Mike Fugleberg, Cory Braaten and Mary Zurn.

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

- October 17, 2011 City Council Meeting
- October 25, 2011 Special City Council Meeting
- September 14, 2011 Benson HRA Meeting
- October 20, 2011 EDA Regular Meeting
- October 13, 2011 Safety Committee Meeting

The Council was informed of the following travel event:

- a. The Mayor will attend the Coalition of Greater Minnesota Cities Fall Meeting November 16-18, 2011

The following correspondence was reviewed:

- A thank-you from the Benson High School Renaissance program for the City's support of their program.
- A thank-you from Bruce & Shawn Hanson for City assistance at the Benson Cemetery.
- A memo from Sherman & Associates notifying the City of termination of the federally assisted housing program at the New Paris apartments in Benson as of 12/1/2012.
- Minnesota Department of Agriculture's approval of the final remedial work plan at the Benson Market site.
- Correspondence from Ehlers Inc. regarding the annual continuing disclosure requirement on our bonds to reflect the recent rating downgrade of the State of Minnesota.
- Notice from Countryside Public Health notifying the City they will be raising their fees for the 2012 Tobacco Compliance contracts by \$25 per retail establishment.

Next Mayor Kittelson addressed Benson Women of Today representatives Cory Braaten and Mary Zurn about the fundraising and work they have been doing on the mini-golf course at Ambush Park. Braaten stated along with a donation from Minnesota Community Foundation, they've received donations equaling \$15,000.00 toward the project. They've accomplished several projects so far, and have several more planned for spring. They have received help from 4H groups, and plan to ask the Benson Action Club, Girl and Boy Scouts for help in the spring. Wolfington suggested some other possible groups to approach for donations if needed. It was moved by Landmark, seconded by Claussen and passed unanimously to accept the \$10,000 donation from the Minnesota Community Foundation for work on the mini golf course.

Police Chief Jambor explained an agreement between eleven agencies in west central Minnesota to form a Special Weapons And Tactics (S.W.A.T.) team. He explained expenses would be part of their regular budget. Wolfington stated he reviewed the agreement with the City Attorney. It was moved by Claussen, seconded by Hess and passed unanimously to approve the West Central S.W.A.T. Team agreement.

Next was discussion on a possible bathroom at Roosevelt Park. Wolfington said maintaining a permanent structure would not be feasible, but a port-a-potty maintained by a local vendor with fencing for aesthetics may be possible. Claussen said there are public restrooms at the Library and Courthouse which are both nearby. After more discussion, it was decided by the Council to look into this closer to spring.

It was moved by Hess, seconded by Claussen and carried unanimously to approve a pay request from Community Education for the 2011 Summer Recreation program in the amount of \$15,712.48.

The Council reviewed the 2012 Benson Area Tourism Budget Proposal. It was moved by Landmark, seconded by Claussen and passed unanimously to approve the 2012 Tourism Budget. The Council asked to have David Stewart, Chamber Manager, attend the next Council meeting to review the budget in detail.

Wolfington informed the City Council it was time to renew the natural gas franchise with Centerpoint Energy. He will be discussing the agreement with the City Attorney and it will be on the next agenda.

Next on the agenda was the digital sign located at the intersection of 14th St. N. and Atlantic Ave. Earlier this year it was hit by lightning. The sign's function ability is deteriorating. One estimate for replacement would be \$14,995.00. Other possibilities for the sign were discussed. This item was tabled in order to obtain more information and analysis.

Missouri River Energy Services (MRES) Dedicated Capacity Agreement Capacity Payment was next on the agenda. Wolfington said he and several other communities met with MRES staff a couple months ago to discuss and understand their only offer which establishes rates from 2012 through 2018. After discussion it was moved by Landmark, seconded by Claussen and passed unanimously to approve appendix A of the agreement with MRES for the Dedicated Capacity Agreement Payment Schedule.

Public Works Director Nelson explained to the Council the City's Wellhead Protection Plan requires the plan be updated every 10 years. This has been delayed due to the Water Treatment Plant construction. The state fills out the plan for us due to our population, but requires us to appoint a committee. Nelson suggested the Council as a whole could comprise the Wellhead Protection Committee. It was moved by Hess, seconded by Claussen and passed unanimously to appoint the City Council as the Wellhead Protection Committee and to include this with other committee appointments at the organizational meeting in January.

It was moved by Landmark, seconded by Claussen and passed unanimously to approve the final pay request from Harold K. Scholz in the amount of \$37,327.60 for the electric switchgear and control panels.

It was moved by Claussen, seconded by Hess and passed unanimously to approve pay request No. 3 from KHC Construction in the amount of \$360,356.00 for work on the Water Treatment Facility.

It was moved by Hess, seconded by Claussen and passed unanimously to approve a pay request from T & K Kennedy Excavating in the amount of \$41,727.00 for demolition of the Benson Market building.

The Mayor read the election judge report from the November 8 General Election. It was moved by Landmark, seconded by Hess and carried unanimously to accept the report and declare the following results:

	Precinct 15 North Side	Precinct 20 South Side	Total
Registered Voters	871	876	1,747
Votes Cast	366	340	706
Percent Voter Turn-out			40%

**FOR THE OFFICE OF MAYOR
One – 2 Year Term**

	Precinct 15 North Side	Precinct 20 South Side	Total
Paul Kittelson	352	313	665
Write-Ins	6	10	16
Over Votes	0	1	1
Under Votes	<u>8</u>	<u>16</u>	<u>24</u>
Total Votes	366	340	706

**FOR THE OFFICE OF COUNCIL MEMBER
Two – 4 Year Terms**

	Precinct 15 North Side	Precinct 20 South Side	Total
Sue Fitz	331	313	644
Michael Fugleberg	309	297	606
Write-Ins	1	5	6
Over Votes	0	2	2
Under Votes	<u>91</u>	<u>63</u>	<u>154</u>
Total Votes	732	680	1,412

QUESTION NO.777

	Precinct 15 North Side	Precinct 20 South Side
Yes	283	258
No	82	80
Over Votes	0	0
Under Votes	<u>1</u>	<u>2</u>
Total Votes	366	340

Results:

Paul Kittelson is the duly elected Mayor for the two-year term beginning the first business day of 2012.

Sue Fitz and Michael Fugleberg are duly elected to four-year terms on the City Council beginning the first business day of 2012.

Councilmember Claussen offered the following Resolution and moved its adoption:

**RESOLUTION SETTING ASSESSMENTS FOR CURRENT SERVICES
BY THE CITY OF BENSON, MINNESOTA FOR 2011 PAYABLE 2012
(RESOLUTION NO. 2011-22)**

BE IT RESOLVED, by the Benson City Council that the following assessments for 2011 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 December 1, 2011 and placed on the tax roll for collection with the taxes collectable in 2012.

Charges	Name & Mailing Address	Legal Description & Parcel No.	Amnt Due
Mowing Charges @ 1106 – 13 th St. No.	Angela Fennell & Thomas Rickar 1033 – 13 th St. No. Benson	Sec. 5, Twp. 121, Range 39 Benson Acre Lots 23-1356-000	\$675.00
Mowing Charges @ 402 – 15 th St. So.	Bank of America P.O. Box 650070, Dallas, TX	Lot 1, Block 7, McKinney's 1 st Addn. 23-0450-000	\$712.50
Mowing Charges @ 205 – 17 th St. So.	Harold Schwendemann & MaryJo Kiefert 1815 Aga Dr., #106 Alexandria, MN	Lots 19 & 20, Block 43 Morris & Paytes Addn. 23-0277-000	\$375.00
Diseased Elm Tree Removal	Mark Fennell 1812 Atlantic Ave., Benson	Sec. 6, Twp. 121, Range 39 Benson Acre Lots, 23-1425-000	\$1,908.00
Mowing Charges @ 860 Montana Ave.	RMA Investments LLC 337 Lindsay Rd, Hudson, WI	Lots 1-12, Block 1 East Heights Addn. 23-1322-000	\$150.00
Utility Pole Damage at 1935 McKinney Ave.	Cory Grussing & Jamey Verhelst 1935 McKinney Ave., Benson	Lot 3, Block 5 Tatges 1 st Addn. 23-0992-000	\$240.00
Diseased Elm @ 903 – 13 th St. N.	James Gulbranson 1575 FW Wayzata Blvd., Apt. F Long Lake, MN 55356	Lot 1 & part Lot 2, Block 3, Sunwall Addn. 23-0742	\$1,570.35
TOTALS			\$5,630.85

Councilmember Hess seconded the foregoing Resolution and the following vote was recorded: AYES: Kittelson, Hess, Claussen, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2011-22 duly passed and adopted.

Councilmember Landmark offered the following Resolution and moved its adoption:

**RESOLUTION SETTING ASSESSMENTS FOR WATER AND
SEWER SERVICES RENDERED BY THE CITY OF
BENSON, MINNESOTA FOR 2011 PAYABLE 2012
(RESOLUTION NO. 2011-23)**

BE IT RESOLVED, by the Benson City Council that pursuant to Minnesota Statutes Chapter 444 that the assessment roll for 2011 Sewer and Water Bills as prepared by the City Manager is hereby approved and made a part therefore; and,

BE IT FURTHER RESOLVED, that the assessments hereinafter noted shall be submitted to the County Auditor on or before December 1, 2011 and placed on the tax roll for collection with the taxes collectable in 2012.

Account Number, Name & Address	Legal Description & Parcel No.	Sewer	Water	Totals
102-0004-00-01 206 10 th St. N Penelope Erickson	Lots 13,14,15 Block 3 23-0020-000	\$291.00	\$6.36	\$297.36
102-0140-00-01 401 9 th St. N JPMC Specialty Mortgage, LLC	Lots 9, 10 Block 1 23-0003-000	\$88.20	\$56.55	\$144.75
201-0093-00-01 313 16 th St. N Nicholas and Danielle Wrobleski	Lot 2, Block 1 McKinney's 3 rd Addition 23-0503-000	\$98.62	\$29.05	\$127.67
202-0011-00-03 1700 Atlantic Avenue Jeremiah & Bonnie L. Johnson	Lots 1-4, Block 48 Morris & Payte's Addition 23-0305-000	\$196.00	\$170.31	\$366.31
302-0032-00-02 406 15 th St. S Bank of America	Lot 3, Block 7 McKinney's 1 st Addition 23-0452-000	\$336.28	\$26.20	\$362.48
302-0034-00-03 402 15 th St. S Stacy Grussing & John P. Larson	Lot 1, Block 7 McKinney's 1 st Addition 23-0450-000	\$291.00	\$6.36	\$297.36
304-0007-00-01 205 17 th St. S Harold Schwendemann	Lots 19 & 20, Block 43 Morris & Payte's Addition 23-0277-000	\$314.00	\$6.36	\$320.36
402-0032-00-02 309 12 th St. S Sabrara Deitchman	Lots 31 & 32, Block 4 Railway 1 st Addition 23-0359-000	\$122.50	\$56.36	\$178.86
403-0023-00-02 601 13 th St. S Bank of America	Lot 1, Block 2 Hansen's Addition 23-0757-000	\$193.37	\$105.02	\$298.39
403-0054-00-26 1307 Minnesota Avenue Bernard Drivdahl	Lot 1 & Pt of Lot 2, Block 1 Hansen's Addition 23-0751-000	\$341.97	\$140.47	\$482.44

TOTALS		\$2,272.94	\$603.04	\$2,875.98
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Councilmember Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Kittelson, Hess, Claussen, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2011-23 duly passed and adopted.

A Motion was made by Claussen, seconded by Landmark and carried unanimously to approve the bills and warrants in the amount of \$617,518.98

It was decided to table the Joint Powers Agreement between the City of Benson and the BCA until the County Attorney will be able to attend the meeting.

There being no other business, a motion was made by Landmark, seconded by Claussen and carried unanimously to adjourn the meeting at 6:22 p.m.

Mayor

City Clerk