

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
FEBRUARY 19, 2013**

The meeting was called to order at 5:30 p.m. by Mayor Kittelson. Members present: Gary Landmark, Sue Fitz, Mike Fugleberg & Paul Kittelson. Members Absent: Ben Hess. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Assistant City Attorney Ben Wilcox, Fire Chief Mark Schreck, Firemen Dave Vollan, Rob Lee, Bob Hoberg and Brad Pecora, Landteam's Tom Klemenhausen and Jay Alsaker.

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

- February 4, 2013 City Council Meeting
- January 7, 2012 Planning Commission Meeting

It was moved by Fugleberg, seconded by Landmark and carried unanimously to approve a gambling permit for the Ducks Unlimited Banquet on April 6, 2013.

The Mayor noted vacancies on Boards and Commissions.

Wolfington presented a letter of support from the Southwest Initiative Foundation with their 2013 budget. After discussion, it was agreed upon by the Council to forward this on to the EDA for review.

The City Manager will be attending the International Biomass Conference in Minneapolis, Minnesota April 8-10, 2013.

Wolfington presented the firearm ordinance to the council. After discussion, it was moved by Landmark, seconded by Fitz and carried unanimously to approve the 2<sup>nd</sup> Reading of An Ordinance to Amend Title XIII: General Provisions, Chapter 103: General Offenses; § 130/01 of the Benson City Code of 2003.

Next Fire Chief Schreck came before the Council and presented the 2012 Fire Department Report. Schreck reviewed the report. He stated the 800 mhz radios went into service on September 1, 2012, and older radios that could be re-programmed were given to the public works departments at the City. He thanked the Council for replacing the old Tanker #1. Looking ahead to 2013 Schreck mentioned the roof over their air pack room is leaking and will need fixing. The standard operating procedures are being reviewed and they are putting out a training calendar for the firemen to see in advance. The Council thanked the firemen for their report.

It was moved by Fitz, seconded by Fugleberg and carried unanimously to approve a Special Use Permit to allow disposing of septic tank sludge and holding tank sewage into the Benson Wastewater Facility for 2013 to RG, Inc.

Wolfington presented the revised feasibility study for the Northwest Levy. Tom Klemenhausen from LandTeam came before the Council and reviewed the study. Klemenhausen stated the old study only addressed one style of flood barrier to sit on top of an earthen levy. This study addresses 3 styles and costs for each. The levee on the Golf Course road would consist of more class 5 gravel fill, whereas a change on the north levee would have a clay core for better support. There was discussion on how high to build the levee, and not including the cost of barriers in the project. It was agreed that no matter what is done with the levee, the affected homeowners will need to carry flood insurance. Wolfington agreed insurance should be their first line of protection, and the levee would be second.

Klemhagen explained the Railroad Bridge study. The conclusion is if the bridge is replaced, it will only change the 100 year floodplain by two feet, leaving the majority of the homes in the 100 year floodplain.

Discussion continued on the next step in the process. Wolfington said if a public hearing is set, it will tie our efforts to the DNR Grant money, which we could lose if we don't move forward. The DNR will give us a \$150,000 grant toward a permanent structure, with the rest of the project funds coming from assessments on other city funds. Wolfington stated he hasn't heard from any homeowners since the increases in flood insurance.

Discussion turned to the storm sewer plugging, which could include sluice gates, which are expensive. Wolfington stated there are the options, if there are no assessments, to use the new storm water fund and/or capital outlay to pay for these.

Discussion turned to the first step of the process of acquiring properties to place the levee. The Council decided there needs to be a meeting with land owners first to see if the City can acquire the property. There was discussion about not constructing a levee. Klemhagen stated it will cost \$285,000 to construct just the levee. Wolfington said \$150,000 will be from DNR grant money, \$120,000 could come from Capital outlay and the rest from the storm sewer utility fund, if there are not assessments.

After discussion, it was moved by Landmark, seconded by Fitz and carried unanimously to appraise land that needs to be acquired for an easement, and to have a public hearing with affected property owners on April 6, 2013, to discover whether or not the project is feasible. It was suggested the Golf Course Board, and immediate landowners be at the meeting.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve bills and warrants in the amount of \$599,556.74.

There being no other business, a motion was made by Landmark, seconded by Fugleberg and carried unanimously to adjourn the meeting at 7:27 p.m.

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Mayor

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City Clerk