

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
APRIL 3, 2017**

The meeting was called to order at 5:30 p.m. by Mayor Landmark. Members present: Terri Collins, Jack Evenson, Gary Landmark, Stephanie Heinzig & Lucas Olson. Members Absent: None. Also present: Director of Finance Glen Pederson, Director of Public Works Dan Gens, Police Chief Ian Hodge, Assistant City Attorney Ben Wilcox, Terry & Nate Sullivan, Gail & Steve Svor, Community Ed Director Shelly Vergin, Angela Thompson, Cathy Jacobson, Mimi Naig, Wendy Munsterman, Marty Benson, Wesley & Raelynn Watkins, Jan Baukol, Anita Flodstrom, Lorrie Alsaker, Benson School Superintendent Dennis Laumeier, Mary Langan, Jason Brisson from UMRDC and Sara & Jonathan Reich.

The Council recited the Pledge of Allegiance.

Mayor Landmark asked for any changes to the agenda. Pederson asked to add a pay request from Widseth, Smith and Nolting (WSN), and the Mayor added City Hall project. No consent agenda items were moved to the regular agenda. A motion was made by Evenson seconded by Collins and carried unanimously to approve the agenda as presented. It was moved by Collins, seconded by Evenson and carried unanimously to approve the following items on the Consent Agenda:

- March 20, 2017 City Council Minutes
- February 16, 2017 EDA Minutes

- The following General licenses effective April 3, 2017:

Roller skating License:

Svor's Family Roller Rink

Garbage Collection License:

Mattheisen Disposal

Sewer Tap License:

Grossman Plumbing and Heating

Hawley's Inc.

Craig's Refrigeration

Rapid Response Plumbing & Heating

T & K Kennedy Inc.

- Correspondence from Western Area Power Administration announcing a rate increase and informational webinar.

The Mayor announced the plan for adding City Hall on to the Armory has been put on hold for now. Pederson reminded the Council we do have a contract with WSN to present the City with plans and drawings of the project. It was the consensus of the Council to put further planning on hold.

The Mayor asked for people with unscheduled business. Gail Svor asked how long the Council will be putting the City Hall project on hold, and if there will be a public meeting should the project move forward. Other audience members voiced concerns about the youth not having skating available if the project moves forward and consumes 40% of the gym space currently used for roller skating. Collins stated they don't look to remove skating but also need to be fiscally responsible. Heinzig noted there are many other projects in City infrastructure that also need attention. The Mayor thanked the citizens for attending.

Nate & Terry Sullivan with Patrick's Pub & Grill approached the Council with a street dance and street closure request for July 15 which is Kid Day weekend. After discussion it was moved by Evenson, seconded by Olson and carried unanimously to approve the street closure of 13th Street South between Pacific and Kansas Avenues between the hours of 6 a.m. Saturday, July 15 until 3a.m. Sunday, July 16, 2017. Sullivans further verbally requested to use of the parking stalls on the east of their building to set up

for an outdoor bar-b-q Friday, July 14 at 1 p.m. The Mayor directed the Sullivans to contact their neighboring businesses. It was moved by Collins, seconded by Olson and carried unanimously to approve Patrick's Pub and Grill closing the diagonal parking spaces to the east of their building 1pm Friday July 14, 2017 until 6 a.m. Saturday, July 15, 2017.

Next Vergin and Laumeier approached the Council to discuss the potential Infant and toddler daycare center. Vergin stated she is working through the licensing. They explained where in the school the daycare facility would be located. Laumeier said they are committed to contributing up to \$10,000 per year toward possible operating deficit, as well as in kind donations of day to day expenses such as utilities, insurance, rooms and building maintenance. There has been no financial commitment from any private entities. There was discussion of possible EDA assistance toward operating deficits. The Council thanked the school for their work addressing the community day care needs.

Chief Hodge and Wendy Munsterman approached the Council in reference to three evergreens located on her north boulevard. They have grown large and are a visibility safety issue for motorists approaching the intersection of 12th Street South and Minnesota Avenue. Pictures of the intersection from all four directions were reviewed by the Council. The Council directed Munsterman to remove the west tree and trim up the other trees before May 1, 2017. At that time, Chief Hodge will re-evaluate if the other trees will need to be removed.

The request to go out for bids for a motor grader was next. It was moved by Collins, seconded by Evenson to table bids for a motor grader until the April 17, 2017 Council meeting.

Councilmember Collins offered the following resolution:

Resolution No. 2017-07

Resolution Identifying "Slum and Blight" Conditions in a targeted area of the City of Benson (for targeted commercial rehab)

WHEREAS the City of Benson is undertaking a program of commercial downtown revitalization and redevelopment, and

WHEREAS the City of Benson has identified a specific area hereinafter referred to as the "Slum and Blight" area in which revitalization activities will occur, and

WHEREAS the Benson City Council has assessed the target area for purposes of the 2017 SCDP Grant application and determined that the area can be characterized as blighted by reason of "dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light, and sanitary facilities, excessive land coverage, deleterious land use, or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community" in accordance with Minnesota Statute 469.002, Subd. 11. Of the 49 parcels within the target area, 36 of them are occupied by buildings or other improvements. Of the 36 buildings in the target area, 15 of them are structurally substandard and 0 are dilapidated.

FURTHERMORE the Benson City/County Council has identified deteriorating conditions due to the inability of commercial structures to meet codes, and general deterioration of building exteriors in the downtown area.

NOW THEREFORE BE IT RESOLVED, by the City Council of Benson, Minnesota, that the area identified as the target area in the attached map is characterized by conditions meeting the definition of "Slum and Blight."

Councilmember Heinzig seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Olson, Evenson, Landmark. NAYS: None. Thereupon the Mayor declared Resolution 2017-07 duly passed and adopted.

Next Wilcox and Hodge approached the Council about two properties in Benson with trash and junk in their yards. Wilcox stated the property owner will receive a notice of public hearing concerning their property two weeks before the meeting, as well as the notice being published in the newspaper. At the time of the public hearing, the Council will determine if in fact a nuisance does exist. After discussion, it was moved by Evenson, seconded by Collins and carried unanimously to hold a public hearing concerning the properties on May 1, 2017 at 5:30 p.m.

The Council discussed the hospital assisted living project and the request for TIF and the need for a public hearing on this. Councilmember Evenson offered the following resolution:

**CITY OF BENSON
SWIFT COUNTY
STATE OF MINNESOTA
RESOLUTION NO. 2017-08**

**RESOLUTION CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL
ON THE PROPOSED MODIFICATION TO THE DEVELOPMENT PROGRAM
FOR DEVELOPMENT DISTRICT NO. 3 AND THE PROPOSED
ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 7
THEREIN AND THE ADOPTION OF THE TAX INCREMENT FINANCING
PLAN THEREFOR.**

BE IT RESOLVED by the City Council (the "Council") for the City of Benson, Minnesota (the "City"), as follows:

Section 1. Public Hearing. This Council shall meet on June 5, 2017, at approximately 5:30 P.M., to hold a public hearing on the proposed modification to the Development Program for Development District No. 3 (the "Program"), and the proposed establishment of Tax Increment Financing District No. 7, (a housing district) and the proposed adoption of a Tax Increment Financing Plan (the "Plan") (together the "Program and Plan") therefor, all pursuant to and in accordance with *Minnesota Statutes, Sections 469.124 to 469.133*, and *Sections 469.174 to 469.1794*, inclusive, as amended, in an effort to encourage the development and redevelopment of certain designated areas within the City; and

Section 2. Notice of Public Hearing, Filing of Program and Plan. City staff is authorized and directed to work with Ehlers and Associates to prepare the Program and Plan and to forward documents to the appropriate taxing jurisdictions including Swift County and Independent School District No. 777. The City Manager is authorized and directed to cause notice of the hearing, together with an appropriate map as required by law, to be published at least once in the official newspaper of the City not later than 10, nor more than 30, days prior to June 5, 2017, and to place a copy of the Program and Plan on file in the City Manager's office at City Hall and to make such copy available for inspection by the public.

Councilmember Collins seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Olson, Evenson, Landmark. NAYS: None. Thereupon the Mayor declared Resolution 2017-08 duly passed and adopted.

Next was a pay request from Stantec for work evaluating the Wastewater plant and other data for a possible new business. It was moved by Evenson, seconded by Olson and carried unanimously to approve a pay request from Stantec in the amount of \$5,481.25.

The County Commissioners will be out of their meeting room due to remodeling at the Courthouse the last half of 2017. They submitted a request to meet in our City Council Chambers. It was moved by Collins, seconded by Evenson and carried unanimously to approve the County Commissioners use of our Council Chambers for their meetings as long as there is no conflict with our schedule.

Pederson gave an update on Excel Energy's plan to close Benson Power. He said it is very fluid and has changed several times. He said Wolfington has been meeting with legislators and the Governor in effort to have Benson Power excluded from the bill. Pederson said the Senate excluded the Biomass Mandate request and the House Ways & Means Committee is not voting until later in the week. The legislator will take a 10 day recess for the Easter holiday.

Next Pederson submitted a letter and agreement from Flaherty & Hood. They have been engaged to help with the lobbying process concerning Benson Power. They will be researching the 1994 existing bill and amendments and mandates with the biomass industry to evaluate our case and how we can strengthen it. It was moved by Collins, seconded by Heinzig and carried unanimously to approve the agreement with Flaherty and Hood as presented.

Hodge presented a proposal for architectural services for the police department building. After discussion, it was moved by Evenson, seconded by Heinzig and carried unanimously to approve the proposal for architectural services from WSN on the police department building as presented for a lump sum fee of \$45,850.00

Next was a pay request from WSN for work on the New City Hall project. It was moved by Evenson, seconded by Olson and carried unanimously to approve the pay request from WSN in the amount of \$9,010.00. Pederson stated he and Wolfington went to the WSN office in Alexandria and were impressed by the design.

It was moved by Collins, seconded by Evenson and carried unanimously to table the Council training until the next meeting.

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

The Mayor reconvened the meeting at 6:29 p.m. It was moved by Evenson, seconded by Collins and carried unanimously to appoint Reed Anfinson to the EDA Board with his term ending 12/31/2020.

It was moved by Evenson, seconded by Collins and carried unanimously to adjourn the Council meeting at 6:31 p.m.

Mayor

City Clerk