

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
AUGUST 15, 2011**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Paul Kittelson, Gary Landmark, Ben Hess, Sue Fitz and Bob Claussen. Members absent: None Also present: City Manager Rob Wolfington, Director of Public Works Elliot Nelson, Director of Finance Glen Pederson, Paul Dieter, Engineering Intern, Vicki Syverson, Swift County HRA Director and David Stewart, Chamber of Commerce Manager.

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

- July 5, 2011 City Council Meeting
- July 18, 2011 City Council Meeting
- July 21, 2011 EDA Meeting

The following correspondence was reviewed:

- Prom After Bash: It was moved by Hess, seconded by Fitz and carried unanimously to approve waiving the rental fee for the Prom After Bash to use the Armory on April 21, 2012.
- Pork in the Park: Logan Flegel informed the Council he would like to hold a "Pork in the Park" Fundraiser for his Eagle Scout Project.
- Benson Women of Today: It was moved by Fitz, seconded by Clausen and carried unanimously to approve waiving the rental fee in the Armory for the Holiday Expo on October 22nd, 2011.

Vicki Syverson, Swift County Housing and Redevelopment Authority (HRA) Director approached the Council requesting that they allow within the Benson City limits a special levy for the Swift County HRA to cover costs due to dwindling monetary resources. She stated it would cost a home valued at \$60,000 approximately \$1.25 per year. After discussion, Council member Fitz offered the following Resolution and moved its adoption:

**(RESOLUTION NO. 2011-12)
RESOLUTION APPROVING SPECIAL LEVY FOR
SWIFT COUNTY HOUSING AND REDEVELOPMENT AUTHORITY**

WHEREAS, THE Board of Commissioners of the Housing and Redevelopment Authority of Swift County, pursuant to the provisions of Minnesota Statutes, Section 469.033, have levied the housing and redevelopment tax to be collected in 2012 subject to approval of the Council of the City of Benson, Minnesota; and

WHEREAS, the housing and redevelopment tax is necessary for operating costs within the 2012 HRA budget:

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Benson that, pursuant to the provisions of Minnesota Statutes, Section 469.033, the housing and redevelopment tax levied by the Housing and Redevelopment Authority of Swift County, Minnesota, to be collected in 2012, is \$35,000 and, hereby approved.

FURTHER RESOLVED, and pursuant to the provisions of the Minnesota Statutes 469.033, the City Clerk is Hereby directed to certify this Tax Levy Resolution to the County Auditor of Swift County Immediately upon adoption and approval of the resolution.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Hess, Fitz, Landmark, Kittelson. NAYS: None. Whereupon, the Mayor declared Resolution NO. 2011-12 duly passed and adopted.

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

**(RESOLUTION NO. 2011-13)
RESOLUTION DESIGNATING LOCATION FOR ABSENTEE BALLOT VOTING FOR
2011 GENERAL ELECTION**

WHEREAS, the City of Benson is holding a General Election on November 8, 2011 to elect a Mayor and two (2) City Council members and

WHEREAS, the City of Benson has agreed to administer the absentee ballot process for School District 777 for their referendum election on the same date and

WHEREAS, the City is required to designate a location for absentee voting.

NOW, THEREFORE, be it resolved that City Hall, 1410 Kansas Avenue, Benson, MN 56215 is designated as the location for absentee voting at the City General Election and Independent School District 777 excess levy referendum election.

Council Member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Hess, Fitz, Landmark, Kittelson. NAYS: None. Whereupon, the Mayor declared Resolution NO. 2011-13 duly passed and adopted.

Wolfington addressed the scenario of citizens possibly installing home generators, wind turbines and solar reflectors, and how they can affect the electrical grid. Missouri River Energy Services (MRES) adopted a workbook of procedures how to tie these items into the local grid, and requirements. Wolfington stated there are State law requirements for installing the turbines and solar reflectors, and the City may need zoning regulations to address this. It was moved by Claussen, seconded by Hess and carried unanimously to approve the First Reading of An Ordinance to Amend Chapter 53, Electric, of the City of Benson to Provide For Power Production and Co-Generation.

August 15, 2011

Next on the agenda Wolfington said the City was approached by consulting engineers Bolton & Menk, Inc. about conducting a railroad quiet zone study. It will cost \$5,000 for the study, and at the conclusion there will be a list of requirements that will need to be met in order to achieve the quiet zone status in downtown Benson. Any expenses to upgrade to meet quiet zone requirements would be the City of Benson's expense. Fitz stated the trains blow their horn as a warning and had concerns about possible changes to the crossings. David Stewart from the Chamber of Commerce shared that he talked with other towns that had applied for the quiet zone status. Some towns have spent as much as \$240,000 to complete upgrades to meet the quiet zone requirements, and were happy with the results. He also stated there was positive feedback from local businesses about a quiet zone. It was agreed by the Council to invite Bolton & Menk to either join the City Council or conference call with them at the next meeting on September 6, 2011.

Wolfington shared information from our Dedicated Capacity Agreement with Missouri River Energy Services that allows for a new price to be negotiated by the end of 2011, as well as the possibility to extend the term of the agreement. Wolfington stated he is attending a meeting in Sioux Falls, SD tomorrow to discuss these issues.

Next on the agenda was information from the Minnesota Department of Agriculture and their review of the Benson Market site and what requirements there are for the site before it can be used by a business again.

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

(RESOLUTION NO. 2011-14)
RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT
WITH THE STATE OF MINNESOTA TO PROVIDE
PUBLIC TRANSPORTATION SERVICE IN THE CITY OF BENSON

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: Claussen, Hess, Fitz, Landmark, Kittelson. NAYS: None. Whereupon, the Mayor declared Resolution NO. 2011-14 duly passed and adopted.

It was moved by Fitz, seconded by Hess and carried unanimously to approve a pay request from States Border Construction, Inc. in the amount of \$51,463.40 for pay request number 2 for the Sandy's Lift Station Renovation.

It was moved by Claussen, seconded by Landmark and carried unanimously to approve a pay request from TDK Engineering in the amount of \$10,442.75 for professional services on the airport layout plan.

It was moved by Hess, seconded by Fitz and carried unanimously to approve a pay request from Bonestroo in the amount of \$15,404.42 (\$3,764.00 City of Benson General, \$10,522.64 Water Treatment Plant Improvements, \$1,117.78 Sandy's Sanitary Lift Station Renovation).

Public Works Director Elliot Nelson introduced Survey/Engineer Intern Paul Dieter who has done work for the City the past two years. Paul presented the Council with maps of City infrastructure he has mapped and created.

Wolfington informed the Council on the Creamery demolition schedule. He stated September 8, 2011 would be the construction walk through, bidding on September 16, 2011 and project completion by December 31, 2011.

Wolfington informed the Council of variance changes made by the State of Minnesota that will require residents to show a practical difficulty when applying for a variance. He also presented a new application for the landowner that will help define and cover specifics referring to the ordinance and state requirements. It was moved by Fitz, seconded by Claussen and carried unanimously to approve the First Reading of An Ordinance to Amend Title XV: Land Usage, Chapter 154: Zoning: § 154.177 of the Benson City Code of 2003.

Pederson presented the July 31, 2011 budget report to the Council.

It was moved by Claussen, seconded by Fitz and carried unanimously to approve the bills and warrants in the amount of \$396,509.80.

It was moved by Landmark, seconded by Claussen and carried unanimously to adjourn the meeting at 6:25 p.m.

Mayor

City Clerk