

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
JUNE 8, 2009**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Anne Johnson, Bob Claussen, Gary Landmark, and Paul Kittelson. Members absent: None. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, Police Chief Jim Crace, Dan Wroge, and Todd Widseth.

There was no one under unscheduled business to come before the Council.

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

- a. May 18, 2009 Regular City Council Meeting
- b. May 26, 2009 Special City Council Meeting
- c. May 14, 2009 Joint Swift County RDA and Benson EDA Meeting
- d. May 21, 2009 Benson EDA Meeting
- e. April 8, 2009 Prairie Country RC & D Council Meeting
- f. May 4, 2009 SCBH Board Meeting

The City Manager reviewed the following correspondence with the Council:

- a. MN Dept. of Health RE: Benson Water Supply, PWSID 1760008.
- b. Dept. of Energy-WAPA RE: Notice of Final Procedures, Post-2010 Resource Pool, Pick-Sloan Missouri Basin Program-Eastern Division.
- c. Senator Gary Kubly dated 6.1.09 RE: American Recovery and Reinvestment Act 2009
- d. Youth for Christ of West Central Minnesota RE: Request to close the 1300 block of Kansas Avenue for a block party on July 14 from 7-9 pm. Todd Widseth informed the Council that they may need to change the date. It was moved by Landmark, seconded by Fitz and carried unanimously to approve the blocking of Kansas Avenue for a block party and to authorize the City Manager to work out the details with the Youth for Christ of West Central Minnesota.

The City Manager and Dan Wroge from PeopleService, Inc. informed the Council about the Maintenance and Operations proposal from PeopleService, Inc. to manage the wastewater treatment plant, lift stations and collection system. The contract is for five years and it is anticipated to be effective around July 15. There will be no reduction in current staff. It was moved by Landmark, seconded by Fitz and carried unanimously to authorize staff to finish negotiations for the contract and upon completion authorized the signing of the Maintenance and Operations contract.

It was moved by Landmark, seconded by Claussen and carried unanimously to authorize the Mayor and City Manager to execute the Small Cities Development Program Grant Agreement CDAP-08-0053-0-FY09.

The City Manager presented Amendment No. 1 to Mn/DOT Agreement No. 93506 to purchase a Class 400 transit vehicle. It was moved by Claussen, seconded by Johnson and carried unanimously to approve Amendment No. 1 to Mn/DOT Agreement No. 93506 as presented.

The Finance Director compared the Benson Golf Club first quarter financials for 2009 with the first quarter of 2008. 2009 is looking better than 2008.

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

**RESOLUTION PROVIDING FOR THE SALE OF  
\$1,025,000 G.O. WATER AND SEWER REVENUE BONDS, SERIES 2009A  
(RESOLUTION NO. 2009-09)**

- A. WHEREAS, the City Council of the City of Benson, Minnesota, has heretofore determined that it is necessary and expedient to issue the City's \$1,025,000 G.O. Water and Sewer Revenue Bonds, Series 2009A (the "Bonds"), to finance various water system improvements in the City and to refund the City's \$730,000 G.O. Water Revenue Bonds, Series 1998; and
- B. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent financial advisor for the Bonds and is therefore authorized to solicit proposals in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benson, Minnesota, as follows:

- 1. Authorization; Findings. The City Council hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
- 2. Meeting; Proposal Opening. The City Council shall meet at 7:00 pm on July 13, 2009, for the purpose of considering sealed proposals for and awarding the sale of the Bonds.
- 3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Johnson, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2009-09 duly passed and adopted.

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

**RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CREDIT  
ENHANCEMENT PROGRAM AGREEMENT WITH THE MINNESOTA PUBLIC  
FACILITIES AUTHORITY  
(RESOLUTION NO. 2009-10)**

- A. WHEREAS, the City Council of the City of Benson, Minnesota (the "City") proposes to issue its General Obligation Water and Sewer Revenue Refunding Bonds (the "Bonds"), the proceeds of which will be used to finance the costs of construction, improvement or rehabilitation of wastewater facilities, drinking water facilities and storm water facilities; and
- B. WHEREAS, the City Council hereby determines it is in the best interests of the City to apply to the Minnesota Public Facilities Authority (the "Authority") for credit enhancement of the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benson, Minnesota as follows:

1. Approval of the Authority's Credit Enhancement Program Agreement. The Authority's Credit Enhancement Program Agreement (the "Agreement") is hereby approved, the same being before the City Council and made a part of this resolution by reference.

2. Authorization to Sign Agreement and Related Forms. The Mayor, Administrator and Finance Director are authorized to sign the Agreement on the City's behalf and to execute any other related forms prescribed by the Authority with respect to the Agreement.

3. Agreement to Comply with Minnesota Statutes, Section 446A.086. The City is entering into the Agreement with the Authority pursuant to Minnesota Statutes, Section 446A.086 (the "Act") and the City hereby agrees to comply with and be bound by the provisions of the Act.

4. Submission of the Agreement. The Mayor, Administrator and Finance Director are hereby authorized to submit, on the City's behalf, the Agreement to the Authority, together with the nonrefundable application fee in the amount of \$500.

Member Johnson seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Johnson, Claussen, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2009-10 duly passed and adopted.

It was moved by Landmark seconded by Fitz and carried unanimously to authorize the Mayor and City Manager to sign the Thein Well Contract to construct Well No. 32 and Pumping Facility. The Council was informed that the local legislators were effective in expediting approval of the DNR permit to allow construction of the well.

The Police Chief informed the Council that the reported bank robbery at the Bank of the West on Sunday was not an attempted robbery and was also not a test.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the following Proclamation:

**PROCLAMATION  
SWIFT COUNTY RELAY FOR LIFE**

In recognition and support of the American Cancer Society Relay for Life

WHEREAS, Relay for life is the signature activity of the American Cancer Society and honors cancer survivors (anyone who has ever been diagnosed with cancer) and remembers those lost to the disease; and

WHEREAS, there are an estimated 10.8 million Americans with a history of cancer alive today; and

WHEREAS, this year alone, more than 1.4 million new cases of cancer will be diagnosed in the United States; 23,000 new cases here in the state of Minnesota; 78 new cases in Swift County; and with 9,000 people expected to die from cancer this year in Minnesota; including approximately 29 in Swift County...

WHEREAS, money raised during the American Cancer Society Relay for Life of Swift County helps support research, education, advocacy and patient services; and

WHEREAS, Relay for Life helps fund more than \$100 million in cancer research each year; and

NOW THEREFORE, be it resolved that we, the Benson City Council, do hereby proclaim June 19-20, 2009 as “Relay for Life Days in Swift County and encourage citizens to participate in Relay for Life of Swift County at the Northside Rec Area in Benson on June 19, 2009”.

It was moved by Claussen, seconded by Landmark and carried unanimously to adjourn the meeting at 6:18 p.m.

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Mayor

Attest: \_\_\_\_\_  
City Clerk