

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
DECEMBER 10, 2007**

The meeting was called to order at 5:30 p.m. by President Pro-Tem Gary Landmark. Members present: Sue Fitz, Anne Johnson, Gary Landmark, and Bob Claussen. Members absent: Paul Kittelson. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, and Public Works Director Elliot Nelson.

There was no one present with 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. November 26, 2007 Regular City Council Meeting
- b. November 13, 2007 Prairie Country RC & D Council Meeting
- c. October 29, 2007 SCBH Board Meeting
- d. November 21, 2007 Safety Meeting

The City Manager reviewed the following correspondence with the Council:

- a. MPCA dated December 4, 2007 regarding phosphorus limits at the WWTP
- b. Benson Area Chamber of Commerce dated December 4, 2007 - annual meeting invite
- c. Prairie Five Community Action Council – progress report on commercial projects for the Benson Small Cities Grant.

The Council was briefed on the following:

- a. Replacement Well Test Hole Estimated Construction Costs
- b. Aviation Fuel Quotes

The Finance Director informed the Council that the Benson Golf Club is in need of additional funds to be used to cash flow and for some improvements this spring such as window and siding replacement and a handicap ramp. It was moved by Claussen, seconded by Fitz and carried unanimously to approve a \$10,000 contribution to the Benson Golf Club with the contribution to come out of the EDA Fund.

The City Manager informed the Council on the following changes effective January 1, 2008: 1). Rate increase of 4.3% to MRES S-1 Power Sales Agreement, 2). Midwest MISO Market Implementation Agreement rate decrease from .5 mills to .1 mills per kilowatt-hour, and 3). Northern Cities Group Transmission rate increase from \$3.30 to \$3.45 per kW.

The City Manager informed the Council that Minnesota Valley TV Improvement Corporation would like to lease space on the City's water tower for an internet antenna. The City Attorney is drafting a contract for the Council to consider.

The City Manager informed the Council that the city of Appleton has expressed interest in contracting for one day a week of the Building Official's time. The Appleton City Council is discussing the request at their meeting on December 12. The Assistant City Attorney is drafting a contract for the Council to consider. The Building Official currently spends three days a week in Benson and two days a week in Morris. The City Manager anticipates if the Appleton request is approved that the Building Official's time in Benson would be decreased by one day to allow him to spend one day a week in Appleton.

The City Manager informed the Council that he and the Public Works Director are meeting with Morris staff on December 13 to discuss other sharing opportunities.

The Public Works Director informed the Council that the following three bids were received on November 28 to furnish Padmount Switches and 15 kV Power Cable:

Bidder	Proposal #1 Switches and Manufacturer	Proposal #2 Cable and Manufacturer	Comments
WESCO Inc. Eagan, MN	\$44,945.00 ABB	\$115,392.00 Kerite	Delivery Dates: Prop #1 - 8 weeks ARO Prop. #2 - 3/15/08 Prop #1 - Does not meet specs Prop #2 - Non-Firm Bid
RESCO Moorhead, MN	\$49,675.00 Federal Pacific	\$110,902.00 Prysmian	Delivery Dates: Prop #1 – 6-8 wks ARO Prop #2 – 9-12 wks ARO Prop #2 – Non-Firm Bid
Burmeister Electric Co Fargo, ND	\$56,895.00 S & C Electric Co.	\$103,755.00 Okonite	Delivery Dates: Prop #1 – 2/15/08 Prop #2 – Stock/Immediate Prop #2 – Firm Bid

DeWild Grant Reckert and Associates Company (DGR), Engineers for the Electric Distribution Improvement project, recommend awarding Proposal #1 for the Padmount Switches to RESCO in the amount of \$49,675 because the low bidder did not meet specifications and Proposal #2 for Power Cable to Burmeister Electric Co. in the amount of \$103,755. A conference call between DGR, the City Attorney and staff was held to discuss the bids. After a legal review, the City Attorney recommended awarding the bid for Proposal #1 to RESCO based on the low bidder not meeting specifications. It was moved by Fitz, seconded by Claussen and carried unanimously to award Proposal #2 for the 15 kV Power Cable to Burmeister Electric Co. in the amount of \$103,755. It was moved by Claussen, seconded by Johnson and carried unanimously to award Proposal #1 for the Padmount Switches to RESCO in the amount of \$49,675.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve Change Order No. 3 from Srock Construction for the Airport Improvement Project.

At 6:00 p.m. the President Pro-Tem opened the Truth in Taxation Public Hearing. There was no one present for the hearing. The City Manager gave a presentation on the 2008 budget, 2007 Significant Accomplishments and 2008 City Goals. It was moved by Fitz, seconded by Johnson and carried unanimously to close the hearing at 6:17 p.m.

The Public Works Director requested authorization to purchase a 1983 Fruehauf 14' Pup Rear Dump Trailer from Holt Motors in Cokato, MN in the amount of \$8,000. He informed the Council that the frame on the old trailer is cracked. Staff plans to salvage as much from the old trailer as possible and sell the box and lift. It was moved by Claussen, seconded by Fitz and carried unanimously to authorize staff to purchase the Dump Trailer as presented.

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

**RESOLUTION TRANSFERRING \$60,000 FROM
THE LIQUOR FUND TO THE GENERAL FUND
(RESOLUTION NO. 2007-25)**

WHEREAS, the City of Benson owns and operates a Municipal Liquor Store, and

WHEREAS, the City Council has budgeted to transfer \$60,000 from the Liquor fund to the General Fund for calendar year 2007.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$60,000 from the Liquor Fund to the General Fund.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Johnson, Landmark. NAYS: None. ABSENT: Kittelson. Whereupon the President Pro-Tem declared Resolution No. 2007-25 duly passed and approved.

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

**RESOLUTION TRANSFERRING 25% OF THE NET PROFIT
OF THE UTILITY FUND TO THE GENERAL FUND
(RESOLUTION NO. 2007-26)**

WHEREAS, the City charter allows for the transfer of no more than 25% of the net profit from the Utility Fund to any other fund in any one year provided that a ten year Capital Improvement Program has been studied and implemented and that the fund does not needs this money to fulfill its Improvement Program, and

WHEREAS, the City Council has adopted a ten year Capital Improvements Program as part of its 2006 Budget, and

WHEREAS, the City Council as part of its 2007 General Budget included a transfer of 25% of the net profit of the Utility Fund be transferred to the General Fund.

NOW, THEREFORE BE IT RESOLVED that the City Council transfers \$90,312.27 from the Utility Fund to the General Fund.

Council Member Johnson seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Johnson, Claussen, Landmark. NAYS: None. ABSENT: Kittelson. Whereupon the President Pro-Tem declared Resolution No. 2007-26 duly passed and approved.

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

**RESOLUTION TO APPROVE BUDGETED TRANSFERS
(RESOLUTION NO. 2007-27)**

WHEREAS, the City of Benson has maintained the following funds, and

WHEREAS, the City Council has determined that it is prudent to make transfers in 2007 in order to fund certain projects or programs.

NOW, THEREFORE BE IT RESOLVED that the following amounts be transferred from the following funds:

	Budgeted	Transferred
From Cemetery Perpetual Care to General Fund	\$ 1,000	\$ 1,000
From General Fund to Fire Department Bond Fund	\$10,540	\$10,540
From General Fund to Storm Water Fund	<u>\$10,000</u>	<u>\$10,000</u>
TOTAL	\$21,540	\$21,540

Council Member Johnson seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Johnson, Fitz, Landmark. NAYS: None. ABSENT: Kittelson. Whereupon the President Pro-Tem declared Resolution No. 2007-27 duly passed and approved.

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

**RESOLUTION CLOSING THE G.O. CAPITAL
FIRE NOTES 2002B FUND
(RESOLUTION NO. 2007-28)**

WHEREAS, in 2002 the City of Benson sold Capital Fire Notes to pay for the acquisition of Fire Department equipment, and

WHEREAS, on December 1, 2007 the final payment on these notes were paid in accordance to the debt schedule, and

WHEREAS, there remains a cash balance and delinquent tax receivable from the levy of taxes to make the debt service payments, and

WHEREAS, the City of Benson wishes to use the remaining funds for similar uses.

NOW, THEREFORE BE IT RESOLVED that all remaining funds in the G.O. Capital Fire Notes 2002B Fund be transferred to the G.O. Capital Outlay Fund and be used for Fire Department Capital Outlay.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Johnson, Landmark. NAYS: None. ABSENT: Kittelson. Whereupon the President Pro-Tem declared Resolution No. 2007-28 duly passed and approved.

It was moved by Fitz, seconded by Claussen and carried unanimously to schedule a special City Council meeting at 5:30 p.m. on January 2, 2008 in the City Council Chambers.

There was a brief discussion on changing City Council meetings in 2008 to the first and third Mondays due to a conflict with Hospital Board meetings. The Council will need to set the 2008 City Council meeting dates at the January 2 meeting.

It was moved by Claussen, seconded by Johnson and carried unanimously to adjourn the meeting at 6:33 p.m.

President Pro-Tem

Attest: _____
City Clerk