

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
MARCH 7, 2016**

The meeting was called to order at 5:30 p.m. by Mayor Landmark. Members present: Gary Landmark, Terri Collins, Jack Evenson, Jonathon Pogge-Weaver & Stephanie Heinzig. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Public Works Director Dan Gens, Police Chief Ian Hodge, Assistant City Attorney Ben Wilcox, Colleen Johnson, Heather Fajhe, Sally Jones, Fire Chief Mark Schreck, Jerry Peterson, Bob Hoberg, Dave Vollan, Rob Lee and Darlene Iverson.

The Council recited the Pledge of Allegiance.

Mayor Landmark asked for any additions or changes to the agenda. Wolfington asked to add the Benson Hockey Association Gambling Permit Application, Insurance Waiver and residence at 305 – 16<sup>th</sup> St. S. The Mayor noted the additions.

It was moved by Collins, seconded by Pogge-Weaver and carried unanimously to approve the agenda.

Wilcox approached the Council with revisions to an order for Hazardous Building and resolution. The terms for the first Order for Repair were not met by the homeowner. The current proposed order is for razing and removal. Any repairs must be completed by April 4, 2016 per building official satisfaction. After discussion, Councilmember Pogge-Weaver offered the following resolution:

**RESOLUTION TO ORDER REPAIR OF HAZARDOUS CONDITIONS.  
(RESOLUTION NO. 2016-09)**

WHEREAS, the City Council has heard the report of the City Building Inspector regarding the property located at 305 16th St. S. in Benson, Minnesota, legally described as Lot Ten (10), Block Two (2), McKinney's First Addition to the City of Benson, Swift County, Minnesota,

WHEREAS, the City Council has determined, based on said report, that conditions currently exist in the building on the above described property which make said building dangerous or substandard, as a result of garbage, waste and refuse buildup and damage to the electric, gas, and water systems on the premises,

NOW THEREFORE, pursuant to Chapters 93 and 97 of the City of Benson Code of Ordinances and Minnesota Statutes, chapter 463, The City Council of the City of Benson, Minnesota resolves:

1. That the building located on the above described property contains hazardous conditions according to the definitions provided by the City of Benson Code of Ordinances, chapters 93 and 97 and Minnesota Statutes, chapter 463.
2. That an order to repair said conditions or raze and remove the building on the above described property be served upon the owners of the above described property in accordance with the City of Benson Code of Ordinances, chapter 97.
3. That along with said order, the owners, tenants and any lienholders of the above described property will be served with notice of any hearing at which the Council will consider any

evidence offered by the person or persons having any estate or interest in the above described structure.

Councilmember Evenson seconded the foregoing Resolution and the following vote was recorded AYES: Collins, Landmark, Heinzig, Evenson, Pogge-Weaver. NAYES: None. Thereupon the Mayor declared Resolution 2016-09 duly passed and adopted.

Colleen Johnson and Heather Fajhe from the Benson Hockey Association approached the Council with a request for a gambling permit for an event this Saturday. They have spoken with the Minnesota Gambling Control Board, and are able to expedite the application upon approval from the City Council. After discussion, it was moved by Evenson, seconded by Heinzig and carried unanimously to approve a gambling permit for the Benson Hockey Association for March 12, 2016.

It was moved by Heinzig, seconded by Collins and carried unanimously to approve the following minutes:

- February 22, 2016 City Council Minutes
- January 21, 2016 EDA Minutes
- January 14, 2016 Cemetery Board Minutes
- February 10, 2016 Cemetery Board Minutes

Fire Chief Schreck and Fire Captain Vollan approached the Council and gave the 2015 Annual Fire Report.

Next Wolfington discussed the possible Heartland Express merger with Prairie 5 Rides. The Council conducted a conference call with Program Manager Ted Nelson. He discussed the Prairie 5 Rides program, service area, dispatch center and overall operations. Nelson said cost to the City would be up to \$7,000 per year. Wolfington discussed transit employees transitioning over to the Prairie 5 system. He stated the City will negotiate with the union for a fair severance package. Wolfington asked the Council to make a decision at the next City Council meeting as to the direction they would like to take the Benson Heartland Express.

Peterson and Jones approached the Council. Peterson discussed the commitment from the City Council last fall of \$60,000 toward operations for the 2016 year, along with \$40,000 for capital improvements. He also discussed the option of creating a new position of Director of Golf Course Operations, who would be a City employee and would manage the club house and grounds. Peterson felt this would be a good option for the \$60,000 commitment. Wolfington went on to say the Golf Course currently has a private lease with the City. In the 2013 wind storm, FEMA would not reimburse the Golf Course for their expenses as is a private entity, and a new management services agreement would help prevent this in the future. Wolfington presented a Draft Management Services Agreement for the Council to review. Jones stated she is looking at her capital improvement purchases for this year, and asked if the \$40,000 will be an annual contribution from the City. It was the consensus of the Council it was intended to be a contribution to be used for capital improvement for 2016. The Council will review the options discussed and make a decision at the March 21, 2016 Council meeting.

Wolfington presented a request from DoMats for Property Tax Abatement for their new grocery store property. He said it's an early request, and he has not seen a site plan, building costs or financials. This request will have to be assessed when we have all the information.

Wolfington said there is a lot at 207 – 11<sup>th</sup> St. S. that has \$20,000 in special assessments. Swift County has obtained it through forfeiture. They would sell it to the City for \$1. Wolfington said he has had two parties looking for lots. He proposed to the Council they acquire the lot and put it out for bids with construction requirements to build within a given time. After discussion it was moved by Heinzig, seconded by Evenson and carried unanimously to acquire the lot from Swift County in the amount of \$1.

Next was a request from City Attorney Don Wilcox for a rate for services increase. There has not been a rate increase in many years. Wolfington stated their rates are in line with other attorneys. After discussion, it was moved by Collins, seconded by Evenson and carried unanimously to increase the rate for services be increased to \$165.00 per hour, and rate for criminal prosecution be \$125.00 per hour.

Gens presented two quotes for Mosquito spray:

Univar	Kontrol 4-4	300 gallons at \$40/gallon	\$12,000
Clarke	Biomist 4-4	300 gallons at \$47.33/gallon	\$14,199

It was moved by Evenson, seconded by Collins and carried unanimously to approve purchasing mosquito spray from low bidder Univar in the amount of \$12,000.

Next was a quote for crack filler. It was moved by Collins, seconded by Heinzig and carried unanimously to approve purchase of \$7,500 lbs. of crack filler from Brock White in the amount of \$4,500.

Wolfington presented a request from the Swift County-Benson Hospital foundation for a donation of a family pool pass for the Emerald Eve Fundraiser April 8, 2016. Wolfington said it has a public purpose, to support the Swift County-Benson Hospital to raise funds to lower expenses at the hospital. It was moved by Collins, seconded by Heinzig and carried unanimously to approve the donation of a family pool pass for the 2016 season to the Swift County-Benson Hospital Foundation Emerald Eve fundraiser.

Next was an estimate for cement work for the new columbarium at the City Cemetery. This cement work is for the pillars in the ground and the surface cement the columbarium will sit on. After discussion, it was moved by Collins, seconded by Evenson and carried unanimously to approve the estimate from Molden Concrete Construction in the amount of \$6,163.50.

Pederson approached the Council with the City's Cafeteria Plan Agreements. He discussed the Select Account plan, FSA and HSA agreements. After discussion, it was moved by Collins, seconded by Evenson and carried unanimously to adopt the Select Account Plan and Summaries as presented.

It was moved by Collins, seconded by Evenson and carried unanimously to adopt the FSA Agreement as presented.

It was moved by Collins, seconded by Evenson and carried unanimously to adopt the HSA Agreement as presented.

Wolfington discussed public purpose donations. He said a request for donation from the City must meet three criteria; 1. The request for funds must serve a public purpose 2. It must have Statutory Authority and 3. There must be money in the budget for the request. He presented an "Application Requesting Funds from the City of Benson" form. He said we have gotten away from this form and would like to go back to this for requests for funds. Heinzig stated she went on the League of Minnesota Cities website and found a lot of information on this subject with references and a check list to help cities decided if the request for donation is allowed by a city. Wolfington said he would do more work on the form and process.

Next was a list of annual meetings held by the League of Minnesota Cities, Missouri River Energy Services and the Coalition of Greater Minnesota Cities. Wolfington encouraged the Council to attend any of these annual meetings.

Gens approached the Council. He and Wolfington discussed water samples tested over the last year. He said 8 of 20 samples have failed the copper test. This comes from the copper pipes in homes. Gens said they have put additives in the water to coat the pipes to prevent the copper leaching into the

water. Wolfington emphasized there is no lead in our water supply. With the new pump house, we are now drawing water from a deeper aquifer, which presents different water chemistry. The City has been working very closely with the Department of Health on the issue. In April the City publishes their annual Consumer Confidence Water Report. We are currently in the process of another sampling and hope we have solved the issue. A suggestion to the public is to let the water run for a bit before drawing from the faucet.

Each year the League of Minnesota Cities Insurance Trust members with liability coverage must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. After discussion, it was moved by Evenson, seconded by Heinzig and carried unanimously not to waive the liability coverage.

There being no other business, a motion was made by Pogge-Weaver, seconded by Evenson and carried unanimously to adjourn the meeting at 7:14 p.m.

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Mayor

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City Clerk