

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
JUNE 25, 2012**

The meeting was called to order at 5:30 p.m. by Mayor Kittelson. Members present: Paul Kittelson, Gary Landmark, Ben Hess and Sue Fitz. Members Absent: Mike Fugleberg. Also present: Director of Finance Glen Pederson, City Manager Rob Wolfington, Scott Vick, Dan Kobberman, Barbara Brown, Arlene Beyer, Assistant City Attorney Ben Wilcox, Conway, Dueuth & Schmiesing Auditors Patty Grube and Darrin Ogdahl, and Humane Society Representative Wendy Munsterman.

Barbara Brown approached the City Council about a metering problem in her town house on Ada Avenue that happened when they were built, giving her an elevated utility bill. Finance Director Pederson explained she was going to be compensated for the error going back to when she moved into the unit. Both Brown and Arlene Beyer thanked the Council for reconsideration of their accounts.

Wendy Munsterman announced to the Council the Waggin' Tails Dog Park on the west side of town is having their grand opening celebration on June 30, 2012 11am – 2pm. She also thanked the Council for the use of City land and assistance in construction.

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

- June 4, 2012 City Council Meeting
- June 4, 2012 Planning Commission Meeting

Next was a request from the Swift County-Benson Hospital Auxiliary asking the City of Benson to purchase advertising at their annual golf event. A motion was made by Landmark, second by Hess to approve both the electric utility and liquor store to sponsor a hole for \$150 each at the Auxiliary's Annual Golf Classic. The following vote was recorded: AYES: Kittelson, Landmark, Hess. NAYS: None. ABSTAIN: Fitz.

Wolfington reminded the Council of board vacancies on the Airport Advisory Board and Park Board.

It was moved by Fitz, seconded by Landmark and carried unanimously to approve a gambling application for the Northern Lights Trails Snowmobile Club.

It was moved by Fitz, seconded by Hess and carried unanimously to approve a gambling application for the Swift County Gobblers.

Next Dan Kobberman & Scott Vick approached the City Council about a bull riding and barrel racing event Kobberman would like to hold at the Shamrock Hest Riding arena. He would like to have a beer garden at his event as well and asked the Council for permission to hold the beer garden at the arena, since it's City property. Scott Vick with McKinney's will be catering and running the beer garden. Kobberman stated he has event insurance. Wolfington asked to be sure the insurance hold the City harmless from any liability for the event. After discussion, it was moved by Fitz, seconded by Hess and carried unanimously to grant permission to Dan Kobberman to hold the rodeo event and beer garden, contingent on permission from Shamrock Hest to hold the event on the site, and insurance certificate being presented to staff with exemption of City liability for the event. Wolfington invited Kobberman to see him at City Hall tomorrow to go over items that need to be addressed before the event.

Patty Grube and Darrin Ogdahl from Conway, Deuth and Schmiesing presented the 2011 Audit. It was noted that the City received a clean opinion with no management recommendations being made.

Next Cody Bailey approached the Council with a request to make a skate boarding park in the City. The Mayor asked him to come up what he would like to see in the park. After discussion, it was

decided to bring the issue to the Park Board. Questions the Council had were where to construct it, cost, liability to the City and input from staff.

There was discussion on a fire damaged garage at 212 – 15th St. S. The owner was at the May 7, 2012 meeting where there was an order to raze and remove the garage. At that time, the Building Official was to meet with the owner and determine what was needed to repair the garage, and the owner was given 30 days to complete the work. Assistant Attorney Ben Wilcox approached the Council stating there has been no repairs done to the garage. Wilcox stated the next step was an order to raze and remove the garage. If there is non-compliance, he will seek a judge's order to do so. It was moved by Fitz, seconded by Hess and carried unanimously to proceed with the order to raze and remove the dangerous garage at 212 – 15th St. S.

Wolfington and Wilcox discussed changes made to the first reading of the proposed Abandoned and Other Vehicle and Nuisance Ordinance. Wilcox stated the citation amount would be set by Council resolution, and if a vehicle is impounded, it will be a petty misdemeanor. It was moved by Landmark, seconded by Hess and carried unanimously to approve the Second Reading of City Ordinance Chapter 95: Abandoned and other Nuisance Vehicles.

Wolfington informed the City Council about a request from Shafer Contracting to lease a 250' square area of land at the old City dump site to use during a construction project they have with the Minnesota Department of Transportation, and to also construct a shallow well for use during the construction project. After review, it was suggested to add language to the contract that Shafer Contracting comply with all County Zoning Ordinances. It was moved by Landmark, seconded by Fitz and carried unanimously to approve the lease agreement with Shafer Contracting.

Chip Sealing bids were presented to the Council. Morris Sealcoat & Trucking, Inc. had a total bid of \$39,492.50, and Caldwell Asphalt Co., Inc. turned in a total bid of \$42,977.00. It was moved by Hess, seconded by Fitz and carried unanimously to approve the low bid from Morris Sealcoat & Trucking, Inc. in the amount of \$39,492.50.

Next was discussion on the second reading of establishing a stormwater utility. It was moved by Hess, seconded by Landmark and carried unanimously to approve the Second Reading of An Ordinance Of The City of Benson Minnesota Amending the City Code Chapter 50 By Establishing a Stormwater Utility At Section 55 Of the City Code.

Councilmember Hess offered the following resolution and moved its adoption:

**RESOLUTION ESTABLISHING STORM WATER UTILITY BASE RATE
(RESOLUTION No. 2012-12)**

WHEREAS, the Benson City Council has adopted an ordinance establishing Section 55, Stormwater Utility and

WHEREAS, the rate structure uses a base rate that is charged to each residential parcel and is also used to calculate the non-residential Stormwater fee.

NOW, THEREFORE, be it resolved that the following rate is hereby adopted:

Stormwater Base Rate \$2.00

Council Member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Fitz, Hess, Kittelson. NAYS: None. Thereupon Mayor Kittelson declared Resolution 2012-12 duly passed and adopted.

Next Pederson informed the Council one of the air conditioning units installed on the roof of City Hall in 1977 is in need of costly repairs. The roof of City Hall is in need of replacement, and funding for the roof is budgeted for. It makes sense to repair the roof before repair/replacement of the air conditioning unit. City Hall has several air conditioning units on the roof. He presented several scenarios how to approach repairs or replacement of one or possibly all air conditioning units. Because of the technical aspects it was discussed whether to hire a firm to do a HVAC study on the building and to make a recommendations on how to proceed, as well as prepare specs on roof replacement and help evaluate all bids. After discussion, it was moved by Fitz, seconded by Landmark and carried unanimously to hire a firm to do a HVAC study and assist with the project.

There was a pay request from Stantec for Water Treatment Plant Improvements. It was moved by Hess, seconded by Fitz and carried unanimously to approve Stantec's pay request in the amount of \$13,031.87.

There was a pay request from Ziegler Cat for Switchgear system testing. It was moved by Landmark, Seconded by Fitz and carried unanimously to approve Ziegler Cat's pay request in the amount of \$8,656.88.

The Director of Finance discussed with the Council the City Manager's Credit Card purchasing limit is currently \$5,000.00, and he would like to increase the limit to \$10,000.00. His card is used for various purchases for the City. There are times when parts may be ordered, along with other activity on his card, can cause an over-lap between purchases and payment, causing the current limit to be reached. It was moved by Fitz, seconded by Landmark and carried unanimously to increase the City Manager's credit card limit to \$10,000.00.

Pederson presented the budget report for May 31, 2012. He stated the Liquor Store is doing well.

It was moved by Landmark, seconded by Hess and carried unanimously to approve the bills and warrants in the amount of \$900,684.89.

Wolfington stated the next City Council meeting is scheduled to be held July 2, 2012. After discussion it was move by Hess, seconded by Landmark and carried unanimously to cancel the July 2, 2012 City Council Meeting.

Wolfington stated there will need to be a special City Council meeting on July 9, 2012 to hold 3 public hearings on public nuisances. If the properties are cleaned-up before this date, the meeting will not be necessary. It was moved by Hess, seconded by Landmark and carried unanimously to approve the special City Council Meeting on July 9, 2012 if necessary.

There being no other business, it was moved by Fitz, seconded by Hess and carried unanimously to adjourn the meeting at 6:32 p.m.

Mayor

City Clerk