

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
JUNE 3, 2013**

The meeting was called to order at 5:30 p.m. by the Mayor. Members present: Mike Fugleberg, Paul Kittelson Gary Landmark & Sue Fitz. Members Absent: Ben Hess. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Public Works Director Elliot Nelson, Bev Herfindahl Regional Department of Transportation Director, Ted Nelson Director of Prairie 5 Rides, Jim Zilka CenterPoint Energy Representative, Darlene Iverson, Val Cook, Serina Vergin AFSCME Representative, Police Chief Ian Hodge, Darrin Ogdahl and Patty Grube with Conway, Dueth and Schmiesing (CDS).

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

- May 20, 2013 City Council Meeting
- May 16, 2013 Safety Committee Meeting

The Mayor acknowledged openings on the Park Board and Benson Area Tourism Board. He also acknowledged an opening on the Upper Minnesota Valley Regional Development Commission (UMVRDC) Board and encouraged any councilmember to consider applying.

Mayor Kittelson acknowledged a thank-you from the Blood Mobile for allowing them to use the Armory for their last blood drive effort.

Next was a letter from the Minnesota Department of Natural Resources cancelling the grant agreement for the northwest area levee construction.

Wolfington will be attending the 2014 Transit Grant Workshop in Bemidji on June 5, 2013.

Police Chief Hodge approached the Council and explained the department had applied for a Grant through CenterPoint Energy's Community Partnership Grant. He said the department received a \$2,000 grant from CenterPoint energy. Jim Zilka presented Chief Hodge with a check that will be used toward updating a computer in one of the squad cars. Chief Hodge thanked Mr. Zilka for the generous grant.

Next Ted Nelson and Bev Herfindahl approached the Council. They discussed state & federal goals to merge smaller transits together. Cities like Benson will not be forced into merging with any other transit system, but will have additional personnel and equipment mandates, which will bring a heavy financial burden on the City of Benson to continue operating the Heartland Express independently. Herfindahl stated currently there are transition grants available. These grants will not be available in an estimated 2-3 years. Ted talked about Dawson and Montevideo merging with Prairie 5 Rides transit system, and feels it's been very successful. He shared all information on riders the drivers are currently writing down would be on an electronic tablet, and the information no longer has to be tracked on paper. The Council asked questions on how a merge could affect the current service. Ted said nothing on the street will be affected. Cost for the transition isn't known at this time. Ted Nelson answered questions from AFSCME Representative Vergin concerning employee benefits. Ted said if there will be a merge, June of 2014 would be the time to do this. The Council thanked Herfindahl and Ted Nelson for sharing the information with them.

Next Darrin Ogdahl and Patty Grube from CDS presented the 2012 Audit Report.

Elliot Nelson approached the Council with several water main and storm sewer projects that need to be done this summer. He mentioned 3 street projects which will require some concrete and bituminous work. He said going out for bids would be in order. Nelson stated he would like to open bids at 10:00 a.m. on June 17, 2013. It was moved by Fugleberg, seconded by Landmark and carried unanimously to proceed with the bid process on bituminous and concrete for 2013.

Nelson informed the Council there was a boy fishing in the Chippewa River near the railroad bridge on highway 9 west, and noticed a large sink hole. The boy called Nelson asking him to investigate the situation. Upon Nelson's assessment, he discovered a large storm sewer pipe that runs under the railroad tracks had deteriorated and there was a sinkhole near the tracks. The City called Stantec Engineers to come and televise the pipe and discovered the old clay tile pipe had deteriorated. Stantec has alerted Burlington Northern Santa Fe Railroad (BNSF), and are working with them to make a plan to repair the storm sewer. A rough estimate to repair the damaged pipe could run more than \$100,000.

Councilmember Landmark offered the following resolution:

**RESOLUTION TO CONTRACT DURING SPECIAL EMERGENCY  
(RESOLUTION 2013-07)**

**WHEREAS**, the City Council of the City of Benson has declared that a special emergency is in effect; and,

**WHEREAS**, immediate action to respond to the situation is needed in order to protect the health, safety and welfare of the community; and,

**WHEREAS**, the immediate hiring of a general contractor capable of making necessary repairs to the City's storm sewer system and the purchase of materials necessary for such repairs is required in order to effectively respond to the emergency; and,

**WHEREAS**, Minnesota statutes sections 365.37 and 415.01 provide that an emergency contract is not subject to the normal purchasing and competitive bidding requirements because of the emergency.

**NOW THEREFORE IT IS HEREBY RESOLVED** that the city manager is authorized, without requirement of notice or competitive bidding, to enter into a contract with a qualified contractor of his choice with the ability to make repairs to the City's storm sewer system needed to respond to the emergency that is in effect and to purchase such materials as may be necessary for such repairs.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Fitz, Kittelson, Fugleberg. NAYS: None. Thereupon the Mayor declared Resolution 2013-07 duly passed and adopted.

Nelson presented a pay request from Ziegler CAT for work on the catalytic converters on the generation equipment in the power plant. It was moved by Fitz, seconded by Fugleberg to approve the pay request from Ziegler CAT in the amount of \$140,967.59.

Nelson announced Highway 9 east out of Benson is scheduled for resurfacing late this summer.

Councilmember Fitz presented the following resolution:

**RESOLUTION TRANSFERRING \$60,000 FROM  
THE LIQUOR FUND TO THE GENERAL FUND  
(RESOLUTION NO. 2013-08)**

**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 2013.

**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 Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Fitz, Kittelson, Fugleberg. NAYS: None. Thereupon the Mayor declared Resolution 2013-08 duly passed and adopted.

Next Pederson discussed the Benson Golf Club Operating Line of Credit. It was moved by Landmark, seconded by Fitz and carried unanimously to approve the Benson Golf Club's operating line of credit at First Security.

Landmark said he's had three complains of junk accumulating in peoples yards. There was discussion on looking into adding the building official a day a week in Benson to address this and abandoned vehicle nuisances. It was the consensus of the Council to support staff efforts in enforcing these nuisance ordinances.

There was discussion on the old school house out at Ambush Park. It is scheduled for repairs to the foundation. There is \$40,000 in the budget to fix it. It was the consensus of the Council to bring the City Building Official to the next meeting and give a report before proceeding with the repairs.

There being no other business, a motion was made by Landmark, seconded by Fitz and carried unanimously to adjourn the meeting at 6:58 p.m.

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Mayor

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City Clerk