

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
JULY 21, 2014**

The meeting was called to order at 5:30 p.m. by the Mayor. Members present: Paul Kittelson, Jack Evenson, Stephanie Heinzig & Sue Fitz. Members Absent: Mike Fugleberg. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Director of Public Works Dan Gens, Police Chief Ian Hodge, Assistant City Attorney Ben Wilcox, Luke Schwartz, Police Sergeant Paul Larson, Police Officers Brennan Mcalpin, Dusty Burton, John Reigstad, Paula Wilson, Mike Nedeau, Police Administrative Assistant Kim Pierce, PeopleService Employees Chris Gutschow, Greg Stang and Randy Peterson.

It was moved by Fitz, seconded by Evenson and carried unanimously to approve the following minutes:

- June 16, 2014 City Council Meeting
- July 7, 2014 City Council Meeting
- May 15, 2014 EDA Meeting

It was moved by Heinzig, seconded by Fitz and carried unanimously to approve a gambling permit for the Swift County Gobblers for July 24, 2014.

It was moved by Evenson, seconded by Heinzig and carried unanimously to approve a gambling permit for Northern Lights Trails Snowmobile Club for November 7, 2014.

Wolfington said the new population and household estimates have been released from the Department of Administration. The April 1, 2013 Population estimate is 3,184, and the April 1, 2013 household estimate is \$1,459.

Wolfington reviewed correspondence from FEMA in reference to an application submitted by the Benson Fire Department for a new ladder truck. FEMA informed the Fire Department they were not approved for funds on this grant.

Wolfington shared a 2015 funding increase request from Pioneerland Library System. This request will be taken into consideration during 2015 budget planning.

Next was a request from Ambient Chiropractic for waived fees at the Armory for free stretching and low impact exercise classes. It was moved by Fitz, seconded by Evenson and carried unanimously to waive the Armory fees for the free exercise classes as long as Ambient Chiropractic staff works with City staff in scheduling the classes.

Wilcox approached the Council with the verdict from the BNSF vs the State of Minnesota case in reference to pending citations of violation blocking crossings in the City of Benson. Wilcox said the criminal charges against BNSF were dismissed because the Minnesota Statute 219.383, subd. 3 is preempted by the provisions of the Federal Railroad Safety Act. There was discussion on whether the City would proceed with an appeal. Wilcox explained the process, and stated it would be a costly endeavor. Wolfington said we have the railroad study that will be underway soon. He said he has heard in person and in writing BNSF is planning to put electrical switches underground and install satellite controls, so there is money going in to technology upgrades which will help train traffic in Benson. Wolfington said he feels Benson is unique in there are two state highways, one federal highway and three rail hubs that all come together in Benson, but the Judge on our case did not share the same view. It was agreed upon by the Council not to pursue an appeal through the court system, but maybe through the legislature we can make some headway along with other towns experiencing the same railroad issues as Benson is.

Next Greg Stang, Chris Gutschow and Randy Peterson approached the Council and gave a presentation and proposal for contract renewal for services at the wastewater treatment plant. The contract needs to be addressed no less than 90 days prior to December 31, 2014 or the contract will automatically renew for five more years. There was discussion and concern by the Council on the cost for services. The Council will need to review and make a decision whether to renew the contract with PeopleServices or explore other options.

Next it was moved by Evenson, seconded by Fitz and carried unanimously to approve the 2015 dues with the Coalition of Greater Minnesota Cities in the amount of \$5,596.

Councilmember Fitz offered the following resolution:

**RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT  
WITH THE STATE OF MINNESOTA TO PROVIDE  
PUBLIC TRANSPORTATION SERVICE IN THE CITY OF BENSON  
(RESOLUTION NO. 2014-12)**

2015 City of Benson Heartland Express

Resolved that the City of Benson, MN to enter into an Agreement with the State of Minnesota to provide public transportation service in the City of Benson.

Further resolved that the City of Benson agrees to provide a local share of 15% percent of the total operating cost and 20% of the total capital costs.

Further resolved that the City of Benson agrees to provide 100% of the local share necessary for expenses that exceed funds available from the State.

Further resolved that the City of Benson authorizes the City Manager and the Finance director to execute the aforementioned Agreement and any amendments thereto.

Council Member Evenson seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Kittelson, Evenson, Heinzig NAYS: None. Thereupon the Mayor declared Resolution 2014-12 duly passed and adopted.

It was moved by Evenson, seconded by Heinzig and carried unanimously to approve a small Cities grant payment in the amount of \$8,130.00

It was moved by Evenson, seconded by Heinzig and carried unanimously to approve a Small Cites grant payment in the amount of \$4,935.00

It was moved by Evenson, seconded by Heinzig and carried unanimously to approve a Small Cities grant payment in the amount of \$8,357.00.

Next was an estimate for repairs to the Line Department's Digger Derrick truck. The remote control has had several issues, and ABM Equipment has tried to repair the unit with no success. The truck is inoperable without the remote. The best option at this point is to buy a used unit. After discussion, it was moved by Heinzig, seconded by Fitz and carried unanimously to approve the purchase of a used remote for the Digger Derrick in the amount of \$15,000.

Wolfington presented final pay request number 2 from KHC Construction for work on repairing the trickling filter at the wastewater plant. It was moved by Fitz, seconded by Evenson and carried unanimously to approve the pay request in the amount of \$5,523.35.

Wolfington discussed the difficulty in recruiting members for all the boards and commissions that the City has. He discussed the possibility of reorganizing and combining like-minded boards. One suggestion was to combine the EDA, HRA and Tourism boards into one Economic Development Board, Library, Parks and Cemetery boards into a Culture and Recreation Board, and finally the Planning Commission and Airport Board into a Zoning Board. Wolfington said he has had good feedback from the current boards on the idea, and he is looking for feedback from the Council on the possible consolidation of the boards. If the Council decides to combine the boards and commissions, it will take amending the City Administrative Code. The Council directed Wolfington to draft the necessary amendments and bring them back to the Council for review.

Next Wolfington presented a possible Special Assessment Policy for Council Review. It will take a super majority vote to pass a Special Assessment Policy. The Council will review the policy and bring it back at a future meeting.

Gens and Schwartz approached the Council with evaluations done on the streets, sewer, water and storm water infrastructure. Gens stated he would like to see the City get back to a maintenance plan for the City infrastructure, and build these repairs into the budget. He went on to say there are two projects, one on McKinney Avenue from 19<sup>th</sup> St. S. to 21<sup>st</sup> St. S., the other is on Wisconsin Ave. from 15<sup>th</sup> St. S. to 18<sup>th</sup> St. S. These two projects are small and would be assessable projects. He outlined specific projects through 2018. Gens presented costs on the first two projects. LandTeam at no charge evaluated these projects and came up with the same cost for the projects. Wolfington said if the Council adopts the new assessment policy, there will be a lot of work and planning to do on the projects on McKinney and Wisconsin Ave.

It was moved by Evenson, seconded by Heinzig and carried unanimously to approve the bills and warrants in the amount of \$452,643.27.

Next Wolfington presented a matching contribution request from the Swift County RDA toward a comprehensive county-wide housing study. By conducting the study, it will allow the RDA to be eligible for federal and state funds for housing development incentives. After discussion, it was moved by Fitz, seconded by Evenson and carried unanimously to approve using existing HUD funds in the amount of \$5,450 toward the housing study.

There being no other business, a motion was made by Evenson, seconded by Fitz and carried unanimously to adjourn the meeting at 7:04 p.m.

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Mayor

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City Clerk