

City Council Regular Meeting Agenda
City Council Chambers
April 1, 2013

- Page
- 5:00 p.m. Personnel Committee Meeting
1. 5:30 p.m. Call the Meeting to Order at City Hall (Mayor)
 2. Persons with Unscheduled Business to Come Before the City Council (Mayor)
 3. Review the Consent Agenda: (Mayor)
 - a. Minutes:
 - 2-3 ▪ 3.18.13 City Council Meeting
 - 4-5 ▪ 1.17.13 EDA Meeting
 - 6-7 ▪ 3.14.13 Safety Committee Meeting
 - b. License Renewals: ▪ Roller Rink
 ▪ Garbage
 ▪ Sewer Tap
 - 8-13 c. Applications: ▪ Robyn Dehne – Park Board & Benson Area Tourism Board
 ▪ Berent Klemm – Park Board & Benson Area Tourism Board
 - Vacancies on Boards & Commissions:
 - Park Board – 4
 - Cemetery Board – 2
 - Benson Area Tourism Board – 3
 - EDA - 1
 - 14-15 c. Correspondence:
 - Countryside Public Health – Tobacco Compliance Summary
 - d. Travel:
 - International Biomass Conference – Minneapolis – April 8-10, 2013
 - ICMA Regional Conference – Bloomington - April 4-5, 2013
 - 16 4. Carol Gilbertson – In & Out Broken Water Pipe Charges
 5. Water Treatment Plant Manganese Removal Estimate
 - 17-19 6. Everstrong Construction - Pay Request #3 - \$54,381.52 – Airport Hangar
 - 20-28 7. 1st Reading of Ordinance Chapter 50: Utilities – Utility Billing Procedure Revisions
 8. New Chief of Police Recommendation – Personnel Committee
 9. Adjourn: Mayor

Draft

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
MARCH 18, 2013**

The meeting was called to order at 5:30 p.m. by Mayor Kittelson. Members present: Gary Landmark, Ben Hess, Mike Fugleberg & Paul Kittelson. Members Absent: Sue Fitz. Also present: City Manager Rob Wolfington and Public Works Director Elliot Nelson

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

- March 4, 2013 City Council Meeting
- February 4, 2013 Planning Commission Meeting

It was moved by Fugleberg, seconded by Hess and carried unanimously to approve the following liquor licenses effective April 13, 2013 contingent upon receiving the necessary paperwork:

Club On-Sale Liquor License:

Benson VFW

Sunday Liquor License:

Benson VFW
Benson Bowler
Benson Golf Club
Patrick's Pub & Grill
McKinney's on Southside

Off-Sale 3.2 Malt Beverage License:

Holiday Stationstore, Inc.

On-Sale Liquor License:

Benson Bowler
Benson Golf Club
Patrick's Pub & Grill
Mi Mexico
McKinney's on Southside

Sidewalk Café Permit

Patrick's Pub & Grill, LLC
Mi Mexico

Wolfington presented the annual case specific beneficial use determination report from FibroMinn.

It was moved by Hess, seconded by Fugleberg and carried unanimously to donate a family pool pass to the Swift County Benson Hospital Foundation's Emerald Eve Event.

The City Manager will be attending the International Biomass Conference in Minneapolis, Minnesota April 8-10, 2013.

It was moved by Landmark, seconded by Hess and carried unanimously to approve conducting the 2013 Residential Tagged Item Pick-Up May 1-3 as presented by the City Manager.

Public Works Director Nelson approached the Council with bids for the power plant catalytic converter upgrade to be completed by May 3, 2013. He stated five bids came in for the project as follows:

Meier Electric Inc. \$123,125.00
Mechanical Systems Inc. \$136,256.00
HiMEC Mechanical Inc. \$189,500.00
Midwestern Mechanical Inc. \$249,900.00
Farabee Mechanical Inc. \$373,230.00

DGR Engineering reviewed the bids and recommended the low bid by Meier Electric, Inc. It was moved by Fugleberg, seconded by Hess and carried unanimously to award the bid to Meier Electric Inc. from Marshall, Minnesota in the amount of \$123,125.00.

Next Nelson presented tire bids. There were two bids as follows:

Amundson Peterson Inc. \$18,898.00
Glacial Plains Coop \$16,561.29

After review, it was moved by Landmark, seconded by Hess and carried unanimously to go with the low bid from Glacial Plains Coop in the amount of \$16,561.29.

Nelson informed the Council the John Deere 1445 Series II Commercial Mower with cab has come in, and presented a pay request from Amundson Peterson. It was moved by Hess, seconded by Fugleberg and carried unanimously to approve Amundson Peterson's pay request in the amount of \$25,030.13.

Nelson informed the Council of a manganese problem at the water treatment facility. He has been working with the Department of Health and engineers for a remedy. He said he will have quotes to present to the Council at the next meeting. Wolfington stated that the cost will be rolled into the state bond for the plant.

It was moved by Fugleberg, seconded by Landmark and carried unanimously to approve bills and warrants in the amount of \$290,411.60.

Lastly, a conference call was made with Ms. Carol Gilbertson, owner of the old In & Out store. She had a broken water pipe, which wasn't discovered until the City read the water meter, and discovered water running in the building. Ms. Gilbertson claims most of the water ran out the door, and would like to have her sewer bill absolved, and hoped for the same with the water portion of her bill. Wolfington stated he felt the water portion could not be waived. When asked, Ms. Gilbertson stated there was ceiling damage and lower wall damage done to the inside of the building. After more discussion, it was agreed upon that Ms. Gilbertson and Elliot Nelson meet on Wednesday to go into the building and try to determine where the water drained away to. Ms. Gilbertson was asked to produce some proof of why she felt the water did not go down the drain in the building. The evidence will then be presented at the next City Council meeting for a final decision on how to deal with the sewer charges on her bill.

There being no other business, a motion was made by Landmark, seconded by Fugleberg and carried unanimously to adjourn the meeting at 5:49 p.m.

Mayor

City Clerk

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✓
1/20/13

EDA Regular Meeting January 17, 2013

Members Present: Paul Kittelson, Jon Buyck, Mike Fugleberg, & Rick Horecka
Members Absent: Leroy Noreen and Paul Estenson
Also Present: Rob Wolfington, Assistant City Attorney Ben Wilcox and Belinda Sanders

Vice Chairman Buyck called the meeting to order at 12:06 p.m.

It was moved by Horecka, seconded by Fugleberg and carried unanimously to approve the December 13, 2012 minutes.

Central Business District Projects

Wolfington informed the board the Benson Elevator South is now demolished and the project is complete. The city has purchased the old lumber yard on highway 9 west, and it will be demolished next summer. The highway 12 east electrical overhead to underground project will be completed in the spring. Two entrance signs have been purchased to be installed this spring.

Future Products Update

Wilcox stated he has been communicating with Lenz's attorney, and the loan agreement remains unsigned. The attorney returned the agreement with terms not agreed upon at the earlier meeting. Future Products has made extra payments on their utility bill, but nothing yet on the loan payment. Wilcox stated he will stay in contact with their lawyer.

International Biomass Conference

Wolfington stated the International Biomass Conference is in Minneapolis, MN this year. He has attended the meeting along with the Swift County RDA the past two years in Missouri and Colorado. He estimates the cost will be around \$3,000 and asked if the board is interested in sending him or another representative to this event. After discussion it was moved by Kittelson, seconded by Horecka and carried unanimously to send Wolfington to the Biomass Conference in Minneapolis MN in April 2013.

BIDC & EDA Working Group

The BIDC annual meeting is February 20, 2013. There was discussion on the possibility of sharing a member on each board to work together for economic development in the area. Goals of the BIDC were discussed. It was moved by Horecka, seconded by Kittelson and carried unanimously that the EDA purchase stock in the BIDC and participate actively with the BIDC Board.

RDA Update

Jennifer Frost said the RDA is currently working on the Business Needs Survey, year end and planning for items to be discussed at the March meeting. She said there has been quite a bit of activity with businesses working on micro-loans.

Small Cities Grant Application

Wolfington stated the grant has been submitted. The area concentrated on this time based on survey results is near the hospital. The City should hear in April or May if they will be a grant recipient.

Fibrominn Trucking Contract

When Fibrominn started, they contracted with Viesman to haul litter. They have been acquired by Jacobson Transport, and no longer have a need for the facility next to Fibrominn. There was discussion about how to get a business into that facility which is for sale.

T & S Concrete

Wolfington and Wilcox met with them today, and an agreement was drafted stating they have agreed to make reduced payments, which will be taken directly out of their account. Their situation will be reassessed in September of 2013.

The Loan Profile was reviewed. Wolfington stated he fully expects Carlson Machine to have refinancing completed by the end of January 2013.

It was the consensus of the board to elect new officers at the next meeting.

2012 & 2013 Year in Review

Wolfington recapped the 2012 accomplishments of the City and discussed the projected goals for 2013.

Other Business

Possible land uses were discussed for the Benson Market/Johnson Elevator site.

There being no other business, Fugleberg made a motion, seconded by Kittelson and carried unanimously to adjourn the meeting at 12:56 pm.

Vice-Chairman

Attest: _____
Secretary

Safety Committee Meeting

Thursday, March 14, 2013

9 AM

Members Present: Gary Searcy, Paul Larson, Rob Wolfington, Tim O'Conner, Wade Ascheman, Mike Hoffman, Elliot Nelson, Eric Stephen and Val Alsaker

Members Absent: John Goulet

Old Business

1. Checklists were turned in from Wastewater, Streets and Liquor Store with no noted items. Transit's check lists said no smoke or CO2 detectors. Val said she is working with Mike Jacobson on this. Water Department said they should probably look at decibel levels in the new water plant. It was agreed to have Ken Bouwman do a reading when he is here next week for our safety class. There were no check lists from Parks, Line Department or Line Garage.
2. Railing around clarifier was discussed again. There was a question whether there should be a flotation device by the clarifier if someone should fall in. Eric said he would look into that.
3. The signs are all in place at the new pump house.
4. The light out at the airport hangar was discussed.
5. The safety class with MMUA February 28, 2013 was reviewed and given a positive review.

New Business

1. There was an incident of a transit driver walking up the stairs in the garage, tripped on the step and fell onto the steps. The employee was slightly bruised.
2. There will be a safety class on Thursday March 21, at 12:30 at the Fire Hall. Class topic is basic NIMS, taught by Ken Bouwman with RISC.

Other Business

1. Rob talked about the Minnesota Safety & Health Conference coming up in May, and extended an invitation to one person to attend.
2. The City has two Self Contained Breathing Apparatus (SCBA), which were purchased as a rescue devices, in case someone is overcome by chlorine when changing the tanks out. The water personnel have their own full face masks that they can use, with chlorine canisters, for use as escape only. The water & wastewater plants both use chlorine gas and the rooms where the tanks are stored have ventilation systems. After discussion, it was agreed upon by the Safety Committee to eliminate the SCBAs, and see if the Fire Department could use them in anyway. The Safety Committee that Full face masks be required when changing out the tanks.

There being no other business, the meeting was adjourned at 9:30 am.

CITY OF BENSON
APPLICATION FOR APPOINTMENT TO CITY BOARDS OR COMMISSIONS

Dear Applicant:

We welcome you as an applicant for one of the City's boards or commissions. These groups play a very important role in Benson City Government. These boards and commissions serve as advisory bodies to the Benson City Council. They provide information and recommendations to the City Council so the Council can make sound decisions regarding issues and policy matters.

Please fill out the information requested below. You are encouraged to attach any additional information which you believe qualifies you for appointment to the board or commission you have selected.

.....
BOARD OR COMMISSION PREFERENCE:

- | | |
|---|--|
| <input type="checkbox"/> Airport Advisory Commission | <input type="checkbox"/> Housing & Redevelopment Authority |
| <input checked="" type="checkbox"/> Benson Area Tourism Board | <input type="checkbox"/> Library Board |
| <input type="checkbox"/> Cemetery Board | <input checked="" type="checkbox"/> Park Board |
| <input type="checkbox"/> Economic Development Authority | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Hospital Board | <input type="checkbox"/> Utilities Board |

RETURN APPLICATION TO:

Office of the City Manager
City of Benson
1410 Kansas Avenue
Benson, MN 56215
Telephone: 320-843-4775
Date Received: ___/___/___

PERSONAL INFORMATION:

Name Robyn Dehne Address 728 12th Street South

Telephone: Home 320-226-5165 Business 320-843-3656 Zip 56215

How long have you been a resident of Benson? 10/01/2011 until present

Have you served previously on any of Benson's boards or commission? YES NO

Have you served previously on any city board/commission in any other community? YES NO

Are any members of your immediate family in the same household presently employed by the City of Benson or serving on any of the City's boards or commissions? YES NO

Occupation: Administrative Assistant Name of Employer: Primerica Financial Services

I am a member of the following civic organizations: none at this time. I used to work for Swift County RDA - attended all board meetings and took minutes.

Please list your special interests, education, past experiences, etc., which you feel would benefit the City of Benson by your appointment to the board/commission you have indicated a preference to above:

Accounting. A.A.S.
Business Management A.S.
My aunt owns the Flower Basket, I have knowledge of the Benson Community. I grew up here.

Do you have any additional comments? I have experience in Photography and would love to get involved to support area tourism and bring more people to the Benson community.

DESCRIPTION OF BENSON'S BOARDS AND COMMISSIONS

Airport Commission - Makes recommendations to the City Council for the use, management, and operation of the airport and shall advise the Council in all matters concerning the Airport.

Cemetery Committee - Advises and assists the City Council and City staff in the administration, maintenance and improvement of the Benson City Cemetery.

Housing and Redevelopment Authority - This Authority is a public corporation empowered to undertake certain types of redevelopment projects and low rent housing assistance programs pursuant to the provisions of the M.S.A. 462.411 thru 462.711. These projects may include such activities as planning, acquisition, demolition, clearance, rehabilitation and construction for the purpose of providing decent, safe and sanitary housing for persons of low and moderate income and the improvement and restoration of stagnant, undeveloped land.

Library Board - Acts as an advisory body to the City Council by providing information and make recommendations to the City Council on library matters.

Park Board - Acts as an advisory body to the City Council by making recommendations to the Council on issues associated with City parks, playgrounds, the swimming pool, skating rinks, and other related functions.

Planning Commission - Acts as an advisory body to the City Council by reviewing variance requests, subdivisions, plats, zoning regulations, etc. In addition, they work on developing long-range planning goals and objectives.

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Office of the City Manager
City of Benson
1410 Kansas Avenue
Benson, MN 56215
Telephone: 320-843-4775
Date Received: ___/___/___

PERSONAL INFORMATION:

Name BERENT (BARNEY) KLEMM Address 404 19th ST. SO.

Telephone: Home 320-314-8044 Business N/A Zip 56215

How long have you been a resident of Benson? 1 YR.

Have you served previously on any of Benson's boards or commission? YES NO

Have you served previously on any city board/commission in any other community? YES NO

Are any members of your immediate family in the same household presently employed by the City of Benson or serving on any of the City's boards or commissions? YES NO

Occupation: _____ Name of Employer: _____

I am a member of the following civic organizations: N/A

Please list your special interests, education, past experiences, etc., which you feel would benefit the City of Benson by your appointment to the board/commission you have indicated a preference to above:

FORMER ADMINISTRATOR OF SIGNATURE FLIGHT SUPPORT AT
THE LINDBERGH TERMINAL AT MSP AIRPORT. I WORKED
WITH BUDGETS EXCEEDING \$10 MILLION & WAS ALSO THE
HEAD OF EVERY DEPARTMENT

Do you have any additional comments? I AM CURRENTLY SERVING
ON THE AIRPORT COMMISSION & THE PLANNING
COMMISSION FOR THE CITY OF BENSON.

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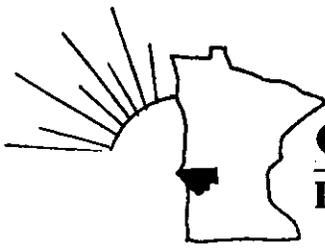
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COUNTRYSIDE

Public Health



Public Health
Prevent. Promote. Protect.

March 19, 2013

Benson City Council
C/O Rob Wolfington
1410 Kansas
Benson, MN 56215

Dear Council Members,

Attached is a summary of the City of Benson Tobacco Ordinance/Compliance checks for the year 2012:

- There were two sales in the nine compliance checks that were completed. This compliance rate is 77.5%.
- The Tobacco Ordinance covers the city of Benson only.
- Seven retailers were licensed from the period of January 1 – December 31, 2012.
- Youth carry a cell phone into each establishment for the purpose of recording the check.

Enforcement of Benson's Tobacco Ordinance is implemented by Countryside Public Health nurses and trained underage youth to complete compliance checks at all licensed retailers. If a retailer sells tobacco to an underage checker, the evidence is submitted to the Benson Law Enforcement who completes the enforcement process by issuing citations to the retailer and the seller. The fines are paid to the city of Benson.

There continues to be activity at the Minnesota Legislature in regards to tobacco. The two bills introduced include a) raising the price of a pack of cigarettes in MN by as much as \$1.60 and b) revise the state's definition of "cigarette" to include so-called "little cigars". Right now "little cigars" are a cheap price and sweet flavors make them attractive and accessible to kids. Increasing the price of tobacco is one of the best ways to help smokers quit and prevent youth from becoming addicted as adults. It will also help us reduce growing health care costs. As the state moves forward, now might be a good time for you to take a look at strengthening the Benson Tobacco Ordinance. Two years ago it was brought to your attention that your tobacco ordinance was not compliant with state law.

The state tobacco ordinance changes included:

- New definitions of "tobacco products" to include products that are smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means
- Prohibits selling tobacco products, rolling papers and pipes – including hookah pipes – in open displays
- Tobacco products as they relate to cessation purposes
- Sales to minors of any product that contains or delivers nicotine or lobelia (a plant that has been used as alternative to nicotine)

Feel free to contact me if you have any questions. Thank you for your support as we continue to make this a healthier community for your youth.

Sincerely,

Wanda Ness, PHN
Countryside Public Health

www.countrysidepublichealth.org

BIG STONE
342 2nd Street NW
ORTONVILLE, MN 56278
(320) 839-6135 V/TTY
866-277-5587

CHIPPEWA
719 No. 7th St. • Suite 308
MONTEVIDEO, MN 56265
(320) 269-2174 V/TTY
800-894-0192

LAC QUI PARLE
422 5th Avenue • Suite 305
MADISON, MN 56256
(320) 598-7313 V/TTY
800-255-0736

SWIFT
201 13th St. S.
BENSON, MN 56215
(320) 843-4546 V/TTY
800-657-3291

YELLOW MEDICINE
415 9th Avenue, Suite 105
GRANITE FALLS, MN 56241
(320) 564-3010 V/TTY
800-407-3628

City of Benson

**COMPLIANCE CHECK SUMMARY
January 1, 2012 – December 31, 2012**

Number of Licensed Retailers – 7

Number of Compliance Checks Done – 9
(Including yearly checks, rechecks, and random checks)

Number and Percent of compliance checks with no sales – 7 / 77.5%

Number and Percent of sales to minors – 2 / 22.5%

Retail Education offered / completed – 3 / 3

2nd Sale within 24 month period – 0

3rd Sale within 24 month period – 0

Percent Compliance in past five years: (older data available upon request)

2011 – 100%

2010 – 100 %

2009 – 100%

2008 – 70%

2007 – 87.5%

Comments: New Licenses to Cenex and Family Dollar

Report Prepared by Cindy Skulstad RN

UT3001M1 GAIL Inquiry - Customer Summary (A) 3/05/2013 10:27:06
 302 0014 00 09 Screen? _ Parcel# 23-0469-000-01 Status ACTIVE
 Acct Type COMMERCIAL *NOTES EXIST
 C & S PROPERTIES SSN#
 971 40TH AVE NE Home# Move In Date 12/31/2012
 WILLMAR MN 56201-9200 Work# Move Out Date
 Route# 70
 -----Service Address----- # of Meters 2
 503 14TH ST SOUTH In/Outside Code
 BENSON MN 56215 Accts Receivable
 Current Amt RES LIGHTS
 Over 30 Days 3,742.43 WATER 940.50
 Over 60 Days SEWER 2,646.00
 Over 90 Days TAXES 70.15 pull code
 Over 120 Days GARBAGE
 PENALTY Occupant
 Previous Bal. 3,742.43 INTERRUPT
 PTD Payments SEC LIGHTS
 PTD Penalties STORM SWR 5.94
 PTD Adj. COMMERCIAL 79.84
 Pending Pmts. LARGE POWR Garb Pickup
 Amount Due 3,742.43 MUNICIPAL
 F3=Exit F4=Lookup F9=Notes F10=Flat Rates F11=Owners F24=MoreKeys

Doug Jenstra

235-1022

State of Minnesota
Department of Transportation
Office of Aeronautics
Airport Development Section

Construction Report and Cost Estimate

State Project Number: 7601-33

Municipality: BENSON

Project Description: 8. 4-Unit T-Hangar; Mill & Overlay Txwy

Contractor's Name: Everstrong Construction

Agreement: 01867

Region: W FAA Proj Number: 3-27-0011-08-12

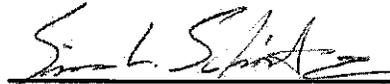
FY: 2013 Estimate Number: 3

Construction Costs Through: 15-FEB-2013

CERTIFICATION OF WORK PERFORMED

I have examined the materials furnished and work performed by the Contractor on the above project. To the best of my knowledge the quantities are correct and in accordance with the plans and specifications. I recommend this estimate for payment. If a Statement of Engineering Services is attached, I certify the engineering costs shown are correct.

Dated: 3/28/13 Title: Project Manager (TKDA)



Engineer's Signature

This is to certify that the quantities as shown herein are a fair estimate for the period covered by this Report.

Dated: _____ Title: _____

Everstrong Construction

CERTIFICATION BY AN OFFICIAL OF BENSON

I hereby certify this report (and the attached Statement of Engineering Services) was approved for payment by the Municipal Council at the regular (special) meeting held on the _____ Day of _____.

Title: _____

BENSON Approval

March 28, 2013

State of Minnesota
 Department of Transportation
 Office of Aeronautics
 Airport Development Section

STATEMENT OF CONSTRUCTION WORK PERFORMED

State Project Number: 7601-33

Municipality: BENSON

Project Description: 8. 4-Unit T-Hangar; Mill & Ovrlly Txwy

Agreement: 01867

Region: W FAA Proj Number: 3-27-0011-08-12

FY: 2013 Estimate Number: 3

Construction Costs Through: 15-FEB-2013

Item Number	Construction Item	Unit of Measure	Funding Rate FAA-ST-MUN	Unit Price	Quantity	Amount	Previously Completed Quantity	Completed This Report Quantity	Completed to Date Quantity	Completed to Date Amount
001	Mobilization	LS	090 000 010	11,556.00	1.000	11,556.00	0.500	0.500	1.000	11,556.00
002	Traffic Provisions	LS	090 000 010	1,800.00	1.000	1,800.00	1.000	0.000	1.000	1,800.00
003	Haul Routes	LS	090 000 010	3,000.00	1.000	3,000.00	1.000	0.000	1.000	3,000.00
004	Contractors Site	LS	090 000 010	600.00	1.000	600.00	1.000	0.000	1.000	600.00
005	Common Excavation	CY	090 000 010	12.48	500.000	6,240.00	500.000	0.000	500.000	6,240.00
006	Subgrade Excavation	CY	090 000 010	12.48	250.000	3,120.00	250.000	0.000	250.000	3,120.00
007	Granular Material (CV)	CY	090 000 010	34.86	250.000	8,715.00	250.000	0.000	250.000	8,715.00
008	Water	MGal	090 000 010	64.14	7.000	448.98	7.000	0.000	7.000	448.98
009	Topsoil Stripping	SY	090 000 010	0.90	675.000	607.50	675.000	0.000	675.000	607.50
010	Topsoil Placement	SY	090 000 010	0.90	1,500.000	1,350.00	1,500.000	0.000	1,500.000	1,350.00
011	6" Aggregate Base	SY	090 000 010	7.38	675.000	4,981.50	675.000	0.000	675.000	4,981.50
012	Wearing Course Mixture	Ton	090 000 010	66.90	255.000	17,059.50	255.000	0.000	255.000	17,059.50
013	Binder Course Mixture	Ton	090 000 010	66.90	85.000	5,686.50	141.000	0.000	141.000	9,432.90
014	Bituminous Material for Mixtur	Ton	090 000 010	660.00	21.000	13,860.00	26.000	0.000	26.000	17,160.00
015	Bituminous Tack Coat	Gal	090 000 010	3.18	215.000	683.70	215.000	0.000	215.000	683.70
016	Texturing and Profiling Bit Sfc	SY	090 000 010	4.26	1,438.000	6,125.88	1,438.000	0.000	1,438.000	6,125.88
017	Pavement Marking	LS	090 000 010	2,640.00	1.000	2,640.00	1.000	0.000	1.000	2,640.00
018	Sodding	SY	090 000 010	6.00	900.000	5,400.00		0.000		0.00
019	Water	MGal	090 000 010	18.00	54.000	972.00		0.000		0.00
020	Wood Fiber Blanket	SY	090 000 010	2.40	600.000	1,440.00		0.000		0.00
021	Silt Fence	LF	090 000 010	24.00	25.000	600.00	25.000	0.000	25.000	600.00
022	Hangar Electrical Construction	LS	090 000 010	29,489.48	1.000	29,489.48		0.147	0.147	4,349.48
023	Prefabricated Metal Hangar Bld	LS	090 000 010	235,048.59	1.000	235,048.59	0.760	0.191	0.951	223,596.16
***	*** CHANGE ORDERS ***		*** **			0.00		0.000		0.00
co1	C.O. #1 - agg base+items 13/14	sqyd	090 000 010	1.50	0.000	0.00	1,438.000	1,438.000	2,876.000	4,314.00
Contract Totals:						361,424.63			Completed to Date:	328,380.60

State of Minnesota
 Department of Transportation
 Office of Aeronautics
 Airport Development Section

STATEMENT OF CONSTRUCTION WORK PERFORMED

State Project Number: 7601-33
 Municipality: BENSON
 Project Description: 8. 4-Unit T-Hangar, Mill & Ovrly Txwy

Agreement: 01867
 Region: W FAA Proj Number: 3-27-0011-08-12
 FY: 2013 Estimate Number: 3
 Construction Costs Through: 15-FEB-2013

Item Number	Construction Item	Unit of Measure	Funding Rate FAA-ST -MUN	Unit Price	Quantity	Amount	Previously Completed Quantity	Completed This Report Quantity	Completed to Date Quantity	Completed to Date Amount
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		TOTAL	FEDERAL	STATE	LOCAL
Construction Prorates:	A		90.0000 %	0.0000 %	10.0000 %
Previously Completed:		271,136.89	244,023.16	0.00	27,113.73
Completed This Report:		57,243.71	51,518.97	0.00	5,724.74
Completed to Date:		328,380.60	295,542.13	0.00	32,838.47

Retainage Computation for Payment to		Everstrong Construction			
Total Completed to Date:		328,380.60	295,542.13	0.00	32,838.47
Less 5% Retainage:		16,419.03	14,777.13	0.00	1,641.90
Sub Total Payment:		311,961.57	280,765.00	0.00	31,196.57
Less Previous Payments:		257,580.05	231,822.00	0.00	25,758.05
Contractors Payment This Estimate:		54,381.52	48,943.00	0.00	5,438.52

To: Rob Wolfington, City Manager

From: Glen Pederson, Director of Finance

Re: Utility Billing Procedures

Date: March 29, 2013



Hometown Connections provided us with an evaluation last year and made a few recommendations regarding our billing, payment, and disconnect procedures. Attached is a marked up version of our Ordinance Code Chapter 50 with the proposed changes.

The highlights of the proposed changes are:

- Remove the mandatory deposits. The current amounts are low and increasing them to a higher amount only makes it more difficult for our low income customers. We propose to step up our disconnect policies instead. We would reserve the right to require a deposit from a chronically late customer.
- We propose to eliminate the reminder notice
- Move up the disconnect notice to be prepared and mailed around the 20th of the month with date of disconnection being 10 days later.
- Increase the reconnection fee to \$75 during normal business hours and \$150 all other times.
- Eliminate the maximum \$10 penalty charge.
- Establish a standard reconnection policy with a new payment arrangement fee if the amount delinquent is not paid in full.
- Establish a customer log on the F: drive to record dates and payment information received.
- Propose to no longer accept checks from an individual customer after the second returned check is received.
- Publish new procedures in newspaper and mail to current delinquent customers informing them of the new policy
- Enforce section 50.30.

CHAPTER 50: UTILITIES

Section

Public Service

- 50.01 Application Request for service
- 50.02 Taking service without authority
- 50.03 Reservation of right to discontinue service

Regulations and Restrictions

- 50.15 Meters and measurements
- 50.16 Separate connection requirement
- 50.17 Notice of installation of water heaters
- 50.18 Notice of installation of central air conditioning unit
- 50.19 Water conservation

Rates and Charges; Billing

- 50.30 Liability for accounts
- 50.31 Deposit
- 50.32 Rates
- 50.33 Rate changes
- 50.34 Additional charges
- 50.35 Billing and payments
- 50.36 Discontinuance of service for nonpayment
- 50.37 Collection Assessment Certification of delinquent accounts

- 50.99 Penalty
- Appendix: Utility rates

Cross-reference:

Public Utility Fund, see Charter ' 7.11

Public improvements and special assessments, see Charter Ch. 8

Franchises for public utility and other purposes, see Charter Ch. 10

Public ownership and operation of utilities, see Charter Ch. 11

Electric Service Department, see ' 32.35

Utilities Board, see ' 32.57

PUBLIC SERVICE

' 50.01 APPLICATION REQUEST FOR SERVICE.

(A) All persons, partnerships, or corporations who desire to purchase or use electric services, water service, ~~steam heat~~ sanitary sewer service, or garbage service supplied by the Public Service Division must submit an application make request for such service to the Office of the City Manager and provide billing and contact information as may be required. ('75 Code, ' 5.301)

~~(B) Application for all services of the city regulated hereunder shall be made to the City Manager on forms prescribed by the Utilities Board and furnished by the city. By his or her signature, the applicant shall agree to conform to this chapter and to rules and regulations that may be established by the city as conditions for the use of each service requested. ('75 Code, ' 5.304) All customers of the services provided by the City agree that the receipt of service constitutes a contract between the customer and the City and that the customer has accepted the terms of said contract and agree to conform to this ordinance and all of the rules and regulations that are or will be established as the conditions for the use of said services.~~

' 50.02 TAKING SERVICE WITHOUT AUTHORITY.

No person, firm, or corporation shall take any service described herein without proper authority therefor.

('75 Code, ' 5.310) Penalty, see ' 50.99

' 50.03 RESERVATION OF RIGHT TO DISCONTINUE SERVICE.

The Utility Board has the right to discontinue any provided service without notice when the same is necessary in the repair of the system, or any part thereof. The Utility also reserves the right to discontinue service for nonpayment as per ' 50.36.

('75 Code, ' 5.311) (Ord. 1076.92, passed 5-21-92)

REGULATIONS AND RESTRICTIONS

' 50.15 METERS AND MEASUREMENTS.

All meters used to measure the respective services shall remain the property of the city and such measurement shall be the sole basis on which bills for use of these services shall be computed; however, the City Manager may estimate readings in cases where the meter is stopped or cannot be read. **Readings obtained through the use of electronic reading devices are deemed to be estimated readings.** No person, firm, or corporation, unless authorized by the City Manager, shall tamper with, disconnect, remove, repair, or otherwise disturb any electric, **steam heat**, or water meter. The occupants of any building or premises where such meters are located shall see that such meters are kept and remain free from obstructions on or around the same and are conveniently located and accessible by the city for the purpose of reading, inspecting, and repairing at all reasonable hours. Every customer shall provide a suitable place where a meter can be installed, and the municipality shall maintain the same. For the purpose of reading meters, duly authorized employees of the Public Service Division of the city shall have authority legally to enter upon any premises at a reasonable hour.

('75 Code, ' 5.302) Penalty, see ' 50.99

' 50.16 SEPARATE CONNECTION REQUIREMENT.

Unless special permission is granted in writing by the Utilities Board, all premises served by any utility owned by the municipality shall have separate and distinct service connections and separate meters. All service connections shall be made and installed according to regulations established therefor.

('75 Code, ' 5.303) Penalty, see ' 50.99

' 50.17 NOTICE OF INSTALLATION OF WATER HEATERS.

Any electrician, plumber, or other person installing an electric water heater in any residence or other establishment within the limits of the city shall give notice of such installation to the City Manager within a period of two days after the completion of such installation; said notice shall provide the name of the owner of such water heater, the address of that place where such heater was installed, and the date of its installation. Violation of this section shall be punished as provided in ' 50.99.

('75 Code, ' 5.315) (Ord. 1033.83, passed 2-3-83) Penalty, see ' 50.99

' 50.18 NOTICE OF INSTALLATION OF CENTRAL AIR CONDITIONING UNIT.

Any electrician, plumber, or other person installing a central air conditioning unit in any residence or other establishment within the limits of the city shall give notice of such installation to the City Manager within a period of two days after the completion of such installation; said notice shall provide the name of the owner of such central air conditioning unit, the address of that place where such central air conditioning unit was installed, and the date of its installation. Violation of this section shall be punished as provided in ' 50.99.

('75 Code, ' 5.316) (Ord. 1040.83, passed 8-4-83) Penalty, see ' 50.99

' 50.19 WATER CONSERVATION.

Whenever the City Manager shall determine that, as a result of a threatened shortage of water supply or other good cause, it would be in the public interest to limit the use of the city water supply, he or she may, by letter, restrict the hours during which water from the city water system may be used for lawn and garden sprinkling, irrigation, car washing, air conditioning and other uses specified in the Emergency and Conservation Plan. The said letter shall identify reduction requirements and be mailed to each city water customer at the customer=s billing address. Notice of any restrictions on water use shall be deemed complete two days after the mailing. Violation of any demand reduction requirements on water use as referenced in said letter shall be a petty misdemeanor. A separate offense shall be deemed committed upon each day that the violation continues. In addition, the violator shall be charged a civil penalty of \$5 for each day that the violation continues which penalty shall be added to the violator=s next city water bill. Continued violation shall be cause for discontinuance of water service.

(Ord. 1109.02, passed 6-24-02) Penalty, see ' 50.99

RATES AND CHARGES; BILLING

' 50.30 LIABILITY FOR ACCOUNTS.

All accounts for water, sewer, or garbage service, whether carried in the name of the owner or occupant of the property, shall be the responsibility of the owner of the property. The owner of the property or his or her authorized agent shall apply for request such service. The owner shall be liable for water, sewer, and garbage service supplied to his or her property whether he or she is occupying the property or not and any charges unpaid shall be a lien upon his or her property.

('75 Code, ' 5.305) (Ord. 1076.92, passed 5-21-92)

~~1~~ 50.31 DEPOSIT.

~~(A) At the time of filing an application for service, each applicant shall deposit a sum in accordance with the requirements of this section. The deposit may be refunded after 24 consecutive months of prompt payment or upon termination of service with all bills paid. Deposits shall bear interest at the rate of 6% from the date of deposit to the date of refund. The minimum deposit shall be identified in the current rate structure established in accordance with ~~1~~50.33.~~

~~(B) Deposits larger than the minimum specified in the current rate schedule may be established by the City Manager if the estimated monthly utility bill of a consumer is larger than the minimum deposit specified. The larger deposit shall approximately equal the estimated monthly service charge. The cash deposits herein specified shall be placed in a special deposit fund and shall be automatically forfeited to the city Utility Fund in payment of any amount owing to the utility for any and all service supplied by the Utility provided that any excess of such deposit over and above the amounts owing to the Utility for services shall be repaid to the consumer on discontinuance of service if the consumer has paid in full for all services provided to him or her.~~

~~(C) Deposits which are left unclaimed by the consumer for a period of one year shall be forfeited to the city and deposited with the Utility Fund after a reasonable effort to locate the consumer has been made.~~

~~(D)~~ (A) The City Manager may establish and demand a deposit for utilities where no deposit exists if the customer is continually delinquent in payments or at such other time as it may be reasonable to assume that the city might have difficulty collecting for services due. ('75 Code, ' 5.306) (Ord. 1076.92, passed 5-21-92)

1 50.32 RATES.

Charges for electric, steam heat, water, sanitary sewer, storm water, and garbage shall be computed on the basis of the rates set forth in the Appendix following this chapter. ('75 Code, ' 5.314)

1 50.33 RATE CHANGES.

Rates may be changed by Council resolution after a public hearing called by the City Council to explain the proposed changes in rates. The notice of the public hearing shall provide general information concerning the proposed rate changes. Following the public hearing, the Council shall adopt a resolution amending or establishing the rate structure. The resolution shall be published in the official newspaper and shall take effect 10 days after publication. ('75 Code, ' 5.312) (Ord. 1076.92, passed 5-21-92)

Cross-reference:

Official newspaper, see Charter ' 12.01

' 50.34 ADDITIONAL CHARGES.

In addition to the above-named charges, the Council may from time to time add additional charges, by resolution, when done in accordance with ' 50.33.
(75 Code, ' 5.313) (Ord. 1076.92, passed 5-21-92)

' 50.35 BILLING AND PAYMENTS.

(A) Statements for utility charges for the preceding period shall be mailed to each customer on or about the first of each month. Payment for all services of the Utility shall be due and payable by the 15th of each month following receipt of services and the amount due to the city shall become delinquent and a penalty of an amount identified in the current rate structure shall be assessed against the customer if not paid on or before the 15th of each month or the next business day thereafter if the 15th falls on a holiday, a Saturday, or a Sunday. The maximum penalty assessed for all services shall not exceed the maximum penalty identified in the current rate structure. Water services, sewer service, and other services may be billed quarterly if the City Council so directs, and payment shall be due the 15th day of each quarter and become delinquent thereafter. All penalties collected shall be deposited in the Utility Fund. Each customer will be allowed one late payment per calendar year without penalty.

(B) All provisions of this section shall be effective even if no statement of amount owing or other notice shall have been mailed or given to the customer.
(75 Code, ' 5.307) (Ord. 1076.92, passed 5-21-92)

(C) If after the monthly due date a customer has a delinquent bill that includes an amount that was due the previous month, a delinquent notice shall be sent by first class mail and state that if payment is not made within ten days of the mailing that services will be shut off for nonpayment. The delinquent notice will contain and clearly show the name, title, address and phone number of the person in charge of billing.

' 50.36 DISCONTINUANCE OF SERVICE FOR NONPAYMENT.

(A) The city shall endeavor to collect delinquent accounts promptly. In any case where satisfactory arrangements for payment have not been made, the Utility may discontinue service to the delinquent customer by shutting off any or all services that are delinquent. When services have been discontinued for nonpayment, service shall not be restored except upon the payment of all delinquent amounts due plus a fee for disconnection and reconnection and either the entire delinquent amount due or with one third of the amount due plus a payment arrangement fee and agreement to promptly pay all future current bills and the remaining two thirds delinquent within 45 days of the date of disconnection. Penalty charges will continue to be applied until all delinquent amounts have been satisfied. Fees for disconnection and reconnection and payment arrangement shall be established by rate resolution in accordance with ' 50.33.

#50?

(B) No service shall be shut off under subsection (A) until notice and an opportunity for a hearing have first been given the occupant of the premises involved. The notice shall be in writing and shall state that if payment is not made before a date stated in the notice but not less than ten days after the date on which the notice is given, the delinquent service supply to the premises will be shut off. The notice shall also state that the occupant may, before such date, demand a hearing on the matter, in which case the supply will not be cut off until after the hearing is held. If the customer requests a hearing before the date specified, a hearing shall be held on the matter by the Utility or its representatives within at least one week after the date on of which the request is made. If as a result of the hearing the utility finds that the amount claimed to be owing is actually due and unpaid and that there is no legal reason why the supply of the delinquent customer may not be shut off in accordance with this section, the city may shut off the supply on the following business day or date of disconnection in original notice whichever is later. Disconnections shall not take place on a Friday or on the day immediately before a federally recognized holiday.

(C) No service of a residential customer shall be disconnected if the disconnection affects the primary heat source for the residential unit when the disconnection would occur during the period between October 15 and April 15, the customer has declared inability to pay on forms provided by the Utility, the household income of the customer is less than 185% of the federal poverty level, as documented by the customer to the Utility, and the customer's account is current for the billing period immediately prior to October 15 or the customer has entered into a payment schedule and is reasonably current with payments under the schedule. The Utility shall, between August 15 and October 15, of each year, notify all residential customers of these provisions.
(75 Code, ' 5.308) (Ord. 1076.92, passed 5-21-92)

' 50.37 COLLECTION ASSESSMENT CERTIFICATION OF DELINQUENT ACCOUNTS.

Delinquent water, sewer, and garbage accounts may be certified to the City Clerk who shall prepare an assessment roll each year providing for assessment of the delinquent amounts against the respective properties served. The assessment roll shall be delivered to the Council for adoption on or before October 15 of each year. Upon such adoption, the Clerk shall certify the assessment roll to the County Auditor for collection along with taxes.
(75 Code, ' 5.309)

' 50.99 PENALTY.

(A) Any person, firm, or corporation who violates any provision of this chapter for which another penalty is not specifically provided shall, upon conviction, be penalized as provided in ' 10.99.

(B) A violation of ' 50.02 is hereby declared a misdemeanor punishable upon conviction thereof by a fine of not to exceed \$300 and costs, or in default thereof, by imprisonment for not to exceed 90 days. ('75 Code, ' 5.310)

(C) Violation of ' 50.17 or ' 50.18 shall constitute a petty misdemeanor. ('75 Code, ' ' 5.315 - 5.316) (Ord. 1033.83, passed 2-3-83; Ord. 1040.83, passed 8-4-83)

APPENDIX: UTILITY RATES

All utility rates may be adopted from time to time by Council resolution or ordinance.