

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
OCTOBER 20, 2008**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Anne Johnson, Gary Landmark, and Paul Kittelson. Members absent: Bob Claussen. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, and Dan Richter.

There was no one under unscheduled business to come before the Council.

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

- a. October 6, 2008 Regular City Council Meeting
- b. August 18, 2008 UMRDC Meeting
- c. September 3, 2008 Benson HRA Meeting

The City Manager reviewed the following correspondence with the Council:

- a. Benson Area Chamber of Commerce RE: Kid Day Fireworks Donation – There was a consensus to refer this request to the Benson Tourism Board.
- b. Benson Area Chamber of Commerce dated 10.13.08 – It was moved by Fitz, seconded by Johnson and carried unanimously to approve a \$300 donation and waive the Armory rental fee for the Santa Truck.
- c. Benson Area Chamber of Commerce RE: 2009 Membership – It was moved by Johnson, seconded by Fitz and carried unanimously to join the Chamber for 2009 in the amount of \$780 (General - \$405, Electric - \$225, Liquor - \$150).

Dan Richter, president of MVTV Wireless, requested that the Council consider entering into an agreement to allow his company to place an antenna on the water tower. The City Manager recommended approval of the agreement. It was moved by Landmark, seconded by Fitz and carried unanimously to approve entering into a Non-Exclusive Tower Attachment Lease Agreement with MVTV Wireless.

It was moved by Fitz, seconded by Johnson and carried unanimously to approve two additions to the Pioneerland Library System Joint Powers Agreement (Article IX – 9.1 and Article 3, Section 3).

The City Manager informed the Council that the Missouri River Energy Services Board has approved an 18.5% increase to S-1 electric rates in 2009. This increase will be passed on to the utility customers through the purchased power adjustment clause in the City's rate schedule.

Council Member Landmark offered the following Resolution and moved its adoption:

**RESOLUTION TO APPROVE SUBMITTING A
CONTAMINATION CLEANUP GRANT APPLICATION TO THE
DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT
(RESOLUTION NO. 2008-17)**

BE IT RESOLVED that the City of Benson has approved the Contamination Cleanup Grant application submitted to the Department of Employment and Economic Development

(DEED) on October 20, 2008, by the City of Benson, Minnesota for the old Benson Market Elevator property located at 1121 Atlantic Avenue, Benson, Minnesota.

Council Member Johnson seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Johnson, Fitz, Kittelson. NAYS: None. ABSENT: Claussen. Whereupon the Mayor declared Resolution No. 2008-17 duly passed and adopted.

Council Member Fitz offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING THE COMMITTING OF LOCAL MATCH
AND AUTHORIZING CONTRACT SIGNATURE
(RESOLUTION NO. 2008-18)**

BE IT RESOLVED that the City of Benson act as the legal sponsor for project(s) contained in the Contamination Cleanup Grant Program to be submitted on October 20, 2008 and that the Mayor and City Clerk are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Benson.

BE IT FURTHER RESOLVED that the City of Benson has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration.

BE IT FURTHER RESOLVED that the sources and amounts of the local match identified in the application are committed to the project identified.

BE IT FURTHER RESOLVED that the City of Benson has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Benson may enter into an agreement with the State of Minnesota for the above-referenced project(s), and that the City of Benson certifies that it will comply with all applicable laws and regulation as stated in all contract agreements.

NOW, THEREFORE BE IT FINALLY RESOLVED that the Mayor and City Clerk are hereby authorized to execute such agreements as are necessary to implement the project(s) on behalf of the applicant.

Council Member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Landmark, Johnson, Kittelson. NAYS: None. ABSENT: Claussen. Whereupon the Mayor declared Resolution No. 2008-18 duly passed and adopted.

It was moved by Johnson, seconded by Fitz and carried unanimously to approve Pay Estimate No. 1 from Harold K. Scholz Co. for the Substation Construction Project in the amount of \$92,600.

It was moved by Landmark, seconded by Johnson and carried unanimously to approve five pay requests from Bonestroo for professional services from August 24, 2008 to September 27, 2008 in the amount of \$10,455.81 (City of Benson, General - \$2,165, Water Supply and

Distribution Plan - \$1,488.68, Water Well Test Drilling - \$512, Well No. 30 Abandonment - \$442.04, Lift Stations - \$5,848.09).

It was moved by Fitz, seconded by Johnson and carried unanimously to approve Pay Request No. 1 from R. L. Larson Excavating for the Lift Station Modifications in the amount of \$116,606.37.

It was moved by Fitz, seconded by Landmark and carried unanimously to approve a pay request from T & S Concrete Construction for the 2008 Concrete Project in the amount of 95% of \$21,879.98.

The Public Works Director informed the Council that staff solicited for fuel bids for the City's fuel needs from November 1, 2008 to November 1, 2010. The only bid submitted was from Glacial Plains Cooperative as follows:

Unleaded Gasoline Self Service	\$2.52 per gallon
E-85 Fuel Self Service	\$2.30 per gallon
#2 Diesel Fuel Self Service	\$3.225 per gallon
#1 Diesel Fuel Self Service	\$3.41 per gallon
#2 Premium Ultra Low Sulfur Diesel Fuel	
Full Transport Bulk	\$2.738 per gallon
One-Half Transport Bulk	\$2.748 per gallon

It was moved by Landmark, seconded by Fitz and carried unanimously to authorize staff to enter into a contract with Glacial Plains Cooperative to furnish the City's fueling needs from November 1, 2008 to November 1, 2010.

It was moved by Landmark, seconded by Johnson and carried unanimously to approve bills and warrants in the amount of \$604,251.23.

Reed Anfinson informed the Council that the All-School Reunion is scheduled for June 24-26, 2010.

It was moved by Fitz, seconded by Johnson and carried unanimously to reschedule the November 3 Council meeting to November 10 and schedule a public hearing at 5:30 p.m. on November 10, 2008 for the Minnesota Investment Fund loan for SpecSys, Inc.

Member Fitz inquired when the electricity will be turned off to connect over to the new substation. The Public Works Director reported that the exact date and time had not yet been determined but that they would be issuing public notices to give the public ample notice of when it will happen.

It was moved by Landmark, seconded by Fitz and carried unanimously to adjourn the meeting at 6:07 p.m.

Mayor

Attest: _____
City Clerk