

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
MAY 4, 2009**

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, Police Chief Jim Crace, Police Sergeant Mike Jambor, Scott Adkisson, Jan Lundebrek, and County Attorney Robin Finke.

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. April 20, 2009 Regular City Council Meeting
- b. April 16, 2009 Benson Safety Committee Meeting

The City Manager reviewed the following correspondence with the Council:

- a. Arbor Day Foundation RE: Congratulating Benson for achieving Tree City USA status for 2008.
- b. Charter Communications dated 4.28.09 RE: Channel Additions and Changes

It was moved by Johnson, seconded by Fitz and carried unanimously to approve the following Proclamation:

ARBOR DAY PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

Whereas, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal, and

Whereas, Benson has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting practices.

NOW, THEREFORE, I, Paul Kittelson, Mayor of the city of Benson, do hereby proclaim May 1, 2009 as

ARBOR DAY

in the City of Benson, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

The next item on the agenda was the Bad Check Diversion Program. The Police Chief explained the problem and briefed the Council on a solution to recover funds from NSF checks without going through the court process. He introduced Scott Adkisson from Financial Crimes Services, LLC who explained how the program works at no cost to either the business or the City. The Police Chief and the County Attorney recommend contracting with Financial Crimes Services to provide the means to collect NSF checks. It was moved by Landmark, seconded by Fitz and carried unanimously to approve implementing this program with Financial Crimes Services, LLC at no cost to either the business or the City.

The City Manager and Mayor briefed the Council on the Coalition of Greater MN Cities 2009 Policy Positions on LGA, Property Tax and State Budget.

It was moved by Fitz, seconded by Johnson and carried unanimously to approve the Second Reading of An Ordinance to Amend the Code of the City of Benson By Adding Chapter 54 to Make Provision with Respect to the Aggregation of Demand Response by the City of Benson on Behalf of Retail Customers.

The Public Works Director informed the Council that the following bids were received on April 28, 2009 for Well No. 32 and Pumping Facility Project:

Contractor	Total Base Bid	Alternate
Thein Well Company	\$277,990.00	\$10,000.00
Magney Construction, Inc.	\$305,000.00	\$10,000.00
Steffl Drilling & Pump, Inc.	\$309,614.00	\$11,520.00
Eagle Construction Company, Inc.	\$311,950.00	\$ 7,500.00

He informed the Council that Thein Well Co. has a typographical error on Item No. 39 in their bid. The unit price was listed as \$60.00 and should have been \$6.00 but the total extended price of \$4,650 is correct for Item No. 39. Thein Well has submitted a letter informing the City of the error and that the Total Bid of \$277,990 is correct. The City Attorney recommends that the City waive the error and accept the Thein Well Company Total Bid of \$277,990. The Engineers from Bonestroo and the Public Works Director recommend awarding the contract to Thein Well Company. The City Manager informed the Council that staff is waiting to receive the DNR permit to authorize digging the well. It was moved by Landmark, seconded by Johnson and carried unanimously to award the contract to Thein Well Company in the amount of \$277,990 contingent upon receiving approval of the DNR permit.

It was moved by Fitz, seconded by Johnson and carried unanimously to authorize entering into an agreement with TKDA to provide professional services for the 2009 Capital Improvement Program at the Airport.

The City Manager informed the Council that the transit contract is being amended to include the acquisition of a new bus. It was moved by Johnson, seconded by Landmark and

carried unanimously to approve amending the transit contract to allow for the acquisition of a new bus.

It was moved by Claussen, seconded by Johnson and carried unanimously to adjourn the meeting at 5:58 p.m.

Mayor

Attest: _____
City Clerk