

**MINUTES - BENSON CITY COUNCIL MEETING  
NOVEMBER 18, 2019**

The meeting was called to order at 5:30 p.m. by Mayor Collins. Members present: Jack Evenson, Terri Collins, Jon Buyck, Mark Schreck & Lucas Olson. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Police Chief Ian Hodge, Public Works Director Dan Gens, City Attorney Ben Wilcox, Sara & Jonathan Reich, Chuck Wilson, Mick Boone with the Benson Lions Club and Roxy Lewis.

The Council recited the Pledge of Allegiance.

Mayor Collins asked for any changes or additions to the agenda. Two items were added: LandTeam Agreement and tree trimming. It was moved by Evenson, seconded by Schreck and carried unanimously to approve the amended agenda.

It was moved by Schreck, seconded by Evenson and carried unanimously to approve the following items on the consent agenda:

- 11.4.2019 City Council Minutes
- 11.6.2019 Special City Council Minutes
- 11.8.2019 Special City Council Minutes
- 10.7.2019 Planning Commission Minutes
- 6.10.2019 Park Board Minutes
- Annual Tobacco Compliance Contract with Countryside Public Health for 2020
- Public Works Report

Donations:

- Tim Miller – Beautify Benson - \$75.00
- Library Patrons - \$35.49

Electronic Transfers:

Payroll: \$105,945.23 11.7.2019  
Journal: \$1,867,155.44 October 2019

The Mayor called for anyone with unscheduled business. Sara Reich expressed concern the City Council is considering converting the Armory into City Hall. She said she and her husband are looking into purchasing the Roller Skating business from the Svors. She said there are a wide variety of youth that continue to roller skate. People from out of town bring their kids to Benson skating which brings revenue in to other businesses in Benson. She asked the Council take into account all of the benefits the roller rink and Armory bring to the people of Benson and surrounding area when considering the Armory as the new City Hall.

Next was the variance application at 810 Kansas Avenue. Wilcox approached. Flodstrom's attorney Matthew Franzese asked to be present via telephone. Wilcox presented the Findings of Fact by the Planning Commission as well as Conclusions of Law to the Council. He said the Planning Commission, at the public hearing on November 4, 2019 voted to deny the application. After discussion it was moved by Evenson, seconded by Schreck and carried unanimously to deny the variance application at 810 Kansas Avenue. Attorney Franzese said he does not disagree with the decision as the building in question does not meet the definition of a variance. He went on to say the application was a show of good faith, and asked how can the situation be remedied. Wolfington said the homeowner needs to bring a set of plans into the Building Official and apply for a permit for review. Attorney Franzese went on to say the homeowner has spent \$10,000 on the house hitting every bench mark so far, and plans to finish all the

repairs by June 1, 2020.

Boone with the Lions Club approached the Council. He said the Park Board voted to recommend to the City Council to allow the Lion drinking fountain to be placed in the center of Roosevelt Park, instead of the south west corner. The concern about placing it on the corner is the ability to remove snow around the Lion, possibly damaging it. Boone went on to appeal to the Council the Lions Club only wants to place the Lion drinking fountain in the south west corner of Roosevelt Park, as if it is placed in the center, they don't feel it will get the recognition in the center of the park. After further discussion, it was moved by Evenson, seconded by Olson to place the Lion drinking fountain in the center of the park. Evenson asked who will pay for any damages to the Lion, to which Boone said they could get insurance on it. Boone reiterated the desire of the Lions Club to only place the drinking fountain in the south west corner of the park and therefore withdrew their offer to donate the fountain. The motion and second were withdrawn.

Wolfington presented the Western Area Power Administration (WAPA) and Missouri River Energy Services (MRES) joint contract. The contract continues to provide arrangements for administrative services between Benson and MRES. Benson shall allow MRES to continue to provide power and energy schedules to WAPA on its behalf. Benson shall also allow MRERS to continue to administer payment to WAPA on its behalf as outlined in the contract. We will be responsible for payment to WAPA in this contract, which will run from 2021 – 2050. After discussion, it was moved by Evenson, seconded by Schreck and carried unanimously approve the contract as presented.

Next Wolfington said last June the City Council directed staff to have LandTeam re-look at the Levee study conducted in 2012. The plan was changed to move the proposed levee off the utility easement south of the corporate City limits and on to resident's property. On November 6, 2019 the Council once again met with the 28 affected home owners to receive feedback. Wolfington said there were only 10 homeowners that came to the meeting. There were favorable and less favorable comments. Wolfington said there will need to be easements obtained from 3 affected property owners and one non-affected property owner. Wolfington asked for direction from the Council. He discussed the proposal from LandTeam to conduct another study to continue north along the golf course to an elevation of 1036'. He noted with this option, we will not be able to build across the utility easement. The cost of this study is \$14,000. After discussion, it was moved by Olson, seconded by Buyck and carried unanimously to accept the revised November 2019 Feasibility Study for the northwest Area Levee Construction, and direct staff to send a questionnaire asking for a vote from each affected homeowner before pursuing another study. No action was taken on the new proposed study.

It was moved by Evenson, seconded by Olson and carried unanimously to approve a pay request from LandTeam in the amount of \$9,446.52 for the 2019 Feasibility Study for the Northwest Area Levee Construction.

Gens approached to discuss the need for a mixer to be placed in the water tower. When the repairs at the water plant start this winter, we will need to keep the water tower full. Placing a mixer in the water tower to keep the water moving will keep the water from freezing. It was moved by Schreck, seconded by Buyck and carried unanimously to approve the purchase of a water tower mixer and labor to install it from KLM Engineering, Inc. in the amount of \$12,830.00.

Next Gens presented the Wastewater Treatment Facility (WWTF) filter rehabilitation bids for labor. The bids came in as follows:

|                     |           |
|---------------------|-----------|
| Gridor Construction | \$394,000 |
| KHC Construction    | \$297,000 |

After discussion, it was moved by Schreck, seconded by Buyck and carried unanimously to approve the bid from KHC Construction in the amount of \$297,000.

Next Gens presented a quote for parts for the WWTF filters. It was moved by Buyck, seconded by Schreck and carried unanimously to approve the quote from TonkaWater in the amount of \$192,800.

Gens said every 36 months we are required to conduct electrical testing of the equipment in the power plant. Ziegler Power Systems has done this for us for several years, and it is time to do the testing once again. After discussion, it was moved by Evenson, seconded by Buyck and carried unanimously to approve Ziegler Power Systems conduct its regular electrical testing in the power plant for a total cost of \$29,600.00.

Gens explained the filters in the water plant have failed. The repairs from the chlorine leak will be done this winter, and the filters need to be fixed before spring. Stantec Engineers have presented an estimate for repairs. They feel it will be \$115,000 for labor, \$30,000 for materials and \$35,000 for engineering services for a total of \$180,000. After discussion it was moved by Evenson, seconded by Schreck and carried unanimously to approve the estimate not to exceed a total cost of \$180,000.

Next Wolfington discussed the lease option for the north end of the Civic Center to the school. The estimated construction costs have been dropped to \$400,000. An upper level viewing area and bathrooms were removed from the improvements. Extending the lease payments from five years to seven years was changed and equal the amount of construction costs. The school will be responsible for utilities for 6 months of the year. The terms and amount will be adjusted based on the cost of the renovations. The lease will be presented to the School Board on December 2, 2019. Cost estimates from the contractor came in at \$305,000-\$310,000. But it is dependent on what turns up during construction. Evenson expressed he does not want the City to be stuck paying for overages that may come out of the renovation. Evenson moved any expenses over the \$400,000 must get prior authorization from the City. It was seconded by Olson and the following vote was recorded: YAYS: Collins, Evenson, Buyck, Olson. NAYS: Schreck. The motion carried.

Wolfington discussed two properties in need of demolition. One dilapidated property the City received from the property owner in exchange for property tax and utility bill forgiveness. This house is located at 211 -18<sup>th</sup> St. N. It was moved by Evenson, seconded by Buyck and carried unanimously to approve the quote from T & K Kennedy in the amount of \$15,626.00 to be paid out of the Small Cities proceeds. Next Wolfington discussed a property at 703 – 15<sup>th</sup> St. S. This property's owner is deceased. The basement had significant water damage, as well as dilapidation of the house and the garage is caving in. Wolfington explained it will cost more to take this property down as the house and garage is full of garbage and junk. It was moved by Evenson, seconded by Olson and carried unanimously to approve the quote from T & K Kennedy in the amount of \$27,317.00 to be paid out of the Small Cities proceeds. Wolfington said the expenses to take this property down will be assessed to the property.

There was discussion on conversion of the Armory to City Hall. Wolfington presented an updated cost and revised floor plan. Widseth Smith and Nolting estimated the cost of the conversion will be between \$2,200,000 and \$2,990,000. Consensus was to discuss this at a future meeting.

The proposed 2020 budget was presented. The Council will review this budget before the Truth in Taxation hearing next month.

It was moved by Evenson, seconded by Schreck and carried unanimously to approve the bills and warrants in the amount of \$541,210.75.

Wolfington said according to the City ordinance, when there are tree trimming projects, it must be recognized by the Council. The electric department will be trimming the southwest area of town this winter. It will be announced in the paper. It was moved by Evenson, seconded by Olson and carried unanimously to approve the tree trimming project for the winter of 2019-2020.

There being no further business to come before the Council upon motion by Evenson, seconded by Buyck and carried unanimously to adjourn the Council meeting at 6:44 p.m.

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Mayor

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City Clerk