

**City Council Meeting Agenda
City Council Chambers
February 1, 2016**

Page			
	1.	5:30 p.m. Call the Meeting to Order at City Hall (Mayor)	
	2.	Pledge of Allegiance	
	3.	Approval of Agenda	Action Requested
	4.	Persons with Unscheduled Business to Come Before the City Council (Mayor)	
	5.	Review the Consent Agenda: (Mayor)	
		a. Minutes:	Action Requested
3-5		▪ 1.19.2016 City Council Minutes	
6		▪ 12.9.2015 EDA Minutes	
7		▪ 12.21.15 Special EDA Minutes	
		b. Correspondence:	
8		▪ BNSF – Safety Training	Information Only
9-10		▪ MPCA Clean Power Plan	Information Only
11-14		▪ Stantec Public Input Meeting Summary	Information Only
		c. Applications:	
15		▪ Patrick’s Pub & Grill – Street Closure – Hanny’s Golf Tournament	Action Requested
16		▪ Patrick’s Pub & Grill – Kid Day Street Dance Proposal	Action Requested
17-18		▪ Northern Lights Trails Gambling Permit 4-9-15	Action Requested
		Boards & Commissions:	Action Requested
19-20		▪ Cemetery Board (1 opening) – Greg Zniewski	
21-24		▪ Park Board (3 openings) - Tara Ulmaniec, Bill McGeary	
25-26		▪ Library Board (1 opening) - Susan Snow	
27-30		▪ EDA (1 opening) - Sheryl Madden & Ron Laycock	
		▪ Planning Commission (2 openings) - Ron Laycock	
		d. Reports:	
31-32	6.	Consider Resolution & Order for Repairs – 305 – 16 th St. S.	Action Requested
33-35	7.	Benson Hockey Association Request	Action Requested
36	8.	Swift County-Benson Hospital Board Appointment	Action Requested
37-44	9.	Fire Truck Quint Bids	Action Requested
45-48	10.	5:45 p.m. – Small Cities Grant Public Hearing – Jacki Anderson	
	a)	Consider Resolution Authorizing Small Cities Grant Application	Action Requested
	b)	Consider Citizen Participation Plan	Action Requested
	c)	Consider Resolution Identifying “Slum & Blighting” Conditions	Action Requested
	d)	Revised budget \$8,925 for overall administration & \$11,250 for the energy efficiency incentive (budgeting up to \$750 per residential unit x15)	Action Requested
49-50	11.	Pay Request – Stantec Consulting Svcs. – Industrial Biotech Proposal-\$5,807	Action Requested

51-52	12.	Pay Request – Asche Engineering – SNAP Bldg.- \$1,650.00	Action Requested
53	13.	Pay Request – Tyler’s Construction Svcs. – SNAP Bldg.-\$5,159.94	Action Requested
	14.	Recess to Tour Street Department Building	Information Only
	15.	Adjourn: Mayor	Action Requested

DRAFT

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
JANUARY 19, 2016**

The meeting was called to order at 5:30 p.m. by Mayor Landmark. Members present: Gary Landmark, Jack Evenson, Terri Collins, Jonathon Pogge-Weaver & Stephanie Heinzig. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, City Attorney Don Wilcox, Police Chief Ian Hodge, Public Works Director Dan Gens.

The Council recited the Pledge of Allegiance.

Mayor Landmark asked for any additions or changes to the agenda. Councilmember Heinzig asked to add Council EDA Board representative to the agenda. Mayor Landmark added a Library Board application to the agenda as well. Wolfington added amendment to the resolution for the SNAP building.

It was moved by Pogge-Weaver, seconded by Evenson and carried unanimously to approve the agenda.

The Mayor called for any persons with unscheduled business, to which there was none.

Wilcox approached the Council on the SNAP building loan. After inspections by Asche Engineers, Jim Lindahl is asking to change the loan amount from \$50,000 to \$75,000 to cover unforeseen structural related repairs. The loan conditions have been revised to a maximum loan up to \$75,000, forgivable over 7 years. The loan will be from the Revolving Loan Fund and be reimbursed by the EDA. The loan will not be disbursed as a lump sum, rather invoices for work on the building will be turned into the City for approval and payment from the loan proceeds. After discussion, it was moved by Heinzig, seconded by Collins and carried unanimously to approve using Economic Development Fund dollars for the loan forgiveness to Jim Lindahl for the SNAP building improvements as presented.

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

- January 4, 2016 City Council Minutes

It was moved by Collins, seconded by Evenson and carried unanimously to approve a gambling permit for the Swift County Pheasants Forever Swift County Chapter 15 on March 5, 2016 for their annual banquet.

It was moved by Collins, seconded by Heinzig and carried unanimously to approve Tom Anderson as a City representative on the Swift County-Benson Hospital Board with his term ending on December 31, 2018.

Police Chief Hodge presented his December 2015 Police Report.

Gens presented a Public Works report of activities.

Wolfington said there are only two entrances to the City of Benson that do not have Welcome to Benson signs yet. He presented a sign quote from Precast Systems Concrete Products. One sign will go on West Highway 12 by the Bowler and the other on south Hwy. 29. After discussion, it was moved by Evenson, seconded by Collins and carried unanimously to approve the quote for two signs from Precast Systems in the amount of \$13,900.00.

Wolfington discussed the latest Small Cities Grant application with the Council. He said the preliminary review of the application was deemed not a competitive grant. It was the consensus of the Council to make changes to the application and continue with the application process. It was moved by Collins, seconded by Pogge-Weaver and carried unanimously to set a Small Cities Grant Public Hearing on February 1, 2016 at 5:45 p.m. in the Council Chambers.

Councilmember Pogge-Weaver offered the following resolution:

**RESOLUTION DESIGNATING AUTHORIZED REREPRESENTATION
(RESOLUTION NO. 2016-01)**

WHEREAS, THE Governing body of the City of Benson, Minnesota has entered into an agreement to establish The **Missouri Basin Municipal Power Agency, d.b.a. Missouri River Energy Services (MRES)**, and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of MRES.

NOW, THEREFORE, BE IT RESOLVED that Rob Wolfington be and he is hereby authorized and appointed as the representative of the City of Benson, Minnesota, to represent the Municipal Utility in the business of MRES, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Gary Landmark, is hereby authorized and appointed with equal powers.

Councilmember Collins seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Landmark, Heinzig, Evenson, Pogge-Weaver. NAYS: None. Thereupon the Mayor declared Resolution 2016-01 duly passed and adopted.

Councilmember Collins offered the following resolution:

**RESOLUTION DESIGNATING AUTHORIZED REREPRESENTATION
(RESOLUTION NO. 2016-02)**

WHEREAS, THE Governing body of the City of Benson, Minnesota has entered into an agreement to establish The **Western Minnesota Municipal Power Agency (WMMPA)**, and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of WMMPA.

NOW, THEREFORE, BE IT RESOLVED that Robert Wolfington be and is hereby authorized and appointed as the representative of the City of Benson, Minnesota, to represent the Municipal Utility in the business of WMMPA, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Gary Landmark, is hereby authorized and appointed with equal powers.

Councilmember Evenson seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Landmark, Heinzig, Evenson, Pogge-Weaver. NAYS: None. Thereupon the Mayor declared Resolution 2016-02 duly passed and adopted.

Next Gens presented a capital authorization request for a sewer camera. Gens said it will enable us to see what is going on in our sewer pipes without having to pay a contractor to do it. After discussion, it was moved by Collins, seconded by Evenson and carried unanimously to approve the purchase of a Jetscan Camera System in the amount of \$19,105.00.

Wolfington presented a contract for services from Countryside Public Health for tobacco compliance checks in the City of Benson. It was moved by Evenson, seconded by Pogge-Weaver and carried unanimously to approve the contract for services for 2016.

Next was a pay request from KUE Contractors, Inc. for work on the Street Department building addition. It was moved by Collins, seconded by Heinzig and carried unanimously to approve pay request #6 from Kue Contractors, Inc. in the amount of \$81,678.00.

Pederson approached the Council and reviewed the remaining budgets. It was moved by Heinzig, seconded by Collins and carried unanimously to approve the following 2016 budgets as presented, with one change to add Christmas Lighting to the 2016 Electric Capital Outlay budget in the amount of \$15,000:

- Library Endowment Fund
- Perpetual Care Cemetery
- Storm Water Fund
- Concrete Projects Fund
- Small Cities Grant Fund 2005
- Small Cities Grant Fund 2009
- Small Cities Grant Fund 2011
- Small Cities Grant Fund 2013
- G.O. PFA Sewer Revenue Notes
- Electric Revenue Bonds Series 2007A
- Community Development Revolving Fund
- Water Fund Budget
- Sewer Fund Budget
- Electric Fund Budget
- Garbage Collection Fund
- Concrete Projects Fund
- Storm Water Fund
- G.O. Equipment (Golf Sprinkler) of 2014
- G.O. Refunding (Swim. Pool) Bonds of 2012
- G.O. CIP (Street Garage) Bonds of 2014
- PFA Water Revenue Notes
- G.O. Water/Sewer Revenue Bonds 2014A
- G.O. Water/Sewer Revenue Bonds 2009A
- Electric Equipment Bonds of 2012
- EDA Budget
- Liquor Fund Budget
- 10 Year Capital Improvement Plan Water
- 10 Year Capital Improvement Plan Wastewater
- 10 Year Capital Improvement Plan Electric

Pederson asked for two Councilmembers to review credit card charges. Collins and Heinzig volunteered.

It was moved by Evenson, seconded by Pogge-Weaver and carried unanimously to approve December 2015 bills and warrants in the in the amount of \$680,930.79

It was moved by Collins, seconded by Evenson and carried unanimously to approve January 2016 bills and warrants in the amount of \$323,498.17.

It was moved by Evenson, seconded by Pogge-Weaver and carried unanimously to approve Barb Nelson to the Library Board, with her term expiring December 31, 2018.

Heinzig discussed a conflict with her schedule and her appointment on the EDA. She said she would stay on for the next meeting.

There being no other business, a motion was made by Evenson, seconded by Collins and carried unanimously to adjourn the meeting at 6:23 p.m.

Mayor

City Clerk

W
12/9/15

EDA Meeting December 9, 2015

Members Present: Pat Hawley, Paul Kittelson, Jon Buyck, and Rob Wolfington.
Members Absent: Mike Fugleberg, Paul Estenson, Leroy Noreen and Rick Horecka
Also Present: Brian Samuelson and Jack Evenson

Vice Chairman Buyck called the meeting to order at 12:39 p.m.

Dr. Horecka joined the meeting via telephone.

It was moved by Kittelson, seconded by Hawley and carried unanimously to approve the November 19, 2015 EDA Meeting Minutes.

Buyck reviewed the loan committee meeting on Jax's loan request. Samuelson presented the loan proposal. He said a recommendation from the loan committee is to get South West Initiative Fund (SWIF) involved on a weekly basis to guide Jax with their new business model, and that the Swift County RDA has decided to grant a 6 month loan payment deferral so equity may be built up on the business. There will be no security for the EDA on this loan. After discussion, it was moved by Kittelson to approve the loan request for \$35,000, with a 4% interest rate, a 6 month loan deferral on payments on this loan and existing loan, amortized over 10 years. The motion was seconded by Horecka and the motion passed unanimously.

The loan profile was reviewed.

There being no other business, the meeting was adjourned at 12:47 p.m.

Vice-Chairman

Attest: _____
Secretary

Special Benson EDA Meeting
December 21, 2015, 12:00 p.m.

Members Present: Pat Hawley, Leroy Noreen, Rick Horecka, John Buyck, Rob Wolfington

Members Absent: Mike Fugleberg, Paul Estenson, Paul Kittelson

Also Present: Don Wilcox

Vice Chairman John Buyck Called the meeting to order at 12:12 p.m.

City Attorney Don Wilcox reviewed a proposed resolution to be presented to the city meeting at 5:30 p.m. on December 21, 2015 to extend an economic incentive to Jim Lindahl for the structural improvements on the Snap Fitness building at 100 14th Street South, Benson, MN 56215. The economic incentive call for a five year loan at 4% annual interest for \$50,000. The loan will be forgiven over the 5 year term at 20% a year for each year the business continues to operate at that location. The loan proceeds are to be used for temporary and perminant structural improvements to the building. The terms are outlined in the attached resolution. Motion made by Leroy Noreen and seconded by Dr Horecka to approve the resolution. The resolution was approved with an affirmative unanimous vote.

The loan profile was reviewed

There being no other business, the meeting was adjourned at 12:45 p.m.

Vice-Chairman

Attest: _____

Secretary



Amy McBeth
Director, Public Affairs

BNSF Railway
80 44th Ave NE
Minneapolis, MN 55421
763-782-3212
amy.mcbeth@bnsf.com

W
✓
1/22/16

January 12, 2016

Dear Mayor Landmark:

Over the past year there has been much public discussion in Minnesota about the commodities railroads are moving, and when and where we move them. Railroads are part of the global supply chain, taking our state's own products to markets around the world and bringing us many of the goods we use every day, including the products needed for safe drinking water and to fuel our economy. According to the Federal Railroad Administration, 2013 and 2014 were the safest in history for freight railroads, including BNSF, and that trend continues. Rail is the safest and most environmentally friendly mode of surface transportation in Minnesota and across the nation. We are committed to safe operations and wanted to update you on key resources and information we shared recently with your fire department and emergency management officials.

To facilitate better communication with first responders and emergency planners, BNSF has established a website, www.bnsfhazmat.com. It is first responders' one-stop spot for training, planning and communicating with BNSF in your community. Through this website they can:

- Participate in on-line BNSF hazmat training
- Schedule BNSF hazmat training for responders
- Download a summary of BNSF's System Emergency Response Plan
- Request a Hazmat Traffic Flow Report for your city or county.
- Request access to AskRail,™ which is a mobile application that provides immediate access to real-time data on individual railcars of a train.

While over 99.99% of the nearly 2 million hazardous material shipments we handle annually arrive at their destination without an accident-caused release, we understand the need to always be prepared, so BNSF has worked with first responders for decades. In just the past two years, we have trained more than 2,200 first responders in Minnesota alone. We are committed to this safety partnership, and are pleased to share these new resources we hope your first responders will utilize. Together we all have the shared goal of safety in our communities. Please contact me at amy.mcbeth@bnsf.com or 763-782-3212 if you have any questions.

Sincerely,

Amy McBeth

1

Receive Updates



Minnesota Pollution Control Agency

Clean Power Plan: Greater MN Community Listening Sessions

Minnesota Pollution Control Agency sent this bulletin at 01/22/2016 12:00 PM CST

Having trouble viewing this email? [View it as a Web page.](#)



The Minnesota Pollution Control Agency (MPCA) invites you to join us at our upcoming community listening sessions on the Clean Power Plan.

The Clean Power Plan is the U.S. Environmental Protection Agency's (EPA) new rule requiring states to cut carbon dioxide emissions from existing power plants (for more information, visit www.epa.gov/cleanpowerplan). The Clean Power Plan will encourage the development of cleaner energy and energy conservation. EPA has set a target for states to meet, and the MPCA must now develop a plan to comply with EPA's rule. Before we develop our plan, we want to hear what Minnesotans' interests and concerns are related to the Clean Power Plan and clean energy.

We have four events coming up around Minnesota to hear from you! The events will start with an open house where MPCA staff will be available to answer questions and chat with stakeholders one-on-one. The listening session will immediately follow the open house. We'll provide a bit of background on the Clean Power Plan and our expected schedules and requirements, and most importantly, will listen to what YOU have to say.

All meetings will follow this schedule:

- 5:30PM-6:30PM: Open house/talk one-on-one with MPCA staff
- 6:30PM-8PM: Meeting/listening session begins

MPCA staff will be available for follow up questions after the meeting

Meeting locations:

- ✓ February 2: Southwest Minnesota State University Conference Center, Upper Ballroom, Marshall, MN (event flyer [here](#))
- February 9: St. Cloud State University, Atwood Memorial Center, Voyageurs Room, St. Cloud, MN (event flyer [here](#))
- February 16: Bemidji State University, the American Indian Resource Center's Gathering Place, Bemidji, MN (event flyer [here](#))
- February 23: University of Minnesota-Duluth, Engineering Building, Rooms 265/231, Duluth, MN (event flyer [here](#))

We will be holding additional events in the coming months – stay tuned! If you cannot make one of the meetings, we will be providing opportunities to express interests and concerns on our website. The website is still under development, but we'll be sure to send out an update when it's launched!

Jan 28, 16

Mayor & Council

largest issue facing Electric Industry - This may have impact on the AIR PERMIT FOR BONSON POWER (Fibromina) AND

Bonson Utilities power plants & MRES.

J Plan to Attend

Ref

We encourage you to use and distribute the flyers linked above to pass this information on to anyone who might be interested.

If you have any questions about these events, please contact CleanPowerPlan.PCA@state.mn.us.

The mission of the MPCA is to protect and improve the environment and enhance human health.

St. Paul • Brainerd • Detroit Lakes • Duluth • Mankato • Marshall • Rochester • Willmar

www.pca.state.mn.us • Toll-free and TDD 800-657-3864

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Public Input Meeting

Benson Rail Crossing Improvements – Benson, MN

Date/Time: January 11, 2016, Open House: 10:30 AM – 4:00 PM and 5:30 PM – 7:30 PM
Formal Presentations at 12:00 PM, 3:00 PM and 5:30 PM

Place: Benson City Hall Council Chambers – 1410 Kansas Avenue, Benson, MN 56215

Benson Rail Crossing Improvements Public Input Meeting

The City of Benson along with Stantec Consulting Services held a Public Input Meeting at Benson City Hall on Monday January 11, 2016. The purpose of the meeting was to provide a public input opportunity to members of the City of Benson regarding proposed alternatives to improve both rail safety and mobility between the railroad, vehicles and pedestrians.

Meeting Advertisement

The public input meeting was advertised in the Swift County Monitor Newspaper on December 16, 2015 and January 6, 2016 (public input meeting affidavit shown in Attachment A). The editor of the Swift County Monitor also included an extensive article of the project that was included in the December 30, 2015 paper.

Meeting Attendees

A sign in sheet was placed at the entrance to the public input meeting. Throughout the day, a total of 34 people signed in as attendees of the public input meeting. The public meeting sign in sheet is included as Attachment B.

Meeting Presentation Materials

The meeting was conducted by Rob Wolfington, Benson City Manager and Peggy Harter the Project Manager from Stantec Consulting Services. Meeting presentation materials included the following:

- Sign in Sheets
- Comment Forms – to be submitted that day or mailed in to Peggy Harter by January 26, 2016
- Large Presentation Boards displayed throughout the Council Chambers including 1) Existing Conditions/Issues Graphic; 2) Previously Studied Grade Separated Crossing in Benson's Downtown; 3) Option 1 Rail Crossing Improvements Graphic; 4) Option 2 Rail Crossing Improvements Graphic; 5) Option 3 Rail Crossing Improvements Graphic; 6) Cost Estimate Graphic for all proposed improvements
- 2 Copies of the 2015 Benson Rail Crossing Improvements Study

All meeting materials are shown in Attachment C, with the exception of the 2015 Benson Rail Crossing Improvements Study. A copy of the study can be made available upon request to the City of Benson.

Formal Meeting Presentation

Peggy Harter gave a formal presentation three times during the meeting at 12:00 PM, 3:00 PM and 5:30 PM. The formal presentation consisted of a power point presentation that discussed the identified issues and needs for the project, the history of the 2015 Benson Rail Crossing Study, the history of MnDOT's Rail Study, the findings of the Diagnostic Meeting held for the project, the proposed alternatives for improvements, the opportunity for public comment, and next project steps. The full presentation is included as Attachment D.

Public Input Received

All meeting attendees were encouraged to submit written comments on the provided comment forms. A total of 17 written comments were received. Based on the alternatives given to the public for comment, the following summarize the 17 public comments. The actual comment forms received are included as Attachment E.

1. *Which alternatives do you approve at the 12th and 13th Street Crossings?*

Option 1 – Paired One Ways – 1

Option 2 – Remain Two Way Streets with Medians Added at both 12th and 13th Street – 10

Option 3 – 12th Street Closed and 13th Street Two Way with Medians Added – 3

Do not support any of the options – 2

No Comment Provided on this alternative – 1

2. *Do you support the 4-Quadrant Gates at 14th Street?*

Yes – 11

No – 3

No Comment – 3

3. *Do you support the ITS Improvements at all of the at-grade crossings?*

Yes – 10

No – 3

No Comment – 4

4. *Do you support the 2-Quadrant Gates and Activation at 20th Avenue SE?*
 - Yes – 10
 - No – 5
 - No Comment – 2

5. *Do you support the Pacific Avenue Roadway Improvements?*
 - Yes – 14
 - No – 0
 - Maybe – 1
 - No Comment – 2

6. *Do you support the Pedestrian Improvements – Pedestrian Gates and/or Pedestrian Fencing in the Downtown?*
 - Yes – 7
 - No – 7
 - No Comment – 3

7. *Other Comments Regarding the Proposed Alternatives*
 - *Keep all downtown crossing a 2-way is my highest priority.*
 - *Option 2 would be best to preserve business downtown.*
 - *Good job – to me for a lot of reasons Pacific Avenue and 20th Ave crossing are the main things I want to see – thanks.*
 - *Hopefully Benson can get financial grants. The day will come when many more oil tankers will be coming through Benson again.*
 - *Keep costs down for City residents.*
 - *Could we tax the "Gusty" Road? It would be nice to have the road open all the time, especially in the spring.*
 - *Thank you for your hard work researching everything and putting everything together. Job well done!! I hope the City officials continue to do the BEST thing for the City.*
 - *Ramp parallel to RR from 15th SW to West. Bridge over RR ramp down to Pacific Avenue (ideally exit at 19th Street. This won't have truck traffic.*
 - *#1 reason for train derailment is defective tracks, not people going around cross arms. This whole exercise is based on scare tactics – fear of derailment and fear of closing a crossing, closing a crossing by the RR won't happen and will NOT change or ruin any business IF it did happen.*
 - *All tough choices – none of which make the train cargo any safer.*



January 11, 2016
Public Input Meeting
Page 4 of 4

- Do not make 12th and 13th one ways.

Input Received by MnDOT's Office of Freight and Commercial Vehicle Operations (OFCVO)

MnDOT's OFCVO provided an email dated January 20, 2016 identifying that their preferred alternative is Option 3 due to the closure of 12th Street. They also commented that they would not be able to commit to funding BNSF's annual maintenance fee for a four quadrant gate system at the TH 12/MN 29 grade crossing identified with all three options. In general, OFCVO is committed to work with the City of Benson, BNSF, and FRA to assist with the development of the rail safety improvement plan. A later email requesting clarification on support of other alternatives was received by MnDOT OFCVO on January 27, 2016 that noted that although Option 3 is the preferred alternative, they may be able to assist in the implementations of Options 1 and 2. The full emails are included in Attachment F.

The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

Stantec Consulting Services, Inc.

A handwritten signature in black ink, appearing to read "Peggy Harter".

Peggy Harter, PE
Project Manager
Phone: (701) 566-6020
Peggy.Harter@stantec.com



1301 Pacific Ave
PO Box 66
Benson, MN 56215
320-843-2777

February 1, 2016

Hanny Golf Proposal
Saturday June 18, 2016

Patrick's Pub & Grill would like to close down 13th Ave between Patrick's and Jimmy's Pizza from Pacific Ave to Kansas Ave, from the hours of 3:00 PM Sat. June 18 until approximately 12 am Sun. June 19. This will accommodate plenty of time for setup, breakdown and cleanup for the function.

We would also like to:

- * Setup for outdoor beer/liquor garden in designated area
- * Outdoor grill for Brats, Burgers
- * Host the Awards Ceremony after the Golf Tournament

Patrick's will provide:

- * Proof of insurance
- * Police presence
- * Picnic tables, etc...

This is the first time we have been asked to Host this event and we would love to do it. It's a huge golf tournament for the City of Benson and we would love to keep the Awards Ceremony in Town!

Sincerely:

Terry and Jen Sullivan

*W
1/25/16
Remme &
Abonoul
CC Agenda
Feb 1 16*



1301 Pacific Ave
PO Box 66
Benson, MN 56215
320-843-2777

February 1, 2016

Kid Day Street Dance Proposal
Saturday July 16, 2016

Patrick's Pub & Grill would like to close down 13th Ave between Patrick's and Jimmy's Pizza from Pacific Ave to Kansas Ave, from the hours of 6:00 AM Sat. July 16 until 3:00 AM Sun. July 17. This will accommodate plenty of time for setup, breakdown and cleanup for the function.

We would also like to:

- * Setup for outdoor beer/liquor garden in designated area
- * Outdoor grill for Brats, Burgers
- * Host a Bean Bag Tournament outside in the afternoon
- * Have a band play from 8:00 PM - 12:00 AM

Patrick's will provide:

- * Proof of insurance
- * Police presence
- * Picnic tables, band stage, porta potties, etc...

The 2015 Street Dance was a huge success, drawing people of all ages. Ian Hodge and the Benson Police Force did a fantastic job! We are looking forward to hosting this event again!

Sincerely:

Terry and Jen Sullivan

u
1/25/16
Recommend
Approved
CC Approved
Feb 1, 16

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Northern Lights Trails Previous Gambling Permit Number: X-04998-15-015

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 41-1872708

Mailing Address: PO BOX 153

City: Benson State: MN Zip: 56215 County: Swift

Name of Chief Executive Officer (CEO): Michael Goff

Daytime Phone: 320-808-7496 Email: msgoff65@gmail.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

A current calendar year Certificate of Good Standing
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division Secretary of State website, phone numbers:
 60 Empire Drive, Suite 100 www.sos.state.mn.us
 St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): McKinney's on Southside, Inc

Address (do not use P.O. box): 300-14th St S.

City or Township: Benson Zip: 56215 County: Swift

Date(s) of activity (for raffles, indicate the date of the drawing): 4-9-2015

Check each type of gambling activity that your organization will conduct:

Bingo* Paddlewheels* Pull-Tabs* Tipboards*

Raffle (total value of raffle prizes awarded for the calendar year: \$ _____)

* **Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under **LIST OF LICENSEES**, or call 651-539-1900.

Minnesota Business and Lien System, Office of the Minnesota Secretary of State

Business Record Details »

Minnesota Business Name

NORTHERN LIGHTS TRAILS

Business Type

Nonprofit Corporation (Domestic)

MN Statute

317A

File Number

1N-666

Home Jurisdiction

Minnesota

Filing Date

03/12/1996

Status

Active / In Good Standing

Renewal Due Date

12/31/2016

Registered Office Address

204 Hwy 12 SE PO Box 153
Benson, MN 56215
USA

Registered Agent(s)

Brent Hill

President

Sheri L Gades
103 5th Street N
Danvers, MN 56231
USA

Filing History

Filing History

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Filing Date	Filing	Effective Date
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03/12/1996	Nonprofit Corporation (Domestic) Business Name	

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 type="checkbox"/> Benson Area Tourism Board | <input type="checkbox"/> Library Board |
| <input checked="" type="checkbox"/> Cemetery Board | <input 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 Greg Zniewski Address 505 13th St. North

Telephone: Home 320-760-5546 Business 320-842-8811 Zip 56215

How long have you been a resident of Benson? 25 yrs.

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: Funeral Director Name of Employer: Zniewski Funeral Home

I am a member of the following civic organizations: _____

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:

Do you have any additional comments?

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.

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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 Tara J. Ulmaniec Address 402 13th Street North, Benson

Telephone: Home 320-368-0238 Business 320-843-9119 Zip 56215

How long have you been a resident of Benson? Since April of 2003

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: Attorney at Law Name of Employer: Ulmaniec Law Office, P.L.L.C.

I am a member of the following civic organizations: 12th District Bar Association, Minnesota State Bar Assn,

Benson-Area Chamber of Commerce, Swift County Historical Society

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:

My husband and I truly enjoy residing in Benson, Minnesota, and I would like to continue to serve our community by acting on another board. I am currently a member of the Benson Planning Commission.

Do you have any additional comments? I think the city parks are a true asset to the community, and I would like to serve on the park board to assist in maintaining and improving the recreational facilities of Benson.

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CITY OF BENSON
APPLICATION FOR APPOINTMENT TO CITY BOARDS OR COMMISSIONS

Dear Applicant:

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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 Bill McGeary Address 1915 Twin Circle

Telephone: Home 320 843-2200 Business 320 314 2153 Zip 56215

How long have you been a resident of Benson? 45 years

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: City Emergency Mgr. Director Name of Employer: Swift County

I am a member of the following civic organizations: Benson Civic Center Board,
School Board

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:

Do you have any additional comments? _____

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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: Susan C. Snow **Address:** 712 11th Street South, Benson MN
Telephone: Home 320.314.8168 **Business** NA **Zip** 56215

How long have you been a resident of Benson? Now 4 years, lived within 12 miles 51 years

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

Occupation: Retired Teacher **Name of Employer:** NA

I am a member of the following civic organizations: Friends of the Benson Library

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:

Special Interests: The natural environment; Keeping Benson a thriving community with an excellent library

Education: Murdock High School, Diploma; University of Minnesota Morris, BA; Saint Mary's University, MA

Past Experience: Retired Earth and Life Science teacher; Swift County-Benson Hospital Auxiliary president; Charter member of the Danvers Jaycee Women; Big Bend Aces 4-H Club leader; Swift County Wastebuster; Music Booster Chair; active role in many church and school functions

Currently: Anna's Book Club member; book editor for two local authors; Our Redeemer's Lutheran Church Call Committee chair; Music and Worship Board member; Bible Study leader

Do you have any additional comments?

As a patron of the library, I am excited about the many offerings the librarian, Dawn Erickson, has scheduled. I admire her enthusiasm! I am at the library at least once a week and bring my grandchildren to the library often. Being a book club member has expanded my reading genres and the library is able to order books not held in the local collection.

As a member of Friends of the Library (FOL), I have been involved recording the history of the library by scrapbooking over 100 years of information. I also participate by creating the FOL newsletter (sample attached), doing publicity by writing newspaper articles and designing posters. Of course there is fundraising for FOL, but I also have experience with fundraising through Music Boosters, Jaycee Women, etc.

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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 Sheryl Madden Address 802 11th St N Benson

Telephone: Home 320-843-4270 Business 320-843-3330 Zip 56215

How long have you been a resident of Benson? 56 years

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: Bank Branch Manager Name of Employer: RiverWest Bank

I am a member of the following civic organizations: _____

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:

Been Life time Resident of Benson. Served on
The Benson Chamber Board For 8 years. I have
been active in Community projects. Just became a
member of the Benson Relay For Life Team. Want to see
Benson grow and prosper. Been employed at Riverwood Bank
Do you have any additional comments? For 36 years.

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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 RON LAYCOCK Address 1000 OAKWOOD AVE

Telephone: Home 847-3264 Business Zip 56215

How long have you been a resident of Benson? 48 years

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: Kiwanis

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:

Have worked for boards, and on board for most of my career, including local, state and national boards. I have held many office on boards, including president of a national board

Do you have any additional comments? *I have experience in budgeting, management and administration*

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ORDER TO VACATE AND REPAIR HAZARDOUS BUILDING

**TO: KAREN SCHROEDER AND BURT SCHROEDER
RANDY TRAVIS FREDERIKS**

YOU ARE HEREBY ORDERED to vacate and repair the building located at 305 16th St. S.. in Benson, Minnesota, legally described as Lot Ten (10), Block Two (2), McKinney’s First Addition to the City of Benson, Swift County, Minnesota.

This order is made on the grounds that said building is in a hazardous condition and presents a serious threat to the health and safety of the public.

You must apply for a building permit to complete the necessary repairs by no later than February 19, 2016. You must complete the following repairs of said building by no later than April 4, 2016:

1. Repair electrical system and have system approved by a certified State Inspector
2. Repair gas system and have system approved by a certified State Inspector
3. Repair water system and have system approved by the City Building Inspector
4. Remove all waste, refuse, garbage and/or rubbish to the satisfaction of the City Building Inspector

If you fail to complete the required repairs, a motion for summary enforcement of this order will be made to the District Court of Swift County, Minnesota, unless you file an answer to this Order within the time specified by Minnesota Statutes section 463.18.

Dated: _____

CITY OF BENSON

By _____

**RESOLUTION TO ORDER REPAIR OF HAZARDOUS CONDITIONS
(RESOLUTION NO. 2016-)**

WHEREAS, the City Council has heard the report of the City Building Inspector regarding the property located at 305 16th St. S. in Benson, Minnesota, legally described as Lot Ten (10), Block Two (2), McKinney's First Addition to the City of Benson, Swift County, Minnesota,

WHEREAS, the City Council has determined, based on said report, that conditions currently exist in the building on the above described property which make said building dangerous or substandard, as a result of garbage, waste and refuse buildup and damage to the electric, gas, and water systems on the premises,

NOW THEREFORE, pursuant to Chapters 93 and 97 of the City of Benson Code of Ordinances and Minnesota Statutes, chapter 463, The City Council of the City of Benson, Minnesota resolves:

1. That the building located on the above described property contains hazardous conditions according to the definitions provided by the City of Benson Code of Ordinances, chapters 93 and 97 and Minnesota Statutes, chapter 463.
2. That an order to repair said conditions on the above described property be served upon the owners and tenants of the above described property in accordance with the City of Benson Code of Ordinances, chapter 97.
3. That along with said order, the owners, tenants and any lienholders of the above described property will be served with notice of a hearing at which the Council will consider any evidence offered by the person or persons having any estate or interest in the above described structure.

Adopted by the City Council of the City of Benson, Minnesota on _____, 2016.

Approved:

Mayor

Attested:

Val Alsaker

From: Rob Wolfington
Sent: Thursday, January 28, 2016 6:33 PM
To: Jeff/Sarah DeHaan; Shreck Mark; Ian Hodge; Val Alsaker
Subject: Re: Benson Hocke Association

Jeff

I'll place this on the agenda for Monday. Thanks for asking. Sounds like fun.

Sent from my iPhone

On Jan 28, 2016, at 5:30 PM, Jeff/Sarah DeHaan <skdehaan@yahoo.com> wrote:

Rob,

Good afternoon. I am contacting you after visiting with Bill McGeary from the Benson Civic Center board and the idea of hosting an open house/bonfire at the Benson Civic Center. We have a huge interest in doing this to display to the general public and surrounding communities the completion of the outdoor hockey and outdoor pleasure rink along with the warm viewing/changing area that we said would be completed for the all to use yet this season. We believe that during Minnesota Hockey weekend February 6th it would be a perfect opportunity to showcase all these facilities and what we have to offer to the public.

I would like to use this email as BHA's formal request to apply for a permit to conduct an outdoor recreational fire at this site just this one time during the open house we are planning on Saturday, February 6, 2016 starting at 5:00. We will use only open burning approved combustible products (camp fire wood) during this event. There will also be 1-2 Benson Fire Dept members on site during this event to monitor safety and so on. We also plan on doing some hot dogs, beans, coffee, cidar, etc free of charge to the those that attend and encourage all to use the hockey facilities or pleasure rink to skate during this time. Going forward this room will be open 7 days a week for the all to use. We also are installing a soda machine and Porta A Biff. We will be putting an notice in the Benson paper and on the billboard to advertise this event. Any questions feel free to contact me at 320-808-7883.

* The BHA board along with myself want to personally thank you and your staff for all the work and assistance you have provided to make this project a success. Please pass this along to everyone.

Respectfully,

BHA Chairman Jeff DeHaan

CHAPTER 96: FIRE PREVENTION

Section

96.01 Fuel oil tanks

96.02 Open burning

Cross-reference:

Motor vehicles impeding fire fighting as nuisances, see § 95.04

§ 96.01 FUEL OIL TANKS.

(A) *Installation of tanks.* No person shall connect, alter, or use any fuel oil tank in any building or structure in the city unless the tanks shall be equipped with proper overflow pipes, outlets, and vents such as shall conform to the Safety Code of the Fire Underwriters Laboratories. ('75 Code, § 11.401)

(B) *Filling of tanks.* No person shall fill any tank in any building not equipped as specified in subsection (A). ('75 Code, § 11.402)
Penalty, see § 10.99

§ 96.02 OPEN BURNING.

(A) *Open burning prohibited.* Except as otherwise permitted by this section, all open burning is prohibited within the geographical limits of the city.

(B) *Recreational fires and mobile cooking devices.* Recreational fires and mobile cooking devices are permitted in the city except as otherwise set forth herein.

(C) *Definitions.* For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOBILE COOKING DEVICES. Devices such as manufactured hibachis, charcoal grills, wood smokers and propane gas devices and are not defined as recreational fires.

OPEN BURNING. A fire burning in matter, whether concentrated or dispersed, which is not contained within a fully enclosed firebox or structure from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, screen, duct or chimney.

RECREATIONAL FIRE. A fire set with approved starter fuels no more than three feet in height, contained within a pit, portable fire pits, and portable fireplaces passing through a stack, screen,

duct or chimney. The use of a unit under an overhang is prohibited. A portable outdoor fireplace or fire pit must be located a safe distance from any structure. No portable outdoor fireplace or fire pit may be located on or beneath any balcony, stairway or similar outdoor projection. Only dry, clean wood; producing little detectable smoke, odor or soot; conducted with an adult tending the fire at all times; for recreational, ceremonial, food preparation or social purposes; extinguished completely before quitting the occasion; and respecting weather conditions, neighbors, burning bans, and air quality so that nuisance, health or safety hazards will not be created. If a county-wide fire ban is announced, no recreational fires are permitted.

STARTER FUELS. Dry, untreated, unpainted wood and kindling.

WOOD. Dry, clean fuel only such twigs, branches, limbs, "presto logs", charcoal, cord wood or untreated dimensional lumber. **WOOD** does not include wood that is green, leaves or needles, rotten, wet, oil soaked or treated with paint, glue or preservatives.

(D) *Recreational burning.* Recreational fires are permitted under the following conditions:

- (1) Burning shall occur between 9:00 a.m. and 12:00 midnight during any day of the week.
- (2) The fire shall not exceed three feet in diameter and a flame height of approximately three feet and shall be contained in a pit, portable fire pits, and portable fireplaces passing through a stack, screen, duct or chimney.
- (3) Only natural firewood less than two feet in length may be burned. No burning of trash, leaves or brush is allowed.
- (4) The use of flammable or combustible liquids is not permitted.
- (5) The fire is constantly attended by a person knowledgeable in the use of fire-extinguishing equipment and that person supervises the fire until the fire has been totally extinguished.
- (6) Fire-extinguishing equipment such as a fire extinguisher, buckets, shovels, or garden hoses, are readily available.
- (7) Recreational fires must be conducted at a safe distance from any structure.
- (8) Recreational fires are not permitted on commercial or industrial sites with construction activity.
- (9) Police officers, fire officials or building official are authorized to require that a recreational fire be immediately extinguished if it is determined that the fire is not in compliance with the above rules, the smoke is offensive to neighbors or the burning is determined to constitute a hazardous condition.

(Ord. 1120.06, passed 6-12-06) Penalty, see § 10.99

SECTION 3.02 NUMBER, ELECTION, ELIGIBILITY

The hospital district shall be governed by a Board of Directors of nine (9) members. All members of the Hospital Board at the time the hospital district is organized shall continue in office until the members of the first board of the hospital are elected and qualified.

Three (3) directors shall be appointed by the City Council of Benson and six (6) directors shall be appointed by the County Board of Swift County. One of the six (6) members appointed by the county shall be an active member of the Medical Staff. By resolution, the Board of Directors may recommend to the City of Benson and the County of Swift that up to three (3) additional voting members be added to the Board of Directors, each for three (3) year terms. Appointment of these directors shall maintain the balance of two-thirds county representation and one-third city representation. Each of the political subdivisions electing directors shall assign terms of office to each director according to staggered terms wherein one-third of the members shall be elected for a term to expire one (1) year from the next December 31st, one-third for a term to expire two (2) years from that date and the third on-third for a term to expire three (3) years from that date.

There should be no limitations on the number of terms that directors may serve except as those limitations are applied by the respective political subdivisions electing directors.

The Administrator of the Hospital shall be an ex-officio member.

If one of the voting members appointed by the Benson City Council pursuant to this Section is not a member of the Benson City Council then the Benson City Council may, in its discretion, appoint one of its members to serve as an ex-officio member of this board to serve as long as no member of the Benson City Council is a voting member of this board.

If one of the voting members appointed by the Swift County Board pursuant to this Section is not a member of the Swift County Board then the Swift County Board may, in its discretion, appoint one of its members to serve as an ex-officio member of this board to serve as long as no member of the Swift County Board is a voting member of this board.

Three months before the first meeting of a new year, the Chair of the Board of Directors shall appoint a nominating committee composed of three (3) Directors and the Hospital Administrator. One of the members shall serve as chair of the said nominating committee. The nominating committee shall solicit recommendations for nominations for available seats on the Board of Directors. These nominations shall be submitted to the political subdivision responsible for electing an individual to a vacant position.

CITY OF

BENSON MINNESOTA

January 28, 2016

Mayor Gary Landmark and Benson City Council
1410 Kansas Avenue
Benson, MN 56215

Re: Aerial Platform Quint Bids

Dear Mayor and Council:

I have examined the process used by the city to obtain bids for an Aerial Platform Quint. From my examination I have determined that there were no problems with the city's process. The published notice met all requirements. The lowest bid is a responsible bidder and the bid meets the specifications of the city. Therefore the city is not only allowed to accept this bid but is obligated to do so according to MN Statutes Section 412.311. Feel free to contact me if you have any questions.

Very truly yours,



Benjamin R. Wilcox
Assistant City of Benson Attorney

BRW:kw

OFFICE OF CITY ATTORNEY

Donald A. Wilcox
Benjamin R. Wilcox

1150 Wisconsin Avenue
P.O. Box 100
Benson, MN 56215

320-842-5391
FAX 320-843-4285

To: **BENSON FIRE DEPARTMENT**
1410 KANSAS AVENUE
BENSON, MN 56215

DATE: 1/20/2016

We hereby propose and agree to furnish, after your acceptance of this proposal and the proper execution by the Benson Fire Department, hereinafter called the BUYER and an officer of Rosenbauer South Dakota, LLC, hereinafter called the COMPANY, the following apparatus and equipment:

ROSENBAUER AERIAL APPARATUS BODY MANUFACTURED BY ROSENBAUER SOUTH DAKOTA, LLC AND SPECIFIED EQUIPMENT	\$266,074.00
ROSENBAUER COMMANDER CHASSIS	\$260,378.00
ROSENBAUER 101' AERIAL	<u>\$273,312.00</u>
TOTAL ...	\$799,764.00*

SEVEN HUNDRED NINETY NINE THOUSAND SEVEN HUNDRED SIXTY FOUR DOLLARS

All of which are to be built in accordance with the specifications, clarifications and exceptions attached, and which are made a part of this agreement and contract.

DELIVERY: The estimated delivery time for the completed apparatus, is to be made 365 days after receipt of and approval of this contract duly executed, (chassis must arrive within 170 days or delivery may be delayed), subject to all causes beyond the Company's control. The quoted delivery time is based upon our receipt of the specified materials required to produce the apparatus in a timely manner. The Company cannot be held responsible for delays due to Acts of God, Labor Strikes, or Changes in Governmental Regulations that result in delayed delivery to our manufacturing facilities of these specified materials. This delivery estimate is based on the Company receiving complete and accurate paperwork from the Buyer and that no changes take place during pre-construction, mid-point inspections or final inspections. Changes required or requested by the Buyer during the construction process may be cause for an increase in the number of days required to build said apparatus.

PAYMENT TERMS: Final payment for the apparatus shall be made at time of delivery or pick up of the completed vehicle. It is the responsibility of the Buyer to have full payment ready when the apparatus is complete and ready to deliver. If payment is delayed or delivery is delayed pending payment, a daily finance and storage fee may apply. Upon delivery of the apparatus or upon pickup of the apparatus by the Buyer, Buyer agrees to provide all liability and physical damage insurance. It is further agreed that if on delivery and test, any defects should develop, the Company shall be given reasonable time to correct same. Guarantee of the chassis is subject to the guarantee of the chassis manufacturer.

MISCELLANEOUS PROVISIONS: This agreement shall be construed in accordance with the laws of the State of South Dakota. The parties agree that any litigation arising from or in connection with any dispute between the parties under this agreement shall be venued in South Dakota. The parties agree that this agreement bears a rational relationship to the State of South Dakota, and they consent to the personal jurisdiction of such state and further consent and stipulate to venue in the above described court.

***NOTE: IF CHASSIS IS NOT PAID FOR UPON ARRIVAL AT PLANT IN LYONS, SD, ADD \$10,415.00.**

5-6 mar

***NOTE: IF AERIAL IS NOT PAID FOR UPON ARRIVAL AT PLANT IN LYONS, SD, ADD \$5,466.00.**

3-4 com

The amount in this proposal shall remain firm for a period of 60 days from the date of same.

Respectfully submitted,

DEALER: HEIMAN INC

SALES REP: *Darrell Frederickson*
DARRELL FREDERICKSON

BUYER:

We accept the above proposal and enter into contract with signature below.

_____ Title _____

_____ Title _____

_____ Date _____

After company receipt of this document signed by the Buyer, the document will be reviewed and upon approval, countersigned by the Company thereby putting the document in force.

ROSENBAUER SOUTH DAKOTA, LLC

_____ Title _____

_____ Date _____

00-10-1300 - Clarifications and/or Exceptions to Specifications

CLARIFICATIONS and/or EXCEPTIONS TO SPECIFICATIONS

- 1) Per conversation with Chief Mark Schreck 12/21/2015, the only "NFPA" equipment supplied with our bid is equipment specifically requested and in the Benson bid specs. Any additional NFPA Section 8.8 equipment not referred to specifically by the department specs herein will be supplied by the Fire Department.
- 2) The rear chassis suspension will be a Ridewell Dynalastic RD202 suspension. This suspension is the only non-air suspension we offer that meets the GVW requirements of your aerial

Thank you for the opportunity to bid your new platform aerial!

January 20, 2016

Warranty and Service Capabilities

Heiman Fire Equipment's service facility, which is located in Sioux Falls South Dakota, offers a full array of service capabilities. The service center itself is a 45,000 square foot ultra modern facility. It is fully staffed with factory trained and certified personnel with over 100 years of combined experience. Services provided at the center vary from very minor repairs to major pump overhauls to full apparatus refurbishing. We also have testing facilities to provide pump certification. Heiman Fire Equipment is fully insured and bonded, and carries a full parts inventory.

Rosenbauer's manufacturing plant in Lyons, SD, where this unit will be built, has a parts department that carries on excess of 3 million \$\$\$ in parts inventory. The Lyons facility is an authorized factory service facility. Rosenbauer also has an apparatus manufacturing and service facility in Wyoming, MN.

In addition to the above locations, warranty service may be, if authorized in advance by Rosenbauer, performed by your local maintenance shop or your current fire service repair company. This is probably the most common method utilized and desired by fire departments around the country. It keeps down time and travel time to a minimum. Prior authorization with a firm estimate is required, and if approved, Rosenbauer will authorize repair work to be done locally. Prior approval is required to ensure that the prices are in line, and that only needed repairs are effected. Also, Rosenbauer will work closely with the repairing entity to supply any needed parts.

If road service is desired, Emergency Apparatus Maintenance is a Rosenbauer authorized service company. EAM has fourteen (14) on the road service units to handle on-site service issues. Please contact Lance Olsen at EAM 24/7 at either 800-326-3911 or 612-534-6846. Please contact EAM to determine the mileage charges for on-site service. Mileage charges are not covered by Rosenbauer warranty.



**RESOLUTION AUTHORIZING THE SMALL CITIES
PROGRAM GRANT APPLICATION
(RESOLUTION 2016-)**

BE IT RESOLVED that the City of Benson act as the legal sponsor for the project contained in the SCDP Application to be submitted on or before February 25th, 2016 and that the City of Benson Mayor, Gary Landmark and the City Manager, Rob Wolfington 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 construction, operation, maintenance and replacement of the proposed project for its design life.

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, City of Benson may enter into an agreement with the State of Minnesota for the approved project, and that the City of Benson certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW, THEREFORE BE IT RESOLVED that the City of Benson Mayor, Gary Landmark and Benson City Manager, Rob Wolfington, or their successors in office, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project on behalf of the Applicant.

Citizen Participation Plan

Pursuant to Section 104(a)(3) of the Housing and Community Development Act of 1974, as amended, this Citizen Participation Plan is hereby adopted to ensure that the citizens of the **City of Benson** (hereinafter referred to as the Applicant), particularly persons of low and moderate income residing in slum and blight areas and in areas in which CDBG funds are proposed to be used, are encouraged to participate in the planning and implementation of CDBG-funded activities.

Public Hearing

A public hearing or public hearings will be the primary means of obtaining citizen views and responding to proposals and questions related to community development and housing needs, proposed CDBG activities and past CDBG performance.

Prior to submitting a CDBG application to the State of Minnesota, the Applicant will need to conduct at least one public hearing to identify community development and housing needs, including the needs of very low and low income persons, as well as other needs in the community that might be addressed through the CDBG program. At the hearing, the Applicant must also, at minimum, review the proposed CDBG activities, their benefiting location(s), overall cost and proposed financing, and the implementation schedule. In addition, the past performance of the Applicant in carrying out CDBG responsibilities should be reviewed. A second public hearing midway through project implementation is required.

Formal notice of the public hearing must be provided, which follows the posting/publication requirement(s) of the Applicant. A public notice will also be posted in places frequented by the public, especially low and moderate income persons benefiting from or affected by proposed CDBG activities. As circumstances warrant and as the Applicant determine necessary or appropriate, participation may additionally be specifically solicited from persons of low and moderate income, those benefiting from or affected by CDBG activities and/or representatives of such persons. Hearings will be held at times and in locations convenient to potential and actual beneficiaries and with accommodation for the handicapped. In case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate, arrangements will be made to have an interpreter present. Citizens must be provided the opportunity to comment upon the original Citizen Participation Plan and on substantial amendments to it, or to the activities for which CDBG funds will be used.

Public Information and Records

Information and records regarding the proposed and past use of CDBG funds will be available at **1410 Kansas Avenue, Benson, MN 56215**, during regular office hours. The public will be so informed of this by public notice. Special communication aids can be made available to persons upon request.

Written Comments and Response

The Applicant will respond to written complaints and grievances, in writing, in a timely manner. When at all possible, such written responses shall be made within fifteen (15) working days.

Mayor

Date

**RESOLUTION IDENTIFYING “SLUM AND BLIGHTING” CONDITIONS
(RESOLUTION 2016-)**

WHEREAS, The City of Benson is undertaking a program of downtown revitalization and redevelopment; and

WHEREAS, The City of Benson has identified a specific area hereafter referred to as the “target area” in which revitalization activities will occur; and

WHEREAS, The City of Benson has assessed the condition of buildings and the other characteristics of the target area and has determined that the area can be characterized as blighted by reasons of “dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light, and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any condition of these factors, which are detrimental to the safety, health, morals, or welfare of the “community” in accordance with M.S. 469.002, Sub.11.

FURTHERMORE, the Benson City Council has identified the existence of substandard residential units, the inability of commercial structures to meet codes, the general condition of deteriorating storefronts on the commercial buildings and the existence of dilapidated structures in the area as contributing to the slum and blighting conditions of the target area. (See attached map of target area.)

THEREFORE, BY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENSON THE AREA IDENTIFIED AS THE TARGET AREA (SEE ATTACHED MAP) IS CHARACTERIZED BY CONDITIONS MEETING THE DEFINITION OF ‘SLUM AND BLIGHT’.

Adopted this 1st day of February 2016 by the Benson City Council.

Mayor

ATTEST

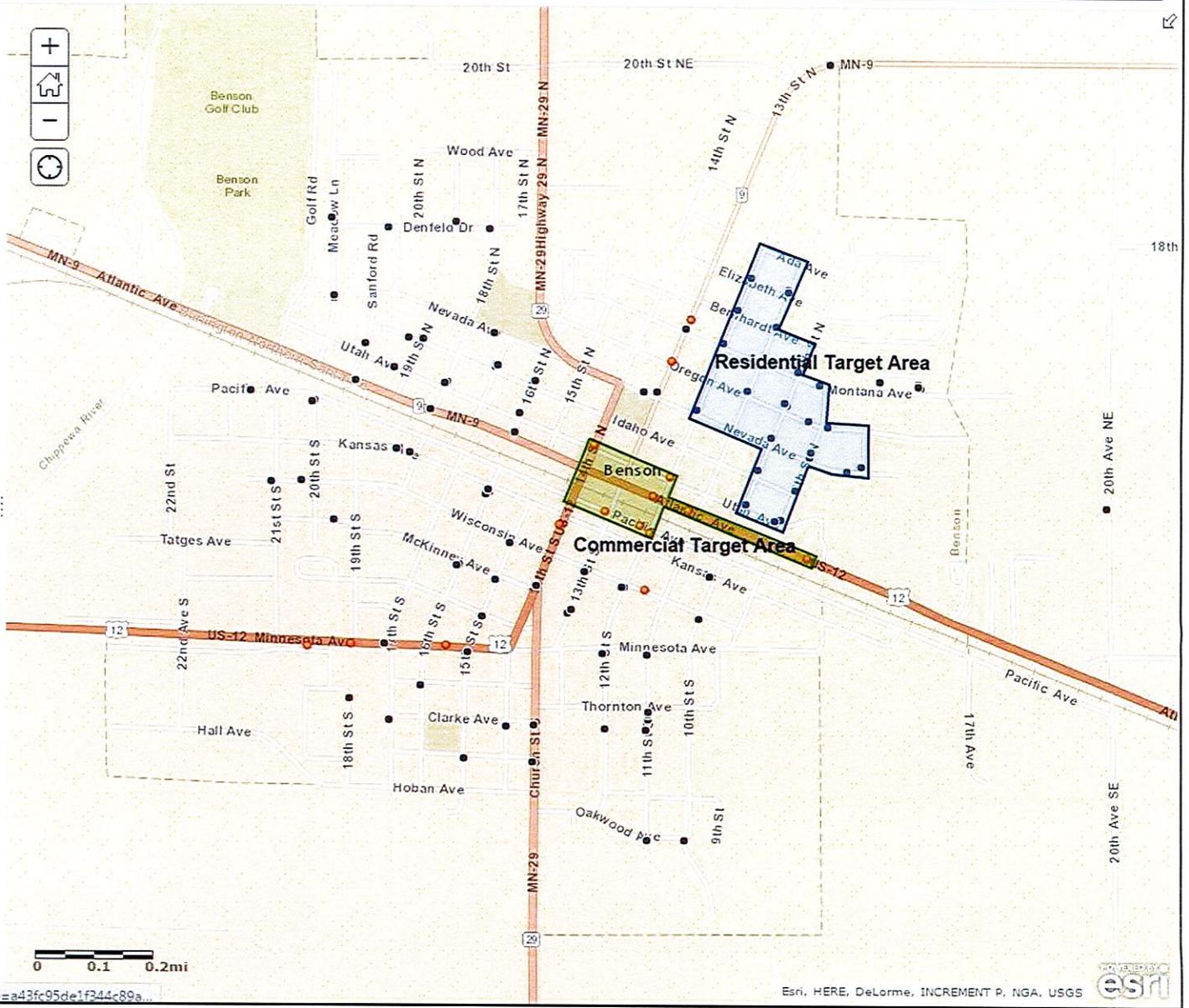
City Clerk

Legend

Commercial Interest



Residential Interest





INVOICE

11/25/16

Invoice Number 1001883
Invoice Date January 19, 2016
Customer Number 92404
Project Number 193803126

Bill To

City of Benson
Accounts Payable
1410 Kansas Avenue
Benson MN 56215
United States

Please Remit To

Stantec Consulting Services Inc. (SCSI)
13980 Collections Center Drive
Chicago IL 60693
United States
Federal Tax ID
11-2167170

Project Description: 2015 Benson General

Stantec Project Manager: Lembke, Eric S
Stantec Office Location: St. Paul MN
Current Invoice Due: \$5,807.00
For Period Ending: December 31, 2015

Due on Receipt

INVOICE

Invoice Number
Project Number

1001883
193803126

Top Task 300

Industrial Biotech Plant Proposal

Organize and meet with Rob and staff to discuss proposal, prepare maps and site plans, prepare wage survey data analysis, prepare location map and proposal layout, finalize and send proposal to State and City.

Professional Services

Billing Level

	Hours	Rate	Current Amount
Graphics Designer	8.25	109.00	899.25
	8.25		899.25
Planner	8.00	91.00	728.00
	8.00		728.00
Principal	1.50	171.00	256.50
	1.50		256.50
Project Manager	15.50	152.00	2,356.00
	15.50		2,356.00
Project Technician	0.50	73.00	36.50
	0.50		36.50
Senior Planner	9.75	157.00	1,530.75
	9.75		1,530.75
Professional Services Subtotal	43.50		5,807.00

Top Task 300 Total

5,807.00

Total Fees & Disbursements

\$5,807.00

INVOICE TOTAL (USD)

\$5,807.00

Rob Wolfington

From: Bryan Asche <bryan@ascheengineering.com>
Sent: Friday, January 15, 2016 7:54 AM
To: Rob Wolfington
Cc: Mike Jacobson
Subject: Invoice
Attachments: 74 AE15019 Thompson Building.pdf

Rob,
Phase 1 construction "Temporary Support" is complete for the Thompson Building. Attached is our invoice for the remaining services we provided for this phase. Let me know if you have any questions.

Bryan Asche, PE, LEED AP
320.808.4146
Alexandria, MN
www.AscheEngineering.com





Asche Engineering LLC
 3716 E Burgen Road SE
 Alexandria, MN 56308

Invoice

Phone # 320-808-4146

Invoice # 74
 Invoice Date 1/15/2016
 Due Date 1/15/2016

Bill To:
 City of Benson
 Mike Jacobson
 1410 Kansas Avenue
 Benson, MN 56215

Client Project Number
Project 110 14th Street So Building Roof Assessme

Serviced	Description	Hours/Qty	Rate	Amount
1/3/2016	Site visit to review existing conditions	2	100.00	200.00
1/4/2016	Design temporary support, incorporate observed conditions, prepared drawings; Design and coordination with Contractor and Client	4	100.00	400.00
1/5/2016	Design temporary support, incorporate observed conditions, prepared drawings; Design and coordination with Contractor and Client	5.5	100.00	550.00
1/6/2016	Design temporary support, incorporate observed conditions, prepared drawings; Design and coordination with Contractor and Client	2	100.00	200.00
1/13/2016	Site visit to review Phase 1 construction with Building Official	3	100.00	300.00

Total	\$1,650.00
Payments/Credits	\$0.00
Balance Due	\$1,650.00

Terms Due on receipt

Thank you for your business.

TYLER'S CONSTRUCTION SERVICES, LLC

517 7TH AVE E
ALEXANDRIA, MN 56308

320 491-5520

Invoice

Date	Invoice #
12/28/2015	1087

Bill To
City of Benson Rob Wolfington 1410 Kansas ave Benson, MN 56215

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
	Install support system in Snap Fitness Building, and reinforce rafter system.	5,159.94	5,159.94
Thank you for your business.		Total	\$5,159.94