

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING
CITY HALL
FEBRUARY 22, 2022**

The meeting was called to order at 5:30 p.m. by Mayor Collins. Members present: Jack Evenson, Mark Schreck, Terri Collins & Lucas Olson. Present Telephonically Jon Buyck. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Fire Chief Jeff Ruess, City Attorney Ben Wilcox, Public Works Director Dan Gens, CEDA Representative Hillary Tweed, Bolton & Menk Representatives Sheila Krohse & Silas Parmar and Reed Anfinson. Also present telephonically John Peterson from TKDA and CEDA Representative Sarah Weese.

The Council recited the Pledge of Allegiance.

The Mayor asked for any changes to the agenda, to which there were none. It was moved by Evenson, seconded by Schreck and carried unanimously to approve the agenda as presented.

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

- February 7, 2022 City Council Minutes
- Gambling Permit – Duck’s Unlimited Benson Prairie Chapter - April 2, 2022
- Electronic Transfers:
Payroll: February 10, 2022 - \$104,025.04
Journal Entry: January 2022 - \$1,393,020.74

The Mayor asked for anyone with unscheduled business to which there was none.

Chief Reuss approached the Council to discuss the 2021 Fire Report. He reviewed the number of calls and a breakdown of the calls. He said they applied for a FEMA grant for a fire truck but did not get the grant. He hopes to start looking into new trucks.

Wolfington approached the Council. He said he, Gens, the airport engineers and the FAA had a discussion on the Airport 5 year capital outlay and the need to rebuild the runways. It would be funded with FAA Discretionary funds. The FAA decided they wanted the City to update the Airport Layout Plan (ALP) as part of the grant application before engineering is assigned to the project. TKDA is our 5 year appointed engineering firm. However, this current request for an ALP update is not included in their scope of service which requires a single purpose Statement of Qualifications (SOQ) to find an engineer to conduct the study. We advertised back in January and 4 firms responded. The airport board was to review the SOQ. However there is currently only 1 active airport board member. Wolfington said he asked Gens to have the former board members review, score and make a recommendation for the engineer to conduct the study. There were questions on the process by some applicants. He asked the City Attorney to review the process. Wilcox approached the Council. He presented his memo, and advised in order to avoid the appearance of any deficiency in the process he recommends the Council appoint a qualified selection committee to go through the process once more. The Mayor asked for a motion to appoint committee members. It was moved by Evenson to appoint Kelly Lindblad, Gene Doscher, Dan Gens, Carl Trinkle, City Attorney Wilcox and City Manager Rob Wolfington to go through the process again. The motion was seconded by Schreck and carried unanimously.

Tweed approached the Council to inform them the EDA met on August 16, 2021 to discuss the Minnesota Investment Fund one time exception offered to communities that participated in the Minnesota Investment Fund (MIF). If the City wants to participate in the one-time exception, the City will have to

return 20% of the Revolving Loan Fund cash balance to the state. The current balance is \$718,997. If the City does this, they can use the remaining balance for any lawful purpose. The EDA is recommending to not participate in the one-time exception, but to instead separate the funds into two separate pools; one for retail and another for commercial/industrial. After discussion, it was moved by Evenson, seconded by Schreck and carried unanimously to not participate in the one-time exception for the MIF, and separate the funds as discussed.

Next was a request from the UMRDC asking the City to give approval allowing them to sign on behalf of the City for reimbursement from the Small Cities program, and allows them to pay vendors. It was moved by Olson, seconded by Schreck and carried unanimously to approve authorization for the UMRDC to sign the Small Cities Development program reimbursement request form.

Tweed presented the Small Cities Grant owner-occupied and commercial rehabilitation policies and procedural guides. These will be used in the small cities selection process. Once approved letters can go out to applicants. It was moved by Evenson, seconded by Schreck to approve the two policies as presented.

Tweed presented a Trails Grant co-worker Sarah Weese has been working on. She said Weese is attending telephonically to answer any questions the Council may have. She went on to say Weese is asking to submit an application for the Benson Parks Recreation Trails Grant. This is a 25% matching grant that would go for resurfacing walking trails at Ambush Park and Northside Recreation area. The project total is estimated to cost \$128,500. The City's share would be \$32,125 if awarded the Grant. Weese is asking for approval of the matching grant funds tonight. Wolfington said the funds would come out of the Parks capital funds. After discussion, Councilmember Schreck offered the following resolution:

**CITY OF BENSON
SWIFT COUNTY, MINNESOTA**

**RESOLUTION IN SUPPORT OF GRANT APPLICATION TO
MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR
THE FEDERAL RECREATIONAL TRAIL PROGRAM
(RESOLUTION 2022-03)**

WHEREAS, the City of Benson supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to resurface 1.41 miles of paved trail for the Benson Parks and Recreation Trail System and the parking lot at the Ambush Park Trailhead, The trail system is located within Ambush Park and Northside Recreational Park, and

WHEREAS, the City of Benson recognizes that is has secured \$32,125 in local cash matching funds for this project and must provide a twenty-five percent (25%) cash match

NOW, THEREFORE, BE IT RESOLVED, if the City of Benson is awarded a grant by the Minnesota Department of Natural resources, the City of Benson agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Benson will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the applicant has read the Conflict-of-Interest Policy contained in the Trail Program Grant Manual and certifies it will report any actual, potential, or organizational conflicts of interest upon discovery to the State related to the application or grant award.

BE IT FURTHER RESOLVED, the City Council of the City of Benson names the fiscal agent for the City of Benson for this project as:

Glen Pederson
Director of Finance

City of Benson
1410 Kansas Ave.
Benson, MN 56215

BE IT FURTHER RESOLVED, the City of Benson hereby assures the Benson Recreational Trail will be maintained for a period of no less than 20 years.

Councilmember Olson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Collins, Olson, Buyck, Schreck. NAYES: None. Thereupon the Mayor declared Resolution 2022-03 duly passed and adopted.

Pederson approached with a Federal Airport Expenses Reimbursement Agreement. He stated this is for COVID dollars we agreed to accept. By signing this agreement, it allows the funds to flow through the state for reimbursement. It was then moved by Evenson, seconded by Schreck and carried unanimously to approve the FAA Expense Reimbursement Agreement.

Councilmember Schreck offered the following resolution:

**RESOLUTION
AUTHORIZATION TO EXECUTE
MINNESOTA DEPARTMENT OF TRANSPORTATION
AGENCY AGREEMENT FOR FEDERAL AIRPORT
EXPENSES REIMBURSEMENT
(RESOLUTION 2022-04)**

It is resolved by the City of Benson as follows:

1. That the state of Minnesota Agreement No. 1049645, "grant Agreement for Federal Airport Expenses Reimbursement, " for State Project No. A7601-C3 at the Benson Municipal Airport is accepted.
2. That the Mayor and City Manager are authorized to execute the Agreement and any amendments on the behalf of the City of Benson.

Councilmember Olson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Collins, Olson, Buyck, Schreck. NAYES: None. Thereupon the Mayor declared Resolution 2022-04 duly passed and adopted.

Gens approached the Council to discuss extending the warrantee on the five Caterpillar engines in the power plant. He explained this will be the last 5 year warrantee available for these engines. After discussion, it was moved by Schreck, seconded by Olson and carried unanimously to approve extending the Caterpillar engines warranty by five years at a payment of \$19,930.00 per caterpillar engine.

Gens then informed the Council of the East Pacific Avenue construction bids. He said there were 12 bidders. The engineers estimate was \$423,446.50. The low bid came in at \$290,357.52 from Diversified Foundations, LLC. He recommended approval of this bid. It was moved by Schreck, seconded by Evenson and carried unanimously to approve the bid from Diversified Foundations, LLC in the amount of \$290,357.52.

Next was a concrete work quote for 2022. It was moved by Evenson, seconded by Schreck and carried unanimously to approve the B.G. Amundson Construction quote at presented.

Gens discussed 3 concrete crushing quotes we received. It was moved by Schreck, seconded by Olson and carried unanimously to approve the quote from Kraemer Trucking & Excavating at \$4.65 per ton.

Bituminous was next. After review, it was moved by Evenson, seconded by Olson and carried unanimously to approve the bid from Mark Lee Excavating at \$79 per ton for the 2022 season.

Gens explained he received 2 quotes for tires. After review, it was moved by Evenson, seconded by Olson and carried unanimously to approve the tire quote from Midwest Machinery as presented.

Councilmember Olson offered the following resolution:

**RESOLUTION TRANSFERRING \$80,000 FROM
THE LIQUOR FUND TO THE GENERAL FUND
(RESOLUTION NO. 2022-05)**

WHEREAS, the City of Benson owns and operates a Municipal Liquor Store, and

WHEREAS, the City Council has budgeted to transfer \$80,000 from the Liquor fund to the General Fund for calendar year 2022.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$80,000 from the Liquor Fund to the General Fund.

Councilmember Schreck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Collins, Olson, Buyck, Schreck. NAYES: None. Thereupon the Mayor declared Resolution 2022-05 duly passed and adopted.

Councilmember Evenson offered the following resolution:

**RESOLUTION TRANSFERRING \$271,973 FROM THE EDA FUND TO THE GENERAL FUND
(RESOLUTION NO. 2022-06)**

WHEREAS, the City of Benson is active in economic development, and

WHEREAS, the Economic Development Authority owns the property formally occupied by the Fibrominn power plant, and,

WHEREAS, a condition of the purchase of this property was a payment from the previous owner to pay an amount equal to one year's property taxes, and,

WHEREAS, the loss of valuation for property tax purposes resulted in a reduced property tax levy for the City, and,

WHEREAS, the City desires to use 1/3 of these funds over the next three years to supplement the tax levy in the hope that a new business will be built in the near future.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$271,973 from the EDA Fund to the General Fund.

Councilmember Olson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Collins, Olson, Buyck, Schreck. NAYES: None. Thereupon the Mayor declared Resolution 2022-06 duly passed and adopted.

Pederson presented the second reading of the solid waste ordinance with a couple changes from the first reading. He said clear plastic bags and sorting according to the Swift County Solid Waste Ordinance was added as well as an overfill charge for those who overfill their carts to the point where the cover will not close. We will still pick up the garbage, but assess a fee for overfilling. After discussion it

was moved by Schreck, seconded by Olson and carried unanimously to approve the 2nd Reading of an Amendment to Ordinance 51:Solid Waste as presented.

Pederson presented a flyer going out this week to all residents on the new garbage carts coming out. The flyer includes a survey to residents for them to distinguish what size cart they would like. He discussed how to receive a different size if need be. He then addressed ordering the garbage carts. He said it is estimated 50% of residents will go with the 64 gallon, 25% will go for the 96 gallon and 25% will go for the 35 gallon. After the surveys are returned by March 12, 2022 we will need to place our order. He presented an estimate for the cost of the carts to the Council. He explained this is a state bid. After discussion, it was moved by Olson, seconded by Schreck and carried unanimously to approve the quote by Cascade Engineering as presented.

Next Pederson explained because of changes to the garbage program, we will need to amend the Rate Resolution to reflect the program. It was moved by Evenson, seconded by Schreck and carried unanimously to amend the rate resolution as follows:

Garbage Fee (weekly)	\$11.00	35 Gallon Garbage Cart	\$11.00
Garbage Tag (extra 40 lbs sorted)	\$ 1.25	64 Gallon Garbage Cart	\$14.00
Garbage Charge for Extra Bags Not Allowed	\$ 4.00 ea.	\$96 Gallon Garbage Cart ...	\$19.00
Overfilled Garbage Cart Fee	\$4.00		

It was moved by Evenson, seconded by Schreck and carried unanimously to approve the bills and warrants in the amount of \$522,611.52.

There being no further business to come before the Council a motion was made by Evenson seconded by Schreck and carried unanimously to adjourn the Council meeting at 6:05 p.m.

Mayor

City Clerk