

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
FEBRUARY 5, 2018**

The meeting was called to order at 5:30 p.m. by Mayor Collins. Members present: Terri Collins, Jack Evenson, Mark Schreck & Lucas Olson. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, City Attorney Ben Wilcox, Public Works Director Dan Gens, Police Chief Ian Hodge, Mark Hughes, Anita Flodstrom, William Woodin, Tim Berens, Vonnie Thompson, Floyd Hettver, Sally Jones, Jon Buyck, Kelsey Baker, Police Officers Paul Larson, Brennan McAlpin, Mike Nadeau, and Scott Girard.

The Council recited the Pledge of Allegiance.

Mayor Collins added the following to the agenda: Application to the Planning Commission from Nicholas Newman, Hospital Assisted Living Project Building Permit Fees, Flaherty & Hood Agreement, and Additional Golf Club Equipment Request. 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, tabling all board applications until the February 20, 2018 Council Meeting:

- January 22, 2018 City Council Minutes
- October 10, 2018 Special EDA Minutes
- November 16, 2017 EDA Minutes
- January 19, 2018 Safety Committee Meeting

The Mayor asked for people with unscheduled business. The Benson Police Officers approached the Council and presented a formal thank you to the Council in appreciation of the new Police Department building and the continued Council support.

Wilcox approached the Council and recapped the progress on the nuisance structure at 1950 McKinney Ave. The structure was to be removed by the meeting tonight. It is still standing. The next step is to obtain a court date. It was moved by Evenson, seconded by Schreck and carried unanimously to direct City Attorney Wilcox to obtain a court date to abate the nuisance.

Sally Jones approached the Council with a request to purchase two pieces of equipment. The first one is a 2009 Chevy Flatbed truck a local business owner is selling. Their old one is unusable and will be scrapped. The second piece of equipment is a pull behind blower. Their old one was a walk behind. This piece of equipment will save time cleaning up the course. It was noted the Council allocated \$25,000 for equipment purchase at the Golf Course. After discussion, it was moved by Evenson, and seconded by Schreck to approve the purchase of the 2009 Chevy Flatbed from Abner Sales in the amount of \$18,000, and a 2013 Toro ProForce Debris Blower from MTI Distributing in the amount of \$5,500.

Wilcox discussed the Schwendemann property by the river on the south west edge of town. They had asked this property to be detached from the City. The Council denied the request. The owner has now asked for a petition from the Minnesota Office of Administrative Hearings for the detachment pursuant to Minn. Stat. § 414.06. subd. 1 (2016). This petition notice has been served to both the Township and City. If both the township and City submit resolutions opposing the detachment petition, the Chief Administrative Law judge shall deny the petition, and no hearing will be held. If the township is not opposed, then a hearing will be held in March 2018. After discussion, Councilmember Olson offered the resolution:

**RESOLUTION IN OPPOSITION OF DETACHMENT PETITION  
(RESOLUTION NO. 2018-06)**

WHEREAS, the City Council has received a Petition for Detachment of Certain Land from the City of Benson, filed with the Office of Administrative Hearings on January 4, 2018 and updated January 22, 2018 with a corrected legal description, which requests that a parcel of property owned by Paul and Caleb Schwendemann be detached from the City of Benson; and

WHEREAS, the City Council has determined that detachment of this property would not be in the best interest of the City, because the property is served by city utilities, streets, water, wastewater, storm water drainage, police and fire departments; and

WHEREAS, the City Council has determined that this property is a candidate for development according to the City's comprehensive plan,

NOW THEREFORE, pursuant to Minnesota Statutes, chapter 414, The City Council of the City of Benson, Minnesota resolves:

1. That the City of Benson opposes the Petition for Detachment.

Councilmember Evenson seconded the foregoing resolution and the following vote was recorded: AYES: Collins, Evenson, Schreck, Olson. NAYES: None. Thereupon the Mayor declared Resolution 2018-06 duly passed and adopted.

Each year, the League of Minnesota Cities Insurance Trust asks the City what the limits of liability the City would like to offer. After discussion, it was moved by Olson, seconded by Schreck and carried unanimously to not waive the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.

Next the Prom Afterbash Committee sent a letter for request of support for the 2018 Prom Afterbash. It was moved by Evenson, seconded by Schreck and carried unanimously to approve waiving the Armory rent for the week of the Afterbash.

Wolfington presented Xcel's petition to the Council that is before the Minnesota Public Utility Commission (PUC) for the Benson Power plant. Xcel's plan is to cancel the Purchased Power Agreement and start closing the plant. Our back-up power agreement will stay in place with the transfer to Xcel for the next 11 years.

Next Wolfington discussed the 400 & 500 blocks of 14<sup>th</sup> Street North. The utilities are in need of replacement. It is preferable to do it this spring. LandTeam Inc. has done the engineering on the project to include sewer replacement in front of the senior high. Recently Superintendent Laumeier said they are no longer interested in participating in the project this year as they are hoping their referendum will pass which will mean a different foot print for the school, which wouldn't make sense to do the repairs only to move it later. They have agreed to pay for their share in the project engineering costs. After discussion, it was moved by Evenson, seconded by Olson and carried unanimously to approve the plan change. It was moved by Schreck, seconded by Olson and carried unanimously to approve the engineering services by LandTeam, Inc. for 14<sup>th</sup> Street North in the amount of \$14,322.50.

Gens presented a capital authorization request for a new sewer vac/jet truck. The current truck has served the city for 17 years, and is in need of replacement. Gens stated he will be able to get \$11,000 trade in for the old truck. He went on to say a used truck will run \$225,000, but they are not easy to find. After discussion, it was moved by Olson, seconded by Evenson and carried unanimously to approve the purchase of a new jet truck per the State bid from Flexible Pipe Tool Company in the amount of \$355,340.00.

Gens presented an additional overhead to underground conversion project to this year's plan along Hwy 29 south. Since the entire highway has been updated, he would like to finish this leg of the plan early. He presented a cost estimate from DGR Engineering to the Council. After discussion, It was moved by Evenson, seconded by Schreck and carried unanimously to approve 2018 Overhead to Underground Conversion – Option 2 in the amount of \$148,700.00.

Wolfington discussed the electric generators in the power plant. Each year there is maintenance on each of the six generators. He also discussed extending the coverage warrantee agreement on the generators. After discussion it was moved by Evenson, seconded by Olson and carried unanimously to approve the Preventative Maintenance Service Contract System Agreement of \$54,425. It was moved by Evenson, seconded by Schreck and carried unanimously to approve the Extended Warrantee Agreement in the amount of \$105,520.00.

Wolfington presented an invoice from Prairie Five Community Action Council, Inc. for the second half of 2017 expenses to run the bus service and for our share of Capital Outlay Purchases. It was moved by Schreck, seconded by Olson and carried unanimously to approve the pay request to Prairie Five Community Action Council in the amount of \$6,133.34.

Mayor Collins gave a synopsis on the Blandin Foundation Training she attended last week.

Wolfington presented a break-down of the building permit for the hospital's assisted living project. The permit fee is \$25,637. The Plan Review fee is \$16,664. Also the Sewer and Water connection fee totals \$103,500. Wolfington stated if the fees are waived, they will be levied over the next 4 years to pay for it. After discussion it was moved by Evenson, seconded by Olson and carried unanimously to approve waiving the building permit fees to the hospital in the amount of \$145,801.

Next was an agreement for professional services from Flaherty and Hood between the City, Swift County and the hospital for lobbying services. The hope is to hire Flaherty and Hood to lobby the legislature to provide services to help make changes in State Statute which will help with how hospitals collaborate with other organizations in the future. It was moved by Evenson, seconded by Schreck and carried unanimously to approve the agreement for services with Flaherty & Hood, Swift County and Swift County Benson Health Services.

There being no further business to come before the Council upon motion by Evenson, seconded by Schreck and carried unanimously to adjourn the Council meeting at 6:08 p.m.

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Mayor

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City Clerk