

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
MAY 19, 2014**

The meeting was called to order at 5:30 p.m. by the Mayor. Members present: Paul Kittelson, Mike Fugleberg, Jack Evenson, Stephanie Heintzig & Sue Fitz. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Public Works Director Dan Gens, Police Chief Ian Hodge and Beth Deitchman.

It was moved by Fitz, seconded by Fugleberg and carried unanimously to approve the following minutes on the consent agenda:

- May 5, 2014 City Council Meeting
- April 17, 2014 EDA Meeting
- March 10 2014 Park Board Meeting

It was moved by Evenson, seconded by Fitz and carried unanimously to appoint Jerry Johannessen to the Planning Commission with his term ending December 31, 2016.

Wolfington informed the Council the new General Plant Manager at CVEC will be Chad Friese.

Next the Council discussed the new Cemetery Policy on flowers and other articles on grave sites. It has become difficult to mow and trim around some of the graves because of adornments on the graves. Wolfington said the new policy has been in the paper, sent to the churches, it's posted at the Cemetery, is on the City website and the Cemetery website for people to reference. After discussion, it was moved by Fugleberg, seconded by Evenson and carried unanimously to approve the new Cemetery policies.

Wolfington shared the Planning Commission has set a listening session for Wednesday, May 28, 2014 in the City Council Chambers to take testimony for or against hen chickens in the City of Benson. The Planning Commission will bring it to their meeting on June 2, and follow up with a recommendation to the City Council.

Next Police Chief Ian Hodge came before the Council and presented the 2013 Annual Benson Police Department Report.

Wolfington said it is the time of year for junk complaints. Under the current process for junk in yards, a letter is sent, warnings are issued, public hearings held and corrections made, which is a long process and labor intensive. This year there will be a different approach. Chief Hodge will be issuing citations under current ordinance. Chief Hodge has had success at a past community with this approach.

Next Wolfington informed the Council a purchase price has been agreed to with Glacial Plains for the land we had purchased from BNSF across from their Convenience Store. The strip of land will be 370' by 100', and run from the Liquor Store to the edge of 11<sup>th</sup> St. N. Glacial Plains intends to put in a diesel fueling station across from the Convenience Store. They will be applying for a conditional use permit. Sale of the land to Glacial Plains will be \$92,500. The rest of the land to the west will remain green space. It was moved by Heintzig, seconded by Evenson and carried unanimously to approve the sale of the 100' x 370' land to Glacial Plains in the amount of \$92,500.

Next Gens approached the Council to talk about the loader bids. Gens said he and the street department contacted both John Deere and Case to revisit the loader specs. Gens recommended they go with the John Deere 544K in the amount of \$133,936.00. Wolfington said the John Deere will meet our needs, but the Case is larger. It was moved by Fitz, seconded by Evenson and carried unanimously to purchase the Case 721F loader in the amount of \$151,655.00.

Next was a change order on the water main replacement project on 15<sup>th</sup> Street South. Originally the engineer specs called for cutting the tar down the middle of the street, replacing the main, and patching in the black top. After discussion, and review of the condition of the entire street, staff felt it would be better to take the tar off of the entire street. After discussion, it was moved by Fitz, seconded by Evenson and carried unanimously to approve Change Order No. 1 in the amount of \$9,310.73.

Next Gens explained to the Council there has been trouble with Well #33. After visiting with the engineers and running water tests, it was decided to take well #33 out of service, and that it needed to be rehabilitated. After discussion it was moved by Fugleberg, seconded by Evenson and carried unanimously to approve Their Well to rehab well #33 in the amount of \$16,350.00.

Next was the bituminous bids. Gens explained they scaled the scope of work down and re-bid the bituminous projects for this year. The following bids were received:

Central Specialties Inc.	\$72,710.00
Mark Lee Excavating Inv.	\$76,857.00
Duinink, Inc.	\$83,655.00

It was moved by Heinzig, seconded by Evenson and carried unanimously to approve Central Specialties Inc. bid in the amount of \$72,710.00.

Next was a pay request from KHC Construction, Inc. for work done on the trickling filter at the wastewater plant. Gens said the trickling filter seems to work better than ever. He and PeopleService have inspected the filter and recommend payment. It was moved by Fitz, seconded by Fugleberg and carried unanimously to approve pay request No. 1 to KHC Construction Inc. in the amount of \$104,943.65.

There was a final pay request from Rice Lake Boring, Inc. for work on the storm sewer by the river. This project was complete last year. It was moved by Evenson, seconded by Heinzig and carried unanimously to approve the final pay request No. 2 to Rice Lake Boring in the amount of \$3,192.35.

Fitz stated the parking needs to be addressed on Countryside Court. There are several apartments along the road, and in front of the two large apartments, people are parking there making it nearly impossible to snow plow, or for fire trucks to get to the buildings. After discussion, it was the consensus of the Council to research the parking at these apartments and to readdress this at the next Council meeting.

It was moved by Evenson, seconded by Fitz and carried unanimously to approve the 2<sup>nd</sup> Reading of an Ordinance To Amend Title IX: General Regulations, Chapter 93: Nuisances; § 93.18 Of The Benson City Code of 2003.

Pederson approached the Council to explain the Missouri River Energy Services Non-utility Charges in the electric fund budget. In order for the electric utility to be eligible for transmission revenues from MISO it was necessary for the distribution charges from MRES be broken down into their various tasks. These include non-utility related costs. These costs are arguably a transfer out of the Utility Fund as outlined in the Charter, and staff will be reducing the annual 25% transfer by the amount in this line item. The budget for this year is \$50,000.

It was moved by Evenson, seconded by Fitz and carried unanimously to approve the bills and warrants in the amount of \$288,594.54.

Wolfington stated he met with Swift County HRA director Vicki Syverson and County Administrator Mike Pogge-Weaver about the shortage of rental housing in Benson. Swift County has offered the HRA a tax forfeiture property at 402 – 15<sup>th</sup> Street South in Benson for \$1. Syverson estimates there are about \$50,000 - \$60,000 in repairs that need to be done to the house. Syverson is asking if there

is some funding the City could contribute to make this house habitable again. Wolfington stated there are some HUD funds we could put toward restoring this house. After discussion, it was moved by Fugleberg, seconded by Evenson and carried unanimously to use \$25,000 in HUD funds to apply toward the repairs of the house with the stipulation when the house sells we get the \$25,000 back.

There being no other business, a motion was made by Evenson, seconded by Fitz and carried unanimously to adjourn the meeting at 6:21 p.m.

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Mayor

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City Clerk