

**City Council Regular Meeting Agenda
City Council Chambers
May 4, 2015**

Page		Action Requested
	1. 5:30 p.m. Call the Meeting to Order at City Hall (Mayor)	
	2. Pledge of Allegiance	
	3. Persons with Unscheduled Business to Come Before the City Council (Mayor)	
	4. Review the Consent Agenda: (Mayor)	
	a. Minutes:	Action Requested
2-5	▪ 4.20.15 City Council Minutes	
6	▪ 4.23.15 Special City Council-EDA Minutes	
	b. Correspondence:	
7-8	▪ Letter from Representative Tim Miller-Road & Bridge Funding	Information Only
9-10	▪ Fibrominn Donation to Fire Department	Information Only
11	▪ Chokio-Alberta Early Childhood Request	Action Requested
12-14	c. Appointments: See Attached	Information Only
	d. Applications:	
15-17	5. Variance Application – 209 – 10 th St. N.- Scott Aust	Action Requested
18	6. Consider 1 st Reading of Ordinance to Rezone Property at Hwy 29 N & Wood Ave	Action Requested
	7. Update on Assisted Living Facility – Continued Discussion	Information Only
19	8. League of Minnesota Cities – Limited Liability Coverage Waiver	Action Requested
20	9. Public Works Report	Information Only
21-22	10. Consider Purchase of a New Truck	Action Requested
23	11. Consider Resolution to Designate Authorize Signers for Civic Center Loan	Action Requested
24	12. Petition Request – Signs on 12 th St. S.	Action Requested
25-27	13. BNSF Diagnostic Meeting Update - Peggy Harter, Stantec Teleconference	Information Only
	14. City Tour	Information Only
	15. Adjourn: Mayor	

DRAFT

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
APRIL 20, 2015**

The meeting was called to order at 5:30 p.m. by Mayor Kittelson. Members present: Paul Kittelson, Sue Fitz, Mike Fugleberg, Jack Evenson & Stephanie Heinzig. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Public Works Director Dan Gens, Police Chief Ian Hodge, County Administrator Mike Pogge-Weaver, Wayne Knutson and Darla Schwendemann from the Swift County Assessor's office

The Council recited the Pledge of Allegiance.

The Mayor declared the Board of Review Open.

Knutson and Schwendemann approached the Council and gave a presentation of property valuations for the City of Benson. There was no one in attendance to address the Council on property valuations. Knutson also discussed on-line or classroom Board of Review training options for the Council members.

Next Mike Pogge-Weaver approached the Council and presented the County's strategic plan update. Some of the items highlighted the rapidly aging population in Swift County, housing, day care, education and immigration. He said the entire plan is on the County's website. He thanked the City for their participation in the plan.

It was moved by Fitz, seconded by Heinzig and carried unanimously to approve the following minutes:

- April 6, 2015 City Council Minutes
- March 9, 2015 Park Board Minutes
- February 11, 2015 EDA Minutes

The Mayor recognized Boards and Commissions.

It was moved by Evenson, seconded by Heinzig and carried unanimously to approve the following sewer tap licenses effective April 20, 2015:

- Rapid Response Plumbing & Heating
- T & K Kennedy Excavating

Chief Hodge came forward and presented the March Police Report.

Wolfington presented a lease agreement with Case for the north end of the Civic Center. They had initially indicated they were going to vacate the property but now wish to renew the lease. The new lease will be for 3 years with annual renewals. They would like to use it for motor assembly. This space had been designated as a Trade Free Zone last year by the Council. After discussion, it was moved by Heinzig, seconded by Fugleberg and carried unanimously to approve the lease agreement with Case for the north end of the Civic Center.

Next Wolfington discussed a land transfer agreement with Hawley Properties to the City of Benson to be used only for construction of a Senior Living facility. After discussion, it was the consensus of the Council to wait until after the Public Hearing on rezoning on May 4, 2015 to make their decision.

Wolfington said there will be a joint special EDA and City Council meeting on Thursday, April 23, 2015 at 5:30 p.m. in the ACMC clinic conference room. He said this will be a work meeting to discuss financing of the proposed Assisted Living project.

Mayor Kittelson reviewed the Arbor Day Proclamation. It was moved by Evenson, Seconded by Heinzig and carried unanimously to approve the following proclamation:

ARBOR DAY PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

Whereas, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal, and

Whereas, Benson has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting practices.

NOW, THEREFORE, I, Paul Kittelson, Mayor of the city of Benson, do hereby proclaim April 24, 2015 as

ARBOR DAY

in the City of Benson, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Next Wolfington discussed burying the residential electrical service underground behind Denfeld Drive. When the City puts electrical service underground, cable TV and the phone lines usually go underground with us. This time, CenturyLink has decided they do not want to bury with us, which would leave poles behind Denfeld Drive. They cited a 1950 agreement between the City and Swift County Telephone Company which allows them to continue to rent poles from the City. Wolfington stated there will be a meeting with CenturyLink to show them our 20 year electrical plan this Thursday. He also mentioned he has discussed this with the City Attorney.

Gens approached the Council and said the warrantee for the Caterpillar Generators in the power plant are going to expire soon. Ziegler presented a new warrantee contract which is a three year contract. Total cost for the warrantee will be \$67,350 for all five engines. Wolfington said the generators bring in \$500,000 in revenues, and we are under a "must serve" obligation. It was moved by Fitz, seconded by Evenson and carried unanimously to approve the three year contract with Ziegler as presented.

Gens said the bids for the Street garage addition were opened today. The following bids were presented:

Bidders	Base Bid	Alternate 1 Airlines & Accessories	Alternate 2 Painting Metal Frame Structure	Alternate 3 Above Ground Water Lines	Total Bid
J & D Construction	\$720,813	\$10,780	\$2,000	\$5,060	\$738,653
Project One Construction	\$595,514	\$10,500	\$6,000	\$5,000	\$617,014
KECC	\$662,245	\$11,225	\$8,000	\$11,749	\$693,219
Ebert Construction	\$617,600	\$10,200	\$5,300	\$4,800	\$637,900
Vercon	\$673,500	\$12,600	\$7,900	\$13,200	\$707,200
Gopher State Contracting	\$681,943	\$10,700	\$10,000	\$5,100	\$707,743
Corner Stone Construction	\$576,800	\$10,300	\$5,700	\$4,900	\$597,700
KUE Contractors	\$567,390	\$10,250	\$3,500	\$4,900	\$586,040

After discussion it was moved by Heinzig, seconded by Fugleberg and carried unanimously to approve the bid from KUE Contractors in the amount of \$586,040.

Next was discussion on the old trailer park on 10th Street North. Wolfington stated he has been in contact with the owner, Pete Sampair, from White Bear Lake, Minnesota. Wolfington noted the property is neglected, and is impossible to keep mowed with the utility hook-ups and dilapidated buildings on the site. He said he has negotiated a price for the City to purchase the land at \$40,000, with Sampair agreeing to donate \$5,000 back to the City. This land is adjacent to the Victory Addition, and could look more attractive to a developer to have the extra land. Wolfington said the City would clean the property as time permitted, and it will be a work in progress. After discussion, it was moved by Evenson, seconded by Fitz and carried unanimously to purchase the land for \$40,000 out of the EDA funds.

Gens presented a proposal to purchase the house at 2235 Kansas Ave. It is a blighted property, and their sewer service will need to be replaced along with the sewer replacement project from Wisconsin Avenue to 22nd Street. If we purchase the property, we can abandon the line. Gens stated the property is assessed at \$18,000 but has negotiated a \$10,000 purchase price. After discussion, it was moved by Fugleberg, seconded by Fitz and carried unanimously to purchase the property at 2235 Kansas Avenue for demolition for \$10,000 to be paid out of the Street Capital Fund.

It was moved by Fitz, seconded by Evenson and carried unanimously to approve the Small Cities grant payment in the amount of \$15,110.00.

It was moved by Fitz, seconded by Evenson and carried unanimously to approve the Small Cities grant payment in the amount of \$12,882.00.

It was moved by Fitz, seconded by Evenson and carried unanimously to approve the Small Cities grant payment in the amount of \$5,163.00.

The Council reviewed the March 2015 Budget Report.

It was moved by Evenson, seconded by Heinzig and carried unanimously to approve the bills and warrants in the amount of \$306,791.35

The Mayor closed the Board of Review at 6:26 p.m.

There being no other business, a motion was made by Fugleberg, seconded by Evenson and carried unanimously to adjourn the meeting at 6:27 p.m.

Mayor

City Clerk

DRAFT

**MINUTES - BENSON CITY COUNCIL – EDA SPECIAL MEETING
APRIL 23, 2015**

The meeting was called to order at 5:30 p.m. by Mayor Kittelson. City Council Members present: Paul Kittelson, Sue Fitz, Mike Fugleberg, Jack Evenson & Stephanie Heinzig. Council Members Absent: None. EDA Members Present: Jon Buyck, Pat Hawley, Paul Estenson, Rick Horecka. EDA Members Absent: Leroy Noreen. Also Present: Swift County-Benson Hospital Foundation Members Jay Alsaker, Ron Laycock and Larry Kenyon, City Manager Rob Wolfington, Director of Finance Glen Pederson, City Attorney Don Wilcox, Ehlers & Associates Representative Mark Ruff, Swift County-Benson Hospital Administrator Kurt Waldbillig, Swift County Administrator Mike Pogge-Weaver, Home Health Representative Sue Zack, Swift County HRA Manager Vicki Syverson and Swift County RDA Representative Jen Frost.

The purpose of the joint meeting today is to discuss funding options for the proposed Assisted Living Project.

Wolfington introduced Mark Ruff with Ehlers and Associates. Ehlers is the City's bond advisors. Ruff stated his job tonight is to give the best information for discussion. Ruff discussed EDA Ownership with City G.O. Bond Pledge, City G.O. TIF Bond – Loans to Private business and USDA Rural development Direct Loans. It was noted the facility could not be tax exempt as it doesn't meet all criteria necessary to be declared tax exempt.

Some of the talking points of the discussion were as follows:

- With bonding there is more risk to the City
- USDA program is difficult to administer and is a very lengthy process
- The Hospital will benefit greatly by this project
- Bonding will save the project over one million dollars in interest costs

There were many questions and much discussion on the financing options and the benefits to the community to have an Assisted Living facility in Benson.

It was agreed by the boards, there should be an analysis between the USDA funding and the Bond funding before any final decisions are made.

There being no other business, a motion was made by Evenson, seconded by Fugleberg and carried unanimously to adjourn the meeting at 6:39 p.m.

Mayor

City Clerk

Tim Miller
State Representative

District 17A



Minnesota House of Representatives

April 22, 2015

Rob Wolfington
1410 Kansas Avenue
Benson, MN 56215

*Mayor & Council = Roads & Bridges
Also note = Small Cities funding of
street reconstruction -*

Dear City Manager Wolfington,

A long-term investment in our state's roads and bridges is one of the biggest issues dominating this year's legislative session. I wanted to reach out to all the city officials in my district like yourself to give an update on where the transportation debate sits as legislators sprint to the finish line.

Both Governor Dayton and Senate DFLers are supporting a plan that would add a new 6.5% sales tax on gasoline sold at the wholesale level. If this were to be implemented at the current price for a gallon of gas, the gas tax would raise an additional 16 cents per gallon – making it the largest gas tax increase in state history! If the price of gas were to increase, our state's gas tax would increase even more. This plan is nothing short of highway robbery, as it would force the average Greater Minnesota family with two drivers to spend an extra \$30 per month on fuel. I think our citizens deserve better.

House Republicans recognize that raising taxes is not the answer for hard-working Minnesota families. That is why we have proposed the Road and Bridge Act of 2015 as our solution to the state's infrastructure needs – a solution that does not contain a single tax increase. This comprehensive plan would spend \$7 billion on roads and bridges over the next 10 years, which is enough to repair or repave 15,500 lane miles and 330 bridges across the state. It would mean immediate repair of roadways in both large and small communities, highway improvements for commuters, and reliable, long-term funding we can count on – all without raising any taxes. I'm pleased to inform you that this bill passed out of the House of Representatives on Tuesday evening.

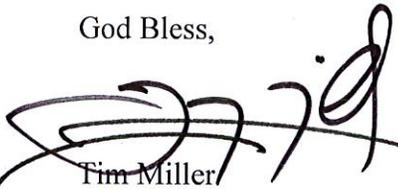
What's really exciting about our Road and Bridge Act of 2015 is that it creates a new transportation fund designed specifically for communities with a population fewer than 5,000. The new Small Cities Account would guarantee approximately \$191,198 to the City of Benson over the next biennium to be used to repair your roadways. This is not a one-time infusion of cash – our bill makes this fund permanent by relying on future revenue from the sales tax on rental cars. The creation of the Small Cities Account is no sure thing: we still need to gain the support of Gov. Dayton and Senate DFLers. If you support this new fund, then please let Governor Dayton know by calling his office at 800-657-3717.





I'll continue to be champion of the Road and Bridge Act's Small Cities Account as the House, Senate and Governor begin their final budget negotiations. If you have any questions about this bill, or any other issue at the Capitol, please don't hesitate to give me a call at (651) 296-4228 or by email at rep.tim.miller@house.mn.

God Bless,



Tim Miller
State Representative 17A



Rob Wolfington

From: Benson Body Shop <bensonbodyshop@hotmail.com>
Sent: Thursday, April 23, 2015 4:40 PM
To: Rob Wolfington
Cc: rob lee; Bodyshop Benson; DAVE VOLLAN; ROBERT HOBERG; TOM ASCHEMAN; Jeff Reuss; jeff.dehaan@state.mn.us
Subject: FW: FibroMinn Donation to Benson Volunteer Fire Company

Rob Wolfington

Could you help us get the info Fibro-min is asking for. As per our discussion, we would staff Fire truck 6:00p:m thru 6:00a:m for 7-10 days per volunteer @ \$25.00 per hour. Please consider BFD is not responsible for Contractor Verification, which includes Right to know, Hot Work permit, Safety Mgr., Fire Watch Coordinator, Confined Space, OSHA & Insurance.

Mark

From: Greg.Myers@naes.com
To: bensonbodyshop@hotmail.com
CC: Brent.Hill@naes.com
Subject: FibroMinn Donation to Benson Volunteer Fire Company
Date: Thu, 23 Apr 2015 20:56:13 +0000

Mark,

Very nice having lunch with you and your assistant chief the other day. All of us here greatly appreciate the Benson Volunteer Fire Department's willingness to help out FibroMinn during our upcoming scheduled outage with firefighting capability at no charge to FibroMinn. As we discussed at lunch the other day, the plant will be without fire water and firefighting capability for 7 to 10 days during the outage while we perform maintenance on the Raw Water tank. The Raw Water tank is our normal source for firefighting water and will not be available due to the planned maintenance on it.

We at FibroMinn are pleased to make a donation of \$18,000 to the Benson Volunteer Fire Company in response to your generosity in providing the firefighting capability, at no charge to FibroMinn, that we will need during our scheduled outage. We however, will need to make sure that the funds we are donating will go only to the Benson Volunteer Fire Company and not into the Benson City general fund. A signed letter from the City Manager Rob Wolfington stating this should suffice for this purpose. Please provide me the proper information and account # for the Volunteer Fire Company so that we may ensure that the check you will be getting indicates deposit only and states the correct account #.

Thanks & Regards,

Greg B. Myers
Plant Manager, FibroMinn Project
NAES Corporation
900 Industry Drive
Benson, MN

Office: 320-843-9013 x 18201

Cell: 716-343-4048

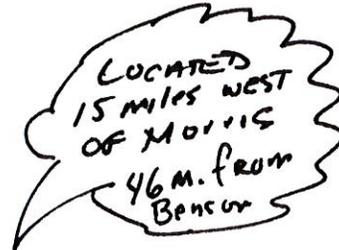
Email: greg.myers@naes.com



Rob Wolfington

From: City of Benson <staff@bensonmn.org>
Sent: Thursday, April 30, 2015 4:25 PM
To: rob.wolfington@co.swift.mn.us
Subject: FW: Pool Pass Request

From: Kim Marty [<mailto:kmarty@chokioalberta.k12.mn.us>]
Sent: Thursday, April 30, 2015 3:07 PM
To: staff@bensonmn.org
Subject:



My name is Kim Marty I am the Early Childhood Coordinator at Chokio-Alberta School. We are having a Fundraiser for our ECFE program on Mother's Day and I am asking local businesses if they would be willing to provide a donation to help support our program. The focus of our fundraiser is family involvement so I was wondering if the Benson Pool would be willing to donate swim passes for our fundraiser. If you have questions you can email me or call at 324-7131. If you are willing to donate our address is

Chokio-Alberta School
c/o Kim Marty
311 W 1st. St.
Chokio, MN 56221

Thanks for your time,
Kim Marty

AIRPORT ADVISORY COMMISSION	
Name	Term Expiration
Leroy Noreen	12/31/2015
Kelly Lindblad	12/31/2015
Vacancy	
Vacancy	
Vacancy	
Vacancy	
Dan Gens	Public Works Director - Staff

BENSON AREA TOURISM BOARD	
Name	Term Expiration
Sally Jones	12/31/2014
Sandy Hill	12/31/2014
Vacancy	
Rob Wolfington	City Manager - Staff

CEMETERY COMMITTEE	
Name	Term Expiration
Jim Hilleren	12/31/2016
Michelle Lee	12/31/2016
Greg Zniewski	12/31/2015
Judy Hoberg	12/31/2016
Pastor William Warnock	12/31/2017
Duane Hopp	Cemetery Foreman – Staff
Dan Gens	Public Works Director - Staff
Rob Wolfington	City Manager -Staff

ECONOMIC DEVELOPMENT AUTHORITY	
Name	Term Expiration
Pat Hawley	12/31/2016
Rick Horecka	12/31/2018
Leroy Noreen	12/31/2015
Jon Buyck	12/31/2017
Paul Estenson	12/31/2016
Mike Fugleberg	Council Representative
Paul Kittelson	Council Representative
Rob Wolfington	City Manager - Staff

HOSPITAL BOARD	
Name	Term Expiration
Jill Hedman	12/31/2016
Deb Moorse	12/31/2017
Tom Anderson	12/31/2015

BENSON HOUSING & REDEVELOPMENT AUTHORITY	
Name	Term Expiration
Linda Stauffacher	12/31/2019
Rob Wolfington	12/31/2017
Jack Wagner	12/31/2018
Stephanie Heinzig	Council Representative 12/31/2018
Sue Fitz	Council Representative 12/31/2016
Michelle Bouta – Executive Director	-----

LIBRARY BOARD	
Name	Term Expiration
Marlene Skold	12/31/2016
Jill Hedman	12/31/2017
Lyle Popma	12/31/2017
Jo Bronniche	12/31/2017
Brad Johnson	12/31/2015
Ron Laycock	12/31/2015
Sue Fitz	Council Representative
Dawn Erickson - Librarian	----

PARK BOARD	
Name	Term Expiration
Sally Jones	12/31/2017
Wendy Munsterman	12/31/2016
Bill McGeary	12/31/2015
Jan Baukol	12/31/2016
Vacancy	
Vacancy	
Jack Evenson	Council Representative
Paul Kittelson	Council Representative
Dan Gens	Public Works Director – Staff
Duane Hopp	Staff

PLANNING COMMISSION	
Name	Term Expiration
Lyle Popma	12/31/2016
Tara Ulmaniec	12/31/2016
Mark Schreck	12/31/2017
Jonathon Pogge-Weaver	12/31/2017
Kathy Polzin	12/31/2015
Jerry Johannessen	12/31/2016
Sue Fitz	Council Representative
Rob Wolfington	City Manager – Staff
Mike Jacobson	Building Inspector - Staff

Application for Variance from Provisions of Zoning Ordinance

Planning Commission
City of Benson
Benson, MN 56215

Number: 2015-01
Date of Application: 9/16/15
Application Fee: \$250.00 *PA*

NAME OF APPLICANT Scott Aust ZONE B-2

ADDRESS 209 10th St N Benson MN PARCEL NO. 23-0048

PROPERTY AT Benson LOT # 3+4 BLOCK 10 ADDITION Benson

Applications for variance shall be filed with the Zoning Administrator who shall refer all applications to the Planning Commission at their next regular meeting or at some other time. The Planning Commission shall recommend such conditions so as to adjust the hardship or deny the request within 60 days of referral. The City Council shall take up with the Planning Commission's recommendations and the application at the next regular meeting of the Council, however, it has 60 days to call hearing or act if necessary.

1. REASON FOR GRANTING A VARIANCE:

The City Council may grant variances from the strict application of the application of the provisions of this code and impose conditions and safeguards in the variances granted when it is in the public's interest to grant such a variance. Variances may be granted:

- Yes No (A) By reason of narrowness, shallowness, or odd size or shape of the lot;
- Yes No (B) By reason of exceptional topographic conditions, water conditions, or other extraordinary and exceptional conditions of the lot;
- Yes No (C) By reason that the strict application of this Chapter would result in peculiar and practical difficulties or exceptional or undue hardship upon the owner developing or using such lot in a manner customary and legally permissible in the zoning district in which the lot is located;
- Yes No (D) By reason that the owner can show that the strict compliance with the zoning regulations is unreasonable.

2. I am requesting a variance to: be closer to the property line than the ordinance allow [2' from Property line]

3. Statement showing hardship or reason listed above for requesting a variance: need a place to store snow removal equipment

4. Attach one Plot Plan to scale showing present and proposed improvement.

CERTIFICATE

I certify that I am the applicant named herein; that I have familiarized myself with the rules and regulations with respect to preparing and filing this application; that the foregoing statements and answers herein contained and the information on the attached maps or plot plans and any other papers submitted herewith are in all respects true and accurate to the best of my knowledge and belief.

SIGNATURE: Scott Aust PHONE: 320 304 1831

ADDRESS: 209 10th St N Benson MN 56215

X

NAME Scott Aust

CITY OF BENSON

PERMIT NO. _____

DATE 3-16-15

ALL SKETCHES MUST BE DRAWN TO SCALE and contain the following information: North arrow, all abutting streets and alleys with street names, dimensions of lot or lots, all existing buildings on lots, proposed buildings, and distances from all property lines to existing or proposed buildings.

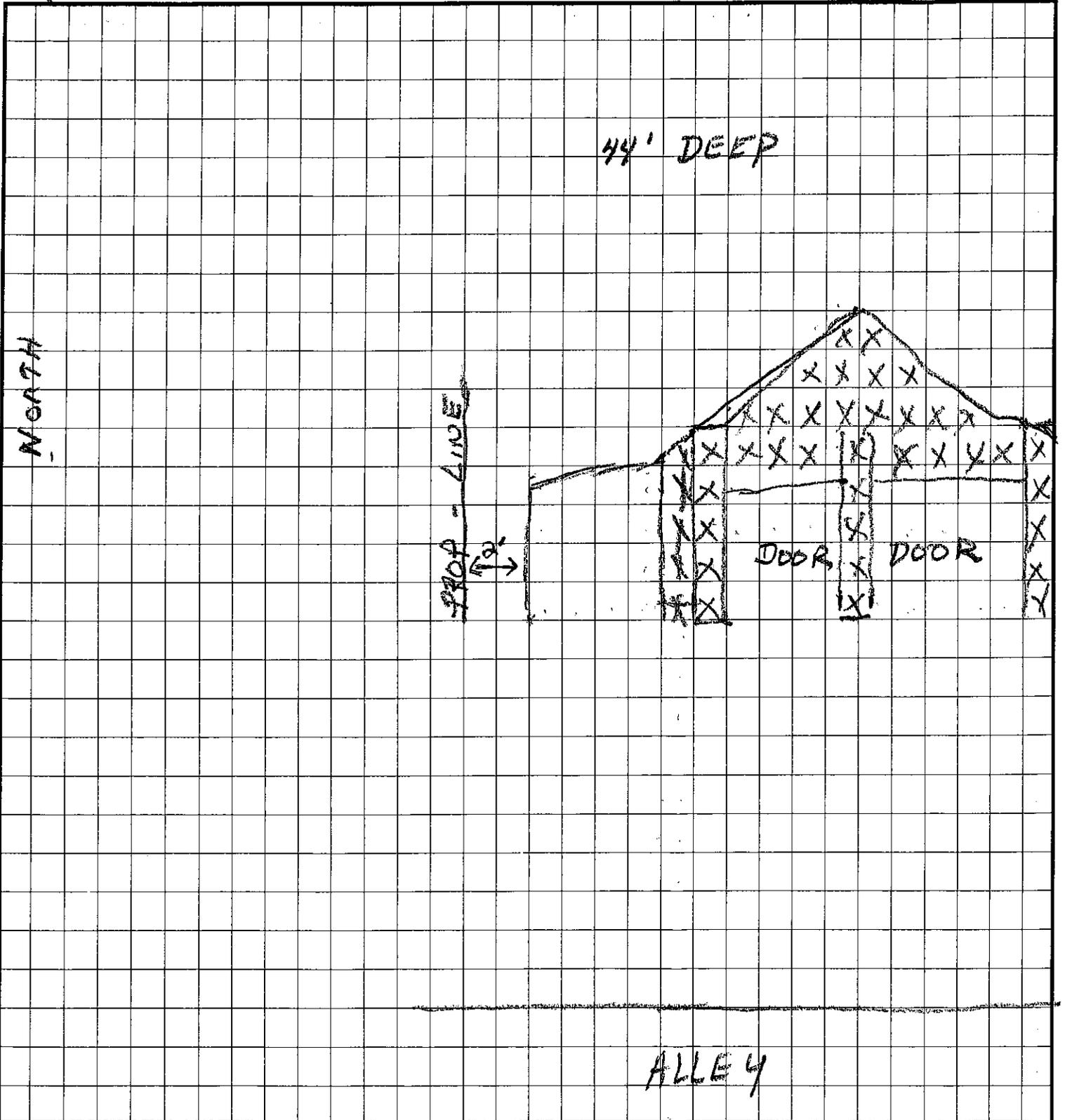
Cross-hatch all existing buildings. Label property lines.



INDICATE NORTH IN CIRCLE

SKETCH

SCALE $\square = 2'$



Benson Planning Commission

1420 Kansas Ave

Benson MN 56215

April 25, 2015

RE: petition for variance to property line

Is the owner of the property using this as a residential or business property?

Are they handicapped?

Is everyone offered the right to petition for such a variance?

If so, why wasn't I offered the right to do so when I appeared in your office for a petition for a deck to replace a crumbling rear step on my home? I wanted to build a deck 8x17 but was not allowed to do so because it would be only 3ft from the property line and I was told it had to be 6ft from the property line. No information was given about applying for a variance at that time or any future date.

At this time I'm not in favor of this petition. Number one- not enough information was given and secondly- all persons should be given the same opportunity for situations like this. And I am handicapped and it would have made life easier for me.

Sincerely,

A handwritten signature in cursive script that reads "Ruth A. Cleary". The signature is written in black ink and is positioned below the typed name.

Ruth A. Cleary

**AN ORDINANCE TO AMEND THE
ZONING MAP OF THE CITY OF BENSON**

The City of Benson does ordain:

The Zoning Map of Benson, Minnesota, as provided by section 154.057 of the Benson City Code of 2003 is hereby amended to set forth that the property in the City of Benson described as:

Part of the Northeast Quarter of the Northeast Quarter (NE ¼-NE ¼) of Section Six (6), Township One Hundred Twenty-one (121) North, Range Thirty-nine (39) West, Swift County, Minnesota described as follows:

Commencing at the northwest corner of Lot Seven (7), Block Three (3), McCarthy's Ramblewood Fourth Addition to the City of Benson, Minnesota, according to the recorded plat thereof; thence South 89 degrees 43 minutes 40 seconds East, along the north line of said McCarthy's Ramblewood Fourth Addition to the City of Benson, Minnesota and along the north line of Wood Avenue, 735.79 feet to the Southeast corner of Lot Eleven (11), Block Two (2), Hawleywood Fourth Addition, according to the recorded plat thereof, which is the point of beginning of the land to be described; thence continuing South 89 degrees 43 minutes 40 seconds East, along the same last described line a distance of 510.91 feet to the westerly right-of-way line of Trunk Highway No. 29; thence North 00 degrees 15 minutes 32 seconds East, along said right-of-way line a distance of 337.68 feet; thence northerly, along said right-of-way line and along a tangential curve concave to the west, radius 34,302.47 feet, central angle 00 degrees 39 minutes 22 seconds, 392.87 feet; thence North 89 degrees 57 minutes 30 seconds West on a line parallel with the North line of the said Northeast Quarter of the Northeast Quarter (NE ¼-NE ¼) a distance of 432.87 feet to the Northeast corner of Lot Eleven (11), Block One (1) of said Hawleywood Fourth Addition; thence South 00 degrees 02 minutes 30 seconds West along the East line of said Lot Eleven (11) a distance of 211.06 feet to the Southeast corner of said Lot Eleven (11); thence Southeasterly on a straight line to the Northeast corner of Lot Seven (7), Block Two (2) of said Hawleywood Fourth Addition; thence Southwesterly on a straight line to the Northeast corner of Lot Eleven (11), Block Two (2) of said Hawleywood Fourth Addition; thence South 02 degrees 01 minutes 59 seconds West along the east line of said Lot Eleven (11) a distance of 236.49 feet to the point of beginning.

is changed from R-1, One and Two Family Residential District to R-3, High Density Residential District.

Mayor

ATTEST: _____
City Clerk

Approved as form: _____
First Reading: _____
Second Reading: _____
Publication: _____



CONNECTING & INNOVATING
SINCE 1913

LIABILITY COVERAGE – WAIVER FORM

LMCIT members purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. Please return the completed form to your underwriter or email to pstech@lmc.org

This decision must be made by the member's governing body every year. You may also wish to discuss these issues with your attorney.

Cities and other League of Minnesota Cities Insurance Trust members that obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the city purchases the optional excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$2,000,000 for a single occurrence. (Under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2 million.) The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

CITY OF BENSON

_____ accepts liability coverage limits of \$ 500,000 from the League of Minnesota Cities Insurance Trust (LMCIT).

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes Section 466.04.
- The member **WAIVES** the monetary limits on municipal tort liability established by Minnesota Statutes Section 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council/governing body meeting _____

Signature *Chris Peterson*

Position *Director of Finance*

Public Works Report May 4, 2015

Electric:

- Olivia MRES came to help for two days and the guys took down and rolled up all the wire from last year's project. In return we will help Olivia with two days of boring this summer.
- Poles will be coming down in all of last year's project area except where Century Link is still on the poles.
- Started work with Goff for residential underground.
- Working on finishing load management on building rooftop units.

Parks:

- Completed one round of mowing.
- New mower arrived and streets beefed up the protection to avoid bumps and dings.
- Cemetery will be getting some time with Memorial Day on the way.

Water:

- Working with a new company for computer/operations problems. Brought in Total Controls to resolve some long standing issues.
- Collecting bids for painting the water tower in 2016. Ever think about a darker color for the bottom of the tank?
- Will have Thien Well here in the middle of the month to do routine maintenance/repair to the two Fibromin wells while their operation is down.

Wastewater:

- Girls Ranch new lift station is now operational. City will do routine operations.
- Started jetting sewer lines and cleaning storm sewer lines so we can camera for DOT.
- Replaced parts at Sandy's lift station. No trouble so far.
- Will be transferring sludge and inspecting digester covers.

Streets:

- Shaped up Railroad Park and planted a bunch of trees. Will look very nice.
- Put in concrete in parks for ADA access. Also did concrete repairs in many other areas.
- Backfilled and leveled ground at schoolhouse in Ambush Park.
- Lots of little repairs everywhere. Now that frost is out they will be tackling alleys and street repair along with painting and crack sealing.

CITY OF BENSON CAPITAL AUTHORIZATION REQUEST

1	Fund: <u>Capital Equipment</u>	Department: <u>Parks</u>
	Prepared by: <u>Dan Gens</u>	Date: <u>4/30/15</u>
	Describe Proposed Capital Expenditure: <u>New pickup for Public Works to replace existing pickup that broke down</u>	
	Does Proposed Expenditure Replace Existing Equipment? <input checked="" type="checkbox"/> If Yes, Describe Use of Replaced Equipment: <u>Replace Dodge 3/4 ton 2001 pickup</u>	

2	If Included in Capital Improvements Program:	3	Total Cost: \$ _____
	What Year: _____		-Trade-in (if applicable): -\$ _____
	What Heading: _____		+Net Book Value (depreciated value): +\$ _____
	Budgeted Amount: \$ _____		=Net Capitalized Cost: = \$ _____

1 Justification of the Expenditure: (Main Objectives and Assumptions)

The Dodge 3/4 ton transmission is beyond repair and a new transmission would cost \$3250⁰⁰. The estimated value of the Dodge repaired would still only be about half that. Money will be better spent on a new pickup. We will take the lift, strobes, tool box, gas tank and anything else useful and place them on the new Dodge. Parks has \$33,000⁰⁰ in the capital equipment fund available.

Approval Section:

Action taken: _____

	Signature	Date
Department Supervisor	<u>Dan Gens</u>	<u>4/30/15</u>
Division Director	_____	_____
City Manager	<u>Bob McFingler</u>	<u>4/30/15</u>

City Council Approval (If Applicable) _____ Council Meeting _____

DODGE OF BURNSVILLE INC
 12101 35W SOUTH
 BURNSVILLE, MN 55337

Priced Order Confirmation (POC)

Date Printed: 2015-04-30 1:25 PM VIN: 3C6JR7DT7FG637891 Quantity: 01
 Estimated Ship Date: 2015-03-18 12:59 AM VON: 33180126 Status: KZ - Released by plant and invoiced
 Date Ordered: 2015-01-14 4:36 PM Ordered By: S19047A

Sold to:
 DODGE OF BURNSVILLE INC (42832)
 12101 35W SOUTH
 BURNSVILLE, MN 55337

Ship to:
 DODGE OF BURNSVILLE INC (42832)
 12101 35W SOUTH
 BURNSVILLE, MN 55337

Vehicle: 2015 1500 TRADESMAN REG CAB 4X4 (140 In WB 8 FT 0 IN box) (DS6L62)

	Sales Code	Description	MSRP(USD)	FWP(USD)
Model:	DS6L62	1500 TRADESMAN REG CAB 4X4 (140 in WB 8 FT 0 IN box)	29,880	27,859
Package:	25B	Customer Preferred Package 25B	0	0
	EZH	5.7L V8 HEMI MDS VVT Engine	1,150	978
	DG1	6-Spd Automatic 65RFE Transmission	-1,840	-1,564
Paint/Seat/Trim:	PW7	Bright White Clear Coat	0	0
	APA	Monotone Paint	0	0
	*V9	Cloth 40/20/40 Bench Seat	0	0
	-X8	Black/Diesel Gray	0	0
	Options:	RA2	Uconnect 5.0 AM/FM/BT	465
	NAS	50 State Emissions	0	0
	GFD	Rear Sliding Window	140	119
	AJY	Popular Equipment Group	500	425
	AJH	Power and Remote Entry Group	735	625
	AED	Exterior Appearance Group	495	421
	YGE	5 Additional Gallons of Gas	0	13
	4EX	Sales Tracking	0	0
Destination Fees:			1,195	1,195

HB: 946 Total Price: **32,720** **30,466**
 FFP: 30,236
 EP: 29,018

Order Type: Retail
 Scheduling Priority: 4-Dealer Order
 Customer Name:
 Customer Address:

PSP Month/Week:
 Build Priority: 99

Instructions:

Gov-Price Delivered
\$ 22,984
Black Aluminum side steps \$421

\$ 23,405
+TTL

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

**RESOLUTION TO DESIGNATE AUTHORIZED
SIGNERS FOR CIVIC CENTER LOAN GUARANTEE
(RESOLUTIUN NO. 2015-)**

WHEREAS, the City of Benson owns the land and buildings commonly known as the Benson Civic Center, and,

WHEREAS, the City Council has charged the Benson Civic Center Board with the managing and operation of the facility; and,

WHEREAS, the Benson Civic Center Board approached the City Council in 2014 to seek approval to install dehumidification equipment in the facility; and,

WHEREAS, the City Council approved the improvements, dedicated the lease payments from the North end of the building to the project, and to guarantee the loan; and,

WHEREAS, the Benson Civic Center Board is financing the cost of these improvements with an installment payment loan.

NOW THEREFORE IT IS HEREBY RESOLVED that Mayor Paul Kittelson and City Manager Rob Wolfington are authorized to sign documents on behalf of the City of Benson for the purpose of said loan.

We are asking for "Slow Down Children at Play" signs in front of 702 12th St S. and in front of 725 12th St S.. There is a high amount of traffic that goes down this block of 12th Street and a significant amount of that traffic does so at an excessive amount of speed. Which is a danger to the children on the block. The street is also within a couple block of Our Redeemers Church which adds more traffic than most blocks on certain days of the week. There are 6 homes on the block which have more than one child in each home. Which creates a lot of children moving back and forth between both side of the street.

Roger J. Lane

905 12th St. S.

Signature

Address

Buddy Casabe
Ronnie Alsada
Thomas Jones
Barlene Jones
Justy
Zyabulu
Richard H. Wilcox
Yisa Peterson
Casper Stewart
Stephanie Baker
James a Thelin
Bruce Lusk
Phil & the
Loretta Cole
Lynn & the 1...

707 12th st s.
1135 Homewood Dr
715 12th St S.
715 12th St S.
728 12th St S
722 12th St S.
704 12th St S.
703 - 12th St. So.
713 12th St S.
712 12th St. S.
717 - 12th St. So
724 - 12th St So
711 - 12th St So
725 12th St So.
716 12th Street South.

Rob Wolfington

From: Harter, Peggy <Peggy.Harter@stantec.com>
Sent: Thursday, April 30, 2015 11:00 AM
To: Rob Wolfington
Cc: Lembke, Eric
Subject: Benson Rail Crossing Diagnostic Meeting Agenda
Attachments: May 8, 2015 Agenda - Diagnostic Meeting.pdf

Rob,
Attached is the agenda for the Benson Rail Crossing Diagnostic meeting scheduled for Friday May 8, 2015. I am sending it to you to review and include it in your council meeting packet. I will be waiting for your phone call on Monday night so I can explain to the council what will occur at the diagnostic meeting and to get feedback from them. When you call me on Monday night, please call my work cell at 701-371-4167.

Thank you,

Peggy Harter

Project Manager

Stantec

3453 Interstate Boulevard South Fargo ND 58103-2213

Phone: (701) 566-6020

Cell: (701) 371-4167

Peggy.Harter@stantec.com



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Diagnostic Meeting – Benson Rail Study

Benson City Hall

May 8, 2015

Safety Moment: Everyone is required to wear a safety vest and hard hat when we go out into the field. Please stay clear of the tracks and when crossing the tracks, please wait for BNSF to provide the all clear for crossing.

Time:	Item:	Action:
10:00AM	Greeting and Introductions	
10:10AM	Project Overview – Benson Rail Crossing Study and MnDOT Rail Safety Study	
10:45AM	Field Review – 25 th Avenue NW (CR 3) Crossing <ul style="list-style-type: none">• Review Inventory• Review Emergency Services/Mobility upgrades: ITS communication	
11:05AM	Field Review – County Road 20 Crossing <ul style="list-style-type: none">• Review Inventory• Review Emergency Services/Mobility upgrades: ITS communication	
11:25AM	Field Review – 14 th Street Crossing <ul style="list-style-type: none">• Review Inventory• Review Emergency Services/Mobility upgrades: ITS communication• Review Safety Improvements:<ul style="list-style-type: none">▪ Installation of four quadrant gates▪ Interconnect to traffic signals▪ Pedestrian automated gates	
11:45AM	Field Review – 13 th Street Crossing <ul style="list-style-type: none">• Review Inventory• Review Emergency Services/Mobility upgrades: ITS communication• Review Safety Improvements:<ul style="list-style-type: none">▪ Convert to one-way pairs with 12th Street.▪ Install medians	
12:05PM	Field Review – 12 th Street Crossing <ul style="list-style-type: none">• Review Inventory• Review Emergency Services/Mobility upgrades: ITS communication• Review Safety Improvements:<ul style="list-style-type: none">▪ Convert to one-way pairs with 13th Street.▪ Install medians	

12:20PM	Field Review – 20 th Avenue SE Crossing <ul style="list-style-type: none">• Review Inventory• Review Installation of active gates/lights and CWT• Review Emergency Services/Mobility upgrades: ITS communication
12:40PM	Break - Lunch
1:00PM	ITS Recommendation – Logistics Discussion
1:15PM	Request for BNSF Project Schedule and Cost Estimate
1:25PM	Moving Forward and Funding Sources/Applications
1:30PM	Next Steps
1:35PM	Public Input Meeting Schedule
1:40PM	Additional Questions/Concerns?
1:45PM	Meeting Adjourned