

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
JUNE 4, 2012**

The meeting was called to order at 5:30 p.m. by Mayor Kittelson. Members present: Paul Kittelson, Gary Landmark, Ben Hess, Mike Fugleberg, and Sue Fitz. Members Absent: None. Also present: Director of Finance Glen Pederson, City Manager Rob Wolfington, Director of Public Works Elliot Nelson.

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

- May 21, 2012 City Council Meeting
- May 17, 2012 Safety Committee Meeting
- May 18, 2012 EDA Meeting

Wolfington reminded the Council of board vacancies on the Airport Advisory Board and Park Board.

The Mayor will be attending the Annual LMCIT Conference in Duluth June 20-22, 2012. The City Manager will be attending FEMA training in Maryland June 17-22, 2012, and on vacation the week before.

The Council reviewed the service agreement with DeWild, Grant, Reckert & Associates (DGR) to implement the RICE standards on our generators. Wolfington stated the cost will be 12% of the project cost, and recommended approval. It was moved by Fitz, seconded by Fugleberg and carried unanimously to approve DGR's CAT Generator RICE Upgrade Service Agreement.

Wolfington presented the Feasibility Study for the Northwest Area Levee Construction from Landteam, Inc. to be located in the northwest corner of town. Wolfington stated he placed this in the packet for review and discussion. Permanent levee construction costs are \$255,904.00, with added temporary barriers construction costs. He also stated the levee would not be constructed to flood level. It is not a FEMA certified levee, and homeowners with a mortgage will still be required to carry flood insurance. Costs would be assessed to the 27 affected homeowners. Those in the lowest areas would pay more. The assessment would be spread over 10 years. The decision will be left up to the homeowners whether to proceed with the levee construction or not. The vote of the Council to proceed would require a super majority. To avoid this there would need to be a petition from 70% of the homeowners. Some costs of the project will not be recoverable. Land acquisition from landowners to the north of the City limits where the levee will be placed also needs to be discussed.

Wolfington stated staff received notice of a Redevelopment Grant through the Department of Employment and Economic Development (DEED). We can devise a plan for a project and if awarded the grant, we can have 5 years to implement the plan. There would be some application expense. The BIDC may be interested in sharing the cost. Wolfington recommended we apply for the Grant to redevelop the creamery building site.

Councilmember Landmark offered the following resolution and moved its adoption:

**DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT (DEED)
REDEVELOPMENT GRANT RESOLUTION
(RESOLUTION 2012-11)**

BE IT RESOLVED that the City of Benson act as the legal sponsor for project(s) contained in the Redevelopment Grant Program to be submitted on June 5, 2012 and that the City Manager is 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 project administration.

BE IT FURTHER RESOLVED that the sources and amounts of the local match identified in the application are committed to the project identified.

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, the City of Benson may enter into an agreement with the State of Minnesota for the above referenced project(s), and that the City of Benson certifies that it will comply with all applicable laws and regulation as stated in all contract agreements.

NOW, THEREFORE BE IT FINALLY RESOLVED that the Mayor and the City Manager are hereby authorized to execute such agreements as are necessary to implement the project on behalf of the City of Benson.

Member Hess seconded the foregoing motion and the following vote was recorded: AYES: Landmark, Fugleberg, Kittelson, Hess, Fitz. NAYS: None: Whereupon the Mayor declared Resolution No. 2012-11 duly passed and adopted.

Next the Council reviewed proposed language addressing abandoned vehicles. Wolfington, Police Chief Mike Jambor and City Attorney Don Wilcox met this morning. They would like to expand on the language about citations, and also address commercial businesses. After discussion, it was moved by Landmark, seconded by Fitz and carried unanimously to approve the 1st Reading of City Ordinance Chapter 95: Abandoned and Other Nuisance Vehicles.

Next was review of the Stormwater Utility Ordinance and Resolution. The sample resolution is proposing a \$2.00 base rate fee. After discussion, it was moved by Fitz, seconded by Fugleberg and carried unanimously to approve the 1st Reading of An Ordinance Amending the City Code Chapter 50 By Establishing a Stormwater Utility

Nelson requested permission to go out for bids for the new hangar at the airport. He is working with TKDA to complete specs, which will have to go through the Airport Commission first. It was moved by Hess, seconded by Landmark and carried unanimously to authorize staff to go out for bids for the new airport hangar.

Nelson reviewed the 2012 Bituminous Bid results. The two lowest bids were from Riley Brothers Construction in Morris and Mark Lee Asphalt & Paving from Alexandria. Both bids were for the same amount. Nelson recommended going with Riley Brothers Construction as they are closer and will result in a hotter mix being delivered. It was moved by Landmark, seconded by Hess and carried unanimously to approve Riley Brothers Construction's bid for \$58 per ton.

There was a pay request from Stantec for general engineering services. It was moved by Fitz, seconded by Fugleberg and carried unanimously to approve the pay request to Stantec in the amount of \$6,229.54.

There was a second pay request from Stantec for general engineering services at the Water Treatment Plant. It was moved by Fitz, seconded by Fugleberg and carried unanimously to approve Stantec's pay request in the amount of \$13,384.22.

Nelson informed the Council the new Water Treatment plant is making water. They started chlorinating, filtering and pumping the water into the system Thursday, May 31. KHC Construction has a punch list of items to complete the project. Nelson presented a pay request from KHC Construction for the water treatment plant. It was moved by Hess, seconded by Fugleberg and carried unanimously to approve KHC Construction's pay request #10 in the amount of \$213,418.59 upon completion of items listed by Nelson.

It was the consensus of the Council to move the next City Council meeting to June 25, 2012 to allow the City Manager to be present for the presentation of the 2011 City audit.

It was moved by Fitz, seconded by Hess and carried unanimously to accept the Certificate of Completion of the Water Treatment Plant from KHC Construction.

There being no other business, it was the consensus of the Council to adjourn the meeting at 6:10 p.m.

Mayor

City Clerk