

**MINUTES - BENSON CITY COUNCIL - SPECIAL MEETING
JULY 16, 2012**

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

There was no one with unscheduled business for the Council.

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

- June 25, 2012 City Council Meeting
- July 9, 2012 Special City Council Meeting
- July 9, 2012 Park Board Meeting

Wolfington explained a letter from the State Demographer's office. The population estimates are used in a number of state aid programs including Local Government Aid.

The next letter of correspondence was from the League of Minnesota Cities explaining their dues increase for 2013. Wolfington stated due to the economy, the League has not raised their dues for several years.

Pioneerland Library System sent a letter stating the 2013 funding request will increase 3% of the 2012 funding request.

Joe Sullivan from the Coalition of Greater Minnesota Cities (CGMC) addressed the Council, sharing what the CGMC has been working on over the past year, and plans for the following year.

Fire Chief Schreck thanked the Council for the recent purchase of the new Fire Truck. He stated he had the new water truck on display outside City Hall. The Mayor declared a recess at 5:48 p.m. to go and look at the new water truck. The meeting was reconvened at 5:58 p.m.

Wolfington presented a renewed lease agreement with the Shamrock Hest Riding Club for the land they use west of the Civic Center. This lease comes due every five years. It was moved by Fitz, seconded by Fugleberg and carried unanimously to approve the new lease with Shamrock Hest Riding Club.

Next there was a request from the "Hands for Hospice" to block off the street north of Roosevelt Park for their motorcycle fundraising event. It was moved by Hess, seconded by Landmark and carried unanimously to approve closing off the street between 13th & 14th Street North on Nevada Avenue for the "Hands for Hospice" event.

Nelson presented and reviewed TKDA's bid tally for the bids taken for the airport hangar bids opened last week. Federal & State aid will pay 90% of the costs of building the hangar. The bid results are as follows:

Everstrong Construction, Inc. \$360,438.75
Ebert Inc., DBA Ebert Construction - \$399,381.98
Eagle Construction Co. - 404,908.00
Larson Contracting Central LLC - \$449,463.00

There will be an additional bituminous expense to the project. The project will exceed budgeted funds by \$29,000.00. There was discussion on funding the project, and staff indicated that funds could be

redistributed in the General Capital Outlay fund to accommodate the project. It was moved by Landmark, seconded by Hess and carried unanimously to accept the bid from Everstrong Construction, Inc. in the amount of \$360,438.75.

Next Wolfington presented a language change to the nuisance ordinance to include notifications to tenants and land owners in the event of a violation. It was moved by Hess, seconded by Fugleberg and carried unanimously to approve the 1st Readings of An Ordinance to Amend Chapter 93: Nuisances.

Councilmember Hess offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT
WITH THE STATE OF MINNESOTA TO PROVIDE
PUBLIC TRANSPORTATION SERVICE IN THE CITY OF BENSON
(RESOLUTION NO. 2012-16)**

Resolved that the City of Benson, MN to enter into an Agreement with the State of Minnesota to provide public transportation service in the City of Benson.

Further resolved that the City of Benson agrees to provide a local share of 20% percent of the total operating cost and 20% of the total capital costs.

Further resolved that the City of Benson authorizes the City Manager and the City Clerk to execute the aforementioned Agreement and any amendments thereto.

Council member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Fugleberg, Hess, Fitz, Landmark, Kittelson. NAYS: None. Whereupon, the Mayor declared Resolution No. 2012-16 duly passed and adopted.

Councilmember Hess offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING SUBMITTAL OF REDEVELOPMENT
GRANT PROGRAM APPLICATION AND COMMITTING FUNDS
(RESOLUTION NO. 2012-17)**

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 August 1, 2012 and that City Manager, Rob Wolfington 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, MN.

BE IT FUTHER 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 applicant.

Council member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Fugleberg, Hess, Fitz, Landmark, Kittelson. NAYS: None. Whereupon, the Mayor declared Resolution No. 2012-17 duly passed and adopted.

Councilmember Fitz offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING ANNUAL RATE RESOLUTION TO SET PENALTY FOR
FIRST CITATION OF CHAPTER 95: ABANDONED AND OTHER NUISANCE VEHICLES
ORDINANCE
(RESOLUTION 2012-18)**

Resolved that the City of Benson has adopted an Abandoned and Other Nuisance Vehicles Ordinance to keep from accumulations of un-licensed, non-functioning or junk vehicles in the City of Benson, and

Further resolved there is a process set forth in the Abandoned and Other Nuisance Vehicles Ordinance for the removal of such vehicles, and

Further resolved that the City Council is to set a penalty amount for the first citation of said Ordinance.

Now, therefore be it finally resolved that the City Council set a penalty of \$25.00 for the first citation issued to violators of Chapter 95: Abandoned and Other Nuisance Vehicles Ordinance.

Council member Fugleberg seconded the foregoing Resolution and the following vote was recorded: AYES: Fugleberg, Hess, Fitz, Landmark, Kittelson. NAYS: None. Whereupon, the Mayor declared Resolution No. 2012-18 duly passed and adopted.

Next Pederson reviewed the 2011 Fire Relief Association Annual Audit with the Council.

Pederson presented to the City Council the results of a study done by Design Tree Engineering Inc., on City Hall's heating, ventilating and air conditioning (HVAC). Earlier this summer, one of the five air conditioning units installed in 1976 broke down. After discussing the 4 options presented by Design Tree, and discussion of the condition of City Hall, it was decided option 1 for \$70,000.00 was the most affordable. Pederson stated he would like to wait and get specs from Missouri River Energy Services before bidding out to the local vendors. He would like to have the project done before winter.

The Council reviewed the June 2012 budget report.

Pederson presented a pay request to update the AS400 mainframe computer. He stated our current maintenance agreements with the AS400 are soon up for renewal. He stated there are upgrades that need to be done to the system in order for it to continue to run our accounting, payroll and utility billing software. It was moved by Fitz, seconded by Fugleberg and carried unanimously to approve the pay request in the amount of \$5,229.00 to upgrade the AS400.

It was moved by Landmark, seconded by Hess and carried unanimously to approve bills and warrants in the amount of \$792,751.42.

There being no other business, it was moved by Landmark, seconded by Fugleberg and carried unanimously to adjourn the meeting at 6:33 p.m.

Mayor

City Manager