

**City Council Special Meeting Agenda**  
**City Council Chambers**  
**January 2, 2013**

- Page
1. 5:30 p.m. Call the Meeting to Order at City Hall (Mayor)
  2. Persons with Unscheduled Business to Come Before the City Council (Mayor)
  3. Review the Consent Agenda: (Mayor) Canary
    - a. Minutes:
      - 3-20           ▪ 12.17.12     City Council Meeting
      - 21             ▪ 12.13.12     Safety Committee Meeting
    - b. Correspondence:
      - 22-23         ▪ NESHAP Rice Rule – 1 Year Compliance Extension Application
    - c. Applications:
      - 24-35         ▪ Airport Advisory Commission: Leroy Noreen & Calvin Lindblad (2 openings)
      - Economic Development Authority: Paul Estenson (1 opening)
      - Library Board: Ron Laycock & Brad Johnson (2 openings)
      - Benson Housing & Redevelopment Authority: Rob Wolfington (1 opening)
      - Vacancies on Boards & Commissions:
        - Park Board – 4
        - Planning Commission – 1
        - Cemetery Board – 2
        - Benson Area Tourism Board – 2
    - d. Travel:
      - Hospital Conference January 11-13, 2013 – City Manager
      - LMCIT Conference Mankato January 25-26, 2013 – Mayor, Tentative-Fugleberg
  4. Update City Council Appointments (Mayor & Council):
    - Emergency Chain of Command– Succession Plan in Absence of Mayor
    - Economic Development Authority (two voting members)
    - Fire Board (two members)
    - HRA (two voting members)
    - Library Board (one liaison)
    - Liquor Committee (two members)
    - Park Board (one voting member and one liaison)
    - Personnel Committee (two members)
    - Planning Commission (one voting member)
    - President Pro-Tem (one member)
    - Swift County RDA Board (one voting member)
    - City Attorney, Assistant City Attorney (Civil)
    - Prosecuting Attorney (Criminal)
  5. Designate the City of Benson’s Official Newspaper (Mayor & Council):
  6. Designate Bank Depositories (Mayor & Council): Suggested Motion Should Include
    - State banks, national banks and thrift institutions located either within or outside the State of MN qualifying as depositories under MN Law
  7. Review the City of Benson’s 2013 Annual Calendar and Approve City Council meeting Time and Dates (City Manager):
  8. Authorization of Check Signers (Mayor & Council: Suggested Motion Should Include)

All Accounts: Mayor, City Manager, Finance Director  
Incidental Fund: Lisa Kent, Valerie Alsaker  
Meter Rent Account: Lisa Kent  
Hospital Fund: Lisa Kent, Justin Kroeger-Flexible Benefit Administrators

9. Schedule Board of Review from 5:30 p.m. to 6:30 p.m. on April 15, 2013

36-39 10. Railroad Bridge Proposals White

11. Adjourn: Mayor

**Draft**

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
DECEMBER 17, 2012**

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

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

- December 3, 2012 City Council Meeting
- December 10, 2012 Benson Public Library Meeting

There was correspondence from the Minnesota Department of Agriculture stating approval of agricultural chemical incident remediation at the old Benson Market Elevator site. The letter explains if the site is developed, clean-up measures will need to be taken.

It was moved by Landmark, seconded by Fugleberg and carried unanimously to approve renewal of the following 2013 Cigarette Licenses: Amoco Food Shop of Benson, Holiday Station, Darold's Super Valu, Do-Mats Family Foods, Glacial Plains, Dollar Store and McKinney's on Southside.

It was moved by Hess, seconded by Fitz and carried unanimously to approve a Special Use Permit to allow disposing of septic tank sludge and holding tank sewage into the Benson Wastewater Facility for 2013 to Slaughter's Plumbing and Septic Service LLC.

It was moved by Fugleberg, seconded by Hess and carried unanimously to approve a gambling application for the Chippewa Valley Chapter of MN Deer Hunters Association for February 1, 2013.

The City Council was reminded there are two openings on the Park Board.

The Mayor opened the Public Hearing at 5:33 p.m. addressing a variance application at 1103 - 12<sup>th</sup> Street North. The variance request is for a one foot side yard set-back instead of the standard ten foot set-back, in order to build a two car garage onto a house. Wolfington stated the Planning Commission took testimony at their noon meeting earlier today from a neighbor for the project and the next door neighbor in writing against the variance. He presented the Planning Commission's finding of fact from that meeting. Home owner Brad Skarsten addressed the Council. He said he intends to build a two car garage if the variance is approved by the City Council. He said he offered to purchase fifteen feet of the neighbor's lot next to his lot, but felt the asking price was too much. He feels it will increase the value of his property to add the garage. Kittelson said this application came before the Planning Commission today and the variance request was denied, because they felt it doesn't meet state variance criteria. Wolfington said the Planning Commission suggested Skarsten work with Building Official Mike Jacobson to reconfigure the project, and come back within six months, and they suggested waiving the fee on the second application. It was moved by Landmark, seconded by Fugleberg and carried unanimously to deny the variance application, and if Skarsten comes back within six months with a second plan, agree to waive the fee. The Mayor declared the public hearing closed at 5:44 p.m.

Wolfington had a proposal from Stantec on a study of the Benson 100 year Flood Elevations in reference to the Railroad Bridge over west Highway 9. He and Elliot Nelson held a conference call with them and felt it meets the criteria for the study. He also said there was another proposal sent in today

from Landteam, which was considerably cheaper than Stantec. Wolfington suggested this be addressed at the January 2, 2013 meeting. This will give staff time to compare the two proposals.

Council Member Fitz offered the following Resolution and moved its adoption:

**A RESOLUTION ADOPTING A SCHEDULE OF FEES AND CHARGES  
FOR VARIOUS SERVICES, LICENSES AND PERMITS  
FOR THE CITY OF BENSON, MINNESOTA  
(RESOLUTION NO. 2012-32)**

Now Therefore, the City Council of the City of Benson, Minnesota, resolves:

Section 1. All fees and charges in effect as of the date of the adoption of the city code for the city shall remain in effect unless otherwise modified by the provisions of this resolution. All citations below are to various sections of the city code unless otherwise indicated.

Section 2. The following are the fees and charges for the permits, licenses and services listed below which are referenced to the section of the city code which authorizes their establishment:

1. Pursuant to § 30.01, an inexcusable absence of a Council Member or the Mayor from any meetings, special or regular, shall result in a fine of \$10.00 levied against the absent member upon majority vote of those members of the Council present.
2. Pursuant to § 33.34, if any item of unclaimed property in possession of the city appears to have a value of \$25.00 or less, is hazardous to store, or is perishable, the Chief of Police or his or her authorized representative may sell or otherwise dispose of such property in whatever manner the Chief of Police determines reasonable and appropriate.
3. Pursuant to Ch. 50: Appendix: Utility Rates, Ch. 52: Appendix: Sewer Service Charges, Ch. 53 & Ch. 55, the utility rates are as follows:

**RESIDENTIAL SERVICE**

Customer charge . . . . .	\$10.00
Energy charge per KWH . . . . .	\$.089
Minimum monthly charge shall be the customer charge	
Controlled water heating credit . . . . .	\$4.00

**COMMERCIAL ELECTRIC SERVICE**

Customer charge single phase . . . . .	\$14.00
Customer charge three phase . . . . .	\$20.00
Energy charge per kWh . . . . .	\$.091
Minimum monthly charge shall be the customer charge	

**LARGE POWER SERVICE** The Utilities Board may adopt regulations by resolution governing the eligibility requirements, use of special equipment, type of materials, and other items that it deems desirable.

Customer charge . . . . .	\$40.00
Demand charge . . . . .	\$12.50
Energy charge per kWh . . . . .	\$.041
Minimum monthly charge is the customer charge	

**INTERRUPTIBLE RATE**

Energy charge . . . . .	\$.045 per kWh
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**STREET LIGHTING**

Monthly rate energy charge . . . . . \$ .15 per kWh

**SECURITY LIGHT RENTAL AND OTHER FLAT RATE CHARGES** The following charges shall be made for security lighting unless energy is furnished by the consumer:

<b>Units</b>	<b>Flat Rate Charge</b>
100 Watt	\$6.00 per month
150 Watt	\$7.50 per month
250 Watt	\$12.00 per month
400 Watt	\$15.00 per month
1000 Watt	\$28.00 per month

**POWER COST ADJUSTMENT BASE PER KWH.** . . . . . \$ .053

**ELECTRIC SERVICE CONNECTION FEE:** A flat rate of \$35 for each temporary service shall be charged and collected prior to installation of any temporary service.

**RESIDENTIAL GARBAGE**

Hauling rate: Includes a weekly pickup service of one  
 30 gallon container not to exceed 40 pounds . . . . . \$11.00 per month  
 Additional container charge . . . . . \$1.25 per container  
 Charge for overage/unsorted garbage . . . . . \$4.00 per bag

**WATER RATE**

Residential service charge . . . . . \$12.50  
 Consumption:  
     0-3 units . . . . . \$1.35 per 100 cu. ft.  
     4-7 units . . . . . \$1.60 per 100 cu. ft.  
     Over 7 units . . . . . \$1.90 per 100 cu. ft.

**Commercial service charge:**

5/8" - 1" meter . . . . . \$17.50  
 1 1/4" - 2" meter . . . . . \$29.50  
 Larger than 2" meter . . . . . \$62.50  
 Consumption . . . . . \$1.60 per 100 cu. ft.

**Water main connection fee:**

5/8" - 1" meter . . . . . \$250.00  
 1 1/4" - 2" meter . . . . . \$350.00  
 Larger than 2" meter . . . . . \$500.00  
 Water meter tap fee . . . . . \$40.00/hr.  
 Water meter remote installation fee . . . . . \$35.00

All water meters are read and billed monthly. Meters will be estimated if readings are not received.  
All water is billed in units of 100 cu. ft. which is equal to approximately 750 gallons.

**SEWER RATE**

Minimum charge . . . . . \$24.50 per month  
 Unit rate . . . . . \$4.90 per 100 cu. ft. of water usage

**STORM WATER RATE.** . . . . . \$2.00 Base Rate

**METER DEPOSITS:**

Residential  
 Electric . . . . . \$20.00

Water .....	\$20.00
Commercial .....	One month average bill

The maximum penalty assessed for all utility services is 10% or \$10.00 [whichever is less].

Fee for disconnection and reconnection is \$25.00.

4. Pursuant to § 51.06, the fee for garbage collectors license shall be \$100.00 per year.
5. Pursuant to § 52.16, before commencement of construction of a private sewage disposal system, a permit and inspection fee of \$100.00 shall be paid to the Building Inspector at the time the application is filed.
6. Pursuant to § 52.17(A), a special use permit fee of \$50.00 shall be paid to the City Manager at the time the application is filed.
7. Pursuant to § 52.17(F), a charge shall be levied to the holder of a valid permit for each discharge made in the following manner:

Type	Rate
Septic Tank & Port-a-Potty Sludge & Holding Tank Sewage	\$35.00 per 1,000 gals.
Commercial, Industrial, Agricultural waste & other high concentration waste (rate based On analysis of BOD, TSS & chemical content	

8. Pursuant to § 52.30, the fee to connect to the city sewer system and an inspection fee shall be payable to the City at the time the application is filed:

Residential: \$2,000.00 per Residential Unit of Service

Commercial: Calculated on an estimated water usage divided by residential equivalent unit use of 172 gallons per day, raised to the 0.7th power and multiplied times \$2,000.00. After one year, the actual water consumption shall be used to determine any refund or additional charge due.

9. Pursuant to § 52.38, no sewer tap license shall be issued to any person as aforesaid until he or she shall have paid to the City Manager a license fee of \$50.00.
10. Pursuant to § 90.04(B)(4), a dog license shall be valid for a period of one year commencing January 1 and expiring December 31 of the year issued; and, except as hereinafter provided, shall be issued only upon payment to the city a license fee of \$5.00.
11. Pursuant to § 90.04(B)(5), upon payment of fees, the city shall furnish each licensee with a metallic tag upon which the licensee shall have stamped or engraved the registered number of the dog, the word "Benson", and the year registered. The design of the tag shall be changed from year to year. In case the metallic tag is lost or stolen after having been regularly issued as herein provided, the licensee, upon presenting to the city the license or receipt issued when the dog was registered, shall receive a duplicate tag and license upon the payment of \$.50 to the city.
12. Pursuant to § 90.07(C), any dog may be reclaimed from the animal shelter by its owner within the time specified in the notice by the payment to the city of the license fee (if not paid for the current year) and a fee of \$15.00 for each day or fraction of a day that said dog has been confined as the cost of boarding.
13. Pursuant to § 92.03, no person shall place or suffer to remain any farming implements or any agricultural or other machinery in or upon any street, lane, alley, sidewalk, or other public place in

the city. No person shall in any manner or with any article or thing encumber or obstruct any street, lane, alley, sidewalk, or other public place in the city, provided, however, that any person owning or operating a business establishment for the retail sale of merchandise in the city may use the sidewalk adjacent to his or her business premises for the purpose of displaying and selling merchandise, and also, a person or organization may use all or a portion of a street, lane, alley, sidewalk, or other public place in the city for temporary use for special events, but only after such person or organization first obtains a written permit allowing such use from the City Manager. The City Manager shall have the authority to grant or deny such permit and if granted he or she shall have the authority to determine the terms, conditions, and duration of such special use permit. The City Council may revoke such permit at any time if such person receiving the permit violates the terms and conditions thereof. The person receiving such permit shall be required to pay a fee of \$5.00 to the city upon receipt thereof.

14. Pursuant to § 92.23, each excavation permit application shall be accompanied by a deposit fee of \$300.00 to be paid by the applicant.
15. Pursuant to § 95, the amount of the first citation of an abandoned vehicle shall be \$25.00.
16. Pursuant to § 111.05, the annual fee for a raffle license shall be \$5.00. The annual fee for a pull-tab license shall be \$100.00. The fee for a single event pull-tab license shall be \$20.00.
17. Pursuant to § 111.22, no bingo occasion shall be conducted except by an eligible organization which has secured a license for that purpose as provided in this subchapter. A license shall be valid for 12 calendar months from the date of issuance. The annual license fee shall be \$10.00.
18. Pursuant to § 111.25, no person shall receive more than \$12.00 as compensation for any duties in connection with any bingo occasion.
19. Pursuant to § 111.28, prizes for a single bingo game shall not exceed \$100.00, except prizes for a game of the type commonly known as a "cover-all" game. "Cover-all" prizes may exceed \$100.00 provided that the aggregate value of such prizes for a bingo occasion shall not exceed \$2,500.00, except that in the case of a bingo occasion during which a "cover-all" game is played for a maximum prize of more than \$100.00 but less than \$500.00, the aggregate value of prizes for the bingo occasion shall not exceed \$3,000.00. Merchandise prizes shall be valued at fair market retail value.
20. Pursuant to § 111.29, gross receipts shall be compared to the checkers' records for the bingo occasion by a person who did not sell cards for the bingo occasion. If a discrepancy exceeding \$20.00 is found between the amount of gross receipts for a bingo occasion as determined by the checkers' records, and the amount of gross receipts as determined by totaling the cash receipts, the discrepancy shall be reported to and investigated by the Council.
21. Pursuant to § 112.05, the fee for every such tobacco license shall be \$250.00 per year. Every license shall expire on December 31 after its issuance. For any license issued after January 31 in any year the fee shall be computed at the rate of \$125.00 plus \$15.00 for each month covered by the license, not to exceed the annual license amount. Licenses shall not be transferable from one person to another.
22. Pursuant to § 113.03, the annual license fee for a roller-skating rink shall be \$30.00, payable in advance with the application, for each year or portion of a year.
23. Pursuant to § 114.03(D), the fee for a peddler's license shall be \$20.00.
24. Pursuant to § 115.03, the license fee shall be \$15.00 for each vehicle (taxi cab) to be operated.

25. Pursuant to § 116.03, before an auction permit shall be issued, the applicant shall pay to the Treasurer the sum of \$25.00 as a license fee. In addition to the above-mentioned fee, there shall be paid to the Treasurer for the use of the city by every auctioneer or the owner of any goods, wares, and merchandise sold by auction, except household goods which have been used as such, 10% of the gross receipts accruing from said sale except in when the sale is made.
26. Pursuant to § 117.17 (A), the initial license and annual renewal fees for sexually oriented business licenses shall be as follows:

**Type I License** \$1,000.00  
 [Adult Cabaret, Adult Motel, Adult Motion Picture Adult Theater,  
 Escort Agency, Exotic Dance Service, and Massage Center]

**Type II License** \$100.00  
 [Adult arcade, Adult bookstore, Adult Novelty, Adult Video Store,  
 Semi-Nude Modeling Studio, and other Sexually Oriented Businesses]

27. Pursuant to § 117.17 (B), the fee for the application for issuance or renewal of a sexually oriented business employee card shall be \$20.00. The fee is non-refundable. There is no additional fee or charge upon issuance of the card after the completion of the application or renewal process.
28. Pursuant to § 150.33, prior to connection of any municipal utility to a manufactured home placed on any lot or within any manufactured home park within the city, said manufactured home shall be inspected by the City Building Inspector and shall be in compliance with the provisions of § 150.32. The owner or occupant of said manufactured home shall make application in writing to the city hall for inspection prior to locating said manufactured home within the city, which application shall be accompanied by an inspection fee of \$50.00.
29. Pursuant to § 153.22, before dividing any tract of land into two or more lots or parcels, an owner or subdivider shall, unless a variance is authorized, file with the City Manager: four copies of the preliminary plan; a cash fee of \$25.00 plus \$1.00 for each lot up to a maximum amount of \$150.00. This fee will be used for the expenses of the city in connection with the approval or disapproval of said plan and any final plat which may thereafter be submitted.
30. Pursuant to § 154.030, relocations shall require a conditional use permit from the Council wherein the following provisions shall be met: application in the form of a building permit shall be made on forms provided by the City Clerk; and a fee of \$21.00 plus any necessary public costs will be made to the Treasurer, and a receipt for same shall be attached to the application and submitted to the Clerk with proof of the mover's financial responsibility.

Section 3. The following miscellaneous fees and charges are not addressed in the city code but are hereby established with adoption of this resolution:

**BUILDING PERMIT FEES**

TOTAL VALUATION	FEE
\$1.00 to \$500	\$21.00
\$501 to \$2,000	\$21.00 for the first \$500.00 plus \$2.75 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001 to \$25,000	\$62.25 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001 to \$50,000	\$349.75 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001 to \$100,000	\$574.75 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00

\$100,001 to \$500,000	\$887.25 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001 to \$1,000,000	\$2887.25 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001 and up	\$5012.25 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000.00 or fraction thereof

Other Inspections and Fees:

1. Inspections outside of normal business hours . . . . . \$42.00 per hour\*
2. Re-inspection fees assessed under provisions of Section 305.8 . . . . . \$42.00 per hour\*
3. Inspections for which no fee is specifically indicated (minimum charge-one-half hour) . . . . . \$42.00 per hour\*
4. Additional plan review required by changes, additions or revisions to plans . . . . . \$42.00 per hour\*
5. For use of outside consultants for plan checking and inspections, or both . . . . . Actual costs\*\*

\* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

\*\* Actual costs include administrative and overhead costs.

<b>LICENSE AND PERMITS</b>	
Golf Cart and Mini Truck Permit.....	\$25.00 [Annual]
Kennel License.....	\$10.00 [Annual]
<b>LIQUOR LICENSES</b>	
• On-Sale Liquor.....	\$1,000.00 [Annual]
• On-Sale Club Liquor License.....	\$500.00 [Annual]
• Sunday Liquor License.....	\$50.00 [Annual]
• Consumption & Display License.....	\$50.00 [Annual]
• Off-Sale Beer License.....	\$15.00 [Annual]
• On-Sale Beer License.....	\$50.00 [Annual]
• On-Sale Wine License.....	\$50.00 [Annual]
• Sidewalk Café Endorsement.....	\$100.00 [Annual]
<b>AIRPORT</b>	
Airport Land Lot Lease.....	\$200.00 per year
AV Fuel.....	20% over cost
<b>HANGAR RENT:</b>	
• 12 Month Lease.....	\$55.00 per month (includes 10% AV fuel discount)
• Monthly Rate.....	\$70.00 per month (No AV fuel discount)
• Daily Rate.....	\$10.00 per day
<b>TEE HANGAR:</b>	
• 12 Month Lease.....	\$90.00 per month (includes 10% AV fuel discount)
• Monthly Rate.....	\$110.00 per month (No AV fuel discount)
<b>CEMETERY</b>	
Grave Lot.....	\$350.00/grave
Staking Fee.....	\$20.00
Monument Fee.....	\$25.00
<b>CITY PARKS</b>	
Community Sign Rental.....	\$5.00 per week
Shelter Reservation Fee.....	\$20.00 plus tax
<b>CAMPING FEES: (sales tax not included)</b>	
• Tents, Non-hookup site.....	\$15.00 per night or \$80.00 per week
• Hookup site [includes water, sewer & electric].....	\$20.00 per night or \$120.00 per week or \$450.00 per month
• Reservation Fee.....	\$5.00 per site
• Cancellation Fee.....	\$5.00 (non-taxable)

**SWIMMING POOL RATES: (sales tax included)**

• Daily Admission – Adult [18 & over].....	\$6.00
• Daily Admission – Teen [13 to 17].....	\$5.00
• Daily Admission Child [12 & under].....	\$4.00
• Resident Family Pass.....	\$140.00 [limited to 5 immediate family members]
• Non-Resident Family Pass.....	\$175.00 [limited to 5 immediate family members]
• Additional Family Members – Resident.....	\$25.00
• Additional Family Members – Non-Resident.....	\$35.00
• Resident Individual Pass.....	\$100.00
• Non-Resident Individual Pass.....	\$125.00
• Punch Pass – Adult.....	\$50.00
• Punch Pass – Teen.....	\$42.00
• Punch Pass – Child.....	\$30.00
• AM Swim.....	\$2.00
• PM Swim.....	\$2.00
• One Hour Pool Rental.....	\$138.94 [\$130.00 w/o tax]
• Party Room Rental.....	\$30.00 per hour
• Family Swim.....	½ of daily admission

**FIRE DEPARTMENT**

Fire Call.....	\$750.00 per call plus \$350 per hour for the 2 <sup>nd</sup> and subsequent hours
Residential Smoke False Alarms.....	\$350.00 per call
Rescue Squad Call.....	\$130.50 per 15 min. plus \$6.25 per mile

**PLANNING AND ZONING APPLICATION FEES**

Conditional Use Permit.....	\$250.00 per application
Conditional Use Permit-Home Occupation.....	\$250.00 per application
Variance Permit.....	\$250.00 per application
Demolition Permit.....	\$15.00 [Per Building]

**TRANSIT****FARES:**

• Regular One-Way Ride.....	\$1.00
• Sr. Citizen One-Way Ride.....	\$1.00
• Regular Token Pack (6 rides).....	\$5.00
• Sr. Citizen Token Pack (7 rides).....	\$5.00
• Regular 1 Month Pass (unlimited rides).....	\$28.00
• Sr. Citizen 1 Month Pass (unlimited rides).....	\$25.00
• Regular 3 Month Pass (3 consecutive months).....	\$75.00
• Sr. Citizen 3 Month Pass (3 consecutive months).....	\$65.00
• Individual Summer Youth Pass (June-July-August)...	\$40.00
• Maximum Family Summer Youth Pass.....	\$85.00

**SIGN RENT:**

• Back of Bus.....	\$60.00 per month per sign
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**MISCELLANEOUS FEES**

Armory Rent.....	\$35.00 per hour / \$300.00 per day
Copy of Ordinance Book.....	\$50.00
City Council Chambers.....	\$25.00 per day (free to non-profit groups)
Bad Check Fee.....	\$30.00
Current Service Assessment Fee.....	\$50.00

**DISEASED ELM TREE REMOVAL -**

## Tree located:

• On property owner's front, side & rear yard.....	100% property owner cost
• On side yard boulevard.....	100% City cost

- On front yard boulevard..... 50% City/50% property owner cost  
**NOTE:** Property owner has option of hiring someone other than the City's tree contractor to remove a diseased elm tree on the front yard blvd. but then the City will not participate in the cost to remove the tree.

**FAX CHARGES:**

- To Send..... \$1.00 per page
- To Receive..... 50¢/page to receive

**PARKING FEES:**

- Overtime Parking..... \$5.00
- Parking in Yellow..... \$10.00
- Other Illegal or Improper Parking..... \$15.00
- Snow Emergency..... \$25.00

**PHOTOCOPIES AND PRINTING:**

- 8½ x 11, 8½ x 14 & 11 x 17..... 20¢ per side
- Color 8½ x 11, 8½ x 14 & 11 x 17..... 50¢ per side
- Plotter..... \$4.00 per page

**EQUIPMENT & MATERIALS**

- Labor for Public Works & Line Crew \$40.00 per hour
- All Public Works Pickups \$10.00 per hour or \$50.00 per day + Current IRS Mileage Rate

**ELECTRIC DEPARTMENT:**

- Sul Air Compressor 225 cfm .....\$125.00 per day plus fuel [without operator]
- Ringomatic Potholer Vac Machine..... \$125.00 per day [without operator]
- Electric Pole Rent (CenturyLink)..... \$4.50 per pole [Annual]
- Trailer Mounted Diesel Generator 40 kw 3Ø 208V... \$125.00 per day plus fuel [without operator]
- Kubota Portable Diesel Gen. 6.5 kw 1Ø 120/240..... \$125.00 per day plus fuel [without operator]
- Sauber Tensioner on Trailer..... \$40.00 per day-MRES Member, \$60.00 per day-Non MRES Member
- Felling Pole Trailer..... \$40.00 per day-MRES Member, \$60.00 per day-Non MRES Member
- Reel Trailer..... \$40.00 per day-MRES Member, \$60.00 per day-Non MRES Member
- 2007 Ford F550 SD Small Bucket Truck..... \$50.00 per hour-MRES Member, \$80.00 per hour-Non MRES Member plus Current IRS Mileage Rate member & Non Member
- 2009 International 4400 Altec AM50E..... \$50.00 per hour-MRES Member, \$80.00 per hour-plus Current IRS Mileage Rate Member & nonMRES Member
- 1997 Ford F350 1 Ton Dump Truck..... \$50.00 per day -MRES Member, \$65.00 per day -Non MRES Member plus Current IRS Mileage Rate member & Non-member
- 2001 Freightliner Versa Lift Digger/Derrick..... \$50.00 per hour-MRES Member, \$80.00 per hour-Non MRES Member plus Current IRS Mileage Rate member & Non-member
- Panel Van..... \$50.00 per day-MRES Member, \$50.00 per day-Non MRES Member plus Current IRS Mileage Rate member & Non-member
- Case 560 Trencher with operator..... \$55.00 per hour-MRES Member, \$65.00 per hour-Non MRES Member
- Trenching: 1999 Case 560 Chain Trencher..... \$1.10 per foot or \$100.00 per hour [MRES Mbr] \$120.00 [Non-MRES Mbr] –whichever is higher [includes operator]
- Boring: 2007 Ditch Witch 2020 Boring Machine..... \$4.00 per foot or \$150.00 per hour–whichever is higher [includes optr]

• 1992 Vermeer Wood Chipper.....	\$50.00 per hour-MRES Member, \$65.00 per hour-Non MRES Member
<b>PARKS DEPARTMENT:</b>	
• Mosquito Spraying.....	\$70.00 per hour [man & pickup]
• Mosquito Spray.....	\$42.00 per gallon
• Mowing Fees (includes equipment).....	\$80.00 per hour [minimum charge of \$80.00]
• Vermeer Tree Spade.....	\$85.00 per hour [includes operator]
• 2008 Case Dx45 Utility Tractor w/attach.....	\$80.00 per hour plus materials
<b>STREET DEPARTMENT:</b>	
• 2007 Edco 14" Concrete Saw.....	\$65.00 per hour plus saw blades [includes operator]
• Misc. Saws.....	\$65.00 per hour plus blades or chains [includes operator]
• Router.....	\$105.00 per hour [includes operator]
• Tar Kettle.....	\$80.00 per hour plus materials [includes operator]
• Tack Wagon.....	\$105.00 per hour plus materials [includes operator]
• 2007 Linelazer 3900 Striper.....	\$105.00 per hour plus materials [includes operator]
• Self Propelled Steel Roller Packer.....	\$60.00 per hour [includes operator]
• 1984 Freuhoff Dump Trailer.....	\$20.00 per hour
• Rubber Tire Roller Compactor.....	\$75.00 per day [without operator]
• 2001 Elgin Pelican Sweeper.....	\$125.00 per hour [includes operator]
• 2002 John Deere 544H Loader.....	\$125.00 per hour [includes operator with bucket or plow]
• 1990 Case Loader.....	\$125.00 per hour [includes operator]
• 2006 John Deere 624 Loader.....	\$125.00 per hour [includes operator with bucket or plow]
• Tandem Dump Truck – 12 yd. Box.....	\$125.00 per hour [includes operator]
• Tandem Truck with Sander.....	\$125.00 per hour [includes operator] plus \$55.00 per yd for sand salt
• 1971 International Truck w/mud pumper.....	\$110.00 per hour [includes two operators & labor]
• 2000 Chevy 1 Ton w/Plow & Utility Dump.....	\$65.00 per hour 1 ton, \$80.00 with Plow [with operator]
• 1985 Ford Tandem Water Truck.....	\$125.00 per hour [includes operator] [2,000 gallons]
• 1991 John Deere 770BH Motor Grader.....	\$125.00 per hour [includes operator with blade or plow & wing]
• 2005 John Deere 317 Skid Steer.....	\$80.00 per hour [includes operator]
• 2005 Wildcat Snowblower.....	\$80.00 per hour [includes operator]
• 1988 John Deere 550G Dozer.....	\$125.00 per hour [includes operator]
<b>WATER DEPARTMENT:</b>	
• Backhoe – Ford 555 or Ford 675D.....	\$90.00 per hour [includes operator]
• Tanaka Trash Pump.....	\$75.00 per day [without operator]
<b>WASTEWATER DEPARTMENT:</b>	
• Ford LN 8000 Jet-Vac.....	\$140.00 per hour [includes operator]
• 1983 Ag-Chem Sludge Truck.....	\$140.00 per hour

Member Hess seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-32 duly passed and adopted.

Wolfington explained to the Council this last summer we replaced our 2004 city bus with a new one. The DAC expressed interest in the bus. It was suggested by Wolfington we donate the bus to the DAC. After discussion it was moved by Fugleberg, seconded by Fitz and carried unanimously to donate the 2004 city bus to the Swift County DAC.

There was a memo from Minnesota Department of Employment and Economic Development (DEED) with preliminary proposal results for the new Small Cities Grant to be awarded in 2013. Full applications are due February 28, 2013, and we will know by summer of 2013 if we are awarded another round of housing grants.

Next was review of an ordinance to rezone 1 ½ lots to change from Residential to B2 General Business. After discussion, it was moved by Fitz, seconded by Landmark and carried unanimously to approve the 1<sup>st</sup> Reading of An Ordinance to Amend the Zoning Map of the City of Benson Section 154.057 of the Benson City Code of 2003.

Council Member Fitz offered the following Resolution and moved its adoption:

**CITY OF BENSON  
COUNTY OF SWIFT  
STATE OF MINNESOTA**

**A RESOLUTION DECERTIFYING  
TAX INCREMENT FINANCING DISTRICT NO. 4  
OF THE CITY OF BENSON  
(RESOLUTION NO. 2012-33)**

WHEREAS, on June 1, 1995, the City of Benson (the "City") created its Tax Increment Financing District No. 4, (the "District") within its Development District No. 3 (the "Project") and

WHEREAS, Minnesota Statutes, Section 469.174 to 469.179 authorizes the City Council to decertify a tax increment financing district on any date after all bonds and other obligations have been satisfied; and

WHEREAS, as of the date hereof all bonds and financial obligations to which tax increment from the District have been pledged will be paid in full; and

WHEREAS, the City desires by this resolution to decertify the District effective December 31, 2012, by which all taxing jurisdictions will benefit from an increased tax base effective for taxes payable in 2013.

WHEREAS, any excess tax increment in the account for the District will be returned to the County Auditor, after the decertification of the District, for redistribution to the regular taxing jurisdictions;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Benson that it acknowledges such action will be taken by the County Auditor of Swift County to decertify the District as a tax increment district and to no longer remit tax increment from the District to the City after December 31, 2012.

Member Hess seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-33 duly passed and adopted.

It was moved by Fugleberg, seconded by Fitz and carried unanimously to approve the following Public Utilities Bad Debts List as of December 31, 2012:

ACCT. NO.	NAME	ELEC	WATER	SEWER	TAX	GARB	PEN	ST SWR	TOTAL
101-030-00-08	Carrie Knutson	290.92	20.90	32.92	0.00	0.00	0.00	0.00	344.74
101-0118-00-06	Kyle Hillenbrand	66.50	54.49	67.38	0.00	18.09	0.00	0.00	206.46
103-0135-00-04	RMA Investments, LLC	32.15	26.39	51.72	6.30	23.23	0.00	0.00	139.79
104-0095-00-08	Sarah Wold	201.48	0.00	21.56	0.00	0.00	0.00	0.00	223.04
104-0143-04-01	Michael Wroblecki	125.01	0.00	0.00	1.95	0.00	0.00	0.00	126.96
104-0143-05-19	Patti Jeitz	94.75	0.00	0.00	0.00	0.00	0.00	0.00	94.75
104-0143-09-23	Linda Kirch	30.22	0.00	0.00	0.00	0.00	0.00	0.00	30.22
104-0143-09-25	Kim Shinnick	30.01	0.00	0.00	2.06	0.00	0.00	0.00	32.07

104-0143-13-19	Mike Lanning	117.96	0.00	0.00	0.00	0.00	0.00	0.00	117.96
104-0143-15-05	Erica Vanheuveln	67.39	0.00	0.00	0.00	0.00	0.00	0.00	67.39
104-0143-22-05	Ashley Lee	93.25	0.00	0.00	6.41	0.00	4.00	0.00	103.66
104-0143-23-24	Rebecca Lorenz	118.42	0.00	0.00	0.00	0.00	0.00	0.00	118.42
201-0020-00-05	Jesse Knuteson	322.49	0.00	30.31	0.00	0.00	0.00	0.00	352.80
201-0093-00-01	Danielle Wrobleski	556.33	20.10	66.15	6.36	38.50	0.00	0.00	687.44
202-0011-00-04	Bonnie Johnson	14.10	36.80	59.22	6.01	25.85	0.00	0.00	141.98
202-0051-00-12	Tina Desmarais	375.18	23.62	83.57	0.00	0.00	0.00	0.00	482.37
202-0051-10-05	Tina Desmarais	141.28	0.00	0.00	2.44	0.00	3.84	0.00	147.56
203-0053-00-04	Bobby Coleman	156.35	0.00	0.00	0.00	0.00	0.00	0.00	156.35
203-0053-00-05	Pamela/Bobby Coleman	223.30	21.34	32.10	0.00	0.00	0.00	0.00	276.74
205-0405-00-05	Mindi Fortune	165.05	0.00	0.00	0.00	0.00	0.00	0.00	165.05
205-0406-00-03	CodeeGronseth	45.93	0.00	0.00	0.00	0.00	0.00	0.00	45.93
205-0510-00-05	Heather Yarwood	170.64	0.00	0.00	0.00	0.00	0.00	0.00	170.64
205-0511-00-09	Andrea Aldaco	240.28	0.00	0.00	0.00	0.00	0.00	0.00	240.28
205-0511-00-11	Melissa Landmark	124.33	0.00	0.00	4.46	0.00	5.94	0.00	134.73
205-0528-00-13	Christina Weirman	98.30	0.00	0.00	6.76	0.00	9.14	0.00	114.20
205-0530-00-03	Dylan Moberg	18.76	0.00	0.00	0.00	0.00	0.00	0.00	18.76
205-0533-00-15	Andrea Day	233.06	0.00	0.00	0.00	0.00	0.00	0.00	233.06
205-0535-00-03	Joey Boyd	222.94	0.00	0.00	15.33	0.00	1.65	0.00	239.92
205-0606-00-18	Shelly Snyder	97.51	0.00	0.00	0.00	0.00	0.00	0.00	97.51
205-0609-00-18	Jenna Forslin	89.80	0.00	0.00	0.00	0.00	0.00	0.00	89.80
205-0611-00-14	John Solem	148.64	0.00	0.00	0.00	0.00	0.00	0.00	148.64
205-0623-00-03	Gary Olsen	166.55	0.00	0.00	5.59	0.00	0.00	0.00	172.14
205-0632-00-13	Shelly Snyder	58.22	0.00	0.00	1.45	0.00	0.00	0.00	59.67
301-0020-00-04	James Maus	63.93	43.75	161.70	10.95	36.30	10.00	0.00	326.63
301-0109-00-01	Kenneth Grussing	18.40	4.95	9.80	1.48	2.20	0.00	0.00	36.83
302-0114-00-07	Gene Weber	957.89	33.96	58.63	42.10	26.32	20.00	0.00	1138.90
302-0114-00-10	Stacy Kotzer	487.67	58.38	59.09	16.10	26.53	20.00	0.00	667.77
303-0037-00-15	Alona Buddy	258.93	70.45	83.64	0.00	27.66	0.00	0.00	440.68
303-0119-00-01	Chad/Sara Lundquist	539.75	20.64	26.87	8.90	12.06	10.00	2.19	620.41
303-0148-00-13	Sierra Erickson	264.21	0.00	0.00	0.00	33.25	0.00	0.00	297.46
304-0010-00-02	TearleKoehl	303.39	112.18	98.98	7.20	37.03	0.00	0.00	558.78
304-0184-00-32	Valerie Moreno	199.63	0.00	27.67	0.00	0.00	0.00	0.00	227.30
304-0215-00-07	Cody Fuchs	54.73	0.00	0.00	0.00	0.00	0.00	0.00	54.73
304-0215-00-09	Charles Hoberg	155.82	0.00	0.00	3.96	0.00	0.00	0.00	159.78
305-0011-00-19	Ronald Cash	135.56	0.00	0.00	0.00	0.00	0.00	0.00	135.56
305-0021-00-06	Vanessa Orellana	60.15	0.00	0.00	0.00	0.00	0.00	0.00	60.15
305-0054-00-04	Sabrina Rodacker	20.16	0.00	0.00	0.00	0.00	0.00	0.00	20.16
305-0138-00-10	Roshannah Hoard	181.68	0.00	0.00	2.17	0.00	0.00	0.00	183.85
305-0219-00-03	Debbi Erickson	125.53	0.00	0.00	0.00	0.00	0.00	0.00	125.53
305-0229-00-04	Tricia Bennett	17.07	0.00	0.00	0.00	0.00	0.00	0.00	17.07
306-0140-00-11	Juan Marquez/Pat. Now	335.31	0.00	0.00	22.49	0.00	6.53	0.00	364.33
401-0016-00-02	Alona Buddy	359.90	83.03	103.94	15.38	46.67	36.75	0.00	645.67
401-0087-00-06	Pam Jones	100.31	42.98	109.15	1.25	14.41	0.00	0.00	268.10
402-0033-00-02	Katie Star	475.09	61.83	131.84	0.00	5.38	0.00	0.00	674.14
402-0068-00-06	Erica Boettcher	740.51	73.53	54.36	0.00	16.46	0.00	0.00	884.86
403-0054-00-26	Bernard Drivdahl	41.16	0.00	24.50	7.97	44.00	4.87	0.00	122.50
403-0054-02-03	Bernard Drivdahl	23.01	0.00	0.00	1.58	0.00	0.00	0.00	24.59
601-0053-00-03	Ahrmdt "U" Hungry	1770.72	84.88	161.24	144.41	0.00	0.00	0.00	2161.25
<b>TOTALS</b>		<b>12627.61</b>	<b>894.2</b>	<b>1556.34</b>	<b>351.06</b>	<b>433.94</b>	<b>132.72</b>	<b>2.19</b>	<b>15998.06</b>

Council Member Fitz offered the following Resolution and moved its adoption:

**RESOLUTION ADOPTING FINAL 2011 PROPERTY  
TAX LEVY, COLLECTIBLE IN 2012  
(RESOLUTION NO. 2012-34)**

BE IT RESOLVED by the City Council of the City of Benson, County of Swift, Minnesota that the following sums of money be levied for the current year, collectible in 2012, upon the taxable property in the City of Benson, for the following purposes:

General Fund Levy	578,000
Claussen Properties II Abatement	22,000
Wages and Benefits of Police Personnel	556,500
Library Fund Levy	104,450
G.O. Capital Street Equipment 2006	<u>104,450</u>
<b>TOTAL</b>	<b>1,260,950</b>

BE IT FURTHER RESOLVED that the following sum of money be levied for the current year, collectible in 2012, based upon the market value of the taxable property in the City of Benson, for the following purpose:

G.O. Swimming Pool	<u>\$71,211</u>
<b>Total</b>	<b>\$71,211</b>

BE IT FURTHER RESOLVED that \$59,542.88 is irrevocably appropriated from the Utility Fund to the equipment portion of the \$1,130,000 G. O. Bond, Series 2012A Fund to cover that portion of the 2013 tax levy.

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Swift County, Minnesota.

Member Fugleberg seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-34 duly passed and adopted.

Council Member Fugleberg offered the following Resolution and moved its adoption:

**RESOLUTION CERTIFYING THE FINAL OPERATING BUDGET  
FOR THE CALENDAR YEAR 2013 FOR THE CITY OF BENSON, MINNESOTA  
(RESOLUTION NO. 2012-35)**

BE IT RESOLVED, that the Final Operating Budget for the City of Benson, Minnesota, for the fiscal year beginning January 1, 2013 and ending December 31, 2013 is hereby approved.

BE IT FURTHER RESOLVED, that the General Fund Budget is summarized as follows:

<b>Revenues</b>	
Taxes - General Fund	1,156,500
Taxes – Library	104,450
State Grants and Aids	1,007,202
Other Revenues	<u>1,158,466</u>
<b>Total Revenues</b>	<b>3,426,618</b>
<b>Expenditures</b>	
General Government	619,900
Public Safety	964,270
Highways, Streets and Roads	553,900
Parks and Recreation	373,440

Public Transit	180,200
Library	104,500
Capital Outlay	450,000
Other Expenditures	<u>208,008</u>
<b>Total Expenditures</b>	<b>3,454,218</b>

**Excess (Deficiency) of Revenues over Expenditures (27,600)**

BE IT FURTHER RESOLVED, that the City Manager shall cause the entire final Operating Budget to be printed and filed in the City Office for inspection and reference by the public.

Member Landmark seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-35 duly passed and adopted.

It was moved by Hess seconded by Fitz and carried unanimously to approve the General Capital Outlay Budget.

Council Member Landmark offered the following Resolution and moved its adoption:

**RESOLUTION TRANSFERRING AMOUNT DESIGNATED FOR FUTURE  
CAPITAL OUTLAY TO THE GENERAL CAPITAL OUTLAY FUND  
(RESOLUTION NO. 2012-36)**

WHEREAS, the Benson City Council has established a fund known as the General Capital Outlay Fund, and

WHEREAS, the Council desires to track all capital outlay purchases for the General Fund through this fund, and

WHEREAS, there are monies appropriated in the General Fund 2012 Budget for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the following amounts be transferred from the General Fund Appropriated Fund Balance to the General Capital Outlay Fund for:

Administration	5,000
Police Department	50,000
Fire Department	60,000
Street Department	125,000
City Hall	20,000
Park	60,000
Airport	<u>30,000</u>
<b>TOTAL</b>	<b>350,000</b>

Member Fugleberg seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-36 duly passed and adopted.

Council Member Fitz offered the following Resolution and moved its adoption:

**RESOLUTION TO APPROVE TRANSFER FROM LIBRARY ENDOWMENT FUND  
(RESOLUTION NO. 2012-37)**

WHEREAS, the City of Benson established the Library Endowment Fund in March of 1995 with excess dollars left over from the new building construction, and

WHEREAS, the interest earned in this fund is available for the purchase of capital equipment, and

WHEREAS, the fund has earned \$466.98 in interest during 2012, and

WHEREAS, the City Council has budgeted to transfer interest earnings in an amount up to \$450.00.

NOW, THEREFORE BE IT RESOLVED that the \$450.00 interest earned be transferred from the Library Endowment Fund to the operating Library Fund to help cover the costs of capital equipment.

Member Hess seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-36 duly passed and adopted.

Council Member Fitz offered the following Resolution and moved its adoption:

**RESOLUTION TRANSFERRING \$5,504 FROM THE EDA  
FUND AND \$13,041 FROM THE REVOLVING LOAN  
FUND TO THE GENERAL FUND  
(RESOLUTION NO. 2012-38)**

WHEREAS, the City of Benson is active in economic development, and

WHEREAS, the Economic Development Authority makes loans to local businesses in order to create jobs, and

WHEREAS, these loans are administered by personnel within the General Fund, and

WHEREAS, a 1% management fee on the beginning asset balance of these Funds is a reasonable fee to charge for this administration.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$5,504 from the EDA Fund and \$13,041 from the Revolving Loan Fund to the General Fund.

Member Fitz seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-38 duly passed and adopted.

Council Member Landmark offered the following Resolution and moved its adoption:

**RESOLUTION TRANSFERRING \$30,000 FROM  
THE LIQUOR FUND TO THE GENERAL FUND  
(RESOLUTION NO. 2012-39)**

WHEREAS, the City of Benson owns and operates a Municipal Liquor Store, and

WHEREAS, the City Council has budgeted to transfer \$30,000 from the Liquor fund to the General Fund for calendar year 2012.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$30,000 from the Liquor Fund to the General Fund.

Member Fugleberg seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-39 duly passed and adopted.

Council Member Fugleberg offered the following Resolution and moved its adoption:

**RESOLUTION TRANSFERRING 25% OF THE NET PROFIT  
OF THE UTILITY FUND TO THE GENERAL FUND  
(RESOLUTION NO. 2012-40)**

WHEREAS, the City charter allows for the transfer of no more than 25% of the net profit from the Utility Fund to any other fund in any one year provided that a ten year Capital Improvement Program has been studied and implemented and that the fund does not need this money to fulfill its Improvement Program, and

WHEREAS, the City Council has adopted a ten year Capital Improvements Program as part of its 2012 Budget, and

WHEREAS, the City Council as part of its 2012 General Budget included a transfer of 25% of the net profit of the Utility Fund be transferred to the General Fund.

NOW, THEREFORE BE IT RESOLVED that the City Council transfers \$157,938 from the Utility Fund to the General Fund.

Member Fitz seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-40 duly passed and adopted.

Council Member Landmark offered the following Resolution and moved its adoption:

**RESOLUTION TO APPROVE BUDGETED TRANSFERS  
(RESOLUTION NO. 2012-41)**

WHEREAS, the City of Benson has maintained the following funds, and

WHEREAS, the City Council has determined that it is prudent to make transfers in 2012 in order to fund certain projects or programs.

NOW, THEREFORE BE IT RESOLVED that the following amounts be transferred from the following funds:

	<b>Budgeted</b>	<b>Transferred</b>
From Cemetery Perpetual Care to General Fund	1,650	1,664
From General Fund to Concrete Projects Fund	15,000	15,000
From General Fund to Storm Water Fund	10,000	10,000
<b>TOTAL</b>	<b>26,650</b>	<b>26,664</b>

Member Hess seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-41 duly passed and adopted.

Council Member Landmark offered the following Resolution and moved its adoption:

**RESOLUTION DESIGNATING ECONOMIC DEVELOPMENT FUNDS  
FOR OPERATING CAPITAL INVESTMENT  
(RESOLUTION NO. 2012-42)**

WHEREAS, the City of Benson operates an Economic Development Fund to finance economic development projects and investments.

NOW, THEREFORE BE IT RESOLVED that the City Council authorizes a designated fund balance in the Economic Development fund of \$450,000 for the purchase of industrial property and industrial property investments.

Member Hess seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-42 duly passed and adopted.

Council Member Fitz offered the following Resolution and moved its adoption:

**RESOLUTION TO TRANSFER GENERAL FUND DOLLARS  
TO AND CLOSE THE G. O. EQUIPMENT NOTES OF 2006 FUND  
(RESOLUTION NO. 2012-43)**

WHEREAS, the Benson City Council elected to pay off all outstanding notes of this fund in 2012, and

WHEREAS, the final tax collections for payable 2012 have been received leaving a deficit balance of \$49,842.43.

NOW, THEREFORE, BE IT RESOLVED that the amount of \$49,351.25 be transferred to the G. O. Equipment Note of 2006 Fund and for any delinquent tax amounts be transferred to the General Fund for future collections.

Member Hess seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-43 duly passed and adopted.

Council Member Fugleberg offered the following Resolution and moved its adoption:

**RESOLUTION TO CLOSE THE G. O. SWIMMING POOL BONDS OF 2003 FUND INTO THE  
G.O. REFUNDING BONDS OF 2012A FUND  
(RESOLUTION NO. 2012-44)**

WHEREAS, the Benson City Council elected to refund all outstanding bonds of the G.O. Swimming Pool of 2003Fund in 2012, and

WHEREAS, the refinancing will result in the substantial savings in interest expense to the City.

NOW, THEREFORE, BE IT RESOLVED that all remaining amounts be transferred to the G. O. Refunding Bonds of 2012A Fund to be used for future debt service payments.

Member Hess seconded the foregoing motion and the following vote was recorded: AYES: Hess, Fitz, Fugleberg, Kittelson, Landmark. NAYS: None. Whereupon the Mayor declared Resolution No. 2012-44 duly passed and adopted.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve the 2013 Exempt wages as follows:

<b>Name</b>	<b>Title</b>	<b>Current 2012</b>	<b>Proposed 2013</b>	<b>Increase</b>	
Glen Pederson	Director of Finance	69,960.00	71,000.00	1.5%	1,040.00
Elliot Nelson	Public Works Director	65,763.00	67,500.00	2.6%	1,737.00
Tim O'Connor	Liquor Store Manager	38,000.00	40,000.00	5.3%	2,000.00
Valerie Alsaker	Admin. Asst.	19.00	19.50	\$0.50	
Paul Larson	Sergeant	25.26	25.76	\$0.50	
Michael Jacobson	Building Official	27.23	27.73	\$0.50	

It was moved by Landmark, seconded by Hess and carried unanimously to approve bills and warrants in the amount of \$332,756.06.

At 6:12 p.m., Mayor Kittelson called a recess in order to conduct the City Manager's review.

At 6:26 p.m., the meeting was called to order. It was noted the City manager's review was satisfactory, and the Council agreed upon a \$.50 raise for 2013.

There being no other business, a motion was made by Landmark, seconded by Fubleberg and carried unanimously to adjourn the meeting at 6:28 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



**Safety Committee Meeting**  
**Thursday, December 13, 2012**  
**9 AM**

**Members Present:** Rob Wolfignton, Elliot Nelson, Tim O'Connor, Gary Searcy, John Goulet, Val Alsaker, Paul Larson and Eric Stephen

**Members Absent:** Mike Hoffman & Wade Ascheman,

**Old Business**

1. Check lists were turned in from Parks, Liquor Store, Power Plant & Line Crew with no noted issues. Water Department had some indoor signage concerns. Gary will make a list and the signs will be ordered. Also discussed were Homeland Security signs. Wastewater Department said they need new ballasts in some fixtures in their building. There were no check lists from the Street Department or Transit.
2. The Liquor Store had a cord replaced on the warmer.
3. The wiring at the Wastewater building has been updated and completed.
4. Water Treatment Plant now has the rubber insulating mat down and outdoor chemical signage.
5. Winter reflective jackets and zippered sweatshirts have been ordered and received.

**New Business**

1. There was a motor vehicle accident with the bus and a car, the bus pulled out and didn't see the car, hitting the car's right back side panel. Rob stated this particular bus driver has taken 2 safety classes since the incident. The other incident is an officer gouging their hand reaching into the squad car. Consensus is to be careful.
2. The 2013 training schedule was discussed and agreed upon.
3. Johnny stated the eye wash station water has been changed out. It is the semi-annual water change out.

**Other Business**

1. Elliot asked John to tell Todd Berg to change the fluorescent light in the circle hangar to incandescent. The fluorescent light comes on too slow, and is a hazard to see where you are going.

CITY OF



MINNESOTA

December 28, 2012 – Via Certified Mail

To: NESHAP Compliance Coordinator  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3507

Re: **1-Year Compliance Extension Application – NESHAP RICE Rule**  
**Benson Municipal Utilities – Benson, MN**  
**Facility Name: Benson Municipal Utilities**  
**Permit No.: 15100006 - 003**

To Whom It May Concern:

Benson Municipal Utilities of Benson, Minnesota hereby requests a 1-year extension to comply with the NESHAP RICE rule, pursuant to 40CFR 63.6(i)(4)(i)(A) and 63.6(i)(6) for the following affected units:

1. Unit No. 7	Caterpillar	2000 kW	Diesel
2. Unit No. 8	Caterpillar	2000 kW	Diesel
3. Unit No. 9	Caterpillar	2000 kW	Diesel
4. Unit No. 10	Caterpillar	2000 kW	Diesel
5. Unit No. 11	Caterpillar	2000 kW	Diesel

Reasons for Extension Request

1. As the current rules are written, the units listed above are not able to meet emissions standards for RICE that become effective on May 3, 2013 without the installation of emissions control equipment.
2. On May 22, 2012, the EPA proposed amendments to the final rule, Docket No. EPA-HQ-OAR-2008-0708. We support the proposed amendments. However, the order adopting the proposed amendments; if the adoption is indeed made; will not be issued until January 14, 2013.
3. Due to the uncertainty regarding the need to retrofit the above engines based on the revised amendments addressed in Item No. 2 above, our Utility could not proceed with installation of emissions control equipment as it would have placed a significant and potentially unnecessary cost burden on our community and customers. As operators of our Utility, we are entrusted by our ratepayers and citizens to be good stewards of their money. However, our Utility is proceeding with procuring the emissions control equipment based on the current rules as written.
4. If the proposed amendments are adopted on January 14, 2013, our Utility will be able to re-evaluate the costs and benefits of retrofitting the units to which this request applies.

1410 KANSAS AVE. • BENSON, MINNESOTA 56215

City Offices: 320-843-4775

City Fax: 320-842-7151

Municipal Utilities: 320-843-3707

WWW.BENSONMN.ORG

E-MAIL: STAFF@BENSONMN.ORG

5. A 1-year extension will allow time to complete the re-evaluation, and if it is determined that the addition of the control technology is still cost-effective, our Utility will proceed with the installation of the emissions control equipment in order to achieve compliance.

#### Potential Modifications

If the evaluation of the final rule and associated cost-benefit analysis warrant, potential items to be installed to achieve compliance include the following:

1. Catalytic converter, sized to achieve compliance.
2. Modifications to existing exhaust stack.
3. Emissions monitoring equipment.
4. Modifications to existing crankcase ventilation systems.

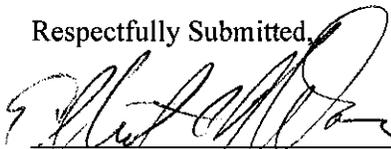
#### Preliminary Compliance Schedule

The schedule below represents a preliminary schedule for compliance, should our application for a 1-year extension be granted. As our Utility is publically governed, please note that this schedule is preliminary and subject to change, with the exception of the May 3, 2014 compliance date. Should our Utility fail to achieve compliance by the May 3, 2014 date, we will operate our units in accordance with the provisions of the rule as of that date, until compliance is achieved.

<u>Projected Timing</u>	<u>Project Activity</u>
April 30, 2013	Complete cost-benefit analysis based on the amended rules
May 3, 2013	Effective date of final rule; first day of 1-year extension
December 31, 2013	Bidding process for installation of equipment complete
January 31, 2014	Start of construction
May 3, 2014	Final compliance achieved and end of 1-year extension

Please contact me with any questions you have. We look forward to hearing from you.

Respectfully Submitted,



Elliot C. Nelson - Public Works Director  
Benson Municipal Utilities - Benson, MN  
Phone: (320) 843-5444  
E-mail: [elliott.nelson@co.swift.mn.us](mailto:elliott.nelson@co.swift.mn.us)

CC: Air Quality Compliance Tracking Coordinator  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155

Andy Koob, P.E.  
DGR Engineering  
1302 South Union St.  
Rock Rapids, IA 51246

**CITY OF BENSON**  
**APPLICATION FOR APPOINTMENT TO CITY BOARDS OR COMMISSIONS**

Dear Applicant:

We welcome you as an applicant for one of the City's boards or commissions. These groups play a very important role in Benson City Government. These boards and commissions serve as advisory bodies to the Benson City Council. They provide information and recommendations to the City Council so the Council can make sound decisions regarding issues and policy matters.

Please fill out the information requested below. You are encouraged to attach any additional information which you believe qualifies you for appointment to the board or commission you have selected.

.....  
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- |   |  |
|---|--|
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| <input type="checkbox"/> Benson Area Tourism Board              | <input type="checkbox"/> Library Board                     |
| <input type="checkbox"/> Cemetery Board                         | <input type="checkbox"/> Park Board                        |
| <input type="checkbox"/> Economic Development Authority         | <input type="checkbox"/> Planning Commission               |
| <input type="checkbox"/> Hospital Board                         | <input type="checkbox"/> Utilities Board                   |

**RETURN APPLICATION TO:**

Office of the City Manager  
City of Benson  
1410 Kansas Avenue  
Benson, MN 56215  
Telephone: 320-843-4775  
Date Received:   /  /  

**PERSONAL INFORMATION:**

Name Leroy Noreen Address 1320 Nevada Ave

Telephone: Home 843-4384 Business \_\_\_\_\_ Zip \_\_\_\_\_

How long have you been a resident of Benson? 12 yrs

Have you served previously on any of Benson's boards or commission?  YES  NO

Have you served previously on any city board/commission in any other community?  YES  NO

Are any members of your immediate family in the same household presently employed by the City of Benson or serving on any of the City's boards or commissions? YES  NO

Occupation: \_\_\_\_\_ Name of Employer: \_\_\_\_\_

I am a member of the following civic organizations: \_\_\_\_\_

Please list your special interests, education, past experiences, etc., which you feel would benefit the City of Benson by your appointment to the board/commission you have indicated a preference to above:

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Do you have any additional comments? \_\_\_\_\_

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Office of the City Manager  
City of Benson  
1410 Kansas Avenue  
Benson, MN 56215  
Telephone: 320-843-4775  
Date Received: \_\_\_/\_\_\_/\_\_\_

PERSONAL INFORMATION:

Name Lakien (Kelly) Lindblad Address 311 16th St S Benson

Telephone: Home 320-843-4525 Business \_\_\_\_\_ Zip 56215

How long have you been a resident of Benson? \_\_\_\_\_

Have you served previously on any of Benson's boards or commission?  YES  NO

Have you served previously on any city board/commission in any other community? YES  NO

Are any members of your immediate family in the same household presently employed by the City of Benson or serving on any of the City's boards or commissions? YES  NO

Occupation: \_\_\_\_\_ Name of Employer: \_\_\_\_\_

I am a member of the following civic organizations: \_\_\_\_\_

Please list your special interests, education, past experiences, etc., which you feel would benefit the City of Benson by your appointment to the board/commission you have indicated a preference to above:

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Do you have any additional comments? \_\_\_\_\_

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**RETURN APPLICATION TO:**

Office of the City Manager  
City of Benson  
1410 Kansas Avenue  
Benson, MN 56215  
Telephone: 320-843-4775  
Date Received:   /  /  

**PERSONAL INFORMATION:**

Name PAUL ESTENSON Address 315 13<sup>TH</sup> ST. SOUTH

Telephone: Home 843-3442 Business 843-3290 Zip 56215

How long have you been a resident of Benson? 19 YEARS

Have you served previously on any of Benson's boards or commission?  YES  NO

Have you served previously on any city board/commission in any other community? YES  NO

Are any members of your immediate family in the same household presently employed by the City of Benson or serving on any of the City's boards or commissions? YES  NO

Occupation: BUSINESS OWNER Name of Employer: KSCB-KBMO RADIO

I am a member of the following civic organizations: KIWANIS, AREA COMMUNITY FOUNDATION;

Please list your special interests, education, past experiences, etc., which you feel would benefit the City of Benson by your appointment to the board/commission you have indicated a preference to above:

B.A. DEGREE FROM MOORHEAD STATE  
12 YEARS ON EDA: CURRENTLY CHAIRMAN

Do you have any additional comments?

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CC

CITY OF BENSON  
APPLICATION FOR APPOINTMENT TO CITY BOARDS OR COMMISSIONS

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City of Benson  
1410 Kansas Avenue  
Benson, MN 56215  
Telephone: 320-843-4775  
Date Received: \_\_\_/\_\_\_/\_\_\_

PERSONAL INFORMATION:

Name Alan Royer <sup>RCM</sup> <sup>247000</sup> Address \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Business \_\_\_\_\_ Zip \_\_\_\_\_

How long have you been a resident of Benson? \_\_\_\_\_

Have you served previously on any of Benson's boards or commission? YES NO

Have you served previously on any city board/commission in any other community? YES NO

Are any members of your immediate family in the same household presently employed by the City of Benson or serving on any of the City's boards or commissions? YES NO

Occupation: \_\_\_\_\_ Name of Employer: \_\_\_\_\_

I am a member of the following civic organizations: \_\_\_\_\_

\_\_\_\_\_

Please list your special interests, education, past experiences, etc., which you feel would benefit the City of Benson by your appointment to the board/commission you have indicated a preference to above:

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Do you have any additional comments? \_\_\_\_\_

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Please list your special interests, education, past experiences, etc., which you feel would benefit the City of Benson by your appointment to the board/commission you have indicated a preference to above:

Have been on library board for past several years.

Do you have any additional comments?

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| <input type="checkbox"/> Economic Development Authority | <input type="checkbox"/> Planning Commission                          |
| <input type="checkbox"/> Hospital Board                 | <input type="checkbox"/> Utilities Board                              |

RETURN APPLICATION TO:

Office of the City Manager  
City of Benson  
1410 Kansas Avenue  
Benson, MN 56215  
Telephone: 320-843-4775  
Date Received: \_\_\_/\_\_\_/\_\_\_

PERSONAL INFORMATION:

Name WOLFINGTON ROB Address 615 11<sup>th</sup> ST South  
Telephone: Home 320-843-4350 Business 843-5448 Zip ~~56215~~ 56215

How long have you been a resident of Benson? 16 yrs

Have you served previously on any of Benson's boards or commission?  YES  NO

Have you served previously on any city board/commission in any other community?  YES  NO

Are any members of your immediate family in the same household presently employed by the City of Benson or serving on any of the City's boards or commissions? YES  NO

Occupation: City MGR Name of Employer: City Council & Citizens of Benson

I am a member of the following civic organizations: VFW, KIWANIS, 7:30 AM Coffee Club  
at Whistle Stop.

Please list your special interests, education, past experiences, etc., which you feel would benefit the City of Benson by your appointment to the board/commission you have indicated a preference to above:

~~MPA~~  
MPA Seattle, City University 1988

Do you have any additional comments? None

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Dec 17, 12

**Stantec**

December 4, 2012

Mr. Robert Wolfington  
City of Benson  
1410 Kansas Avenue  
Benson, MN 56215

Re: Benson 100 year Flood Elevations – RR Bridge Change  
Stantec File No. 193800112

Dear Rob:

The following is a summary of the work that we propose to do with respect to HEC modeling and potential impacts based on the possible changes to the existing RR bridge located just downstream of Hwy. 9. This work effort is based on the conversation held at our office and a subsequent telephone conversation. The work will include an initial site meeting to look at and discuss the RR bridge followed by HEC modeling to evaluate the 100 year water surface profile and how it would change based on discussed modifications to the RR bridge. The results of this work would be summarized in a letter report. In addition to the results of the modeling analysis, the letter report would include a discussion of the impacts of the revised water surface profile on the residential area located general along and east of Meadow Lane and south of 20<sup>th</sup> Street extended, and the impacts to the level of protection on the downstream WWTF.

A list of the proposed tasks is as follows:

**Modeling Study Tasks:**

1. Gather info from DNR FEMA
2. Meeting with City to review Bridge Configuration and Potential Modifications
3. Set up Model in HEC-RAS- convert data and work out bugs  
    Establish Baseline Scenario
4. Alternative Scenarios  
    Remove Bridge  
    Replace Bridge with structure similar to upstream  
    Replace Bridge to match flood conditions
5. Provide Graphical Results Package  
    Use GIS data to detail flood zones and create figures
6. Analyze upstream impacts to the residential area and downstream impacts to the WWTF
7. Provide a letter report that includes  
    Summary  
    Recommendations  
    Analysis Results  
    General Cost Discussion



December 7, 2012

Rob Wolfington, City Manager  
City of Benson  
1410 Kansas Avenue  
Benson, MN 56215-7151

Re: Railroad Bridge Flood Analysis

Dear Mr. Wolfington,

Through recent discussions, we are aware of the City of Benson's desire to assess the flooding impact the Burlington Northern Railroad Bridge may have on the City of Benson. With the recent hiring of Michael Bakken, PE, as well as the knowledge and experience of other Landteam members, we are well situated to perform a study of the impact for you.

Mike has a wide breadth of knowledge and experience in watershed monitoring and modeling and is well versed in the model that would be used to perform this study. We have included a brief synopsis of Mike's experience.

Our understanding of the project is that the City of Benson would like to assess what effect the railroad bridge has on the City when it becomes obstructed. Mike, through his contacts in the MNDNR, has acquired the base model and associated data for the stretch of the Chippewa River involved. Mike has noted that the original model had the railroad bridge and the highway bridge combined and modeled as a single bridge. Although this method was adequate for the FEMA mapping, the model should be revised with separate bridges when the goal is to model the effects of railroad bridge obstruction. We would propose to perform the following services to accomplish that goal:

- Perform field survey to cross section the river upstream and downstream of the highway bridge
- Hydrologic Engineering Center-River Analysis System (HEC-RAS) modeling, assuming blockage of flow at the railroad bridge
- HEC-RAS modeling assuming railroad bridge replacement
- Reports detailing the various modeling runs on the 100-year and 500-year flood levels upstream and downstream of the bridge zone
- Meet with BNSF representatives to discuss plans the railroad may have for bridge replacement and costs involved in that activity.

In summary, Landteam is confident in our ability to provide the professional services required for this project for an estimated fee of approximately \$5000.00. We would welcome the opportunity to discuss this project with you in detail.

Sincerely,

Thomas A. Klemenhagen, President  
Landteam, Inc.

Michael A. Bakken, P.E.

B.S. Civil Engineering - University of North Dakota

A.A.S. Natural Resource Conservation - University of Minnesota - Crookston

Mike has over 30 years of experience working with watershed management. Mike started with the Red Lake Watershed District in Crookston, Minnesota, as a Technician in May of 1979. He worked his way up through Surveyor, Crew Chief and Engineer's Assistant. Mike began working for JOR Engineering Inc. of Crookston in Minnesota in 1990 as an engineer's assistant and became a project engineer in 2003. He joined Landteam, Inc. in July of 2012.

## **Experience**

Michael has extensive experience in the use of the US Army Corps of Engineer's HEC-1, HEC-2, HEC-HMS and HEC-RAS computer models. This experience has come from aiding in the design of numerous watershed projects including the Red Lake Watershed's Moose River, Black River, Pine Lake and Elm Lake flood control projects. He also developed the first generation HEC-HMS models for the Roseau River Watershed, the Bois de Sioux Watershed, the Two Rivers Watershed and the Joe River Watershed.

Mike has performed dam break analysis using HEC-RAS on a number of projects, the last two were the Ross #7 Impoundment and Nereson Impoundment. Both of these projects are flood control impoundments located in Roseau County.

Mike has worked on developing concepts for many flood control projects, including impoundments and drainage systems. His degree in Natural Resources is an asset when finding ways to incorporate natural resource enhancements into most projects. He has worked on all phases of projects from concept, cost estimating, surveying, design, construction surveying, construction inspection and construction contract administration.

Mike worked in the following capacities with his previous employers:

District Engineer - Roseau River Watershed District

Project Engineer - Roseau River Watershed District

Roseau West Interceptor and Wetland Restoration -

Canadian Roseau River HEC - HMS Model

- Two Rivers Watershed District -

Ross #7

Nereson Subimpoundment Project

Civil Engineer, Project Inspector

- Middle Snake Tamarac Rivers Watershed District

Angus Oslo #4

- Bois de Sioux Watershed District

North Ottawa Project

JD #14 Re-determination of benefits