

**Special City Council Meeting
City Council Chambers
June 28, 2021**

City of Benson Mission Statement

Benson is a forward-looking community that values public safety,
Quality of life and treats people with dignity and respect.

Call-in Information

Dial In: 1-425-436-6384

Access Code: 457987#

1. 12:00 p.m. Call the Meeting to Order (Mayor)
2. Pledge of Allegiance
3. Approval of Agenda
Additions? **None** 1. _____ 2. _____
Any Consent Agenda items to be moved to a regular agenda item?
Approval of Agenda ____ as Presented or ____ Revised **Action Requested**
4. Persons With Unscheduled Business to Come Before the Council
- 2 5. Consider Clearwell Storage Tank Bids **Action Requested**
- 3-4 6. Consider Benson City Charter Amendment for Moving Elections to Even Year Information Only
- 5 7. Consider Benson Ordinance - Moving Elections From Odd to Even Years Information Only
8. Set Public Hearing for Charter & Ordinance Change – July 19, 2021 **Action Requested**
9. Adjourn: Mayor **Action Requested**

In compliance with the American Disability Act, if you need special assistance to participate in this meeting, please contact the City Manager's office at 320-843-4775. Notification 48 hours prior to the meeting will enable the City of make reasonable arrangements to ensure accessibility to this meeting.



Read by Glenn
 Recorded by RJC

Bidders List

Bid Date and Time: 6/24/2021 at 12:00 PM
Project Name: Benson Clearwell Storage
Project No.: 173420022
Client: City of Benson

Please provide copy to Shirley Lovell

Contractor's Name	Responsible Contractor	Bid Bond	Add 1	Total Base Bid
CC Steel LLC	X	X	✓	- \$ 2,570,980 Alt. 1
Central Specialties Incorporated				
KHC Construction, Inc.				
Magney Construction, Inc.				Part 2
Meyer Contracting Inc.	X	X	✓	2,391,820 → \$ 2,811,631 Alt. 1
MN Mechanical Solutions				
Northern Plains Contracting, Inc.				
Riley Bros. Construction, Inc.				
Rubin Construction LLC				

**CITY OF BENSON, MINNESOTA
ORDINANCE NO.**

AN ORDINANCE TO AMEND SECTION 2.05, VACANCIES IN THE COUNCIL, AND SECTION 4.01, THE REGULAR MUNICIPAL ELECTION, OF THE CHARTER OF THE CITY OF BENSON

The City of Benson does ordain:

§ 2.05 is hereby amended as follows:

§ 2.05 VACANCIES IN THE COUNCIL. A vacancy in the council shall be deemed to exist in case of the failure of any person elected thereto to qualify on or before the date of the second regular meeting of the new council, or by reason of the death, resignation, removal from office, removal from the city, continuous absence from the city for more than three months, or conviction of a felony of any such person whether before or after his their qualification, or by reason of the failure of any councilman without good cause to perform any of the duties of membership in the council for a period of three months. In each such case the council shall by resolution declare such vacancy to exist and ~~may forthwith appoint an eligible person to fill the same until the next regular municipal election or may hold a special election to fill the unexpired term.~~ fill the vacancy as provided for by ordinance.

§ 4.01 is hereby amended as follows:

§ 4.01 THE REGULAR MUNICIPAL ELECTION. A regular municipal election shall be held on the first Tuesday after the first Monday in November of each ~~odd~~even-numbered year commencing in ~~1965~~ 2022 at such place or places as the city council may designate. The city clerk shall give at least ~~two weeks~~ 74 days previous notice of the time and place of holding the election and of the officers to be elected to the County Auditor and by posting in at least one public place in each voting precinct and by publication at least once in the official newspaper. ~~but failure to give such notice shall not invalidate such election. At the regular election there shall be elected in addition to the members of the council, such justices of the peace or municipal judges as may be provided by law.~~

This ordinance shall become effective upon its passage, publication and approval by the voters at the next General Election.

First Reading: _____

Second Reading: _____

Published: _____

Terri Collins, Mayor

Glen Pederson, Clerk

ATTEST:

Ben Wilcox, City Attorney

**AN ORDINANCE PROVIDING FOR SPECIAL ELECTIONS TO FILL
CERTAIN VACANCIES IN ELECTED OFFICES AT TIMES OTHER THAN
THE REGULAR CITY GENERAL ELECTION
(ORDINANCE NO. _____)**

The City Council of Benson, Minnesota ordains:

SECTION 1. DEFINITIONS

For the purposes of this ordinance, the following terms shall have the following meanings:

City. The City of Benson, County of Swift, State of Minnesota.

General Election. A “general election” is an election held at regular intervals on a day determined by law or charter at which the voters of the state or any of its subdivisions choose by ballot public officials or presidential electors.

Special Election. A “special election” is an election held at any time to fill vacancies in public offices.

Vacancy. A vacancy occurs for the reasons stated in the Charter, Minnesota Statute Section 351.02 or other state law.

SECTION 2. APPOINTMENT TO VACANCY

If less than one year left in term. Pursuant to Minnesota statute 9412.02, subd. 2a, a person shall be appointed to fill the remaining term of the vacancy.

If More than one year left in term. Pursuant to Minnesota Statute 412.02, subd. 2a, a person shall be appointed to fill the vacancy until the special election is held and the winner of the special election is qualified to take office.

SECTION 3. SPECIAL ELECTION TIMING

If a vacancy occurs and a special election to fill the unexpired term is required pursuant to Minnesota Statute Section 412.02, Subd. 2a, and there are more than 365 days until the next general election, then the special election to fill the vacancy shall be held prior to the general election, but no later than 120 days after the date of the vacancy.

SECTION 4. REPEAL

Ordinance number 30.03, VACANCIES IN COUNCIL, adopted on April 6, 1978 is repealed.

SECTION 5. SEVERABILITY

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

SECTION 6. EFFECTIVE DATE

This ordinance becomes effective upon passage and publication.

Passed by the City Council of Benson, Minnesota, this ____ day of ____, 20 ____.