

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
DECEMBER 12, 2005**

The meeting was called to order at 7:00 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Lee Westrum (arrived at 8:00 p.m.), Bob Claussen, Gary Landmark, and Paul Kittelson. Members absent: None. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, Police Chief Jim Crace, Sue Pirsig, Pete Ollendick, Heather LeClair, Les Goff, Tim Mattheisen, Carrie Chamberlain, and John Chamberlain.

Pete Ollendick came before the Council under unscheduled business. He inquired on the status of his request from a previous Council meeting to purchase a vacant lot (Lot 5, Block 6, Lynn Park Addition) from the City. He is offering \$800 for the lot. Mr. Ollendick's offer is to be placed on the December 19 agenda to allow time for the Council and staff to research this request.

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

- a. November 28, 2005 Benson City Council Meeting
- b. November 14, 2005 Prairie Country RC & D Council Meeting

The City Manager reviewed the following correspondence:

- a. Benson Area Community Foundation dated November 17, 2005 - It was moved by Landmark and seconded by Fitz to approve a \$500 donation to the Community Foundation for brochure development and production. The following vote was recorded: AYES: Landmark, Fitz, Kittelson. NAYS: None. ABSTAIN: Claussen. ABSENT: Westrum.
- b. CVEC dated November 21, 2005

At 7:08 p.m. the Mayor opened the Truth in Taxation Public Hearing. The Council left the hearing open and continued with the agenda.

The next item on the agenda was the Tobacco Compliance Ordinance. After a discussion regarding the proposed changes, it was decided to leave the present ordinance as is except to eliminate the last sentence in Section 112.99(C). It was moved by Landmark, seconded by Fitz and carried unanimously to approve the First Reading of an Ordinance to Amend Chapter 112, Tobacco Products. The Second Reading of this ordinance will be placed on the January 9, 2006 Council agenda.

It was moved by Claussen, seconded by Landmark and carried unanimously to approve the Second Reading of an Ordinance to Amend Title XI of the Benson City Code of 2000 to Adopt Chapter 118 Enacting a Lodging Tax Ordinance in the City of Benson with the effective date of May 1, 2006.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the Second Reading of an Ordinance to Amend Title XV of the Benson City Code of 2000 to Amend Section 154.002, Definitions, of the Benson Zoning Ordinance.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve the Second Reading of an Ordinance to Amend Title XI of the Benson City Code of 2000 to Amend Chapter 114, Peddlers and Solicitors.

Swift County RDA Director Sue Pirsig came before the Council to review proposed changes to the City's Business Subsidy Policy. The Benson EDA recommends approve of these changes. It was moved by Claussen, seconded by Landmark and carried unanimously to set a public hearing on the Business

Subsidy Policy changes at 7:00 p.m. on January 9, 2005.

It was moved by Fitz, seconded by Westrum and carried unanimously to authorize the Mayor and City Clerk to execute a Volunteer Fire Assistance Matching Grant agreement with the Minnesota Department of Natural Resources.

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

**RESOLUTION AUTHORIZING ACCEPTANCE
OF A TRAFFIC SAFETY AWARD
(RESOLUTION NO. 2005-28)**

WHEREAS, the Benson Police Department desires to protect the health of its citizens by improving traffic safety and participating in the Safe and Sober Challenge; and

WHEREAS, under the provision of the Highway Safety Act (P.L. 89-563), the Minnesota Department of Public Safety has federal funding to promote traffic safety; and

WHEREAS, the Minnesota Department of Public Safety had judged the Benson Police Department's efforts to decrease impaired driving and increase seat belt use to be exceptional, and wants to reward those efforts by providing additional funding for the department.

THEREFORE, BE IT RESOLVED that the Benson Police Department enter into an agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the period from January 3, 2006 to June 30, 2006.

The Police Chief of the City of Benson is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the Benson Police Department.

BE IT FURTHER RESOLVED that the Police Chief of the City of Benson is hereby authorized to be the fiscal agent and administer the grant on behalf of the Benson Police Department.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Westrum, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2005-28 duly passed and adopted.

The Public Works Director reviewed the Minnesota River Basin General Phosphorus Permit, Phase I with the Council. There was no action taken on this item.

It was moved by Landmark, seconded by Westrum and carried unanimously to approve Change Order #3 from Riley Bros. Const. for the Industrial Park Improvements.

It was moved by Claussen, seconded by Fitz and carried unanimously to approve Pay Request #4 from Riley Bros. Const. for the Industrial Park Improvements in the amount of \$105,925.88 contingent upon receipt that the radio installation has been finished and documentation from the highway department and railroad that the project is complete.

It was moved by Westrum, seconded by Landmark and carried unanimously to approve a pay request from Ulteig Engineers for the Industrial Park Improvements in the amount of \$6,324.

It was moved by Claussen, seconded by Landmark and carried unanimously to approve a pay request from Bonestroo, Rosene, Anderlik and Associates for services rendered for October 2005 for the WWTP Improvements in the amount of \$10,436.43.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve a pay request from T & K Excavating for 13th Street North Water Main Replacement Project in the amount of \$8,518.13.

The City Manager informed the Council that the County is planning to hire a website developer/technical support assistant. They are seeking approval from the City to enter into an agreement with the City participating at approximately a 10% level. It was moved by Landmark, seconded by Claussen and carried unanimously to approve entering into an agreement to hire a website developer/technical support assistant. The City Manager mentioned that he has a conflict with this item as he has a family member that anticipates applying for the position.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the bills and warrants in the amount of \$744,190.22.

The Council continued with the Truth in Taxation Public Hearing. There was no one present for the hearing. The City Manager gave a presentation on the 2006 budget and informed the Council that it is a balanced budget. At 8:20 p.m. the Mayor closed the public hearing.

There was a consensus of the Council to schedule a special City Council meeting on January 3, 2006 at 5:00 p.m.

The Council was reminded that the next City Council meeting is Monday, December 19, and the Council Strategic Planning Session is Friday and Saturday, January 6 and 7.

It was moved by Landmark, seconded by Claussen and carried unanimously to adjourn the meeting at 8:25 p.m.

Mayor

Attest: _____
City Clerk