

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
JANUARY 9, 2006**

The meeting was called to order at 7:00 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Lee Westrum, 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, Fire Chief Greg Lee, Sue Pirsig, and Jan Rohne.

The Fire Chief presented a Fire Department Mutual Aid Agreement between the following city fire departments: Appleton, Benson, Clontarf, Danvers, DeGraff, Murdock, Kerkhoven, and Sunburg. He recommended that the Council authorize execution of the agreement. Council Member Fitz offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING MUTUAL AID
(RESOLUTION NO. 2006-01)**

WHEREAS, the Benson City Council finds that there are situations where another local government may need the assistance of our local government's personnel and equipment and it would be impossible or impractical for the Benson City Council to meet to authorize sending such assistance;

BE IT RESOLVED by the Benson City Council that:

It authorizes the City Manager or his designee to dispatch equipment and personnel as deemed necessary to assist another local government. This decision shall be made after considering at all times and in each case the internal needs of our local government in addition to the needs of the party requesting our local government's assistance.

This action shall be considered to be an official act of the local government and all of the local government's policies regarding compensation, use of equipment, insurance etc. will apply.

The City Manager or his designee shall recall the local government's equipment and personnel if it is needed in our local government, or if it is no longer needed by the requesting local government or if the Benson City Council orders that action.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Westrum, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2006-01 duly passed and adopted.

There was no one present with unscheduled business to come before the Council.

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

- a. December 19, 2005 Regular Benson City Council Meeting
- b. January 3, 2006 Special Benson City Council Meeting
- c. December 21, 2005 Safety Committee Meeting
- d. September 15, 2005 Pioneerland Library System Finance Committee Meeting
- e. October 20, 2005 Pioneerland Library System Finance Committee Meeting
- f. November 17, 2005 Pioneerland Library System Finance Committee Meeting

The City Manager reviewed the following correspondence:

- a. Benson Motels Inc. received January 3, 2006. The motel owners are asking for relief of an approximate \$8,000 utility bill due to a water leak. The bulk of the water did not run through the Wastewater Treatment Plant. Staff will bring back a recommendation after reviewing this issue further.
- b. State Auditor dated December 20, 2005
- c. Dept. of Employee Relations dated November 15, 2005. Staff informed the Council that the pay equity report is due early in 2006 and it will be out of compliance.
- d. Charter Communications dated December 29, 2005
- e. Benson Chamber of Commerce dated December 20, 2005
- f. Minnesota DNR dated November 7, 2005

It was moved by Landmark, seconded by Claussen and carried unanimously to approve an Off-Sale Beer License to Pamida, Inc.

It was moved by Westrum, seconded by Fitz and carried unanimously to appoint Pat Cina to the Benson Park Board with her term expiring December 31, 2007.

At 7:10 p.m. the Mayor opened the Business Subsidy Policy Public Hearing. The Council continued with other business.

Jan Rohne, Benson HRA Director, reviewed the HRA annual report with the Council.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve the Second Reading of an Ordinance to Amend Chapter 112, Tobacco Products.

The Council was informed to expect to see a request for a moratorium on signs from the Planning Commission to allow them time to review the sign ordinance.

At 7:28 p.m., the Council continued the Business Subsidy Public Hearing. Swift County RDA Director Sue Pirsig reviewed the proposed policy and recommended additional changes be made to the following two sections:

* “Relocation Agreement” means a binding written agreement between a relocating qualified business and the commissioner of DEED pledging that the qualified business shall either: (a) increase full-time for full-time equivalent employment in the first full year of operation within the job opportunity building zone by a minimum of five jobs or 20 percent, whichever is greater, measured relative to the operations that were relocated and maintains the required level of employment for each year the zone designation applies; and provides for repayment of all tax benefits if these requirements are not met.

*** II. BUSINESS SUBSIDY REQUIREMENTS**

A. Business Subsidy Policies. The City of Benson adopts the following:

3. The qualified business, in the case of a JOBZ business subsidy that is non-quantifiable at the time of the Business Subsidy Agreement, must create and retain for the period of the Job Zone duration or until December 31, 2015, whichever is shorter, at least five of the FTE jobs that pay a living wage. (*M.S. 116J. 994 subd. 4 states that the job creation goal cannot be set at zero.*)

It was moved by Fitz, seconded by Westrum and carried unanimously to approve the additional changes as presented.

Council Member Fitz offered the following Resolution and moved adoption of the Business Subsidy Policy and Criteria with the recommended changes:

**RESOLUTION TO AMEND BUSINESS SUBSIDY POLICY AND CRITERIA
(RESOLUTION NO. 2006-02)**

WHEREAS, the City of Benson, Minnesota (the "City") adopted a Business Subsidy Policy on July 26, 2004; and

WHEREAS, the City felt the need to amend the Business Subsidy Policy and Criteria; and

WHEREAS, the City has performed all actions required by law to be performed prior to an amendment to the Business Subsidy Policy and Criteria, including the holding of a public hearing upon published notice as required by law.

BE IT RESOLVED by the City Council ("Council") of the City as follows:

1. The City hereby amends the Business Subsidy Criteria Policy as attached hereto as exhibit A, in fulfillment of Minnesota Statutes 116J.993 through 116J.995.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Westrum, Landmark, Kittelson. NAYS: None. Whereupon the Mayor declared Resolution No. 2006-02 duly passed and adopted. The Public Hearing was closed at 7:40 p.m.

The City Manager briefed the Council on an extension to the Missouri River Energy Services S-1 Contract. Bill Radio from Missouri River Energy Services will attend the next Council meeting to address this issue.

The City Manager informed the Council that the Building Official has asked for an amendment to his contract. After discussion, it was moved by Claussen, seconded by Westrum and carried unanimously to increase his base contract by \$350 month, pay him an additional \$600 per month for the duration of the Fibrominn project, and to reimburse him \$6,150 in expenses from Stonehenge Consulting and Inspection and Ulteig Engineers. This amendment is effective January 1, 2006.

The City Manager informed the Council that the insurance company for the Power Plant recently inspected the Power Plant and recommended the installation of fire alarms. Staff will bring proposals for the installation of fire alarms at the Power Plant to a future meeting.

The City Manager informed the Council that staff recently received the final flood maps and they have been posted at City Hall.

The Public Works Director updated the Council on the Wastewater Treatment Facility Project, Airport project and Industrial Park Sewer and Water Extensions.

Staff informed the Council that the cemetery data base project has been completed. A

brief review of the data base was held.

A brief review of the Small Cities Grant Project was held.

It was moved by Claussen, seconded by Westrum and carried unanimously to adjourn the meeting at 8:10 p.m.

Mayor

Attest: _____
City Clerk