

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
JUNE 21, 2010**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Ben Hess, Bob Claussen, and Paul Kittelson. Members absent: Gary Landmark. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, and Police Chief Jim Crace.

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

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

- a. June 7, 2010 Regular City Council Meeting
- b. May 3, 2010 Benson Planning Commission Meeting
- c. May 12, 2010 Benson HRA Meeting

It was moved by Claussen, seconded by Hess and carried unanimously to approve a Special Use Permit to Kobberman Construction & Pumping to allow them to dispose septic tank sludge and holding tank sewage into the Benson Wastewater Facility in 2010.

It was moved by Fitz, seconded by Hess and carried unanimously to approve a \$100 donation to the Shamrock Hest Riding Club for their Kid Day Rodeo on July 17.

A conference call was made to Jim Lindahl, Chairman of the All School Reunion, who gave an update on the activities for the reunion.

The City Manager informed the Council that Mi Mexico (1315 Pacific Avenue) has applied for a sidewalk café endorsement to their liquor license. The application will be complete upon receipt of an updated certificate of insurance. Mi Mexico does not comply with Section 119.08 (14) of the Sidewalk Café Ordinance because they do not have an entrance from the restaurant into the sidewalk café. It was mentioned that Mi Mexico does not have a bar and that patrons are served the alcoholic beverages at their table. There was consensus of the Council to have the City Attorney review this request and prepare a findings of fact.

The Swift County Assessor's Office has informed the City that Member Claussen is the only board member certified for the Board of Appeal and Equalization. They recommend that two members be certified. The Mayor mentioned that he will become certified if no one else can attend the training. No action was taken; this item was tabled to the next meeting.

Member Hess offered the following Resolution and moved its adoption:

**AUTHORIZATION TO EXECUTE
STATE OF MINNESOTA, DEPARTMENT OF PUBLIC SAFETY,
BUREAU OF CRIMINAL APPREHENSION
JOINT POWERS AGREEMENT FOR RECHARGING
(RESOLUTION NO. 2010-10)**

It is resolved by the City of Benson as follows:

- 1) That the State of Minnesota Agreement No. DPS-M-0847

“Joint Powers Agreement between the State of Minnesota, acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Benson, on behalf of the Benson Police Department and the Swift County Attorney for Connection to and Access to the State’s eCharging System is accepted.

- 2) That the Benson Police Chief is authorized to execute this Agreement and any amendments on behalf of the City of Benson.

Councilmember Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Hess, Claussen, Fitz, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2010-10 duly passed and adopted.

The Public Works Director informed the Council that staff received the following two quotes that met specification for a truck chassis to replace the current water maintenance vehicle:

Swenson Motor Co., Benson	\$21,830 (Chevrolet)
Valu Ford, Morris	\$20,725 (Ford)

Staff also received a quote from Aspen Equipment (state bid) to equip the vehicle with a service body in the amount of \$6,015. After discussion, it was moved by Claussen and seconded by Hess to purchase the Ford truck from Valu Ford of Morris in the amount of \$20,725 and the service body through the state bid in the amount of \$6,015. The following vote was recorded: AYES: Claussen, Hess, Kittelson. NAYS: Fitz. ABSENT: Landmark.

It was moved by Fitz, seconded by Claussen and carried unanimously to accept the engineer’s statement of final completion of the Substation Construction Project and approve the final payment of the contract to Harold K. Scholz Co. in the amount of \$62,047.88.

It was moved by Claussen, seconded by Hess and carried unanimously to approve a pay request to Bonestroo in the amount of \$10,256.00 (\$3,245.00 for City of Benson General, \$290.50 for Replacement Well, \$1,762.50 for 11th St. So. Reconstruction, and \$4,958.00 for Sandy’s Lift Station).

The Council reviewed the budget report for the month ended May 31, 2010.

It was moved by Claussen, seconded by Fitz and carried unanimously to approve the bills and warrants in the amount of \$398,170.43.

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

**A RESOLUTION DECERTIFYING
TAX INCREMENT FINANCING DISTRICT NO. 5
OF THE CITY OF BENSON
(RESOLUTION NO. 2010-11)**

WHEREAS, on June 21, 1995, the City of Benson (the "City") created its Tax Increment Financing District No. 5, (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 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, 2010, by which all taxing jurisdictions will benefit from an increased tax base effective for taxes payable in 2011; and

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, 2010.

Councilmember Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Hess, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2010-11 duly passed and adopted.

The Council was informed:

- Mayor and City Manager will be attending the LMC Annual Conference June 24-25
- City Manager will be attending an Emergency Management Institute in Maryland July 19-23
- CGMC Annual Conference is in Winona August 18-20

It was moved by Claussen, seconded by Fitz and carried unanimously to adjourn the meeting at 6:17 p.m.

Mayor

Attest: _____
City Clerk