

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
DECEMBER 7, 2009**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Anne Johnson, Bob Claussen, Gary Landmark, and Paul Kittelson. Members absent: None. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Council Member-Elect Ben Hess, and Doug Cook.

There was no one under 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. November 16, 2009 Regular City Council Meeting
- b. June 15, June 25, July 20, August 17, & Sept. 21, 2009 Golf Club Board Meetings
- c. October 22, 2009 Benson Tourism Board Meeting
- d. November 23, 2009 Benson EDA Meeting

The City Manager reviewed the following correspondence with the Council:

- a. Anonymous Letter RE: Alley Maintenance Complaint
- b. Countryside Public Health. It was moved by Claussen, seconded by Fitz and carried unanimously to approve entering into a contract with Countryside Public Health to conduct compliance checks of tobacco retailers in Benson for 2010.
- c. MRES dated 11.23.09 RE:
 - a. Notice of January 1, 2010 S-1 Rates
 - b. Northern Cities Group Transmission Rate Increase
 - c. Midwest ISO Market Implementation Agreement Rate Change
- d. Swift County HRA. It was moved by Fitz, seconded by Claussen and carried unanimously to approve small cities owner occupied residential grants in the amount of \$18,750 each to the following: LW, MF, PO, H&BL, and MR.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve 2010 Cigarette License renewals to the following contingent upon receiving all the required paperwork:

Amoco Food Shop of Benson	Darold's Super Valu
Holiday Station	Do-Mats Family Foods

It was moved by Johnson, seconded by Fitz and carried unanimously to approve a Gambling Permit to Chippewa Valley Chapter of Minnesota Deer Hunters for a raffle on February 12, 2010 at the Benson Bowler.

It was moved by Johnson, seconded by Claussen and carried unanimously to approve a scope of work from All American Water Solutions to remove and install filter media at the Water Treatment Plant in the amount of \$24,250.

It was moved by Landmark, seconded by Johnson and carried unanimously to approve the final pay request from Struck & Irwin Paving for the Airport Pavement Crack Repair in the amount of \$2,203.

It was moved by Claussen, seconded by Johnson and carried unanimously to approve the final pay request from Bailey Construction for the 2009 Atlantic Avenue Sidewalk Project in the amount of \$21,333.67.

The City Manager briefed the Council on reappointments and vacancies on City boards and commissions. The Council will take action on this item at their January 4, 2010 meeting.

The City Manager informed the Council that staff is looking at interviewing engineering firms to provide engineering services for the City's future needs. Staff has already interviewed Bolton and Menk and will be interviewing DGR, AE₂S, and Bonestroo in the near future.

The City Manager informed the Council that he has talked to the Railroad (BNSF) about the poor condition of the buildings on their property located on the Northeast corner of the 12th Street South and Pacific Avenue intersection and the possible sale of the land that they are on. After discussion, it was moved by Johnson, seconded by Claussen and carried unanimously to authorize the City Manager to continue discussions with BNSF to find out what the selling price for the land would be.

The City Manager informed the Council that to clean up some property line issues, he is recommending that the Council approve a purchase agreement to sell a 20 foot piece of property (Parcel #23-0872-100) to the following: 1) Chamberlain Oil Company (Parcel #23-0872-000), 2) Mr. and Mrs. Darold Mills (Parcel #23-0874-000) and 3) Mr. and Mrs. Christopher Cole (Parcel #23-0873-000). Each property owner would acquire 10 feet of the property that abuts their property. It was moved by Landmark, seconded by Claussen and carried unanimously to approve proceeding with the sale of the property and to send the purchase agreement to the affected property owners. The City will maintain a right-of-way and easement over Parcel #23-0872-100 for installation of underground utilities.

The City Manager informed the Council that staff has secured the buildings on BNSF property located on the Northeast corner of the 12th Street South and Pacific Avenue intersection.

At 6:00 p.m. the Mayor opened the Truth-in-Taxation Public Hearing. Doug Cook and Ben Hess were present for the hearing. The City Manager gave a presentation on the 2010 budget, 2009 capital investments, 2009 significant accomplishments, and highlights of the 2010 general fund capital investments and transfers. There was discussion about the Governor's potential unallotment of a portion of the December LGA payment. There was consensus of the Council that the proposed levy should not be reduced due to the previous cuts in LGA. At 6:43 p.m. the Mayor closed the hearing. The Council will adopt the 2010 operating budget and 2010 property tax levy at the December 21, 2009 Council meeting.

It was moved by Landmark, seconded by Claussen and carried unanimously to adjourn the meeting at 6:44 p.m.

Mayor

Attest: _____
City Clerk