

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
JANUARY 5, 2009**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Anne Johnson, Bob Claussen, Gary Landmark, and Paul Kittelson. Members absent: Sue Fitz. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, Jacki Anderson, Allen Saunders, Matt Goebel, John Klucas, Michele Bouta, Jennifer Gruis, Jan Rohne, John and Lois Winkel, Vicky Syverson.

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

At 5:30 p.m., the Mayor opened the Public Hearing for the Small Cities Development Program Grant (SCDP) Application.

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

- a. December 15, 2008 Regular City Council Meeting
- b. December 22, 2008 Special City Council Meeting
- c. November 19, 2008 Benson Area Tourism Board Meeting
- d. December 8, 2008 Benson Park Board Meeting
- e. December 11, 2008 Safety Committee Meeting
- f. October 20, 2008 UMRDC Meeting
- g. November 12, 2008 Prairie Country RC & D Council Meeting
- h. November 24, 2008 SCBH Board Meeting

The City Manager reviewed the following correspondence with the Council:

- a. Dept. of Employment & Ec. Dev. RE: Approval to fund a contamination investigation grant for the Benson Market site
- b. LMC 2009 Leadership Conference for Experience Officials
- c. UMRDC RE: Municipal Representation to UMRDC
- d. Chippewa River Watershed Turbidity TMDL Kick-off Public Meetings
- e. CenterPoint Energy RE: Increase in natural gas rates
- f. Southwest Initiative Foundation RE: Thank you for financial support
- g. Countryside Public Health RE: Summary of tobacco compliance checks for 2008

The City Manager informed the Council that the applicant of Conditional Use Permit #2008-03 has requested that his application be postponed until April.

The Council continued with the SCDP Grant Application Public Hearing. Those in attendance for the hearing: Allen Saunders (Torning Twp Chairman), Matt Goebel and John Klucas (Clontarf Twp Supervisors), Jacki Anderson and Michele Bouta (UMRDC staff), Jennifer Gruis (Swift County RDA), Vicky Syverson (Swift County HRA), Jan Rohne (Benson HRA), John and Lois Winkel (201 – 11<sup>th</sup> Street North). Jacki Anderson from the Upper Minnesota Valley RDC informed the Council about the SCDP Grant Application and explained how it works. During the discussion, there was a consensus of the Council to approve waiving

the building permit fee for the grant recipients. Council Member Johnson offered the following Resolution and moved its adoption:

**CITY OF BENSON  
LOCAL GOVERNMENT APPLICATION RESOLUTION  
(RESOLUTION NO. 2009-01)**

BE IT RESOLVED that Benson will act as the legal sponsor for the project as recognized in the signed cooperative agreements by the applying communities contained in the SCDP Application to be submitted on January 15, 2009 and that the City of Benson Mayor, Paul Kittelson and City Manager, Rob Wolfington are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Benson and the four surrounding townships of Benson, Clontarf, Six Mile Grove and Torning.

BE IT FURTHER RESOLVED that the City of Benson has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Benson has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the State, the City of Benson may enter into an agreement with the State of Minnesota for the approved project, and that the City of Benson certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW, THEREFORE BE IT RESOLVED that the City of Benson Mayor, Paul Kittelson and Benson City Manager, Rob Wolfington or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project on behalf of the Applicant.

Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Johnson, Claussen, Landmark, Kittelson. NAYS: None. ABSENT: Fitz. Whereupon the Mayor declared Resolution No. 2009-01 duly passed and adopted.

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

**CITY OF BENSON  
RESOLUTION IDENTIFYING "SLUM AND BLIGHTING" CONDITIONS  
(RESOLUTION NO. 2009-02)**

WHEREAS, the City of Benson is undertaking a program of downtown revitalization and redevelopment; and

WHEREAS, the City of Benson has identified a specific area hereafter referred to as the “target area” in which revitalization activities will occur; and

WHEREAS, the City of Benson has assessed the condition of buildings and the other characteristics of the target area and has determined that the area can be characterized as blighted by reasons of “dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light, and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any condition of these factors, which are detrimental to the safety, health, morals, or welfare of the “community” in accordance with M.S. 469.002, Sub. 11.

FURTHERMORE, the Benson City Council has identified the existence of substandard residential units, the inability of commercial structures to meet codes, the general condition of deteriorating storefronts on the commercial buildings and the existence of dilapidated structures in the area as contributing to the slum and blighting conditions of the target area. (See attached map of target area.)

THEREFORE, BY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENSON THE AREA IDENTIFIED AS THE TARGET AREA (SEE ATTACHED MAP) IS CHARACTERIZED BY CONDITIONS MEETING THE DEFINITION OF ‘SLUM AND BLIGHT’.

Member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Landmark, Johnson, Kittelson. NAYS: None. ABSENT: Fitz. Whereupon the Mayor declared Resolution No. 2009-02 duly passed and adopted.

Jan Rohne, Benson HRA Director, reviewed the 2009 Benson HRA Annual Plan with the Council.

It was moved by Landmark, seconded by Claussen and carried unanimously to authorize staff to advertise for quotes to replace the main pool heater and to clean, inspect and start up the splash pool heaters. Quotes will be accepted until 11:00 a.m. on Thursday, January 29, 2009.

The Public Works Director reviewed the results of the test well drilling that Bonestroo completed to replace Well No. 30. Staff is recommending that the new well be drilled at the golf course well field and to the lower aquifer. It was moved by Johnson, seconded by Claussen and carried unanimously to authorize staff to proceed with going out for bids to replace Well No. 30 and authorized drilling to the lower aquifer.

The Public Works Director reviewed the Water Supply and Distribution Plan that was prepared by Bonestroo.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve a pay request from Utilities Plus Energy Services for the relays that were tested for the substation construction project in the amount of \$9,050.

The City Manager presented a Sidewalk Cafes Ordinance that the Planning Commission is recommending. They are also asking the Council to consider adding a sunset clause of five years. There was a consensus to table this ordinance to the next meeting.

The City Manager presented a scope of work and proposal for the UMVRDC to update the Comprehensive Plan in the amount of \$14,820.

It was moved by Claussen, seconded by Johnson and carried unanimously to adjourn the meeting at 6:50 p.m.

---

Mayor

Attest: \_\_\_\_\_  
City Clerk