

**MINUTES - BENSON CITY COUNCIL - SPECIAL MEETING  
SEPTEMBER 1, 2009**

The meeting was called to order at 5:30 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Gary Landmark and Paul Kittelson. Members absent: Anne Johnson and Bob Claussen. Also present: City Manager Rob Wolfington.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve Pay Request No. 1 from Bailey Construction for the 2009 Atlantic Avenue Sidewalk Improvements in the amount of \$64,242.33 contingent upon receiving the original signed Pay Request.

It was moved by Fitz, seconded by Landmark and carried unanimously to approve Change Order No. 1 for the 2009 Atlantic Avenue Sidewalk Improvements that will increase the contract by \$2,066 contingent upon receiving the original signed Change Order.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve a pay request from B.G. Amundson Construction Inc. for concrete work in the \$11,499.80.

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

**POLICE OFFICER DECLARATION  
(RESOLUTION NO. 2009-19)**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the City Council of the City of Benson hereby declares that the position titled Part-Time Police Officer, currently held by Christopher Joyce, meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.

Member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Landmark, Kittelson. NAYS: None. ABSENT: Johnson, Claussen. Whereupon the Mayor declared Resolution No. 2009-19 duly passed and adopted.

It was moved by Landmark, seconded by Fitz and carried unanimously to adjourn the meeting at 5:35 p.m.

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Mayor

Attest: \_\_\_\_\_  
City Manager