

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING
DECEMBER 27, 2004**

The meeting was called to order at 7:00 p.m. by Mayor Kittelson. Members present: Sue Fitz, Bob Claussen, Gary Landmark, and Paul Kittelson. Members absent: Lee Westrum. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, and HRA Director Jan Rohne.

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

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

- a. December 13, 2004 Regular City Council Meeting
- b. December 6, 2004 Benson Library Board Meeting
- c. October 18, 2004 UMRDC Meeting
- d. December 9, 2004 Benson EDA Meeting
- e. December 16, 2004 Safety Committee Meeting

The following correspondence was reviewed with the Council:

Charter Communications dated December 12, 2004

Benson Area Chamber of Commerce dated December 21, 2004

It was moved by Fitz, seconded by Claussen and carried unanimously to approve 2005 Cigarette License renewals for the following:

Kelly's Convenience Store	V.F.W. Post 1403
Amoco Food Shop of Benson	Duffy's Bar and Grill
Holiday Station	Glacial Plains Cooperative
Darold's Super Valu	Benson Liquor Store
Do-Mats Family Foods	

It was moved by Landmark, seconded by Claussen and carried unanimously to approve the following Special Use Permits to allow disposing of septic tank sludge and holding tank sewage into the Benson Wastewater Facility for 2005:

William E. Boutain dba Harry's Pumping Service
Steve Slaughter

An application for appointment to the EDA has been received. Staff informed the Council that other applications are out but have not been returned yet and that an advertisement announcing vacancies has just come out in the newspaper. There was a consensus to allow more time before approving appointments.

HRA Director Jan Rohne reviewed the HRA five year plan with the Council. Staff will prepare a letter of support from the Council for the Mayor's signature.

The City Manager and Public Works Director informed the Council that some of our data does not match the FEMA data for the proposed flood map. Staff has received a proposal from Bonestroo, Rosene, Anderlik, and Associates (Bonestroo) to re-evaluate the data in the northwest section of Benson to verify benchmark elevations, ground topography for elevations and some lot information, and mapping the information for use in the FEMA appeal process. The proposal to conduct survey work was \$4,000 to \$5,000 and the processing of the data and mapping was \$1,000 to \$1,500. Also discussed was how residents could hire Bonestroo to do some additional

work on their property. It was moved by Fitz, seconded by Claussen and carried unanimously to approve the proposal from Bonestroo to re-evaluate the data on the west side of Benson from the north to the south city limits. Staff will contact Bonestroo and work out the details to will allow residents to contract with Bonestroo for additional work on their property.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve a pay request from Bonestroo, Rosene, Anderlik, and Associates for the 13th Street Water Main Replacement project in the amount of \$812.50.

It was moved by Claussen, seconded by Landmark and carried unanimously to approve a pay request from Bonestroo, Rosene, Anderlik, and Associates for the Wastewater Treatment Facility Improvements in the amount of \$8,861.39.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve a pay request from Gridor Construction Inc. for the Wastewater Treatment Facility Improvements in the amount of \$380,514.

It was moved by Landmark, seconded by Claussen and carried unanimously to approve a pay request from T & K Kennedy Excavating Inc. for the 13th Street Water Main Replacement project in the amount of \$55,137.53.

The Mayor presented a plaque to Dr. Rick Horecka to recognize him for his years of service on the Economic Development Commission and Economic Development Authority.

The City Manager reviewed the 2005 Budget with the Council.

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

**RESOLUTION CERTIFYING THE FINAL OPERATING BUDGET
FOR THE CALENDAR YEAR 2005 FOR THE CITY OF BENSON, MINNESOTA
(RESOLUTION NO. 2004-40)**

BE IT RESOLVED, that the Final Operating Budget for the City of Benson, Minnesota, for the fiscal year beginning January 1, 2005 and ending December 31, 2005 is hereby approved.

BE IT FURTHER RESOLVED, that the budget is summarized as follows:

Revenues

Taxes - General Fund	\$336,520
Taxes - Library Fund	66,157
State Grants and Aids	1,088,665
Other Revenues	<u>955,047</u>
Total Revenues	\$2,446,389

Expenditures

General Government	\$505,931
Public Safety	674,350
Highways, Streets and Roads	433,793
Parks and Recreation	279,815
Public Transit	149,130
Public Library	74,357

Capital Outlay	350,000
Other Expenditures	<u>132,713</u>
Total Expenditures	\$2,600,089

Excess (Deficiency) of Revenues over Expenditures **(\$153,700)**

BE IT FURTHER RESOLVED, that the City Manager shall cause the entire final Operating Budget to be printed and filed in the City Office for inspection and reference by the public.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Claussen, Fitz, Kittelson. NAYS: None. ABSENT: Westrum. Whereupon the Mayor declared Resolution No. 2004-40 duly passed and adopted.

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

**RESOLUTION ADOPTING FINAL 2004 PROPERTY
TAX LEVY, COLLECTIBLE IN 2005
(RESOLUTION NO. 2004-41)**

BE IT RESOLVED by the City Council of the City of Benson, County of Swift, Minnesota that the following sums of money be levied for the current year, collectible in 2005, upon the taxable property in the City of Benson, for the following purposes:

General Fund Levy	\$336,520
Claussen Properties II Abatement	11,000
Library Fund Levy	66,157
G.O. Library Bonds of 2002 Refunding	28,700
G.O. Fire Equipment Certificates of 2002	<u>49,000</u>
Total	\$491,377

BE IT FURTHER RESOLVED that the following sum of money be levied for the current year, collectible in 2005, based upon the market value of the taxable property in the City of Benson, for the following purpose:

G.O. Fire Equipment of 2002 Refunding	\$13,920
G.O. Swimming Pool	<u>\$78,596</u>
Total	\$92,516

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Swift County, Minnesota.

Council Member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Landmark, Kittelson. NAYS: Fitz. ABSENT: Westrum. Whereupon the Mayor declared Resolution No. 2004-41 duly passed and adopted.

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

**RESOLUTION TO APPROVE BUDGETED TRANSFERS
(RESOLUTION NO. 2004-42)**

WHEREAS, the City of Benson has maintained the following funds, and

WHEREAS, the City Council has determined that it is prudent to make transfers in 2004 in order to fund certain projects or programs.

NOW, THEREFORE BE IT RESOLVED that the following amounts be transferred from the following funds:

	Budgeted	Transferred
From Cemetery Perpetual Care to General Fund	\$1,000	\$1,000
From General Fund to Fire Relief Fund	\$5,585	\$5,585
From General Fund to Fire Department Bond Fund	\$11,240	\$11,240
From General Fund to Concrete Projects	\$15,000	\$15,000
From General Fund to Storm Water Fund	<u>\$25,000</u>	<u>\$25,000</u>
TOTAL	\$57,825	\$57,825

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Landmark, Kittelson. NAYS: None. ABSENT: Westrum. Whereupon the Mayor declared Resolution No. 2004-42 duly passed and adopted.

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

**RESOLUTION TO APPROVE TRANSFER FROM
LIBRARY ENDOWMENT FUND
(RESOLUTION NO. 2004-43)**

WHEREAS, the City of Benson established the Library Endowment Fund in March of 1995 with excess dollars left over from the new building construction, and

WHEREAS, the interest earned in this fund is available for the purchase of capital equipment, and

WHEREAS, the fund has earned \$691.99 in interest during 2004, and

WHEREAS, the City Council has budgeted to transfer interest earnings in an amount up to \$1,200.

NOW, THEREFORE BE IT RESOLVED that the \$691.00 interest earned be transferred from the Library Endowment Fund to the operating Library Fund to help cover the costs of capital equipment.

Council Member Landmark seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Landmark, Fitz, Kittelson. NAYS: None. ABSENT: Westrum. Whereupon the Mayor declared Resolution No. 2004-43 duly passed and adopted.

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

**RESOLUTION TRANSFERRING 25% OF THE NET PROFIT
OF THE UTILITY FUND TO THE GENERAL FUND
(RESOLUTION NO. 2004-44)**

WHEREAS, the City charter allows for the transfer of no more than 25% of the net profit

from the Utility Fund to any other fund in any one year provided that a ten year Capital Improvement Program has been studied and implemented and that the fund does not needs this money to fulfill its Improvement Program, and

WHEREAS, the City Council has adopted a ten year Capital Improvements Program as part of its 2004 Budget, and

WHEREAS, the City Council as part of its 2004 General Budget included a transfer of 25% of the net profit of the Utility Fund be transferred to the General Fund.

NOW, THEREFORE BE IT RESOLVED that the City Council transfers \$50,920.55 from the Utility Fund to the General Fund.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Landmark, Kittelson. NAYS: None. ABSENT: Westrum. Whereupon the Mayor declared Resolution No. 2004-44 duly passed and adopted.

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

**RESOLUTION TRANSFERRING \$60,000 FROM
THE LIQUOR FUND TO THE GENERAL FUND
(RESOLUTION NO. 2004-45)**

WHEREAS, the City of Benson owns and operates a Municipal Liquor Store, and

WHEREAS, the City Council has budgeted to transfer \$60,000 from the Liquor fund to the General Fund for calendar year 2004.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$60,000 from the Liquor Fund to the General Fund.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Landmark, Fitz, Claussen, Kittelson. NAYS: None. ABSENT: Westrum. Whereupon the Mayor declared Resolution No. 2004-45 duly passed and adopted.

The Finance Director informed the Council that the Benson Golf Club is requesting a \$10,000 line of credit loan for four months from First Security Bank. Because the City is guaranteeing a \$75,000 line of credit loan for the Benson Golf Club, First Security is requesting that the City approve this transaction. Payments will first be applied to the \$10,000 loan and when that is paid off, payments will be applied to the \$75,000 loan. It was moved by Landmark, seconded by Fitz and carried unanimously to approve a \$10,000 line of credit loan to the Golf Club for four months.

It was moved by Landmark, seconded by Fitz and carried unanimously to approve the following Public Utilities Bad Debts List as of December 31, 2004:

ACCT. NO.	NAME	ELEC	WATER	SEWER	TAX	GARB	PEN	TOTAL
102-0023-00-01	Dale Theel	61.85	0.00	0.00	8.17	52.95	30.17	153.14
102-0068-00-06	Stacy Grussing	17.24	6.32	13.50	1.70	5.95	0.00	44.71
103-1165-00-08	Chris Shriver	43.53	0.00	.000	2.83	0.00	0.00	46.36
103-1166-00-04	Toby Magnuson	39.51	0.00	0.00	2.57	0.00	0.00	42.08

103-1301-00-04	D Woods	28.74	0.00	0.00	1.86	0.00	0.00	30.60
104-0074-00-01	Joel Bailey	171.65	0.00	0.00	27.80	119.35	114.09	432.89
104-0112-00-02	Aaron Hofland	673.53	72.71	148.50	13.83	9250	59.65	1060.72
104-0143-02-12	Jessica Farrar	56.16	0.00	0.00	4.95	0.00	5.58	66.69
104-0143-13-11	Melanie Murphy	131.28	0.00	0.00	14.26	0.00	14.44	159.98
104-0143-18-12	Tiffany Gronseth	14.02	0.00	0.00	2.21	0.00	0.00	16.23
104-0174-00-02	Don Vollan	104.84	14.78	296.66	12.50	29.36	94.18	552.32
201-0087-00-03	Kevin Beets	53.60	73.66	64.09	8.45	39.52	27.03	266.35
202-0046-00-03	Jessica Farrar	141.50	23.03	71.10	12.87	24.36	0.00	272.86
202-0048-00-06	Dave Goodon	18.08	13.85	13.72	5.50	9.40	0.00	60.55
205-0304-00-13	Cora Livingston	51.31	0.00	0.00	8.49	0.00	10.75	70.55
205-0527-00-09	Dave Goodon	39.81	0.00	0.00	5.03	0.00	0.00	44.84
205-0529-00-11	Gerald Sandstrom	92.52	0.00	0.00	6.02	0.00	5.99	104.53
205-0532-00-07	Tony Gosson	81.33	0.00	0.00	15.88	0.00	19.87	117.08
205-0655-00-03	Melody Dillabough	211.95	0.00	0.00	23.16	0.00	15.19	250.30
301-0137-00-07	Ted Jungbauer	59.05	43.91	107.37	8.32	46.07	24.80	289.52
302-0015-00-04	Wesley Watkins	12.56	33.89	186.18	6.66	25.84	17.92	283.05
302-0095-00-08	Don Vollan	168.13	45.26	84.55	16.00	52.14	34.05	400.13
302-0108-00-03	Dave Goodon	0.00	0.00	130.00	0.00	0.00	0.00	130.00
303-0054-00-02	Mills Construction	38.31	16.33	61.25	4.36	37.77	7.89	165.91
303-0119-00-02	Kendall Gades	6.17	10.20	133.42	5.98	47.00	30.04	232.81
303-0148-00-03	Cora Livingston	132.53	53.08	98.28	10.92	60.60	32.15	387.56
304-0002-00-03	Julie Forbord	0.00	0.00	299.49	0.00	0.00	24.25	323.74
304-0014-00-11	Rebecca Sulier	399.85	101.02	180.29	43.33	104.50	67.69	896.68
304-0157-00-03	Mark Spath	57.63	13.97	35.86	6.14	24.57	0.00	138.17
304-0184-00-11	Nathan Bartz	29.50	9.13	78.89	3.58	17.05	17.17	155.32
304-0184-00-13	Scott Wroblewski	0.00	0.00	57.40	0.00	0.00	0.00	57.40
305-0046-00-07	Donna St. John	96.61	0.00	0.00	6.29	0.00	6.29	109.19
401-0085-00-05	Susan Beets	140.61	129.94	77.22	11.71	50.40	30.00	439.88
402-0019-00-06	Kristina Peterson	150.37	0.00	0.00	12.85	31.60	11.99	206.81
402-0025-00-02	William Rice	107.83	78.25	271.10	9.10	21.47	20.00	507.75
402-0189-00-05	Julie Forbord	0.00	0.00	186.58	0.00	0.00	0.00	186.58
403-0040-00-07	Kim Wroblewski	114.06	43.66	57.13	16.30	39.14	17.12	287.41
502-0155-00-03	Mike Moe's Market	172.16	70.46	120.00	15.44	0.00	32.90	410.96
TOTALS		3717.82	853.45	2772.58	355.06	931.54	771.20	9401.65

The City Manager mentioned that the public hearing for the public nuisance at 207 – 11th Street South is scheduled for January 24, 2005 at 7:15 p.m., and reminded the Council of the Special City Council meeting at 5:00 p.m. on January 3, 2005.

It was moved by Landmark, seconded by Claussen and carried unanimously to adjourn the meeting at 8:15 p.m.

Mayor

Attest: _____

City Clerk