

**MINUTES – BENSON CITY COUNCIL – REGULAR MEETING  
DECEMBER 19, 2005**

The meeting was called to order at 7:00 p.m. by Mayor Paul Kittelson. Members present: Sue Fitz, Lee Westrum, Bob Claussen, and Paul Kittelson. Members absent: Gary Landmark. Also present: City Manager Rob Wolfington, Finance Director Glen Pederson, Public Works Director Elliot Nelson, Police Chief Jim Crace, Dorothy Rosemeier, Karen Wolfington, Sue Pirsig, Tim Mattheisen, and Pete Ollendick.

Karen Wolfington and Dorothy Rosemeier, representing Habitat for Humanity of Swift County, came before the Council under unscheduled business. They presented a check in the amount of \$4,000 for the first payment on their loan. They also gave a brief update on the organization.

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

- a. December 12, 2005 Benson City Council Meeting
- b. December 12, 2005 Benson Park Board Meeting
- c. November 9, 2005 Benson HRA Meeting
- d. October 17, 2005 UMRDC Meeting

The City Manager informed the Council that at the second meeting in January, he anticipates there to be a discussion about an extension to the Missouri River Energy Services S-1 Agreement.

The City Manager reviewed the following correspondence:

- a. Department of Energy, WAPA dated November 29, 2005
- b. MRES dated November 28, 2005 Regarding MISO Market Implementation Agreement Rate Decrease
- c. MRES dated November 28, 2005 Regarding Northern Cities Group Transmission Rate Increase

Tim Mattheisen, representing the Benson Hockey Association, came before the Council to discuss renewal of the Premise Permit Application and Lease at the Benson Liquor Store. He also inform the Council that they are going to sell pull tabs at a third location in Benson, D.S. Lageson's. They want to start selling pull tabs at D.S. Lageson's as soon as possible. Council Member Westrum offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING PREMISE PERMIT APPLICATION  
FOR THE BENSON HOCKEY ASSOCIATION  
TO CONDUCT GAMBLING AT D.S. LAGESON'S  
(RESOLUTION NO. 2005-29)**

WHEREAS, the City of Benson has received a copy of the Minnesota Lawful Gambling Premise Permit Application from the Benson Hockey Association to conduct gambling at D.S. Lageson's in Benson, Minnesota, and

WHEREAS, this application is to allow gambling at D.S. Lageson's from the present time until April 1, 2006, and

WHEREAS, this is a new site for the base organization Premise Permit Number B-01823.

NOW, THEREFORE, BE IT RESOLVED that the Benson City Council approves the application and authorizes the City Clerk to submit a certified copy of the resolution to the Benson Hockey Association to be included in their application to the Gambling Control Division.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Westrum, Claussen, Fitz, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-29 duly passed and adopted.

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

**RESOLUTION APPROVING PREMISE PERMIT APPLICATION  
FOR THE BENSON HOCKEY ASSOCIATION  
(RESOLUTION NO. 2005-30)**

WHEREAS, the City of Benson has received copies of the Minnesota Lawful Gambling Premise Permit Application from the Benson Hockey Association to conduct gambling at the Benson Municipal Liquor Store, Duffy's Bar and Grill and D.S. Lageson's in Benson, Minnesota, and

WHEREAS, these are renewal Premise Permits for the base organization Premise Permit Number B-01823.

NOW, THEREFORE, BE IT RESOLVED that the Benson City Council approves the application and authorizes the City Clerk to submit a certified copy of the resolution to the Benson Hockey Association to be included in their application to the Gambling Control Division.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Westrum, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-30 duly passed and adopted.

It was moved by Westrum, seconded by Claussen and carried unanimously to set a rental rate of \$250 per month for the Benson Hockey Association to operate a gambling booth at the Benson Liquor Store.

It was moved by Westrum, seconded by Claussen and carried unanimously to approve a gambling permit to the Swift County Pheasants to conduct a raffle at D.S. Lageson's on March 3, 2006.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the following appointments to the Cemetery Board:

- Orie Mills (term expiring December 31, 2008)
- Paul DeMarce (term expiring December 31, 2007)

It was moved by Westrum, seconded by Fitz and carried unanimously to approve 2006 Cigarette License renewals for the following:

Kelly's Convenience Store

Do-Mats Family Foods

Amoco Food Shop of Benson  
Holiday Station  
Darold's Super Valu

V.F.W. Post 1403  
Duffy's Bar and Grill  
Benson Liquor Store

It was moved by Claussen, seconded by Westrum 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 2006:

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

It was moved by Westrum, seconded by Claussen and carried unanimously to approve donating \$3,500 to Western Minnesota Prairie Waters for 2006 from the EDA.

It was moved by Claussen, seconded by Westrum and carried unanimously to approve donating \$500 to the Humane Society of Swift County.

The Police Chief presented a proposal to purchase a used SUV to replace the 1999 Ford Explorer. He is proposing to transfer the 1999 Explore to the Administration Department to replace the City's van. He estimates the proposal to cost \$18,500 (\$5,000 from Administration CIP and \$13,500 from Police Department CIP). After discussion, it was moved by Westrum, seconded by Claussen and carried unanimously to approve the request as presented.

The Police Chief informed the Council that he will be leaving for training in Texas on January 9, 2006 for six weeks.

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

**RESOLUTION CERTIFYING THE FINAL OPERATING BUDGET  
FOR THE CALENDAR YEAR 2006 FOR THE CITY OF BENSON, MINNESOTA  
(RESOLUTION NO. 2005-31)**

BE IT RESOLVED, that the Final Operating Budget for the City of Benson, Minnesota, for the fiscal year beginning January 1, 2006 and ending December 31, 2006 is hereby approved.

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

Revenues

Taxes - General Fund	\$385,815
Taxes - Library Fund	74,579
State Grants and Aids	1,163,366
Other Revenues	<u>935,303</u>
<b>Total Revenues</b>	<b>\$2,559,063</b>

Expenditures

General Government	\$514,880
Public Safety	738,102
Highways, Streets and Roads	466,850
Parks and Recreation	319,555
Public Transit	138,595
Public Library	86,744
Capital Outlay	150,000

Other Expenditures	<u>144,337</u>
<b>Total Expenditures</b>	<b>\$2,559,063</b>

**Excess (Deficiency) of Revenues over Expenditures** **(\$0)**

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: Fitz, Claussen, Westrum, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-31 duly passed and adopted.

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

**RESOLUTION ADOPTING FINAL 2005 PROPERTY  
TAX LEVY, COLLECTIBLE IN 2006  
(RESOLUTION NO. 2005-32)**

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 2006, upon the taxable property in the City of Benson, for the following purposes:

General Fund Levy	\$374,815
Claussen Properties II Abatement	11,000
Library Fund Levy	74,579
G.O. Library Bonds of 2002 Refunding	27,500
G.O. Fire Equipment Certificates of 2002	<u>52,300</u>
<b>Total</b>	<b>\$540,194</b>

BE IT FURTHER RESOLVED that the following sum of money be levied for the current year, collectible in 2006, 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	\$13,380
G.O. Swimming Pool	<u>\$77,714</u>
<b>Total</b>	<b>\$91,094</b>

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

Council Member Westrum seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Westrum, Fitz, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-32 duly passed and adopted.

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

**RESOLUTION TO APPROVE BUDGETED TRANSFERS  
(RESOLUTION NO. 2005-33)**

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 2005 in order to fund certain projects or programs.

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

	<b>Budgeted</b>	<b>Transferred</b>
From Cemetery Perpetual Care to General Fund	\$ 1,000	\$ 1,000
From General Fund to Fire Department Bond Fund	\$ 9,280	\$ 9,280
From General Fund to Concrete Projects	\$10,000	\$10,000
From General Fund to Storm Water Fund	\$25,000	\$25,000
From General Fund to Library Fund	<u>\$ 0</u>	<u>\$10,500</u>
TOTAL	\$45,280	\$55,780

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Westrum, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-33 duly passed and adopted.

Member Fitz offered the following Resolution and moved its adoption:

**RESOLUTION TRANSFERRING AMOUNT DESIGNATED FOR FUTURE  
CAPITAL OUTLAY TO THE GENERAL CAPITAL OUTLAY FUND  
(RESOLUTION NO. 2005-34)**

WHEREAS, the Benson City Council has established a fund known as the General Capital Outlay Fund, and

WHEREAS, the Council desires to track all capital outlay purchases for the General Fund through this fund, and

WHEREAS, there are monies appropriated in the General Fund 2005 Budget for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the following amounts be transferred from the General Fund Appropriated Fund Balance to the General Capital Outlay Fund for:

Administration	5,000
City Hall	5,000
Police Department	10,000
Fire Department	20,000
Street Department	205,000
Park Department	60,000
Transit	5,000
Airport	<u>5,000</u>
TOTAL	\$315,000

Council Member Westrum seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Westrum, Claussen, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-34 duly passed and adopted.

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

**RESOLUTION TO APPROVE TRANSFER FROM  
LIBRARY ENDOWMENT FUND  
(RESOLUTION NO. 2005-35)**

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 \$695.19 in interest during 2005, 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 \$695.00 interest earned be transferred from the Library Endowment Fund to the operating Library Fund to help cover the costs of capital equipment.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Westrum, Claussen, Fitz, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-35 duly passed and adopted.

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

**RESOLUTION TRANSFERRING \$90,000 FROM  
THE LIQUOR FUND TO THE GENERAL FUND  
(RESOLUTION NO. 2005-36)**

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

WHEREAS, the City Council has budgeted to transfer \$90,000 from the Liquor fund to the General Fund for calendar year 2005.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$90,000 from the Liquor Fund to the General Fund.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Westrum, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-36 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. 2005-37)**

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 2005 Budget, and

WHEREAS, the City Council as part of its 2005 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 \$93,290.08 from the Utility Fund to the General Fund.

Council Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Westrum, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2005-37 duly passed and adopted.

It was moved by Westrum, seconded by Claussen and carried unanimously to approve the following Public Utilities Bad Debts List as of December 31, 2005:

**Public Utilities Bad Debts List as of December 31, 2005**

ACCT. NO.	NAME	ELEC	WATER	SEWER	TAX	GARB	PEN	TOTAL
101-0024-00-211	Bill Raveling	85.89	17.59	170.60	10.68	25.54	10.00	320.30
102-0023-00-02	Ben Theel, Sr.	32.79	7.39	88.40	2.95	8.41	7.35	147.29
103-1301-00-06	Terry McLaughlin	23.10	0.00	0.00	4.43	0.00	7.26	34.79
104-0047-00-03	Tyler/Michelle Benz	1.80	15.99	34.08	.26	19.95	0.00	72.08
104-0047-00-04	Tyler/Michelle Benz	58.81	36.46	82.50	8.31	46.25	13.43	245.76
104-0109-00-02	John Harthun	240.03	66.47	525.20	19.86	43.86	53.08	948.50
104-0143-09-11	Tim Leavitt	20.20	0.00	0.00	2.62	0.00	1.85	24.67
104-0175-00-05	Michael Lindley	0.00	0.00	166.50	0.00	22.09	46.06	234.65
201-0093-00-04	Michael Koenen	149.12	53.89	265.83	19.98	57.35	47.97	594.14
201-0096-00-09	Misty Owen	75.35	34.18	58.50	11.08	36.80	16.92	232.83
202-0048-00-09	Russ Wood	113.56	17.00	116.25	12.40	27.88	35.81	322.90
202-0049-00-09	Ken Fischer	44.15	65.07	98.18	25.44	52.20	29.71	314.75
202-0051-00-02	Jeff Bailey	0.00	0.00	82.44	0.00	0.00	9.63	92.07
202-0051-00-04	Ken Fischer	114.41	17.75	26.81	8.89	15.03	0.00	182.89
202-0051-10-01	Ken Fischer	22.89	0.00	0.00	1.49	0.00	0.00	24.38
202-0055-00-01	Delores Howard	57.62	5.27	18.78	15.52	103.03	30.51	230.73
202-0055-00-02	Swift County	6.47	7.94	14.22	1.20	7.97	0.00	37.80
202-0076-00-03	Patrick Anderson	0.00	13.73	68.62	0.00	11.48	5.00	98.83
202-0076-00-04	Patrick Anderson	105.69	34.05	37.88	9.14	23.36	0.00	210.12
202-0076-00-05	Jessica Evans	31.64	9.88	95.79	2.88	8.38	7.79	156.36
205-0528-00-05	Deborah Webber	162.17	0.00	0.00	13.53	0.00	10.34	186.04
205-0529-00-12	Steve Dinnell	235.63	0.00	0.00	17.91	0.00	17.66	271.20
205-0532-00-09	Tracy Grothe	21.52	0.00	0.00	2.70	0.00	0.00	24.22
205-0533-00-03	Cyndi Wacha	121.74	0.00	0.00	9.78	0.00	11.56	143.08
205-0534-00-13	Steven Henriksen	61.20	0.00	0.00	4.43	0.00	0.00	65.63
205-0551-00-14	Franklin Pierce	137.69	0.00	0.00	20.01	0.00	22.98	180.68
205-0606-00-08	Angela Fietek	68.70	0.00	0.00	5.77	0.00	39.22	113.69

205-0611-00-06	Tom Theel	74.33	0.00	0.00	6.77	0.00	4.50	85.60
205-0612-00-07	Amanda Pauly	108.64	0.00	0.00	14.06	0.00	14.54	137.24
205-0632-00-03	Sara Wroblewski	203.48	0.00	0.00	13.23	0.00	19.22	235.93
205-0642-00-12	Brandy Ballweber	70.86	0.00	0.00	4.65	0.00	3.38	78.89
301-0004-00-01	Vince Erhardt	47.24	79.96	167.40	25.26	83.25	52.30	455.41
301-0055-00-01	John/Deb Toftree	113.99	0.00	30.00	15.95	120.25	67.08	347.27
301-0059-00-02	Nicole Lindley	129.43	88.01	306.64	27.38	61.39	48.97	661.82
303-0034-00-01	John Harthun	0.00	0.00	211.46	0.00	20.80	38.84	271.10
303-0034-00-05	Brenda Norris	35.10	11.21	79.96	6.28	28.52	18.05	179.12
303-0058-00-04	Alma Avila	6.09	15.00	25.78	4.40	14.45	0.00	65.72
303-0061-00-04	John Solem	128.15	33.25	49.50	13.62	27.75	29.01	281.28
303-0148-00-04	Devra Olson	23.78	29.34	140.43	5.05	18.50	13.77	230.87
304-0030-00-08	Jonathan Amundson	156.98	89.75	203.31	24.73	68.80	38.24	581.81
304-0184-00-15	Nick Wroblewski	0.00	7.02	53.96	0.00	32.77	8.35	102.10
304-0212-00-13	Jeremy Weber	94.42	0.00	0.00	12.22	37.00	12.85	156.49
305-0009-00-02	Dave Swenson	41.29	0.00	0.00	2.69	0.00	4.58	48.56
305-0013-00-03	Mathew Pierce	6.99	0.00	0.00	.47	0.00	0.00	7.46
305-0015-00-07	Fabian Hinojosa	107.47	0.00	0.00	10.57	0.00	26.87	144.91
401-0087-00-01	Leona Winkleman	0.00	0.00	32.40	0.00	1.17	3.36	36.93
402-0185-00-04	Penny Hillberg	142.87	123.75	311.53	80.68	111.22	120.00	890.05
403-0040-00-09	Patricia Grussing	9.86	9.45	93.50	4.52	13.17	0.00	130.50
502-0090-00-01	Greg Smith	9.68	0.00	0.00	3.73	18.50	2.96	34.87
<b>TOTALS</b>		<b>3502.82</b>	<b>889.40</b>	<b>3656.45</b>	<b>507.52</b>	<b>1167.12</b>	<b>951.00</b>	<b>10674.31</b>

The Council continued discussion of a request to purchase Lot 5, Block 6, Lynn Park Addition, Parcel No. 23-0680-000. The City Manager informed the Council that the lot is valued at \$3,400 and the City has about \$4,000 in demolition and clean up charges. After discussion, it was moved by Claussen, seconded by Westrum and carried unanimously to advertise the sale of this lot as follows:

- Open bids on February 15, 2006
- Obtain a building permit within six months
- Complete construction within twelve months
- Structure is to have a minimum value of \$5,000
- Minimum bid is \$1,000

It was moved by Fitz, seconded by Claussen and carried unanimously to adjourn the meeting at 7:52 p.m.

\_\_\_\_\_  
Mayor

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