

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
SEPTEMBER 9, 2013**

The meeting was called to order at 5:30 p.m. by the Mayor. Members present: Mike Fugleberg, Ben Hess, Gary Landmark, Paul Kittelson & Sue Fitz. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Assistant City Attorney Ben Wilcox, City Attorney Don Wilcox, Public Works Director Elliot Nelson, Police Chief Ian Hodge, Anita Flodstrom, Mark Anderson, and Don Lenz

Don Lenz came before the Council with unscheduled business. His business Great Imports & Manufacturing is looking at buying a piece of land east of Benson that the City currently has electrical services to just outside the city limits. He was asking the City to consider extending sewer and water to the land he is looking into buying. After discussion, the Council directed staff to research what the project would entail.

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

- August 19, 2013 City Council Meeting

The Mayor acknowledged openings on the Park Board, Airport Commission, Planning Commission and Benson Area Tourism Board.

Wolfington discussed the U.S. Environmental Protection Agency letter granting us an extension on our RICE standard project, which is now finished.

The Mayor acknowledged a thank you from Benson Elementary school for the City's help in getting water to their school garden.

Next the Council reviewed follow-up inspections done at the property at 810 Kansas Avenue. They were directed to clean up nuisance infractions on their property by today's City Council meeting. After reviewing today's inspection findings, the property appears to be in compliance. Wolfington stated there is still an issue of a fence encroaching on the City right-of-way on the north side of the property, which will be addressed separately.

The Council discussed whether to raise the Charter franchise fee from 3% to 5%. It was moved by Fitz, seconded by Hess and carried unanimously to leave the franchise fee at the current rate of 3%.

Wolfington talked about the current Park's building, and repairs needed to keep it operational. He and Landmark looked the building over earlier this year, and feel it will cost about \$150,000 to make repairs to the building. He also stated he didn't believe they could get anything fixed yet this year before winter. It was agreed on by the Council to table this item until early next spring.

There was discussion on the proposed 2013 tax levy to be collected in 2014. The maximum allowed would be an increase of 17.9%. The payable 2012 levy included a one time special levy for Local Government Aid reduction. Reducing the maximum levy by that amount would result in an increase of 6.4%.

Councilmember Landmark preferred the 6.4% increase and offered the following resolution:

**RESOLUTION ADOPTING PROPOSED 2013 PROPERTY  
TAX LEVY, COLLECTIBLE IN 2014  
(RESOLUTION NO. 2013-16)**

BE IT RESOLVED by the City Council of the City of Benson, County of Swift, Minnesota that the following proposed sums of money be levied for the current year, collectible in 2014, upon the taxable property in the City of Benson, for the following purposes:

General Fund Levy	\$619,451
Police Personnel	600,730
Claussen Properties II Abatement	20,000
Library Fund Levy	<u>106,800</u>
<b>Total</b>	<b>\$1,346,981</b>

BE IT FURTHER RESOLVED that the following sum of money be levied for the current year, collectible in 2014, based upon the market value of the taxable property in the City of Benson, for the following purpose:

G.O. Swimming Pool	<u>70,896</u>
<b>Total</b>	<b>\$70,896</b>

BE IT FURTHER RESOLVED that the City Council will hold its Truth in Taxation Hearing on Monday, December 2, 2013 at 6:00 p.m. in the Benson City Council Chambers. Comments may be made by calling 320-843-4775, email to [staff@bensonmn.org](mailto:staff@bensonmn.org) or by postal mail to 1410 Kansas Avenue, Benson, MN 56215.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Kittelson, Fugleberg, Landmark, Hess NAYS: None. Thereupon the Mayor declared Resolution 2013-16 duly passed and adopted.

Councilmember Hess offered the following resolution:

**RESOLUTION CERTIFYING THE PROPOSED GENERAL FUND OPERATING BUDGET  
FOR THE CALENDAR YEAR 2014 FOR THE CITY OF BENSON, MINNESOTA  
(RESOLUTION NO. 2013-17)**

BE IT RESOLVED, that the proposed Operating Budget for the General Fund of the City of Benson, Minnesota, for the fiscal year beginning January 1, 2014 and ending December 31, 2014 is hereby approved.

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

<u>Revenues</u>	
Taxes - General	\$1,240,181
Taxes - Library	106,800
State Grants and Aids	1,187,577
Other Revenues	<u>1,135,473</u>
<b>Total Revenues</b>	<b>\$3,670,031</b>

<u>Expenditures</u>	
General Government	\$632,700
Public Safety	1,021,220
Highways, Streets and Roads	590,650
Parks and Recreation	389,550
Public Transit	187,000
Public Library	109,250
Capital Outlay	450,000
Other Expenditures	<u>207,583</u>
<b>Total Expenditures</b>	<b>\$3,587,953</b>

**Excess (Deficiency) of Revenues over Expenditures**

**\$82,078**

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

Council Member Fugleberg seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Kittelson, Fugleberg, Landmark, Hess. NAYS: None. Thereupon the Mayor declared Resolution 2013-17 duly passed and adopted.

Councilmember Fugleberg offered the following resolution:

**RESOLUTION TRANSFERRING \$200,000 FROM THE GENERAL FUND TO THE STORM WATER FUND FOR EMERGENCY REPAIR  
(RESOLUTION 2013-18)**

**WHEREAS**, the City Council of the City of Benson declared a special emergency on June 3, 2013 to repair the storm water outlet near the river on West Hwy 9; and,

**WHEREAS**, immediate action to respond to the situation was needed in order to protect the health, safety and welfare of the community; and,

**WHEREAS**, the hiring of a general contractor capable of making necessary repairs to the City's storm sewer system and the purchase of materials necessary for such repairs was required in order to effectively respond to the emergency; and,

**WHEREAS**, the Storm Water Fund has insufficient monies available to pay for the needed repairs.

**NOW THEREFORE BE IT RESOLVED** that the Director of Finance is authorized to transfer \$200,000 from the City of Benson General Fund to the Storm Water Fund to cover the costs of these emergency repairs.

Council Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Kittelson, Fugleberg, Landmark, Hess. NAYS: None. Thereupon the Mayor declared Resolution 2013-18 duly passed and adopted.

Pederson discussed the upcoming election, which will include absentee ballots, and the need for a ballot board to make sure absentee ballots are registered properly.

Councilmember Fitz offered the following resolution:

**(RESOLUTION NO. 2013-19)  
RESOLUTION DESIGNATING LOCATION FOR ABSENTEE BALLOT VOTING FOR  
2013 GENERAL ELECTION**

WHEREAS, the City of Benson is holding a General Election on November 5, 2013 to elect a Mayor and two (2) City Council members and

WHEREAS, the City of Benson has agreed to administer the absentee ballot process for School District 777 for their referendum election on the same date and

WHEREAS, the City is required to designate a location for absentee voting.

NOW, THEREFORE, be it resolved that City Hall, 1410 Kansas Avenue, Benson, MN 56215 is designated as the location for absentee voting at the City General Election and Independent School District 777 excess levy referendum election.

Council Member Hess seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Kittelson, Fugleberg, Landmark, Hess. NAYS: None. Thereupon the Mayor declared Resolution 2013-19 duly passed and adopted.

Councilmember Landmark offered the following resolution:

**A RESOLUTION ESTABLISHING AN ABSENTEE BALLOT BOARD  
(RESOLUTION NO. 2013-20)**

WHEREAS, The City of Benson is required by Minnesota Statute 203B.121; Subd. 1 to establish an Absentee Ballot Board effective September 10, 2013; and

WHEREAS, The City of Benson has agreed to perform all election duties for Independent School District 777; and

WHEREAS, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in the City of Benson and Independent School District 777; and

WHEREAS, the Absentee Ballot Board would consist of a sufficient number of election judges or officials as provided in sections 204B.19 to 204B.22;

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Benson hereby establishes an Absentee Ballot Board to consist of the following individuals as provided in sections 204B.19 to 204B.22 to perform the task.

City Manager	Rob Wolfington
City Clerk	Glen Pederson
Administrative Assistant	Valerie Alsaker
Swift County Auditor	Kim Saterbak

Council Member Hess seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Kittelson, Fugleberg, Landmark, Hess. NAYS: None. Thereupon the Mayor declared Resolution 2013-20 duly passed and adopted.

Wolfington discussed the fabric structures that have been going up around town, which are in violation of the City Ordinance. A letter will be sent to homeowners giving them until next April to remove the structures.

Next was a pay request from Stantec for engineering work on the storm water outlet near the river on west highway 9. It was moved by Fitz, seconded by Hess and carried unanimously to approve the pay request to Stantec in the amount of \$7,976.73.

Wolfington updated the Council on FEMA storm related issues.

There being no other business, a motion was made by Landmark, seconded by Fugleberg and carried unanimously to adjourn the meeting at 5:56 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk