

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
DECEMBER 21, 2009**

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

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

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

- a. December 7, 2009 Regular City Council Meeting
- b. November 11, 2009 Benson HRA Meeting

The City Manager reviewed the following correspondence with the Council:

- a. MPCA RE: A Compliance Evaluation Inspection Report/Letter of Warning that resulted from an inspection of the Benson Wastewater Treatment Facility on December 2, 2009. Any violations of the NPDES/SDS Permit No. MN 0020036 were discussed with staff and no correspondence related to the effluent violations is required.

It was moved by Johnson, 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 2010: Chip Worsech dba Len Worsech & Co., Montevideo, MN and Steve Slaughter, Benson, MN.

Council 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. 2009-33)**

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 2009 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:

Police Department	17,690
Fire Department	10,000
Street Department	65,300
City Hall	5,000
Park	<u>49,700</u>
TOTAL	\$147,690

Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Johnson, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-33 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. 2009-34)**

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 \$697.09 in interest during 2009, and

WHEREAS, the City Council has budgeted to transfer interest earnings in an amount up to \$925.00.

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.

Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Johnson, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-34 duly passed and adopted.

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

**RESOLUTION TRANSFERRING \$7,994 FROM THE EDA FUND
AND \$14,482 FROM THE REVOLVING LOAN FUND
TO THE GENERAL FUND
(RESOLUTION NO. 2009-35)**

WHEREAS, the City of Benson is active in economic development, and

WHEREAS, the Economic Development Authority makes loans to local businesses in order to create jobs, and

WHEREAS, these loans are administered by personnel within the General Fund, and

WHEREAS, a 1% management fee on the beginning asset balance of these Funds is a reasonable fee to charge for this administration.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$7,994 from the EDA Fund and \$14,482 from the Revolving Loan Fund to the General Fund.

Member Johnson seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Johnson, Fitz, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-35 duly passed and adopted.

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

**RESOLUTION TRANSFERRING \$30,000 FROM
THE LIQUOR FUND TO THE GENERAL FUND
(RESOLUTION NO. 2009-36)**

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

WHEREAS, the City Council has budgeted to transfer \$30,000 from the Liquor fund to the General Fund for calendar year 2009.

NOW, THEREFORE BE IT RESOLVED that the City Council authorized the transfer of \$30,000 from the Liquor Fund to the General Fund.

Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Johnson, Claussen, Fitz, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-36 duly passed and adopted.

Council Member Claussen 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. 2009-37)**

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 need this money to fulfill its Improvement Program, and

WHEREAS, the City Council has adopted a ten year Capital Improvements Program as part of its 2009 Budget, and

WHEREAS, the City Council as part of its 2009 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 \$124,400 from the Utility Fund to the General Fund.

Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Fitz, Johnson, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-37 duly passed and adopted.

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

**RESOLUTION TO APPROVE BUDGETED TRANSFERS
(RESOLUTION NO. 2009-38)**

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 2009 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	\$ 2,500	\$ 2,500
From General Fund to Concrete Projects Fund	\$10,000	\$10,000
From General Fund to Storm Water Fund	<u>\$10,000</u>	<u>\$10,000</u>
TOTAL	\$22,500	\$22,500

Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Johnson, Claussen, Fitz, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-38 duly passed and adopted.

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

**RESOLUTION DESIGNATING
ECONOMIC DEVELOPMENT FUNDS
FOR OPERATING CAPITAL INVESTMENT
(RESOLUTION NO. 2009-39)**

WHEREAS, the City of Benson operates an Economic Development Fund to finance economic development projects and investments.

NOW, THEREFORE BE IT RESOLVED that the City Council authorizes a designated fund balance in the Economic Development fund of \$1,000,000 for the purchase of industrial property and industrial property investments.

Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Johnson, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-39 duly passed and adopted.

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

**RESOLUTION DESIGNATING FUND BALANCE
FOR FUTURE OUTLAY AS OUTLINED
IN THE 10 YEAR UTILITY BUDGET
(RESOLUTION NO. 2009-40)**

WHEREAS, the City of Benson owns and operates a Municipal Electric, Wastewater and Water Utility.

NOW, THEREFORE BE IT RESOLVED that the City Council authorizes the designation of the following reserve funds to implement the City of Benson 10 Year Utility Capital Outlay Plan:

Electric Utility Fund	\$2,682,500	10 Year CIP
Water Utility Fund	\$1,183,000	10 Year CIP
Wastewater Utility Fund	\$1,107,000	10 Year CIP

Member Fitz seconded the foregoing Resolution and the following vote was recorded: AYES: Johnson, Fitz, Claussen, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-40 duly passed and adopted.

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

**RESOLUTION DESIGNATING GENERAL FUND
RESERVE FUNDS FOR OPERATING AND CAPITAL
(RESOLUTION NO. 2009-41)**

WHEREAS, the City of Benson operates a General Fund to finance governmental operations.

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes a designated fund balance in the General Fund equal to six months operating revenues plus a balance to fund employee vacation and sick leave as accounted for thru the end of 2009 fiscal year.

Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Johnson, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-41 duly passed and adopted.

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

**RESOLUTION TRANSFERRING \$17,912.85 FROM
THE REVOLVING LOAN FUND INTO THE
2005 SMALL CITIES GRANT FUND
(RESOLUTION NO. 2009-42)**

WHEREAS, the Benson EDA has approved loans to local business at the rate of 1% interest through the 2005 Small Cities Grant Program, and

WHEREAS, these businesses have been making loan payments with the proceeds being receipted into the Revolving Loan Fund, and

WHEREAS, the City of Benson is required by the grant agreement to track the repayment of these Small Cities Grant loans, and

WHEREAS, the City Council has established a fund known as the 2005 Small Cities Grant Fund to track these payments.

NOW, THEREFORE BE IT RESOLVED that the \$17,912.85 be transferred from the Revolving Loan Fund into the 2005 Small Cities Grant Fund.

Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Johnson, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-42 duly passed and adopted.

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

**RESOLUTION ADOPTING FINAL 2009 PROPERTY
TAX LEVY, COLLECTIBLE IN 2010
(RESOLUTION NO. 2009-43)**

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 2010, upon the taxable property in the City of Benson, for the following purposes:

General Fund Levy	\$421,111
2008 and 2009 Unallotted Aids and Credits	142,477
Claussen Properties II Abatement	12,000
Wages and Benefits of Police Personnel	529,131
Library Fund Levy	95,496
G.O. Capital Street Equipment 2006	<u>38,036</u>
Total	\$1,238,251

BE IT FURTHER RESOLVED that the following sum of money be levied for the current year, collectible in 2010, based upon the market value of the taxable property in the City of Benson, for the following purpose:

G.O. Swimming Pool	<u>\$83,079</u>
Total	\$83,079

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

Member Johnson seconded the foregoing Resolution and the following vote was recorded: AYES: Claussen, Johnson, Fitz, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-43 duly passed and adopted.

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

**RESOLUTION CERTIFYING THE FINAL OPERATING BUDGET
FOR THE CALENDAR YEAR 2010 FOR THE CITY OF BENSON, MINNESOTA
(RESOLUTION NO. 2009-44)**

BE IT RESOLVED, that the Final Operating Budget for the City of Benson, Minnesota, for the fiscal year beginning January 1, 2010 and ending December 31, 2010 is hereby approved.

BE IT FURTHER RESOLVED, that the General Fund Budget is summarized as follows:

<u>Revenues</u>	
Taxes - General Fund	\$1,104,719
Taxes – Library	95,496
State Grants and Aids	1,001,645
Other Revenues	<u>979,963</u>
Total Revenues	\$3,181,823

<u>Expenditures</u>	
General Government	\$625,850
Public Safety	889,601
Highways, Streets and Roads	557,350
Parks and Recreation	330,300
Public Transit	149,350
Library	101,621
Capital Outlay	348,600
Other Expenditures	<u>179,151</u>
Total Expenditures	\$3,181,823

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.

Member Claussen seconded the foregoing Resolution and the following vote was recorded: AYES: Fitz, Claussen, Johnson, Kittelson. NAYS: None. ABSENT: Landmark. Whereupon the Mayor declared Resolution No. 2009-44 duly passed and adopted.

It was moved by Claussen, seconded by Fitz and carried unanimously to approve the Ten Year Capital Improvement Plans for the Electric, Water and Wastewater utilities.

It was moved by Fitz, seconded by Claussen and carried unanimously to approve the General Capital Outlay Fund Budget for 2010.

It was moved by Claussen, seconded by Johnson and carried unanimously to approve the following Public Utilities Bad Debts List as of December 31, 2009:

ACCT. NO.	NAME	ELEC	WATER	SEWER	TAX	GARB	PEN	TOTAL
101-0024-00-29	Joe Schaefer	32.64	6.50	33.40	3.19	11.00	0.00	86.73
101-0024-00-32	Brandon Nelson	124.29	19.35	63.88	13.67	44.03	8.92	274.14
101-0031-00-02	Eugene Poitra	59.89	0.00	36.17	0.00	0.00	0.00	96.06
101-0031-00-01	Eugene Poitra	23.27	5.22	7.15	1.99	4.03	0.00	41.66
101-0086-00-01	Kevin Sorenson	0.00	0.00	77.88	0.00	0.00	0.00	77.88
101-0132-00-02	Jon Jaeger	2.10	0.00	0.00	0.00	0.00	0.00	2.10
102-0045-00-15	Jerica Cook	0.00	0.00	53.43	0.00	0.00	0.00	53.43
102-0116-00-01	Todd Moyle	93.21	23.79	38.48	8.89	25.57	0.00	189.94
103-0100-00-03	Shirley Tharaldson	85.88	0.00	0.00	14.50	0.00	18.46	118.84
104-0143-06-03	Kayla Williams	46.04	0.00	0.00	4.29	0.00	4.85	55.18
104-0143-11-19	Shauntae Burns	72.09	0.00	0.00	14.00	0.00	16.23	102.32
104-0155-00-01	Dennis Jobgen	813.82	0.00	0.00	100.03	0.00	140.00	1053.85
104-0180-05-03	Nation Star Mortgage	0.00	2.35	14.47	1.08	8.16	0.00	26.06
104-0194-00-07	Dale Klassen	13.55	1.43	6.46	1.00	4.42	0.00	26.86
201-0055-00-16	Jerica Cook	176.18	30.90	59.24	20.22	33.42	10.00	329.96
201-0100-00-01	Mary Jo Erhardt	34.40	40.71	273.02	6.07	20.71	20.00	394.91
202-0005-00-01	Carol Henson	140.34	20.04	253.53	11.59	25.29	10.00	460.79
202-0046-00-01	Donna Wells	91.72	26.47	61.22	0.00	20.96	0.00	200.37
202-0081-00-01	Becky Mast	74.17	20.50	54.60	9.56	22.00	10.00	190.83
202-0097-00-01	Cory Fletcher	61.85	42.13	168.08	14.21	90.26	63.66	440.19
204-0167-00-02	Brian Rawlings	10.64	1.38	46.80	.76	3.79	0.00	63.37
204-0007-00-07	Juanita Astorga	67.47	0.00	0.00	5.68	0.00	8.40	81.55
205-0205-00-02	Morgan Miller	158.51	0.00	0.00	10.40	0.00	9.33	178.24

205-0413-00-16	Maria Grussing	24.76	0.00	0.00	6.03	0.00	6.33	37.12
205-0512-00-01	Heidi Wolney	119.39	0.00	0.00	8.20	0.00	20.89	148.48
205-0529-00-21	Stephanie Cobb	95.05	0.00	0.00	8.13	0.00	10.97	114.15
205-0533-00-11	Jason Bailey	38.75	0.00	0.00	0.00	0.00	0.00	38.75
205-0551-00-22	Amy Quigley	162.97	0.00	0.00	13.82	0.00	0.00	176.79
205-0611-00-12	Tracy Heim	55.84	0.00	0.00	25.54	0.00	21.60	102.98
205-0612-00-01	Carolynne Salinaas	108.48	0.00	0.00	17.16	0.00	20.72	146.36
205-0615-00-02	Derek Dresser	20.72	0.00	0.00	2.65	0.00	2.45	25.82
205-0655-00-11	Gabriel Gonzalez	32.74	0.00	0.00	3.43	0.00	3.69	39.86
301-0070-00-02	Chase Home Mortg	249.10	1.70	200.20	27.20	112.93	40.84	631.97
301-0134-00-06	Nathan Stokes	32.86	8.34	32.50	4.04	18.33	0.00	96.07
302-0114-00-01	Bradley Nordby	0.00	0.00	171.48	0.00	0.00	0.00	171.48
302-0114-00-05	Amanda Peterson	0.00	.29	297.88	0.00	64.40	38.49	401.06
303-0027-00-10	Travis Evenson	199.94	13.06	241.75	12.48	73.15	30.00	570.38
303-0053-00-07	Donna Ranney	43.80	0.00	242.97	0.00	0.00	0.00	286.77
303-0059-00-19	Tanya Duran	71.71	255.07	127.31	10.47	66.00	40.00	570.56
303-0148-00-09	Indymac Bank FSB	0.00	2.24	10.90	.60	6.15	0.00	19.89
304-0014-00-15	C. Doerr/L. Marshall	52.66	23.78	37.21	11.37	18.21	0.00	143.23
304-0014-00-18	Ruby Dotson	299.02	89.90	239.01	61.41	61.29	0.00	750.63
304-0158-00-27	Tom Nesburg	9.10	3.45	42.33	1.51	19.93	0.00	76.32
304-0184-00-24	Robert Johnson	275.29	56.19	90.55	22.87	51.08	30.00	525.98
304-0212-00-02	Lucinda Sanchez	7.57	0.00	0.00	1.03	5.50	0.00	14.10
304-0214-00-11	Lisa Anderson	33.15	0.00	0.00	5.80	43.82	30.35	113.12
305-0021-00-02	Laurie Olson	77.21	0.00	0.00	7.62	0.00	5.51	90.34
305-0033-00-12	Bradley Olson	145.54	0.00	0.00	10.76	0.00	8.18	164.48
305-0033-00-16	Nikkola Batham	117.38	0.00	0.00	7.87	0.00	2.65	127.90
305-0046-00-15	Robert Coolbroth	80.75	0.00	0.00	12.52	0.00	8.78	102.05
305-0048-00-21	Joshua Wroblewski	212.08	0.00	0.00	15.08	0.00	23.95	251.11
306-0216-00-08	Mario Ortiz	232.63	0.00	0.00	16.00	0.00	8.24	256.87
402-0064-00-01	Laurie Olson	83.16	24.47	137.13	7.58	69.05	49.83	371.22
402-0068-00-02	Susan Beets	46.36	0.00	0.00	0.00	0.00	0.00	46.36
402-0073-00-10	Everett Jensen	13.55	14.33	42.64	5.53	19.03	0.00	95.08
402-0074-00-12	Tom Amberg	47.62	11.50	19.50	4.17	11.00	0.00	93.79
402-0087-00-01	C. Doerr/L. Marshall	472.20	3.73	18.20	87.16	197.27	102.28	880.84
402-0124-00-01	Christina Quigley	188.77	24.50	156.00	15.48	33.00	37.82	455.57
402-0159-00-04	Eliseo Tello	0.00	0.00	340.83	0.00	.40	20.00	361.23
403-0069-00-09	Ruby PenningtonBall	82.06	10.50	117.00	7.47	44.35	49.35	310.73
403-0092-00-01	Robert Heim	0.00	2.04	46.22	0.00	16.87	0.00	65.13
501-0087-00-01	Cheri Ness	0.00	0.00	96.29	0.00	0.00	0.00	96.29
502-0093-00-03	Brandon Nelson	37.75	0.00	0.00	4.04	16.32	0.00	58.11
601-0135-00-03	Amanda Vanheuvele	0.00	0.00	15.79	0.00	0.00	0.00	15.79
601-0137-00-18	Amanda Vanheuvele	62.03	0.00	0.00	4.06	0.00	0.00	66.09
TOTALS		6014.05	785.86	3971.50	690.21	1261.72	932.77	13656.11

It was moved by Claussen, seconded by Johnson and carried unanimously to approve bills and warrants in the amount of \$427,197.17.

The Mayor thanked Council Member Johnson for her years of service on the City Council and presented her with an American flag.

The Finance Director introduced Lisa Kent, Payroll/Accounting Clerk, who began employment with the City on December 14, 2009.

It was moved by Fitz, seconded by Claussen and carried unanimously to adjourn the meeting at 6:03 p.m.

Mayor

Attest: _____
City Clerk