

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING  
DECEMBER 17, 2018**

The meeting was called to order at 5:30 p.m. by Mayor Collins. Members present: Jack Evenson, Terri Collins, Mark Schreck, Lucas Olson, Jon Buyck. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Police Chief Ian Hodge, Public Works Director Dan Gens, Ben Honebrink, Bill McGeary and Roxy Lewis.

The Council recited the Pledge of Allegiance.

Mayor Collins asked for any changes or additions to the agenda. Wolfington asked to add League of Minnesota Cities Insurance Water Plant Study, and a letter of understanding from our auditors Conway, Dueth and Schmiesing. It was moved by Evenson, seconded by Schreck and carried unanimously to approve the amended agenda.

It was moved by Evenson seconded by Olson and carried unanimously to approve the following items on the Consent Agenda:

- December 3, 2018 City Council Minutes
- November 5, 2018 Planning Commission Minutes
- Application to the Airport Board by Kelly Lindblad
- Application to the Hospital Board by Tom Anderson
- 2019 Cigarette Licenses for Benson Food Shop, Holiday Station, Darold's SuperValu, Glacial Plains and Dollar Store, Inc.
- November 2019 Police Report
- Xcel Energy Letter to Minnesota Public Utility Commission
- A Thank-you from Doug Griffith and Heather Thompson

The Mayor asked for people with unscheduled business. Ben Honebrink approached. He presented a cover letter of expenses from a sewer back-up due to a water main break last February in his rental house at 210 – 10<sup>th</sup> St. S. Mayor Collins told him at the October 1 2018 Council meeting, it was determined this issue was to be negotiated through the City Attorney. Honebrink said he was told the City would cover all his expenses. The Mayor said if he didn't want to accept the City's offer through our attorney, he could continue to pursue this through his legal counsel.

Next Wolfington discussed a house that had water damage to it due to broken water pipes. Upon inspection, it was discovered there were some serious issues in the house that need to be addressed. He asked the Council to approach this simultaneously, first send a City Council order to either repair the structural issues to the home or raze it, then also go through a court order to so the same. The Council reviewed the issues and saw pictures. It was moved by Evenson, seconded by Schreck and carried unanimously to issue the following order as well as send it to the court:

**ORDER FOR RAIZING AD REMOVAL OF HAZARDOUS BUILDING**

**TO: KRISTINE A. KNUTESON**, her heirs and/or assigns, and all persons unknown claiming any right, title, interest or lien in the real estate described herein

**YOU ARE HEREBY ORDERED** to repair the house located at 703 – 15<sup>th</sup> Street South, Benson, Minnesota legally described as Lot Nine (9) , Block Seven (7), Southside Addition to the City of Benson, Swift County, Minnesota,

You are to repair the building by taking the following specific actions:

1. Repair all existing structural hazards to the satisfaction of the City Building Inspector
2. Repair all existing weather protection hazards to the satisfaction of the City Building Inspector
3. Repair any existing wiring, plumbing or mechanical hazards to the satisfaction of the City Building Inspector

In the alternative you may raze and remove the building.

This order is made on the grounds that said house is in a hazardous condition and presents a serious threat to the health and safety of the public.

You must complete the repair of said buildings by no later than March 18, 2019. If you fail to do so, a motion for summary enforcement of this order will be made to the District Court of Swift County, Minnesota, unless you file an answer to the Order within the time specified by Minnesota Statutes section 463.18.

Next was a letter of lease termination from Independent School District 777 for the north end of the Civic Center. Wolfington said there is also a letter from the Civic Center Board (CCB) expressing interest in the north end of the Civic Center for recreational use. The Mayor expressed concern about leasing to the Civic Center Board, what state codes would apply to the building and how would it affect the south end where Hockey has been so successful. McGeary spoke up and said the building codes are different for schools and public recreation buildings. Buyck asked what the CCB's plans would be for the north end of the Civic Center. He said indoor recreation. They would insulate, get better lighting, and put in a new floor. The Mayor asked to tour the north end of the Civic Center at the January 2, 2019 Council Meeting. Wolfington said he would like to have a study done and hopefully decipher what uses can be in the north end of the Civic Center.

Wolfington presented the report on the evaluation we ordered on the swimming pool last summer by USAquatics. It outlines their findings. Gens recapped the highlights and pointed out future expenses with the pool. Gens said we will have to eventually recoat the pool as there are some descaling issues. Wolfington said there will be a list of maintenance expenses over the next 5 years.

Wolfington discussed the AFSCME Union negotiations. He said they have settled on a 3 year contract and proceeded to go over the proposals. He recommended approval. After discussion, it was moved by Schreck, seconded by Evenson and carried unanimously to approve the AFSCME Contract as presented.

Next was a pay request from Prairie Five Community Action Council for the 2<sup>nd</sup> half of the 2018 transit operating expenses. It was moved by Evenson, seconded by Olson and carried unanimously to approve the pay request from Prairie Five Community Action Council in the amount of \$6,109.00.

Wolfington reminded the Council of the special Council meeting scheduled for January 18 & 19, 2019 at the hospital conference room. Department heads will be invited as well.

Wolfington discussed the Council's desire to have Doug Griffith return for two work session in 2019. The first would be March 7-9, 2019. The purpose of this event would be strategic planning to include the Planning Commission. The second would be June 20-22, 2019. This would be a marketing strategy event to include the EDA. Cost could be \$30,000 for each visit. The Council will have to consider if the workshops will be worth the cost.

Wolfington presented the Western Minnesota Prairie Waters regional marketing program request for support. The City has supported this in the past, which will guarantee marketing what Benson has to

offer. After discussion, it was moved by Olson, seconded by Evenson and carried unanimously to contribute \$3,708.00 in 2019 to the Western Minnesota Prairie Waters program.

Pederson approached the Council to review the City Zoning Map. It was discovered zoning changes the Council had been made over the years, but the map didn't reflect those changes. He noted the City's base map was updated in October 2018. The last time the zoning map was adopted was in 2003, and since then there have been an annexation and two additions added. Pederson reviewed those changes, and wanted to make the Council aware of the map update. He said the Girls Ranch zoning and an area along east highway 12 will need a public hearing. He went on to say the Planning Commission has reviewed the map he is presenting today.

It was moved by Buyck, seconded by Schreck and carried unanimously to approve the following Public Utilities Bad Debts list as of December 31, 2018:

ACCT. NO.	NAME	ELEC	WATE	SEWER	TAX	GARB	PEN	ST SWR	TOTAL
101-0039-00-09	Trevor Ahrndt	156.49	48.85	109.48	9.24	14.90	2.36	6.77	348.09
101-0039-00-01	Brenda Kurkosky	1003.51	36.00	54.00	9.09	11.00	30.09	5.00	1148.69
102-0009-00-05	Kayla Williams	357.34	148.08	82.58	22.86	27.32	11.75	12.42	662.35
102-0009-00-06	Karena Brown	403.59	195.78	375.17	51.00	104.68	62.33	27.58	1220.13
102-0141-00-02	Mary Jo Erhardt	220.11	64.44	80.57	22.13	26.26	7.90	11.93	433.34
104-0008-16-01	Jessica Spencer	28.69	27.10	45.73	1.98	0.00	1.23	6.77	111.50
104-0008-64-07	Pauline Wrobleski	62.29	29.68	46.13	6.32	0.00	1.72	6.97	153.11
104-0021-00-03	Scott Wrobleski	460.23	59.44	90.71	18.88	14.78	12.31	6.72	663.07
104-0047-00-02	Kirby Hettver	54.17	49.04	82.57	9.73	26.97	4.64	12.26	239.38
104-0090-00-05	Midwest Portf Solutions	0.00	0.00	0.00	1.83	8.25	0.00	3.75	13.83
104-0143-02-13	Gabriel Noble-Torres	244.03	0.00	0.00	11.79	0.00	6.94	7.00	269.76
104-0143-12-13	Tracy Cain	176.23	0.00	0.00	8.52	0.00	5.52	7.13	197.40
104-0143-21-14	Jeremy Poverud	48.05	0.00	0.00	2.15	0.00	1.54	7.10	58.84
201-0101-00-03	Wendell Kienietz	30.60	32.34	47.25	5.65	15.40	1.33	7.00	139.57
202-0049-00-17	Kecia Kalisch	43.08	6.36	97.04	6.04	31.63	3.23	14.38	201.76
202-0095-00-06	Jason McVinoa	231.70	0.00	0.00	0.00	0.00	3.53	0.00	235.23
202-0095-00-07	Nick Wrobleski	474.42	0.00	0.00	52.38	80.74	43.02	33.07	683.63
203-0047-00-02	Reid Muxfeldt	75.04	24.12	28.12	7.71	9.17	0.00	4.17	148.33
205-0007-00-21	Renee Pappenful	90.55	0.00	0.00	3.77	0.00	2.58	6.00	102.90
205-0010-00-11	Jasmine Perteet	470.17	0.00	0.00	11.91	0.00	11.03	11.14	504.25
205-0011-00-06	William Steinmetz	79.44	0.00	0.00	5.46	0.00	2.30	10.03	97.23
205-0404-00-16	Tiffany Johnson	181.84	0.00	0.00	12.50	0.00	3.42	10.90	208.66
205-0406-00-05	Brian Erhardt	231.85	0.00	0.00	10.43	0.00	7.39	8.25	257.92
205-0510-00-19	Julie Stubblefield	76.28	0.00	0.00	5.23	0.00	2.66	10.65	94.82
205-0527-00-13	Rayshawnda Johnson	331.76	0.00	0.00	6.94	0.00	8.13	4.50	351.33
205-0529-00-35	Chelsea Zeiner	25.56	0.00	0.00	1.76	0.00	0.00	1.78	29.10
205-0529-00-36	Chelsea Zeiner	122.14	0.00	0.00	8.40	0.00	1.83	5.72	138.09
205-0530-00-10	Seleina Gamez	159.82	0.00	0.00	10.99	0.00	3.30	11.42	185.53
205-0532-00-27	Earnestine Spencer	98.07	0.00	0.00	0.00	0.00	0.00	0.00	98.07
205-0535-00-10	Melissa Bonk	101.19	0.00	0.00	3.08	0.00	0.00	1.90	106.17
205-0552-00-08	Alecia Anderson	330.68	0.00	0.00	22.74	0.00	-44.98	7.00	315.44
205-0614-00-33	Brittany Mickelson	111.96	0.00	0.00	5.02	0.00	2.55	7.65	127.18
205-0615-00-14	Piana Steuzk	100.21	0.00	0.00	0.00	0.00	0.00	0.00	100.21
205-0618-00-01	Jennifer Capps	49.23	0.00	0.00	3.38	0.00	0.00	1.06	53.67
205-0655-00-28	Amber Swenson	180.44	0.00	0.00	7.43	0.00	5.87	7.90	201.64
205-0664-00-14	Tamara Wojcik	209.92	0.00	0.00	8.72	0.00	6.92	7.00	232.56
301-0004-00-08	Jamal Cobb	133.22	68.29	78.07	16.42	26.26	1.78	11.93	335.97
301-0004-00-09	Kim Schramel	181.29	59.77	78.75	19.07	25.67	7.99	11.67	384.21
301-0075-00-07	Dan Stiel	103.24	0.00	61.47	0.00	0.00	0.00	0.00	164.71
302-0022-00-05	Courtney Evenson	74.78	87.33	59.72	13.07	19.87	-41.15	9.03	222.65
303-0059-00-25	Julieann Dutcher	216.31	36.84	45.36	9.31	14.78	6.25	6.72	335.57
303-0071-00-05	Dylin Baker	283.40	61.80	101.25	18.03	37.00	10.07	15.00	526.55

303-0073-00-12	Kaytlyn Haugen	229.42	36.90	48.26	9.53	16.33	6.46	7.42	354.32
303-0132-00-02	State Line Properties	98.35	77.23	128.36	16.23	42.47	9.11	19.31	391.06
303-0132-00-04	Susan Casey	40.28	32.53	42.75	6.37	13.93	0.00	6.33	142.19
304-0132-00-16	Melissa Paulsrud	181.93	58.63	49.00	18.09	15.97	51.60	7.25	382.47
304-0135-00-03	Starlene Smith	638.39	385.86	653.63	29.14	37.13	66.88	16.88	1827.91
304-0141-00-02	Deb Leibold	138.79	6.36	336.25	52.34	440.00	402.00	200.00	1575.74
304-0212-00-11	Isabelle Salinas	45.25	0.00	0.00	3.11	0.00	.68	6.59	55.63
304-0217-00-10	Jasalyn Zenker	82.88	0.00	0.00	5.70	0.00	1.14	8.45	98.17
305-0015-00-24	Matt Erickson	218.20	0.00	0.00	8.19	0.00	4.26	5.30	235.95
305-0016-00-15	Jason/Krystal Swierenga	25.15	0.00	0.00	1.73	0.00	0.00	1.16	28.04
305-0022-00-08	Anthony/Abigail Kontz	161.35	0.00	0.00	11.10	0.00	6.41	13.29	192.15
305-0044-00-18	Joyce Ivey	256.51	0.00	0.00	15.18	0.00	5.77	7.39	284.85
305-0046-00-25	Michaela Grussing	93.44	0.00	0.00	3.76	0.00	3.21	7.40	107.81
305-0051-00-10	Danielle Audette	118.16	0.00	0.00	5.28	0.00	3.59	7.10	134.13
305-0062-00-20	Christine Abbes	56.76	0.00	0.00	3.90	0.00	.78	11.82	73.26
305-0065-00-07	Randi Eilola	97.50	0.00	0.00	2.00	0.00	2.43	4.91	106.84
305-0110-00-04	Mike Jagusch	165.04	49.26	63.28	16.31	20.63	0.00	9.38	323.90
305-0205-00-09	Natasha Juarez	47.53	0.00	0.00	2.50	0.00	.79	5.89	56.71
305-0209-00-07	Sabrina Love	25.68	0.00	0.00	0.00	0.00	0.00	0.00	25.68
305-0218-00-06	Ryan Kurkosky	16.69	0.00	0.00	0.00	0.00	0.00	0.00	16.69
305-0226-00-09	Kelsy Kurkosky	70.02	0.00	0.00	4.48	0.00	1.63	6.96	83.09
305-0228-00-07	Preshaya Collins	145.34	0.00	0.00	6.42	0.00	1.96	8.42	162.14
306-0110-00-03	Jaime Nielsen	33.39	0.00	0.00	2.29	0.00	.53	5.98	42.19
306-0111-00-03	Victoria Trevino	98.58	0.00	0.00	6.78	0.00	4.21	14.25	123.82
306-0111-00-05	Travis Beyer	10.53	0.00	0.00	.72	0.00	0.00	2.00	13.25
306-0114-00-03	Palmer Slaughter	9.12	0.00	0.00	0.00	0.00	0.00	0.00	9.12
306-0123-00-09	Sherri Himrod	52.97	0.00	0.00	3.65	0.00	.93	6.00	63.55
306-0133-00-03	Austin Geleneau	136.62	0.00	0.00	9.38	0.00	3.48	8.65	158.13
306-0138-00-03	Bridget Bryant	55.46	0.00	0.00	1.68	0.00	1.28	4.10	62.52
306-0140-00-16	Michael Wroblewski	180.65	0.00	0.00	7.94	0.00	3.23	4.78	196.60
306-0216-00-23	Vi Loen	233.36	0.00	0.00	0.00	0.00	0.00	0.00	233.36
306-0217-00-18	Vi Loen	419.59	0.00	0.00	0.00	0.00	0.00	8.23	427.82
402-0002-00-04	Virginia Weber	115.29	59.05	78.39	14.48	25.55	3.91	11.62	308.29
402-0002-00-05	Trenton Lustfield	110.57	50.53	56.25	12.85	18.33	0.00	8.33	256.86
402-0053-00-02	Breanna Flaten	197.26	27.16	85.05	0.00	0.00	0.00	0.00	309.47
402-0062-00-03	Michael Austvold	370.25	99.33	190.35	17.78	41.23	12.58	7.83	739.35
402-0187-00-04	Shauntae Burns	179.16	127.91	168.82	23.62	31.74	12.02	14.44	557.71
403-0040-00-04	Darlene Riley	415.75	67.20	114.75	17.67	33.00	29.47	15.00	692.84
403-0088-00-03	Beneva Johnson	31.15	10.93	14.85	3.28	4.03	0.00	1.83	66.07
501-0087-00-08	Empire Ag. Consulting	621.64	4.03	5.44	74.09	0.00	313.63	343.23	1362.06
502-0090-00-13	Porsha Edmond	137.42	0.00	0.00	11.99	26.13	3.94	7.13	186.61
<b>TOTALS</b>		<b>14374.34</b>	<b>2128.17</b>	<b>3599.40</b>	<b>880.52</b>	<b>1261.15</b>	<b>1155.29</b>	<b>1171.92</b>	<b>24570.79</b>

Pederson said it is a new State Law cities need to designate their polling place annually.

Councilmember Evenson offered the following resolution:

**A RESOLUTION DESIGNATING POLLING PLACE FOR 2019 ELECTIONS  
(RESOLUTION NO. 2018-32)**

**WHEREAS**, Minnesota Statutes 204B.175, subd 1a requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year; and

**WHEREAS**, changes to the polling places locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use; and

**WHEREAS**, changes to the polling place locations may be made in the case of an emergency when it is necessary to ensure a safe and secure location for voting; and

**THEREFORE, BE IT RESOLVED:** That the Benson City Council hereby designates the following polling place for elections conducted in the city in 2019:

Precincts 1 & 2  
Benson Armory  
203 – 14<sup>th</sup> Street South  
Benson, MN 56215

**AND BE IT FURTHER RESOLVED**, that the city Clerk is hereby authorized to designate an emergency replacement polling place meeting the requirements of the Minnesota Election law for any polling place designated in the Resolution when necessary to ensure a safe and secure location for voting.

**AND BE IT FURTHER RESOLVED**, that the City Clerk is directed to send a copy of this resolution and any subsequent polling place designations to the Swift County Elections office.

Councilmember Olson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Collins, Buyck, Olson. NAYES: None. Thereupon the Mayor declared Resolution 2018-32 duly passed and adopted.

Pederson informed the Council the City received the new vac truck last week. Now we need to complete the lease documents with Bank of the West. Councilmember Olson offered the following resolution:

**RESOLUTION DETERMINATION OF  
NEED FOR A VAC-TRUCK  
(RESOLUTION 2018-33)**

**WHEREAS**, the governing body of Lessee had determined that a true and very real need exists for the acquisition of the equipment described in the Municipal Lease Agreement presented to this meeting and that it is appropriate to finance such acquisition; and

**WHEREAS**, the governing body of Lessee has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition and financing of such equipment.

**BE IT RESOLVED**, by the governing body of Lessee that the terms of said Municipal Lease Agreement are hereby approved as the best means for Lessee to finance the acquisition of such Equipment, and the governing body of Lessee designates and confirms that each of the persons indicated below is authorized to execute and deliver on behalf of Lessee the Municipal Lease Agreement and any related documents deemed by such person necessary to the consummation of the transactions contemplated by the Municipal Lease Agreement.

**FURTHER BE IT RESOLVED**, that pursuant to Section 265(b)(3)(D) of the Internal Revenue Code, as amended, the governing body of Lessee hereby designates this Municipal Lease Agreement as comprising a portion of the allowed amount in aggregate issues designated as “qualified tax-exempt obligations” eligible for the exception to the general rule of the Code which provided for a total disallowance of a deduction for interest expense allocable to the carrying of tax-exempt obligations. The governing body of the Lessee further certifies that it does not reasonably contemplate issuing more than the allowed amount of “qualified tax-exempt obligations,” as defined in the Code, during 2018.



Library Fund Levy	113,959
G.O. Equipment Bonds 2014 – Golf	48,573
G.O. CIP Bonds 2014 - Street Garage	72,445
G. O. CIP Bonds 2017 - Police Department	<u>89,329</u>
<b>Total</b>	<b>\$1,802,336</b>

BE IT FURTHER RESOLVED that the following sum of money be levied for the current year, collectible in 2019, based upon the market value of the taxable property in the City of Benson, for the following purpose:

G.O. Swimming Pool	<u>\$ 72,285</u>
<b>Total</b>	<b>\$72,285</b>

BE IT FURTHER RESOLVED that \$61,180.88 is irrevocably appropriated from the Utility Fund to the equipment portion of the \$1,130,000 G. O. Bond, Series 2012A Fund to cover that portion of the 2018 tax levy.

Councilmember Buyck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Collins, Buyck, Olson. NAYES: None. Thereupon the Mayor declared Resolution 2018-35 duly passed and adopted.

Councilmember Buyck offered the following resolution:

**RESOLUTION REVISING THE 2018 GENERAL FUND  
OPERATING BUDGET TO ELIMINATE THE OVERSTATING  
OF REVENUES AND EXPENDITURES PER GASB 64  
(RESOLUTION 2018-36)**

WHEREAS, the Benson City Council adopted the 2018 operating budget in December of 2017, and

WHEREAS, the budget includes Management Fee Revenues charged to the Enterprise Funds to offset approximately 45% of the costs of the Mayor and Council, Administration, Audit, City Attorney, and City Hall Departments, and

WHEREAS, the annual reporting to the Minnesota Office of the State Auditor for the year ended 2016 resulted in a recommendation to change how the Management Fees charged to the Enterprise Funds are accounted for, and

WHEREAS, by moving the Management Fees from the Revenue line items directly to the Expense line items this overstating will be eliminated.

NOW, THEREFORE BE IT RESOLVED that the following 2018 General Fund budget line items be revised.

Revenues	Original Budget	Revised Budget
Management Fee- Garbage Collection	\$9,384	\$0
Management Fee-Water Fund	\$40,920	\$0
Management Fee-Electric Fund	\$184,056	\$0
Management Fee-Liquor Fund	\$27,168	\$0
Management Fee-Sewer Fund	\$53,112	\$0

Expenditures

Mayor & Council Personnel Services	\$0	(\$8,008)
Mayor & Council Other Charges	\$0	(\$12,432)
Administration Personnel Services	\$0	(\$200,898)
Administration Other Services	\$0	(\$56,289)
Internal Audit Reimbursement	\$0	(\$12,105)
City Attorney Reimbursement	\$0	(\$12,570)
City Hall Supplies Reimbursement	\$0	(\$3,725)
City Hall Other Services Reimbursement	\$0	(\$8,613)

Councilmember Schreck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Collins, Buyck, Olson. NAYES: None. Thereupon the Mayor declared Resolution 2018-36 duly passed and adopted.

Next was exempt salary review. Councilmember Schreck asked to table this until the January 2, 2019 Council meeting.

It was moved by Evenson, seconded by Olson and carried unanimously to approve bills and warrants in the amount of \$547,201.81

Pederson presented a letter of engagement from Conway, Dueth and Schmiesing for auditing services. It was moved by Evenson, seconded by Schreck and carried unanimously to approve the terms for auditing services for 2019.

Wolfington presented a report from the League of Minnesota Cities with a report from Crane Engineering from the investigation of issues that caused to a chlorine leak in April of 2016 at the Benson water plant. The damages were considerable and how to proceed will be moved on soon.

There was discussion on the Benson School's lease payment received recently for the north end of the Civic Center. The \$35,000 lease payment for 2019 was received, and paid out to the Civic Center Board, which they have already cashed. Wolfington said he feels there needs to be a proper feasibility and structural study done which will dictate which uses can be in there.

There being no further business to come before the Council upon motion by Evenson, seconded by Schreck and carried unanimously to adjourn the Council meeting at 6:45 p.m.

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Mayor

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City Clerk