

**MINUTES - BENSON CITY COUNCIL - REGULAR MEETING
DECEMBER 19, 2016**

The meeting was called to order at 5:30 p.m. by Mayor Landmark. Members present: Terri Collins, Jack Evenson, Stephanie Heinzig, Gary Landmark & Sue Fitz. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Public Works Director Dan Gens, Police Chief Ian Hodge, Reed Becker from Widseth, Smith and Nolting (WSN), Lucas Olson, Molly Hanson, Police Officers John Reigsted and Paul Larson.

The Council recited the Pledge of Allegiance.

Chief Hodge introduced new Police Officer Alyssa Engfer to the Council.

Mayor Landmark asked for any additions to the agenda. Wolfington asked to add an update on the recent power outage to the agenda. No consent agenda items were moved to the regular agenda. A motion was made by Collins, seconded by Evenson and carried unanimously to approve the agenda as amended. It was moved by Fitz, Seconded by Evenson and carried unanimously to approve the following items on the Consent Agenda pending all paperwork is turned in for sludge licenses by 12/31/2016:

- December 5, 2016 City Council Minutes
- October 20, 2016 EDA Minutes
- October 18, 2016 Planning Commission Special Meeting Minutes
- Charter Communications Upcoming Service Changes
- MRES Scholarship Program
- Centerpoint Energy Rate Increase
- Public Works Report
- Police Report
- Cigarette Licenses for Benson Food Shop, Holiday Station, Darold's SuperValu, Do-Mats Family Foods, Glacial Plains and Dollar Store, Inc.
- Special Use Permits to allow disposing of septic tank sludge & holding tank sewage into the Benson wastewater facility for 2017 to Slaughter's Pumping & Septic Service, Affordable Pumping Service and Tostenson Septic.

The Mayor asked for people with unscheduled business, to which there were none.

Wolfington explained the power outage that occurred in Hawleywood yesterday from 8:25 a.m. to 6 p.m. The entire line crew ended up getting called in to solve the problem. He gave kudos to the linemen working diligently to solve the problem especially in the sub-zero temperatures.

Reed Becker with WSN came before the Council with a facility assessment of the Benson Armory. He described his findings on the building. Each part of the building is in different shape. The gymnasium and garage are structurally sound. The front two story part of the building has numerous issues and trying to remodel this area would not be advised. Removing the front office portion from the building and adding a new entrance would be more cost effective but there is not enough area to move City Hall into. Becker presented two options: 1) make upgrades to the Armory building including removing the front of the building and building a new City Hall/Police Department at a different location at a cost of \$3,060,000. Option 2) demolish the Armory and build a City Hall/ Police Department on this site and construct a new community center at an alternate site at a cost of \$4,223,000. He feels the best economy is to build a new City Hall/ Police Department at a different location.

Wolfington presented the fourth heliport inspection. This one is from MnDOT Office of Aeronautics requiring us to eliminate some more trees, and bring in additional lighting. They will hold our final license until we make the improvements.

Wolfington shared a letter he received from the Minnesota Department of Commerce in regards to a proposed pipeline that is scheduled to go through two Indian Reservations in northern Minnesota. The alternate route will be parallel to an existing pipeline running through the Benson area. He wanted to keep the Council informed.

Wolfington presented another extension of the Charter Communications Franchise. Councilmember Evenson offered the following resolution:

**A RESOLUTION GRANTING CHARTER COMMUNICATIONS
A FRANCHISE EXTENSION TO JUNE 30, 2017
(RESOLUTION NO. 2016-41)**

WHEREAS, on or about July 14, 2003, the City of Benson, Minnesota (“City”) granted a Cable Television Franchise Ordinance (“Franchise”) to CC VIII Operating, LLC d/b/a Charter Communications (“Charter”); and

WHEREAS, the initial term of the Franchise expired on or about September 18, 2013; and

WHEREAS, the City adopted Resolution No. 2013-14 on August 19, 2013 extending the term of the Franchise through and including September 19, 2014; and

WHEREAS, Charter executed said Resolution No. 2013-14 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2014-13 on September 8, 2014 extending the term of the Franchise through and including March 31, 2015; and

WHEREAS, Charter executed said Resolution No. 2014-13 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2015-04 on March 2, 2015 extending the term of the Franchise through and including August 31, 2015; and

WHEREAS, Charter executed said Resolution No. 2015-04 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2016-06 on February 22, 2016 extending the term of the Franchise through and including July 18, 2016; and

WHEREAS, Charter executed said Resolution No. 2016-06 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, the City adopted Resolution No. 2016-18 on July 18, 2016 extending the term of the Franchise through and including December 31, 2016; and

WHEREAS, Charter executed said Resolution No. 2016-18 and agreed to continue complying with the Franchise, as amended by the Resolution; and

WHEREAS, both the City and Charter desire to extend the term of the Franchise to facilitate renewal negotiations under state and federal law.

NOW, THEREFORE, the City Council of the City of Benson, Minnesota hereby resolves as follows:

1. The Franchise is hereby amended by extending the term of the Franchise from January 1, 2017 through and including June 30, 2017.
2. Except as specifically modified hereby, the Franchise shall remain in full force and effect.
3. The City and Charter hereby agree that neither waives any rights either may have under the Franchise or applicable law.
4. This Resolution shall become effective upon the occurrence of both of the following conditions: (1) The Resolution being passed and adopted by the Benson City Council; and (2) Charter's acceptance of this Resolution.

Councilmember Heinzig seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Evenson, Fitz, Landmark. NAYES: None. Thereupon the Mayor declared Resolution 2016-41 duly passed and adopted.

It was moved by Fitz, seconded by Collins and carried unanimously to approve the following Public Utilities Bad Debts list as of December 31, 2016:

ACCT. NO.	NAME	ELEC	WATER	SEWER	TAX	GARB	PEN	ST SWR
101-0020-02-08	Willie Ibarra	611.16	0.00	0.00	45.61	36.90	18.15	16.77
101-0025-00-11	Rick Conyers	272.06	44.08	58.23	11.70	15.00	7.54	6.82
101-0059-00-07	Sam Sullivan	395.67	58.88	57.43	15.55	18.97	11.30	8.62
101-0067-00-03	Anne Buchholz	43.42	28.34	29.81	6.07	11.71	0.00	5.32
102-0013-00-04	Chase Frieze	158.01	64.42	57.50	17.50	22.59	4.01	10.26
102-0055-00-01	Todd Koosmann	387.47	117.16	145.60	19.15	57.20	45.21	26.00
102-0066-00-01	Metlife Home Loans	3.00	0.00	8.13	.52	3.19	-14.49	1.45
103-0100-00-09	Jeffrey Quirk	363.85	85.40	95.19	25.10	33.00	16.15	9.00
104-0008-36-03	Jessica Anderson	316.96	78.33	85.40	26.74	0.00	9.68	11.67
104-0040-00-03	Amber Castillo	6.76	0.00	0.00	0.00	0.00	0.00	0.00
104-0118-00-01	Margo McNellis-Bankr	168.22	0.00	0.00	0.00	0.00	0.00	0.00
104-0143-12-11	Brittany Johnson	19.36	0.00	0.00	1.33	0.00	-2.60	1.09
104-0143-24-09	Tiffany Robertson	70.34	0.00	0.00	3.66	0.00	1.86	7.10
201-0025-00-04	Betty Staton-Bankruptc	2.40	0.00	0.00	0.00	0.00	0.00	0.00
201-0093-00-03	Tara Wroblewski	504.71	44.20	97.60	7.89	22.00	15.66	10.00
202-0034-00-06	Troy Collins	89.67	51.41	54.13	11.38	21.27	0.00	9.67
202-0072-00-03	Jacob Johnson	11.83	12.24	11.20	1.91	4.40	0.00	2.00
202-0073-00-03	Scott Steinhofner	246.13	88.80	189.40	15.93	54.58	24.72	19.35
202-0081-00-03	Becky Mast	259.63	6.36	324.00	62.10	506.00	1046.04	111.00
202-0083-00-04	Robyn Johnson	208.67	0.00	0.00	0.00	0.00	0.00	0.00
203-0075-00-04	Brooke Dillon	75.20	30.43	35.96	8.80	15.82	0.00	7.20
205-0002-00-05	Norman Kendall	139.81	0.00	0.00	5.80	0.00	3.81	7.41
205-0005-00-07	Shawn M. Houck	265.39	0.00	0.00	14.76	0.00	6.78	8.40
205-0010-00-07	Darvin Bratsch	161.75	0.00	0.00	6.37	0.00	10.09	13.10
205-0010-00-09	Skylar Bengtson	160.76	0.00	0.00	11.05	0.00	10.90	18.00
205-0011-00-04	Sara Smith	138.64	0.00	0.00	9.54	0.00	3.70	9.00
205-0103-00-20	James Kopel	87.63	0.00	0.00	6.03	0.00	1.56	11.13
205-0404-00-11	Tiffany Myers	270.45	0.00	0.00	4.09	0.00	7.14	4.90
205-0404-00-13	Johnnie Cooks	206.19	0.00	0.00	11.72	0.00	4.90	7.66

205-0410-00-23	Janisha Cooks	23.67	0.00	0.00	1.63	0.00	0.00	4.00
205-0413-00-31	Tony Smith/Tatiana Du	121.44	0.00	0.00	8.35	0.00	1.46	10.74
205-0413-00-33	Luvenia Cooks	148.37	0.00	0.00	10.21	0.00	3.38	11.60
205-0512-00-11	Lourdes Martinez	128.42	0.00	0.00	8.78	0.00	3.77	10.60
205-0512-00-13	Donyelle Cotten	192.07	0.00	0.00	13.21	0.00	4.26	7.61
205-0527-00-11	Ma' Jyah Cotten	87.68	0.00	0.00	6.03	0.00	0.00	3.93
205-0530-00-07	Raeliegh Steltz	188.04	0.00	0.00	5.44	0.00	6.98	7.00
205-0531-00-15	Nicholas Young	98.82	0.00	0.00	6.78	0.00	2.76	10.60
205-0534-00-05	Lacey Rinckenberger	138.15	0.00	0.00	9.50	0.00	2.09	9.00
205-0609-00-24	Stephanie Orozco	200.31	0.00	0.00	13.77	0.00	6.68	10.90
205-0612-00-09-	Dawnelle Handeland	147.90	0.00	0.00	10.17	0.00	4.66	10.06
205-0614-00-29	Crystal Reed	77.08	0.00	0.00	5.30	0.00	0.00	3.08
205-0614-00-31	Tiara Mitchell	245.07	0.00	0.00	5.40	0.00	6.09	4.00
205-0615-00-09	Lisa Trevino	104.61	0.00	0.00	0.00	0.00	0.00	0.00
205-0623-00-09	Lisa Warrington	115.41	0.00	0.00	5.18	0.00	3.50	7.90
205-0655-00-25	Alicia Allen	170.39	0.00	0.00	11.71	0.00	2.82	8.60
301-0016-00-04	Melody Dillabough	63.43	16.58	21.35	5.82	5.50	0.00	2.50
301-0075-00-03	JoAnn Tate	153.78	49.76	56.00	9.34	22.00	4.34	10.00
302-0016-00-02	Karl Manska	270.77	68.83	77.35	4.14	34.03	0.00	0.00
302-0068-00-03	Randy Frederiks	310.88	43.30	300.04	35.39	163.17	85.56	74.17
302-0075-00-02	Mike Bartz	456.87	59.75	111.84	20.80	18.33	12.03	8.33
302-0114-00-18	Jade Hansen	460.11	36.33	38.27	15.78	15.03	12.09	6.83
303-0014-00-06	Chase Frieze	6.66	11.03	13.07	1.72	5.13	0.00	2.33
303-0058-00-12	Michaela Sexton	321.10	64.19	71.45	13.38	32.07	15.89	12.76
303-0059-00-23	Robert Miller	245.83	38.84	42.49	11.74	16.69	6.48	7.58
303-0073-00-11	Jason Madden	39.04	76.37	28.93	9.04	11.37	0.00	5.17
303-0131-00-03	Alan Investments LLC	8.33	21.97	23.34	2.61	9.17	-64.73	4.17
304-0047-00-04	Anthony Hampton	406.19	78.66	174.06	8.81	17.23	16.68	7.83
304-0092-00-04	Brittany Harthun	138.26	62.38	71.88	16.87	31.63	3.43	14.38
304-0215-00-13	Tawnee Pugh/Keanu Ra	25.36	0.00	0.00	1.75	0.00	0.00	4.10
304-0217-00-06	Juanita Vance	82.45	0.00	0.00	3.35	0.00	1.73	4.03
305-0045-00-11	Hayley King	18.63	0.00	0.00	1.28	0.00	0.00	3.00
305-0049-00-17	Magen Schneider	154.33	0.00	0.00	5.33	0.00	4.24	7.22
305-0056-00-10	Tessa Dresser/D Olson	162.16	0.00	0.00	8.35	0.00	4.40	7.00
305-0058-00-07	Samantha Schoen	67.17	0.00	0.00	4.62	0.00	1.04	4.03
305-0064-00-07	Veleria Boyd	65.02	0.00	0.00	4.47	0.00	1.45	7.80
305-0075-00-04	Mindi Fortune	59.41	0.00	0.00	4.09	0.00	1.59	11.20
305-0137-00-13	Angela Forsberg	10.85	0.00	0.00	.75	0.00	.22	3.00
305-0220-00-05	Julie Blood	38.25	0.00	0.00	2.63	0.00	1.17	6.00
305-0225-00-07	Karim Vance	46.73	0.00	0.00	3.20	0.00	.83	10.45
305-0228-00-05	Markette Kuykendall	74.23	0.00	0.00	5.04	0.00	2.52	10.91
306-0116-00-09	Scott Johnson	198.42	0.00	0.00	13.65	0.00	5.21	8.10
401-0010-00-03	Robin Finke	467.03	67.33	94.27	23.13	45.03	16.60	16.83
402-0074-00-19	Whitley Hendrickson	5.06	7.74	10.84	1.30	4.26	0.00	1.93
402-0189-00-09	Regina Whitcup	422.74	60.75	66.62	24.76	26.17	15.15	11.90
501-0087-00-05	Jesse Nordby	77.32	163.49	176.44	16.56	0.00	27.55	133.64
501-0088-00-02	Jesse Nordby	703.41	0.00	0.00	50.04	0.00	47.82	64.88
501-0089-00-05	Jesse Nordby	194.68	126.33	137.73	36.01	0.00	83.44	141.34
502-0093-00-17	Alfred Richards	209.13	0.00	0.00	4.42	7.70	2.34	2.10
TOTALS		13796.20	1763.68	2765.55	841.937	1287.141	1589.63	1078.05

Wolfington updated the Council on the Small Cities Grant Application. He said our application was scored marginally competitive. Wolfington will be meeting with the Upper Minnesota Valley Rural development Commission and Vicki Syverson from Swift County HRA to strategize on how to make our full application more competitive.

Wolfington presented a pay request from Benson Community Education for their summer rec programs for 2016. It was moved by Collins, seconded by Heinzig and carried unanimously to approve the pay request in the amount of \$23,184.28.

Wolfington discussed the levy which is currently set at a 10.1% increase. He said there is an option of reducing the levy by using some of the City reserves. After discussion Councilmember Evenson offered the following resolution:

**RESOLUTION ADOPTING FINAL 2016 PROPERTY
TAX LEVY, COLLECTIBLE IN 2017
(RESOLUTION NO. 2016-42)**

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 2017, upon the taxable property in the City of Benson, for the following purposes:

General Fund Levy	\$673,792
Wages and Benefits of Police Personnel	664,750
Library Fund Levy	113,778
G.O. Equipment Bonds 2014 (Golf)	49,447
G.O. CIP Bonds 2014 (Street)	<u>68,552</u>
TOTAL	1,570,319

BE IT FURTHER RESOLVED that the following sum of money be levied for the current year, collectible in 2017, based upon the market value of the taxable property in the City of Benson, for the following purpose:

G.O. Swimming Pool	<u>\$74,332</u>
Total	\$74,332

BE IT FURTHER RESOLVED that \$63,577.50 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 2016 tax levy.

Councilmember Heinzig seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Evenson, Fitz, Landmark. NAYES: None. Thereupon the Mayor declared Resolution 2016-42 duly passed and adopted.

Councilmember Fitz offered the following resolution:

**RESOLUTION CERTIFYING THE FINAL OPERATING BUDGET
FOR THE CALENDAR YEAR 2017 FOR THE CITY OF BENSON, MINNESOTA
(RESOLUTION NO. 2016-43)**

BE IT RESOLVED, that the Final Operating Budget for the City of Benson, Minnesota, for the fiscal year beginning January 1, 2017 and ending December 31, 2017 is hereby approved.

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

Revenues	
Taxes - General Fund	1,338,542
Taxes – Library	113,778
State Grants and Aids	1,127,716
Other Revenues	<u>1,241,747</u>
Total Revenues	3,821,783

Expenditures	
General Government	694,100
Public Safety	1,187,915
Highways, Streets and Roads	594,050
Parks and Recreation	470,850
Public Transit	7,500
Library	116,178
Capital Outlay	610,000
Other Expenditures	<u>259,150</u>
Total Expenditures	3,939,743

Excess (Deficiency) of Revenues over Expenditures (\$117,960)

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.

Councilmember Evenson seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Evenson, Fitz, Landmark. NAYES: None. Thereupon the Mayor declared Resolution 2016-43 duly passed and adopted.

Councilmember Collins offered the following resolution:

**RESOLUTION TRANSFERRING 25% OF THE NET PROFIT
OF THE UTILITY FUND TO THE GENERAL FUND
(RESOLUTION NO. 2016-44)**

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 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 2016 Budget, and

WHEREAS, the City Council as part of its 2016 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 \$53,406 from the Utility Fund to the General Fund.

Councilmember Heinzig seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Evenson, Fitz, Landmark. NAYES: None. Thereupon the Mayor declared Resolution 2016-44 duly passed and adopted.

Councilmember Collins offered the following resolution:

**RESOLUTION TO APPROVE TRANSFER FROM LIBRARY ENDOWMENT FUND
(RESOLUTION NO. 2016-45)**

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 \$324.96 in interest during 2016, and

WHEREAS, the City Council has budgeted to transfer interest earnings in an amount up to \$450.00.

NOW, THEREFORE BE IT RESOLVED that the \$325.00 interest earned be transferred from the Library Endowment Fund to the operating Library Fund to help cover the costs of capital equipment.

Councilmember Evenson seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Evenson, Fitz, Landmark. NAYES: None. Thereupon the Mayor declared Resolution 2016-45 duly passed and adopted.

Councilmember Fitz offered the following resolution:

**RESOLUTION TO APPROVE BUDGETED TRANSFERS
(RESOLUTION NO. 2016-46)**

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 2016 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	1,650	1,443
From General Fund to Concrete Projects Fund	15,000	15,000
TOTAL	16,650	16,443

Councilmember Evenson seconded the foregoing Resolution and the following vote was recorded: AYES: Collins, Heinzig, Evenson, Fitz, Landmark. NAYES: None. Thereupon the Mayor declared Resolution 2016-46 duly passed and adopted.

Next the Council reviewed the LELS contract. After discussion it was moved by Collins, seconded by Heinzig and carried unanimously to approve the LELS contract dated January 1, 2017 – December 31, 2019 as presented.

Wolfington presented proposed salary increases for exempt employees:

Name	Title	Current 2016	Proposed 2017	Percent Increase	Dollar Increase
Glen Pederson	Director of Finance	78,250.00	80,6000.00	3.0%	2,350.00
Dan Gens	Public Works Director	72,100.00	74,250.00	3.0%	2,150.00
Ian Hodge	Police Chief	73,400.00	75,600.00	3.0%	2,200.00
Tom Lee	Liquor Store Mgr.	44,000.00	48,000.00	9.1%	4,000.00
Valerie Alsaker	Administrative Assist.	\$21.10	21.75	3.1%	0 .65
Paul Larson	Sergeant	28.80	29.65	3.0%	0.85
Michael Jacobson	Building Official	29.80	30.70	3.0%	0 .90

It was moved by Evenson, seconded by Collins and carried unanimously to approve the exempt salaries for 2017 as presented.

It was moved by Evenson, seconded by Collins and carried unanimously to approve the bills and warrants in the amount of \$713,383.56.

Next it was moved by Evenson, seconded by Fitz and carried unanimously to call a recess for the City Manager's annual review. The Council recessed at 6:25 p.m.

The Mayor reconvened the Council meeting at 6:35 p.m. It was noted the City Manager's review was satisfactory. It was moved by Evenson, seconded by Collins and carried unanimously to approve the City Manager's salary for 2017 as presented below:

Current	Proposed	2016	2017	Percent Increase	Dollar Increase
Robert Wolfington	City Manager	89,140.00	91,800.00	3.0%	2,660.00

There being no other business, a motion was made by Evenson, seconded by Collins and carried unanimously to adjourn the meeting at 6:37 p.m.

City Clerk

Mayor