

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING  
CITY HALL  
JANUARY 3, 2023**

The meeting was called to order at 5:30 p.m. by Mayor Evenson. Members present: Mark Schreck, Dan Enderson, Chris Carruth & Jack Evenson. Members Absent: None. Also present: City Manager Rob Wolfington, Police Chief Ian Hodge, CEDA Representative Hillary Tweed & Reed Anfinson. Telephonically: Director of Finance Glen Pederson & Laci McCann.

The Council recited the Pledge of Allegiance.

Wolfington approached the Council to perform the Oath of Office with new Mayor Jack Evenson. Mayor Evenson then performed the Oath of Office with new Councilmembers Dan Enderson and Chris Carruth.

The Mayor asked for any changes to the agenda to which there were none. It was moved by Schreck, seconded by Enderson and carried unanimously to approve the agenda as presented.

It was moved by Enderson, seconded by Schreck and carried unanimously to approve the following items on the consent agenda:

- December 19, 2022 Regular City Council Meeting
- November 21, 2022 EDA Meeting
- Charter Communications Upcoming Changes
- Hege Herfindahl's Application to the Pioneerland Library Board
- Electronic Transfers:  
Payroll: December 29, 2022 - \$86,968.12

There was no one with unscheduled business.

Councilmember Schreck offered the following resolution:

**RESOLUTION DECLARING A VACANCY  
ON BENSON CITY COUNCIL  
(RESOLUTION NO. 2023-01)**

**WHEREAS**, Councilmember Jack Evenson was elected to the office of Mayor at the November 8, 2022 municipal election and,

**WHEREAS**, Mayor Evenson has taken the oath of office as Mayor for the City of Benson.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BENSON, MINNESOTA, AS FOLLOWS:**

The council declares that a vacancy exists on council effective on January 3, 2023.

Councilmember Enderson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-01 duly passed and adopted.

Councilmember Schreck offered the following resolution:

**CITY OF BENSON  
RESOLUTION APPOINTING PERSON TO FILL A VACANCY  
(RESOLUTION NO. 2023-02)**

**WHEREAS**, a vacancy exists on the Benson City Council.

**WHEREAS**, pursuant to Benson City Charter the council shall fill the vacancy until such time a special election will be held.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BENSON, MINNESOTA, AS FOLLOWS:**

1. The council appoints Gary Landmark to fill the vacant position until such time that a new council member has been elected and qualified.

Councilmember Enderson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-02 duly passed and adopted.

The Council discussed City Council appointments to various boards and commissions. The Council directed staff to send out a list of all the boards and commissions with their descriptions to the councilmembers for consideration at the next City Council meeting. It was moved by Schreck, seconded by Carruth and carried unanimously to appoint Don Wilcox as City Attorney for civil cases. It was moved by Schreck, seconded by Carruth and carried unanimously to appoint Danielle Olson as the Prosecuting Attorney for the City of Benson.

It was moved by Enderson, seconded by Schreck and carried unanimously to designate the Monitor News as the official newspaper in 2023.

It was moved by Enderson, seconded by Carruth and carried unanimously that state banks, national banks, and thrift institutions located either within or outside the State of Minnesota that qualify as depositories under Minnesota Law are hereby designated as depositories for the City of Benson.

It was moved by Schreck, seconded by Carruth and carried unanimously to authorize the following as check signers on all accounts: Mayor Jack Evenson, Director of Finance Glen Pederson, Lisa Kent, Incidental Fund: Valerie Alsaker and Kylee Collins and Kylee Collins on the Hospital Fund.

It was moved by Enderson, seconded by Schreck and carried unanimously to approve the City of Benson Electronic Funds and Wire Transfers Policy as presented.

Mayor Evenson noted there are openings on the following Boards and Commissions:

Park Board, Cemetery Board and Airport Commission

Councilmember Schreck offered the following resolution:

**RESOLUTION DESIGNATING AUTHORIZED REPRESENTATION  
(RESOLUTION NO. 2023-03)**

**WHEREAS**, THE Governing body of the City of Benson, Minnesota has entered into an agreement to establish The **Missouri Basin Municipal Power Agency, d.b.a. Missouri Rivers Energy Services (MRES)**, and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of MRES.

NOW, THEREFORE, BE IT RESOLVED that Robert Wolfington be and is hereby authorized and appointed as the representative of the City of Benson, Minnesota, to represent the Municipal Utility in the business of MRES, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Jack Evenson, is hereby authorized and appointed with equal powers.

Councilmember Carruth seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-03 duly passed and adopted.

Councilmember Schreck offered the following resolution:

**RESOLUTION DESIGNATING AUTHORIZED REPRESENTATION  
(RESOLUTION NO. 2023-04)**

WHEREAS, THE Governing body of the City of Benson, Minnesota has entered into an agreement to establish The **Western Minnesota Municipal Power Agency (WMMPA)**, and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of WMMPA.

NOW, THEREFORE, BE IT RESOLVED that Robert Wolfington be and is hereby authorized and appointed as the representative of the City of Benson, Minnesota, to represent the Municipal Utility in the business of WMMPA, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Jack Evenson, is hereby authorized and appointed with equal powers.

Councilmember Enderson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-04 duly passed and adopted.

Mayor Evenson presented a Conditional Use Permit (CUP) application for a resident that would like to build a second ancillary building at 695 Montana Avenue. The building is also 1,500' square feet. Mayor Evenson said the Planning Commission reviewed the CUP at today's Planning Commission meeting, and approved the CUP and findings of facts and placed the following conditions:

- The aesthetics of the building must match the colors of the house
- The roof of the shed must not exceed 80% of the roof height of the home.
- The shed must not exceed 1,500 square feet

Mayor Evenson said upon discussing the conditions with staff and the City Attorney, he would ask the Council to consider a 4<sup>th</sup> condition as follows:

- The shed shall not be used in any way as living-quarters

There was discussion on the neighbor's concerns about the shed being too large in a residential setting. Also discussed by the Council was the concern about the shed being a steel building it will look too commercial, and not blend into the neighborhood. After discussion, it was moved by Schreck and seconded by Carruth to change the first condition to state the siding must be the same siding as is on the house, and mounted horizontally onto the building. The Mayor called for any discussion. The Council expressed more concern about the size of the shed. At this time, Councilmember Schreck withdrew his motion, and Councilmember Carruth withdrew his second. It was then moved by Enderson to deny CUP #2022-04 on the following findings:

- The size of the shed will possibly diminish or impair property values within the neighborhood
- The shed will not promote public morals or comfort and will possibly impede the development and improvement of surrounding property uses permitted in the district by encouraging more requests for oversized sheds. The motion was seconded by Schreck. The motion carried unanimously.

Tweed approached the Council with updates on the Nature Energy project. They are in the permitting phase right now. The first permit submitted is a Wetland Conservation Act Impact worksheet. The project will impact .93 of an acre of wetlands. The second permit is an Environmental Assessment Worksheet (EAW) that has been submitted to the MPCA on December 16, 2022. It is 478 pages in length, and appears to follow the plans previously discussed with the City. This EAW will be reviewed over the next several months. The overall environmental impact of Nature Energy is less than the previous Fibrominn project. After review of the permit it will then be open for public comment.

Wolfington discussed a proposal of increases in the water and sewer rates. He said due to increased costs of chemicals and inflation, we feel it is necessary for an increase in rates in order to keep up with costs.

Councilmember Schreck offered the following resolution:

**RESOLUTION ADOPTING WATER RATES  
(RESOLUTION NO. 2023-05)**

WHEREAS, a review of current water revenues and expenses was conducted; and

WHEREAS, the water consumptions are falling which has a negative impact on revenues needed to cover fixed and variable expenses in the water funds; and

WHEREAS, the City Council has determined that the 2022 water rates were not adequate to meet the operating costs and debt service amounts for this fund.

NOW THEREFORE BE IT RESOLVED that the following water rates are adopted effective January 1, 2023:

<b>RESIDENTIAL</b>	<b>WATER</b>	
	<b>Current</b>	<b>2023</b>
Service Charge	\$25.00	\$26.00
Consumption Rates		
0-3 Units	\$ 2.10	\$ 2.30
4-7 Units	\$ 2.35	\$ 2.55
Over 7 Units	\$ 2.60	\$ 2.80
<b>COMMERCIAL</b>		
Service Charge		
5/8" – 1" Meters	\$30.00	\$32.00
1¼" – 2" Meters	\$42.00	\$44.00
Larger than 2" Meters	\$75.00	\$76.00
Consumption Rate	\$ 2.35	\$ 2.55

Councilmember Carruth seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-05 duly passed and adopted.

Councilmember Enderson offered the following resolution:

**RESOLUTION ADOPTING SEWER RATES**

**(RESOLUTION NO. 2023-06)**

WHEREAS, a review of current sewer revenues and expenses was conducted; and

WHEREAS, the water consumptions are falling which has a negative impact on revenues needed to cover fixed and variable expenses in the sewer fund; and

WHEREAS, the City Council has determined that the 2022 sewer rates were not adequate to meet the operating costs and debt service amounts for this fund.

NOW THEREFORE BE IT RESOLVED that the following sewer rates are adopted effective January 1, 2023:

**SEWER**

	<b>Current</b>	<b>2023</b>
Unit Rate	\$7.50	\$7.75
Minimum Charge	\$37.50	\$38.75

Councilmember Carruth seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-06 duly passed and adopted.

Wolfington discussed Kid Day for 2023. He said staff is trying to acquire the files from the previous person who ran Kid Day. He asked the Council to seek volunteers to help head up Kid Day for this year.

Wolfington discussed holding a strategic planning session. Previous Councils have done this to brain storm ideas for the City as leaders. Marcy Douglas from MRES has done these sessions for us in the past. Dates were discussed. After reviewing several options, it was moved by Schreck, seconded by Enderson and carried unanimously to approve a special meeting for March 10-11, 2023 for a Strategic Planning Session.

Wolfington discussed exempt wages for 2023. The personnel committee met and discussed wages for the employees. Wolfington said with the LELS contract this last year it was negotiated to give a 3% increase in steps, and in addition another 3% cost of living increase for a total of a 6% increase. The AFSCME union contract is not up for negotiations until the end of 2024. He went on to say we have employees with licenses, some are hard to replace and with the high inflation rate should we ask the AFSCME Union to open up their contract and discuss a 3% cost of living increase. Wolfington explained if we want to stay competitive in the work force it is something to consider. He then presented increases for exempt employees of a 6% for 2023 as well, which was discussed at the personnel committee last week. This increase is to maintain the quality of workforce. Pederson said they also discussed changing HSA contributions to equal the LELS contract. It would mean changing single contributions from \$1,400 to \$1,500 and family contribution from \$2,800 to \$3,000. After discussion, it was moved by Enderson, seconded by Carruth and carried unanimously to approve the exempt wages as follows:

<b>Name</b>	<b>Title</b>	<b>2022</b>	<b>Proposed 2023</b>	<b>Percent Increase</b>	<b>Dollar Increase</b>
Robert Wolfington	City Manager	\$109,500	\$116,100	6%	\$6,600
Glen Pederson	Director of Finance	\$98,900	\$104,800	6%	\$5,900

Dan Gens	Public Works Director	\$89,400	\$94,800	6%	\$5,400
Ian Hodge	Police Chief	\$89,400	\$94,800	6%	\$5,400
Tom Lee	Liquor Store Manager	\$56,300	\$59,700	6%	\$3,400
Valerie Alsaker	Administrative Asst.	\$25.85	\$27.40	6%	\$1.55
Scott Girard	Police Sergeant	\$33.75	35.80	6.1%	\$2.05

It was then moved by Schreck, and seconded by Carruth to open the AFSCME contract and present adding the 3% cost of living increase and HSA contribution increase as presented. The motion carried unanimously.

Wolfington presented a legal opinion from City Attorney Wilcox whether you can make it mandatory for the new City Manager to live in town. There was discussion on reasons for a City Manager to be a customer of City utilities so that they have first-hand knowledge of the quality and availability of service. It was also discussed at the personnel committee bringing in a union member, department head and possibly the current City Manager into the interview panel for the City Manager interviews.

There being no further business to come before the Council a motion was made by Schreck, seconded by Carruth and carried unanimously to adjourn the Council meeting at 6:53 p.m.

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Mayor

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City Clerk