

**MINUTES - BENSON CITY COUNCIL SPECIAL MEETING
CITY HALL
FEBRUARY 22, 2023**

The meeting was called to order at 12:03 p.m. by Mayor Evenson. Members present: Jack Evenson, Dan Enderson, Chris Carruth, Gary Landmark & Mark Schreck. Members Absent: None. Also present: City Manager Rob Wolfington, City Clerk Valerie Alsaker and Director of Finance Lisa Kent.

The Mayor called the meeting to order at 12:00 p.m.

Councilmember Schreck offered the following resolution:

**Resolution by the Governing Body of Said
Organization Whereby the Establishment and
Maintenance of Accounts Have Been Authorized.
(RESOLUTION 2023-10)**

RESOLVED –

FIRST: That the named Authorized Persons of this organization or Director of Finance or City Clerk be and they hereby are, and each of them is, authorized and empowered, for and on behalf of this organization (herein called the “Organization”), to establish and maintain one or more accounts with Multi-Bank Securities, Inc. (herein called the “Brokers”) and Pershing LLC, its successors or assigns, and for the purpose of purchasing, investing in, or otherwise acquiring, selling, possessing, transferring, exchanging, pledging, or otherwise disposing of or realizing upon, and generally dealing in and with;

(a)THIS PARAGRAPH PERMITS CASH TRANSACTIONS IN SECURITIES

any and all forms of securities including, but not by way of limitation, shares, stocks, options, stock options, stock index options, foreign currency options and debt instrument options, bonds, debentures, notes, scrip, participation certificates, rights to subscribe, warrants, certificates of deposit, mortgages, chooses in action, evidence of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise;

(b)THIS PARAGRAPH PERMITS CASH AND MARGIN TRANSACTIONS IN SECURITIES

any and all forms of securities including, but not by way of limitation, shares, stocks, options, stock options, stock index options, foreign currency options and debt instrument options, bonds, debentures, notes, scrip, participation certificates, rights to subscribe, warrants, certificates of deposit, mortgages, chooses in action, evidence of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise; and margin transactions, including short sales;

The fullest authority at all times with respect to any such commitment or with respect to any transaction deemed by any of the said Authorized Persons and/or agents to be proper in connection therewith is hereby conferred, including authority (without limiting the generality of the foregoing) to give written or oral instructions to the Brokers with respect to said transactions; to bind and obligate the Organization to and for the carrying out of any contract, arrangement, or transaction, which shall be entered into by any such Authorized Persons and/or drafts drawn upon the funds of the Organization such sums as may be necessary in connection with any of the said accounts to deposit funds with the Brokers; to deliver securities and/or contracts to the Brokers; to order the transfer or delivery thereof to any other person whatsoever, and/or to order the transfer record of any securities, or contracts, or titles, to any name

selected by any of the said Authorized Persons or agents; to affix the Organization's seal to any documents or agreements, or otherwise; to endorse any securities and/or contracts in order to pass title thereto; to direct the sale or exercise of any rights with respect to any securities; to sign for the Organization all releases, powers of attorney and/or other documents in connection with any such account, and to agree to any terms or conditions to control any such account; to direct the Brokers to surrender any securities to the proper agent or party for the purpose of effecting any exchange or conversion, or for the purpose of deposit with any protective or similar committee, or otherwise; to accept delivery of any securities, to borrow money and securities, if applicable, and to secure repayment thereof with the property of the Organization; to appoint any other person or persons to do any and all things which any and all things which any of the said Authorized Persons and/or agents is hereby empowered to do, and generally to do and take all action necessary in connection with the account, or considered desirable by such Authorized Persons and/or agents with respect thereto.

SECOND: That the Brokers may deal with any and all of the persons directly or indirectly by the foregoing resolution empowered, as though they were dealing with the Organization directly.

THIRD: That the person signing this Non-corporate Resolution on behalf of the Organization be and hereby is authorized, empowered and directed to certify to the Brokers:

- (a) a true copy of these resolutions;
- (b) specimen signatures of each and every person by these resolutions empowered;
- (c) a certificate (which, if required by brokers, shall be supported by an opinion of the general counsel of the Organization, or other counsel satisfactory to the Brokers) that the Organization is duly organized and existing, that its governing rules empower it to transact the business by these resolutions defined, and that no limitation has been imposed upon such powers by the governing rules of the Organization or otherwise.

FOURTH: That the Brokers may rely upon the certified copy of the resolutions, specimen signatures, and certificate, as continuing fully effective unless and until the Brokers shall receive due written notice of change or rescission, and the dispatch or receipt of any other form of notice shall not constitute a waiver of this provision, nor shall the fact that any person hereby empowered ceases to be an Authorized Person of the Organization or becomes an Authorized Person under some title, in any way affect the powers hereby conferred, but the failure to supply any specimen signature shall not invalidate any transaction where the party authorizing the same has been actually empowered thereto by or in conformity with these resolutions.

FIFTH: That in the event of any change in the office of powers of persons hereby empowered, an Authorized Person shall certify such changes to the Brokers in writing in the manner herein above provided, which notification, when received, shall be adequate both to terminate the powers of the persons therefore authorized, and to empower the persons thereby substituted.

SIXTH: That the Authorized Persons of the Organization be, and hereby is, authorized and empowered to countersign items as aforesaid.

SEVENTH: That the foregoing resolutions and the certificates actually furnished to the Brokers by the Authorized Person of pursuant thereto, be and they hereby are made irrevocable until written notice of the revocation thereof shall have been received by the Brokers.

Councilmember Carruth seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Landmark, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-10 duly passed and adopted.

Councilmember Landmark offered the following resolution:

**A RESOLUTION ESTABLISHING AN ABSENTEE BALLOT BOARD
(RESOLUTION NO. 2023-11)**

WHEREAS, The City of Benson is required by Minnesota Statute 203B.121; Subd. 1 to establish an Absentee Ballot Board effective February 18, 2023; and

WHEREAS, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in the City of Benson; 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 Clerk | Valerie Alsaker |
| Election Judge | Sharon Hagen |
| Election Judge | LoAnn Hagen |

Councilmember Schreck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Landmark, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-11 duly passed and adopted.

Councilmember Enderson offered the following resolution:

**RESOLUTION DESIGNATING LOCATION FOR ABSENTEE
BALLOT VOTING FOR 2023 MUNICIPAL ELECTION
(RESOLUTION NO. 2023-12)**

WHEREAS, the City of Benson is holding a Special Election on April 11, 2023 to elect one City Council member 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.

Councilmember Schreck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Landmark, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-12 duly passed and adopted.

Councilmember Schreck offered the following resolution:

**RESOLUTION IN SUPPORT OF GRANT
APPLICATION TO MINNESOTA DEPARTMENT
OF NATURAL RESOURCES FOR THE FEDERAL
RECREATIONAL TRAIL PROGRAM
(RESOLUTION 2023-13)**

WHEREAS, the City of Benson supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail

Program. The application is to resurface 1.41miles of paved trail for the Benson Parks and Recreation Trail System and the parking lot at the Ambush Park Trailhead. The trail system is located within Ambush Park and Northside Recreational Park, and

WHEREAS, the City of Benson recognizes that it has secured \$34,375 in local cash matching funds for this project and must provide a twenty-five percent (25%) cash match

NOW, THEREFORE, BE IT RESOLVED, if the City of Benson is awarded a grant by the Minnesota Department of Natural resources, the City of Benson agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Benson will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the applicant has read the Conflict-of-Interest Policy contained in the Trail Program Grant Manual and certifies it will report any actual, potential, or organizational conflicts of interest upon discovery to the state related to the application or grant award.

BE IT FURTHER RESOLVED, the City Council of the City of Benson names the fiscal agent for the City of Benson for this project as:

Lisa Kent
Director of Finance
City of Benson
1410 Kansas Ave.
Benson, MN 56215

BE IT FURTHER RESOLVED, the City of Benson hereby assures the Benson Recreational Trail will be maintained for a period of no less than 20 years.

Mayor Evenson said with the snow storm prohibiting two candidates from traveling during City Manager interviews, he proposed the City pay for one night for one candidate, and 2 more nights for the candidate from out of town. It was moved by Carruth, seconded by Schreck and carried unanimously to approve paying for the City Manager candidates hotel rooms as presented.

There being no further business to come before the Council a motion was made by Schreck, seconded by Landmark and carried unanimously to adjourn the Council meeting at 12:09 p.m.

Mayor

City Clerk