

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

The meeting was called to order at 5:30 p.m. by Mayor Evenson. Members present: Dan Enderson, Gary Landmark, Mark Schreck & Jack Evenson. Members Absent: Chris Carruth. Also present: Director of Finance Lisa Kent, City Clerk Val Alsaker, CEDA Representative Hillary Tweed, Public Works Director Dan Gens, City Manager Rob Wolfington, Future City Manager Kyle Harris, Police Chief Ian Hodge, Police Officers Noah Marrs, Luke Seafolk, Brennden DeHaan, Scott Girard, Paula Wilson and her family, CentraCare Benson Co-Administrator Melissa Thompson, Holly Maars, Sheryl & Jason Madden, Chuck & Tammy Seafolk, Mike and Sam Seafolk, Hannah Hudson, Mark & Sofie Ritten, John Goulet MRES Supervisor, Keagan Pangrac MRES Electrician, Golf Club Supervisor Sally Jones, Benson Schools Superintendent Dennis Laumeier & Reed Anfinson. Telephonically Brent Haugen.

The Council recited the Pledge of Allegiance.

It was moved by Schreck, seconded by Enderson and carried unanimously to approve the agenda as presented.

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

- March 20, 2023 City Council Minutes

**Sewer Tap License Expiring March 31, 2024:**

|                               |                                   |
|-------------------------------|-----------------------------------|
| Grossman Plumbing and Heating | Craig's Refrigeration             |
| Hawley's Inc.                 | Rapid Response Plumbing & Heating |
| T & K Kennedy Inc.            |                                   |

- Pay Request-Bolton & Menk-WWTF Flood Protection - \$10,712 – Balance to Finish - \$33,143.77
- Electronic Transfers:  
Payroll: Payroll – March 23, 2023 \$97,587.32

There was no one with unscheduled business.

Police Chief Ian Hodge called Officers Marrs and Seafolk to the front to perform the swearing in ceremony with their mothers at their sides. The Council congratulated the Officers.

Wolfington and Laumeier approached the Council. Laumeier discussed his memo to the Council on the tennis courts and rescinded his memo. He said he and Wolfington decided to take a look at a system wide agreement on shared facilities and put it in place. Wolfington said he would like to craft a joint powers agreement, update the old agreements and define the agreement in 3 chapters; 1. Update the School Resource Officer agreement, 2. Update the Summer Rec agreement 3. Add a facilities agreement. Enderson said he feels this will be a good planning and resources tool. After further discussion, the Council directed new City Manager Harris and Laumeier to meet and start drafting an agreement to be completed by budget time in September 2023.

Thompson with CentraCare Benson Hospital approached the Council. She discussed the grant status from 2020. She presented information on what projects the hospital has been reimbursed for, and

the projects they are seeking a final payment for which are surgery center HVAC, network upgrade, parking lot renovation and security cameras upgrade. After discussion it was moved by Landmark, seconded by Schreck to approve final reimbursement to CentraCare Benson in the amount of \$528,993.88. The following vote was taken: AYES: Schreck, Evenson, Landmark. NAYS: None. ABSTAIN: Enderson.

Next Jones approached the Council. She said she is asking for the annual equipment reimbursement from the City for a 2016 pre-owned Toro Groundsmaster 4500D mower to be used as a rough mower. She said this piece of equipment runs full time weekly during the golf season and is a vital piece of equipment in the fleet. She said she is asking for the full purchase price of \$36,500. After discussion it was moved by Enderson, seconded by Schreck and carried unanimously to approve \$30,000 as budgeted toward the cost of the used Toro Groundsmaster mower.

Wolfington presented the Reserved Capacity Agreement (RCA) with MRES. This agreement is currently in place for local generation with the City of Benson, and is being presented with revisions to the current agreement. Revisions are as follows: Capacity rate increase to \$5/kw-mo, incentives for members to install new generation equipment, removal of old terminology, termination of existing RCA upon effective date of new RCA, fuel requirements, requirement of generators to operate in extreme weather conditions, and aligning terms with changes to market requirements. Wolfington stated part of the RCA is to assist with peak electrical loads. The increase in capacity payment from MRES is estimated to be \$140,000. After further discussion, it was moved by Schreck, seconded by Enderson and carried unanimously to approve the new RCA with MRES as presented.

It was moved by Landmark, seconded by Schreck and carried unanimously to approve the 1<sup>st</sup> reading of an ordinance to amend Section 154.026, General Building and Performance Standards and Section 154.056, Uses, of the Benson City Code.

Next Kent presented an invoice for a pay request for the purchase of smart meters we have been working toward for a year. This equipment is part of the bond the Council recently approved. It was moved by Landmark, seconded by Schreck and carried unanimously to approve the pay request from Eaton for AMI metering equipment in the amount of \$343,405.06.

Kent said Eaton will be here tomorrow to start training on the new AMI system. The part of the project they want to start with is load management. We would like to get this installed and operational as soon as possible so we will be ready to control the electrical load by summer. Pangrac and Goulet presented a demonstration of the meters and load management boxes and how they will look on your house, and explained the process of replacing old meters and equipment. Some benefits will be the allow staff to disconnect electricity from the office for non-payment or in case of a house fire. Also the equipment will give a hot meter alarm if for some reason the meter overheats the power will automatically disconnect power. If there is an outage, this system will map out where the outages are so the line crew can locate the source more quickly. There is a water leak detection feature as well. Eventually, homeowners will be able to download an app and monitor their own utility usages. Goulet said we would like this up and running by June. If we have to buy power because we cannot control, we will pay more for our electricity. He said the best way to do this is to get help from local licensed electricians. He has talked to Goff Electric, E & M Electric and Loen Electric. They came up with an agreement on a rate of \$75/hour to work on these meters. Pangrac is the only electrician on staff and cannot get all of them done alone. Kent stated they said some house changeouts will go quickly and some will take longer. There are currently 812 boxes, and the estimate for added labor is \$121,800. We are looking for approval to hire the local electricians to complete this job. Funds will come out of electric revenues. After discussion, it was moved by Schreck, seconded by Enderson and carried unanimously to approve hiring local electricians Goff, Loen and E & M Electric to assist in replacing new meters.

Gens presented quotes for tires for the 2023 season. They came is as follows:

- Wallace Auto and Collision - \$16,665.57
- Midwest Machine - \$13,140.00

It was moved by Schreck, seconded by Landmark and carried unanimously to approve the low bid from Midwest Machine in the amount of \$13,140.00.

Councilmember Schreck offered the following resolution:

**RESOLUTION TO CONTRACT FOR SALE OF  
SURPLUS, OBSOLETE OR UNUSED EQUIPMENT  
(RESOLUTION NO. 2023-16)**

**WHEREAS**, the City of Benson has a need from time to time to sell surplus, obsolete or unused equipment; and,

**WHEREAS**, the Minnesota Municipal Contracting Law, Minnesota Statutes Section 471.345, Subdivision 17 permits a municipality to sell such surplus, obsolete or unused equipment, without a requirement of competitive bidding, by using an electronic selling process in which purchasers compete to purchase the surplus equipment at the highest price in an open and interactive environment; and,

**WHEREAS**, the City Council finds that the use of such an electronic selling process would be cost effective, efficient and in the best interest of the City and its citizens; and,

**WHEREAS**, J.A.X. of Benson is a local franchisee of K-Bid and is able to provide an electronic selling process which will fill the needs of the City; and,

**WHEREAS**, Jack Evenson, the owner of J.A.X. of Benson is a member of the Benson City Council and therefore a public officer of the City of Benson, Minnesota Statutes Section 471.87 prohibits a public officer who is authorized to take part in any manner in making any sale, lease or contract in an official capacity from having a financial interest in that sale, lease or contract or from personally benefitting therefrom; and,

**WHEREAS**, Minnesota Statutes Section 471.88 provides an exception to the prohibition stated in Minnesota Statutes Section 471.87 for a contract for which competitive bids are not required by law; and,

**WHEREAS**, competitive bids are not required by law to enter into a contract for services for arranging the sale of city property; and,

**WHEREAS**, the City Council finds that the contract price offered by J.A.X of Benson is as low as or lower than the price at which the services could be obtained elsewhere.

**NOW THEREFORE IT IS HEREBY RESOLVED** that the city manager is authorized to enter into a contract with J.A.X of Benson for the sale of surplus, obsolete or unused City equipment through the use of an electronic selling process which meets the requirements of Minnesota Statutes Section 471.345, Subdivision 17.

Councilmember Enderson seconded the foregoing resolution and the following vote was recorded: AYES: Schreck, Enderson, Landmark NAYES: None. ABSTAIN: Evenson. Thereupon the Mayor declared Resolution 2023-16 duly passed and adopted.

Councilmember Landmark offered the following resolution:

**A RESOLUTION TO CONTRACT WITH A CITY OFFICIAL  
(RESOLUTION NO. 2023-17)**

Whereas, the city of Benson desires to purchase the following services:

Storage and occasional towing fees and body work;

And whereas, Mark Schreck, owner of Benson Body Shop, is a City Council Member of the city and will be financially interested in the contract;

Whereas, the City Council finds that the contract price offered by Benson Body Shop is as low or lower than the price at which the services could be obtained in the area at this time,

In addition, whereas, the contract is not one that is required to be competitively bid.

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

That the city director of finance is directed to make the above-mentioned purchase on behalf of the city from Benson Body Shop for a price of daily storage fees of a towed vehicle of \$1.50, and occasional average towing fee of \$17.50, and occasional body work.

It is also resolved that the mayor and director of finance are directed to issue an order-check to pay the claim on the filing of an affidavit of official interest by the interested official as required under Minn. Stat. § 471.89.

This resolution is passed to comply with the provisions of Minn. Stat. §§ 471.87-.89.  
April 3, 2023.

Councilmember Enderson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Landmark, Enderson. NAYES: None. ABSTAIN: Schreck. Thereupon the Mayor declared Resolution 2023-17 duly passed and adopted.

Councilmember Schreck offered the following resolution:

**RESOLUTION AUTHORIZATION TO EXECUTE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT  
EXCLUDING LAND ACQUISITION  
(RESOLUTION 2023-18)**

It is resolved by the City of Benson as follows:

1. That the state of Minnesota Agreement No. 1051709, "Grant Agreement for Airport Improvement Excluding Land Acquisition," for State Project No. A7601-38 at the Benson Municipal Airport is accepted.
2. That the Mayor and Director of Finance are authorized to execute this Agreement and any amendments on behalf of the City of Benson.

Councilmember Enderson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Landmark, Schreck Enderson. NAYES: Thereupon the Mayor declared Resolution 2023-18 duly passed and adopted.

Wolfington presented the state contract agreement with MnDOT Office of Aeronautics for the AWOS system for Council consideration. Wolfington said this project is a little different as the State is providing the equipment at no charge to the City. This is a state project with the State share of the project being \$7,500 and the City share is \$2,500. After discussion, it was moved by Landmark, seconded by Schreck and carried unanimously to authorize the Mayor and Director of Finance to execute the agreement as presented. Councilmember Landmark offered the following resolution.

**RESOLUTION AUTHORIZATION TO EXECUTE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT  
EXCLUDING LAND ACQUISITION  
(RESOLUTION 2023-19)**

It is resolved by the City of Benson as follows:

2. That the state of Minnesota Agreement No. 1053413, "Grant Agreement for Airport Improvement Excluding Land Acquisition," for State Project No. A7601-39 at the Benson Municipal Airport is accepted.
3. That the Mayor and Director of Finance are authorized to execute this Agreement and any amendments on behalf of the City of Benson.

Councilmember Schreck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Landmark, Schreck Enderson. NAYES: Thereupon the Mayor declared Resolution 2023-19 duly passed and adopted.

Alsaker reported she received the paperwork needed for the new 3.2% beer liquor application from Family Dollar store. It was moved by Landmark, seconded by Schreck and carried unanimously to approve the new 3.2% Beer Liquor License to Family Dollar in Benson.

Alsaker said we will need a special City Council meeting to canvass the Special Election being held on April 11, 2023. It was then moved by Schreck, seconded by Enderson and carried unanimously to approve a Special City Council meeting on Friday, April 14, 2023 at Noon to canvass the April 11, 2023 special election.

Councilmember Landmark offered the following resolution:

**CITY OF BENSON  
RESOLUTION ACCEPTING DONATIONS  
(RESOLUTION NO. 2023-20)**

**WHEREAS**, The City of Benson is generally authorized to accept gifts and bequests pursuant to Minnesota Statutes Section 465.03 and Minnesota Statutes Section 471.17 for the benefit of its citizens; and

**WHEREAS**, the following persons and entities have offered to contribute the cash amounts set forth below to the city:

**Coop Credit Union – 2<sup>nd</sup> Slide Donation - \$1,500**  
**Midwest Machinery Co – 2<sup>nd</sup> Slide Donation - \$500**  
**Stacey Hawley – Sweatshirt - \$30**  
**Kenneth Rohloff – Cemetery Memorial - Vera Lund - \$25**  
**Patrons – Fire Dept Fish Fry Fundraiser - \$1,424**  
**State Bank of Danvers – 2<sup>nd</sup> Slide Donation - \$1,000**  
**Benson Education Association – 2<sup>nd</sup> Slide Donation - \$100**  
**Centracare Benson- 2<sup>nd</sup> Slide Donation - \$200**  
**Swift County – Pool Features Grant - \$25,000**

**WHEREAS**, all such donations have been contributed to assist the various city departments and programs as allowed by law; and

**WHEREAS**, The City Council finds that it is appropriate to accept the donations offered.

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

1. The donations described above are accepted and shall be used to benefit the departments listed above, as allowed by law.

Councilmember Schreck seconded the foregoing resolution and the following vote was recorded:  
AYES: Evenson, Landmark, Schreck Enderson. NAYES: Thereupon the Mayor declared Resolution  
2023-20 duly passed and adopted.

Wolfington welcomed new City Manager Kyle Harris to his first official City Council Meeting.

There being no further business to come before the Council a motion was made by Enderson,  
seconded by Landmark and carried unanimously to adjourn the Council meeting at 6:31 p.m.

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Mayor

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City Clerk