

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING
CITY HALL
JUNE 3, 2024**

The meeting was called to order at 5:30 p.m. by Mayor Evenson. Members present: Jack Evenson, Dan Enderson, Chris Carruth, Mark Schreck, and Nancy Maanum. Members Absent: None. Also present: City Clerk Valerie Alsaker, Director of Finance Lisa Kent, City Manager Kyle Harris, Assistant City Attorney Stephen Kowal, Police Chief Ian Hodge, CEDA Representative Hillary Tweed, Kari Steinbeisser and Jack Mikkelson with Conway Dueth and Schmeising (CDS) and Reed Anfinson.

The Council recited the Pledge of Allegiance.

It was moved by Schreck, seconded by Carruth and carried unanimously to approve the agenda.

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

- May 20, 2024 City Council Minutes
- April 22, 2024 EDA Minutes
- Charter Communications Channel Changes
- Arbor Day Foundation Tree City Recognition
- Pioneerland Library System – 2nd Quarter Pay Request - \$25,636.75
- Lions Club of Benson Gambling Permit Application – October 2024

There was no one with unscheduled business.

Patrick's Pub & Grill submitted a request to the City Council about their annual Kid Day weekend, and the desire to hold a street dance on Friday, July 19th, 2024. They will also be holding a bean bag tournament the next day. They requested closing 13th St. S. between Kansas and Pacific Avenues Friday and Saturday of Kid Day weekend. They said the events will be run exactly as they have the past several years. It was moved by Maanum, seconded by Carruth and carried unanimously to approve Patrick's Pub and Grill's request to close 13th St. S. between Kansas & Pacific Avenues from 6 a.m. July 19 – 8 p.m. July 20, 2024 for their street dance and bean bag tournament.

The Mayor called on Kari Steinbeisser to present the City Audit for 2023. Steinbeisser went through a power point presentation showing changes in fund balances from the prior year. Their audit report shows an unqualified opinion. A motion was made by Schreck and seconded by Enderson to accept the 2023 Audit for the City of Benson. The following vote was taken: AYES: Enderson, Schreck, Carruth, Maanum, Evenson. NAYES: None. The motion carried unanimously.

Chief Hodge presented an agreement with the State of Minnesota for a Joint Powers Agreement with the Minnesota Internet Crimes Against Children Task Force. He said this agreement is a reaffirmation of a previous agreement and is asking for approval to continue this work. After discussion, Councilmember Carruth offered the following resolution:

**CITY OF BENSON
RESOLUTION NO. 2024-09**

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS
WITH THE CITY OF BENSON ON BEHALF OF ITS POLICE DEPARTMENT REGARDING
THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)**

WHEREAS, the City of Benson on behalf of its Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation on children that is committed and/or facilitated by or through the use of computers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Benson, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Benson on behalf of its Police Department, are hereby approved. A Copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.
2. That the Chief of Police – Ian D. Hodge, or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City’s connection to the systems and tools offered by the State.
3. That Jack Evenson -, the Mayor for the City of Benson, and Kyle Harris, the City Manager, are authorized to sign the State of Minnesota Joint Powers Agreements.

Councilmember Maanum seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Maanum, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2024-09 duly passed and adopted.

Next was a request for support from the Pioneerland Band Festival Committee for the annual Parade on June 14, 2024. After discussion, it was moved by Schreck, seconded by Enderson and carried unanimously to approve supporting the 2024 Pioneerland Band Festival in the amount of \$3,500.00 to be paid out of Tourism dollars.

Harris presented a pay request from Marcus Construction on the repairs done to the north side of the power plant wall in 2023. After discussion, it was moved by Schreck, seconded by Carruth and carried unanimously to approve the pay request from Marcus Construction in the amount of \$26,650.00.

Harris presented for discussion an amendment to the EDA Enabling Resolution of 1990. He said his predecessor said the enabling resolution gave the EDA much more power they have now due to an amendment in 1993, which in part does not allow the current EDA authority over Tax Increment Financing, or to approve economic development loans over \$100,000 without City Council approval. Harris went on to present a resolution modifying Resolution No. 90-23 to further modify and expand the powers of the EDA, which states the EDA would be responsible for the Economic Development fund, Shares and proceeds of the CVAC stock and Small Cities Development Program fund. Harris said this gives the EDA more tools in their economic development toolkit. He said there will be follow-up staff meetings and a possible public hearing if the Council wishes to move forward with the proposed resolution in today’s packet. Assistant City Attorney Kowal reviewed the resolution and said he could

read off the list of powers to which Councilmember Schreck asked him to email this to the Council members. Harris said since this is a resolution, if Council felt the EDA is going astray from City priorities, the City Council can hold a special meeting and suspend or revoke this resolution essentially taking the authority away from the EDA. It is hoped with two members from the City Council on the EDA board, they would help to oversee EDA business, keeping them on track with the proposed resolution amendment.

Mayor Evenson reminded everyone of the upcoming Music in the Park event on Thursday, June 6, 2024 at Roosevelt Park 5:30 – 8:00 p.m.

There being no further business to come before the Council a motion was made by Maanum, seconded by Carruth and carried unanimously to adjourn the Council meeting at 6:08 p.m.

Mayor

City Clerk