

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING
CITY HALL
JULY 10, 2023**

The meeting was called to order at 5:30 p.m. by Mayor Evenson. Members present: Mark Schreck, Jack Evenson, Dan Enderson, Chris Carruth, Nancy Maanum. Members Absent: None. Also present: Director of Finance Lisa Kent, City Clerk Valerie Alsaker, Public Works Director Dan Gens, City Manager Kyle Harris, Police Chief Ian Hodge, City Attorney Don Wilcox, Stephan Kowal, Mike McLaughlin, Melissa Thompson and Reed Anfinson.

The Council recited the Pledge of Allegiance.

The Mayor asked for any additions to the agenda. Moratorium on B-2 property and Liquor Permit for Shamrock Hest Riding Club was added. It was moved by Schreck, seconded by Carruth and carried unanimously to approve the amended agenda.

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

- June 26, 2023 City Council Minutes
- Charter Communications programing changes and new fees
- Gambling Permit – Lion’s Club of Benson Raffle October 1, 2023
- Electronic Transfers:
Payroll: June 15 2023 - \$123,338.43
June 29, 2023 - \$112,109.44

Mayor Evenson asked for anyone with unscheduled business

Mike McLaughlin approached the Council to discuss a bill he received from the City for work on a piece of property he owns along Gusty’s Road. He said last year there was ditch work being done east of his property. He did not want a swale on the north side of his property and asked for a culvert instead. He said he talked to the project foreman about the cost to change this, to which he said it would cost \$2,000. He went on to talk to then City Manager Glen Pederson. Now he received a Bill for \$10,000. He stated he only agreed to pay for the pipe. He is disputing the bill. Mayor Evenson said he would work with staff and McLaughlin to come to a settlement.

Wilcox introduced Stephen Kowal. He said he is taking over his practice eventually. He then asked the Council to appoint Kowal as the assistant City Attorney. After discussion, it was moved by Schreck, seconded by Enderson and carried unanimously to appoint Kowal as the new Assistant City Attorney.

Next Harris presented a Conditional Use Permit for a garage larger than allowed at 1735 Denfeld Drive. He said the Planning Commission held a public hearing at noon today to review the permit. The applicant would like to build a 1,176 sq. ft. detached garage. 1,000 sq. ft. is currently allowed by ordinance. No public comment was received either for or against the project. After discussion, it was moved by Carruth, seconded by Enderson and carried unanimously to approve the conditional use permit at 1735 Denfeld Avenue for the garage as presented.

Tweed approached the Council. She discussed the Swift County Demolition Program, and the request from Riverview LLP, Construction. for funds. A few years ago, Swift County and the City of Benson got together and designed a program to assist with demolition of blighted properties in disrepair. Riverview would like to demolish the property at 212 – 16th St. S., and build a new home. The City’s

share of the incentive to demolish blighted properties is \$2,500. Once the Council approves an application, then a second matching fund request goes to Swift County for review. The City of Benson must approve first in order for someone to be able to apply for County funding. If the County approves the party will receive a total of \$5,000 toward the demolition costs of the house. After discussion, it was moved by Enderson, seconded by Maanum and carried unanimously to approve the application request to Riverview LLP Construction in the amount of \$2,500.

Next was a memorandum of request to purchase a new HVAC unit for City Hall. The unit that services the City Council Chambers and adjacent hallway quit working. The unit currently on the roof is of the 1970 era. Options for replacement would be to try repairing the motor, using split unit heat pump or replacing both heating and cooling. He received two estimates of cost from Hawley's for two options. After reviewing all the options, Harris recommended the total HVAC replacement. It was then moved by Enderson, seconded by Schreck and carried unanimously to approve the purchase of a Bryant 5-ton roof top unit 13.6 seer from Hawley's Inc. in the amount of \$12,987.00.

Two pay requests were next. Both were purchases from the bond proceeds. The first is from Total Control Systems for wastewater SCADA and Control updates. It was moved by Schreck, seconded by Carruth and carried unanimously to approve the pay request from Total Control Systems in the amount of \$48,981.94.

A second pay request included in the bond from MRES for a one-time load control hosting fee included in the AMI quote previously approved. It was moved by Carruth, seconded by Enderson and carried unanimously to approve the pay request from MRES in the amount of \$10,000.00.

Next on the agenda was a resolution accepting donations. The Council discussed current donations to various projects. Councilmember Schreck offered the following resolution:

**CITY OF BENSON
RESOLUTION ACCEPTING DONATIONS
(RESOLUTION NO. 2023-24)**

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:

Patrons – Fire Dept Fish Fry Fundraiser - \$1,638
Agralite Electric Cooperative – Fire Department Grant - \$1,500
Galen Hanson Grant Fund – Police Go Buckets Grant - \$3,383.02
Edna Hermes – Fire Donation - \$100
Benson Area Community Foundation – Kid Day Grant - \$4,420.90
Robert Sonsteng Memorial Fund – Kid Day Grant - \$2,579.10
CVEC – 2nd Slide Donation - \$250
Agralite Electric Cooperative – 2nd Slide Donation - \$2,000
Agralite Electric Cooperative – 2nd Slide Donation - \$2,000
Dennis McManus – 2nd Slide Donation - \$100
Patrons – 2nd Slide Donation - \$610

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 Carruth seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Maanum, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2023-24 duly passed and adopted.

Kent approached to present the financial software hosting and technology support services agreement with Avenu. She stated this agreement is for our current accounting and billing software. Even though we have the option to automatically renew for two additional years, we can also opt out with a 90-day notice to them. We are looking at new software and when we move forward with another accounting program, the change over will take 9-12 months. After discussion, it was moved by Carruth, seconded by Maanum and carried unanimously to approve the renewal with Avenu September 1, 2023 – August 31, 2024 with two years automatic renewal option in the amount of \$31,001.54.

The May 2023 budget report was reviewed.

Harris informed the Council about the dip in the road dig at the corner of Wisconsin Avenue and Hwy 29 that started today. It was discovered the problem was from a 48” storm water line with a separation in the pipe that was leaking. There was also discovered a similar situation at this location with a sanitary sewer pipe. He has plans to slip line it at a later time. He continued the street is already put back together and black top is going in now. The street will be reopened yet this evening. He discussed there could be a costlier repair in the future and discussed the possibility of assigning an emergency declaration. That wasn't needed with today's repair. Harris went on to discuss when a repair is needed on a piece of equipment or infrastructure which exceeds his spending authority should we have a resolution or some kind of language giving the City Manager the authority to approve these kinds of purchases that happen between City Council meetings. Wilcox said the spending authority is outlined in the City Charter which is hard to change. An ordinance is easier to change and he can provide specific language addressing this at for the next meeting.

Thompson addressed the Council. She said Shamrock Hest Riding Club is having the annual Ranch Rodeo this coming weekend and the rodeo groups that come in would like to have a beer after they ride. The Riding Club does not promote, sell or advertise alcohol consumption. But in other rodeo locations this is common practice. She said everything will be the same as last year. After discussion, it was moved by Carruth, seconded by Maanum and carries unanimously to approve liquor consumption on the horse arena grounds for the Ranch Rodeo on July 15, 2023.

Harris and Tweed approached the Council to discuss the B-2 zoning district that begins at 15th St. N. and runs west on the north side of the highway to the Golf Course. This is all currently zoned B-2. There is a property coming up for auction along this corridor soon, and right now if someone purchased the lot with the intentions of demolishing it to rebuild another house, that is not permitted in a B-2 zone. Many years ago, this was zoned B-2 in anticipation of small businesses moving into the strip of land. This has not happened. With the housing shortage, it might be worth taking a look at rezoning. Harris said he was approached by a party to purchase a lot the City owns along this strip to put in a storage unit. He informed them until our comprehensive plan is complete, we will not be selling any of our property. Harris proposed a moratorium on any building along this strip of B-2 property until the comprehensive plan is complete. There was discussion on the current businesses located along the strip of land. Wilcox

said he will have language on a moratorium on the aforementioned property for the next City Council meeting and will work with staff to hold a public hearing on the moratorium.

There being no further business to come before the Council a motion was made by Schreck seconded by Maanum and carried unanimously to adjourn the Council meeting at 6:19 p.m.

Mayor

City Clerk