

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING  
CITY HALL  
JULY 24, 2023**

The meeting was called to order at 5:30 p.m. by Mayor Evenson. Members present: Mark Schreck, Jack Evenson, Chris Carruth, Nancy Maanum. Members Absent: Dan Enderson. Also present: Director of Finance Lisa Kent, City Clerk Valerie Alsaker, Public Works Director Dan Gens, City Manager Kyle Harris, Police Chief Ian Hodge, CEDA Representative Hillary Tweed, City Attorney Don Wilcox, Assistant City Attorney Stephan Kowal, Robert Simonson and Reed Anfinson.

The Council recited the Pledge of Allegiance.

The Mayor asked for any additions to the agenda. A pay request from Joe Riley Construction & a pay request from Craig's Inc. was added. Also, City Manager Harris asked to change item #6 to an action item instead of an information only item. 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:

- July 10, 2023 City Council Minutes
- March 13, 2023 Planning Commission Minutes
- June 12, 2023 EDA Minutes
- Pioneerland Library System 2024 Fee Increase
- Xcel Grant Quarterly Report June 2023
- Electronic Transfers:  
Payroll: July 13, 2023 - \$136,819.53  
Journal entries: June 2023 - \$2,100,245.64

Mayor Evenson asked for anyone with unscheduled business. Robert Simonson said he was here to listen to discussion on the moratorium discussion on his property. He also mentioned he hasn't heard anything on the damaged grave stone he discussed a month ago with City Council. The Mayor said there will be a public hearing on August 7, 2023 for the public to voice their opinion. Simonson thanked the Council.

Next was the moratorium on any building in the B-2 Business District, along Hwy 9 west, on the north side of the road. When the table of zoning uses was set many years ago, it was hoped these homes would become small business venues right along the highway. This never transpired. If a party bought a lot along this strip of land, they could not build a house how it is currently zoned. After discussion, the Council set a public hearing for August 7, 2023 to take testimony for or against rezoning the aforementioned strip of land.

Harris presented a letter from the Swift County Assessor stating some properties in the city have been forfeited to the State of Minnesota for non-payment of property taxes. Swift County is offering the following parcels to the City of Benson at a cost of \$250.00 each for a conditional use deed conveyance or for public auction. The first parcel is 703 – 15<sup>th</sup> St S., the second is parcel #23-1057 and third is 1004 – 13<sup>th</sup> St. N. If the City purchases these parcels, they must serve a public purpose. Harris said he would like to see these parcels go back onto the tax rolls. After discussion, Council decided to look at the properties before making a decision if the City would like to obtain these properties. Deadline for our response is September 18, 2023.

Next was a pay request from Morris Seal Coat. Gens said this pay request is for hauling the chips for chip sealing over to Benson. It was moved by Schreck, seconded by Maanum and carried unanimously to approve the pay request from Morris Chip Seal in the amount of \$10,683.96.

Tweed presented 2024 enrollment information from the Benson Corn Pool. The Benson EDA is a shareholder in CVEC's corn pool. She didn't see any reason for any changes from previous years practice, but any changes the City wishes to make needs to be done by August 1, 2023.

Harris presented a pay request from Crow River Construction. This is a bill for work done on our recent storm sewer repair at the corner of Wisconsin Ave. and 14<sup>th</sup> St. S. After discussion it was moved by Carruth, seconded by Maanum and carried unanimously to approve the pay request from Crow River Construction in the amount of \$6,450.00

Harris said Magney Construction is close to wrapping up the clearwell project, hopefully in September of 2023. He presented pay request #12 for Council consideration. It was moved by Carruth, seconded by Schreck and carried unanimously to approve pay request #12 from Magney Construciton in the amount of \$93,397.35.

Harris gave an update on the wastewater plant upgrade. He said Magney, based on Stantec Engineering's plans, drilled methane collection pipes, and found the pipes were void of any methane. Harris stated he reached out to the engineer, but he is out for a week. We are bumping up against the digester being full. We also will need to write a check to Stantec to keep this project moving. Harris said he will discuss with Stantec our compensation for their error. Mangey Construction feels they can repair the error and place the vent pipes in the proper spot. Harris recommended approval of Magney's proposal as presented. After discussion, it was moved by Schreck, seconded by Carruth and carried unanimously to approve the proposal from Magney Construction in the amount of \$12,763.23.

Kent presented the annual property assessments from Swift County. It was moved by Maanum, seconded by Schreck and carried unanimously to approve the Swift County assessment bill in the amount of \$21,303.00.

The June 2023 budget report was reviewed.

It was moved by Schreck, seconded by Maanum and carried unanimously to approve bills and warrants in the amount of \$643,523.05.

Harris presented a pay request from Joe Riley Construction for paving over the storm sewer repair on Wisconsin Ave. and 14<sup>th</sup> St. S. After discussion, it was moved by Schreck, seconded by Carruth and carried unanimously to approve the pay request from Joe Riley Construction in the amount of \$7,135.92.

Finally, Harris presented a bill from Craig's Refrigeration for work on the pool heaters in 2022. The Council approved a partial payment last fall in the amount of \$20,000. The current bill is for \$40,998.27. Craig's said the replaced heaters have a warrantee on them. He is waiting to hear from the manufacturer. The expected warrantee amount will be for \$21,277.26. After discussion, it was decided to pay the bill less the warrantee amount. It was moved by Maanum, seconded by Schreck and carried unanimously to pay Craig's Inc. in the amount of \$19,721.01.

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 5:47 p.m.

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Mayor

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City Clerk