

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

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

The Council recited the Pledge of Allegiance.

The Mayor asked for any additions to the agenda. A pay request from Magney Construction was added. It was moved by Enderson, seconded by Maanum and carried unanimously to approve the amended agenda.

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

- July 24, 2023 City Council Minutes
- April 25, 2023 Park Board Minutes
- April 25, 2023 Library Board Minutes
- July 25, 2023 Library Board Minutes
- Electronic Transfers:  
Payroll: July 25, 2023 - \$118,927.52

Mayor Evenson asked for anyone with unscheduled business, to which there was no one.

Mayor Evenson then opened the Public Hearing at 5:31 p.m. to consider an interim moratorium on building in a B-2 District on the north side of Atlantic Avenue, between 15<sup>th</sup> St. N. and the Golf Course. Tweed approached to explain this would be in place for up to one year to allow time to review zoning in this area. As it is currently zoned, there are a lot of houses along this strip of land that were grandfathered into the B-2 District. It has come to our attention, if someone wanted to build a home on an empty lot in a B-2 District, it is not permitted. If one of the homeowners sells their home, it could affect the new owner's mortgage. A letter from a concerned resident in this particular area was given to the Council, in support of either rezoning to a residential or consider mixed use zoning. Tweed said by placing the moratorium on this strip of land, it will give the Planning Commission time to review possibly rezoning the area, which will coincide with the City's Comprehensive Plan which is currently being updated. Carruth asked if the moratorium can be ended early to which Tweed said yes, if a decision is made on the zoning earlier than a year, the moratorium can be lifted. The Mayor closed the public hearing at 5:38 p.m. After further Council discussion, it was moved by Carruth, seconded by Maanum and carried unanimously to approve the 1<sup>st</sup> Reading of a Resolution to Approve Interim Ordinance in a B-2 District.

Mikkelson approached the Council. She said last year the City gave her their blessing to move forward with a fundraising campaign to raise money for a second slide at the pool, which was part of the original plan. They have not raised as much money as they had hoped to date. After tonight's meeting, their committee plans to continue with new fundraising events. She said she has had citizens ask what the City will contribute to the fundraising campaign. She said she had talked to Councilmember Enderson who was concerned if the committee gets enough to order the slide, and fails to raise any more money, can the order be cancelled. She then asked if the City could contribute something either by donating or matching funds. Evenson said the City has close to \$1 million in deferred maintenance on the pool, and feels that is the Council's first priority. He went on to say when the pool is drained at the end of August or

early September, we will have the company that is coming to ensure proper shut down of the pool assess what needs to be done to the pool. Until we have that report, the Council is unprepared to act on any contributions to the fundraiser. The last assessment of pool maintenance repairs was done in 2018. Enderson and Mikkelson asked for a copy of that assessment, to which Harris stated he would email it to them.

Harris brought a letter from the Swift County Assessor, offering 4 parcels of land that went to the State for tax forfeiture. He said our options are to either consider obtaining these parcels, or offering them back to the County for public auction. If the Council should consider obtaining these parcels, they can only be used for public purpose such as trails, road right of way, public parking and civil recreation. Harris said parcel #23-1447-075 looks to be, on the Swift County GIS program, part of East Pacific Avenue or Gusty's Road. Harris made the recommendation we let the other parcels go back to the County for auction, and hold onto the East Pacific Avenue parcel until we can further investigate what area this specific parcel includes. After discussion, it was moved by Carruth, seconded by Maanum and carried unanimously to approve the classification of Non-Conservation on the following parcels of land: 23-0913-000, 23-1057-000, 23-1359-000, 23-1447-075. It was then moved by Enderson, seconded by Carruth and carried unanimously to approve returning the following parcels back to the County for public auction: 23-0913-000, 23-1057-000, 23-1359-000. Harris said he will bring information on the chain of custody on parcel 23-1447-075 to the next meeting.

Next Harris presented the terms of the recently negotiated LELS contract to the Council. He said he, Kent and Hodge all entered into negotiations with LELS personnel for a two-year contract. After comparing our wages to other towns our size, we were well below other police departments. He presented the two-year increase which will put our department wages in the middle of other departments. Upping longevity pay and uniform allowance, and a free gym membership were also part of the proposal, along with language for the Juneteenth Holiday. Harris recommended approval of the terms of the proposal. After discussion, it was moved by Carruth, seconded by Maanum and carried unanimously to approve the LELS contract proposal for 2024–2025 as presented.

Next Tweed approached the Council to discuss engineering done by WSB on the south industrial park. She said Council needs to have a work session to give direction on how to proceed with the south industrial park. She said WSB offered to bring their economic development person to facilitate a work session and lay it all on the table. This will give us a better idea what it takes to build an industrial park. Enderson said he would like a better understanding of the Xcel dollars. After discussion, the Council agreed to have a work session after the City Council meeting on August 21, 2023.

Tweed said the bus tour for tonight is cancelled, due to the rescheduling of the City Council meeting from August 7 to August 10, 2023.

It was moved by Carruth, seconded by Enderson and carried unanimously to approve pay request #13 from Magney Construction for work on the Clearwell project in the amount of \$92,533.40

There being no further business to come before the Council a motion was made by Carruth seconded by Maanum and carried unanimously to adjourn the Council meeting at 6:20 p.m.

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Mayor

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City Clerk