

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING
CITY HALL
SEPTEMBER 23, 2024**

The meeting was called to order at 5:30 p.m. by Mayor Evenson. Members present: Jack Evenson, Nancy Maanum, Gary Landmark and Dan Enderson. Members Absent: Chris Carruth. Also present: City Clerk Valerie Alsaker, Director of Finance Lisa Kent, Public Works Director Elliot Nelson, City Manager Kyle Harris, City Attorney Stephen Kowal, CEDA Representative Hillary Tweed, Tim Miller with MRES, Police Chief Ian Hodge and Rob Wolfington. Present Telephonically: Reed Anfinson.

The Council recited the Pledge of Allegiance.

The Mayor said the Council will go into closed session pursuant to Minnesota Statute Sec. 13D.05, Subdivision 3A to discuss the job performance of City Manager Kyle Harris, an employee subject to this Council's authority. The Mayor then said unless Harris wants the review to remain an open review. Harris said he wanted the review to be an open review. The Mayor then said the Council would like to discuss the City Manager's job performance. The personnel committee would like to discuss with the Council the termination of Harris's contract. Harris is an "at will" employee and the termination would be a "not for cause" decision. The information the personnel committee has received from staff is Harris is not a good fit in the City Manager position, his colleagues and subordinates appear to not respect him, he is not effectively leading City staff and there is no belief his performance will improve with additional time in the position. With that it was moved by Landmark, seconded by Enderson and carried unanimously to terminate Harris as City Manager effective immediately. Harris thanked the Council and left the meeting.

The Mayor asked to add appointing Rob Wolfington as City Manager, with the Personnel Committee meeting after the council meeting to review terms of his contract, and also add City Account check signers to the agenda. It was moved by Enderson, seconded by Maanum and carried unanimously to approve the amended agenda.

Next was the consent agenda. It was noted the CentraCare Community Conversation meeting day is Friday, September 27, 2024, not Monday, September, 27, 2024. It was moved by Landmark, seconded by Maanum and carried unanimously to approve the consent agenda with the noted correction.

Wolfington as the MRES ambassador to Benson introduced Tim Miller with MRES. Miller approached and presented the Benson Municipal Utilities Electric Rate Study. Miller said this study has been in process for about a year. He gave a slide presentation, explaining what the study revealed for future suggested electric rates, a break-out of total energy used by our customers, Benson's power suppliers and forecasted purchased power costs, transmission and how our capital budget impacts rates. The Council thanked Miller for the in depth study and for coming out to present it.

Hodge approached and presented the annual resolution for the "Toward Zero Deaths" Grant we receive for extra enforcement on roads. He went on to say Benson PD, Swift County Sheriff, Appleton PD and Big Stone PD all participate in the program as a partnership. Our portion of the grant goes for officer wages. Enderson offered the following resolution:

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT
(RESOLUTIUN 2024-15)**

Be it resolved, that the Benson Police Department enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety enforcement projects during the period from October 1, 2024 through September 30, 2025.

The Benson Police Chief is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Benson Police Department and to be the fiscal agent and administer the grant.

Councilmember Landmark seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Landmark, Enderson, Maanum. NAYES: None. Thereupon the Mayor declared Resolution 2024-15 duly passed and adopted.

Nelson approached to discuss two quotes to haul sludge from the wastewater plant. He stated we haul 300,000 gallons each year. In the past, our employees have spread the sludge on the field, but our spreader became unusable. We have worked with Starbuck by using their spreader trailer in exchange for use of some of our equipment, and we would rent a tractor. The cost has gone up significantly with tractor rentals. In researching the best way to haul sludge, we obtained two quotes from companies that do this. Nelson presented the following quotes:

- Dahl Waste Handling LLC - \$15,550
- Minnesota Pumping - \$22,500

Nelson went on to say it took us 2 weeks last year to haul, and with one of the above companies, it will take three days. After discussion, it was moved by Landmark, seconded by Maanum and carried unanimously to approve the quote from Dahl Waste Handling LLC in the amount of \$15,550.

Nelson presented a pay request from Craig's, Inc. for work on the power plant generator fuel lines. He went on to say when we installed a new fuel tank, we installed a new pump and fuel lines that feed into each generator. Unfortunately, the fittings were not fuel tight and they have been leaking fuel. The only company that would replace the fittings was Craig's. The fittings were ordered 2-3 years ago. The project was completed this summer. After discussion, it was moved by Maanum, seconded by Enderson and carried unanimously to approve Craig's Inc. pay request in the amount of \$14,275.32.

Next Nelson presented a pay request from DM Electric for work they have completed on the overhead to underground project. In the past, these bills came in monthly, but DM submitted one bill for the work they have completed so far this year. After discussion it was moved by Landmark, seconded by Maanum and carried unanimously to approve the pay request from DM Electric in the amount of \$15,933.00.

Enderson said the Hospital District Board is comprised of nine members: six appointed by the County Commissioners, three by the City Council. The County has no term limits on their board members, where the City has a term limit of two consecutive three year terms before having to sit off a year. He went on to say he would like to have the City follow suit with the County and eliminate term limits. The Hospital District no longer has hospital oversight decisions to make. Eliminating the term limits would also be easier to find board members, and long term board members know the history of the hospital. Wolfington said since the Hospital District Board is in an advisory position, he does not see a

Charter Change necessary, but sees this as possibly by Council Approval. We will need to research and present at the next Council meeting.

Councilmember Maanum offered the following resolution:

**CITY OF BENSON
RESOLUTION ACCEPTING DONATIONS
(RESOLUTION NO. 2024-16)**

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:

Jax of Benson – Kid Day Donation - \$25.00
Abner Sales – Kid Day Donation - \$400.00
Benson Family Eye Care – Kid Day Donation - \$50.00
Benson Lions Club – Kid Day Donation - \$250.00
DM Electric LLC – Kid Day Donation - \$200.00
Hawleys Inc – Kid Day Donation - \$100.00
Letendre Insurance – Kid Day Donation - \$100.00
Patron – Kid Day Donation - \$25.00
Shamrock Hest Riding Club – Kid Day Donation - \$25.00
Southside Body Shop – Kid Day Donation - \$250.00
Stony Ridge Foods – Kid Day Donation - \$300.00
Wallace Auto & Collision – Kid Day Donation - \$100.00
Don’s Flooring – Kid Day Donation - \$100.00
Alan Jacobson – Kid Day Donation - \$50.00
Mick Quinn Insurance – Kid Day Donation - \$250.00
Cherie Stielow – Kid Day Donation - \$50.00
Patrons – Small Town Tshirt Sales - \$197.00
T & K Kennedy Excavation – Kid Day Donation - \$50.00
Sonsteng Foundation – Kid Day Donation - \$7,000.00
Kenneth Rohloff – Cemetery Donation - \$25.00
Benson Hockey Association – Kid Day Donation - \$25.00
Kyle Harris – National Night Out Donation - \$150.00
Sandra Nelson – Cemetery Donation - \$30.00

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 Landmark seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Landmark, Enderson, Maanum. NAYES: None. Thereupon the Mayor declared Resolution 2024-16 duly passed and adopted.

It was moved by Enderson, seconded by Maanum and carried unanimously to approve the bills and warrants in the amount of \$579,437.77.

Kent presented the revised preliminary budget. At the last meeting, the proposed levy was at 25.6%. With revisions we are looking at a 12% levy increase. Kent explained some changes in expenses and a possible Electric Utility transfer to help keep the levy down. There are some left over general funds that we can use to bring this lower. She went on to say with the Water tower project, and pool repairs she is looking at issuing bonds in 2025. We still have some small cities assistance money to work with. Finally she reminded the Council this is not the final levy, and we will work to refine the budget before the final levy in December. Council member Landmark offered the following resolution:

**RESOLUTION ADOPTING PROPOSED 2024 PROPERTY
TAX LEVY, COLLECTIBLE IN 2025
(RESOLUTION NO. 2024-17)**

BE IT RESOLVED by the City Council of the City of Benson, County of Swift, Minnesota that the following proposed sums of money be levied for the current year, collectible in 2025, upon the taxable property in the City of Benson, for the following purposes:

General Fund Levy	\$558,987
Police Personnel	1,014,520
Library Fund Levy	165,674
G.O. CIP Bonds 2014 - Street Garage	69,990
G. O. CIP Bonds 2017 - Police Department	86,956
G.O. Equipment Bond 2023 – Police Department	<u>14,469</u>
Total	\$1,910,596

BE IT FURTHER RESOLVED that the City Council will hold its Truth in Taxation Hearing on Monday, December 2, 2024 at 6:00 p.m. in the Benson City Council Chambers. Comments may be made by calling 320-843-4775, email to staff@bensonmn.org or by postal mail to 1410 Kansas Avenue, Benson, MN 56215.

Councilmember Maanum seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Landmark, Enderson, Maanum. NAYES: None. Thereupon the Mayor declared Resolution 2024-17 duly passed and adopted.

Councilmember Maanum offered the following resolution:

**RESOLUTION CERTIFYING THE PROPOSED GENERAL FUND OPERATING BUDGET
FOR THE CALENDAR YEAR 2025 FOR THE CITY OF BENSON, MINNESOTA
(RESOLUTION NO. 2024-18)**

BE IT RESOLVED, that the proposed Operating Budget for the General Fund of the City of Benson, Minnesota, for the fiscal year beginning January 1, 2025 and ending December 31, 2025 is hereby approved.

BE IT FURTHER RESOLVED, that the budget is summarized as follows:

<u>Revenues</u>	
Taxes - General	\$1,573,507
Taxes - Library	165,674
State Grants and Aids	1,702,490
Other Revenues	<u>956,805</u>
Total Revenues	\$4,398,476

<u>Expenditures</u>	
General Government	\$471,100
Public Safety	1,649,621
Highways, Streets and Roads	858,600
Parks and Recreation	627,675
Public Transit	12,000
Public Library	168,374
Capital Outlay	386,656
Other Expenditures	<u>224,450</u>
Total Expenditures	\$4,398,476

Excess (Deficiency) of Revenues over Expenditures **\$0**

Councilmember Enderson seconded the foregoing resolution and the following vote was recorded:
 AYES: Evenson, Landmark, Enderson, Maanum. NAYES: None. Thereupon the Mayor declared
 Resolution 2024-18 duly passed and adopted.

It was moved by Landmark, seconded by Maanum and carried unanimously by Council to direct
 the personnel committee to enter into contract negotiations with Rob Wolfington as the interim City
 Manager.

With the termination of Kyle Harris and appointment of interim City Manager, Rob Wolfington,
 Kent asked City Council to designate check signers on City accounts. It was moved by Enderson,
 seconded by Maanum and carried unanimously to authorize the following as check signers on all
 accounts: Mayor Jack Evenson, Director of Finance Lisa Kent, City Manager Robert Wolfington.
 Additional check signers on accounts to include Incidental Fund: Valerie Alsaker and Sara Jensen, and
 Sara Jensen on the Hospital Fund.

There being no further business to come before the Council a motion was made by Enderson,
 seconded by Maanum and carried unanimously to adjourn the Council meeting at 6:58 p.m.

 Mayor

 City Clerk