

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING  
CITY HALL  
JANUARY 2, 2024**

The meeting was called to order at 5:30 p.m. by Mayor Evenson. Members present: Jack Evenson, Chris Carruth, Mark Schreck, Dan Enderson, 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, Public Works Director Elliot Nelson, CEDA Representative Hillary Tweed and Reed Anfinson.

The Council recited the Pledge of Allegiance.

The Mayor asked for any changes to the agenda. To which there were none. It was moved by Schreck, seconded by Maanum and carried unanimously to approve the agenda.

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

- December 18, 2023 City Council Minutes
- Charter Communications Upcoming Price Changes
- Electronic Transfers:  
Payroll: December 28, 2023 - \$90,233.23

There was no one with unscheduled business.

Next was City Council Appointments. It was then moved by Maanum, seconded by Carruth and carried unanimously to approve the following City Council Appointments:

**Chain of Command:**

Jack Evenson [Mayor]  
Mark Schreck [Mayor Pro-Tem]  
Dan Enderson  
Chris Carruth  
Nancy Maanum  
Dan Enderson and Chris Carruth  
Dan Enderson and Jack Evenson  
Mark Schreck and Jack Evenson  
Nancy Maanum  
[Council opted to leave one spot open]  
Jack Evenson  
Dan Enderson and Gary Landmark

**Blight Committee:**

**EDA:** [Voting Members]

**Fire Board:**

HRA: [Voting Members]

**Library Board:** [Council Liaison]

**Liquor Committee:**

**Park Board:**

Voting Member

Council Liaison

Chris Carruth  
[Council opted to leave this position open in  
2022]

**Personnel Committee:**

**Planning Commission:** [Voting Member]

**Utility Committee:**

**Facilities Committee:**

Mark Schreck and Jack Evenson  
Jack Evenson and Dan Enderson  
Jack Evenson and Mark Schreck  
Mark Schreck and Jack Evenson

<b>Civic Center Board:</b>	Dan Enderson
<b>Kid Day Committee:</b>	Dan Enderson and Jack Evenson
City Attorney (Civil):	Don Wilcox
Assistant City Attorney (Civil)	Steven Kowal
Prosecuting Attorney (Criminal):	Danielle Olson

It was moved by Enderson, seconded by Schreck and carried unanimously to designate the Monitor News as the official newspaper in 2024.

It was moved by Enderson, seconded by Maanum and carried unanimously that state banks, national banks, and thrift institutions located either within or outside the State of Minnesota that qualify as depositories under Minnesota Law are hereby designated as depositories for the City of Benson.

It was moved by Schreck, seconded by Carruth and carried unanimously to authorize the following as check signers on all accounts: Mayor Jack Evenson, Director of Finance Lisa Kent, City Manager Kyle Harris. Incidental Fund: Valerie Alsaker and Kylee Collins and Kylee Collins on the Hospital Fund.

It was moved by Enderson, seconded by Schreck and carried unanimously to approve the City of Benson Electronic Funds and Wire Transfers Policy as presented.

Mayor Evenson noted there are openings on the following Boards and Commissions: Park Board, Cemetery Board, Airport Commission EDA, Library Board and Planning Commission.

Councilmember Maanum offered the following resolution:

**RESOLUTION DESIGNATING AUTHORIZED REPRESENTATION  
(RESOLUTION NO. 2024-01)**

WHEREAS, THE Governing body of the City of Benson, Minnesota has entered into an agreement to establish The **Missouri Basin Municipal Power Agency, d.b.a. Missouri Rivers Energy Services (MRES)**, and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of MRES.

NOW, THEREFORE, BE IT RESOLVED that Robert Wolfington be and is hereby authorized and appointed as the representative of the City of Benson, Minnesota, to represent the Municipal Utility in the business of MRES, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Jack Evenson, is hereby authorized and appointed with equal powers.

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 2024-01 duly passed and adopted.

Councilmember Schreck offered the following resolution:

**RESOLUTION DESIGNATING AUTHORIZED REPRESENTATION  
(RESOLUTION NO. 2024-02)**

WHEREAS, THE Governing body of the City of Benson, Minnesota has entered into an agreement to establish The **Western Minnesota Municipal Power Agency (WMMPA)**, and as a

member thereof is entitled to a representative who shall represent the Municipal Utility in the business of WMMPA.

NOW, THEREFORE, BE IT RESOLVED that Robert Wolfington be and is hereby authorized and appointed as the representative of the City of Benson, Minnesota, to represent the Municipal Utility in the business of WMMPA, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Jack Evenson, is hereby authorized and appointed with equal powers.

Councilmember Carruth seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Maanum, Enderson, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2024-02 duly passed and adopted.

Councilmember Schreck offered the following resolution:

**RESOLUTION TO CONTRACT FOR SALE OF  
SURPLUS, OBSOLETE OR UNUSED EQUIPMENT  
(RESOLUTION NO. 2024-03)**

**WHEREAS**, the City of Benson has a need from time to time to sell surplus, obsolete or unused equipment; and,

**WHEREAS**, the Minnesota Municipal Contracting Law, Minnesota Statutes Section 471.345, Subdivision 17 permits a municipality to sell such surplus, obsolete or unused equipment, without a requirement of competitive bidding, by using an electronic selling process in which purchasers compete to purchase the surplus equipment at the highest price in an open and interactive environment; and,

**WHEREAS**, the City Council finds that the use of such an electronic selling process would be cost effective, efficient and in the best interest of the City and its citizens; and,

**WHEREAS**, J.A.X. of Benson is a local franchisee of K-Bid and is able to provide an electronic selling process which will fill the needs of the City; and,

**WHEREAS**, Jack Evenson, the owner of J.A.X. of Benson is a member of the Benson City Council and therefore a public officer of the City of Benson, Minnesota Statutes Section 471.87 prohibits a public officer who is authorized to take part in any manner in making any sale, lease or contract in an official capacity from having a financial interest in that sale, lease or contract or from personally benefitting therefrom; and,

**WHEREAS**, Minnesota Statutes Section 471.88 provides an exception to the prohibition stated in Minnesota Statutes Section 471.87 for a contract for which competitive bids are not required by law; and,

**WHEREAS**, competitive bids are not required by law to enter into a contract for services for arranging the sale of city property; and,

**WHEREAS**, the City Council finds that the contract price offered by J.A.X of Benson is as low as or lower than the price at which the services could be obtained elsewhere.

**NOW THEREFORE IT IS HEREBY RESOLVED** that the city manager is authorized to enter into a contract with J.A.X. of Benson for the sale of surplus, obsolete or unused City equipment through

the use of an electronic selling process which meets the requirements of Minnesota Statutes Section 471.345, Subdivision 17.

Councilmember Enderson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Schreck, Enderson, Maanum, Carruth. NAYES: None. Thereupon the Mayor declared Resolution 2024-03 duly passed and adopted.

Councilmember Maanum offered the following resolution:

**A RESOLUTION TO CONTRACT WITH A CITY OFFICIAL  
(RESOLUTION NO. 2024-04)**

Whereas, the city of Benson desires to purchase the following services:

Storage and occasional towing fees and body work;

And whereas, Mark Schreck, owner of Benson Body Shop, is a City Council Member of the city and will be financially interested in the contract;

Whereas, the City Council finds that the contract price offered by Benson Body Shop is as low or lower than the price at which the services could be obtained in the area at this time,

In addition, whereas, the contract is not one that is required to be competitively bid.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENSON, MINNESOTA AS FOLLOWS:**

That the city director of finance is directed to make the above-mentioned purchase on behalf of the city from Benson Body Shop for a price of daily storage fees of a towed vehicle of \$1.50, and occasional average towing fee of \$17.50, and occasional body work.

It is also resolved that the mayor and director of finance are directed to issue an order-check to pay the claim on the filing of an affidavit of official interest by the interested official as required under Minn. Stat. § 471.89.

This resolution is passed to comply with the provisions of Minn. Stat. §§ 471.87-.89.

Councilmember Carruth seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Enderson, Maanum, Carruth. NAYES: None. ABSTAIN: Schreck. Thereupon the Mayor declared Resolution 2024-04 duly passed and adopted.

Next was Council consideration of the purchase of fire hose and turn-out gear. Harris presented a quote from Heiman Fire Equipment for new hose to replace the hose on the old pumper, which is worn. Harris said contrary to the quote, the shipping fee is waived, and Heiman said they would honor this quote yet this month. Harris went on to say Fire Chief Reuss brought this quote to him earlier this year knowing the price would be going up in January 2024. There will be a six-month lead time on this order. Harris presented a second quote for turn-out gear. This quote was not received in time for the packet. He said turn-out gear is only good for ten years. The quote is for eight sets of gear. Harris said the hose and turn-out gear will be paid from the \$154,000 First Responders Grant we recently received. Mayor Evenson asked about a second quote, to which Harris stated the Fire Chief gave him the low quote. After discussion, it was moved by Enderson, and seconded by Maanum to approve the quote from Heiman Fire

Equipment for fire hose in the amount of \$17,586.60 as presented, and for 8 sets of turn-out gear from Heiman Fire Equipment in the amount of \$25,072.00. Councilmember Schreck told Harris in the future, we would like to see 2 quotes for purchases and requested to see them earlier with more time to analyze quotes before voting on them. The motion carried unanimously.

Councilmember Carruth offered the following resolution:

**CITY OF BENSON  
RESOLUTION ACCEPTING DONATIONS  
(RESOLUTION NO. 2024-05)**

**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:

**Appleton Ridge Runners – Fire Donation - \$200**  
**Margaret Grossman – Fire Donation - \$12**  
**Shepherd of the Hills – Fire Donation - \$50**  
**Robert Sonsteng Foundation – K9 Equipment Grant - \$5,000**  
**Prairielands Library – Library Grant - \$143.87**  
**Zosel’s True Value – 2<sup>nd</sup> Slide Donation - \$100**  
**Stony Ridge Foods – 2<sup>nd</sup> Slide Donation - \$250**  
**Midwest Machinery – 2<sup>nd</sup> Slide Donation - \$500**  
**West Central Sanitation – 2<sup>nd</sup> Slide Donation - \$500**  
**Benson Family Eye Care – 2<sup>nd</sup> Slide Donation - \$100**  
**Patrons – Fire Donations from Pork Chop Feed - \$2,825**  
**Nancy Hilleren – 2<sup>nd</sup> Slide Donation - \$50**  
**Lorenz Manufacturing – 2<sup>nd</sup> Slide Donation - \$100**  
**Victoria Syverson – 2<sup>nd</sup> Slide Donation - \$100**  
**Patron – 2<sup>nd</sup> Slide Donation - \$500**  
**Lashelle Mikkelson – 2<sup>nd</sup> Slide Donation - \$100**  
**Lashelle Mikkelson – 2<sup>nd</sup> Slide Donation - \$50**  
**Swenoda Township – 2<sup>nd</sup> Slide Donation - \$100**  
**Kim Ness – 2<sup>nd</sup> Slide Donation in memory of Mary Langan - \$25**

**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 Schreck seconded the foregoing resolution and the following vote was recorded:  
AYES: Evenson, Enderson, Schreck, Maanum Carruth. NAYES: None. Thereupon the Mayor declared  
Resolution 2024-05 duly passed and adopted.

There being no further business to come before the Council a motion was made by Schreck,  
seconded by Carruth and carried unanimously to adjourn the Council meeting at 5:48 p.m.

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Mayor

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City Clerk