

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING
CITY HALL
NOVEMBER 7, 2022**

The meeting was called to order at 5:30 p.m. by Mayor Collins. Members present: Terri Collins, Jon Buyck, Lucas Olson, Jack Evenson & Mark Schreck. Members Absent: None. Also present: City Manager Chris Webb, Director of Finance Glen Pederson, Police Chief Ian Hodge, Public Works Director Dan Gens, Reed Anfinson, County Attorney Danielle Olson, Rob Wolfington and Roxy Lewis.

The Council recited the Pledge of Allegiance.

Mayor Collins welcomed new City Manager Chris Webb.

The Mayor asked for any changes to the agenda. Pay requests from Miller Custom Concrete, LLC was added. It was moved by Evenson, seconded by Schreck and carried unanimously to approve the amended agenda.

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

- October 17, 2022 City Council Minutes
- WAPA – Drought Adder Information
- Charter Communications Channel Change
- Xcel Quarterly Report – September 2022
- Benson Baseball Association – Gambling Permit March 27, 2023 Raffle
- Magney – Clearwell Pay Request #2 - \$491,341.15
- Magney – Clearwell – Pay Request #3 – \$334,268.90 – Bal. to Finish \$1,303,440.59
- Magney – Anaerobic Digester – Pay Request #8 - \$37,775.16 – Bal. to Finish - \$226,440.52
- Diversified Foundations–Gusty’s Rd.– Pay Request # 2- \$78,309.79 – Bal. to Finish-\$15,255.10
- Electronic Transfers:
 - October 20, 2022 - Payroll - \$91,154.23
 - November 3, 2022 Payroll -\$111,224.69

There was no one with unscheduled business.

Next Gens presented correspondence from MnDOT Office of Aeronautics on the Benson Airport’s Automated Surface/Weather Observing Systems (AWOS) has reached the age of obsolescence. They would like to plan on replacing this system in 2023. Pederson said the next step is to ask TKDA to give us a proposal for plans and specs to review at a future meeting. After discussion it was moved by Schreck, seconded by Evenson and carried unanimously to approve moving forward with contacting TKDA to start working on an engineering proposal.

Mayor Collins reviewed a quote from Schweiss Doors to replace the City’s airport hangar door. After discussion it was moved by Schreck, seconded by Evenson and carried unanimously to approve replacing the hangar door with COVID dollars.

Danielle Olson approached the Council to discuss an agreement to be the prosecuting attorney for the City. Former City prosecuting Attorney Ben Wilcox is now a Judge and the City needs to fill his position. It was moved by Olson, seconded by Buyck and carried unanimously to approve the Prosecuting

Attorney agreement with Danielle Olson as presented.

Olson then presented a joint powers agreement with the Bureau of Criminal Apprehension. This agreement allows prosecuting attorneys, law enforcement and the courts to securely share confidential information. This agreement is reviewed every five years. After discussion, Councilmember Evenson offered the following resolution:

RESOLUTION NO. 2022-26

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF BENSON ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT

WHEREAS, the City of Benson on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five-year life of the agreement and obligates the City to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Benson, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Benson on behalf of its Prosecuting Attorney and Police Department, are hereby approved.
2. That the Chief of Police, Ian Hodge, or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.
3. That the Benson City Attorney – Criminal Prosecution-, Danielle H. Olson, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.
4. That Terri Collins, the Mayor for the City of Benson, and Glen Pederson, the City Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Councilmember Schreck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Buyck, Schreck, Olson, Collins. NAYES: None. Thereupon the Mayor declared Resolution 2022-26 duly passed and adopted.

It was then moved by Evenson, seconded by Schreck and carried unanimously to approve the Court Data Services Subscriber Amendment to the CJDN Subscriber Agreement.

It was moved by Olson, seconded by Buyck and carried unanimously to approve Roxy Lewis as the Resident Board Member on the Benson HRA Board with her term running from January 1, 2022 – December 31, 2027.

Next was a request to sell surplus property we no longer use. Buyck asked how it will be sold. Pederson said some will go to Zielsdorf Auction and some to K-Bid. It was then moved by Schreck, and seconded by Buyck to approve selling the surplus property as presented. The following vote was taken: AYES: Collins, Olson, Schreck, Buyck. NAYES: None. ABSTAIN: Evenson.

Pederson informed the Council staff and the personnel committee has met with the LELS Union to negotiate a one-year contract. He listed the terms both parties came to an agreement on and said the contract is ready for signatures. After discussion, it was moved by Schreck, seconded by Evenson and carried unanimously to approve the LELS Contract terms as presented.

It was moved by Evenson, seconded by Schreck and carried unanimously to authorize Chris Webb as check signer on all accounts.

Pederson approached the Council to discuss Health Insurance for the City. He said 7 years ago we had insurance with the Service Coop. At that time they proposed a 35% increase in premiums. We then moved to the PEIP Health Insurance program. They came to us this year with a 50% increase. We declined and went back to the Service Coop for a 23% increase. After discussion, it was moved by Scheck, seconded by Olson and carried unanimously to approve moving the City Health Insurance to the Minnesota Healthcare Consortium in 2023.

It was moved by Olson, seconded by Evenson and carried unanimously to set a special City Council meeting for Monday, November 14, 2022 at Noon. The purpose of the meeting is to canvass the 2022 General Election.

It was moved by Olson, seconded by Schreck and carried unanimously to approve a pay request from Mark Lee Asphalt for 2022 bituminous work in the amount of \$159,854.92.

Councilmember Evenson offered the following resolution:

**RESOLUTION AUTHORIZING TRANSFER OF XCEL ENERGY GRANT DOLLARS FOR
ECONOMIC DEVELOPMENT PURPOSES
(RESOLUTION 2022-27)**

WHEREAS, the City Council of the City of Benson, County of Swift, State of Minnesota, received grant dollars from Northern State Power (Xcel Energy) as part of the Benson Power LLC biomass plant closing, and;

WHEREAS, these grant dollars are limited in use for the purposes of economic development, and;

WHEREAS, the Council has determined that water treatment improvements qualify as an economic development purpose, and;

WHEREAS, the following projects are authorized use of grant dollars:

Name	Budget	Transfer Out
2020 Clear Well Project	\$2,644,805.00	\$94,763.90

NOW, THEREFORE, BE IT RESOLVED that \$94,763.90 as itemized on the attached invoices to be transferred from the NSP Grant Fund to the Water Fund.

Councilmember Olson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Buyck, Schreck, Olson, Collins. NAYES: None. Thereupon the Mayor declared Resolution 2022-27 duly passed and adopted.

Councilmember Evenson offered the following resolution:

**RESOLUTION AUTHORIZING TRANSFER OF XCEL ENERGY GRANT DOLLARS FOR
ECONOMIC DEVELOPMENT PURPOSES
(RESOLUTION 2022-28)**

WHEREAS, the City Council of the City of Benson, County of Swift, State of Minnesota, received grant dollars from Northern State Power (Xcel Energy) as part of the Benson Power LLC biomass plant closing, and;

WHEREAS, these grant dollars are limited in use for the purposes of economic development, and;

WHEREAS, the Council has determined that Sanitary Sewer Collection and treatment improvements qualify as an economic development purpose, and;

WHEREAS, the following project is authorized use of grant dollars:

Name	Budget	Transfer Out
2020 Deferred Maintenance	\$1,442,600	\$108,590.20
Flood Wall	\$ 415,000	\$ 58,376.00

NOW, THEREFORE, BE IT RESOLVED that \$166,966.20 as itemized on the attached invoices to be transferred from the NSP Grant Fund to the Sewer Fund.

Councilmember Olson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Buyck, Schreck, Olson, Collins. NAYES: None. Thereupon the Mayor declared Resolution 2022-28 duly passed and adopted.

Gens presented a pay request from Miller Custom Concrete, LLC for concrete work Amundson Construction was unable to finish for us this year. After discussion it was moved by Evenson, seconded by Buyck and carried unanimously to approve the pay request in the amount of \$13,035.

Gens presented a proposal to possibly move the current compost site to the old city dump site. He said there are a lot of man and equipment hours into hauling branches and grass clippings out to the dump site. Some of the discussion was who would monitor the site, how would that work with a lawn care business having limited hours for dumping grass, who is actually using the site, and tree services hauling trees out there. There was discussion on security cameras and locking the site when not in use. Gens also said the site will not be open during City working hours as it would be too dangerous. Mayor Collins said at this point this is just discussion, and let's see what kind of citizen feed back we receive on this topic.

There being no further business to come before the Council a motion was made by Evenson, seconded by Schreck and carried unanimously to adjourn the Council meeting at 5:55 p.m.

Mayor

City Clerk