

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING  
CITY HALL  
DECEMBER 19, 2022**

The meeting was called to order at 5:30 p.m. by Mayor Collins. Members present: Terri Collins, Mark Schreck, Lucas Olson, Jon Buyck & Jack Evenson. Members Absent: None. Also present: Assistant City Manager Glen Pederson, Police Chief Ian Hodge, Public Works Director Dan Gens, Fire Chief Jeff Reuss, CEDA Representative Hillary Tweed, Dan Enderson, Allen O’Shea, Rob Wolfington & Reed Anfinson.

The Council recited the Pledge of Allegiance.

The Mayor asked for any changes to the agenda. A pay request from Ascheman Oil for fuel for the power plant, and a T-Mobile Grant application was added, and removing Magney Pay Request #10 from the consent agenda and moving it to an agenda discussion item. 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:

- December 5, 2022 City Council Meeting
- November 7, 2022 Planning Commission Meeting
- Charter Communications Channel Change
- League of MN Cities Insurance Trust Dividend - \$12,815
- Eric Carlson to Planning Commission with his term expiring Dec. 31, 2025
- Magney Construction Inc. - #5 Clear Well - \$99,178.10 – Bal to Finish - \$940,087.74
- Prairie Five Community Action Council – 2022 2<sup>nd</sup> half of Payment - \$5,826.15
- WSB – Feasibility Report – South Industrial Park - \$3,950.75 October 2022
- Electronic Transfers:  
Payroll: December 15, 2022 Payroll total \$195,329.80  
November 2022 Journal entry total \$2,619,500.16

There was no one with unscheduled business.

Mayor Collins asked the Personnel Committee to discuss the City Manager search. Evenson said they have contacted Liza Donnabauer with David Drown Associates. Schreck said she is going to start a new search for the City starting December 21, 2022, and have an update for us by the end of this year. The Mayor asked for thoughts on an interim City Manager. Evenson suggested bringing former City Manager Rob Wolfington back as interim City Manager. He presented a contract for the Council to review. After discussion, it was moved by Evenson to appoint Rob Wolfington as interim City Manager according to the terms of the contract as presented effective December 20, 2022. The motion was seconded by Schreck and carried unanimously.

Fire Chief Reuss approached the Council. He said he met with the Fire Board and presented the changes to the City Council. He said the change order amounts to an additional \$12,177 to the cost of the top mount pumper truck. He went on to say they would like to use the money they have from several grass burns to pay for these additions. After discussion, it was moved by Schreck, seconded by Evenson and carried unanimously to approve the additions to the top mount pumper fire truck, to be paid for out of grass burn monies.

Pederson presented a letter from the Benson Golf Club requesting the balance of the transfer

amount budgeted for 2022. They wish to repair some cart paths next year with the funds. After discussion, it was moved by Evenson, seconded by Buyck and carried unanimously to approve the pay request to the Benson Golf Club in the amount of \$41,000.

Pederson presented a letter from Western Area Power Administrators. He described the Renewable Energy Certificate (REC) Program and the different options to track them. Pederson said we have never had to do this in the past. City WAPA Representative Rob Wolfington recommended we designate MRES in Option 2 of the agreement presented. After discussion, it was moved by Schreck, seconded by Olson and carried unanimously to approve the agreement as presented, naming MRES as our designated entity.

A motion was made by Olson, seconded by Evenson and carried unanimously to designate the first City Council meeting on January 3, 2022 at 5:30 p.m., and to approved the following dates as city council meeting dates for 2023:

January 3	July 3
January 17 (Tues)	July 17
February 6	August 7
February 21 (Tues)	August 21
March 6	September 5 (Tues)
March 20	September 18
April 3	October 2
April 17	October 16
May 1	November 6
May 15	November 20
June 5	December 4
June 19	December 18

Councilmember Buyck offered the following resolution:

**A RESOLUTION DESIGNATING POLLING PLACE FOR 2022 ELECTIONS  
(RESOLUTION NO. 2022- 35)**

**WHEREAS**, Minnesota Statutes 204B.175, subd 1a requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year; and

**WHEREAS**, changes to the polling places locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use; and

**WHEREAS**, changes to the polling place locations may be made in the case of an emergency when it is necessary to ensure a safe and secure location for voting; and

**THEREFORE, BE IT RESOLVED:** That the Benson City Council hereby designates the following polling place for elections conducted in the city in 2023:

Precincts 1 & 2  
McKinney's On Southside  
300 – 14<sup>th</sup> Street South  
Benson, MN 56215

**AND BE IT FURTHER RESOLVED**, that the City Clerk is hereby authorized to designate an emergency replacement polling place meeting the requirements of the Minnesota Election law for any polling place designated in the Resolution when necessary to ensure a safe and secure location for voting.

**AND BE IT FURTHER RESOLVED**, that the City Clerk is directed to send a copy of this resolution and any subsequent polling place designations to the Swift County Elections office.

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 2022-35 duly passed and adopted.

Councilmember Schreck offered the following resolution:

**RESOLUTION SETTING ASSESSMENTS FOR CURRENT SERVICES  
 BY THE CITY OF BENSON, MINNESOTA FOR 2022 PAYABLE 2023  
 (RESOLUTION NO. 2022-36)**

BE IT RESOLVED, by the Benson City Council that the following assessments for 2022 as prepared by the City Manager are hereby approved and made a part thereof; and,

BE IT FURTHER RESOLVED, that the assessments hereinafter noted shall be submitted to the County Auditor on or before December 19, 2022 and placed on the tax roll for collection with the taxes collectable in 2023.

<b>Charges</b>	<b>Name &amp; Mailing Address</b>	<b>Legal Description &amp; Parcel No.</b>	<b>Amount Due</b>
Mowing Charges 201 – 11 <sup>th</sup> St. N.	Luke Frank 201 11 <sup>th</sup> St North Benson, MN 56215	Lots 8, 9 & 10, Block 15 City of Benson Addn. 23-0086-000	\$213.75
Mowing Charges 316 – 12 <sup>th</sup> St. S.	Susan Marie McCall P.O. Box 751303 Pataluma, CA 94975-1303	Lots 8, 9, & S.2' Lot 7, Block 3 Railway 1 <sup>st</sup> Addition 23-0337-000	\$320.63
Tree Removal 717 – 12 <sup>th</sup> St. S.	John Lindquist 717 12 <sup>th</sup> St South Benson, MN 56215	Stone 2nd Addition Lts 10 & 11 Blk 2 23-0547-000	\$480.00
Tree Removal 412 – 12 <sup>th</sup> St. N.	Kecia Kalisch 26555 W. Timerhill Rd Zimmerman, MN 55398	City Of Benson Lts 19 & 20 Blk 13;N 5 Ft Of Lt 18 Blk 13 23-0074-000	\$2,520.00
Water Meter Frost Plate 201 – 9 <sup>th</sup> St. S.	Elizabeth Halvorson 201 9 <sup>th</sup> St South Benson, MN 56215	Benson-Acre Lots Pt Se1/4 Of Sw1/4 Beg At A Pt On The E Line Of 9th St City Of Benson Where The N Line Of Lt 1 Bk 6 If Prolonged Would Intersect E Line Of 9th St; Then E 150ft, 23-1391-000	\$90.00
<b>TOTALS</b>			<b>\$3,624.38</b>

Councilmember Evenson seconded the foregoing resolution and the following vote was recorded:  
 AYES: Evenson, Buyck, Schreck, Olson, Collins. NAYES: None. Thereupon the Mayor declared Resolution 2022-36 duly passed and adopted.

Councilmember Olson offered the following resolutions:

**CITY OF BENSON  
RESOLUTION ACCEPTING DONATIONS  
(RESOLUTION NO. 2022-37)**

**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:

**Patrons - Mayor's Mingle Tickets - \$3,070**  
**Patrons – Mayor's Mingle Auction - \$2,255**  
**Patrons – Fire Department Pork Chop Fundraiser - \$3,012**  
**Patrons – T-Shirts - \$90**  
**Shepherd of the Hills Church – Fire Donation - \$50**  
**Harvest Outreach Inc. – Grain Bin Auger - \$1,000**  
**MN State Fire Department – Health Screen/PPE - \$6,750**  
**The Auto Club Group – Fire Safety Vest Grant - \$1,200**  
**Lashelle Mikkelson – 2<sup>nd</sup> Pool Slide - \$500**  
**Benson Community Foundation – Pool Tippy Wedge - \$3,595**  
**Galen Hanson Foundation – Pool Tippy Wedge - \$1,935**  
**Robert Sonsteng Foundation – Pool Tippy Wedge - \$1,470**  
**Patrons – 2<sup>nd</sup> Pool Slide - \$1,800**  
**Flower Basket – 2<sup>nd</sup> Slide - \$25**  
**Robert Sonsteng Foundation – Larger Kid Day Trailer - \$5,000**  
**Zielsdorf Auction – 2<sup>nd</sup> Slide - \$1,000**

**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 Buyck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Buyck, Schreck, Olson, Collins. NAYES: None. Thereupon the Mayor declared Resolution 2022-37 duly passed and adopted.

Councilmember Olson offered the following resolution:

**RESOLUTION AUTHORIZING TRANSFER OF XCEL ENERGY GRANT DOLLARS FOR  
ECONOMIC DEVELOPMENT PURPOSES  
(RESOLUTION 2022-38)**

**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 the East Pacific Avenue road reconstruction project qualifies as an economic development purpose, and;

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

<b>Name</b>	<b>Budget</b>	<b>Transfer Out</b>
2020 Clear Well Project	\$2,644,805.00	\$1,191,352.90

**NOW, THEREFORE, BE IT RESOLVED** that \$1,191,352.90 as itemized on the attached invoices to be transferred from the NSP Grant Fund to the General Capital Outlay Fund.

Councilmember Evenson seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Buyck, Schreck, Olson, Collins. NAYES: None. Thereupon the Mayor declared Resolution 2022-38 duly passed and adopted.

Councilmember Evenson offered the following resolution:

**RESOLUTION AUTHORIZING TRANSFER OF XCEL ENERGY GRANT DOLLARS FOR  
ECONOMIC DEVELOPMENT PURPOSES  
(RESOLUTION 2022-39)**

**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:

<b>Name</b>	<b>Budget</b>	<b>Transfer Out</b>
2020 Deferred Maintenance	\$1,442,600	\$67,502.24
Flood Wall	415,000	84,586.18

**NOW, THEREFORE, BE IT RESOLVED** that \$152,088.42 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 2022-39 duly passed and adopted.

Councilmember Evenson offered the following resolution:

**RESOLUTION ADOPTING FINAL 2022 PROPERTY  
TAX LEVY, COLLECTIBLE IN 2023  
(RESOLUTION NO. 2022-40)**

**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 2023, upon the taxable property in the City of Benson, for the following purposes:

General Fund Levy	\$400,027
Police Personnel	860,290
Library Fund Levy	126,200
G.O. CIP Bonds 2014 - Street Garage	73,096
G. O. CIP Bonds 2017 - Police Department	<u>84,289</u>
<b>Total</b>	<b>\$1,543,902</b>

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 2022-40 duly passed and adopted.

Councilmember Olson offered the following resolution:

**RESOLUTION CERTIFYING THE FINAL GENERAL AND LIBRARY OPERATING BUDGET  
AND GENERAL CAPITAL OUTLAY BUDGET  
FOR THE CALENDAR YEAR 2023 FOR THE CITY OF BENSON, MINNESOTA  
(RESOLUTION NO. 2022-41)**

BE IT RESOLVED, that the Final General and Library Operating Budget and General Capital Outlay Budget for the City of Benson, Minnesota, for the fiscal year beginning January 1, 2023 and ending December 31, 2023 is hereby approved.

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

**Revenues**

Taxes - General Fund	1,260,317
Taxes – Library	126,200
State Grants and Aids	1,380,259
Other Revenues	<u>1,215,354</u>
<b>Total Revenues</b>	<b>3,982,130</b>

**Expenditures**

General Government	461,531
Public Safety	1,478,801
Highways, Streets and Roads	810,150
Parks and Recreation	564,825
Library	129,000
Capital Outlay	354,615
Other Expenditures	<u>183,208</u>
<b>Total Expenditures</b>	<b>3,982,130</b>

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

BE IT FURTHER RESOLVED, that the City Manager shall cause the entire final Operating Budget to be printed and filed in the City Office for inspection and reference by the public.

Councilmember Buyck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Buyck, Schreck, Olson, Collins. NAYES: None. Thereupon the Mayor declared Resolution 2022-41 duly passed and adopted.

Pederson discussed the Enterprise Fund budgets which consists of water, sewer and electric funds, along with the garbage fund and 10-year capital improvement plan. He pointed out slight revenue increases and also the large increase in the water and sewer budget as costs for chemicals have gone up significantly. He went on to say in early January Council will see some proposed rate increases for all three utility funds just to keep up with rising costs. Capital outlay has a quote for refurbishing the Nature

Energy Wells which we expect to be reimbursed for. In the Electric Capital Outlay there is an expense for an electric distribution line for 2023 and 2024. This too is an expected reimbursement from Nature Energy A software update in the amount of \$95,000 is expected for the utility billing program. After discussion, it was moved by Buyck, seconded by Olson and carried unanimously to approve the Utility Fund Budget as presented.

It was moved by Evenson, seconded by Schreck and carried unanimously to approve the bills and warrants in the amount of \$1,073,327.11

It was moved by Schreck, seconded by Olson and carried unanimously to approve a pay request from Ascheman Oil for fuel for the power plant generators in the amount of \$25,981.92.

Tweed approached the Council to request a letter of support for a T-Mobile grant her CEDA associate Joe Maffit would like to apply for. If we are awarded the grant, the monies will go toward the Northside Rec baseball concession/bathroom project. She said the grant is a \$50,000 grant and the application deadline is December 31, 2022. After discussion, it was moved by Olson, seconded by Evenson and carried unanimously to approve the letter of support for the T-Mobile Grant Application.

Next was the pay request from Magney Construction for the anaerobic digester work. Gens said there are several issues that need to be addressed and asked Council to hold off on pay request #10. After discussion it was moved by Evenson, seconded by Olson and carried unanimously to approve but hold the check for Magney Construction pay request #10 for work on the anaerobic digester until satisfactory repairs can be completed.

Lastly, Pederson asked outgoing Councilmembers Collins, Buyck and Olson to stand. He presented them with a flag that has flown over the City of Benson and thanked them for their years of invaluable service to the City of Benson.

There being no further business to come before the Council a motion was made by Olson, seconded by Buyck and carried unanimously to adjourn the Council meeting at 5:57 p.m.

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Mayor

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City Clerk