

**MINUTES - BENSON CITY COUNCIL MEETING
TELEPHONICALLY
MAY 18, 2020**

The meeting was called to order telephonically at 5:30 p.m. by Mayor Collins. Members present: Jack Evenson, Terri Collins, Mark Schreck, Jon Buyck & Lucas Olson. Members Absent: None. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Police Chief Ian Hodge, Public works Director Dan Gens, City Attorney Ben Wilcox, Jen Sullivan, Roxy Lewis, Kirk Bustron with the UMRDC, Jeff Martin and Roger Ebnet.

The Council recited the Pledge of Allegiance.

The Mayor asked for any changes to the agenda. There were two additions. One was the High School Senior Banner and High School Graduation. It was moved by Evenson, seconded by Schreck to approve the amended agenda. The following vote was taken: AYES: Olson, Schreck, Collins, Buyck, Evenson. NAYES: None. The motion passed to approve the agenda.

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

- May 4, 2020 City Council Minutes
- March 23, 2020 Special Planning Commission Minutes
- March 30, 2020 Special Planning Commission Minutes
- March 11, 2020 Cemetery Board Minutes
- Gambling Permit Date Change for National Turkey Fed. Banquet-6/12/2020
- Electronic Transfers:
 - Payroll: \$99,843.10 – May 7, 2020
 - Journal: \$3,299,387.26 – April 2020

The Mayor called for anyone with unscheduled business. Jeff Martin asked the Council what actions are being taken to bring the City back to life. He said he didn't think the City is going to bat for local businesses in light of Governor Walz's order for businesses to remain closed. The Mayor said the UMRDC has been contracted to reach out to local businesses to find assistance, and there are more programs coming out. There is a Zoom meeting scheduled with the Governor and local cities on Wednesday. The Mayor said she has sent an email and a letter to the Governor sharing concerns about small town businesses. Martin said the City wasn't doing enough. Wolfington referred to the three recent executive orders put out by Governor Walz, #20-56, 20-55 and 20-54. He said the first order is the Stay Safe Minnesota order and rescinds order #20-48. He referred to paragraphs 6-8 of Order 23-56 which outlines what businesses are affected discussing a phased opening on June 1, 2020. He went on to say on May 20, 2020 at 2 p.m. the re-opening plan will be unveiled. He said bars and restaurants are anticipated to be able to be opened based on capacity, and certain businesses will only be allowed 50% occupancy with social distancing. Businesses will also have to have an employee preparedness plan in place. Certain outdoor activities are still being prohibited. Fines for violating the Governor's order will run \$1,000-\$25,000 per day. Martin said he feels it is unconstitutional and we shouldn't be dictated to by the Governor. The Mayor said we have to follow the Governor's orders. Wolfington said in America, we have limited government and we have divided government and discrepancies are handled through the Courts. Wilcox said he reviewed the Governor's orders. They hold up to the constitutional and state laws. In the City of Benson's statutes, we are bound by Minnesota law. He said the City Council, Police and he are all bound by the State Law and Constitution of the United States. Martin said he is very worried about the businesses in town, and not so much himself. The Mayor said she is very concerned as well. She thanked him for his input.

Wolfington presented the latest CDC Guidance for Public Pools for the Council's reference. Wolfington said it takes 3 weeks and roughly \$30,000 to start the pool up, and hopes to know if we will be able to open our pool this year. No action was taken.

The Mayor called on Ebnet to give his thoughts on Kid Day. Ebnet said he has been in contact with his committee over whether to hold Kid Day this year. He said the committee doesn't see how they can hold the carnival and keep all things cleaned properly. He said the parade brings a lot of people watching, and will they be able to be socially distanced? There won't be a band, and some floats are cancelling. He said they are in a quandary on how to proceed, and feels they will not be able to safely hold the event this year. There was discussion by the Council as to whether a scaled back version of Kid Day could be held, and also discussion on the Governor's comments on what can open up and operate on June first. Ebnet said if the Council decides to have Kid Day he will be delegating his jobs as he has a pre-existing medical condition and will not be able to be at the Kid Day events. After discussion, it was moved by Evenson, and seconded by Schreck to vote on the pool opening and Kid Day at the June 1, 2020 City Council meeting. The following vote was taken: AYES: Olson, Schreck, Collins, Buyck, Evenson. NAYES: None. The motion passed.

Wolfington said he received an email the Discovery Kids Day Care rescinded their request for additional funding from the City Council.

Next was discussion on relocating the school trades house on a City lot. Buyck said the Planning Commission recommended the City not participate as it appears the City is in direct competition with local developers. Evenson said the EDA was not interested in participating in this project at this time. After discussion, it was moved by Evenson to not participate in this project at this time, the motion was seconded by Buyck and the following vote was taken: AYES: Olson, Schreck, Collins, Buyck, Evenson. NAYES: None. The motion passed.

Next was a capital authorization request for a transformer for the new gymnastics building. The first quote staff received was for \$6,940.00, but the transformer was not available until January 2021. A new quote from GE Grid Solutions in the amount of \$7,960.00 will be ready August 2020. After discussion it was moved by Evenson to purchase the transformer from GE Grid Solutions in the amount of \$7,960.00, the motion was seconded by Buyck and the following vote was taken: AYES: Olson, Schreck, Collins, Buyck, Evenson. NAYES: None. The motion passed.

There was a request from the Racquetball Club to consider paying an overrun on their recent remodeling expenses. The Mayor said they asked for \$9,000 to complete upgrades, and in the end the costs were \$10,427.26. After discussion it was moved by Evenson, seconded by Buyck to approve paying the Racquetball over-run costs of \$1,427.26.

The Council reviewed the April 2020 Budget Report.

It was moved by Evenson and seconded by Schreck to approve bills and warrants in the amount of \$1,352,342.84. The following vote was taken: AYES: Olson, Schreck, Collins, Buyck, Evenson. NAYES: None. The motion passed.

The Council was informed the School Superintendent had approached the City Manager and Mayor asking to hold graduation in the swimming pool parking lot on May 29, 2020 at 5pm. The Mayor read the list of precautions to ensure social distancing and allow only families to attend in their cars. Then the Mayor said this year's graduating senior's parents purchased a banner and are asking to display it down town. The Mayor said we need to keep in mind signs on City property is against City ordinance, and we have several requests each year to place signs where the old Community Sign was at the intersection of 14th St. S. & Atlantic Ave. After discussion Olson made a motion due to the uniqueness of the situation this year and the opportunity for the City to offer support and congratulations to the graduating class we approve the banner placement at the above referenced location for a period of two weeks. The motion was seconded by Schreck and the following vote was taken: AYES: Olson, Schreck,

Collins, Buyck, Evenson. NAYES: None. The motion passed.

There being no further business to come before the Council upon motion by Evenson, seconded by Buyck and carried unanimously to adjourn the Council meeting at 6:22 p.m.

Mayor

City Clerk