

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING
CITY HALL
JUNE 6, 2022**

The meeting was called to order at 5:30 p.m. by Mayor Collins. Members present: Jack Evenson, Terri Collins, Jon Buyck, Mark Schreck & Lucas Olson. Members Absent: None. Also present: City Manager Glen Pederson, Police Chief Ian Hodge, Public Works Director Dan Gens, CEDA Representatives Hillary Tweed and Sara Weese, Reed Anfinson from Swift County Monitor News and Mitchell Levesque.

The Council recited the Pledge of Allegiance.

The Mayor called the meeting to order at 5:30 p.m. She asked for any changes to the agenda, to which there were none. It was moved by Olson, seconded by Evenson and carried unanimously 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 16, 2022 City Council Minutes
- March 28, 2022 EDA Minutes
- May 2, 2022 Planning Commission Minutes
- August 11, 2021 Cemetery Board Minutes
- DGR Engineering – Electric System Study \$1,250.00 – Bal. to Finish \$10,750
- Rodeberg & Berryman – Wisconsin Ave. Project \$1,368.00 – Bal. to Finish \$6,252
- Department of Energy WAPA – Firm Power Service Pick-Sloan Proposed Rate
- Charter Communications Channel Changes
- State Demographer Estimated Population
- Ranch Rodeo Alcohol Permit Application July 15, 2022
- Electronic Transfers:
 - Payroll: May 19, 2022 - \$86,294.62
 - June 2, 2022 - \$103,465.29

There was no one with unscheduled business.

Pederson asked the Council to extend the Mayor's Emergency Declaration. He said the elevator which sustained damage in the May 12, 2022 wind storm has large pieces of metal that are loose and pose a threat of blowing off the elevator. He said Kennedy is getting a quote together to demo the elevator and we have applied for a railroad permit. The last detail needed is to work with the County and MnDOT in establishing a detour during the demolition. Pederson said by using the emergency powers to take the elevator down we will take two months off of the demolition timeline. Lastly, he said most of the engineering is already paid for through LandTeam. Schreck asked if there is an estimated cost of the demolition. Pederson responded there is \$200,000 budgeted for project. After discussion it was moved by Evenson, seconded by Olson and carried unanimously to approve extending the Mayor's Emergency Declaration until terminated by the Mayor and City Manager.

Pederson said the City has a 2-year agreement with Swift County-Benson Healthservices for qualified capital improvements to the facility for \$1,000,000. This agreement expires in July 2022 and they are asking to extend this agreement for another 2 years due to delays in getting products for their capital improvements. After discussion it was moved by Buyck, seconded by Schreck and carried unanimously to approve extending the agreement with the hospital until July 10, 2024.

Next Buyck discussed the variance application made by Northview Court Townhomes for the addition of two buildings to their existing property, one of which encroaches onto two setbacks by 8'. Pederson said in 1996 when the block was platted, these 2 additions were noted in their plans. He said the Planning Commission found the variance did not meet the 3-factor test for practical difficulties, and therefore recommended denying the application. The owners do not plan on moving forward with their current plan at this time, but we are hoping they come back with a modified plan. It was the consensus of the Council variance 2202-01 should be denied based on the Planning Commission's findings.

Weese approached the Council. She said the Swift County Outdoor Recreation & Tourism Grant sparked the idea of applying for 2 new water features for the outdoor pool. These water features were in the original plans for the outdoor pool in 2004, but funding did not permit them to be added at that time. The plumbing is in place for the features and are in working order. She presented pictures of the water features. She said if approved, the water features would be installed after the pool closes. The grant requires work must be completed by December 2022. She noted future consideration may be needed if the project is not fully funded. It was moved by Evenson, seconded by Olson and carried unanimously to approve the Photo Op Booth Tippy Wedge for \$35,800 and the Water Wheel for \$20,005. It was then moved by Evenson, seconded by Olson and carried unanimously to approve the applications for grants authored on behalf of the City as follows:

Swift County Outdoor Recreation & Tourism Grant	\$25,000
Benson Area Community Foundation	\$15,425
Robert Sonsteng Foundation	<u>\$15,425</u>
Total Requests	\$55,850

Pederson said we paid off the Pool Bonds in February, and there are some residual funds left over we could use toward the project.

Pederson presented a rate study proposal from MRES. He said in the past MRES has done our electric rate studies. The last study we conducted was in 2017. With changes in WAPA, MRES rate changes and future Nature Energy demands it is time to review the rates. After discussion, it was moved by Buyck, seconded by Olson and carried unanimously to approve the electric rate study proposal from MRES as presented.

Next Pederson said the Upper Minnesota Valley RDC has agreed to execute the administration of the Federal EDA grant for the wastewater treatment facility project on behalf of the City. They will administer the paperwork to send into the federal office in Chicago. Their fees were included in the project budget. He presented a contract for professional services between the City and the Upper Minnesota RDC. It was moved by Olson, seconded by Schreck and carried unanimously to approve the contract for \$35,000 as presented.

Tweed presented a memorandum from City Attorney Wilcox stating a City Council member has applied for a Small Cities grant for his business. Per Small Cities program requirements, there must be a conflict of interest opinion issued. It was Wilcox's opinion there is no conflict of interest according to Minnesota State Statutes.

Councilmember Evenson offered the following resolution:

**POLICE OFFICER DECLARATION
(RESOLUTION NO. 2022-10)**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the City Council of the City of Benson hereby declares that the position titled Part-Time Police Officer, currently held by James Faulkner meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.

Councilmember Schreck seconded the foregoing resolution and the following vote was recorded: AYES: Evenson, Olson, Collins, Buyck, Schreck. NAYES: None. Thereupon the Mayor declared Resolution 2022-10 duly passed and adopted.

Pederson informed the Council the Montevideo building inspector, who has been filling in for us, will no longer be available for building inspector services. Pederson explained he reached out to the State Building office, who provided him with some names of building inspectors that might be willing to conduct building official services for us. After contacting these individuals only one was slightly interested but lives 90 miles away. He went on to say he met with Mike Jacobson who is our former building inspector for Benson and is still working for the City of Morris. Pederson then presented a contract for services between the City of Benson and Mike Jacobson. He said the other building inspector's contracts are more expensive than what Mike agrees to work for. It is also the intent to have someone work under Mike for a year until they are fully licensed. He said this will be a short-term contract as Mike intends to retire in 15 months. After discussion it was moved by Olson, and seconded by Schreck to approve the building official services contract with Mike Jacobson. The following vote was taken: AYES: Collins, Olson, Schreck, Buyck. NAYS: Evenson. The motion carried.

Pederson said the personnel committee met with Liza Donabauer from David Drown Associates to discuss the City Manager salary range for our city manager search. He referred the Council to Liza's memo. Collins suggested we up the salary range by \$20,000. It was moved by Schreck, seconded by Buyck and carried unanimously to approve increasing the city manager salary range by \$20,000 on both sides of the range.

There being no further business to come before the Council a motion was made by Schreck seconded by Olson and carried unanimously to adjourn the Council meeting at 6:06 p.m.

Mayor

City Clerk