

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING  
CITY HALL  
AUGUST 2, 2021**

The meeting was called to order at 5:30 p.m. by Mayor Pro-Tem Evenson. Members present: Lucas Olson, Mark Schreck, Jack Evenson and Jon Buyck. Members Absent: Terri Collins. Also present: City Manager Rob Wolfington, Director of Finance Glen Pederson, Police Chief Ian Hodge, CEDA Representative Hillary Tweed, Public Works Director Dan Gens, City Attorney Ben Wilcox, Joe & Jessica Hughes and Pioneerland Librarian Andrew Kelton.

The Council recited the Pledge of Allegiance.

The Mayor Pro-Tem asked for any changes to the agenda. Closed session to discuss a legal issue was added. It was moved by Schreck seconded by Olson and carried unanimously to approve the amended agenda.

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

- July 19, 2021 City Council Minutes
- June 14, 2021 EDA Minutes
- May 24, 2021 Park Board Minutes
- Fire Department PERA 2022 Contribution Requirement \$0
- Appointment of Eric Payne to the Park Board with Term Ending 12/31/2024
- Appointment of Mike Nicolas to the Planning Comm. Term Ending 12/31/2024
- Electronic Transfers:  
Payroll: \$94,179.00

There was no one with unscheduled business to come before the Council.

Wolfington said the City established a TIF District for infrastructure and utilities for Scandihaven Village, planning on the project being a taxable entity. The Benson Hospital hired a tax attorney, and the court declared Scandihaven a tax exempt entity. As a result, the TIF District needs to be decertified as there are no taxable properties in the district. After discussion, Councilmember Schreck offered the following resolution:

**CITY OF BENSON  
COUNTY OF SWIFT  
STATE OF MINNESOTA  
A RESOLUTION DECERTIFYING  
TAX INCREMENT FINANCING DISTRICT NO.7  
OF THE CITY OF BENSON  
(RESOLUTION 2021-19)**

WHEREAS, on June 5, 2017, the City of Benson (the "City") created its Tax Increment Financing District No.7, (the "District") within its Development District No. 4 (the "Project"); and

WHEREAS, Minnesota Statutes, Section 469.174 to 469.179 authorizes the City Council to decertify a tax increment financing district on any date after all bonds and other obligations have been satisfied; and

WHEREAS, as of the decertification date no obligations have been incurred to which tax increment from the District have been pledged; and

WHEREAS, the parcels included in the District will be classified as tax exempt and no tax increment shall be generated, and

WHEREAS, the City desires by this resolution to decertify the District effective August 2, 2021, by which all taxing jurisdictions will benefit from an increased tax base effective for taxes payable in 2022, and

WHEREAS, there have been no tax increment received and there will be no excess tax increment in the account for the District that will be returned to the County Auditor for redistribution to the regular taxing jurisdictions.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Benson that it acknowledges such action was taken by the County Auditor of Swift County to decertify the District as a tax increment district and to no longer remit tax increment from the District to the City.

Councilmember Olson seconded the foregoing resolution and the following vote was recorded: AYES: Schreck, Olson, Buyck, Evenson. NAYS: None. Thereupon the Mayor declared Resolution 2021-19 duly passed and adopted.

Wolfington presented an e-mail from Joni Livingston, Vice President of Member Services & Communications from Missouri River Energy Services discussing extreme weather conditions our region has experienced this year, along with a MISO Operating Procedures memo outlining a general guide to MISO's Emergency Operations Messaging in case of possible electric interruption and the warning messages we may receive if we experience control/management of the grid by Ottetail power.

Wolfington shared at the Planning Commission meeting today, there was no quorum, but the members at the meeting discussed the second reading of an ordinance defining a zone where a slaughterhouse could operate. The Planning Commission Chairman made a request to the Council to consider moving the second reading to the August 16, 2021 meeting so they could have a formal meeting with all the members to discuss further what the implications of such a facility would have on B-2, B-3, I-1, I-2 & I-3 zoning districts and surrounding properties. Wolfington referred to the zoning table and zoning map included in the packet showing the different zoning districts in the City. Currently a party is interested in starting a slaughter house in the City. They have not applied for a building permit yet. Wolfington shared the procedure for enacting an ordinance. He said there is a first reading, a second reading and publication of the proposed new ordinance. 30 days after publication the ordinance becomes law. In that 30 day period, the people may bring forth a referendum of the ordinance. A petition signed by qualified electors of the city equal in number to 15% of the total votes at the last regular municipal election is filed with the City Clerk that the ordinance be repealed or submitted to a vote of the citizens. If there is no petition after 30 days, then interested parties may file for a Conditional Use Permit (CUP). That will trigger a public hearing and letters to be sent to property owners within 350' of the property where the slaughterhouse will be located. If the applicant is granted the CUP, they will be given a list of conditions they must meet in order to operate in that zone. The Council will need a majority vote to pass the second reading. It was then moved by Buyck, and seconded by Schreck to approve the 2<sup>nd</sup> Reading of an Ordinance to Amend Title XV: Land Usage, Chapter 154: Zoning; §§ 154.02 and 154.056 of the Benson City Code of 2003. The following vote was taken: AYES: Schreck, Buyck, Evenson. NAYS: None. ABSTAIN: Olson.

It was moved by Schreck, and seconded by Buyck to close the City Council meeting at 5:42 p.m. as permitted by attorney-client privileges to discuss potential pending litigation against the City.

The Mayor Pro-Tem re-opened the City Council meeting at 6:00 p.m. and was reported that no action was taken during the closed session.

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 6:01 p.m.

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Mayor

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City Clerk