

**City Council Meeting
Benson City Hall
August 7, 2023**

City of Benson Mission Statement

Benson is a forward-looking community that values public safety,
quality of life and treats people with dignity and respect.

The Council Meeting is at City Hall. To watch Live:

Please use the Free Conference Call App on your device. Online meeting id: cityofbenson

Call-in Information

Dial In: 1-425-436-6384

Access Code: 457987#

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|-------|-----|---|-------------------------|--|
| | 1. | 5:30 p.m. Call the Meeting to Order (Mayor) | | |
| | 2. | Pledge of Allegiance | | |
| | 3. | Approval of Agenda: (Mayor) | Action Requested | |
| | | Additions? <input type="checkbox"/> None 1. _____ 2. _____ | | |
| | | Any Consent Agenda items to be moved to regular agenda item? | | |
| | | Approval of Agenda _____ as Presented or _____ Revised | | |
| | 4. | Consent Agenda: | Action Requested | |
| | a. | Minutes: | | |
| 2-3 | | ▪ 7.24.23 City Council Meeting | | |
| 5-6 | | ▪ 4.25.23 Park Board Meeting | | |
| 7 | | ▪ 4.25.23 Library Board Meeting | | |
| 8 | | ▪ 7.25.23 Library Board Meeting | | |
| | b. | Electronic Transfers: | | |
| | | ▪ Payroll: July 25, 2023 - \$118,927.52 | | |
| | 5. | Persons With Unscheduled Business to Come Before the Council: | | |
| 9-15 | 6. | 5:30 p.m. – Public Hearing to Consider an Interim Ordinance in B-2 District | Action Requested | |
| 16-17 | 7. | 2 nd Slide in 2025 Group | Information Only | |
| 18-24 | 8. | Tax-forfeited Land Auction for Three Parcels (Harris) | Action Requested | |
| 25-25 | 9. | LELS Union Contract 2024 – 2025 (Harris) | Action Requested | |
| | 10. | Set a City Council Work Session | Action Requested | |
| | 11. | Small Cities Bus Tour | Information Only | |
| | 12. | Adjourn: (Mayor) | Action Requested | |

In compliance with the American Disability Act, if you need special assistance to participate in this meeting, please contact the City Manager's office at 320-843-4775. Notification 48 hours prior to the meeting will enable the City of make reasonable arrangements to ensure accessibility to this meeting.

DRAFT

**MINUTES - BENSON CITY COUNCIL REGULAR MEETING
CITY HALL
JULY 24, 2023**

The meeting was called to order at 5:30 p.m. by Mayor Evenson. Members present: Mark Schreck, Jack Evenson, Chris Carruth, Nancy Maanum. Members Absent: Dan Enderson. Also present: Director of Finance Lisa Kent, City Clerk Valerie Alsaker, Public Works Director Dan Gens, City Manager Kyle Harris, Police Chief Ian Hodge, CEDA Representative Hillary Tweed, City Attorney Don Wilcox, Assistant City Attorney Stephan Kowal, Robert Simonson and Reed Anfinson.

The Council recited the Pledge of Allegiance.

The Mayor asked for any additions to the agenda. A pay request from Joe Riley Construction & a pay request from Craig's Inc. was added. Also, City Manager Harris asked to change item #6 to an action item instead of an information only item. It was moved by Schreck, seconded by Carruth and carried unanimously to approve the amended agenda.

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

- July 10, 2023 City Council Minutes
- March 13, 2023 Planning Commission Minutes
- June 12, 2023 EDA Minutes
- Pioneerland Library System 2024 Fee Increase
- Xcel Grant Quarterly Report June 2023
- Electronic Transfers:
Payroll: July 13, 2023 - \$136,819.53
Journal entries: June 2023 - \$2,100,245.64

Mayor Evenson asked for anyone with unscheduled business. Robert Simonson said he was here to listen to discussion on the moratorium discussion on his property. He also mentioned he hasn't heard anything on the damaged grave stone he discussed a month ago with City Council. The Mayor said there will be a public hearing on August 7, 2023 for the public to voice their opinion. Simonson thanked the Council.

Next was the moratorium on any building in the B-2 Business District, along Hwy 9 west, on the north side of the road. When the table of zoning uses was set many years ago, it was hoped these homes would become small business venues right along the highway. This never transpired. If a party bought a lot along this strip of land, they could not build a house how it is currently zoned. After discussion, the Council set a public hearing for August 7, 2023 to take testimony for or against rezoning the aforementioned strip of land.

Harris presented a letter from the Swift County Assessor stating some properties in the city have been forfeited to the State of Minnesota for non-payment of property taxes. Swift County is offering the following parcels to the City of Benson at a cost of \$250.00 each for a conditional use deed conveyance or for public auction. The first parcel is 703 – 15th St S., the second is parcel #23-1057 and third is 1004 – 13th St. N. If the City purchases these parcels, they must serve a public purpose. Harris said he would like to see these parcels go back onto the tax rolls. After discussion, Council decided to look at the properties before making a decision if the City would like to obtain these properties. Deadline for our response is September 18, 2023.

Next was a pay request from Morris Seal Coat. Gens said this pay request is for hauling the chips for chip sealing over to Benson. It was moved by Schreck, seconded by Maanum and carried unanimously to approve the pay request from Morris Chip Seal in the amount of \$10,683.96.

Tweed presented 2024 enrollment information from the Benson Corn Pool. The Benson EDA is a shareholder in CVEC's corn pool. She didn't see any reason for any changes from previous years practice, but any changes the City wishes to make needs to be done by August 1, 2023.

Harris presented a pay request from Crow River Construction. This is a bill for work done on our recent storm sewer repair at the corner of Wisconsin Ave. and 14th St. S. After discussion it was moved by Carruth, seconded by Maanum and carried unanimously to approve the pay request from Crow River Construction in the amount of \$6,450.00

Harris said Magney Construction is close to wrapping up the clearwell project, hopefully in September of 2023. He presented pay request #12 for Council consideration. It was moved by Carruth, seconded by Schreck and carried unanimously to approve pay request #12 from Magney Construction in the amount of \$93,397.35.

Harris gave an update on the wastewater plant upgrade. He said Magney, based on Stantec Engineering's plans, drilled methane collection pipes, and found the pipes were void of any methane. Harris stated he reached out to the engineer, but he is out for a week. We are bumping up against the digester being full. We also will need to write a check to Stantec to keep this project moving. Harris said he will discuss with Stantec our compensation for their error. Magney Construction feels they can repair the error and place the vent pipes in the proper spot. Harris recommended approval of Magney's proposal as presented. After discussion, it was moved by Schreck, seconded by Carruth and carried unanimously to approve the proposal from Magney Construction in the amount of \$12,763.23.

Kent presented the annual property assessments from Swift County. It was moved by Maanum, seconded by Schreck and carried unanimously to approve the Swift County assessment bill in the amount of \$21,303.00.

The June 2023 budget report was reviewed.

It was moved by Schreck, seconded by Maanum and carried unanimously to approve bills and warrants in the amount of \$643,523.05.

Harris presented a pay request from Joe Riley Construction for paving over the storm sewer repair on Wisconsin Ave. and 14th St. S. After discussion, it was moved by Schreck, seconded by Carruth and carried unanimously to approve the pay request from Joe Riley Construction in the amount of \$7,135.92.

Finally, Harris presented a bill from Craig's Refrigeration for work on the pool heaters in 2022. The Council approved a partial payment last fall in the amount of \$20,000. The current bill is for \$40,998.27. Craig's said the replaced heaters have a warrantee on them. He is waiting to hear from the manufacturer. The expected warrantee amount will be for \$21,277.26. After discussion, it was decided to pay the bill less the warrantee amount. It was moved by Maanum, seconded by Schreck and carried unanimously to pay Craig's Inc. in the amount of \$19,721.01.

There being no further business to come before the Council a motion was made by Schreck seconded by Maanum and carried unanimously to adjourn the Council meeting at 5:47 p.m.

Mayor

City Clerk

MINUTES - BENSON PARK BOARD - REGULAR MEETING
APRIL 25, 2023

Present: MacKenzie Dokkebakken, Ron Hanson, Eric Payne, Chris Carruth and Barb Nelson.
Absent: Scott Collins.
Also Present: City Manager Kyle Harris, Public Works Director Dan Gens and Parks Supervisor Kaleb Schwendemann.

The meeting was called to order at 7:30 a.m.

It was moved by Hanson, seconded by Dokkebakken and carried unanimously to approve the February 27, 2023 Park Board Minutes.

Harris said the City is working with Community Education on hiring an adult pool manager for the season. Community Education said they are struggling to hire enough life guards for the pool. He went on to say because of this, he would like to discontinue the concessions at the pool. This will help with staffing. He said our profits at the concessions last year was \$2,800, which does not include wages. His recommendation is to put vending machines in with snacks and beverages. After discussion, it was moved by Nelson, seconded by Dokkebakken and carried unanimously to recommend to the City Council elimination of the staffed concessions in place of vending machines. Harris said we are looking at allowing families to bring in snacks, which are to be consumed in the designated eating area, and bringing in food in the party room will still be allowed.

The next item Harris addressed is the fee schedule to swim at the pool. He said pool passes are complex, and he is proposing the following changes for the 2023 season; the elimination of the current pass system. Entrance for everyone to swim would be \$6, no matter your age. There would be a punch pass available at a cost of 10 punches for \$50. If you bought 4 passes, you would get one free which would make the cost of a daily entrance \$4. Passes would not carry forward. Any family member can use the punch pass, and the person swimming would be responsible to hold their pass. He presented a scenario to the Board showing a larger profit based loosely on previous numbers. He went on to say we are not in the business to be profitable as we will never turn a profit at the pool, but this system will give us a little extra money toward pool maintenance. After discussion it was moved by Payne, seconded by Dokkebakken and carried unanimously to approve the proposed fee schedule and recommend the changes to Council.

Next Harris discussed camping at Ambush. He said with all of the MnDOT construction in the area, we will see an uptick in contractors staying at our campground. He and public works Director Dan Gens looked at developing some camping sites on the old Rob's Motel site which was recently annexed into the City. This area is adjacent to the current camp ground. The plan is to make 10-12 sites with a gravel pad at an estimated cost of \$12,500. For this year they would have electric service. These sites would be reserved strictly for contractors. If this area is popular, then consideration will be made to bring water and sewer to these sites in the future. The pads will eventually become available to other campers in the future. Creating these pads will keep contractors in town which will in turn encourage spending money at local businesses. It was moved by Dokkebakken, seconded by Payne and carried unanimously to recommend to the Council the expansion of Ambush Park campsites as previously discussed.

Next Harris said the camping fees at Ambush Park campground have not been raised in many years. He presented fees from surrounding campgrounds, and proposed raising the fees as follows:

Raise full hook-up site fee by \$11.05 to \$40.00
Raise tenting site fee by \$3.02 to \$25.00
Raise shelter fees by \$3.62 to \$25.00

After discussion it was moved by Hanson, seconded by Nelson and carried unanimously to approve the

proposed rates for Ambush Park and recommend the changes to Council.

Harris discussed possibly putting limits on how long a party can stay in the overflow. The Board discussed the two overflow spots in the center of the park. They are used for a party that might be passing through for a night or two and not have a reservation. We do not take reservations for the overflow spots. We have someone that wants to move into the overflow and stay for the summer. After discussion it was decided this person could move into the new construction sites discussed earlier leaving the overflow spots for what they are intended. It was then moved by Nelson, seconded by Dokkebakken to put a limit on the overflow to a 4-night stay.

Alsaker gave the following updates: Northside Rec Baseball field new concession building will be moving forward with the plans brought to the City last year with full sewer and water service to the building.

A Disc Golf course will be installed this spring at Ambush Park, on the west edge of the property. Lynette Tessem is in charge of the project. She raised all the funds to install the course. Professional disc golf player Cale met with staff, designed the course and will be back to install the baskets later this spring.

New pool features have been installed in the kiddie pool. Refurbished old features will be installed soon. Included in the upgrade will be a pad at the bottom of the kiddie slide which will help protect the kids feet, and provide a softer landing.

Hanson brought up re-naming Chief's Field after John Goggin and Johnny Johnson. Alsaker said the City has a naming policy, and will bring it to the next meeting.

There being no other business, it was moved by Dokkebakken, seconded by Hanson and carried unanimously to adjourn the meeting at 8:25 a.m.

BENSON PUBLIC LIBRARY
BENSON, MN

ADVISORY BOARD MEETING

APRIL 25, 2023 - 5:00 PM – Library Meeting Room

Members Present: Dixie Golden, Jill Hedman, Deb Johannessen, Bob Haase,
Arlon Lee, Librarian Deb Forbroock

1. Meeting called to order: Dixie Golden
2. Meeting agenda: Motion to approve, seconded, motioned carried
3. Minutes of last meeting-January 24, 2023: Motion to approve, seconded, motion carried
4. Financial report from City of Benson: Reviewed
5. Head Librarian report: Reviewed
6. Friends of the Library Report: Reviewed
7. Old business: None
8. New Business:
 - a. Discussion regarding disposal of computers that are retired and replaced in the library
 - Suggested the computers may be donated to nonprofit organizations in the community
 - Suggested offering computers sold for best offer (\$200 for towers; \$100, or OBO)
 - b. General questions and answers with Librarian
9. Adjournment: Motion to adjourn, seconded, motion carried
10. Next Meeting: July 25th, 2023 @ 5:00 PM at Library Meeting Room

Submitted: Arlon Lee

BENSON PUBLIC LIBRARY

BENSON, MN

ADVISORY BOARD MEETING

JULY 25, 2023 - 5:00 PM – Library Meeting Room

Members Present: Dixie Golden, Bob Haase, Arlon Lee, Librarian Deb Forbroock

1. Meeting called to order: Dixie Golden
2. Meeting agenda: Motion to approve, seconded, motioned carried
3. Minutes of last meeting-April 25, 2023: Motion to approve, seconded, motion carried
4. Financial report from City of Benson 7/14/23: Motion to review and reconcile, seconded, motion carried
5. Head Librarian report: Motion to receive and approve, seconded, motion carried
6. Pioneerland Governing Board Report (Minutes of May 18, 2023 Finance Committee): Reviewed
7. Friends of the Library Report -May 9, 2023: Motion to receive, seconded, motion carried
8. Old business: Current computers will be replaced in the near future, review and short discussion
9. New Business:
 - a. Hege Herfindahl has resigned from Pioneerland Governing Board
 - Seeking someone to replace her for the board from this area
 - Suggestions for a person to fill that position should be given to the Librarian for consideration
 - b. Present wood chairs in the library—consider replace or repair
10. Next Advisory Board Meeting: Tuesday, October 17, 2023 at 5:00 p.m. in the Library Meeting Room
11. Adjournment: Motion to adjourn, seconded, motion carried

Submitted: Arlon Lee

INFORMATIVE MEMO

TO: City Council

FROM: Hillary Tweed, Economic Development Director

DATE: August 7, 2023

RE: B-2 Business District Moratorium

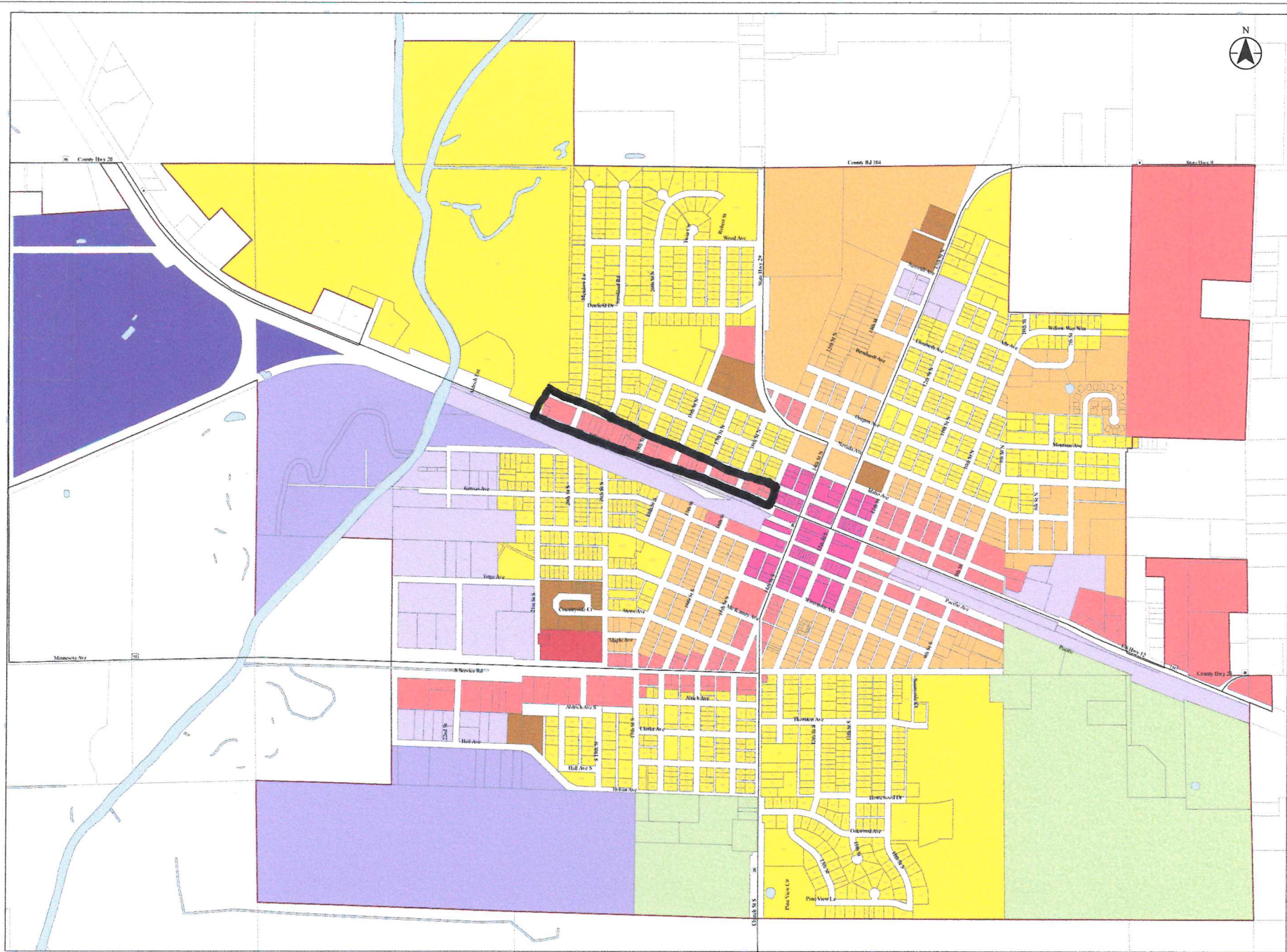
The City is working through the process of updating the Comprehensive Plan. While the zoning map was reviewed, the B-2 District which runs from 15th St. N. along Highway 9 until the Golf Course on the north side of the road was discussed as needing further examination.

This area is being considered for an Interim Building Moratorium because the area contains a mix of business and residential properties.

The residential properties that now exist within the B-2 district are all non-conforming uses. As a result, they are allowed to remain subject to the conditions stated in section 154.027. However, any new residential construction is currently prohibited.

Documents attached to this memo include:

- City of Benson Zoning Map with area being considered for moratorium surrounded by the bold black box.
- Section 154.027 Non-Conforming Uses and Structures
- Section 154.056 Uses – Benson – Land Usage



CITY OF **BENSON** MINNESOTA

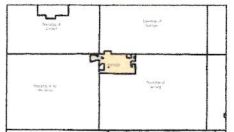
This plan has been prepared and adopted by the City Council of Benson, Minnesota, and is hereby published for the information of the public. It is the policy of the City of Benson to encourage the development and growth of the City and to provide for the health, safety, and general welfare of the people.



City of Benson, MN Zoning Map

May 2022

ZONING	
	A-1 Medium Density Residential
	A-2 Limited Residential
	A-3 General Residential
	A-4 Special Residential
	A-5 Low Density Residential
	A-6 High Density Residential
	B-1 High Density Business
	B-2 Medium Density Business
	C-1 Office Professional
	C-2 Office General
	C-3 Office Executive
	D-1 Neighborhood Center
	D-2 Neighborhood Center
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§ 154.027 NON-CONFORMING USES AND STRUCTURES.

(A) Any structure or use lawfully existing upon the effective date of this chapter may be continued; provided, however, that no such non-conforming use be enlarged or increased, nor shall any such non-conforming use be expanded to occupy a greater area of land than that occupied by such use at the time of the adoption of this chapter, nor shall any such non-conforming use be moved to any other part of land upon which the same was conducted at the time of adoption of this chapter.

(B) Nothing in this code shall prevent the city from declaring a non-conforming use to be a nuisance if said use poses a danger and/or threat to the health, safety, and general welfare of the community.

(1) The termination/correction time schedule shall be based upon, but not limited to factors such as the initial investment and the degree of threat or danger being posed.

(2) The acceptability of the time schedule shall be determined by the City Council with right of appeal.

(3) In no case shall a time schedule exceed two years.

(C) When any lawful non-conforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any non-conforming use.

(D) A lawful non-conforming use of a structure or parcel of land may be changed to lessen the non-conformity of use. Once a non-conforming structure or parcel of land has been changed, it shall not thereafter be so altered to increase the non-conformity.

(E) Whenever a building or structure in which a non-conforming use is located shall have been damaged by fire, flood, explosion, earthquake, war, or riot, it may be reconstructed and used as before if it be reconstructed within 12 months after such calamity, unless the damage to the building or structure is 50% or more of its fair market value, in which case the reconstruction shall be for a use in accordance with the provisions of this code.

(F) Whenever a lawful non-conforming use of any building, structure, or land is discontinued for a period of six months, any future use of said building, structure, or land shall be in conformity with the provisions of this code.

(G) Normal maintenance of a building or other structure containing or related to a lawful non-conforming use is permitted, including necessary non-structural repairs and incidental alterations, which do not extend or intensify the non-conforming use.

(H) A lawful non-conforming use may be changed only to a use of the same or more restrictive classification.

(I) Alterations may be made to a structure or building containing lawful non-conforming residential units when they will improve the livability thereof, provided they will not increase the number of dwelling units.

(Ord. 1112.03, passed 8-25-03) Penalty, see § 10.99

Benson - Land Usage

LAND USE	DISTRICTS									
	A*	R-1*	R-2*	R-3*	B-1*	B-2*	B-3*	I-1*	I-2*	I-3*
Animal, Commercial Training	C	N	N	N	N	N	N	N	N	N
Domestic Pets	SEE TITLE IX, CHAPTER 90									
Forests	P	C	C	C	C	C	C	C	C	P
Kennel	N	N	N	N	N	C	C	C	C	C
Nature Center (Public and private)	C	C	C	C	N	N	N	N	N	N
Nursery and Garden Supplies (Exterior or Enclosed Sales)	C	N	N	N	C	C	P	N	N	N
Nursery and Garden Supplies (Wholesale)	C	N	N	N	N	N	N	C	C	C
Nursery, Retail Sale of Plants	P	N	N	N	P	P	P	N	N	N
Nursery, Wholesale Growing of Plants	P	N	N	N	N	N	N	C	C	C
RESIDENTIAL USES										
Duplex	N	P	P	P	N	N	N	N	N	N
Earth Sheltered Building	N	C	C	C	N	N	N	N	N	N
Manufactured Home Park (Mobile Home Park)	N	C	C	C	N	N	N	N	N	N
Multiple Family Dwellings (Four or More Units)	N	N	N	P	N	N	N	N	N	N
Multiple Family Dwellings (Up to Four Units)	N	N	P	P	N	N	N	N	N	N
Residential, Single Family Dwelling	N	P	P	P	N	N	N	N	N	N
Townhouses	N	N	C	P	N	N	N	N	N	N
SERVICES, MERCHANDISING, LEISURE USES, OFFICE USES										
Adult Businesses	SEE TITLE XI: CHAPTER 117									
Airport (Landing Strip, Heliport, or Aircraft Shop)	N	N	N	N	N	N	N	C	C	C

**RESOLUTION TO APPROVE INTERIM ORDINANCE
(RESOLUTION 2023-)**

WHEREAS, the City of Benson, State of Minnesota, is undergoing a review of the City's Comprehensive Plan in contemplation of amendments thereto; and,

WHEREAS, one of the areas of concern being examined is the proper zoning of an area of the City which lies south of Utah Avenue, north of Atlantic Avenue, west of 15th St. No. and East of the Benson Municipal Golf Club. This area is currently zoned as B-2, General Business, but such zoning may be inappropriate. The City needs time to consult with legal experts and/or technical experts and to review information in order to study the proper zoning to be applied to this area and the inappropriate zoning of this area could have a significant impact upon the City and its property values and upon the health, safety and welfare of its residents; and,

WHEREAS, the City believes that development in this area, prior to completion of its study, could adversely affect the rezoning of the area if a determination is made that rezoning should be done; and,

NOW THEREFORE, THE BENSON CITY COUNCIL HEREBY ORDAINS:

Section 101 Title

This Interim Ordinance shall be known, cited and referred to as the City of Benson Interim Ordinance.

Section 102 Intent and Purpose

This Interim Ordinance is adopted with the intent and purpose to:

- A. Protect the planning process under the authority of Minnesota Statutes Section 462.355.
- B. Protect public facilities, such as roads.
- C. Protect the health, safety and welfare of the citizens of the City of Benson.
- D. Protect the value of property within the City of Benson

Section 103 Interim Prohibitions on Land Use Developments

Within the current B-2 zoned district lying south of Utah Avenue, north of Atlantic Avenue, west of 15th St. No. and East of the Benson Municipal Golf Club:

- A. The development of any land and the construction of any buildings or facilities of any kind is prohibited.

B. This Interim Ordinance does not apply to repairs or renovations to existing structures or buildings that do not involve a change of the current use of the property or increase the square footage of the building being repaired or renovated.

Section 104 Violations and Enforcement

104.001 Violations

Any person, firm or corporation who violates, or fails to comply with, any of the provisions of this Interim Ordinance, or who makes any false statement in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor. Each day that a violation continues shall constitute a separate offense.

104.002 Enforcement

The City shall have the authority to enforce this Interim Ordinance in any way permitted by law, including, but not limited to, the following:

A. Stop Work Orders. Whenever any work is being done contrary to the provisions of this Interim Ordinance, the City may order the work stopped by written notice personally served upon the contractor performing work or the owner or operator of the property and/or project. All activities shall cease and desist until subsequent written authorization to proceed is received from the City.

B. Injunctive Relief and Other Remedies. In the event of a violation of this Interim Ordinance, the City may institute appropriate actions or proceedings, including requesting injunctive relief, to prevent, restrain, correct or abate such violations.

C. Costs of Enforcement Proceedings. All costs incurred for corrective action may be recovered by the City in a civil action in District Court or, at the discretion of the City, the costs may be certified to the County Auditor as a special tax against the real property. These and other remedies, as determined appropriate by the City, may be imposed upon the responsible person either in addition to, or separate from, other enforcement actions.

Section 105 Severability and Validity

It is hereby declared to be the intention that the provisions of this Interim Ordinance are severable in accordance with the following:

A. If any court of competent jurisdiction adjudges any provisions of this Interim Ordinance to be invalid, such judgment shall not affect any other provisions not specifically included in said judgment.

B. If any court of competent jurisdiction adjudges invalid the application of any provision of this Interim Ordinance to a particular property, building or structure, such judgment shall not affect other property, buildings or structures.

Section 106 Effective Date

This Interim Ordinance shall be in full force and effect from and after its passage and approval, as provided by law until August 1, 2024 or until such earlier date as the City repeals this Interim Ordinance or the amendment of the City's Comprehensive Plan is completed and finally adopted.

August 1, 2023

To: Benson City Council
From: 2nd Slide Committee
Re: Matching Funds Request

Despite our efforts, the 2nd Slide by 2025 fund is lacking what it needs to meet our 2023 goal of raising half the total cost of the slide. With a pending \$15,000 grant, we have raised just under \$30,000 (8/1/23). We ARE NOT giving up and will continue to host fundraising events in the future. We plan to kick off an end of season JOIN THE CLUB campaign in August, which looks like this:

JOIN THE CLUB 2023

\$100.00 from 100 (families/organizations/businesses) Club

\$500 from 50 Club

\$1,000 from 10 Club

\$5,000 from 5 Club

\$10,000 from 1 Club

Many community members (individuals and businesses) have raised the question, "What does the city plan to invest in this project?" With the exception of the \$1,000 given to our committee a year ago to get this project started, we haven't requested any funds from the city. At the August 7th meeting, our committee will be requesting that the city match the total dollars raised in 2023 to be determined at the conclusion of the above campaign, or in an amount that the council deems appropriate.

Thank you for your consideration.

2nd Slide by 2025

**Benson Family Aquatic Center
Donate Today!**



JOIN THE CLUB 2023 CAMPAIGN

\$100.00 from 100 families/businesses

\$500 from 50 families/businesses

\$1,000 from 10 families/businesses

\$5,000 from 5 families/businesses

\$10,000 from 1 family/business

Please mail your donation to:

City of Benson, 1410 Kansas Avenue, Benson, MN 56215



Joseph Tschida
Property & Public Service Director
Swift County Auditor's Office
301 14th St N, Benson, MN 56215
320.843.4069

July 18, 2023

Kyle Harris
City of Benson
1410 Kansas Ave
Benson, MN 56215

Kyle,

Below is the classification listing of the non-conservation land located in the City of Benson. The parcel(s) described in the listing forfeited to the State of Minnesota for non-payment of property taxes.

See attached list:

As required under M.S. 282.01, I request that the City Council approve the parcel's classification and public auction or auction to adjacent owners. If you would like to request a conveyance to your city for public use (conditional use deed), you will need to do that at this time. For a conditional use deed under subdivision 1a, paragraph (e), you must submit a **fee of \$250 to the Commissioner of Revenue** along with the application. See below for description of the allowable usages:

MS 282.01, Subd. 1(e) Nonconservation tax-forfeited land held in trust in favor of the taxing districts may be conveyed by the commissioner of revenue in the name of the state to a governmental subdivision for an authorized public use, if an application is submitted to the commissioner which includes a statement of facts as to the use to be made of the tract and the favorable recommendation of the county board. For the purposes of this paragraph, "authorized public use" means a use that allows an indefinite segment of the public to physically use and enjoy the property in numbers appropriate to its size and use, or is for a public service facility. Authorized public uses as defined in this paragraph are limited to:

- (1) a road, or right-of-way for a road;
- (2) a park that is both available to, and accessible by, the public that contains improvements such as campgrounds, playgrounds, athletic fields, trails, or shelters;
- (3) trails for walking, bicycling, snowmobiling, or other recreational purposes, along with a reasonable amount of surrounding land maintained in its natural state;
- (4) transit facilities for buses, light rail transit, commuter rail or passenger rail, including transit ways, park-and-ride lots, transit stations, maintenance and garage facilities, and other facilities related to a public transit system;
- (5) public beaches or boat launches;
- (6) public parking;
- (7) civic recreation or conference facilities; and

(8) public service facilities such as fire halls, police stations, lift stations, water towers, sanitation facilities, water treatment facilities, and administrative offices.

Special assessments that were levied before the forfeiture have been cancelled. If you wish to recover these cancelled special assessments from the new buyer, please let us know the amount so we can list it for reference.

If you request that a parcel be conveyed to your city, you must pass a resolution that it is your intent to use the property for one of the qualifying public uses, complete the enclosed Conditional Use Deed Application with a check for \$250, and mail it to my office. As per statute, the application must be approved by the County Board, which meets every first and third Tuesday of the month. I will let you know if your application is approved, note that additional costs of \$25 and \$46 will occur to transfer title and record the deed. Respond by September 18, 2023 (60 days), or I will assume the City of Appleton does not wish to own the property for public use.

Please note that this parcel(s) may also be subject to the Minnesota DNR's approval for sale.

If you approve the sale as listed and as classified, please let our office now as soon as possible.

If you don't respond by September 18, 2023 (60 days), the sale will be deemed approved and assumed that the city does not wish to own the property for public use.

If you have any questions, please call or e-mail me.

Sincerely,



Joe Tschida
Property & Public Services Director

BENSON

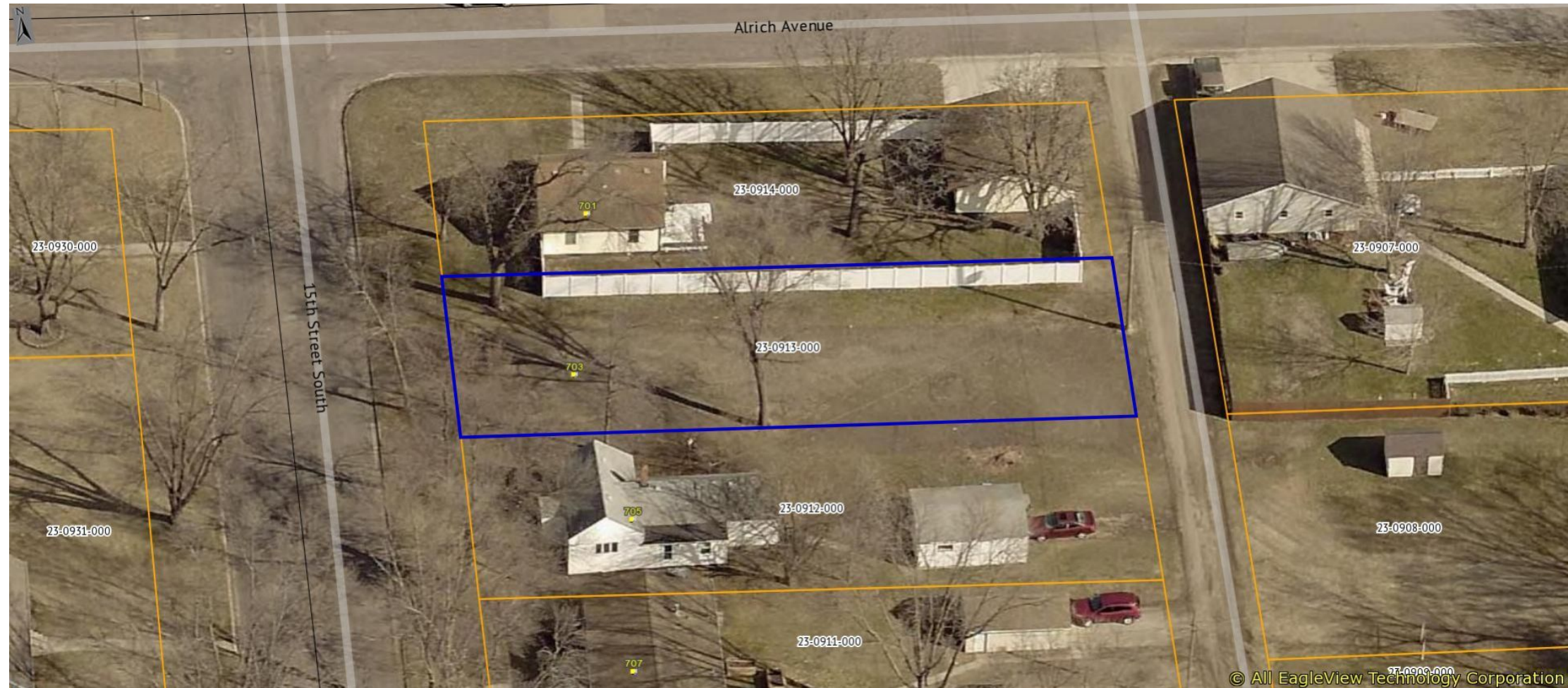
PARCEL	ADDRESS	LEGAL	Classification
23-0913-000	703 15TH STREET S	SOUTHSIDE ADDITION: LOT 9 BLK 7	Non-Conservation
23-1057-000		SECOND PARK PLACE: S 75 FT LOT 6 BLK 8	Non-Conservation
23-1359-000	1004 13TH STREET N	THAT PART OF THE NE1/4 OF THE NW1/4 OF SECT 15 TWP 121 RANGE 39 DESCRIBED AS FOLLOWS, TO-WIT; AT A POINT 773.8 FT NORHTERLY FROM THE NW CORNER OF BLOCK 9 SECOND RAILWAY ADDITION TO THE CITY OF BENSON, ON A PROLONGATION OF THE WEST LINE OF SAID BLOCK 9 BEING THE SAME LINE AS THE EAST BOUNDARY LINE OF 13TH STREET IN SAID CITY OF BENSON; THENCE EASTERLY AT A RIGHT ANGLE TO SAID 13TH STREET FOR A DISTANCE OF 320 FT MORE OR LESS TO THE WEST LINE OF 12TH STREET IN THE CITY OF BENSON; THENCE IN A NORTHERLY DIRECTION ALONG THE WEST LINE OF SAID 12TH ST FOR A DISTANCE OF 194.8 FT; THENCE AT RIGHT ANGLE TO SAID 12TH ST IN A WESTERLY DIRECTION FOR A DISTANCE OF 320 FEET MORE OR LESS TO THE EAST LINE OF SAID 13TH ST; THEN IN A SOUTHERLY DIRECTION ALONG THE EAST LINE OF SAID 13TH ST FOR A DISTANCE OF 194.8 FT TO THE POINT OF BEGINNING EXCEPT THAT PART OF THE NE1/4 OF THE NW1/4 OF SECT 5 TWP 121 RANGE 39, DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT 773.8 FT NORHTERLY FROM THE NW CORNER OF BLK 9, 2ND RAILROAD ADDITION TO THE CITY OF BENSON, ON A PROLONGATION OF TEH WEST INE OF SAID BLOCK 9, BEING THE SAME LINE AS THE EAST BOUNDARY LINE OF 13TH ST IN THE CITY OF BENSON; THENCEEASTERLY AT RIGHT ANGLES FRO A DISTANCE OF 300 FT, MORE OR LESS, TO THE WEST BOUNDARY LINE OF 12TH ST IN THE CITY OF BENSON; THENCE NORTHERLY AT RIGHT ANGLES FOR A DISTANCE OF 60 FT; THENCE WESTERLY AT RIGHT ANGLES FOR A DISTANCE OF 300 FT, MORE OR LESS, TO THE EAST BOUNDARY LINE OF 13TH ST IN THE CITY OF BENSON; THENCE SOUTHERLY AT RIGHT ANGLES ALONG THE EAST BOUNDARY LINE OF 13TH ST A DISTANCE OF 60 FT TO THE POINT OF BEGINNING.	Non-Conservation

23-1447-075

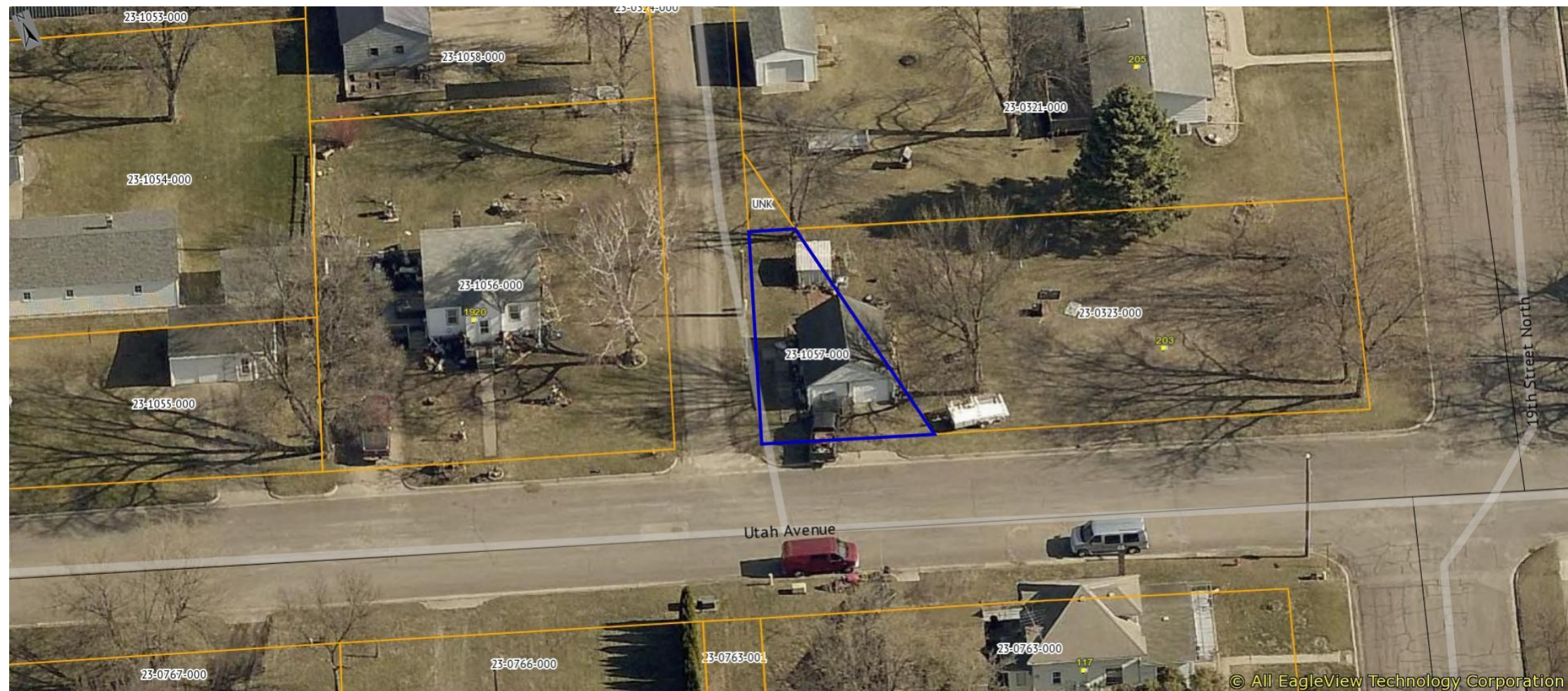
SECT 8, TWP 121, RANGE 39 PT NE1/4-NE1/4 COM AT E 1/4 CORNER OF SEC 8, THEN N 01 DEG 29 MIN 35 SEC W 1318.22 FT TO S LINE OF NE1/4-NE1/4, THEN N 89 DEG 52 MIN 54 SEC W 700 FT TO POINT A, THEN CONT S 218.30 FT, THEN N 01 DEG 02 MIN 24 SEC W 335 FT, THEN N 45 DEG 31 MIN 49 SEC W 321.80 FT, THEN N 89 DEG 52 MIN 54 SEC W 134.99 FT TO E LINE OF W 50 FT OF SAID NE1/4-NE1/4, THEN N 01 02 MIN 24 SEC W 695.91 FT TO SWLY R-O-W OF TWP ROAD, SAID PT BEING PT OF BEG, THEN S68 DEG 04 MIN 04 SEC E 619.77 FT TO LINE BEARING N 01 DEEG 29 MIN 35 SEC W FROM AFORESAID PT A, THEN N 01 DEG 29 MIN 35 SEC W 32.24 FT, THEN S 69 DEG 44 MIN 29 SEC E 753.36 FT TO AFORESAID E LINE OF SEC 8, THEN N 01 DEG 29 MIN 35 SEC W 15.71 FT TO SWLY R-O-W OF BNRR, THEN N 68 DG 04 MIN 04 SEW W 1353.20 FT TO N LINE OF NE1/4-NE1/4, THEN N 89 DEG 53 MIN 32 SEC W 24.44 FT TO PT OF BEG CONT 1.38 ACRES MORE OR LESS

Non-Conservation

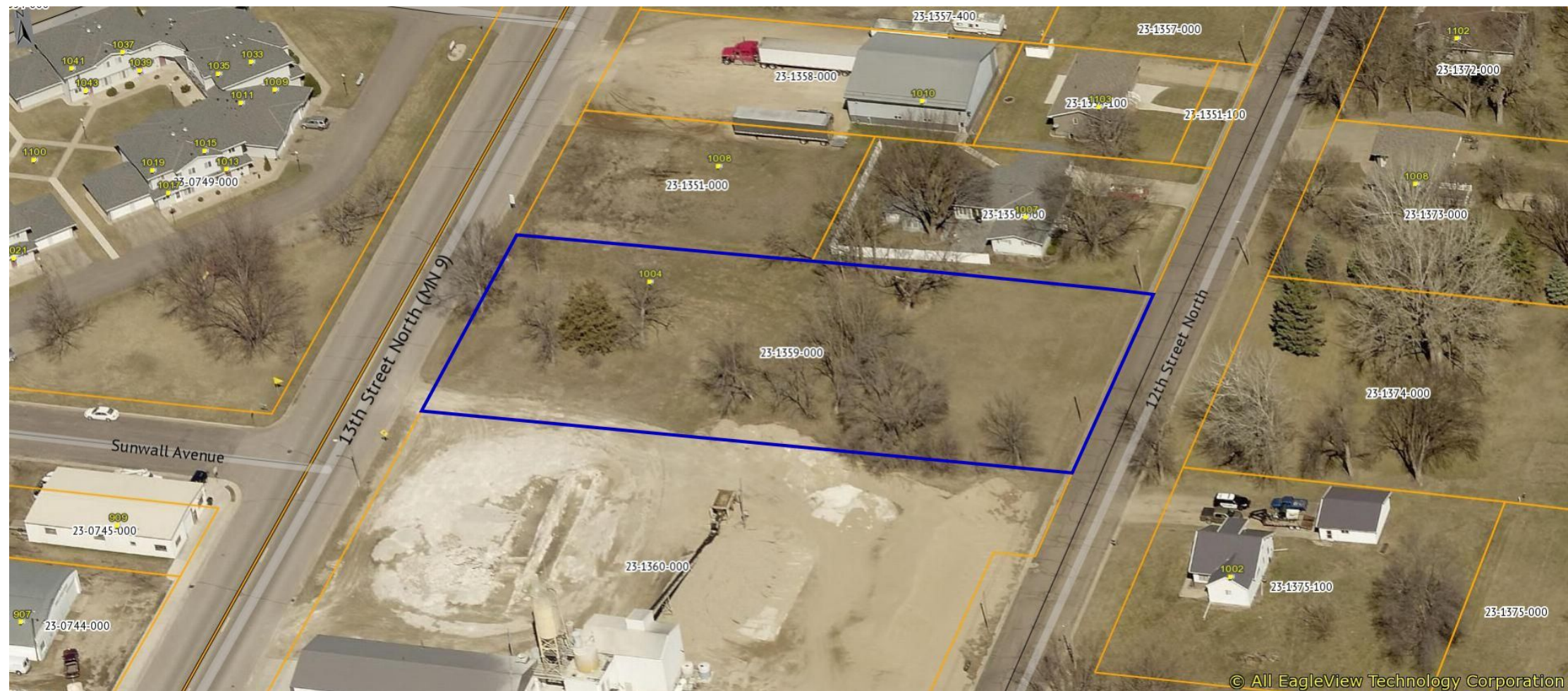
23-0913



23-1057



23-1359



Memorandum of Request

To: Benson City Council

From: Kyle Harris, City Manager

Date: August 1, 2023

Subject: Law Enforcement Labor Services, Inc. (LELS) Contract

Mr. Mayor and Members of Council,

Please, find below a list of proposed changes to the 2024-'25 labor contract for our police officers. Chief Hodge, Ms. Kent and I sat down with representatives from the union on July 18 for an initial discussion. The results of that meeting have been compiled and have already received support from the Personnel Committee.

The changes include:

- 1) A two-year contract for 2024 and 2025.
- 2) Wage increases.
 - a. 6% wage increase in 2024 with two additional steps
 - b. 4% wage increase in 2025
- 3) Amend longevity pay to \$0.25/hour for every year of service starting with the 10th year of service with no limit.
- 4) Add Juneteenth to the list of Holidays.
- 5) Increase uninformed allotments to:
 - a. Full-time employees increased to \$1,000
 - b. Part-time employees increased to \$500
- 6) Cover 100% of gym membership.

I would respectfully ask that Council approve these proposals for the new labor contract. If you have any questions or would a copy of the LELS contract, please feel free to contact me.

Respectfully,
Kyle